

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Midcontinent Communications  
2022 High-Cost Universal Service Support  
Annual Report

Case No. PU-22-41

AFFIDAVIT OF SERVICE BY REGULAR 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 **4th day of January 2023**, she deposited in the United States Mail at Bismarck, North Dakota, **one** envelope by first class mail, fully prepaid, securely sealed each containing a photocopy of:

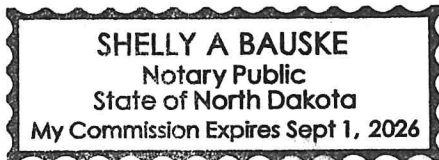
- **Staff Response to Application for Protection of Information**

The envelope was addressed as follows:

Zachary Pelham  
Pearce & Durick PLLC  
PO Box 400  
Bismarck, ND 58502-0400

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

Subscribed and sworn to before me  
this **4th day of January 2023**.



  
\_\_\_\_\_  
Notary Public

SEAL

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

**Midcontinent Communications**  
**2022 High-Cost Universal Services Support**  
**Annual Report**

**Case No. PU-22-41**

**STAFF RESPONSE TO APPLICATION FOR PROTECTION OF INFORMATION**

On June 30, 2020, Midcontinent Communications (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 which the Company requests be considered trade secret/confidential is Operations Expenses and Capital Expenditures filed with the North Dakota Public Service Commission ("Commission") 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.

Additionally 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.

Staff believes that the application satisfies the requirements of the North Dakota Century Code for protection of information, and that 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.

For reasons set forth above, Staff recommends that the Commission grant the application of the Company to protect certain information filed in this case.

Dated this 3rd day of January 2023.



---

Brian Johnson  
Special Assistant Attorney General Bar ID 07397  
North Dakota Public Service Commission  
600 East Boulevard Avenue Dept. 408  
Bismarck ND, 58505  
701-328-2407