

**STATE OF SOUTH DAKOTA
BEFORE THE
SOUTH DAKOTA PUBLIC UTILITIES COMMISSION**

In the Matter of Otter Tail Power
Company's Petition for Approval of the
Annual Rate Update to Rate Schedule,
Section 13.05, Transmission Cost
Recovery Rider

Docket No. EL23-033

REQUEST FOR CONFIDENTIAL TREATMENT OF INFORMATION

Otter Tail Power Company (Otter Tail) requests the South Dakota Public Utilities Commission (Commission) to approve confidential treatment for the below-identified information pursuant to Administrative Rules of South Dakota (ARSD) § 20:10:01:41.

Otter Tail requests confidential protection and treatment of the confidential portion of the tracker model used to calculate the Transmission Cost Recovery Adjustment Factor, which is provided to South Dakota staff to aid in the analysis of Otter Tail's Petition. The information is marked "CONFIDENTIAL – CONTAINS TRADE SECRET DATA."

1. The document must be protected for the life of this Docket. When the Docket is closed, all protected information must be returned to Otter Tail.

2. Please refer all inquiries regarding this filing to:

Cary R. Stephenson
Associate General Counsel
Otter Tail Power Company
215 South Cascade Street
P.O. Box 496
Fergus Falls, MN 56538-0496
Phone (218) 739-8956

3. The claim for protection is based on ARSD § 20:10:01:39 (4) and SDCL § 37-29-1 (4). The information contained within the confidential portions of this report meets the definition of "trade secret" under the SDCL § 37-29-1(4), the South Dakota Uniform Trade Secret Act, which defines the term as information that "[d]erives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use; and is the subject of efforts that are reasonable under the circumstances to maintain its secrecy."

4. The confidential portions tracker contains proprietary business information, specifically the live spreadsheet formulas which produce or derive the results stated therein (but not the results themselves), are confidential and proprietary to Otter Tail Power Company. The live spreadsheet formulas reflect components used to derive an agreed upon Rate of Return, which Otter Tail does not disclose to the public. Accordingly, Otter Tail respectfully requests that the Commission authorize confidential protection and treatment of this information.

The information for which confidential treatment is requested has been marked “CONFIDENTIAL – CONTAINS TRADE SECRET DATA” and is being transmitted electronically as a separate document.

Date: November 6, 2023

Respectfully submitted,
OTTER TAIL POWER COMPANY

/s/ Cary R. Stephenson
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