

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**BEK Communications Cooperative  
2020 High-Cost Universal Service Support  
Annual Report**

**Case No. PU-20-59**

**ORDER ON PROTECTION OF INFORMATION**

**APRIL 13, 2022**

On June 15, 2020, BEK Communications Cooperative (the company) filed an application for a protective order under North Dakota Administrative Code Section 69-02-09 for protecting against public disclosure protected information as defined by North Dakota Century Code Section 47-25.1-01(4).

The information requested to be considered trade secret/confidential is the company's revenues from multiple sources, the amount and sources of the company's revenues which are part of ongoing litigation, based on the work product in the civil litigation, filed with the North Dakota Public Service Commission ("Commission"). North Dakota Administrative Code Section 69-02-09-03 requires that Commission staff examine the information and application and make a recommendation to the Commission.

Under N.D.C.C. 44-04-18.4(2)(d), the information which the company is requesting protection for qualifies as "trade secret" as it is information that is compiled that would derive independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons that can obtain economic value from its disclosure or use; and is the subject of efforts that are reasonable under the circumstances to maintain the secrecy of the information.

The application satisfies the requirements of the North Dakota Century Code for protection of information, and the information requested to be protected 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 or use; and is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

**Order**

The Commission orders:

1. The specified information be withheld from public disclosure and the Public Service Commission website.
2. That availability to the specified information be limited to the Administrative Law Judge, the Commission, counsel, and Staff assigned to the captioned case.

**PUBLIC SERVICE COMMISSION**

  
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Randy Christmann      Julie Fedorchak      Sheri Haugen-Hoffart  
Commissioner                      Chair                      Commissioner