

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

L.R. Communications, Inc. d/b/a Oglecom :
: :
Petition for Emergency Relief to protect : **16-0007**
Petitioner’s annual report from disclosure :
for not less than two years in order to :
protect highly proprietary information. :

ORDER

By the Commission:

On January 5, 2016, L.R. Communications, Inc. d/b/a Oglecom (“Petitioner”) filed a verified petition with the Illinois Commerce Commission (“Commission”) seeking entry of an order affording proprietary treatment to Petitioner’s 2015 Annual Report from disclosure for a period of not less than two years. The petition states that Petitioner is certificated by the Commission and provides competitive telecommunications services in Illinois. As such, Petitioner is required to file an annual report pursuant to Section 5-109 of the Public Utilities Act (220 ILCS 5/5-109) (“the Act”). Petitioner states that its 2015 Annual Report contains highly proprietary and confidential commercial and financial information, disclosure of which to competitors would be detrimental to Petitioner, given the highly competitive nature of the telecommunications industry.

The Commission having considered the entire record herein and being fully advised in the premises, is of the opinion and finds that:

- (1) L.R. Communications, Inc. d/b/a Oglecom is an Illinois corporation authorized to provide telecommunications service and, as such, is a telecommunications carrier within the meaning of Section 13-202 of the Act (220 ILCS 5/13-202);
- (2) the Commission has jurisdiction over Petitioner and the subject matter herein;
- (3) the recitals of fact set forth in the prefatory portion of this Order are supported by the petition and are hereby adopted as findings of fact;
- (4) Section 5-109 of the Act states, in relevant part:

All reports made to the Commission by any public utility and the contents thereof shall be open to public inspections, unless otherwise ordered by the Commission;

- (5) Section 7(g) of the Illinois Freedom of Information Act (5 ILCS 140/7) exempts from disclosure:

Trade secrets and commercial or financial information obtained from a person or business where such trade secrets or information are proprietary, privileged or confidential, or where disclosure of such trade secrets or information may cause competitive harm;

- (6) the verified petition states that Petitioner's 2015 Annual Report falls within the exemption stated in Finding (5);
- (7) Petitioner's 2015 Annual Report should be exempt from public disclosure under Section 7(g) of the Illinois Freedom of Information act and Section 5-109 of the Public Utilities Act for a period of two (2) years from the date of this Order; and
- (8) Petitioner should submit with its 2015 Annual Report a cover letter indicating that proprietary treatment was granted in this Docket and identifying the date on which this Order was entered.

IT IS THEREFORE ORDERED by the Illinois Commerce Commission that the 2015 Annual Report for L.R. Communications, Inc. d/b/a Oglecom be afforded proprietary treatment, is exempt from public disclosure, and will be accessible only by the Commission and the Commission Staff for a period of two (2) years from the date of this Order.

IT IS FURTHER ORDERED that a cover letter shall be submitted as described in Finding (8).

IT IS FURTHER ORDERED that the Illinois Commerce Commission retains jurisdiction over Petitioner and the subject matter hereof for the purpose of issuing such further order or orders as it may deem necessary.

IT IS FURTHER ORDERED that subject to the provisions of Section 10-113 of the Public Utilities Act and 83 Ill. Adm. Code 200.880, this Order is final; it is not subject to the Administrative Review Law.

By Order of the Commission this 10th day of February, 2016.

(SIGNED) BRIEN SHEAHAN

Chairman