By the Commission:

On June 28, 2007, Mobilitie, LLC, a competitive telecommunications carrier, filed a verified Petition requesting that the Commission enter an order keeping confidential its Amended and Annual Gross Revenue Return for the year ending December 31, 2006.

In the Petition, Mobilitie averred that the information therein is confidential and it is the type of information that would be of interest to its competitors and potential competitors. Thus, it contended that public disclosure of the proprietary information in its Gross Revenue Return should be delayed. Although Mobilitie did not specify how long it desired to keep this information confidential, the time period customarily granted is five years from the date of the Order granting proprietary treatment.

Because all of the facts necessary for the Commission to grant the relief requested were contained in the petition, the Administrative Law Judge determined that no hearing was necessary.

The Commission, having considered the entire record herein and being fully advised in the premises, is of the opinion and finds that:

(1) Mobilitie, LLC is a "telecommunications carrier" within the meaning of Section 13-202 of the Public Utilities Act, as it provides competitive telecommunications service, as defined in Section 13-209 of the Act;

(2) the Commission has subject-matter jurisdiction and jurisdiction over the Petitioner;

(3) the recitals of fact set forth in the prefatory portion of this Order are supported by the petition and are hereby adopted as findings of fact;
Section 5-109 of the Public Utilities Act states in relevant part:

All reports made to the Commission by any public utility and the contents thereof shall be open to public inspection, unless otherwise ordered by the Commission;

Section 7(g) of the Illinois Freedom of Information Act, (5 ILCS 140/7) exempts from public disclosure:

Trade secrets and commercial or financial information obtained from a person or business where such trade secrets or information are proprietary, privileged or confidential, or where disclosure of such trade secrets or information may cause competitive harm;

the verified petition avers that the information specified above falls within the exemption stated in Finding five (5) above;

the Petitioner's 2006 Amended and Annual Gross Revenue Return should be exempt from public disclosure and under seal pursuant to Section 7(g) of the Illinois Freedom of Information Act.

IT IS THEREFORE ORDERED that the 2006 Amended and Annual Gross Revenue Return of Mobilitie, LLC shall be afforded proprietary treatment and is exempt from public disclosure; it will be accessible only by the Commission and the Commission Staff for a period of five (5) years from the date of this Order.

IT IS FURTHER ORDERED that the Illinois Commerce Commission retains jurisdiction over Mobilitie, LLC and of the subject-matter, for the purpose of issuing such further orders as the Commission may deem necessary.

IT IS FURTHER ORDERED that, subject to the provisions of Section 10-113 of the Public Utilities Act and 83 Ill. Adm. Code Section 200.880, this Order is final; it is not subject to the Administrative Review Law.

By Order of the Commission this 25th day of July, 2007.
(SIGNED) CHARLES E. BOX

Chairman