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ILLINOIS COMMERCE COMMISSION

STATE OF ILLINOIS
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COMMISSION

US Xchange of Illinois, L.L.C.)
d/b/a EarthLink Business I)
)
Petition for Emergency and Expedited)
Relief to Protect Proprietary Portions)
from Disclosure for a Period of Not Less)
Than Two Years Petitioner's 2011)
Annual Report)

Docket No. 12-

12-5297

2012 APR 23 1P 2:51
CHIEF CLERK'S OFFICE

**PETITION FOR EMERGENCY
AND EXPEDITED RELIEF**

US Xchange of Illinois, L.L.C. d/b/a EarthLink Business I ("EarthLink Business"), by and through one of its attorneys, hereby petitions the Illinois Commerce Commission ("EarthLink Business") to grant to it the emergency relief requested herein. In support of this petition, EarthLink Business states as follows:

1. As a telecommunications carrier subject to the jurisdiction of the Commission, EarthLink Business is required to file with the Commission an annual report. EarthLink Business is filing both a confidential and a redacted version of the annual report with the commission.
2. Due to the content and nature of the filing, EarthLink Business' annual report will necessarily contain commerce and financial information that is highly sensitive, proprietary, confidential and the type of information which would be of particular interest to EarthLink Business' competitors and potential competitors.
3. Because the information that will be contained in EarthLink Business' annual report is so competitively sensitive, it is imperative that public disclosure of the proprietary information that will be contained in its annual report be maintained under seal for a period of not less than two years following the issuance of an Order herein by this Commission, since disclosure of this information any earlier would be likely to cause EarthLink Business serious competitive harm.

4. Section 7 of the Illinois Freedom of Information Act, 5 ILCS 140/7 (g) (1994) exempts from public disclosure “trade secrets and commercial or financial information...where such trade secrets or information are proprietary, privileged or confidential.” The annual report that is the subject of this Petition falls within this exemption.

WHEREFORE, US Xchange of Illinois, L.L.C d/b/a EarthLink Business I respectfully requests that the Commission issue an expedited Order protecting proprietary portions from for a period of not less than two years EarthLink Business’ 2011 annual report.

Respectfully submitted,

US Xchange of Illinois, L.L.C
d/b/a EarthLink Business I

By:

A handwritten signature in black ink, appearing to read "Paula Foley", written over a horizontal line.

Paula Foley
Its Attorney

Dated:

4/18/12

