



Public Service Commission

State of North Dakota

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23 July 2018

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

via hand delivery

Re: Qwest Corporation
Switched Access
Price Schedule

PU-14-252

Dear Mr. Nitschke:

Enclosed is a Staff Response to the 23 May 2014 Application for Protection of Information in the captioned case.

Best regards,

John Schuh
Legal Counsel

c:w/encl via email only: Kent Blickensderfer (kent.blickensderfer@centurylink.com)

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Staff Response to Application for Protection of Information

Public Service Commission Staff

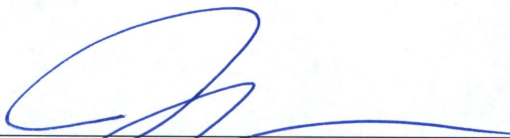
John Schuh, Legal Counsel

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **STAFF RESPONSE TO APPLICATION FOR PROTECTION OF INFORMATION** was, on 23 July 2018, served on the following by electronic mail:

Kent Blickensderfer (kent.blickensderfer@centurylink.com)

Dated this 23rd day of July 2018.



John Schuh
Legal Counsel

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Qwest Corporation
Switched Access
Price Schedule

Case No. PU-14-252

STAFF RESPONSE TO APPLICATION FOR PROTECTION OF INFORMATION

On 23 May 2014, Qwest Corporation (Qwest or the Company) filed an application for a protective order to protect against public disclosure of information that Qwest filed with the Commission, qualifying as an exemption to N.D.C.C. section 44-04-18.

Qwest requests the North Dakota Public Service Commission, pursuant to Chapter 69-02-09 of the North Dakota Administrative Code, issue a protective order limiting the disclosure of the trade secret information included in Qwest's Tariff Filing to Implement the FCC 's Ordered 1 July 2014 Transition of Intrastate Access Charges ("Qwest's Filing") that Qwest is submitting in the captioned case.

Qwest's asserts:

- That its filing contains an ICC Model, comprising of knowledge, data and facts collected and recorded by Qwest to satisfy mandatory regulatory reporting requirements, which is competitively sensitive.
- All of the confidential information submitted is highly proprietary by Qwest and closely guarded to maintain its confidentiality. Information is available only to those employees and representatives who have a need to know the information to perform their duties and responsibilities.

- If Qwest's confidential information became available to its competitors, they could use such data to target certain areas of Qwest's services and customers to their unfair competitive advantage.
- This information derives independent economic value, actual or potential, 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. Competitors or potential competitors of Qwest that provide local exchange service and other telecommunications service would obtain economic value from disclosure or use of the information.
- Release of this information to competitors would unfairly enable them to make strategic and tactical decisions that would be harmful to the success and profitability of Qwest.
- That competitors and potential competitors of Qwest in North Dakota include AT&T Communications of the Midwest, Inc., McLeodUSA Telecommunications Services, Inc., MCimetro Access Transmission Services, LLC, Sprint Communications Company L.P., and Midcontinent Communications and any other provider of telecommunications services in North Dakota or any of the other states in which Qwest operates.

North Dakota Century Code Section 44-04-18.4(2) allows the Commission to grant protection for commercial, financial, proprietary, and trade secret information if privileged and if the information has not been previously publically disclosed.

There are some columns of the document that Staff believes should not be granted protection – specifically the interstate rates and proposed interstate rates that are filed with the FCC and the Commission. However, Staff believes that the remaining information in Qwest’s application satisfies the requirements of the North Dakota Century Code for protection of the information due to the demand and revenue information contained within the filing. 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 application of Qwest to protect the demand and revenue information contained within the filing.

Dated this 23rd day of July, 2018.



John Schuh
Legal Counsel
North Dakota Public Service Commission