

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Midcontinent Communications  
Access Service  
Price Schedule

Case No. PU-12-287

AFFIDAVIT OF SERVICE BY CERTIFIED MAIL

STATE OF NORTH DAKOTA  
COUNTY OF BURLEIGH

Cara DeSaye deposes and says that:

she is over the age of 18 years and not a party to this action and, on the 22<sup>nd</sup> day of **June, 2012**, she deposited in the United States Mail, at Bismarck, North Dakota, **one** envelope with certified postage, return receipt requested, fully prepaid, securely sealed and containing a photocopy of:

**Order Granting Trade Secret protection**

The envelope was addressed as follows:

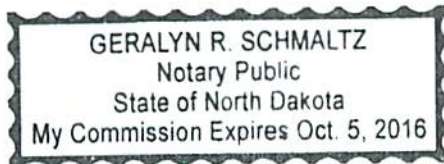
Zachary Pelham  
Pearce & Durick  
PO Box 400  
Bismarck ND 58502

**Cert. No. 7011 2000 0002 0363 3530**

The address shown is the respective addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me  
this 22<sup>nd</sup> day of **June, 2012**.

SEAL



*Cara DeSaye*  
\_\_\_\_\_  
*Geralyn R. Schmaltz*  
\_\_\_\_\_  
Notary Public

**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

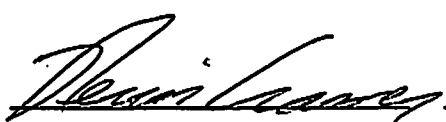
N.D. Admin. Code ch. 69-02-09;

**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**



**Kevin Cramer**  
Commissioner



**Brian P. Kalk**  
Chairman

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**Vacant**