

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: SOUTH SLOPE COOPERATIVE TELEPHONE COMPANY	DOCKET NO. RPU-07-1
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**ORDER GRANTING REQUESTS FOR CONFIDENTIALITY AND
GRANTING REQUEST FOR LEAVE TO FILE LATE EXHIBIT**

(Issued September 12, 2007)

On August 15, 2007, AT&T Communications of the Midwest, Inc., and TCG Omaha (collectively "AT&T") filed with the Utilities Board (Board) a request that certain portions of the supplemental testimony and exhibits of AT&T witnesses Daniel P. Rhinehart and Natalie J. Baker filed on July 23, 2007, be kept confidential. AT&T supports its request by stating that the information constitutes trade secrets under Iowa Code § 550.2(4) (2007). The material for which confidentiality was requested was filed in a separate envelope and marked confidential. AT&T cites Iowa Code § 22.7(3) as authority for confidential treatment of the information.

Iowa Code § 22.7(3) provides confidential treatment for trade secrets that are recognized and protected as such by law. The request indicates that the material submitted by AT&T includes references to data provided to AT&T by South Slope Cooperative Telephone Company (South Slope) that has been designated confidential pursuant to a protective agreement between AT&T and South Slope. AT&T submitted an affidavit from J.R. Brumley, Chief Executive Officer of South

Slope, supporting AT&T's application and attesting to the confidential nature of the information.

On August 27, 2007, South Slope filed a request that certain portions of the testimony and exhibits of South Slope witnesses James P. Becker and Bernard E. Snoddy filed on August 27, 2007, be held as confidential. South Slope supports its requests for confidentiality with an affidavit by a corporate officer, stating that the information constitutes confidential trade secrets under Iowa Code § 550.2(4). The materials were sealed in a separate envelope and marked confidential. South Slope cites Iowa Code § 22.7(3) as authority for confidential treatment of the information.

On August 28, 2007, South Slope filed a request for leave to late-file Exhibit JPB 6, a compilation of South Slope work orders produced in response to discovery requests from AT&T. South Slope states that photocopying of the exhibit could not be completed in time for filing with the Board on August 27, 2007, and that all parties were advised of the delay. Also on August 28, 2007, South Slope amended its request for confidential treatment to include Exhibit JPB 6 in its request and withdraw certain portions of the testimony and exhibits of Mr. Snoddy for consideration as confidential information.

Iowa Code § 22.7(3) provides confidential treatment for trade secrets that are recognized and protected as such by law. The material submitted by South Slope includes cost support material and supporting data. The supporting affidavit by Mr.

Brumley states that the information is specific and unique to South Slope and is closely protected as proprietary and a trade secret.

The Board will grant South Slope's request for leave to file Exhibit JPB 6 late. The Board finds that South Slope notified all parties of the delay in the filing of Exhibit JPB 6 and that the parties did not object to the delay. Therefore, the Board finds that the parties were not prejudiced by the filing of Exhibit JPB 6 on August 28, 2007, and as such, it will be accepted.

The Board finds that the applications and affidavits filed by AT&T on August 15, 2007, and by South Slope on August 27, as amended on August 28, 2007, support a finding that the information submitted by the parties constitutes a trade secret under Iowa Code § 550.2(4) as it derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means, by a person able to obtain economic value from its disclosure, and it is the subject of reasonable efforts to maintain its secrecy. The Board finds that this information, if released, would provide an advantage to AT&T's and South Slope's competitors. Therefore, the Board will hold the information confidential under the provisions of Iowa Code § 22.7(3) as requested by AT&T on August 15, 2007, and South Slope on August 27, as amended on August 28, 2007.

IT IS THEREFORE ORDERED:

1. The request for confidentiality filed by AT&T Communications of Midwest, Inc., and TCG Omaha on August 15, 2007, is granted pursuant to Iowa Code § 22.7(3).

2. The request for confidentiality filed by South Slope Cooperative Telephone Company on August 27, 2007, as amended on August 28, 2007, is granted pursuant to Iowa Code § 22.7(3).

3. The request for leave to file "Exhibit JPB 6" filed by South Slope Cooperative Telephone Company on August 28, 2007, is granted.

4. The requested information shall be held confidential by the Board subject to the provisions of 199 IAC 1.9(8)"b"(3).

UTILITIES BOARD

/s/ John R. Norris

/s/ Curtis W. Stamp

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Krista K. Tanner

Dated at Des Moines, Iowa, this 12th day of September, 2007.