

STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION
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INDIANAPOLIS, INDIANA 46204-3419

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March 29, 2012

Dear Video Service Provider:

The Indiana Utility Regulatory Commission (IURC) periodically gathers data to provide the Indiana General Assembly with timely information on communications issues. The IURC has a statutory mandate to report on the status of competition and technological change in the provision of video services in Indiana. Ind. Code § 8-1-2.6-4(c)(2). This request is within the Commission's statutory authority pursuant to Ind. Code § 8-1-2.6-13(d)(9).

In order for us to fulfill this objective and complete our report in a timely manner, we request that you complete the attached Video Data Request and return it to the IURC Communications Division no later than **April 27, 2012**. The response to the data request may be submitted in three different ways: email attachment, mailed paper copy, or as a "general submission" using the IURC's Electronic Filing System (EFS). Please direct any questions you may have to Brandy Darlington at (317) 232-5559 or bdarlington@urc.in.gov.

If confidentiality is a concern for your company, you may request confidential treatment using the standard confidentiality protocol. If you desire confidential treatment, please file such request with the Commission no later than **April 13, 2012** to allow time to receive a ruling on the request and enable the filing of the response by the due date. The request must contain a sworn statement that describes the nature of the confidential information, the reasons why the material should be treated as confidential pursuant to Ind. Code § 8-1-2-29 and Ind. Code Ch. 5-14-3, and the efforts made to maintain the confidentiality of the material. 170 IAC 1-1.1-4(b). Trade secret information is generally defined as containing four elements: (1) information; (2) deriving independent economic value; (3) not generally known, or readily ascertainable by proper means by others who can obtain economic value from the information's disclosure or use; and (4) the subject of efforts, reasonable under the circumstances, to maintain its secrecy. *Burk v. Heritage Food Servo Equip.} Inc.*, 737 N.E.2d 803, 813 (Ind. Ct. App. 2000). Consequently, if you believe information qualifies as a trade secret, the sworn statement must include a general description of the information, the manner in which economic value may be derived, facts demonstrating the information is not generally known, and the specific steps you have taken to prevent disclosure. The request must comply with 170 IAC 1-1.1-4.

Once the confidentiality request is received, the Presiding Officers will review the request and render a ruling within ten business days of receipt as to whether the documentation should be accorded confidential treatment. Also, an Excel version of the data request can be downloaded from the IURC website at: <http://www.in.gov/iurc/2405.htm>.

Thank you for your cooperation and assistance.

A handwritten signature in cursive script that reads "Pamela D. Taber".

Pamela D. Taber, CPA
Director, Communications Services Division
Indiana Utility Regulatory Commission