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RECEIVED

MAY 15 2012

May 15, 2012

PUBLIC SERVICE COMMISSION

Mr. Darrell Nitschke  
Executive Secretary  
North Dakota Public Service Commission  
State Capitol  
600 East Boulevard Avenue, Twelfth Floor  
Bismarck, ND 58505-0480

Re: North Dakota Intrastate Access Coalition-North Dakota Tariff No. 1  
Issuing Carriers-Application for Trade Secret Protection

Dear Mr. Nitschke:

John Staurulakis, Inc. (JSI) is filing an original and seven (7) copies of the attached Application for Trade Secret Protection (Application). This filing is enclosed with this transmittal letter. This filing is being filed today on behalf of the Issuing Carriers indicated in Attachment 2 to this Application, also referred to as the North Dakota Intrastate Access Coalition. This Application filing is being made in conjunction with the new Intrastate Access Tariff that is also being filed today on behalf of the Issuing Carriers<sup>1</sup>

In a Letter Order issued by the North Dakota Public Service Commission (NDPSC) on May 3, 2012, the Commission delineated a list of specific supporting information that must be provided with this tariff filing. The necessary supporting information as outlined in that Letter Order is the subject of the enclosed Application, and is therefore being submitted today as Attachment 1 to the Application for Trade Secret Protection.

As noted above, JSI is mailing a hard copy of the tariff filing to the Commission today, via overnight mail, for filing with the Commission on Tuesday, May 15, 2012. With that mailing, you will find enclosed a copy of this transmittal letter marked "File Stamp Copy" to be stamped and returned to JSI as confirmation that these hard copies of

<sup>1</sup> The purpose of this filing is to reflect recently enacted FCC rules pursuant to the FCC's Report and Order and Further Notice of Rulemaking, Docket No. WC Docket No. 10-90, *et al*, FCC 11-161 (Released November 18, 2011). The FCC's Rules in this Order became effective on December 29, 2011.

**Mr. Darrell Nitschke**  
**Executive Secretary**  
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the filing have been received by the Commission. Please return the stamped copy of this transmittal letter in the envelope provided for this purpose.

If there are any questions regarding this filing, please feel free to contact me at (301) 459-7590 or at [kcartmell@jsitel.com](mailto:kcartmell@jsitel.com).

Sincerely,



Kenneth T. Cartmell  
Manager-JSI Regulatory Affairs

on behalf of the North Dakota  
Intrastate Access Coalition

KTC/tms  
Attachments

cc: Patrick Fahn, North Dakota Public Service Commission (w/o Attachments)  
North Dakota Intrastate Access Coalition-North Dakota Tariff No. 1-Issuing Carriers

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

In the Matter of	)	
North Dakota Intrastate Access	)	
Tariff No. 1- Issuing Carriers	)	Case No. PU-12-
Request for Approval of	)	
Initial Intrastate Access Tariff	)	

\* \* \* \*

**APPLICATION FOR TRADE SECRET PROTECTION**

COMES NOW, North Dakota Intrastate Access Tariff No.1-Issuing Carriers ("Issuing Carriers") and respectfully moves the Commission for entry of a trade secret protective order under § 69-02-09-01 of the North Dakota Administrative Code. The purpose of the requested protective order is to protect against public disclosure of trade secret information as defined by NDCC § 47-25.1-01(4).

**1. A general description of the nature of the information sought to be protected.**

The financial and rate information requested to be submitted with the filing of the North Dakota Intrastate Access Tariff reflects detailed financial, minutes-of-use, demand, revenue, and rate design information that is only known to the companies denoted as Issuing Carriers, and their authorized agents. This information submitted with this Application as Attachment 1, is highly confidential, in that it is only maintained by each Issuing Carrier/Company and not available through any source other than the companies or their authorized agents. Furthermore, this information could have economic value to potential competitors, and in a competitive telecommunications marketplace, this type of information is highly sensitive and its public disclosure would place the Issuing Carriers at a competitive disadvantage.

**2. Explanation of why the information derives independent economic value, actual or potential, from not being generally known to other persons.**

The information could have economic value to potential vendors, contractors, and suppliers who may desire to supply components of services being offered by the Issuing Carriers. Additionally, competitors may wish to "cherry pick" and based on this information, decide to target certain parts of the various Issuing Carriers service territories where the revenue potential is the greatest. Competitors, could use such information against Issuing Carriers' interests in the course of submitting proposals as well as in developing their own business plans.

**3. An explanation of why the information is not readily ascertainable by proper means by other persons.**

The confidentiality of the information has been maintained by the Issuing Carriers. The information is not disclosed to the public or to persons other than employees or authorized agents of Issuing Carriers who need to know the information to fulfill their responsibilities in connection with the project or to third persons pursuant to agreement to maintain the confidentiality of the information.

**4. A general description of the persons or entities that would obtain economic value from disclosure or use of the information.**

Competitive Local Exchange Carriers, potential equipment and material vendors, contractors, and other suppliers of telecommunications services would obtain economic

value from disclosure of the costs, demand, minutes-of-use, and other confidential information.

**5. A specific description of known competitors and competitors' goods and services that is pertinent to the tariff or rate filing.**

Competitive Local Exchange Carriers, potential equipment and material vendors, contractors, and other suppliers of telecommunications services would obtain economic value from disclosure of the demand, minutes-of-use, and other confidential information.

**6. A description of the efforts used to maintain the secrecy of the information.**

The confidentiality of the information has been maintained by the Issuing Carriers. The information is not disclosed to the public or to persons other than employees or authorized agents of Issuing Carriers who need to know the information to fulfill their responsibilities in connection with the project or to third persons pursuant to agreement to maintain the confidentiality of the information.

**Application for Trade Secret Protection**  
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In accordance with § 69-02-09-02 of the North Dakota Administrative Code, one copy of the trade secret material is provided in the enclosed sealed envelope which is labeled: ATTACHMENT-1-TRADE SECRET — PRIVATE.

Respectfully submitted on May 15, 2012.

JOHN STAURULAKIS, INC.

By:   
Kenneth T. Cartmell  
Manager-Regulatory Affairs

On behalf of

NORTH DAKOTA INTRASTATE ACCESS  
TARIFF NO.1-ISSUING CARRIERS

## **Attachment 2**

**ACCESS SERVICE**

**ISSUING CARRIERS**

**NAME OF COMPANY**

**PREVIOUS TARIFF CANCELLED**

BEK Communications Cooperative  
P.O. Box 230  
200 Broadway East,  
Steele, North Dakota 58482

Consolidated Communication Network, Inc.  
507 South Main Ave.  
Dickinson, North Dakota 58601

Dakota Central Telecommunications  
630 Original Street North  
Carrington, North Dakota 58421

Dakota Central Telecom I, Inc.  
630 Original Street North  
Carrington, North Dakota 58421

Dickey Rural Telephone Cooperative  
P.O. Box 69  
9628 Highway 281  
Ellendale, North Dakota 58436

Dickey Rural Communications  
P.O. Box 69  
9628 Highway 281  
Ellendale, North Dakota 58436

Griggs County Telephone Company  
905 Lenham Ave. Southeast  
Carrington, North Dakota 58425

Inter-Community Telephone Company, LLC  
556 Main Street  
P.O. Box 8  
Nome, North Dakota 58062

Missouri Valley Communications, Inc.  
421 Main St.  
Williston, North Dakota 58801

**ACCESS SERVICE**

**ISSUING CARRIERS**

**NAME OF COMPANY**

**PREVIOUS TARIFF CANCELLED**

Moore and Liberty Telephone Company  
301 Dewey St.  
Enderlin, North Dakota 58027

Nemont Telephone Cooperative, Inc.  
61 Highway 13 S.  
Scobey, Montana 59263

North Dakota Telephone Company  
211 22 St. NW  
Devils Lake, North Dakota 58301

Northwest Communications, Cooperative  
PO Box 38  
111 Railroad Ave.  
Ray, North Dakota 58849

Polar Communications Mutual Aid Corporation  
110 4<sup>th</sup> Street E  
Park River, North Dakota 58270

Red River Rural Telephone Company  
510 Broadway  
Abercrombie, North Dakota 58001

Reservation Telephone Cooperative  
24 N. Main St.  
Parshall, North Dakota 58770

Turtle Mountain Telephone Company  
P.O. Box 729  
411 7<sup>th</sup> Avenue  
Rolla, North Dakota 58367

United Telephone Mutual Aid Corporation  
PO Box 729  
411 7<sup>th</sup> Avenue.  
Langdon, North Dakota 58249

West River Telecommunications, Cooperative  
101 Main Street West  
P.O. Box 467  
Hazen, North Dakota 58545

**ACCESS SERVICE**

**ISSUING CARRIERS**

**NAME OF COMPANY**

**PREVIOUS TARIFF CANCELLED**

Wolverton Telephone Company  
110 4<sup>th</sup> Street E  
Park River, North Dakota 58270