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Attorneys for Gordon Butte Wind, LLC

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

IN THE MATTER OF NorthWestern Energy's) REGULATORY DIVISION
2011-2012 Electricity Supply Tracker) DOCKET NO. D2012-5.49

**MOTION TO INTERVENE
FOR PURPOSE OF APPLYING FOR PROTECTIVE ORDER**

Gordon Butte Wind, LLC, through counsel, hereby moves to intervene in the above-captioned proceeding for the limited purpose of applying for a Protective Order.

1. Name and address of Movant:

Gordon Butte Wind, LLC
1087 Stoneridge Dr.
Bozeman, MT 59718
Telephone: 406-586-8440
Bryan Rogan, Member
brogan@oversightresources.com

2. Movant's attorney:

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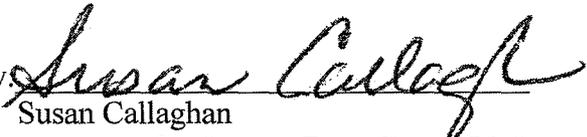
3. Movant's interest in this proceeding is limited to applying for and securing a Protective Order for the purpose of protecting trade secret information that is within the scope of Data Requests served in this matter by the Public Service Commission upon NorthWestern Energy. Movant is simultaneously filing its Motion For Protective Order, with supporting Affidavit of Bryan Rogan, setting forth the grounds for seeking the Protective Order.

4. While the Public Service Commission's Procedural Order in this matter, dated July 27, 2012, established an intervention deadline of July 9, 2012, ARM 38.2.2403 provides that motions for intervention filed after the deadline may be granted for good cause shown. In this situation, the Movant did not become aware of the fact that its trade secrets could be disclosed in this matter until NorthWestern Energy notified Petitioner on February 27, 2013, that the Public Service Commission had issued a data request to NorthWestern, PSC-081, the answer to which would require NorthWestern to disclose information that Movant may consider a trade secret or confidential.

PSC-081 asks NorthWestern Energy to provide energy production data in its possession associated with wind energy projects with which it has contracts. Movant owns one such project. Since being notified of the impending disclose of this information, Movant has determined that the information is a trade secret and that it should be afforded protection under Montana law and the rules of the Public Service Commission. Because Movant is not taking a position in the proceeding but is merely seeking to protect its trade secret information, granting this Motion For Intervention will not delay or prejudice another party. If the Commission does not exercise its discretion to grant this late-filed Motion For Intervention, Movant will lose the opportunity to protect trade secrets and will suffer competitive and economic harm.

Dated this 8th day of March, 2013.

Callaghan and Gernant, P.C.

By: 
Susan Callaghan
Attorneys for Gordon Butte Wind, LLC

CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of March, 2013, a copy of the foregoing document has been served by mailing a copy thereof by first class mail, postage prepaid, upon the following:

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