

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

**In the Matter of Otter Tail Power
Company's Petition for Approval of
Rate Schedule, Section 13.09,
Phase-In Rider**

Docket No. EL23-

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.

1. Otter Tail requests confidential protection and treatment of the confidential portion of Attachments 7a, 7b, 7d and portion of page 10 of the petition. The information is marked "CONFIDENTIAL – CONTAINS TRADE SECRET DATA."

2. 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.

3. 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

4. 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."

5. Consistent with the treatment of similar information in Docket EL 16-035, the confidential portions of the listed attachments contain proprietary business information (components of a formula 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: June 1, 2023

Respectfully submitted,
OTTER TAIL POWER COMPANY

/s/ CARY R. STEPHENSON
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