



Public Service Commission

State of North Dakota

COMMISSIONERS

Brian P. Kalk
Kevin Cramer
Bonny M. Fetch

Executive Secretary
Darrell Nitschke

600 East Boulevard, Dept. 408
Bismarck, North Dakota 58505-0480
Web: www.psc.nd.gov
E-mail: ndpsc@nd.gov
Phone: 701-328-2400
ND Toll Free: 1-877-245-6685
Fax: 701-328-2410
TDD: 800-366-6888 or 711

31 October 2012


Darrell Nitschke
Executive Secretary
North Dakota Public Service Commission
600 E. Blvd. Ave. Dept. 408
Bismarck, ND 58505-0480

Re: RC Communications, Inc. & Roberts County Telephone Cooperative
2012 High-Cost Universal Support Annual Reports

Dear Mr. Nitschke:

Enclosed is a Staff Response to Applications for Trade Secret Protection in the captioned cases along with a Certificate of Service.

Best regards,


Illona A. Jeffcoat-Sacco
PSC General Counsel

c:w/encl: Scott Bostrom

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Staff Response to Application for Trade Secret Protection
Public Service Commission

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Staff Response to Application for Trade Secret Protection
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STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**RC Communications, Inc.
2012 High-Cost Universal Service Support
Annual Report**

Case No. PU-12-650

**Roberts County Telephone Cooperative
2012 High-Cost Universal Service Support
Annual Report**

Case No. PU-12-651

**STAFF RESPONSE TO APPLICATIONS FOR TRADE SECRET
PROTECTION**

On 30 July 2012, the General Manager of Roberts County Telephone Cooperative Association and RC Communications, Inc. filed an application for trade secret protection in the two captioned cases asking the Commission to protect against public disclosure certain information filed by the two companies in compliance with the Commission's requirements regarding each company's annual Eligible Telecommunications Company report filing.

North Dakota Administrative Code § 69-02-09-04 requires that the Commission staff examine the information and applications and make a recommendation to the Commission. Staff has reviewed the requests of the companies for protection of information.

The companies ask the Commission to protect from disclosure financial information, including financial data and strategy of each company for each respective year. The companies state that the companies take measures to protect their financial information from disclosure. The companies further state that release of the information

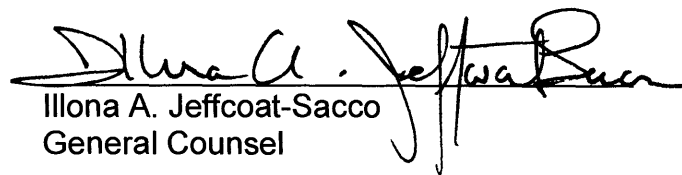
would provide a competitive advantage to competitors of the companies, particularly competitive local exchange carriers.

North Dakota Century Code § 44-04-18.4(2) authorizes protection for commercial, financial, proprietary, and trade secret information if privileged and if the information has not been previously publically disclosed. N.D.C.C. § 44-04-18.4(1). Commercial and financial information can be protected from disclosure if the information has not been previously disclosed and disclosure would impair the Commission's ability to obtain similar information in the future or would cause competitive injury to the person providing the information. N.D.C.C. §§ 44-04-18.4(2)(a) and 44-04-18.4(2)(b). Proprietary and trade secret information can be protected when the information derives independent economic value from not being generally known to or readily ascertainable by other persons, and is the subject of reasonable efforts to maintain its secrecy. N.D.C.C. §§ 44-04-18.4(2)(c) and 44-04-18.4(2)(d).

Staff believes that the application satisfies the requirements of the North Dakota Century Code for protection of the information which is the subject of this request. The Commission's process provides a means for interested parties to review protected documents upon signing a nondisclosure agreement.

For reasons set forth above, Staff recommends that the Commission grant the 2012 application of RC Communications, Inc. and Roberts County Telecommunications Cooperative to protect certain information filed information in these cases.

Dated this 31st day of October 2012.


Illona A. Jeffcoat-Sacco
General Counsel

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **STAFF RESPONSE TO REQUEST FOR TRADE SECRET PROTECTION** was, on 31 October 2012, served on the following by regular mail:

Scott Bostrom
RC Family of Companies
PO Box 197
New Effington, SD 57255-0197

Dated this 31st day of October 2012.


Ilona Jeffcoat-Sacco
General Counsel
North Dakota Public Service Commission