

**STATE OF NEW HAMPSHIRE**  
**BEFORE THE**  
**PUBLIC UTILITIES COMMISSION**

**DT 14-\_\_**

**Petition of Dixville Telephone Company**  
**For Approval to Discontinue Operations**

**MOTION FOR CONFIDENTIAL TREATMENT**

Pursuant to RSA 91-A:5, IV and N.H. Admin. Rules Puc 203.08, Dixville Telephone Company (“DTC”), a division of Tillotson Corporation (“Tillotson”), hereby moves for a protective order to prevent public disclosure of the confidential and proprietary information included in its Petition for Approval to Discontinue Operations (“Petition”) and accompanying documents. In support of this Motion, DTC states as follows:

1. The information (“Confidential Information”) for which DTC seeks confidential treatment consists of certain portions of the Petition, certain portions of the Testimony of Ann Walsh and Exhibits AW-1 and AW-3, and certain portions of the testimony of Arthur Nicholson. This information should be treated as confidential customer proprietary network information (“CPNI”).<sup>1</sup>

2. The Confidential Information pertains to specific end user and wholesale services and consists of information related to the quantity, technical configuration, type, destination, location, and amount of use of a those services. Furthermore, even though some information is offered in the aggregate, the number of customers is so small that it may be possible to deduce

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<sup>1</sup> The term “customer proprietary network information” means “information that relates to the quantity, technical configuration, type, destination, location, and amount of use of a telecommunications service subscribed to by any customer of a telecommunications carrier, and that is made available to the carrier by the customer solely by virtue of the carrier-customer relationship.” 47 U.S.C. § 222 (h)(1).

individualized information. Accordingly, even such aggregate information should be accorded confidential treatment.

3. Federal law dictates that “[e]very telecommunications carrier has a duty to protect the confidentiality of proprietary information of, and relating to, other telecommunication carriers, equipment manufacturers, and customers, including telecommunication carriers reselling telecommunications services provided by a telecommunications carrier.” Furthermore, Commission Rule Puc 201.06(a)(6) provides that CPNI is granted confidential treatment when provided in a routine filing. Accordingly, the Confidential Information constitutes confidential information exempt from public disclosure pursuant to RSA 91-A:5, IV, which exempts, among other things, “*confidential*, commercial, or financial information” (emphasis supplied) from the provisions of New Hampshire’s Right-to-Know Law.

4. Due to the legally protected nature of the Confidential Information, it is appropriate for the Commission to limit access to it. The Confidential Information should solely be used by the Commission in exercising its governmental functions in considering DTC’s petition. There is no legitimate purpose or public interest to be served in disclosing the Confidential Information to any person other than the appropriate staff of the Commission. Moreover, confidential treatment of this information will not adversely affect any interested party.

WHEREFORE, DTC respectfully requests that the Commission grant a Protective Order allowing the Confidential Information to be treated as confidential.

Respectfully submitted,

TILLOTSON CORPORATION

By its Attorneys,  
DEVINE, MILLIMET & BRANCH P.A.

By: 

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