

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

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

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**Docket No. EL24-**

**REQUEST FOR CONFIDENTIAL TREATMENT OF INFORMATION**

Otter Tail Power Company (Otter Tail Power) 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 Power requests confidential protection and treatment of the confidential portion of Company's Petition, concerning the following:

- a. the estimated project costs for the Solway and Abercrombie Solar Project;
- b. the projected levelized cost energy for the Solway and Abercrombie Solar Projects;
- c. confidential terms of the Asset Purchase Agreement between Otter Tail Power and Flickertail Solar, LLC;
- d. competitive project cost data related to the selection of the Solway and Abercrombie Projects;
- e. projected costs of the Company's DR replacement project previously approved by the Commission; and
- f. petition attachments 13b and 13d.

2. The information is marked "CONFIDENTIAL – CONTAINS TRADE SECRET DATA."

3. 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.

4. Please refer all inquiries regarding this filing to:

Cary 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

5. 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.”
6. Confidential Information described above in Section 1(a) through 1(d) concerning projected solar project costs, projected levelized cost of energy, confidential contract terms, and competitive project cost data include proprietary business information and data the Company is obligated to hold as confidential. Otter Tail Power does not disclose this information to the public, in part because disclosure could provide competitive advantages to vendors, suppliers and competitors to the detriment of Otter Tail Power’s South Dakota customers. The same is true for the confidential information described above in Section 1(e) concerning updated costs for the Company’s DR replacement project. The confidential information described above in Section 1(f) concerning attachments 13b and 13d 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: December 20, 2024

Respectfully submitted,  
OTTER TAIL POWER COMPANY

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