

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**



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Application of Velocity IG Operations, LLC for a
Certificate of Public Convenience and Necessity
Pursuant to Public Utilities Code Section 1001.

Application 26-03-002
(Filed March 9, 2026)

**MOTION OF VELOCITY IG OPERATIONS, LLC FOR LEAVE TO FILE
CONFIDENTIAL MATERIALS UNDER SEAL PURSUANT TO
PUBLIC UTILITIES CODE § 583 AND GENERAL ORDER 66-D**

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Dated: August 27, 2026

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I. INTRODUCTION

Pursuant to Rules 11.1 and 11.4 of the California Public Utilities Commission’s (“Commission”) Rules of Practice and Procedure (“Rules”), Velocity IG Operations, LLC (“Applicant”), requests that the Commission afford confidential treatment to certain information submitted in Applicant’s Response (the “Response”) to the Administrative Law Judge’s Ruling Directing Filing of Additional Information, entered on August 24, 2026 in the above-captioned proceeding (the “Ruling”). Specifically, Applicant requests confidential treatment of **Confidential Exhibit A** to the Response (the “Confidential Exhibit”). The Confidential Exhibit contains a geographical map depicting the areas of California in which Applicant initially proposes to construct facilities or offer service.

II. APPLICABLE LAW

California Public Utilities Code Section 583, General Order (“GO”) 66-D, and Commission Decision (“D.”) 16-08-024, as modified by D.17-05-035, govern the confidentiality of information submitted to the Commission and describe the process for seeking confidential treatment of information submitted to the Commission. In a formal proceeding, the information

submitter must file a motion seeking confidential treatment pursuant to Rule 11.4.¹ The requirements of Section 3.2 of GO 66-D do not apply when a party in a formal proceeding files information in the docket.²

III. BASIS FOR CONFIDENTIAL TREATMENT

In support of the Response filed in the above-captioned proceeding, Applicant submits the Confidential Exhibit under seal and requests that the Commission issue a ruling designating the Confidential Exhibit as confidential and grant Applicant leave to file under seal. Pursuant to Gov. Code § 7922.000, the Commission should find that the Confidential Exhibit should be maintained as confidential because the public interest in nondisclosure clearly outweighs the public interest in disclosure.

Here, the public interest in nondisclosure is that disclosure of the Confidential Exhibit will reveal Applicant's confidential network design, proprietary construction plans, and related internal business and decision-making processes. In the competitive telecommunications market, knowledge of a competitor's proprietary build-out and network information could be used to obtain an unfair business advantage. Specifically, competitors could derive economic value from disclosure by identifying Applicant's planned construction and network routes, seeking to duplicate those routes, or otherwise gaining non-public insight into Applicant's deployment and business strategy. The Confidential Exhibit therefore holds independent economic value because a competitor would otherwise have to expend its own time and resources to identify a comparable California route and deployment strategy. The Confidential Exhibit may also reveal information regarding ongoing commercial negotiations and market-entry approach.

¹ General Order 66-D, Section 3.3.

² *Id.*

Specifically, the Confidential Exhibit contains a geographical map of Applicant's proposed construction plans, which contains competitively sensitive and non-public details regarding the locations, routes, and configuration of Applicant's planned communications infrastructure. The Confidential Exhibit is protected by making it generally available only to the management, operational, legal, and other professionals of Applicant. It is not contained in materials that are routinely available to the general public. Disclosure of this information would reveal Applicant's proprietary network design and build-out strategy, placing Applicant at a competitive disadvantage in the telecommunications marketplace and potentially compromising the security of critical communications facilities. The Commission has previously determined that network mapping information, like that included in the Confidential Exhibit, should be protected from public disclosure.³

The Confidential Exhibit is also trade secret technical and business information within the meaning of Civ. Code § 3426.1(d). The geographical map contained in the Confidential Exhibit is a plan and design prepared by Applicant to further its own business interests. Although the map is being submitted in this proceeding, Applicant prepared it previously for its own internal business plans and objectives, and not in connection with a regulatory obligation. Applicant developed the mapped route through significant research and business effort undertaken as part of its overall business plans and strategy. Unlike information developed solely to respond to a Commission

³ See *Order Instituting Rulemaking to Evaluate Telecommunications Corporations Service Quality Performance and Consider Modification to Service Quality Rules*, Decision 20-12-021 at p. 139 (Dec. 17, 2020) (granting confidential treatment to “[d]etailed maps that contain information that is not typically made public, and which expose critical infrastructure that could make it easier for the network to be attacked”); *Order Instituting Rulemaking to Improve Public Access to Public Records Pursuant to the California Public Records Act*, Decision 16-08-024 at p. 25 (Aug. 18, 2016) (finding that “information regarding the location, function, and relationship between network facilities, including the identity of critical infrastructure ... would all be adequate to meet the requirements we adopt today”).

directive, the Confidential Exhibit reflects Applicant's preexisting business plans and was not created for regulatory compliance.

While the information provided may assist the Commission in its review of the merits of the Application, the general public has no direct or substantive interest in the details of the Confidential Exhibit, especially as the information concerns private businesses. While the public always has an interest in disclosure of records relating to the conduct of the government's business, the substantial benefits from nondisclosure of Applicant's non-public construction plans and network configuration clearly outweigh any public interest in its disclosure. The public interest is ultimately best served by preserving competition in the telecommunications market. Providing the Confidential Exhibit in the public record would only undermine that interest by giving competitors access to Applicant's planned routes and deployment strategy.

IV. CONCLUSION

The Commission may order confidential information submitted to the Commission to be sealed and not open to public inspection.⁴ By the requested confidential treatment, Applicant seeks to preserve the confidential nature of this information. Applicant submits that sufficient good cause exists for the Commission to apply the protective mechanisms set forth in G.O. 66-D to the Confidential Exhibit. Therefore, Applicant respectfully requests that the Commission grant confidential treatment of this Confidential Exhibit for a period of not less than three (3) years from the date of filing.

⁴ See Section 583 of the Public Utilities Code and General Order No. 66-D.

Dated at Los Angeles, California this 27th day of August, 2026.

Respectfully submitted,

/s/ Leetal Weiss

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**[PROPOSED] RULING GRANTING MOTION OF VELOCITY IG OPERATIONS, LLC
FOR LEAVE TO FILE CONFIDENTIAL MATERIALS UNDER SEAL**

On March 9, 2026, Velocity IG Operations, LLC (“Applicant”) filed for a Certificate of Public Convenience and Necessity to Provide Full Facilities-Based and Resold Competitive Local Exchange Service and Interexchange Service in California. Pursuant to the Administrative Law Judge Ruling Directing Filing of Additional Information within 10 Days, entered on August 24, 2026 (the “Ruling”), Applicant submitted the additional information in a Response to Administrative Law Judge Ruling on August 27, 2026 (the “Response”). Also on August 27, 2026, Applicant submitted a Motion for Leave to File Confidential Materials Under Seal in accordance with California Public Utilities Code Section 583, Rule 11.4 of the Commission’s Rules of Practice and Procedure, and the Commission’s General Order 66-D (“G.O. 66-D”) to protect from public disclosure for a period of not less than three years from the date of filing **Confidential Exhibit A** to the Response (the “Confidential Exhibit”). The Confidential Exhibit contains a geographical map depicting the areas of California in which Applicant initially proposes to construct facilities or offer service.

No responses to Applicant’s motion have been filed.

Upon due consideration of Applicants’ motion, it is concluded that said motion is reasonable. Accordingly, the Confidential Exhibit that Applicant submitted will be accepted for filing under seal and will remain separate from the remainder of the Response. For three (3) years

from the date of Applicant's motion, no information contained in the Confidential Exhibit shall be released to persons or parties outside the Commission, except pursuant to further order of the Commission.

IT IS ORDERED that:

1. Applicant's Motion for Leave to File Confidential Materials Under Seal is granted.
2. The Confidential Exhibit is accepted for filing under seal, separate from the remainder of the Response.
3. For a period of not less than three (3) years from the date of filing, the Confidential Exhibit shall not be released to persons or parties outside of the Commission, except pursuant to further order of the Commission.

This Order is effective today.

Dated _____, 2026, at San Francisco, California.

By: _____