

**BEFORE THE
IDAHO PUBLIC UTILITIES COMMISSION**

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IDAHO PUBLIC
UTILITIES COMMISSION

Application of Ionex Communications North,)
Inc. dba Birch Communications for a)
Certificate of Public Convenience and)
Necessity to provide local telecommunications)
service in Idaho)

Docket No. _____

INX-T-13-01

REQUEST FOR TRADE SECRET TREATMENT

Ionex Communications North, Inc. dba Birch Communications (“Ionex” or “Applicant”) respectfully requests that the Idaho Public Utilities Commission (“Commission”) grant protection from public disclosure and afford trade secret treatment to the **TRADE SECRET** version of the Application for a Certificate of Public Convenience and Necessity to provide local telecommunications service in Idaho (“Application”), containing the financial information submitted as **Exhibit D** to the Application (the “Financials”). Applicant requests that the Commission afford the highest level of protective treatment to the Financials and asks that the Financials be made available only to the Commission.

Ionex provided the Financials of its parent company, Birch Communications, Inc. (“BCI”) in the Application. Pursuant to Idaho Public Utilities Commission Rules of Procedure Rule 67, Ionex requests trade secret treatment of the Financials because they contain revenue information and highly confidential information regarding BCI’s assets, liabilities, and financial condition. The information provided in the Financials derives 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 its disclosure or use; and are the subject of reasonable efforts to maintain their secrecy by Ionex and BCI.

The potential harm to Ionex and BCI is substantial, and the need for proprietary protection of this information outweighs any need for public disclosure at this time. As such, the Financials should be afforded protection from public inspection.

Disclosure of the Financials would have adverse competitive consequences for Ionex and BCI. Absent protection from disclosure, Ionex's competitors would have access to sensitive and private financial data and proprietary information of Ionex and BCI, which are not publicly-traded companies. Because Ionex is operating in a highly competitive market, public availability of this information would adversely disadvantage Ionex. Release of this information to the public would cause undue economic damage and substantially harm the Applicant's ability to compete in the marketplace.

Protection of the information provided in the Financials does not affect the public interest and does not restrict interested parties from participating in the administrative process. Furthermore, the harm that would result from disclosure of this information far outweighs the public interest in accessing this information.

All notices and inquiries concerning this request should be directed to:

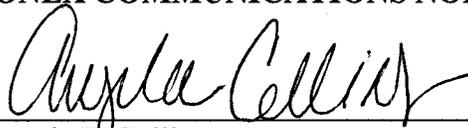
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WHEREFORE, for the foregoing reasons, the Applicant respectfully requests that the Commission afford trade secret treatment to the Financials. In the event that this request is denied, please provide the undersigned with notice of that determination prior to making the Financials available to the public. The Applicant further requests that the Commission stay the

release of the Financials until such time as an application for review of the determination is resolved. Disclosure of the Financials without affording the Applicant an opportunity to contest a finding against confidentiality would prejudice the Applicant and render moot any successful appeal.

Respectfully submitted,

IONEX COMMUNICATIONS NORTH, INC.



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Dated: January 8, 2013