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ILLINOIS COMMERCE COMMISSION

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COMMISSION

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SUSTAINABLE STAR LLC)
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Petition for confidential treatment of)
certain portions of the 2013 ARES)
re-certification pursuant to Part 451)

CHIEF CLERK'S OFFICE
Docket No. 14-0354

PETITION/APPLICATION FOR CONFIDENTIAL TREATMENT

NOW COMES SUSTAINABLE STAR LLC ("Sustainable Star"), by and through its attorneys, Sorling Northrup, Brian D. Jones, of Counsel, and for its Petition for Confidential Treatment states as follows:

1. Sustainable Star is an alternative retail electric supplier ("ARES") pursuant to Section 16-102 of the Illinois Public Utilities Act (220 ILCS 5/16-102). The Commission granted certification to Sustainable Star in Docket Number 11-0550.

2. On April 30, 2014, Sustainable Star filed its 2013 Alternative Retail Electric Supplier ("ARES") report pursuant to 83 Ill. Adm. Code 451, Subpart H ("Report").

3. Sustainable Star designated portions of the Report, including the financial statements of Sustainable Star, the teaming agreement between Sustainable Star and a key supplier and the Financial Qualifications of Sustainable Star as confidential pursuant to 83 Ill. Adm. Code 451.60 (collectively the "Confidential Information") through provision of public and private versions of various portions of the Report. A copy of the public, redacted versions of the documents containing Confidential Information is attached hereto as Exhibit 1.

4. The Confidential Information contains proprietary and sensitive material and should be protected from public disclosure. The disclosure of the Confidential Information to competitors and/or potential competitors would be unfair to Sustainable Star and is exempt from

Public Disclosure under Section 4-404 of the Public Utilities Act (220 ILCS 5/4-404) and Section 7(g) of the Illinois Freedom of Information Act (5 ILCS 140/7).

5. Section 7 of the Freedom of Information Act exempts from public disclosure “trade secrets and commercial or financial information...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...” 5 ILCS 140/7(1)(g).

6. Furthermore, Section 4-404 of the Public Utilities Act provides that the “Commission shall provide adequate protection for confidential and proprietary information furnished, delivered, or filed by any person, corporation or other entity...” (220 ILCS 5/4-404).

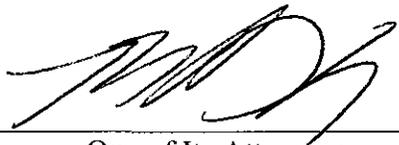
7. Specifically, the Confidential Information contains the operative agreement between Sustainable Star and its supplier of power and related services. Disclosure of the terms of this agreement would expose the terms to competitors and permit competitors to engage in reverse engineering of its financial strategies in an extremely competitive market environment. Public disclosure would also breach the terms of the agreement, which require confidentiality. Furthermore, the financial statements and financial qualifications of Sustainable Star contain specific financial and credit arrangements between Sustainable Star and third parties and market share information, disclosure of which would provide competitors with a competitive advantage.

8. This Commission has granted similar relief in past cases, including similar relief to Sustainable Star in Illinois Commerce Commission Docket No. 13-0409 wherein two (2) years of exemption from public disclosure was granted with regards to the 2012 ARES Report of Sustainable Star. Sustainable Star is requesting confidential treatment for the same documents granted protection in Docket No. 13-0409 and for the same period of not less than two years.

9. Accordingly, Sustainable Star seeks an Order from this Commission, without hearing, protecting from disclosure the Confidential Information for a period of not less than two (2) years from the date of the Order.

WHEREFORE, SUSTAINABLE STAR LLC respectfully requests that this Commission enter an Order, without hearing, protecting the Confidential Information submitted to the Commission in its Report for a period of not less than two (2) years.

SUSTAINABLE STAR LLC,

By: 
One of Its Attorneys

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VERIFICATION

STATE OF ILLINOIS)
) SS
COUNTY OF SANGAMON)

I, Brian D. Jones, being first duly sworn on oath, depose and state that I am counsel representing Sustainable Star LLC and that I have read the foregoing Petition/Application for Confidential Treatment and know the contents thereof and the statements therein contained are true, to the best of my knowledge, information and belief.



BRIAN D. JONES

Subscribed and sworn to before me this 30th day of April, 2014.



Notary Public

