

ORIGINAL

| Commissioner | Yes | No | Not Participating |
|--------------|-----|----|-------------------|
| Zay | √ | | |
| Deig | √ | | |
| Swinger | √ | | |
| Veleta | √ | | |
| Ziegner | √ | | |

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

APPLICATION OF BRIGHTSPEED FIBER) CAUSE NO. 46348
CONNECTION LLC FOR A CERTIFICATE)
OF TERRITORIAL AUTHORITY FOR) APPROVED: APR 08 2026
COMMUNICATIONS SERVICE PROVIDERS.)

ORDER OF THE COMMISSION

Presiding Officers:
Bob Deig, Commissioner
Steve Henke, Administrative Law Judge

On January 5, 2026, Brightspeed Fiber Connection LLC (“Applicant”) filed with the Indiana Utility Regulatory Commission (“Commission”) its Application for a Certificate of Territorial Authority (“CTA”) to provide communications services, specifically telecommunications services as defined in 47 U.S.C. § 153 and information services as defined in 47 U.S.C. § 153 and described in the Application, within the state of Indiana. The Commission published notice that Applicant filed an application for a CTA to provide communications services within the state of Indiana. Absent a timely request, the Application may be granted without a hearing.

Also on January 5, 2026, Applicant filed its Request for Confidential Treatment of Exhibit C-2. The Commission issued a docket entry on January 20, 2026 granting a preliminary determination of confidentiality for Applicant’s identified information.

Based upon information contained in the Application and applicable law, the Commission makes the following findings:

- 1. Commission Notice and Jurisdiction.** Due, legal, and timely notice of the Application was given and published by the Commission in accordance with General Administrative Order (“GAO”) 2024-01 and Ind. Code § 8-1-32.5-9. Applicant requests the issuance of a CTA pursuant to Ind. Code ch. 8-1-32.5 and, therefore, the Commission has jurisdiction over Applicant and the subject of this Cause.
- 2. Commission Discussion and Findings.** Applicant filed an application for a CTA and information describing its legal authority and demonstrating its financial, managerial, and technical ability to provide the proposed communications services in certain identified service areas. Applicant also provided information indicating the type, means, and location of service that Applicant proposes to provide.

The Application was filed with the Commission on January 5, 2026. Notice of the Application was posted to the Commission’s website. No timely written request for intervention or a hearing was made by any entity during the 30-day posting period, and the Commission has

not, on its own motion, determined a need for a hearing in this Cause. Accordingly, no hearing is required in this Cause.

Therefore, based upon the information provided by Applicant in its Application, the Commission finds that a CTA for telecommunications service in the form of facilities-based and resold local exchange; facilities-based and resold interexchange; special access; and dedicated transport telecommunications services, and information service in the form of internet access service; broadband service; and interconnected VoIP service should be issued to Applicant for authority within the service areas identified in the Application, consistent with and subject to the following findings.

Applicant shall comply with all applicable legal requirements pertaining to the provision of the communications services authorized by this CTA, including, but not limited to, the following:

a. **Public Utility Fees.** Applicant shall pay all public utility fees assessed by the Commission, pursuant to Ind. Code ch. 8-1-6.

b. **InTRAC.** Applicant shall establish and maintain contact with the Indiana Telephone Relay Access Corporation for the Hearing and Speech Impaired (“InTRAC”) and pay all fees required by Ind. Code ch. 8-1-2.8.

c. **211 Dialing Code.** Applicant shall establish and maintain contact with, and provide appropriate notice to, the Indiana 211 Partnership, Inc. (the designated administrator of the 211 dialing code in Indiana) to coordinate proper switch translations for the 211 dialing code described in Ind. Code ch. 12-13-16 to ensure that its customers can dial “211” when desired or, in the case of a bundled reseller of local exchange service, to ensure the facilities-based carrier has provided 211 Service.

d. **E-911.** If and to the extent Applicant is a “provider” (as defined in Ind. Code § 36-8-16.7-19), Applicant shall provide notice to all counties and Public Service Answering Points (“PSAPs”) covering areas in which Applicant offers communications service (as defined in Ind. Code § 36-8-16.7-7) in Indiana to users (as defined in Ind. Code § 36-8-16.7-21), when the offering of communications service commences in the county and the PSAP’s area, in order to facilitate the continued operation of the enhanced emergency telephone systems, provide PSAP database updates to applicable 911 Service Providers, and perform all other obligations and responsibilities.

e. **Dialing Parity.** Applicant shall implement dialing parity to competing service providers throughout its Indiana service territory as required by § 251(b)(3) of the Telecommunications Act of 1996 and the Commission’s Order in Cause No. 40284, commencing with Applicant’s initial provision of the requested communications services within the state.

f. **Indiana Universal Service Fund.** Applicant shall pay all required assessments into the Indiana Universal Service Fund (“IUSF”), based on the “net billed intrastate retail telecommunications revenue,” pursuant to the Order in Cause No. 42144 and the “Implementation

Guidelines” attached to the July 25, 2007 Docket Entry issued in Cause No. 42144, and pursuant to any subsequently issued IUSF-related requirements, rules, or procedures.

g. **List of Current Intrastate Access Rates and Charges.** Consistent with Ind. Code §§ 8-1-2.6-1.5(d), 8-1-32.5-6(b)(3)(E)(ii), 8-1-32.5-11(c), and 8-1-2-88.6 and various orders of the Commission in Cause No. 39369 as amended in Cause Nos. 44004 and 45733, Applicant shall file prior to commencement of service, the rates, charges, terms and conditions for intrastate switched and special access services and/or appropriate concurrence or exception pages if the offering of such services has been approved by the Commission. In addition, pursuant to the Commission’s GAO 1998-2, Applicant should provide current hyperlinks to the rates, charges, terms, and conditions that are subject to these findings, so that such links may be posted on the Commission’s website. These rates, charges, terms, and conditions shall be set forth in the appropriate intrastate Access Tariff or Rate and Service Guide.

h. **Notice of Initiation of Service.** Pursuant to Ind. Code §§ 8-1-32.5-6(b)(3)(D) and 8-1-32.5-6(a)(9)(A), Applicant shall file under this Cause a notice with the Secretary of the Commission of Applicant’s “in service” dates (i.e., the dates on which Applicant commences offering communications service in each service area identified in the Application in accordance with Ind. Code § 8-1-32.5-6(a)(4)) within 90 days of each “in service” date.

i. **Additional Filing Requirements.** Applicant shall file any other data, information, or reports required or requested by the Commission, including but not limited to information concerning the types of service offered, the areas in which the services are offered and any information needed by the Commission.

j. **Indiana Underground Plant Protection Service.** To the extent Applicant owns, maintains, or otherwise has control over underground facilities, Applicant shall establish and maintain contact with, and provide appropriate notice to, the Indiana Underground Plant Protection Service, the designated administrator of the 811 dialing code in Indiana, and comply with Ind. Code ch. 8-1-26.

k. **Notice of Changes.** Applicant shall notify the Commission, pursuant to Ind. Code § 8-1-32.5-12, of any change involving either Applicant or the CTA occurring after the issuance of this CTA. Such notice shall be provided using a Verified Notice of Change form in accordance with GAO 2024-01. If the change involves the provision of other types of services than those approved in this Order or the reclassification of a communications service approved in this CTA, additional obligations and fees may apply.

l. **Other Customer Notifications.** Applicant shall provide appropriate notice to customers when Applicant offers new communications services, discontinues communications services, and/or increases rates and charges for communications services in any of Applicant’s service areas in Indiana pursuant to Ind. Code § 8-1-32.5-11(b) and any regulations adopted by the Commission.

3. Confidential Information. On January 5, 2026, Applicant filed its *Request for Confidential Treatment of Exhibit C-2* with a supporting affidavit asserting that certain information to be submitted to the Commission was trade secret information as defined in Ind. Code § 24-2-3-2 and should be treated as confidential in accordance with Ind. Code §§ 5-14-3-4 and 8-1-2-29. A Docket Entry was issued on January 20, 2026, wherein the Presiding Officers determined the information should be held confidential on a preliminary basis, after which the information was submitted under seal. After review of the information and consideration of the affidavit, we find the information is trade secret information as defined in Ind. Code § 24-2-3-2, is exempt from public access and disclosure pursuant to Ind. Code §§ 5-14-3-4 and 8-1-2-29, and shall be held confidential and protected from public access and disclosure by the Commission.

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

1. Subject to the Findings set forth in this Order, Applicant Brightspeed Fiber Connection LLC is hereby issued a Certificate of Territorial Authority as a Communications Service Provider to provide telecommunications service in the form of facilities-based and resold local exchange; facilities-based and resold interexchange; special access; and dedicated transport telecommunications services, and information service in the form of internet access service, and information service in the form of Internet access service; broadband service; and interconnected VoIP service.

2. The information submitted under seal in this Cause pursuant to Applicant's request for confidential treatment is determined to be confidential trade secret information as defined in Ind. Code § 24-2-3-2 and shall continue to be held as confidential and exempt from public access and disclosure pursuant to Ind. Code §§ 5-14-3-4 and 8-1-2-29.

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

ZAY, DEIG, SWINGER, VELETA, AND ZIEGNER CONCUR:

APPROVED: APR 08 2026

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

Dana Kosco
Secretary of the Commission