

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Montana-Dakota Utilities Co.
Electric Service Agreement – APLD Amendment
Approval

Case No. PU-24-332

STAFF RESPONSE TO APPLICATION FOR PROTECTION OF INFORMATION

On October 24, 2024, Montana-Dakota Utilities Co. (MDU) filed an Application for Protection of Information to protect certain information in the above captioned case.

The information for which the Company seeks protection includes Transmittal Letter, which includes select provisions from the Electric Service Agreement that has been identified as trade secret, and Attachment B, which includes select provisions of the Electric Service Agreement containing rate- and cost-related information, as well as information related to the customer's operational details.

The company further states that the High Density Contracted Demand Response Rate 45 provides for an individualized rate structure that is reflective of each customer's load characteristics, but also ensures the recovery of any incremental costs incurred by the Company for the provision of electric service to such customer. The information should not be disclosed or released to the public and that, if the information were released, competitors would be able to benefit from the information to the detriment of the Company and its customers. Energy bills for facilities housing high density computer processing technology can be significant and therefore subject to competition, not only locally, but throughout the globe.

MDU also states the above-referenced information is not publicly available and is confidential business information prepared specifically for Montana-Dakota. Vendors and competitors would have an opportunity to obtain economic value from disclosure or use

of the information to the detriment of Montana-Dakota. If publicly available, vendors could use the information to their advantage in contract negotiations, while competitors could use the information to leverage their positions in the marketplace to Montana-Dakota's detriment.

Staff believes that MDU's application satisfies the requirements of the North Dakota Century Code for protection of the information, which is the subject of this request.

For reasons set forth above, Staff recommends that the Commission grant the application of Montana-Dakota Utilities Co. to protect certain information filed in the captioned case.

Dated this 13 day of January, 2025.



Brian Johnson
Special Assistant Attorney General Bar ID 07397
North Dakota Public Service Commission
600 East Boulevard Avenue Dept. 408
Bismarck ND, 58505
701-328-2407