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ILLINOIS COMMERCE COMMISSION
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Petition to Modify)
911 Provider for Gallatin County)
Emergency Telephone System Board,)
Gallatin County, Illinois)

No. 14-0406

ILLINOIS COMMERCE COMMISSION
CHIEF CLERK'S OFFICE

VERIFIED PETITION FOR PROPRIETARY TREATMENT OF CERTAIN DATA AND INFORMATION

NOW COMES the Gallatin County Emergency Telephone System Board (GCETSB) by its Coordinator Steve J. Galt and its attorney, John R. Clemons of the Southern Illinois Law Center, LLC, and respectfully petitions the Illinois Commerce Commission to grant proprietary treatment of a portion of its Petition to Modify 9-1-1 System Provider filed in this proceeding. In support of this request, the GCETSB seeks to avoid public disclosure of Exhibits 7 & 11 and states as follows:

1. As an operating emergency telephone system, the GCETSB is subject to the jurisdiction of the Illinois Commerce Commission. The GCETSB has filed a Petition to Modify 9-1-1 System Provider and is also seeking approval of Plan Modification which includes a narrative and exhibits 1-11.

2. Due to the content and nature of the filing, there is included within Exhibit 7 financial data on system costs to the proposed provider NG-911 of Williamsburg, Iowa. Within Exhibit 11 there is additional financial data in the 9-1-1 System Provider Agreement with the petitioner.

3. The information contained in the Exhibits 7 & 11 is based upon a contractual agreement between the GCETSB and NG-911, Inc. should not be publically disclosed as it contains financial data and business agreements of a propriety nature which if released publically would violate a non-disclosure provision which the parties have agreed upon. Said agreements

state as follows:

Disclosure of Information. With respect to this Agreement and the CSI Project, CSI and CSI Member decisions on withholding information from public disclosure are subject to potential review by Board Counsel, the Attorney General, and the courts. CSI and the CSI Members assume no liability for the disclosure of any information that it is advised to disclose by Counsel, the Attorney General, or the courts. Notwithstanding the foregoing, technical information will be subject to public examination, except for proprietary information clearly designated as such by NG-911. The terms of this Agreement will be held in confidence by CSI and the CSI Members to the extent allowed by law and will not be disclosed to or discussed with NG-911's competitors. The parties acknowledge that CSI and/or the CSI Members may be required to disclose, or may desire to disclose, information regarding the CSI Project to other entities involved in the CSI Project, including Clearwave, the agencies involved in providing federal or state grants (such as the NTIA), NENA, IIT, SIU or other companies, individuals or governmental agencies. CSI and the CSI Members agree to limit disclosure of information to those with a "need to know" such information; and agree to not disclose information clearly designated as proprietary by NG-911 to third parties without the consent of NG-911.

4. To disclose the financial provider costs to NG-911, Inc. in Exhibits 7 & 11 would violate the disclosure of information provisions of the contract between NG-911, Inc. and the GCETSB and possibly damage NG-911 by publically disclosing its financial arrangements with the GCETSB.

5. The contract is not public information and NG-911, Inc and the GCETSB as well as the umbrella organization, CSI - Counties of Southern Illinois, an Illinois non-profit corporation of which the GCETSB is a member, have maintained the agreement in confidence in the ordinary course of their business. The information is customer specific and has proprietary value. Disclosure would cause competitive harm as well as violating the contractual provisions between GCETSB and its umbrella organization, CSI - Counties of Southern Illinois, and NG-911, Inc.

6. Section of 7 of Illinois Freedom of Information Act, 5 ILCS 140/7 (g) exempts from public disclosure trade secrets and commercial or financial information ... where such trade secrets or information are proprietary, privileged, or confidential. The data that is the subject of this requested petition falls within that exemption.

7. The Commission pursuant to 83 Ill. Admin. Code Section 200.430 clearly has

authority to protect against disclosure of confidential and proprietary financial or commercial information. It is reasonable and necessary that the financial agreements be maintained as confidential information for a period of 5 years pursuant to a protective order.

WHEREFORE, the GCETSB respectfully requests that the Commission issue an order granting proprietary treatment and protecting from disclosure in its entirety for a period of 5 years the financial data in Exhibits 7 & 11 that pertains to the system costs payable to NG-911, Inc by the Gallatin County Emergency Telephone System Board.

Respectfully submitted,
GALLATIN COUNTY EMERGENCY
TELEPHONE SYSTEM BOARD (GCETSB)

By: 
John R. Clemons
Attorney for GCETSB

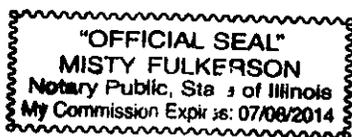
STATE OF ILLINOIS)
)
COUNTY OF GALLATIN) ss

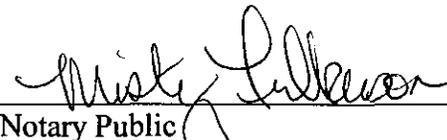
VERIFICATION

I, Steve J. Galt, being first duly sworn, states that I am the Coordinator of the Gallatin County Emergency Telephone System Board and I have read the foregoing Verified Petition which seeks confidential treatment for certain financial data contained in Exhibits 7 & 11 of the Petition herein of the GCETSB and I have knowledge of the contents of this requested Petition and that the information contained herein is true to the best of my knowledge, information, and belief.


Steve J. Galt

Subscribed and sworn to before me 3rd day of June, 2014.




Notary Public