**Section 793.70 Confidentiality**

a) A reporting entity may designate information submitted pursuant to this Part as confidential or proprietary provided that the entity clearly identifies the information for which confidential or proprietary designation is sought and provides the reasons that designation is necessary. The Commission shall provide adequate protection to this information pursuant to Section 4-404 of the Act. If the Commission or other party seeks public disclosure of information designated as confidential or proprietary, the Commission shall consider this designation in a docketed proceeding under the Commission's Rules of Practice (83 Ill. Adm. Code 200), and the burden of proof to demonstrate that the designated information is confidential shall be upon the provider. Designated information shall remain confidential pending the Commission's determination of whether the information is entitled to confidential treatment. Information designated as confidential shall be provided to the Attorney General pursuant to Section 6.5 of the Attorney General Act [15 ILCS 205/6.5]. Information designated as confidential under this Section or determined to be confidential upon Commission review shall only be disclosed pursuant to a valid and enforceable subpoena or court order or as required by the Freedom of Information Act [5 ILCS 140].

b) Subscribership and 9-1-1 listing information at the reporting entity level, reported pursuant to Section 793.50(i) through (q) and Section 793.60(h) and (i) shall be considered confidential and shall only be disclosed pursuant to a valid and enforceable subpoena or court order or as required by the Freedom of Information Act. Subscribership information reported pursuant to this Part may, however, be aggregated (e.g., according to carrier class and/or technology) and reported publicly, provided that subscribership information specific to each reporting entity is not disclosed or discernible from the information reported to the public.