

**PUBLIC SERVICE COMMISSION**

**STATE OF NORTH DAKOTA**

**APPLICATION FOR PROTECTIVE ORDER  
AND TRADE SECRET PROTECTION OF:  
DICKEY RURAL TELEPHONE COOPERATIVE**



The company named above hereby moves the North Dakota Public Service Commission (the "Commission") for an Order under Chapter 69-02-09 and Section 69-02-09-04 of the North Dakota Administrative Code granting Trade Secret Protection to certain of the materials filed by the company, which documents and information are being filed herewith in compliance and in accordance with Sections 54.304(d)(1) and 51.917(d)(vii) of the FCC rules.

1. Description. The information which the entity named above wishes to have designated as Confidential is stamped/marked as "TRADE SECRET – PRIVATE".

In general, the information so designated for the company consists of the following, copies of which are filed herewith:

- a. The Intrastate TRP report, which displays the proposed July 1, 2014 intrastate tariff at the rate element level;
- b. The post true-up Access Recovery Charge Output report, which has the residential ARC revenue and lines at the exchange level, as well as the post true-up ARC rates and revenue for SLB and MLB;
- c. The Interstate Test Period Lines report, which has the SLB and MLB lines at the study area level;
- d. The post true-up CAF ICC amount on the USAC report.

2. The information so designated by the applicant company derives independent economic value, actual or potential, from not being generally known to other persons because the information is maintained as proprietary information and is not shared with the public or competitors except in a more general sense. The level of

detail involved would easily allow competitors to determine the level of support and the cost of service to study areas and exchanges in each company's service areas.

3. The information is not readily ascertainable by proper means by other persons because it contains a description of matters which is only reviewed and known by the highest management level personnel and includes descriptions of revenue and customer penetration and other such information in detail not available to those outside the management group.

4. A general description of those persons or entities that could obtain economic value from the disclosure or use of the information are competitor or potential competitors which include wireless providers, cable television providers, competitive local exchange carriers, internet providers, dish networks and other local exchange carriers.

5. A specific description of the known competitors and competitors' goods and services that are pertinent to this filing are:

- a. AT&T/Alltel and Verizon: cellular, CMRS and data plans
- b. Midcontinent Communications: video, internet and telecommunications
- c. Qwest/CenturyLink: voice, data and video services

In addition to these providers and their successors in interest, there is a host of competing technologies and providers on a national scale and a local scale, such as Vonage, Happy Jack and other providers of internet and voice over the internet providers ("VOIP") services.

6. A description of the efforts used to maintain the secrecy of the information includes assuring that access to the information is restricted to the employees and

management-level persons who have a need to know the information and it is not disclosed to persons outside the company except under strict circumstances.

Dated this 9<sup>th</sup> day of June, 2014.

JONES AND KELLY, ATTORNEYS AT LAW, P.C.



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