

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

ORDER GRANTING TRADE SECRET PROTECTION

On July 30, 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.

On October 31, 2012, North Dakota Public Service Commission Staff filed and served its response to the request, recommending the Commission approve the request.

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

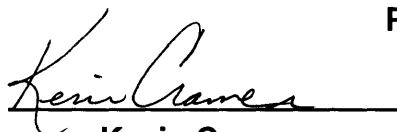
to obtain similar information in the future or would cause competitive injury to the person providing the information. N.D.C.C. §§ 44-04-18.4(2)(a) and 44-04-18.4(2)(b). Proprietary and trade secret information can be protected when the information derives independent economic value from not being generally 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).

Order

The Commission orders:

1. The 2012 application of RC Communications, Inc. and Roberts County Telephone Cooperative in the respective captioned cases for protection of information is GRANTED;

PUBLIC SERVICE COMMISSION



**Kevin Cramer
Commissioner**



**Brian P. Kalk
Chairman**



**Bonny M. Fetch
Commissioner**