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**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

Cost Containment International, LLC :
: Docket # 10-0378
Petition for Confidential treatment
Of the 2009 ABC Annual Recertification :
Report.

BRIEF ON EXCEPTIONS

Dated July 9th, 2010

Cost Containment International, LLC.
131 N Green St. Suite 203 Chicago, IL 60607
p. 877.265.2799 f. 877.525.8634
www.c2intl.com



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A. FINDINGS

1. Petitioner is an ABC, as defined in the Act and Part 454;
2. the Commission has jurisdiction over Petitioner and the subject matter herein;
3. the recitals of fact set forth in the prefatory portion of this Order are supported by the record and are hereby adopted as findings of fact;
4. Section 200.430 of Part 200
5. Section 7(1)(g) of the Freedom of Information Act ("FOIA"), 5 ILCS 140/1
6. Petitioner has failed to demonstrate that the information discussed falls within the exemption identified in Finding (5); and
7. Petitioner's request for confidential treatment should be denied

B. CONTESTED ISSUE.....

1. Petitioner has failed to demonstrate that the information discussed falls within the exemption identified in Finding (5)

C. REVISED ANNUAL REPORT.....



**STATE OF ILLINOIS
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BRIEF ON EXCEPTIONS

NOW COMES Cost Containment International, LLC (hereafter "CCI"), pursuant to Section 200.830 of the Rules of Practice of the Illinois Commerce Commission ("Commission" or "ICC"), hereby submit their Brief on Exceptions to the Administrative Law Judge's ("ALJ") Proposed Order ("PO") issued June 30th, 2010 in the instant proceeding regarding the Petition for Confidential Treatment of the 2009 ABC Annual Recertification Report.

FINDINGS

The PO found the following items:

- (1) Petitioner is an ABC, as defined in the Act and Part 454;
- (2) the Commission has jurisdiction over Petitioner and the subject matter herein;
- (3) the recitals of fact set forth in the prefatory portion of this Order are supported by the record and are hereby adopted as findings of fact;
- (4) Section 200.430 of Part 200 provides, in pertinent part:
At any time during the pendency of a proceeding, the Commission or the Hearing Examiner may, on the motion of any person, enter an order to protect the confidential, proprietary or trade secret nature of any data, information or studies;

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- (5) Section 7(1)(g) of the Freedom of Information Act ("FOIA"), 5 ILCS 140/1 et seq., exempts the following from public disclosure:
Trade secrets and commercial or financial information obtained from a person or business where the trade secrets or commercial or financial information are furnished under a claim that they are proprietary, privileged or confidential, and that disclosure of the trade secrets or commercial or financial information would cause competitive harm to the person or business, and only insofar as the claim directly applies to the records requested.
- (6) Petitioner has failed to demonstrate that the information discussed above falls within the exemption identified in Finding (5); and
- (7) Petitioner's request for confidential treatment should be denied and the unredacted version of its recertification report filed on June 9, 2010 should be made available to the public.

CCI believes that the Administrative Law Judges' ("ALJs") Proposed Order dated June 30th, 2010 is well reasoned and reaches the proper findings of fact and conclusions of law.

Therefore, SECTION 454.110 reporting requirements subsection (b) shall be made publically available.

CONTESTED ISSUE

- (6) Petitioner has failed to demonstrate that the information discussed above falls within the exemption identified in Finding (5); and

CCI requests confidential treatment to be approved for subsection (d) of Section 454.110 which requires the ABC to file with its recertification report a copy of verified financial statements for the previous fiscal period pursuant to Section 7(1)(g) of the Freedom of Information Act ("FOIA"), 5 ILCS 140/1 et seq. CCI is a privately held company and this information could be competitively damaging to CCI and, therefore, would not be in public interest. CCI seeks this information to remain confidential for a period of no less than two years from the date of filing. This information will give an unfair advantage to the competitors of CCI and would substantially harm business operations. CCI's competitors would be able to use the information to make informed estimates regarding the amount of service fees charged by CCI to its clients.

WHEREFORE, Cost Containment International, LLC respectfully requests that the Commission modify the Proposed Order in accordance with the changes provided herein and that the attached public version of CCI's annual report be filed in addition to the previously submitted confidential version.

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A handwritten signature in black ink, appearing to read 'Han He', with a long horizontal line extending to the right.