

Service Date: July 21, 2004

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, Application for Annual Review)	
of Interim Monthly Gas Cost Tracking)	DOCKET NO. D2004.6.88
Adjustments and Final Approval of Monthly)	
Interim Rate Changes)	ORDER NO. 6579a

PROTECTIVE ORDER

On June 30, 2004, NorthWestern Energy (NWE) filed before the Public Service Commission (PSC) 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 NWE's acquisition of natural gas supplies, including identity of suppliers, costs associated with purchases, quantities purchased, delivery locations, and evaluations related to such information. NWE argues that the identified information is trade secret in accordance with § 30-14-402, MCA. The NWE motion is accompanied by an affidavit supporting protection of the information from uncontrolled disclosure on the basis that the identified information is trade secret.

The PSC 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. 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.

The PSC is presently considering necessary changes, if any, to its protective order process as a result of litigation. All protective orders issued until the question of changes has been resolved are subject to modification. Providers will be notified and provided an opportunity to respond in the event modification of this protective order is required.

Done and dated this 8th day of July, 2004, by a vote of 5-0.

Nondisclosure Agreement

(7-26-00)

ARM 38.2.5012

Docket No., D2004.6.88 Order No. 6579a

Order Action Date: July 21, 2004

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

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

BOB ROWE, Chairman

THOMAS J. SCHNEIDER, Vice-Chairman

MATT BRAINARD, Commissioner

GREG JERGESON, Commissioner

JAY STOVALL, Commissioner

ATTEST:

Connie Jones
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. Reconsideration of a denial of a protective order is available in accordance with ARM 38.2.4806.