

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Flickertail Solar Project, LLC Flickertail Solar Project Siting Application – Richland County	Case No. PU-24-351 FLICKERTAIL SOLAR PROJECT, LLC’S APPLICATION FOR PROTECTION OF INFORMATION
--	--

Pursuant to North Dakota Administrative Code (“NDAC”) § 69-02-09-01, Flickertail Solar Project, LLC (“Flickertail”) submits this application to protect from disclosure certain confidential information filed with the North Dakota Public Service Commission (“Commission”) in the above-captioned matter. The purpose of this application for protection of information is to protect from public disclosure cultural resource location information pursuant to North Dakota Century Code (“NDCC”) § 49-22-26 (“The [C]ommission may limit access to, and release of, information that contains data that specifically identifies the location of cultural, archaeological, historical, or paleontological sites.”).

Specifically, Flickertail requests that protection be given to the cultural resource location information contained on pages i, iv, 15 – 17, 20, 23, 25, 27, Figures 2, 3, and 4-A1 – 4-D3 (in Appendix A), and Maps 2 – 10 (in Appendix B) to the *Updated Class III Cultural Resources Inventory Report*, along with associated GIS data. Specifically, Flickertail requests that the information be available only to the Commission, the Commission’s counsel, the Commission’s siting analysts, and the Administrative Law Judge.

Two (2) hard copies of the unredacted, nonpublic version of the *Updated Class III Cultural Resources Inventory Report* are being provided with this request. Also provided is a USB drive

containing nonpublic GIS data. The redacted public version of the *Updated Class III Cultural Resources Inventory Report* is provided as proposed Exhibit 10, filed concurrently.

Dated this 10th day of March, 2025.

FREDRIKSON & BYRON, P.A.

By 

MOLLIE M. SMITH, ND Bar #06714

BRIDGET A. DUFFUS, ND Bar #09235

Attorneys for Flickertail Solar Project, LLC

60 South Sixth Street, Suite 1500

Minneapolis, MN 55402-4400

(612) 492-7270

msmith@fredlaw.com

bduffus@fredlaw.com