

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

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

Case No. PU-20-59

AFFIDAVIT OF SERVICE BY CERTIFIED MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Geralyn R. Schmaltz deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **20th day of April 2022**, she deposited in the United States Mail, at Bismarck, North Dakota, **one** envelope with certified postage, return receipt requested, fully prepaid, securely sealed and containing a photocopy of:

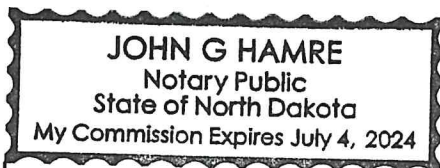
- **Order on Protection of Information**

The envelope was addressed as follows:

David Hogue
Pringle & Herigstad, P. C.
PO Box 1000
Minot, ND 58702
Cert. No. 7021 2720 0001 0491 9140

The address shown is the respective addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me
this **20th day of April 2022**.



SEAL

GERALYN R. SCHMALTZ

JOHN G. HAMRE
Notary Public

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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


Randy Christmann Julie Fedorchak Sheri Haugen-Hoffart
Commissioner Chair Commissioner