

**Before the Public Utilities Commission of Ohio**

In the Matter of the Annual Filing Requirements for	)	
2015 Pertaining to the Provisioning of Lifeline	)	Case No. 15-1116-TP-COI
Universal Service	)	

**Motion of Middle Point Home Telephone Company to Extend Protective  
Order**

Frank P. Darr  
6800 Linbrook Blvd.  
Columbus, Ohio 43235  
(614) 390-6750  
[fdarr2019@gmail.com](mailto:fdarr2019@gmail.com)  
Counsel for Middle Point Home  
Telephone 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, Middle Point Home Telephone 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  
6800 Linbrook Blvd.  
Columbus, Ohio 43235  
(614) 390-6750  
fdarr2019@gmail.com  
Counsel for Middle Point Home  
Telephone Company  
Will accept service by email

**Memorandum in Support of the Motion of Middle Point Home Telephone Company to  
Extend Protective Order**

On May 20, 2015, the Public Utilities Commission of Ohio (“Commission”) directed eligible telecommunications companies to file with the Commission by July 1, 2015 a report required by rules of the Federal Communications Commission. On June 29, 2015, Middle Point Home Telephone Company (“Middle Point”) 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, Middle Point stated that the information for which it was seeking protection constituted trade secrets because it was confidential business and financial information related to Middle Point and its owners. Motion of Middle Point Home Telephone Company, Memorandum in Support at 2 (June 29, 2015). 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 ¶ 8 (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, Middle Point 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 Middle Point and is a small privately owned company. Because of its private ownership, Hanson's financial statements are not publicly filed. Likewise, the Middle Point 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 Middle Point. As such, the information would be useful to competitors in the telecommunications markets served by Middle Point to better understand the direction Middle Point 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 Middle Point 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,

/s/ Frank P. Darr  
6800 Linbrook Blvd.  
Columbus, Ohio 43235  
(614) 390-6750  
fdarr2019@gmail.com  
Counsel for Middle Point Home  
Telephone Company  
Will accept service by email



**Certificate of Service**

I certify that a copy of this Motion of Middle Point Home Telephone 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

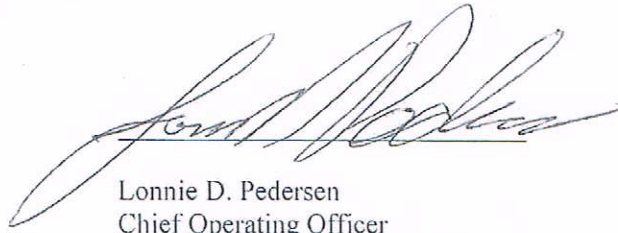
**Affidavit in Support of the Motion of Middle Point Home Telephone Company  
to Extend Protective Order**

State of Ohio  
Auglaize County

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

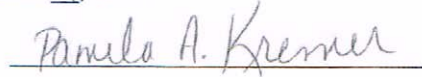
1. I am chief operating officer of Hanson Communications, Inc. Middle Point Home Telephone Company is owned by Hanson.
2. I have reviewed the materials that were filed under seal in this matter and that are currently subject to a protective order.
3. The materials consist of financial records and business plans of Middle Point.
4. The business and financial information of Hanson and Middle Point 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 Middle Point Home Telephone 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. Middle Point Home Telephone 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**

**10/29/2019 4:30:27 PM**

**in**

**Case No(s). 15-1116-TP-COI**

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