

**OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION**

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

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APN Starfirst, LP)
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Docket No. 11-0377

Petition for relief to protect Petitioner's Annual Report from disclosure in order to protect highly proprietary information.

ILLINOIS
COMMERCE COMMISSION
2011 MAY 31 A 9:50
CHIEF CLERK'S OFFICE

PETITION – SECOND AMENDED PETITION

NOW COMES, APN STARFIRST, LP ("Petitioner") and hereby petitions the Illinois Commerce Commission ("Commission") for relief to protect Petitioner's Annual Report from disclosure in order to protect highly proprietary information included therein. In support of this Petition, Petitioner states as follows:

1. Petitioner is certificated by the Commission to provide competitive electric services in the State of Illinois.
2. Petitioner is required to file an Annual Report pursuant to Section 451.740 of the Public Utilities Act (220 ILCS 5/5-109).
3. The 2010 Annual Report of the Petitioner contains highly proprietary and confidential commercial and financial information. Petitioner is a small but highly successful enterprise and it believes that competitors or potential competitors might discourage customers and potential customers from availing themselves of our services based solely on the size of our company. Such action would be financially detrimental to Petitioner.
4. The Electric industry is highly competitive, and it is imperative that public disclosure of confidential information contained in the Annual Report of Petitioner be avoided for a period of at least two years following the issuance of an Order by the Commission because of the competitive harm which disclosure of such information would likely cause Petitioner.
5. Section 7 of the Illinois Freedom of Information Act, 5 ILCS 140(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 Report of Petitioner, which is the subject matter of this Petition, falls within this exemption.
6. Petitioner seeks an Order from this Commission, without hearing, protecting from disclosure in its entirety Petitioner's Annual Report.

WHEREFORE, Petitioner respectfully requests that the Commission enter an Order, without hearing, protecting form disclosure in its entirety the 2010 Annual Report of the Petitioner.

DATED this 25th day of May, 2011.

Respectfully submitted,

APN STARFIRST, LP

By: EFCarter, Jr.

Eugene F. Carter, Jr., Controller

45 Commerce Drive
Wyomissing, PA 19610

STATE OF PENNSYLVANIA)

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COUNTY OF BERKS

VERIFICATION

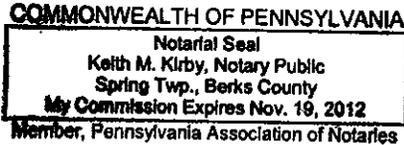
Eugene F. Carter, Jr. deposes and states that he is the Controller and that he has read the above and foregoing Petition and knows the contents thereof, and that the same are true to the best of his knowledge, information and belief.

EFCarter, Jr.
Eugene F. Carter, Jr., Controller

Subscribed and affirmed before me

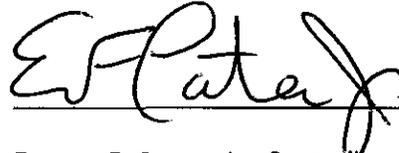
This 26th day of MAY, 2011

Keith M. Kirby
Notary Public



CERTIFICATE OF SERVICE

I, Eugene F. Carter, Jr., Controller for APN Starfirst, LP, hereby certify that I caused a copy of the Notice of Filing and a Second Amended Petition on behalf of APN Starfirst, LP to be served upon the parties listed on the Service List in Docket No. 11-0370 by email, overnight mail or US Postal Service (as indicated below) on May 27, 2011.

A handwritten signature in black ink, appearing to read 'EFCarter', is written over a horizontal line.

Eugene F. Carter, Jr., Controller

By email and overnight mail (Overnight mail to the Chief Clerk) to:

John D. Albers, Administrative Law Judge

Illinois Commerce Commission
527 E. Capitol Ave.
Springfield, IL 62701
jalbers@icc.illinois.gov

By email to:

Eugene F. Carter Jr.

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