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**RECEIVED**

JUL 29 2011

**PUBLIC SERVICE COMMISSION**

July 29, 2011

Executive Secretary  
North Dakota Public Service Commission  
600 East Boulevard Avenue, Dept. 408  
Bismarck, ND 58505-0480

**RE: ETC FILINGS**

Enclosed for filing on behalf of the companies shown on Attachment A hereto please find an original and seven copies of an Application for Protective Order and Trade Secret Protection of Rural Telephone Company Group. Pursuant to Section 69-02-09-02 of the North Dakota Administrative Code, the trade secret information is being submitted under separate cover for each individual company, in separate sealed envelopes labeled as Trade Secret – Private.

Very truly yours,

David J. Hogue

DJH/klb

Enclosures

2 **PU-11-596** Filed: 7/29/2011 Pages: 5  
**Application to Protect Trade Secret and Confidential Information**

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

**APPLICATION FOR PROTECTIVE ORDER**  
**AND TRADE SECRET PROTECTION**  
**OF RURAL TELEPHONE COMPANY GROUP**

Each company which is listed individually on Attachment A hereto and collectively referred to as the Rural Telephone Company Group (the "RTCG") hereby moves the North Dakota Public Service Commission (the "Commission") for an Order under Chapter 69-02-09 and section 69-02-09-04 of the North Dakota Administrative Code granting Trade Secret Protection to certain of the materials filed by each individual company of the RTCG in compliance with North Dakota Administrative Code section 69-09-05-12(3) and section 69-09-05-12.1 in order to file their annual 2011 Essential Telecommunications Carrier ("ETC") reports.

1. Description. The information which each individual member of the RTCG wishes to have designated as Confidential is contained in a separate envelope for each individual company and is marked "TRADE SECRET – PRIVATE."

In general, the information so designated for each applicant company consists of:

- a) A description of Service Improvement Plans,
- b) A summary of the Expenditures of each company in the prior calendar year,
- c) An estimate of the Universal Service Support to be received in the upcoming calendar year and the planned capital expenditures of each company,

- d) A description of improvements and upgrades, and
- e) An outage report.

2. The information so designated by each applicant company derives independent economic value, actual or potential, from not being generally known to other persons because the information is maintained as proprietary information and is not shared with the public or competitors except in a more general sense. The level of detail involved would easily allow competitors to determine the level of support and the cost of service to study areas and exchanges in each company's service areas.

3. The information is not readily ascertainable by proper means by other persons because it contains a description of matters which is only reviewed and known by the highest management level personnel and includes descriptions of capital spending plans and improvements in detail not available to those outside the management group.

4. A general description of those persons or entities that could obtain economic value from the disclosure or use of the information are competitor or potential competitors which include wireless providers, cable television providers, competitive local exchange carriers, internet providers, dish networks, and other local exchange carriers.

5. A specific description of the known competitors and competitors' goods and services that are pertinent to this filing are:

- a) AT&T/Alltel, and Verizon: cellular, CMRS, and data plans.
- b) Midcontinent Communications: video, internet, and telecommunications.
- c) Qwest/CenturyLink: voice, data, and video services.

In addition to these providers, there is a host of competing technologies and providers on a national scale, such as Vonage, Happy Jack, and other providers of internet and voice over the internet providers ("VOIP") services.

6. A description of the efforts used to maintain the secrecy of the information includes assuring that access to the information is restricted to the employees and management-level persons who have a need to know the information and it is not disclosed to persons outside the company except under strict circumstances.

Dated at Minot, North Dakota, this 29<sup>th</sup> day of July, 2011.

PRINGLE & HERGISTAD, P.C.



By: David J. Hogue, ND Bar ID #04486  
Attorneys for each individual company  
listed in attached Exhibit A of the  
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## **ATTACHMENT A**

BEK Communications Cooperative  
Consolidated Telcom  
Dakota Central Telecommunications Cooperative and Dakota Central Telcom I, Inc.  
Dickey Rural Access, Inc.  
Dickey Rural Telephone Cooperative  
Dickey Rural Communications, Inc.  
Griggs County Telephone Company  
Moore and Liberty Telephone Company  
Halstad Telephone Company  
Inter-Community Telephone Company, LLC  
Midstate Communications, Inc.  
Midstate Telephone Company  
Nemont Telephone Cooperative, Inc. - ND./Missouri Valley Communications, Inc.  
Sagebrush Cellular, Inc.  
North Dakota Telephone Company  
Northwest Communications Cooperative  
Polar Communications Mutual Aid Corporation – 381630  
Polar Communications Mutual Aid Corporation – 381614  
Polar Telcom, Inc.  
Wolverton Telephone Company  
Reservation Telephone Cooperative  
United Telephone Mutual Aid Corporation/Turtle Mountain Communications  
West River Telecommunications Cooperative