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Attorneys for Gordon Butte Wind, LLC

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

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

**AFFIDAVIT OF BRYAN ROGAN IN SUPPORT OF GORDON BUTTE WIND, LLC'S  
MOTION FOR PROTECTIVE ORDER**

STATE OF MONTANA )  
 )  
COUNTY OF GALLATIN )

Bryan Rogan, being first duly sworn, states:

1. I am a member of Gordon Butte Wind, LLC, which company owns and operates a 10 MW qualifying facility wind energy project located near Martinsdale, Montana (the "Project"). I have personal knowledge of the Project construction and operation, including information obtained by NorthWestern Energy in relation to a power purchase agreement ("PPA") between NorthWestern Energy and Gordon Butte for the Project. Gordon Butte has been selling energy to NorthWestern Energy since January 2012 when the Project became operational. NorthWestern Energy has received a data request from the Montana Public Service Commission in the above-referenced docket, PSC-081, which would require NorthWestern Energy to disclose 15-minute and 30-minute data relating to the Project's production of energy ("Production Data") that it has obtained from Gordon Butte as a result of the PPA. Because of the nature of wind generation, Production Data can easily be converted to wind data ("Wind Data").

2. The Production Data requested by the PSC is not information available to the public. NorthWestern Energy obtains the Production Data as a result of NorthWestern's purchase of the

Project's energy production. Because of the nature of wind, the Production Data can easily be converted to Wind Data, which is not information that, without consideration, Gordon Butte would share or give to anyone. Gordon Butte takes steps to protect this information, including requesting a protective order in this docket. Gordon Butte considers the Production Data to be proprietary wind resource information associated with the Project. If the Production Data were made public, then third parties, including competitors and wind project developers, would gain valuable information regarding the Project's wind resources, to the competitive and economic detriment of Gordon Butte.

3. The Production Data constitutes proprietary information because it provides valuable information regarding the wind resource in the vicinity of the Project. Developers of wind projects must spend a lot of money to test the wind resource in any potential project location to determine if there is potential for an economically viable project. If the Production Data were publicly available, then competitors and wind project developers would have free information about the wind resources in the area of the Project that could be used for their benefit. Furthermore, as the rate NorthWestern Energy pays for the energy production from the Project is public information, if the Production Data were publicly available, then the Project revenues would be publicly available, again information that is not readily available to the public.

4. The Production Data for which protection is sought should reasonably be accorded protection such that it can be made available to the appropriate regulatory authority without benefitting Gordon Butte's competitors and wind project developers and thus causing Gordon Butte competitive and economic harm.

5. Prior to the filing of the Motion To Intervene that this affidavit supports, Gordon Butte considered the presumption in favor of disclosing materials provided to the PSC. Based on my experience and having dully considered the factual and legal bases required for protection of confidential information, I have, with the assistance of qualified legal counsel, formed a good faith belief that the Production Data described herein, and in the accompanying Motion For A Protective Order are trade secrets that may be protected from public disclosure under law.

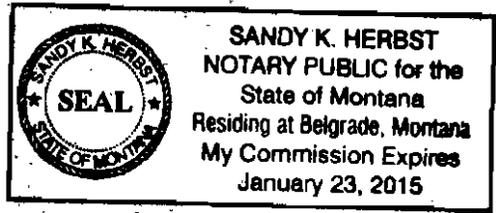
END OF AFFIDAVIT

Dated this 6 day of March, 2013.

  
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Bryan Rogan  
Member, Gordon Butte Wind, LLC

SUBSCRIBED AND SWORN TO before me this 6 day of March, 2013.

(NOTORIAL SEAL)



Sandy K Herbst  
Printed Name: Sandy K Herbst  
Notary Public for the State of Montana  
Residing at Belgrade mt  
My Commission Expires: 1-23-2015