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STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION APR -3 P 2: 18

CHIEF CLERK'S OFFICE

RCLEC, INC.)
Petition for Emergency Relief to Protect)
Petitioner's Annual Report from Disclosure)
for Not Less Than Two Years in Order to)
Protect Highly Proprietary Information.)

Docket No. 14-0286

PETITION

NOW COMES, RCLEC, Inc. ("Petitioner") and here by petitions the Illinois Commerce Commission ("Commission") for emergency relief to protect Petitioner's 2012 Annual Report from disclosure for not less than two years in order to protect highly proprietary information included therein. In support, Petitioner states as follows:

1. Petitioner is certificated by the Commission to provide competitive telecommunications services in the state of Illinois.
2. Petitioner is required to file an Annual Report pursuant to Section 5-109 of The Public Utilities Act (220ILCS5/5-109).
3. The Annual Report of the Petitioner contains highly proprietary and confidential commercial and financial information, the disclosure of which to competitors, or potential competitors, would be detrimental to Petitioner.
4. The telecommunications 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 five 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 ILCS140/7(g), exempts from public disclosure “trade secrets and commercial or financial information...where the trade secrets or information are proprietary, privileged or confidential, or where disclosure of such trade secrets or information may cause competitive harm.” The Annual Report of Petitioner, which is the subject matter of this Petition, falls within this exemption. Given the highly competitive nature of the telecommunications industry in Illinois and nationwide, Petitioner would suffer competitive harm in the event that the contents of its Annual Report were available for inspection by RCLEC’s competitors. This information is not generally made available to the public and the Petitioner generally takes steps to protect this information from disclosure, including storing the information in secure files and servers and permitting company employee access to the information only on a need-to-know basis.
6. Petitioner seeks and Order from the Commission, without hearing, protecting from disclosure in its entirety Petitioner’s Annual Report for a period of not less than two years.

WHEREFORE, Petitioner respectfully requests that the Commission enter an Order, without hearing, protecting from disclosure in its entirety the 2013 Annual Report of the Petitioner for a period of not less than two years.

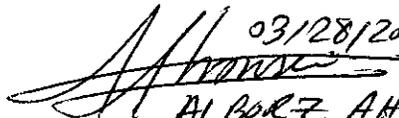
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7. In addition to harming RCLEC's ability to compete for customers, public disclosure of its revenue information could harm its ability to negotiate with vendors, and harm its relationship with potential investors.
8. Much of RCLEC's financing is drawn from private equity sources, and those entities may not want to invest in an entity whose revenue and expense information is publicly available.
9. The forgoing statements are true and correct to the best of my knowledge.



Bruce Johnson, Assistant Secretary

03/28/2014

ALBORZ AHOURAI
"Notary Public"

**AFFIDAVIT OF BRUCE JOHNSON IN SUPPORT OF PETITION
FOR TWO-YEAR PROTECTIVE ORDER FOR RCLEC's ANNUAL REPORT**

1. My name is Bruce Johnson and I am Assistant Secretary for RCLEC, Inc. ("RCLEC").
My business address is 1400 Fashion Island Blvd., 7th Floor, San Mateo, CA 94404.
2. I have personal knowledge of the statements in this Affidavit.
3. RCLEC is a privately held company, and neither its accounting nor financial information is generally known or available publicly. RCLEC derives independent economic value from the unavailability of its financial information, therefore RCLEC closely guards its financial information, including revenue information, to ensure it does not become publicly disclosed.
4. Financial information is not publicly disseminated, and RCLEC takes reasonable steps internally to protect this information. Disclosure of financial information is limited to RCLEC's counsel, board of directors, and employees of the company who are directly involved with its financial operations or have a need to know.
5. Public disclosure of RCLEC's revenue and expense information could give competitors insight into RCLEC's financial ability to expand its operations in Illinois and its ability to carry out new projects, all of which involve upfront costs for purchase of equipment and facilities.
6. Disclosure of uncollectable amounts also gives competitors insights into RCLEC's ability to undertake new projects and could give third parties insights into the financial health of RCLEC's customers (*i.e.* high collectable amounts may signal financial distress).

DATED as of the 28 day of March, 2014.

Respectfully submitted,

RCLEC, Inc.

By: 
Bruce Johnson
Assistant Secretary
RCLEC, Inc.

 03/28/2014
ALBERT HOURAI
"Notary Public"

VERIFICATION

I, Bruce Johson, first being duly sworn, affirm and state that I am Assistant Secretary for RCLEC, Inc. and that I have read the foregoing Verified Petition for Confidential Treatment of Highly Proprietary Information. I know the contents thereof and affirm that the statements therein are true and correct to the best of my knowledge and belief.

Bruce Johson

3/28/2014
Alborz Attourai

[insert notary stamp]

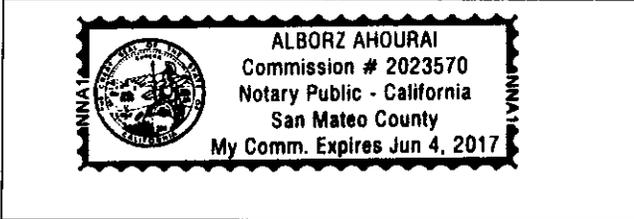
ALBORZ ATTOURAI

"Notary Public"

CALIFORNIA ALL-PURPOSE JURAT

State of California
County of San Mateo

Subscribed and Sworn to (or affirmed) before me on this 28th day of March, 2014, by BRUCE PICKETT JOHNSON, proved to me on the basis of satisfactory evidence to be the person who appeared before me.



Notary Seal

Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title / Type of Document: Affidavit of Bruce Johnson In Support of Petition For Two-Year Protective Order For RCLEC'S Annual Report

Document / Execution Date: March 28, 2014 Number of Attached Pages: Two

Signer(s) Other Than Named Below: N/A

Signer's Identification Information:

Signer is Representing:

Assistant Secretary of "RCLEC, INC"

Current ~~Residence~~ / Business Address:

1400 Fashion Island Blvd., 7th floor
San Mateo, CA 94404

Current Phone Number:

(415) 722-6167

Signer Name:

BRUCE P. JOHNSON

Picture I.D.:

California Driver License #N9738882

Expiration Date:

August 11, 2018

I solemnly affirm (swear) that statements in the attached document are true to the best of my knowledge and belief, (so help me God).

RIGHT THUMBPRINT OF SIGNER

Top of thumb here

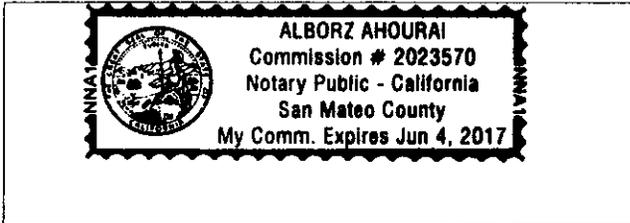
Bruce P. Johnson

Signer Signature

CALIFORNIA ALL-PURPOSE JURAT

State of California
County of San Mateo

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Signer's Identification Information:

Signer is Representing:

Assistant Secretary of "RCEC, INC"

Current Residence / Business Address:

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San Mateo, CA 94404

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