

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION 2012 MAY - 11 A 10: 14

Verde Energy USA Illinois, LLC :  
: Docket No. \_\_\_\_\_ CHIEF CLERK'S OFFICE  
Petition for Relief to Protect Verde Energy :  
USA Illinois, LLC's Annual : April 30, 2012 12-0317  
Part 451 Continuing Compliance Report :  
from Public Disclosure :  
:

**PETITION**

Pursuant to 83 Ill. Admin. Code § 200.430 of the Commission's Rules of Practice, Verde Energy USA Illinois, LLC ("Verde") hereby petitions the Illinois Commerce Commission ("Commission") for relief to protect from disclosure for not less than two years, highly confidential and proprietary information included in its Part 451 Continuing Compliance Report for 2012 pursuant to the Public Utilities Act and 83 Ill. Admin. Code § 451.710. In support of the instant Petition, Verde states as follows:

1. Verde was certified by the Commission as an Alternative Retail Electric Supplier ("ARES") in the State of Illinois in Docket No. 11-0666 on November 8, 2011.
2. Concurrently with this Petition, Verde has filed its Part 451 Continuing Compliance Report for 2012 with the Office of the Chief Clerk of the Commission. A redacted version of the Part 451 Compliance Report for 2012 is attached hereto as Exhibit A.
3. Verde's Part 451 Continuing Compliance Report for 2012 includes a copy of its 2011 certified financial statements and year-to-date sales revenue report in a separately sealed envelope, marked "Confidential." Verde requests that this information be treated as confidential for it constitutes highly sensitive and confidential business information that should be maintained as confidential in the Commission's files and should be considered exempt from disclosure to the public. This is sensitive commercial and financial trade secret information about Verde's

business that, if disclosed to competitors would cause substantial harm to Verde and disadvantage it with respect to its competitors

4. 83 Ill. Adm. Code Section 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."

5. Verde's certified financial statements and sales revenue report are also exempted from public disclosure under the Illinois Freedom of Information Act, 5 ILCS 140/1, *et seq.* ("FOIA"). Section 7(1)(g) of the FOIA exempts from public disclosure "trade secrets and commercial or financial information obtained from a person or business where the trade secrets or commercial or financial information are furnished under a claim that they are proprietary, privileged or confidential, and that disclosure of the trade secrets or commercial or financial information would cause competitive harm to the person or business." (5 ILCS 140/7(1) (g)).

6. Verde seeks an Order from the Commission, without hearing, protecting from disclosure, until no earlier than May 1, 2014, Attachments 2 and 3 of its Part 451 Continuing Compliance Report for 2012 which contain confidential and proprietary information regarding Verde's financial information.

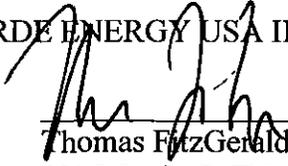
7. Therefore, pursuant to Section 200.430 of the Commission's Rules of Practice, Verde respectfully requests that the Commission enter an Order, without hearing, protecting from disclosure until no earlier than May 1, 2014, the above-referenced Attachments that are being concurrently submitted to the Chief Clerk of the Commission on April 30, 2012 as part of Verde's Part 451 Continuing Compliance Report for 2012.

Dated: April 30, 2012

Respectfully submitted,

VERDE ENERGY USA ILLINOIS, LLC

By:

  
Thomas FitzGerald

101 Merritt 7, Third Floor

Norwalk, CT 06851

Telephone: 203-663-5709

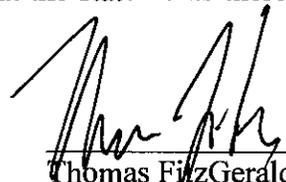
atoss@verdeenergyusa.com

*Chief Executive Officer*

**AFFIDAVIT**

STATE OF CONNECTICUT        )  
  ) ss: NORWALK  
COUNTY OF FAIRFIELD        )

Thomas FitzGerald, being duly sworn, deposes and says that he is the Chief Executive Officer of Verde Energy USA Illinois, LLC; that he has read the foregoing Petition and has personal knowledge of the contents thereof; and that the statements therein are true and correct to the best of his knowledge, information and belief.

  
Thomas FitzGerald  
Chief Executive Officer  
Verde Energy USA Illinois, LLC

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 30 DAY OF APRIL, 2012.

  
Notary Public

**MELANIA FITZGERALD  
NOTARY PUBLIC OF CONNECTICUT  
My Commission Expires 8/31/2016**