

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Qwest Corporation
QPAP Payments 2021
Reports

Case No. PU-21-3

STAFF RESPONSE TO APPLICATION FOR PROTECTION OF INFORMATION

On May 3, 2021, Qwest Corporation (Qwest or the Company) filed an application for a protective order to protect against public disclosure of information for Case No. PU-21-3. Qwest filed with the Commission, qualifying as an exemption to N.D.C.C. section 44-04-18.

Qwest requests that the North Dakota Public Service Commission, pursuant to Chapter 69-02-09 of the North Dakota Administrative Code, 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. 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.

The company asserts that 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 Company describes this information as proprietary to Qwest and only available to those employees and representatives who need the information to perform their duties and responsibilities. Qwest also asserts that 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.

Staff believes that Qwest'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.

For reasons set forth above, Staff recommends that the Commission grant the application of Qwest to protect certain information filed in the captioned cases.

Dated this 26th day of July 2021.



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