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**Before the
STATE OF ILLINOIS
COMMERCE COMMISSION**

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**ILLINOIS COMMERCE COMMISSION
CHIEF CLERK'S OFFICE**

ResCom Energy, LLC :
Amended Petition for Confidential Treatment :
of Confidential Items Contained in :
ResCom's 2015 Report of Continuing Compliance :
As an Alternative Retail Electric Supplier :

Docket No. 16-0080

VERIFIED AMENDED PETITION FOR CONFIDENTIAL TREATMENT

ResCom Energy LLC ("ResCom" or "Petitioner") License No. 12-0383, hereby submits the instant petition to the Illinois Commerce Commission ("Commission") for relief to protect ResCom's Confidential Exhibits, described below (collectively, "Confidential Items") from disclosure for not less than two years. Each of the Confidential Items are included as attachments to the Petitioner's Part 451 2015 Continuing Compliance Report ("Compliance Report"), which was filed with the Commission on February 19, 2016. The purpose of the instant request is to protect proprietary and confidential information included in the Confidential Items. The disclosure of such information to competitors would be detrimental to Petitioner. Specifically, Petitioner seeks confidential treatment of the following portions of its Application:

- Attachment A, Description of PowerOne's liquidity and capital resources, profitability, marketing plan, and customer service strategy;
- Attachment B, Financial Statements for the Years Ending in 2013 and 2014;
- Attachment D, Certificate of Commercial Liability Insurance, including premiums not publicly available;

- Attachment E, Managerial Requirements, including resumes of managerial personnel not publicly available;
- Attachment F, Corporate Ownership Chart, including information on upstream ownership not available to the public.
- Attachment G, Technical Requirements, including resumes of technical personnel not publicly available.

In support of its Petition, ResCom states as follows:

1. Petitioner is certified by the Commission as an alternative retail electric supplier (“ARES”). Petitioner was granted License No. 12-0383 on July 12, 2012. ResCom is filing an Annual Compliance Report pursuant to Part 451 of the Illinois Administrative Code.
2. The portions of the Report identified above contain highly confidential and proprietary business information. Specifically, Attachments A, B and D contain strategic and financial information which is not available to the public and which would harm ResCom’s business interests if make publicly available. Attachment F, which details ResCom’s corporate structure, is kept as confidential by ResCom and its affiliates and is not made public. Portions of Attachments E and G contain highly sensitive and confidential information about business relationships of ResCom, disclosure of which would seriously harm ResCom’s ability to operate its business. This information is of a proprietary nature. ResCom takes steps to guard the confidentiality of this information and does not disclose it outside of its business unless required to do so by law. Disclosure of this business information would cause an extreme hardship on current and future business operations of ResCom.

3. Statutory law, Illinois Commerce Commission regulations, and precedent support the Petitioner's request for confidential treatment of its Confidential Items. First, the Public Utilities Act requires the Commission to protect confidential and proprietary information submitted by regulated entities.¹ Second, the Commission's Rules of Practice similarly provide for protection of "confidential, proprietary or trade secrets nature of any data, information or studies."² Third, the Illinois Freedom of Information Act ("Illinois FOIA") provides for protection of confidential or proprietary information. Specifically, Section 7(g) of the Illinois FOIA exempts, "[F]inancial information obtained from a person or business where...disclosure of the...information may cause competitive harm."³ The Attachments A and B, submitted as part of the Petitioner's Compliance Report, which is the subject matter of this Petition, falls within this exemption. Fourth, on numerous occasions, the Commission has granted similar requests for two years of confidential treatment of financial information from other entities that are subject to the Commission's jurisdiction.⁴
3. Section 451.60 of the Illinois Administrative Code provides for confidential treatment of such information.

¹ 220 ILCS 5/4-404 ("The Commission shall provide adequate protection for confidential and proprietary information furnished, delivered or filed by any person corporation or other entity.")

² 83 Ill. Admin Code 200.430(a). ARES regulations further identify the same categories of information for protection. See 83 Ill. Admin. Code 451.60.

³ 5 ILCS 140/7(g).

⁴ See *Interstate Gas Supply of Illinois, Inc.; Petition for Emergency Relief to Protect Portions of IGS' Report of Continued Compliance as an Alternative Gas Supplier*, Docket No. 11-0086 (March 9, 2011) (holding that Petitioner's "request for two years of confidential treatment is also consistent with what it received for its prior Compliance Report . . . as well as what other [alternative gas suppliers] have received for their Compliance Reports.").

4. Section 200.430 of the Illinois Administrative Code provides for protective orders for the protection of confidential, proprietary or trade secret nature of any data, information, or studies.
5. ResCom requests that the Protective Order be in full effect for two years from the date of submission.

WHEREFORE, ResCom Energy LLC respectfully requests that the Chief Clerk of the Commission treat sections of the Annual Report as Confidential and sealed under protective orders and not made part of the public record of ResCom's Annual Report and not posted on the websites of the Illinois Commerce Commission or the Office of the Clerk.

Respectfully Submitted,

ResCom Energy LLC

4. Section 200.430 of the Illinois Administrative Code provides for protective orders for the protection of confidential, proprietary or trade secret nature of any data, information, or studies.
5. ResCom requests that the Protective Order be in full effect for two years from the date of submission.

WHEREFORE, ResCom Energy LLC respectfully requests that the Chief Clerk of the Commission treat sections of the Annual Report as Confidential and sealed under protective orders and not made part of the public record of ResCom's Annual Report and not posted on the websites of the Illinois Commerce Commission or the Office of the Clerk.

Respectfully Submitted,

ResCom Energy LLC


By: George Wahbeh
Managing Member

VERIFICATION

STATE OF Illinois)

COUNTY OF Cook)

I, George Wahba, being first duly sworn, deposes and says that he/she is the Managing Member of RESCOM ENERGY LLC; that he/she has read the foregoing Amended Petition for Protective Order to Protect Confidential and Proprietary Information of RESCOM ENERGY LLC, 2015 ARES REPORT and all of the attachments accompanying and referred to within the Amended Petition for Protective Order; and that the statements and information contained in the Amended Petition for Protective Order are true, correct and complete to the best of his/her knowledge, information and belief. RESCOM ENERGY LLC, will remain in continuing compliance with all requirements of the Illinois Public Utilities Act and 83 IL Adm. Code 451.

[Signature]
Signature

George Wahba
Name

Managing Member
Position Held

(312) 224-2765
Contact Phone #

Subscribed and sworn before me

This 27th day of APRIL 2016.

[Signature]
Notary Public

[Stamp of Notary]

