




E L E C T R I C

A Touchstone Energy® Cooperative 

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December 5, 2025

Ms. Leah Mohr, Executive Director
South Dakota Public Utilities Commission
Capitol Building, 1st Floor
500 E. Capitol Ave.
Pierre, SD 57501-5070

SENT VIA ELECTRONIC FILING

RE: Request for Confidential Treatment of Information by a Non-Submitting Party

EL25-032 – In the Matter of the Petition of Sweetman Const. Co. dba Knife River, to have Xcel Energy Assigned as its Electric Provider in the Service Area of Sioux Valley Electric

Dear Ms. Leah Mohr:

East River Electric Power Cooperative, Inc. (East River) submits the following Request for Confidential Treatment of Information by a Non-Submitting Party in the above-entitled matter.

In accordance with ARSD § 20:10:01:41.01 through 42, East River respectfully requests confidential treatment of certain information contained in Exhibit 5 - Emails of Knife River's First Set of Responses to Joint Data Requests of Sioux Valley Electric, East River Electric and Basin Electric filed in the above-matter on December 2, 2025. East River has identified and redacted each piece of confidential information in the attached Public Exhibit 5 - Emails and provided a Confidential Exhibit 5 - Emails.

Pursuant to ARSD § 20:10:01:41.01, East River provides the following information in support of this request:

1. East River requests that the identified portions of Exhibit 5 - Emails of Knife River's First Set of Responses to Joint Data Requests of Sioux Valley Electric, East River Electric and Basin Electric be treated as confidential.

This cooperative is an equal opportunity provider and employer.

2. East River requests that the redacted information be treated as confidential forever.
3. If you have questions regarding this request, please contact:

East River Electric Power Cooperative, Inc.
Danny Brown
General Counsel
211 South Harth Ave.
PO Box 227
Madison, SD 57042
(605) 256-8224
dbrown@eastriver.coop

4. East River requests confidential treatment on the grounds that East River considers the redacted information to be trade secret information, the disclosure of which would result in material damage to the Cooperative's financial or competitive position. The claim for confidential treatment is based on ARSD§ 20:10:01:39(4) and (5), and SDCL § 1-27-30. The information contained within the referenced documents meets the definition of "trade secret" under SDCL § 37-29-1(4)(1), the South Dakota Uniform Trade Secrets Act, which is defined as information that "Derives 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. The identified information qualifies for confidential treatment because it is trade secret information regarding East River's and Sioux Valley Energy's cost/CIAC estimates, rate estimates, and rate philosophy presented to Knife Fork for their plant expansion located at 25944 482nd Ave, Brandon, South Dakota, subject to the above entitled-matter.

Sincerely,



Daniel J. Brown
General Counsel

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