

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF THE APPLICATION OF)	
ASSURANCE WIRELESS USA L.P. TO EXPAND ITS)	
ELIGIBLE TELECOMMUNICATIONS CARRIER)	
DESIGNATED SERVICE AREA TO INCLUDE)	Docket No. TC25-003
TRIBAL LANDS)	
)	

**REQUEST FOR CONFIDENTIAL TREATMENT OF INFORMATION CONTAINED IN
ASSURANCE WIRELESS' RESPONSE TO THE FIRST DISCOVERY REQUESTS OF
THE SOUTH DAKOTA TELECOMMUNICATIONS ASSOCIATION (SDTA)**

Assurance Wireless USA, L.P. ("Assurance Wireless") hereby respectfully requests confidential treatment, pursuant to A.R.S.D. 20:10:01:41, of certain information it is producing in response to the First Discovery Requests of the South Dakota Telecommunications Association ("SDTA").

The SDTA's First Discovery Requests ("Requests") to Assurance Wireless were issued on June 6, 2025. 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.¹

Specifically, Request 11 asks Assurance Wireless to identify the third-party vendor that will employ Tribal land residents to market services on Tribal lands. The identity of that vendor 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

¹ Assurance Wireless is separately providing the confidential information discussed herein to the SDTA under a Stipulation and Confidentiality Agreement between Assurance Wireless and the SDTA filed with the Commission on July 1, 2025.

value from its disclosure or use and is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.” Specifically, if the identity of that vendor were publicly disclosed, Assurance Wireless’ competitors would try to poach it and its employees away from Assurance Wireless.

Similarly, Request 14 asks Assurance Wireless to provide information about how the third-party vendor’s employees are trained, the answer to which requires reference to Assurance Wireless’ standards and requirements applicable to the vendor’s work. Assurance Wireless considers this information to be an important trade secret and takes great pains to keep it confidential. If this information was publicly available, Assurance Wireless’ competitors would use it to develop their own standards and requirements for use with their vendors. Assurance Wireless considers its standards and requirements to be best-in-class and to give it a competitive advantage, which would be undermined if competitors had access to it. For this reason, all arrangements between Assurance Wireless and the third-party vendor are subject to a confidentiality agreement. Public disclosure of this information would violate that agreement. For these reasons, the information responsive to Request 14 meets the definition of “trade secret” under S.D.C.L. § 37-29-1(4).

The information responsive to Requests 11 and 14 is extremely sensitive and could be used by Assurance Wireless’ competitors to gain insight into or copy Assurance’s internal business operations. 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 11 and 14 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 SDTA Data Requests 11 and 14 as confidential for no less than the time period specified above.

Respectfully submitted, this the 2nd day of July, 2025.



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.