

Docket No: 10-0146
Bench Date: 2/9/11
Deadline: N/A

MEMORANDUM

TO: The Commission
FROM: Sonya J. Teague, Administrative Law Judge
DATE: January 31, 2011
SUBJECT: LH Telecom, Inc.

Petition for emergency relief to protect Petitioner's 2009 Annual Report from disclosure for not less than four years in order to protect highly proprietary information.

RECOMMENDATION: Enter the attached Order exempting Petitioner's 2009 Annual Report from public disclosure for a period of two years.

LH Telecom, Inc. ("Petitioner") seeks an Order protecting its 2009 Annual Report from public disclosure for a period of not less than four years. Petitioner states that its 2009 Annual Report contains commercial and financial information that is proprietary and confidential, the disclosure of which to competitors could be detrimental to Petitioner. The Administrative Law Judge issued a ruling directing Petitioner to explain why it believes a four year time period is warranted. Petitioner responded to the ruling with an explanation of its request. It is the Commission's recent practice, however, to grant confidential and proprietary treatment to Annual Reports for a two year time period.

Since the Petition contains all of the information establishing entitlement to the relief requested for a period of two years, no hearing was held in this matter. The attached Order grants the Petition and provides proprietary treatment and exemption from public disclosure under Section 7(g) of the Illinois Freedom of Information Act and Section 5-109 of the Public Utilities Act for a period of two years from the date of the Order. There is no deadline for Commission action.

SJT: fs