

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Qwest Corporation
QPAP Payments 2019
Reports

Case No. PU-19-3

Qwest Corporation
QPAP Payments 2020
Reports

Case No. PU-20-3

ORDER ON PROTECTION OF INFORMATION

JULY 23, 2020

On February 14, 2020, Qwest Corporation (Qwest) filed an application in Case No. PU-19-3, and PU-1-20-3, for a protective order to protect against public disclosure of information, which Qwest filed with the Commission, qualifying as an exemption to N.D.C.C. section 44-04-18. Qwest filed similar applications in each of the above captioned cases for the purpose of protecting like information.

In each case, Qwest requests the North Dakota Public Service Commission, pursuant to Chapter 69-02-09 of the North Dakota Administrative Code, to issue a protective order limiting the disclosure of the North Dakota CLEC-specific payment and performance reports that Qwest submits monthly in the captioned cases.

The North Dakota CLEC-specific payment and performance reports contain information pertaining to individual and specific customers of Qwest concerning those customers' businesses.

The information for which Qwest seeks trade secret protection contains information pertaining to individual and specific customers of Qwest concerning those customers' businesses. Qwest is responsible for maintaining the confidentiality of this information. In addition, the disclosure of this information to the public would violate the confidentiality interests of the CLEC customers themselves without their permission.

This information provides independent economic value, actual or potential, is not generally known to, and not readily ascertainable by proper means to, other persons who can obtain economic value from its disclosure.

The information at issue is proprietary to Qwest and is available only to those employees and representatives who have a need to know the information to perform their duties and responsibilities.

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.

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., Excel Telecommunications, Inc. and any other provider of telecommunications services in North Dakota or any of the other states in which Qwest operates.

North Dakota Administrative Code Section 69-02-09-03 requires that the Commission staff examine the information and application and make a recommendation to the Commission. Commission Staff has reviewed the requests and has recommended that protection of the information be granted.

Having reviewed each application and Commission Staff's recommendation, the Commission determines that the information filed in each captioned case satisfies the requirements of North Dakota Century Code for protection of information.

ORDER

The Commission Orders that Qwest's applications for protection of information in Case Nos. PU-19-3 and PU-20-3 are GRANTED.

PUBLIC SERVICE COMMISSION

		
Julie Fedorchak Commissioner	Brian Kroshus Chairman	Randy Christmann Commissioner