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BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Commission's Investigation )  
into Intrastate Carrier Access Reform Pursuant ) Case No. 10 - 2387 - TP - COI  
to Sub. S.B. 162 )

**MOTION FOR PROTECTIVE ORDER**


Pursuant to Ohio Adm.Code 4901-1-24(D), Pattersonville Telephone Company ("Pattersonville") hereby moves the Commission for a protective order regarding the confidential information that it is filing contemporaneously with this Motion, specifically the unredacted version of its calculations supporting the mandated reductions in its intrastate access rates (the "Confidential Information"). Specifically, Pattersonville seeks to protect its 2011 Intrastate Billed Units (the "MOU") and related revenues derived from the MOU.

Pattersonville requests that the Commission issue such order as is necessary to protect the Confidential Information. Non-disclosure of the information is not inconsistent with the purposes of Title 49 of the Revised Code because the Commission and its Staff will have full access to the Confidential Information in order to fulfill their statutory obligations.

The bases for this Motion may be found in the attached Memorandum of Support.

Respectfully submitted,

PATTERSONVILLE TELEPHONE COMPANY

  
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Its Counsel

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**MEMORANDUM IN SUPPORT OF  
MOTION FOR PROTECTIVE ORDER**

In accordance with the Commission's March 20, 2012 Entry in this proceeding, Pattersonville is concurrently filing its calculations supporting the mandated reductions to its intrastate access rates. One element of the calculations is Pattersonville's 2011 Intrastate Billed Units (the "MOU"), which Pattersonville considers to be confidential and proprietary data. Further, the calculations include related revenue information that is derived from the MOU (together, the MOU and the related derived revenues shall be referred to herein as the "Confidential Information"). Because Pattersonville considers the MOU and derived revenues to be confidential, the unredacted version of the calculations has been filed under seal as required by Ohio Adm.Code 4901-1-24(D).

The Confidential Information includes detail about Pattersonville's finances and operations that would be of significant interest to competitors. Consequently, that data constitutes confidential information that should not be disclosed in the public record.

The Confidential Information constitutes trade secrets as defined in Revised Code §1333.61(D). The information (1) derives 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 (2) is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

The Ohio Supreme Court adopted six factors to be used in determining whether a trade secret claim meets the statutory definition:

- 1) The extent to which the information is known outside the business;
- 2) The extent to which it is known to those inside the business, i.e., by the employees;
- 3) The precautions taken by the holder of the trade secret to guard the secrecy of the information;
- 4) The savings effected and the value to the holder in having the information as against competitors;
- 5) The amount of effort or money expended in obtaining and developing the information; and
- 6) The amount of time and expense it would take for others to acquire and duplicate the information.

*State ex rel. The Plain Dealer v. Ohio Dept. of Ins.*, 80 Ohio St.3d 513, 524-525 (1997).

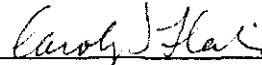
With the exception of Pattersonville's billing vendor, the Confidential Information is not known outside of Pattersonville and is known within Pattersonville only to senior managers and a limited number of employees with a particular need to know. Pattersonville has taken precautions to guard the secrecy of the Confidential Information by limiting its dissemination. Disclosure of the Confidential Information would harm Pattersonville's competitive position in the marketplace. (See attached Affidavit of Aaron Jones, CEO.)

The protection of trade secret information from public disclosure is consistent with the purposes of Title 49 because the Commission and its Staff have access to the information. Granting protection of the Confidential Information requested herein will not impair the Commission's regulatory responsibilities.

Confidential treatment of the calculations is therefore both appropriate and required by Ohio law and the Commission's rules. For the foregoing reasons, Pattersonville prays that its Motion for Protective Order be granted.

Respectfully submitted,

PATTERSONVILLE TELEPHONE COMPANY

  
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Its Counsel

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**AFFIDAVIT OF AARON JONES**

STATE OF OHIO


COUNTY OF CARROLL

**NOW COMES** Aaron Jones, being first duly cautioned and sworn, deposes and says as follows:

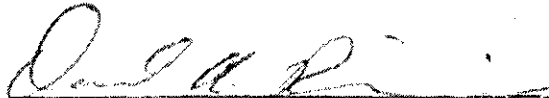
1. I am CEO of Pattersonville Telephone Company ("Pattersonville"); PO Box 276, Carrollton, OH 44615. I am authorized to make this Affidavit on behalf of Pattersonville, and do so in the ordinary discharge of my responsibilities.
2. I have personal knowledge of all relevant matters pertaining to the calculations that Pattersonville filed with the Public Utilities Commission of Ohio on April 10, 2012, including the MOU and related revenue data.
3. Pattersonville considers the MOU and related revenue data (together, the "Confidential Information") to be confidential.
4. The Confidential Information is not otherwise available to the general public, and includes detail about Pattersonville's finances and operations that would be of significant interest to competitors. Consequently, Pattersonville is requesting that the Confidential Information not be disclosed to the public.
5. The Confidential Information 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 derive economic value from its disclosure or use.

6. With the exception of Pattersonville's billing vendor, the Confidential Information is provided only to Pattersonville's senior management and a restricted list of employees who have a particular need to know the Information.
7. The Confidential Information is indicative of Pattersonville's operations and, therefore, public disclosure of the Confidential Information would place Pattersonville at a competitive and economic disadvantage.
8. The Confidential Information is the subject of efforts by Pattersonville that are reasonable under the circumstances to maintain its secrecy.

FURTHER AFFIANT SAYETH NAUGHT.

  
Aaron Jones

Sworn to before me and subscribed in my presence this 9 day of April, 2012.

  
Notary Public

### **CERTIFICATE OF SERVICE**

It is hereby certified that a true copy of the foregoing was served via electronic mail to the persons listed below this 10th day of April, 2012.

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