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Hudson Energy Services, LLC )  
Petition for Relief to Protect Petitioner's )  
2009-2010 Annual Compliance Report )  
With Renewable Portfolio Standard )  
From Disclosure for Not Less than Five Years )  
To Protect Highly Confidential and )  
Proprietary Information )

**Docket No. 10-0529**

**SECOND COMPLIANCE FILING OF HUDSON ENERGY SERVICES, LLC**

Pursuant to 83 Ill. Adm. Code 451.60 and 200.430, Hudson Energy Services, LLC ("Petitioner" or "Hudson"), hereby submits to the Illinois Commerce Commission ("ICC" or "Commission") this second compliance filing related to Hudson's petition for relief to protect Petitioner's 2009-2010 Annual Compliance Report with Renewable Portfolio Standard ("2009-2010 RPS Compliance Report") from disclosure for not less than five years to protect highly confidential and proprietary information included therein. In support of this compliance filing, Petitioner states as follows:

1. Petitioner was directed in a Notice of Administrative Law Judge's Ruling dated September 17 ("Notice") in the instant proceeding to answer the following questions:

- a) Are the customer account numbers listed in the unredacted version of Hudson's "Annual Report of Compliance with Renewable Portfolio Standard" ("RPS Report") the account numbers assigned by Hudson or the same account numbers assigned by the utility providing delivery services to the customer?
- b) If Hudson's 2009-2010 RPS Report becomes publicly available after a period of more than two years but less than five years from now, specifically how would one of Hudson's competitors use knowledge of a particular customer's total annual load from the 2009-2010 RPS Report to the detriment of Hudson?

c) Why is each customer's total annual load as depicted in the unredacted version of Hudson's 2009-2010 RPS Report not stale?

The answers to the Administrative Law Judge's questions reiterated above as questions a, b, and c are addressed in paragraphs 2, 3, and 4, respectively.

2. The account numbers listed in Hudson's RPS report are the same account numbers assigned by the utility providing delivery services to the customer.

3. The annual load information for 2009-2010 in Hudson's RPS report, while arguably not as sensitive as customer account numbers and not as useful without the associated customer account number, could be used by Hudson's competitors to develop market specific intelligence regarding Hudson's business strategies in the State of Illinois. The annual load information of specific customers would provide Hudson's competitors with insight as to the exact size of each customer included in the report. The annual load could also be used to determine customer class by tariff with some additional assumptions. Information on the historical usage of individual customers served by Hudson is not currently publicly available. With other market intelligence, including offers that were available from Hudson during the period in question and changes in the market, information on the individual usage of Hudson's customers could better position competitors to formulate more attractive offers to customers of the size and in the customer classes that Hudson energy currently serves.

4. The customer's total annual load as depicted in the unredacted version of Hudson's 2009-2010 RPS Report may or may not be stale depending on a number of factors including, but not limited to, whether the customer's usage is primarily attributable to cooling load, whether the customer uses equipment that varies with the level of production undertaken by the customer, and whether the customer has moved to a new location with different demand and usage characteristics. The relevance of historical data depends on a number of factors but could be adjusted based on assumptions about usage and demand to estimate future use.

WHEREFORE, PREMISES CONSIDERED, Hudson Energy Services, LLC submits this second compliance filing and respectfully requests that the Commission enter and Order, without hearing, protecting from disclosure the above-referenced information filed with the Commission for a period of not less than five years.

Respectfully submitted,

HUDSON ENERGY SERVICES, LLC

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end, positioned above a solid horizontal line.

Dan Marzuola  
Vice President  
Hudson Energy Services, LLC  
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Dated: September 23, 2010

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

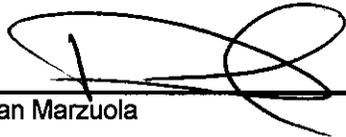
**AFFIDAVIT OF DAN MARZUOLA**

State of Texas            )  
                                  )  
County of Dallas        )        SS

The undersigned, under oath, deposes and states as follows:

1. My name is Dan Marzuola. I am an executive officer of Hudson Energy Services LLC and, in my capacity as Vice President, I am authorized to execute this Affidavit.
2. I have read the Second Compliance Filing of Hudson Energy Services, LLC associated with Docket No. 10-0529 dated September 23, 2010.
3. I have personal knowledge of the facts discussed in the above-mentioned report and, to the best of my knowledge, information and belief, those facts are true and correct and, if sworn as a witness, I could testify concerning them.

Further affiant sayeth naught.

  
\_\_\_\_\_  
Dan Marzuola

Subscribed and sworn to before me

this 23rd day of September 2010

Charles D. Hewitt

Notary Public

