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ILLINOIS COMMERCE COMMISSION

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STATE OF ILLINOIS
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CELLULAR PROPERTIES, 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)

2010 JUL 30 P 3: 25 JMS

NO. # CHIEF CLERK'S OFFICE
10-0479

PETITION FOR PROPRIETARY TREATMENT

NOW COMES Cellular Properties, Inc. ("Petitioner" or "CPI") and hereby petitions the Illinois Commerce Commission ("Commission") for emergency relief to protect Petitioner's Annual Report for the year due on August 1, 2010, from public 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. On February 27, 2008, the Commission entered an Order designating Cellular Properties, Inc., as a wireless eligible telecommunications carrier (WETC) for purposes of receiving federal Universal Service support in its Eligible Communications Carrier Designated Service Area pursuant to Section 214(e)(2) of the Telecommunications Act of 1996.

2. The Commission's Order requires that on or before August 1 of each year, CPI shall submit reports to the Manager of the Commission's Telecommunications Division certifying, reporting and providing information as required by paragraphs 23 and 69 of the Federal Communication Commission's ETC Order¹. The Commission's Order specifically states:

To the extent that any such information is proprietary, it may be submitted and shall be treated as proprietary and confidential under appropriate motions. (Order @ p. 56, condition 12).

¹ Federal-State Joint Board on Universal Service CC Docket No. 96-45, Report and Order, FCC-05-46, March 17, 2005.

3. The Commission's Order requires the annual report to the Manager of the Commission's Telecommunications Division to disclose highly proprietary and confidential commercial and financial information, i.e. Petitioner's business plans and service areas and expenditures, the public disclosure of which to competitors would be detrimental to Petitioner.

4. Petitioner has filed the annual report for 2010.

5. The telecommunications industry is highly competitive, and it is imperative that public disclosure of confidential information contained in the annual reports of Petitioner be avoided following the issuance of an order by the Commission because of the competitive harm which disclosure of such information would likely cause Petitioner.

6. Section 7 of the Illinois Freedom of Information Act, 5 ILCS 140/7(g), exempts from public disclosure "trade secrets and commercial or financial information . . . where the trade secrets or information are proprietary, privileged or confidential." The annual reports of Petitioner, which is the subject matter of this Petition, falls within this exemption.

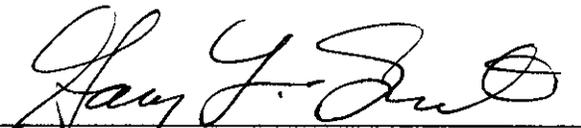
7. Petitioner seeks an order from this Commission, without hearing, protecting from disclosure in its entirety Petitioner's annual report for 2010.

WHEREFORE, Petitioner, CELLULAR PROPERTIES, INC., respectfully requests that the Commission enter an order, without hearing, protecting from disclosure in its entirety the 2010 annual report of the Petitioner and such other relief as the Commission deems just.

Dated this 30 day of July, 2010.

Respectfully submitted,

CELLULAR PROPERTIES, INC.

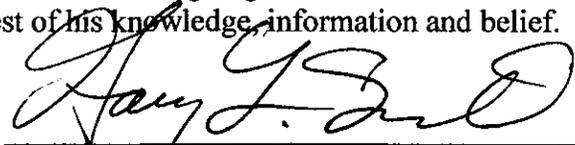
By: 
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STATE OF ILLINOIS)
)
COUNTY OF SANGAMON) SS

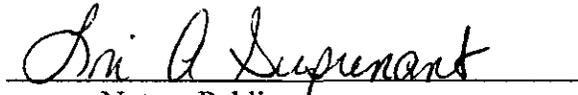
VERIFICATION

GARY L. SMITH, being first duly sworn on oath, deposes and states that he is the attorney for the Petitioner, that he has read the above and foregoing Petition and knows the contents thereof, and that the same are true to the best of his knowledge, information and belief.



GARY L. SMITH

Subscribed and sworn to before me
this 30th day of July, 2010.



Notary Public

