STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

Champion Energy, LLC	)	
	)	
Petition for Relief to protect Petitioner's	)	
2008 Call Center Report and 2008	)	09-_____
Kilowatt-Hour Report from disclosure for	)	
not less than five years in order to protect	)	
highly proprietary information	)	
	)	

ILLINOIS COMMERCE COMMISSION
2009 APR -3 A 10: 23
CHIEF CLERK'S OFFICE

ORDER

By the Commission:

On April 2, 2009, Champion Energy, LLC ("Champion" or "Petitioner") filed a verified petition requesting that the Illinois Commerce Commission ("Commission") enter an order, pursuant to 83 Ill. Adm. Code 451.60 and 200.430, protecting its 2008 Kilowatt-Hour Report and its 2008 Call Center Report (collectively, "2008 Reports") from disclosure for a period of not less than five years.

Petitioner is certified by the Commission as an Alternative Retail Electric Supplier ("ARES") in Illinois. The petition indicates Petitioner's 2008 Reports contain commercial and market-sensitive information that is highly sensitive and of a confidential and proprietary nature; and public disclosure of this information is exempt from public disclosure under Section 7(g) of the Illinois Freedom of Information Act, 5 ILCS 140/7, Petitioner also states that because the retail electric service industry is highly competitive, any disclosure of this information would be detrimental to Petitioner. Moreover, the petition further states that because the retail electric services industry is highly competitive, it is imperative that public it is imperative that public disclosure of confidential information contained in the 2008 Reports be avoided for a period of at least five years following issuance of an Order by the Commission. Since all facts necessary for the Commission to grant the requested relief are contained in the petition, no hearing is necessary and it is waived.

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

(1) Champion Energy, LLC, is an Alternative Retail Electric Supplier pursuant to Section 16-115 of the Public Utilities Act ("Act");

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

(3) the recitals of the facts set forth in the prefatory portion of this Order are supported by the Petition and are hereby adopted as findings of fact;

(4) Section 5-109 of the Act states, in relevant part:

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

(5) Section 7(g) of the Illinois Freedom of Information Act (5 ILCS 140/7) exempts from 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;

(6) Section 451.60 of the Commission's Rules states, in relevant part:

> If...an ARES believes any of the information to be disclosed by an ...RES is privileged or confidential, the ...ARES should request that the Commission enter an order to protect the confidential, proprietary or trade secret nature of any data, information or studies pursuant to 83 ILL. Adm. Code 200.430.

(7) the verified petition states that Petitioner's 2008 Reports fall within the exemptions stated in Findings (5) and (6);

(8) Petitioner's 2008 Call Center Report and 2008 Kilowatt-hour Report should be exempt from public disclosure under Section 7(g) of the Illinois Freedom of Information act and Section 5-109 of the Public Utilities Act for a period of five (5) years from the date of this Order;

(9) Petitioner should submit with its 2008 Call Center Report and its 2008 Kilowatt-Hour Report a cover letter indicating that proprietary treatment was granted in this Docket and identifying the date on which this Order was entered.

IT IS THEREFORE ORDERED by the Illinois Commerce Commission that the information contained in the 2008 Call Center Report and its 2008 Kilowatt-Hour Report for Champion Energy, LLC, be afforded proprietary treatment and is exempt from public disclosure and 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 a cover letter shall be submitted with the 2008 Call Center Report and 2008 Kilowatt-Hour Report filed by Petitioner indicating that proprietary treatment was granted in this Docket and identifying the date on which this Order was entered.

IT IS FURTHER ORDERED that the Illinois Commerce Commission retains jurisdiction over Champion Energy, LLC, and the subject matter hereof for the purpose of issuing such further order or orders as it 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 200.880, this Order is final; it is not subject to the Administrative Review Law.

By Order of the Commission this _____ day of _____, 2009.

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Chairman Charles E. Box