

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**Northern States Power Company  
Cogeneration - Small Power Production  
Rates**

**Case No. PU-26-18**

**AFFIDAVIT OF SERVICE BY CERTIFIED AND ELECTRONIC MAIL**

**STATE OF NORTH DAKOTA  
COUNTY OF BURLEIGH**

**Janel Rubert** deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **27th day of May, 2026**, she deposited in the United States Mail, at Bismarck, North Dakota, **one** envelope with certified postage, return receipt requested, fully prepaid, securely sealed containing a photocopy of:

- **Order on Protection of Information**

The envelope was addressed as follows:

Alex Nisbet  
Regulatory Policy Specialist  
Northern States Power Company  
414 Nicollet Mall  
Minneapolis, MN 55401

**Janel Rubert** further deposes and says that on the **27th day of May 2026**, she sent an electronic message to **two** addresses, each including an electronic copy in portable document format of the same document.

The electronic mail was addressed as follows:

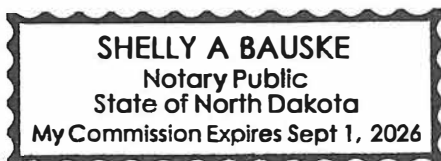
Regulatory Records  
Xcel Energy  
Regulatory.records@xcelenergy.com

Alex Nisbet  
Northern States Power Company  
Alex.j.nisbet@xcelenergy.com

The addresses shown are the respective addressee's last reasonably ascertainable post office and electronic addresses.

Subscribed and sworn to before me  
this **27th day of May 2026**.

SEAL



  
\_\_\_\_\_

  
\_\_\_\_\_  
Notary Public

**STATE OF NORTH DAKOTA**

**PUBLIC SERVICE COMMISSION**

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**Case No. PU-26-18**

**ORDER ON PROTECTION OF INFORMATION**

**May 27, 2026**

**Preliminary Statement**

On January 2, 2026, Northern States Power Company (NSP or the Company) filed an Application for Protection of Information to protect certain information in the captioned case.

On March 13, 2026, Staff reviewed the request of NSP for protection of information.

**Discussion**

The information for which the Company seeks protection includes information regarding the calculation of net annual avoided capacity costs, which has been marked as trade secret in our filing of supporting work papers. The Company states the avoided capacity cost information is commercial information because it is "information pertaining to buying and selling of goods and services that has not been previously publicly disclosed and that if the information were to be disclosed... would cause substantial competitive injury to the person from which the information was obtained," as provided in N.D.C.C. § 44-04-18.4(2)(a).

The Company further states that the avoided capacity cost information is trade secret because it is information that "(1) derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons that can obtain economic value from its disclosure; and (2) is the subject of efforts that are reasonable under the circumstances to maintain the secrecy of the information," as provided in N.D.C.C. § 44-04-18.4(2)(d). The Company further states that the information sought to be protected meets the definition of "trade secret" set forth in N.D.C.C. § 47-25.1-01(4).

The information could have economic value to potential vendors, contractors, and suppliers who may desire to bid for the construction of a new combustion turbine plant. Confidential bid information is also particularly proprietary and has independent economic value to those who provided it. Moreover, potential suppliers would know what the Company has paid under this Power Purchase Agreement (PPA) and bids received in the Request for Proposal (RFP) and, consequently, the price could potentially serve as a

floor, below which no bidder would submit a price. Such a result could be harmful for the Company's customers in North Dakota.

The confidentiality of this information has been maintained by the Company. The information is not disclosed to the public or to persons other than employees or authorized agents who need to know the information to fulfill their responsibilities in connection with the Company's proposal, or to third persons pursuant to nondisclosure agreement to maintain the confidentiality of the information. The Company has requested that this information be treated as trade secret in all of its regulatory filings and other sharing of this information with governmental entities.

Other entities from which the Company purchases power and generation facilities (or could purchase power and generation facilities in the future) and other utilities would obtain economic value from disclosure of this information. Confidential bid information is also particularly proprietary and has independent economic value to those who provided it.

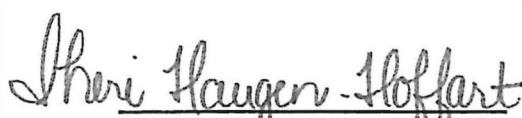
Staff believes that the application satisfies the requirements of the law, which allows the Commission to grant protection of information in this proceeding.

The Commission concludes NSP's application satisfies the requirements of the North Dakota Century Code for protection of the information, which is the subject of this request.

### Order

The Commission orders the January 2, 2026, application of Northern States Power Company for protection of information is GRANTED.

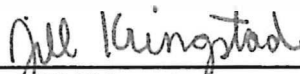
### PUBLIC SERVICE COMMISSION



**Sheri Haugen-Hoffart**  
Commissioner



**Randy Christmann**  
Chair



**Jill Kringstad**  
Commissioner