

# STATE OF NORTH DAKOTA

## PUBLIC SERVICE COMMISSION

**Midstate Communications / North Dakota Telephone Co.  
Local Exchange  
Public Convenience & necessity**

**Case No. PU-15-615**

**Midstate Communications / North Dakota Telephone Co.  
Designated Eligible Carrier  
Application**

**Case No. PU-15-616**

### ORDER GRANTING PROTECTION OF INFORMATION

**December 16, 2015**

On 31 July 2015, North Dakota Telephone Company ("NDTC" or "Company") filed an application for Trade Secret Protection under North Dakota Administrative Code Chapter 69-02-09 for protection against public disclosure of trade secret information as defined by North Dakota Century Code Section 47-25.1-01(4).

The Company seeks to protect proprietary financial information contained in Attachment 8 of the Joint Application of North Dakota Telephone Company and Midstate Communications for Certificate of Public Convenience and Necessity and Eligible Telecommunications Carrier Designation. Company states that the financial information is highly sensitive and could have economic value to potential competitors. Company further states that public disclosure could place NDTC at a competitive disadvantage in a competitive telecommunications marketplace. The confidentiality of the financial information has been maintained by the Company and is not readily available by proper means to competitors or to the general public.

The Company states that Competitive Local Exchange Carriers could use the financial information against NDTC's interests. NDTC states that the information is not disclosed to the public or to persons, other than employees or authorized agents of the Company who need to know the information to fulfill their responsibilities, or to third persons pursuant to an agreement to maintain the confidentiality of the information.

North Dakota Administrative Code Section 69-02-09-03 requires that the Commission Staff examine the information and applications and make a recommendation to the Commission.

Staff filed its response on November 24, 2015, agreeing that NDTC's application 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.

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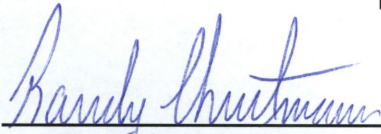
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The Commission concludes North Dakota Telephone Company's application satisfies the requirements of the North Dakota Century Code for protection of the information which is the subject of this request.

**Order**

The Commission orders the 31 July 2015 application of North Dakota Telephone Company for protection of information GRANTED.

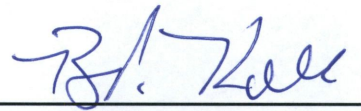
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