

Before the Public Utilities Commission of Ohio

In the Matter of the Annual Filing Requirements for)
2016 Pertaining to the Provisioning of Lifeline) Case No. 16-1116-TP-COI
Universal Service)

Motion of Telephone Service Company to Extend Protective Order

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Company

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Under Rule 4901-1-24, Ohio Administrative Code, and the Finding and Order of the Public Utilities Commission of Ohio on December 19, 2017 in this case, Telephone Service Company moves for an order extending the Protective Order. The reasons supporting this motion are set out in the accompanying Memorandum in Support.

Respectfully submitted,

/s/ Frank P. Darr
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Will accept service by email

Memorandum in Support of the Motion of Telephone Service Company to Extend Protective Order

On May 11, 2016, the Public Utilities Commission of Ohio (“Commission”) directed eligible telecommunications companies to file with the Commission by July 1, 2016 a report required by rules of the Federal Communications Commission. On June 28, 2016, Telephone Service Company (“TSC”) filed a partially redacted report, a full report filed under seal, and a motion for a protective order.

In its motion for the protective order, TSC stated that the information for which it was seeking protection constituted trade secrets because it was confidential business and financial information related to TSC and its owners. Motion for Protective Order, Memorandum in Support at 2 (June 28, 2016). On December 19, 2017, the Commission found that the release of the information into the public domain was prohibited because it constituted trade secrets and issued an order granting the motion for a protective order with a term of 24 months. Entry at ¶ 11 (Dec. 19, 2017).

Commission rules provide that an order granting a protective order may be extended by a party by motion on a showing of continued need for the protective order. Rule 4901-1-24(D). Under this rule, TSC seeks an order extending the protective order because the information remains confidential business and financial information the release of which is prohibited by state law as the Commission previously found.

Trade secrets protected by state law are not considered public records and are exempt from public disclosure. R.C. 149.43. Trade secrets include business information such as plans and financial information that derive independent economic value, either actual or potential, from not being known to or being readily ascertainable by proper means by other persons that can obtain economic value from its disclosure and that is the subject of efforts that are reasonable under the circumstances to maintain its secrecy. R.C. 1333.61(D).

The redacted materials consist of the financial statement of Hanson Communications, Inc. and a five year business plan that extends through the current year. Hanson Communications, Inc. owns TSC

and is a small privately owned company. Because of its private ownership, Hanson's financial statements are not publicly filed. Likewise, the TSC business plan is not shared publicly.

As explained in the attached affidavit of the chief operating officer of Hanson Communications, the information subject to the protective order retains its status as a trade secret. The redacted information is business and financial information of TSC. As such, the information would be useful to competitors in the telecommunications markets served by TSC to better understand the direction TSC has and will be taking and the financial capabilities of it to accomplish those goals. It retains significance since it charts the financial status of the company and its future investment plans. Moreover, the information is not available to the public as a result of reasonable efforts on the part of TSC to retain its confidentiality. Finally, the non-disclosure of the information will not impair the purpose of Title 49 of the Revised Code as the Commission and its Staff have full access to the information.

Because issuance of the order would be lawful and reasonable, the Commission should grant the motion to extend the protective order for an additional 24 months.

Respectfully submitted,

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Certificate of Service

I certify that a copy of this Motion of Telephone Service Company to Extend Protective Order was filed electronically through the Docketing Information System of the Public Utilities Commission of Ohio on October 29, 2019. The Commission's efilng system will electronically service notice of the filing on the parties.

/s/ Frank P. Darr
Frank P. Darr

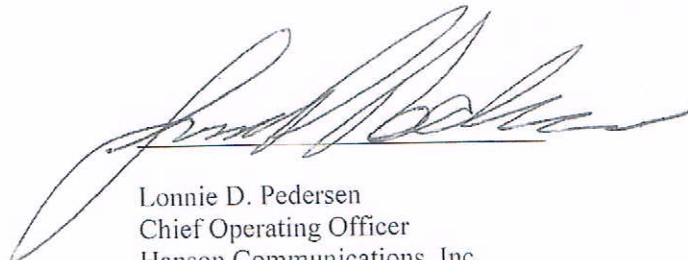
**Affidavit in Support of the Motion of Telephone Service Company
to Extend Protective Order**

State of Ohio
Auglaize County

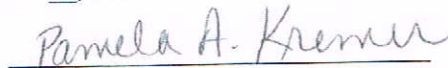
Upon being duly sworn, Affiant Lonnie Pedersen states as follow:

1. I am chief operating officer of Hanson Communications, Inc. Telephone Service Company is owned by Hanson.
2. I have reviewed the materials that were filed under seal in this matter and that are currently subject to a protective order.
3. The materials consist of financial records and business plans of Telephone Service Company.
4. The business and financial information Hanson and TSC is not available to the general public. Hanson is not required to make public filings of the financial information currently held under seal by the Commission and has not done so.
5. The planning records relate to a five year period that extends through the current year.
6. Efforts have been undertaken by Telephone Service Company to assure that the information that was filed under seal is not available to the public and is not shared with competitors. These efforts include the original motion seeking a protective order in this matter. Since that time, the company has maintained its efforts to retain the records as trade secrets.
7. Telephone Service Company is engaged in a competitive telecommunications market in which its plans and financial well-being are key attributes that competitors could use to gain competitive advantage if the information became available to them.
8. The information retains value since it lays out business and financial information that serve as the basis for ongoing business planning.
9. Based on my review, I believe that this information continues to require protective treatment.

Further Affiant sayeth naught.


Lonnie D. Pedersen
Chief Operating Officer
Hanson Communications, Inc.

Sworn to and signed in my presence on October 29, 2019.





Pamela A. Kremer
Notary Public, State of Ohio
My Commission Expires
May 09, 2023

Notary Public, State of Ohio
My Commission expires 5/9/2023

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

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in

Case No(s). 16-1116-TP-COI

Summary: Motion to extend protective order electronically filed by Mr. Frank Darr on behalf of Telephone Service Company