

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**In the Matter of Otter Tail Power Company's
Application for an Order Certificate to Extend
Service to Dakota Spirit AgEnergy, LLC near
Spiritwood, North Dakota**

Case No. PU-26-

and

**In the Matter of Otter Tail Power
Company's Application for Approval
of Electric Service Agreement**

Case No. PU-26-

APPLICATION FOR TRADE SECRET PROTECTION

Pursuant to N.D. Admin. Code Chapter 69-02-09, Otter Tail Power Company (Otter Tail Power) 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.

The information for which Otter Tail Power seeks protection from public disclosure is customer load, service and rate information set forth in the Application and the proposed Electric Service Agreement (ESA). The customer's projected load and demand information, as well as certain service terms related to customer's operations, are individually and collectively confidential customer information Otter Tail Power is obligated to keep confidential.

The above-referenced information is not publicly available, is confidential, and was provided by the customer for the specific purpose of obtaining an ESA with deviations that must be approved by the Commission. If publicly available, competitors at any level (international, national, regional, local) would have access to the customer's confidential pricing inputs (electric rates) and operational data in the form of projected load and demand data. It is reasonable to conclude that agricultural processing competitors could use information to their economic advantage in numerous ways, including but not limited to securing raw materials, product pricing, securing vendors and buyers for the processed materials, to the detriment of the customer and eventually to Otter Tail Power customers.

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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: March 19, 2026

Respectfully Submitted,

OTTER TAIL POWER COMPANY

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