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MC Squared Energy Services, LLC	)	
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Petition for Relief to Protect Annual Kilowatt-Hour Report from Disclosure for not less than two years to protect highly confidential and proprietary information.	)	No. 11- 0196

PETITION OF
MC SQUARED ENERGY SERVICES LLC

NOW COMES MC Squared Energy Services, LLC ("MC2"), and hereby petitions the Illinois Commerce Commission ("Commission") for relief to protect the MC2 annual kilowatt-hour report from disclosure for not less than two years. In support thereof, MC2 states as follows:

1. MC2 is certificated by the Commission as an Alternative Retail Electric Supplier by a certificate of service authority granted to MC Squared in Docket No. 09-0059, as amended in Docket No. 10-0549.
2. On or about February 25, 2011, MC2 submitted to the Commission its Annual Kilowatt-Hour Report ("kWh Report"). MC2's kWh Report contains trade secret and market sensitive information related to MC2's provision of competitive services to non residential customers in the Commonwealth Edison service territory. MC2 considers this information to be confidential, highly proprietary, and commercially sensitive, the disclosure of which to MC2's competitors would be unfairly detrimental to MC2.

3. The retail electric service business in Illinois is highly competitive and it is critical that confidential and highly sensitive commercial information such as the instant volume data remain so to prevent unfair harm to MC2 and the Illinois competitive market. The volume information contained in the kWh Report can be used by competitors to unfairly gain insight into MC2's market share and market strategy. MC2 would not share such information with a competitor and such information is not publicly available.
4. Section 451.60 of the Commission's administrative rules (83 Ill. Admin. Code 451.60) provides that: "If an applicant or ARES believes any of the information to be disclosed by an applicant or ARES is privileged or confidential, the applicant or ARES should request that the Commission enter an order to protect the confidential, proprietary or trade secret nature of any data, information or studies pursuant to 83 Ill. Adm. Code 200.430. The applicant or ARES shall designate which information is privileged and confidential. Such information shall be marked as "confidential" and submitted separately under seal to the Chief Clerk of the Commission." In this instance, MC2 has accordingly submitted a confidential version of its kWh Report marked as such and with no information redacted. MC2 also submitted a public version, marked as such with information redacted.

5. Section 7 of the Illinois Freedom of Information Act exempts from public disclosure "trade secrets and commercial or financial information... where the trade secrets or information are proprietary, privileged, or confidential." (5 ILCS 140/7(g)).
6. Protection of kWh Report data for a period of at least two years is consistent with Commission practice. (*See e.g.*, Constellation NewEnergy, Inc., Docket No. 08-0163, March 26, 2008; Constellation NewEnergy Inc., Docket No.09-0126, August 19, 2009.)

WHEREFORE, MC2 respectfully requests that the Commission enter an Order without hearing, protecting from disclosure for a period of no less than two years MC2's Annual kWh Report which was submitted to the Chief Clerk of the Commission on February 25, 2011.

Respectfully submitted,

Mark J. McGuire
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STATE OF ILLINOIS)

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COUNTY OF COOK)

VERIFICATION

I, Mark J. McGuire, being duly sworn, on oath depose and state that I am attorney for MC Squared Energy Services, LLC and have read the foregoing Petition of MC Squared Energy Services, LLC, have knowledge of its contents, and it is true and accurate to the best of my knowledge and belief.

Mark J. McGuire
General Counsel
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Subscribed and
sworn to before
me this 28 day
of February, 2011.

OFFICIAL SEAL
SYLVIA WENZEL
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 11-2-2011

Notary Public