

**STATE OF ILLINOIS**  
**ILLINOIS COMMERCE COMMISSION**

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CHIEF CLERK'S OFFICE

**Just Energy Illinois Corp. d/b/a Just Energy d/b/a  
U.S. Energy Savings Corp.**

**Petition for Emergency Relief to Protect Portions of  
Report of Continued Compliance as an  
Alternative Gas Supplier.**

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**Docket No. 10-0160**

**AMENDED PETITION**

NOW COMES Just Energy Illinois Corp. d/b/a U.S. Energy Savings Corp d/b/a Just Energy ("Just Energy") and hereby petitions the Illinois Commerce Commission ("Commission") for emergency relief to protect from disclosure for not less than two (2) years highly confidential and proprietary information included in its report of continuing compliance (the "Compliance Report") with its certification as an Alternative Gas Supplier ("AGS"). In support of the instant Petition, Just Energy states as follows:

1. Just Energy is certified by the Commission as an AGS. The Commission originally granted just energy a certificate of service authority to provide service as an AGS in the State of Illinois, on December 17, 2003 in ICC Docket No. 03-0720.
2. On March 1, 2010, Just Energy submitted a confidential version of its Compliance Report to the Commission.
3. Just Energy's Compliance Report includes confidential information regarding Just Energy's annual report of dekatherms and revenue related to natural gas sold to residential and small commercial customers. The dekatherm report demonstrates

Just Energy's continuing compliance with the requirement of 83 Ill. Adm. Code 551.170. Just Energy considers this information to be highly confidential and proprietary information, the disclosure of which to competitors, potential competitors, and investors, would be detrimental to Just Energy, its parent and shareholders.

4. Just Energy Income Fund, Just Energy's parent, is a publicly traded entity on the Toronto Stock Exchange. As such, a large amount of information is provided to investors through Just Energy Income Fund's annual report and other documents that publicly traded companies are required to file. Just Energy Income Fund does not report revenues or dekatherms sold by state or by utility service territory. The information contained in the dekatherm report could significantly impact shareholders because it would provide actionable information to investors, which is not currently available. Investors could potentially react to this newly available information, which may negatively impact existing shareholders. Further, the retail energy industry is highly competitive. Competitors that are not publicly traded could gain an advantage over Just Energy by comparing and contrasting the information in the dekatherm report with the information that is required to be filed as a publicly traded company. Competitors could also use the information to determine market share and growth in market share over time. If the information was made publicly available after a period shorter than two years, competitors could use the information to determine where other suppliers are focusing their sales efforts and adjust resources accordingly. This could have a detrimental effect on individual suppliers like Just Energy as well as the overall market. It is

imperative that public disclosure of confidential information contained in the Compliance Report be avoided for a period of at least two (2) years because of the competitive harm which disclosure of such information likely would cause Just Energy and its parent and the potential negative impact that public disclosure could have on the shareholders.

5. 83 Ill. Adm. Code Section 551.60 provides that: "If an applicant or AGS believes any of the information to be disclosed by an applicant or AGS is privileged or confidential, the applicant or AGS 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."
6. Section 7(g) of the Illinois Freedom of Information Act exempts from public disclosure "trade secrets and commercial or financial information...where the trade secrets or information are proprietary, privileged or confidential." (5 ILCS 140/7(g).) The financial and trade information contained in Just Energy's Compliance Report falls within this exemption.
7. Hereby, Just Energy seeks an Order from the Commission, without hearing, protecting from disclosure, for a period of not less than two (2) years from the date of this Order, the confidential version of Just Energy's Compliance Report.

WHEREFORE, Just Energy respectfully requests that the Commission enter an Order, without hearing, protecting from disclosure for a period of not less than two (2) years, the above-referenced document that was submitted pursuant to Part 551 to the Chief Clerk of the Commission, on March 1, 2010, as part of Just Energy 's Compliance Report.

Respectfully submitted,

Just Energy Illinois Corp, d/b/a Just Energy ("Just Energy")

By: \_\_\_\_\_



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Dated: March 19, 2010

**Verification**

Province )  
State of Ontario )  
City )  
County of Mississauga )

I, Gord Potter, hereby affirm that I have knowledge of the contents of this Petition and it is true and accurate to the best of my knowledge.

  
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Gord Potter  
Executive Vice President, Legal & Regulatory  
Affairs  
Just Energy

Notarized this 19 day of March 2010.

  
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Notary Public