

**BEFORE THE
SOUTH DAKOTA PUBLIC UTILITIES COMMISSION**

APPLICATION OF ASSURANCE)	
WIRELESS USA, L.P., FOR)	Docket No. TC24-002
DESIGNATION AS AN ELIGIBLE)	
TELECOMMUNICATIONS CARRIER)	
FOR THE PURPOSE OF OFFERING)	
LIFELINE SERVICE TO QUALIFYING)	
CUSTOMERS)	

**REQUEST FOR CONFIDENTIAL TREATMENT
OF INFORMATION CONTAINED IN
ASSURANCE WIRELESS' RESPONSES TO
STAFF'S SECOND DATA REQUESTS**

Assurance Wireless USA, L.P. (“Assurance Wireless”) hereby respectfully requests confidential treatment of certain information it is producing to Commission Staff, pursuant to A.R.S.D. 20:10:01:41.

Staff’s Second Data Requests (“Requests”) to Assurance Wireless were issued on February 27, 2024. Assurance Wireless is timely submitting its responses to the Requests. But certain of the Requests seek information that should be considered proprietary or trade secret under South Dakota law, and therefore Assurance Wireless’ responses to those Requests are being filed confidentially to the Commission.

Specifically, Request 2-2 asks Assurance Wireless to identify the number of customers it has in the federal Affordable Connectivity Program (“ACP”) in CenturyLink areas in South Dakota. Assurance Wireless considers the number of its ACP customers to be an important trade secret and takes great pains to prevent its competitors from obtaining information about how many ACP customers it has. The information responsive to Request 2-2 meets the definition of “trade secret” under S.D.C.L. § 37-29-1(4), which is defined as information that “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.” The information responsive to Request 2-2 also meets the definition of “proprietary information” under S.D.C.L. § 1-27-28, which is defined as information that “information on...customers...held by private entities and used for that private entity’s business purposes.”

Similarly, Request 2-8 asks Assurance Wireless to identify amount of battery backup power at T-Mobile cell tower sites. Assurance Wireless considers this information to be an important trade secret and takes great pains to keep it confidential. The information responsive to Request 2-8 meets the definition of “trade secret” under S.D.C.L. § 37-29-1(4) and the definition of “proprietary information” under S.D.C.L. § 1-27-28. Moreover, technical information of this nature about cell tower sites is maintained as confidential for security purposes.

The information responsive to Requests 2-2 and 2-8 is extremely sensitive and could be used by Assurance Wireless’ competitors to gain insight into Assurance’s internal business operations (and, in the case of the information responsive to Request 2-8, could be used by persons seeking to disrupt communications on T-Mobile’s network). Disclosure of this information would be extremely detrimental to Assurance Wireless because it could be used by competitors to materially affect Assurance Wireless’ operations and competitive position. Due to the sensitive nature of this information, it is appropriate for the Commission to limit access to it. The confidential information is being provided to the Commission to allow the Commission to exercise its governmental functions. No legitimate purpose would be served by allowing this information

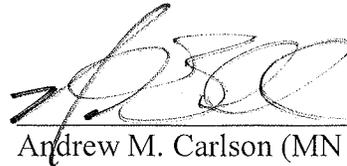
to be accessible to competitors in the telecommunications industry, or to anyone other than Commission staff.

Assurance Wireless respectfully requests that the Commission treat its responses to Requests 2-2 and 2-8 as confidential for a period of five years. Additional information or inquiries regarding this request may be directed to the undersigned counsel.

The information for which confidential treatment is requested is marked “CONFIDENTIAL” and is being filed under seal in separate electronic documents marked “CONFIDENTIAL.”

For the foregoing reasons, Assurance Wireless respectfully requests that the Commission treat its responses to Staff Data Requests 2-2 and 2-8 as confidential for no less than the time period specified above.

Dated this 5 day of March, 2024



Andrew M. Carlson (MN Atty No. 284828)
Nathan L. Buller (MN Atty No. 0387605,
SD Atty No. 3766)
Taft, Stettinius & Hollister LLP
2200 IDS Center
80 South Eighth Street
Minneapolis, MN 55402
612-977-8400
acarlson@taftlaw.com
nbuller@taftlaw.com

and

William A. Haas
Managing Corporate Counsel
T-Mobile
P.O. Box 10076
Cedar Rapids, IA 52410
630-290-7615
William.Haas@T-Mobile.com

Attorneys for Assurance Wireless USA, L.P.