

**STATE OF NORTH DAKOTA
BEFORE THE PUBLIC SERVICE COMMISSION**

**In the Matter of the Confidential Billing
Dispute Settlement Agreement between
360networks (USA) inc. and Qwest
Corporation**

Docket No. _____

**An Application Requesting Trade Secret
Protection of Confidential Information**

Qwest Corporation (“Qwest”) requests the North Dakota Public Service Commission, pursuant to Chapter 69-02-09 of the North Dakota Administrative Code, to issue a protective order limiting the disclosure of the trade secret information included in the Confidential Billing Dispute Settlement Agreement (“Settlement Agreement”) that Qwest is submitting in this docket.

A copy of the Agreement has been appropriately marked and sealed.

1. General Description of the Nature of the Information Sought to be Protected.

CONFIDENTIAL BILLING DISPUTE SETTLEMENT AGREEMENT

360networks (USA) inc. (“360”) has disputed Qwest billings for transit services in states in which it has transit traffic. Attachment A to the Settlement Agreement sets forth the amounts that are associated with the disputed billings through June 9, 2008.

2. An Explanation of Why the Information Derives Independent Economic Value, Actual or Potential, From Not Being Generally Known to Other Persons.

The information for which Qwest seeks trade secret protection contains confidential and proprietary information regarding amounts that are associated with the disputed billings through June 9, 2008. This information 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.

3. An Explanation of Why the Information is Not Readily Available by Proper Means to Other Parties.

The information at issue is proprietary to Qwest and 360 and is available only to those employees and representatives who have a need to know the information to perform their duties and responsibilities.

4. The General Description of the Persons or Entities That Would Obtain Economic Value from Disclosure or Use of the Information.

Competitors or potential competitors of Qwest and 360 that provide local exchange service and other telecommunications service would obtain economic value from disclosure or use of the information.

5. Specific Description of Known Competitors or Competitor's Good and Services that are Pertinent to the Information.

Competitors and potential competitors of Qwest in North Dakota include AT&T Communications of the Midwest, Inc., McLeodUSA Telecommunications Services, Inc., MCImetro Access Transmission Services, LLC, Sprint Communications Company L.P., Excel Telecommunications, Inc. and any other provider of telecommunications services in North Dakota or any of the other states in which Qwest operates.

6. A Description of the Efforts Used to Maintain the Secrecy of the Information.

See No. 3 above.

Dated this 15th day of August, 2008.

QWEST CORPORATION

By



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