

JAMES E. NOSTDAHL  
CAROL K. LARSON  
DAVID J. HOGUE  
REED A. SODERSTROM  
BRENT M. OLSON  
DEBRA L. HOFFARTH  
SCOTT M. KNUDSVIG  
RYAN D. SANDBERG  
MATTHEW H. OLSON  
STEVEN A. LAUTT  
ASHLEIGH B. ENSRUD

ATTORNEYS LICENSED IN  
NORTH DAKOTA  
MINNESOTA  
MONTANA



LAW OFFICES OF  
**PRINGLE & HERIGSTAD, P.C.**

2525 ELK DRIVE  
POST OFFICE BOX 1000  
MINOT, NORTH DAKOTA 58702-1000  
(701) 852-0381  
FAX (701) 857-1361  
E-mail: pringle@srt.com

GRAND FORKS OFFICE  
202 NORTH 3RD STREET, SUITE 200  
GRAND FORKS, NORTH DAKOTA 58203  
(701) 775-9000

OF COUNSEL  
HERBERT L. MESCHKE  
DONALD A. NEGAARD  
RETIRED  
THOMAS A. WENTZ  
JAN M. SEBBY

KENNETH G. PRINGLE  
(1914-1983)

MITCHELL H. MAHONEY  
(1929-1996)

ROGER O. HERIGSTAD  
(1919-2003)

MARK F. PURDY  
(1927-2011)

July 11, 2014

Executive Secretary  
North Dakota Public Service Commission  
600 East Boulevard Avenue, Dept. 408  
Bismarck, ND 58505-0480



**RE: ETC FILING**

Enclosed for filing on behalf of the companies shown on Attachment A hereto, please find an original and seven copies of an Application for Protective Order and Trade Secret Protection of a Rural Telephone Company Group. Pursuant to Section 69-02-09-02 of the North Dakota Administrative Code, the trade secret information is being submitted under separate cover, in a separate sealed envelope labeled as "Trade Secret – Private."

Very truly yours,

David J. Hogue

DJH/cmj  
Enclosure

**ATTACHMENT A**

Midstate Communications, Inc.  
Midstate Telephone Company

**STATE OF NORTH DAKOTA**

**PUBLIC SERVICE COMMISSION**

**APPLICATION FOR PROTECTIVE ORDER  
AND TRADE SECRET PROTECTION  
OF RURAL TELEPHONE COMPANY GROUP**

Each company which is listed individually on Attachment A hereto and collectively referred to as the Rural Telephone Company Group (the "RTCG") 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 RTCG in compliance with North Dakota Administrative Code section 69-09-05-12(3) and section 69-09-05-12.1 in order to file their annual 2014 Essential Telecommunications Carrier ("ETC") reports.

1. Description. The information which each individual member wishes to have designated as Confidential is contained in a separate envelope for each individual company and is marked "TRADE SECRET – PRIVATE."

In general, the information so designated for each applicant company consists of:

- a) A description of Service Improvement Plans,
- b) A summary of the Expenditures of each company in the prior calendar year,
- c) An estimate of the Universal Service Support to be received in the upcoming calendar year and the planned capital expenditures of each company,
- d) A description of improvements and upgrades, and

e) An outage report.

2. The information so designated by each 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 capital spending plans and improvements 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/Century Link: voice, data, and video services.

In addition to these providers, there is a host of competing technologies and providers on a national 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 at Minot, North Dakota, this 11 day of July, 2014.

PRINGLE & HERGISTAD, P.C.



By: David J. Hogue, ND (Bar ID #04486)  
Attorneys for each individual company  
listed in attached Exhibit A of the  
Rural Telephone Company Group  
2525 Elk Drive  
P.O. Box 1000  
Minot, ND 58702-1000  
Telephone (701) 852-0381  
Fax (701) 857-1361  
[dhogue@srt.com](mailto:dhogue@srt.com)