

Service Date: December 17, 2002

DEPARTMENT OF PUBLIC SERVICE REGULATION
BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MONTANA

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IN THE MATTER OF NORTHWESTERN)	UTILITY DIVISION
ENERGY, LLC, Annual Application to)	
Implement its Unreflected Gas Cost, Gas Cost)	DOCKET NO. D2002.11.140
Tracking and Gas Transportation Adjustment)	
Clause Procedures)	ORDER NO. 6468a

PROTECTIVE ORDER

On December 5, 2002, NorthWestern Energy, LLC (NWE), filed a Motion for Protective Order to govern certain information expected to be filed in the above-entitled proceeding. NWE requests protection of information relating to projected and actual core gas supply costs and upstream capacity and certain customer usage information. NWE argues the identified information is sensitive and proprietary and trade secret in accordance with § 30-14-402, MCA.

The Public Service Commission (PSC or Commission) determines NWE has shown good and sufficient cause in fact and law that the information for which protection is requested is entitled to protection from uncontrolled public disclosure pursuant to § 69-3-105, MCA, and the customer usage information may also invoke Art. II, § 10, Mont. Const. Therefore, the PSC grants NWE's request and hereby orders that information submitted in accordance with this Order be treated as "confidential information" under the terms of this Order and PSC protective order rules, ARM 38.2.5001 through 38.2.5030.

NWE's request for a broadly worded protective order to encompass additional information, not specifically identified in its motion, is denied. The procedure for extending protection to additional information is as provided in ARM 38.2.5010.

Done and dated this 10th day of December, 2002, by a vote of 5-0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

GARY FELAND, Chairman

JAY STOVALL, Vice Chairman

BOB ANDERSON, Commissioner

MATT BRAINARD, Commissioner

BOB ROWE, Commissioner

ATTEST:

Rhonda J. Simmons
Commission Secretary

(SEAL)

NOTE: There is no reconsideration of the granting of a protective order. There is a procedure to challenge the provider's claim of confidentiality. See ARM 38.2.5008.

Montana Public Service Commission
Protective Orders and Protection of Confidential Information

Nondisclosure Agreement

(7-26-00)

ARM 38.2.5012

Docket No. D2002.11.140, Order No. 6468a
Order Action Date: December 10, 2002

I understand that in my capacity as counsel or expert witness for a party to this proceeding before the commission, or as a person otherwise lawfully so entitled, I may be called upon to access, review, and analyze information which is protected as confidential information. I have reviewed ARM 38.2.5001 through 38.2.5030 (commission rules applicable to protection of confidential information) and protective orders governing the protected information that I am entitled to receive. I fully understand, and agree to comply with and be bound by, the terms and conditions thereof. I will neither use nor disclose confidential information except for lawful purposes in accordance with the governing protective order and ARM 38.2.5001 through 38.2.5030 so long as such information remains protected.

I understand that this nondisclosure agreement may be copied and distributed to any person having an interest in it and that it may be retained at the offices of the provider, commission, consumer counsel, any party and may be further and freely distributed.

Typed or Printed Name

Signature

Date of Signature

Business Address:

Employer

Party Represented