STATE OF CONNECTICUT
PUBLIC UTILITIES REGULATORY AUTHORITY

APPLICATION OF FIBER ASSETCO LLC D/B/A ZAYO FOR AUTHORIZATION TO INSTALL FACILITIES UNDER AND OVER CERTAIN PUBLIC RIGHTS-OF-WAY	)	DOCKET NO. 26-09-XX
	)	SEPTEMBER 25, 2026

FIBER ASSETCO LLC D/B/A ZAYO
MOTION FOR PROTECTIVE ORDER

Fiber AssetCo LLC d/b/a Zayo ("Fiber AssetCo" or the "Company") respectfully moves ("Motion for Protective Order") the Public Utilities Regulatory Authority ("PURA" or the "Authority") issue a Protective Order to ensure that confidential and proprietary information to be provided by Fiber AssetCo in its Confidential Attachment A and Confidential Attachment I, both contained within its Application for Authorization to Install Facilities Under and Over Certain Public Rights-of-Way of even date herewith is protected from public disclosure pursuant to General Statutes § 1-210(b).

Confidential Attachment A and Confidential Attachment I collectively contain information regarding (i) Fiber AssetCo's one-year capital and construction budget total for Connecticut and (ii) the exact street address locations of the proposed fiber installations (collectively the "Confidential Information"). Fiber AssetCo considers this information to be confidential and proprietary due to its commercially sensitive nature and/or its value as a trade secret. As a result, Fiber AssetCo moves the Authority to protect the Confidential Information provided in its responses from public disclosure pursuant to General Statutes § 1-210(b) and in accordance with the Authority's Procedures for Requesting Protective Order when Filing Proprietary Information.

In support of this Motion, Fiber AssetCo states the following:

1. On September 25, 2026, Fiber AssetCo submitted its Application for Authorization to Install Facilities Under and Over Certain Public Rights-of-Way ("Application") for the purpose of considering Fiber AssetCo's proposal to initiate construction of its telecommunications network.

2. As part of its Application, Fiber AssetCo included information regarding Fiber AssetCo's one-year capital and construction budget for Connecticut and (ii) the exact street address locations of the proposed fiber installations contained in the Application.

3. The Authority permits the protection of "proprietary information" defined as "any information that may be exempt from public disclosure under FOIA, Conn. Gen. Stat. § 1-210(b)." See Public Utilities Regulatory Authority – Procedures for Requesting Protective Order when Filing Proprietary Information:

https://portal.ct.gov/pura/about/filing-and-forms/filing-protected-material.

4. General Statutes § 1-210(b)(5)(B) exempts from public disclosure "commercial or financial information given in confidence, not required by statute."[1]

5. Pursuant to the attached Affidavit of Anil Abraham, Regional Vice President, Northeast for Fiber AssetCo LLC d/b/a Zayo, dated September 24, 2026 ("Abraham Affidavit"), the information regarding Fiber AssetCo's one-year capital and construction budget for Connecticut is "commercial" and "financial" information because it is the actual dollar amount that Fiber AssetCo has allocated to this discrete, one-year commercial fiber build project for one year in Connecticut. Disclosure of this information could be used to calculate Fiber AssetCo's projected build-out costs, level of commercial investment in and cost of maintenance of Fiber AssetCo's

[1] See General Statutes § 1-210(b)(5)(B); see also Department of Public Utilities v. Freedom of Information Comm'n, 29 Conn. L. Rptr. 215, 2001 WL 79833, at *3 (Conn. Super. Ct. January 12, 2001); see also Chief of Staff v. Freedom of Information Comm'n, 25 Conn. L. Rptr. 270, 1999 WL 643373, at *2-3 (Conn. Super. Ct. August 12, 1999).

fiber infrastructure in Connecticut which competitors could use to undermine and harm Fiber AssetCo's business plans and deployment strategies. Moreover, Fiber AssetCo's fiber services are governed by individually negotiated commercial and confidential agreements with each of Fiber AssetCo's customers. Clearly, the statistical data regarding Fiber AssetCo's one-year capital and construction budget for Connecticut, which is dictated largely by individual commercial agreements is "commercial" in nature because it shows Fiber AssetCo's projected build-out costs, level of commercial investment and cost of maintenance of Fiber AssetCo's fiber infrastructure as well as penetration and level of build-out of its commercial fiber infrastructure in Connecticut. The information regarding the exact street address locations of the proposed fiber installations contained in the Application is clearly "commercial" and "financial" information because it contains the lists, depictions and maps of specific street addresses at which Fiber AssetCo intends to deploy its fiber facilities. Fiber AssetCo's competitors could use this information to undermine and harm Fiber AssetCo by approaching the owners and/or tenants located at those specific street addresses and trying to undercut Fiber AssetCo's negotiated prices for fiber services. The Authority has previously granted protective treatment to one-year fiber build-out construction plans and budgets as well as for the exact street address locations of proposed fiber installations.[2]

6. The Confidential Information is not required to be disclosed under any statute. Fiber AssetCo is only willing to share the Confidential Information in this proceeding provided such information is kept confidential and exempt from public disclosure.

[2] See Docket No. 19-02-28, Application of Crown Castle Fiber, LLC for Approval to Install Facilities Under and Over Certain Public Rights-of-Way, Ruling on Motion for Protective Order ("Ruling on Motion No. 001"), Feb. 26, 2019; see also Docket No. 18-04-20, Application of NetSpeed, LLC for Approval of Installation of Facilties Under and Over Certain Public Rights-of-Way, Ruling on Motion for Protective Order ("Ruling on Motion No. 001"), May 18, 2018.

7. In addition, General Statutes § 1-210(b)(5)(A) exempts from public disclosure "trade secrets" defined as "information, including formulas, patterns, compilations, programs, devices, methods, techniques, processes, drawings, cost data, customer lists, film or television scripts or detailed production budgets that (i) derive 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 value from their disclosure or use, and (ii) are the subject of efforts that are reasonable under the circumstances to maintain secrecy."

8. The Confidential Information constitutes "trade secrets" in accordance with General Statutes § 1-210(b)(5)(A) for the following reasons:

a. Fiber AssetCo operates in a competitive marketplace where it competes with other fiber providers which provide comparable fiber services in Connecticut and Fiber AssetCo designs its fiber services, offerings, network build-out, customer support services and rates to be attractive to customers in this competitive market and with competitive market factors in mind.

b. Fiber AssetCo does not publish or disclose the Confidential Information and take measures to prevent the disclosure of such information to the public and its competitors. Fiber AssetCo does not publish or disclose one-year capital and construction budget for Connecticut. This type of compiled information could be used by competitors to stifle Fiber AssetCo's business plans and deployment strategies in a manner damaging to Fiber AssetCo. The formulas, processes and cost data used to develop such one-year capital and construction budget could be used by competitors to stifle Fiber AssetCo's business plans and deployment strategies in a manner damaging to Fiber AssetCo. Similarly, Fiber AssetCo does not publish or disclose the exact street address locations of its proposed fiber installations. This type of compiled information and cost data could be used by competitors to stifle Fiber AssetCo's business plans and deployment strategies in a manner

damaging to Fiber AssetCo. Unfair insight into the specific street addresses where Fiber AssetCo intends to build out its fiber infrastructure would allow competitors to undermine Fiber AssetCo's efforts to expand and operate. The Authority has previously granted protective treatment to one-year fiber build-out construction plans and budgets as well as for the exact street address locations of proposed fiber installations.[3] Fiber AssetCo has heretofore used its best efforts to maintain the Confidential Information as secret in order to avoid the harm that would result if the information were to become publicly available. Specifically, the Confidential Information contains sensitive competitive, strategic, business and financial information that could be used by competitors to stifle Fiber AssetCo's business plans and deployment strategies in a manner damaging to Fiber AssetCo. As such, the information contained in the Confidential Information derives potential and actual independent economic value from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure and use, within the meaning of Conn. Gen. Stat. § 1-210(b)(5)(A)(i).

c. This information is valuable because it is not publicly known. The public disclosure of this Confidential Information would permit the public, potential customers to Fiber AssetCo's fiber services and Fiber AssetCo's fiber competitors unfair insight into Fiber AssetCo's business, its competitive fiber services and its fiber network composition, penetration and level of build-out in Connecticut. Unfair visibility into Fiber AssetCo's one-year capital and construction budget for Connecticut would unfairly allow Fiber AssetCo's competitors to understand Fiber AssetCo's investment strategy in fiber and may influence a competitor's decision to invest and overbuild or

[3] See Docket No. 19-02-28, Application of Crown Castle Fiber, LLC for Approval to Install Facilities Under and Over Certain Public Rights-of-Way, Ruling on Motion for Protective Order ("Ruling on Motion No. 001"), Feb. 26, 2019; see also Docket No. 18-04-20, Application of NetSpeed, LLC for Approval of Installation of Facilties Under and Over Certain Public Rights-of-Way, Ruling on Motion for Protective Order ("Ruling on Motion No. 001"), May 18, 2018.

otherwise gain a competitive advantage in Fiber AssetCo's fiber markets and to undercut Fiber AssetCo's fiber services. Unfair visibility into Fiber AssetCo's exact street address locations of the proposed fiber installations may influence a competitor's decision to invest and overbuild or otherwise gain a competitive advantage. For example, implicit in knowing Fiber AssetCo's current plans to build fiber at exact street addresses would be unfairly benefiting from Fiber AssetCo's commercial and financial due diligence it performed to determine that a particular area is viable from a commercial and financial perspective to build and expand fiber facilities and operations. Clearly, Fiber AssetCo heretofore has used its best efforts to maintain the Confidential Information as secret in order to avoid the harm that would result if the information were to become publicly available, within the meaning of Conn. Gen. Stat. § 1-210(b)(5)(A)(ii).

9. As such, the information contained in the Confidential Information is exempt from public disclosure pursuant to General Statutes § 1-210(b).

For the foregoing reasons, including the reasons set forth in the Affidavit of Anil Abraham, Regional Vice President for Fiber AssetCo LLC d/b/a Zayo, dated September 24, 2026, Fiber AssetCo respectfully requests the Authority's approval of the enclosed Protective Order, which would limit disclosure of the Confidential Information to the Authority, Authority staff, the Office of Consumer Counsel ("OCC") and OCC staff.

In anticipation of the Authority's grant of the Protective Order, a single copy of the Confidential Information has been provided to the Authority's Executive Secretary and is labeled "**CONFIDENTIAL-PROPRIETARY**".

Respectfully submitted,

For Fiber AssetCo LLC d/b/a Zayo:



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