

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Midcontinent Communications
Access Services
Price Schedule**

Case No. PU-12-287

ORDER GRANTING TRADE SECRET PROTECTION

June 20, 2012

Preliminary Statement

1. Midcontinent Communications (Midcontinent) applied for trade secret protection on June 8, 2012, pursuant to N.D. Admin. Code § 69-02-09-01 and requested a protective order in accordance with the provisions of the N.D. Admin. Code.
2. The information identified by their application includes 2011 revenue, and rate and minute, information for Midcontinent that is known only by them.
3. Commission staff as required by N.D. Admin. Code § 69-02-09-03 have on June 13, 2012, made a prima facie recommendation that the information is a trade secret as defined by N.D.C.C. § 47-25.1-01(4).
4. The information for which trade secret protection is sought is highly confidential and of a propriety and financial nature and as provided in N.D.C.C. § 44-04-18.4, has been kept confidential by Midcontinent and would be of advantage to competitors if not protected.
5. If competitors had access to such confidential information, it could adversely affect prices all to the ultimate disadvantage of consumers and customers of Midcontinent.
6. The Commission, in consideration of Staff's prima facie recommendation, determines that the information is a trade secret as defined by N.D.C.C. ch. 47-25.1 and

N.D. Admin. Code ch. 69-02-09;

IT IS, THEREFORE,

ORDERED Midcontinent is hereby granted trade secret protection pursuant to and in accordance with the provisions of N.D.C.C. ch. 47-25.1 and N.D. Admin. Code ch. 69-02-09 for the information identified by the application; and it is further

ORDERED that this order shall not constitute precedent for a determination of entitlement to trade secret protection for any information upon any subsequent application.

PUBLIC SERVICE COMMISSION

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Kevin Cramer Commissioner	Brian P. Kalk Chairman	Vacant