

STATE OF NORTH DAKOTA

PUBLIC SERVICE COMMISSION

**In the Matter of Otter Tail Power Company's
Request for Approval of the Annual Rate
Update to Rate Schedule, Section 13.11,
Metering & Distribution Technology Cost
Recovery Rider**

Case No. PU-24-

APPLICATION FOR TRADE SECRET PROTECTION

Pursuant to N.D. Admin. Code Chapter 69-02-09, Otter Tail Power Company (Otter Tail) respectfully requests that the Commission issue a trade secret protective order in the above-referenced case. The purpose of the requested protective order is to protect against public disclosure of trade secret or proprietary information, as defined by NDCC §§ 47-25.1-01(4) and 44-04-18.4.

Otter Tail specifically seeks trade secret protection for references to the projected costs for the Demand Response Project noted on page 5 of the Application. This information has been marked as TRADE SECRET in the Application.

The above-referenced information is not publicly available, is confidential business information, and was prepared specifically for Otter Tail with data inputs unique to Otter Tail. The confidentiality of this information has been maintained by Otter Tail. The information, therefore, is not readily ascertainable by proper means by other persons.

Vendors and competitors would have an opportunity to obtain economic value from disclosure or use of the information to the detriment of Otter Tail and the customers we serve. If publicly available vendors and others could use the information to their advantage in competing for project procurement opportunities and competitors could use the information to Otter Tail's detriment.

Otter Tail also seeks trade secret protection for Attachment 13, which is the live tracker Excel spreadsheet for the purpose of protecting the formulas and models set forth in the live spreadsheet, which are proprietary to Otter Tail. To be clear the revenue and financial data set forth in Attachment 13 is public information and is set forth in Attachments 1-9. The formulas and models in Attachment 13 are not publicly available, is confidential business information, and was prepared specifically for Otter Tail with data inputs unique to Otter Tail. The confidentiality of this information has been maintained

by Otter Tail. The information, therefore, is not readily ascertainable by proper means by other persons.

In accordance with N.D. Admin. Code § 69-02-09-02, one copy of the trade secret material is provided in the enclosed sealed envelope labeled **PROTECTED INFORMATION – PRIVATE**.

In addition, the Company requests that the trade secret protective order be broad enough to cover all additional information exchanged in the course of this proceeding and qualifying for trade secret protection.

Dated: August 1, 2024

Respectfully submitted,

OTTER TAIL POWER COMPANY

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