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2010 MAR 22 P 3: 28  
CHIEF CLERK'S OFFICE  
MS

**EXTENET SYSTEMS, INC.** )

Petition for emergency relief to protect )  
Petitioner's Annual Report from disclosure )  
for not less than five years in order to  
protect highly proprietary information.

Docket No. 10-0217

**PETITION**

NOW COMES, ExteNet Systems, Inc. ("Petitioner") and here by petitions the Illinois Commerce Commission ("Commission") for emergency relief to protect Petitioner's Annual Report from disclosure for not less than five years in order to protect highly proprietary information included therein. In support of this Petition, Petitioner states as follows:

1. Petitioner is certificated by the Commission to provide competitive telecommunications services in the state of Illinois.
2. Petitioner is required to file an Annual Report pursuant to Section 5-109 of The Public Utilities Act (220ILCS5/5-109).
3. The Annual Report of the Petitioner contains highly proprietary and confidential commercial and financial information, the disclosure of which to competitors, or potential competitors, would be detrimental to Petitioner.
4. The telecommunications industry is highly competitive, and it is imperative that public disclosure of confidential information contained in the Annual Report of Petitioner be avoided for a period of at least five years following the insurance of an Order by the commission because of the competitive harm which disclosure of such information would likely cause Petitioner.
5. Section 7 of the Illinois Freedom of Information Act, 5 ILCS140/7(g), exempts from public disclosure "trade secrets and commercial or financial information...where the trade secrets or information are proprietary, privileged or confidential, or where disclosure of such trade secrets or information may cause competitive harm." The Annual Report of Petitioner, which is the subject matter of this Petition, falls within this exemption. Given the highly competitive nature of the telecommunications industry in Illinois and nationwide, Petitioner would suffer competitive harm in the event that the contents of its Annual Report were available for inspection by ExteNet's competitors. This information is not generally made available to the public and the Petitioner generally takes steps to protect this information from disclosure, including storing the information in secure files and servers and permitting company employee access to the information only on a need-to-know basis.
6. Petitioner seeks and Order from the Commission, without hearing, protecting from disclosure in its entirety Petitioner's Annual Report for a period of not less than five years.

WHEREFORE, Petitioner respectfully requests that the Commission enter an Order, without hearing, protecting from disclosure in its entirety the 2009 Annual Report of the Petitioner for a period of not less than five years.

DATED as of the 1<sup>st</sup> day of MARCH, 2010.

Respectfully submitted,

**EXTENET SYSTEMS, INC.**

By: *Terrence M. Ray*  
Terrence M. Ray  
Vice President and CFO  
ExteNet Systems, Inc.

# VERIFICATION

I, Teeley Ray, first being duly sworn upon oath depose  
(Name)  
that I have read the above and foregoing petition by me subscribed and know the contents thereof; that said contents are true in substance and in fact, except as to those matters stated upon information and belief, and as to those, I believe same to be true.

*Teeley Ray*  
Name

Subscribed and sworn to before me  
this 15<sup>th</sup> day of March,  
2010.

*Heather C. Majewski*  
Notary Public

