

**ORIGINAL**

Commissioner	Yes	No	Not Participating
Huston	√		
Veleta	√		
Ziegner	√		

**STATE OF INDIANA**

**INDIANA UTILITY REGULATORY COMMISSION**

**PETITION FOR CONFIDENTIAL TREATMENT FOR )**  
**NOTICE OF CHANGE OF CERTIFICATES OF ) CAUSE NO. 46300**  
**TERRITORIAL AUTHORITY FOR )**  
**COMMUNICATIONS SERVICE PROVIDERS ) APPROVED: DEC 03 2025**  
**BLUEBIRD MIDWEST, LLC )**

**ORDER OF THE COMMISSION**

**Presiding Officers:**  
**James F. Huston, Chairman**  
**Kehinde Akinro, Administrative Law Judge**

On September 23, 2025, Bluebird MidWest, LLC (“Petitioner”) filed a Verified Petition (“Petition”) in this Cause. In its Petition, Petitioner asserts that certain information (“Confidential Information”) to be submitted to the Commission contains trade secrets as that term is defined under Ind. Code § 24-2-3-2. More specifically, the Confidential Information consists of Petitioner’s parent company, MIP IV Midwest Fiber Parent, LLC and its subsidiaries’ financial information. Information containing trade secrets is excepted from public disclosure under Ind. Code § 5-14-3-4.

More than 30 days have passed and no objections to the Petition were filed. The Presiding Officers did not determine a need for a hearing and thus, no hearing was held.

Based on the applicable law and evidence presented, the Commission finds:

**1. Commission Jurisdiction.** Petitioner is a public utility as defined in Ind. Code § 8-1-2-1. Under Ind. Code § 8-1-2-29 and 170 IAC 1-1.1-4, the Commission has jurisdiction to determine the confidentiality of information to be submitted by Petitioner. Accordingly, the Commission has jurisdiction over Petitioner and the subject matter of this proceeding.

**2. Commission Discussion and Findings.** Under Ind. Code § 8-1-2-29, all information submitted to the Commission is open to the public, subject to the provisions of the Indiana Access to Public Records Act found at Ind. Code ch. 5-14-3. Documents containing trade secret information are exempt from public disclosure under Ind. Code Under Ind. Code § 5-14-3-4(a)(4).

The submission of confidential information to the Commission is governed by 170 IAC 1-1.1-4, which requires the applicant to apply for a finding by the Commission that the information is confidential. The application must be accompanied by the sworn statement or testimony of a party that sets forth facts describing: (1) the nature of the confidential information; (2) the reasons why the information should be treated as confidential pursuant to Ind. Code § 8-1-2-29 and Ind Code ch. 5-14-13; and (3) the efforts the party has made to maintain the confidentiality of the information.

Petitioner asserts that the Confidential Information consists of Petitioner's parent company, MIP IV Midwest Fiber Parent, LLC and its subsidiaries' financial information. In support of its Petition, Petitioner submitted the sworn Affidavit of Sam Storrs. Mr. Storrs states that the Confidential Information has independent economic value for Petitioner, and the disclosure of the Confidential Information could provide Petitioner's competitors with unfair advantages, and Petitioner has taken reasonable steps to protect the Confidential Information from disclosure.

On October 8, 2025, the Presiding Officers, having considered the Petition and the accompanying Affidavit, found there was a sufficient basis for a determination that the Confidential Information should be held as confidential by the Commission on a preliminary basis. Petitioner subsequently filed the Confidential Information under seal with the Commission on October 14, 2025.

Upon review of Mr. Storrs' affidavit and the Confidential Information, and in accordance with Ind. Code §§ 8-1-2-29 and 5-14-3-4 and 170 IAC 1-1.1-4, we find that the Confidential Information contains trade secrets and is excepted from public disclosure by the Commission.

**IT IS THEREFORE ORDERED BY THE INDIANA UTILITY REGULATORY COMMISSION that:**

1. The Confidential Information filed by Petitioner under seal with the Commission contains confidential trade secret information as defined by Ind. Code § 24-2-3-2. As such, the Confidential Information is entitled to confidential treatment and shall be exempt from disclosure under Ind. Code § 8-1-2-29 and Ind. Code ch. 5-14-3.

2. This Order shall be effective on and after the date of its approval.

**HUSTON, VELETA, AND ZIEGNER CONCUR:**

**APPROVED: DEC 03 2025**

**I hereby certify that the above is a true and correct copy of the Order as approved.**

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**Dana Kosco**  
**Secretary of the Commission**