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ILLINOIS COMMERCE COMMISSION**

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ILLINOIS COMMERCE COMMISSION

COMMONWEALTH EDISON COMPANY :
:
Petition for a Protective Order Pursuant to Ill. Adm. :
Code § 200.430 Relating to Commonwealth Edison :
Company's proposed general increase in electric :
rates.

No. 10-_____

10-0424

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ILLINOIS
COMMERCE COMMISSION

**COMMONWEALTH EDISON COMPANY'S
PETITION FOR ENTRY OF A PROTECTIVE ORDER**

Commonwealth Edison Company ("ComEd" or the "Company"), by its attorneys, respectfully petitions the Administrative Law Judge, pursuant to Section 4-404 of the Public Utilities Act (the "Act"), 220 ILCS 5/4-404, and Sections 200.190 and 200.430 of the Rules of Practice of the Illinois Commerce Commission (the "Commission"), 83 Ill. Adm. Code §§ 200.190, 200.430, for entry of a protective order to govern the treatment of certain confidential and confidential and proprietary information and materials. In support of this motion, ComEd states:

1. On June 30, 2010, Commonwealth Edison Company ("ComEd") filed with the Illinois Commerce Commission (the "Commission") proposed new and amended tariffs revising its rates and revising various terms and conditions, pursuant to, *inter alia*, Sections 9-201 of the Act, 220 ILCS 5/9-201. ComEd submitted pre-filed direct testimony in support of its filing. ComEd also submitted materials under Part 285 of the Commission's Rules, 83 Ill. Adm. Code Part 285, in relation to its filing.

2. ComEd anticipates that the Commission likely will suspend ComEd's proposed tariffs and tariff revisions under Section 9-102 of the Act.
3. During this proceeding, ComEd anticipates that parties likely will seek to review ComEd information and materials confidential and confidential and proprietary to ComEd, its retail customers, or third parties such as retail electric suppliers. ComEd also anticipates that other parties in this proceeding may have similar materials of their own relevant to this proceeding.
4. Consistent with its objective to create a transparent ratemaking mechanism, ComEd seeks to disclose to the parties requested information and materials that, while relevant and not privileged, ComEd considers confidential or confidential and proprietary, without waiving the status of those items. Through entry of the draft proposed protective order in the form attached as Exhibit "A" (the "Protective Order"), ComEd requests adequate protection for such information and materials.
5. Section 4-404 of the Act states: "The Commission shall provide adequate protection for confidential and proprietary information furnished, delivered or filed by any person, corporation or other entity." 220 ILCS 5/4-404.
6. Section 200.430 of the Commission's Rules of Practice authorizes the Commission and its Administrative Law Judges to enter protective orders "to protect the confidential, proprietary or trade secret nature of any data, information or studies." 83 Ill. Adm. Code § 200.430(a).

7. In ComEd's most recent three rate cases, the Administrative Law Judges entered protective orders in essentially the same form as Exhibit A. (See ICC Docket Nos. 01-0423, 05-0597 and 07-0566.)

8. ComEd also seeks appropriate procedures for filing confidential and confidential and proprietary materials according to the Commission's rules concerning electronic filing. 83 Ill. Adm. Code § 200.1000, *et seq.* ComEd proposes that parties file only the "public redacted version[s]" of such documents (that must be filed pursuant to 83 Ill. Adm. Code § 200.430 (d)). Parties should file unredacted versions of such documents in hard copy. ComEd proposes that these materials not be posted electronically on the Commission's e-docket. These procedures are reasonable, necessary and appropriate given the sensitive and proprietary business and customer information that likely will be sought in this proceeding.

WHEREFORE, for all of the reasons set forth above, Commonwealth Edison Company respectfully petitions the Administrative Law Judge(s) for entry of the protective order attached to this petition as Exhibit A.

Dated: June 30, 2010.

Respectfully submitted,

By: 
Counsel for Commonwealth Edison
Company

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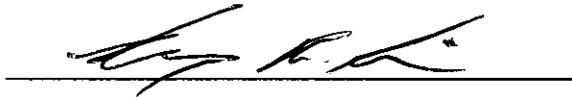
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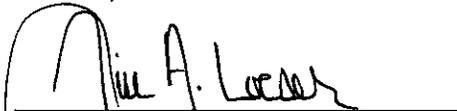
STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

VERIFICATION

I, Bradley R. Perkins, being first duly sworn upon oath, states that he is one of the attorneys for Commonwealth Edison Company, an Illinois corporation; that he is authorized to make this affidavit; and that he has read the foregoing Commonwealth Edison Company's Petition for Entry of a Protective Order, that he is familiar with the facts and matters set forth therein, and that the same are true and correct to the best of his information and belief.



Subscribed and Sworn to
before me this 30th day
of June, 2010.



Notary Public

My Commission Expires: 9/27/12

