

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Tempo Telecom, LLC
Designated Eligible Carrier
Application

Case No. PU-14-34

ORDER GRANTING TRADE SECRET PROTECTION

August 20, 2014

On February 25, 2014, Tempo Telecom, LLC (Tempo) filed an application for trade secret protection in the captioned case, under North Dakota Administrative Code Chapter 69-02-09, asking the Public Service Commission (Commission) to protect against public disclosure certain information filed in support of Tempo's application for designation as an eligible telecommunications carrier for Lifeline support only, to provide prepaid wireless services to qualifying North Dakota consumers.

On March 24, 2014, Staff filed Staff Response to Tempo's Request for Trade Secret Protection.

Tempo asked that the Commission protect from disclosure a proprietary process by which Tempo identifies duplicate Lifeline accounts in an effort to minimize waste, fraud and abuse.

North Dakota Century Code § 47-25.1-01 authorizes protection for trade secret information if the information includes a formula, pattern, compilation, program, device, method, technique, or process that derives independent economic value from not being generally known to and not being readily ascertainable by proper means by other persons who can obtain economic value from its disclosure or use; and is the subject of efforts that are reasonable under the circumstances to maintain its secrecy. N.D.C.C. § 47-25.101(4).

North Dakota Administrative Code § 69-02-09-04 requires that the Commission staff examine the information and application and make a recommendation to the Commission. Staff believes that the application of Tempo 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.

Order

The Commission orders Tempo Telecom, LLC's application for trade secret protection granted.

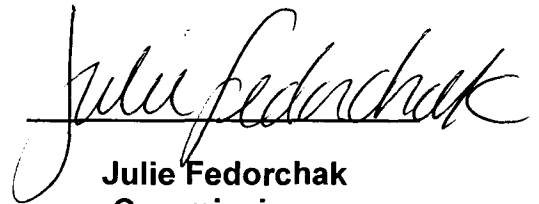
PUBLIC SERVICE COMMISSION



**Randy Christmann
Commissioner**



**Brian P. Kalk
Chairman**



**Julie Fedorchak
Commissioner**