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ILLINOIS COMMERCE COMMISSION

ORIGINAL

BEFORE THE ILLINOIS COMMERCE COMMISSION

ILLINOIS COMMERCE COMMISSION

In Re:

2016 MAY 17 P 1:45

eNetworks, LLC)
Application for a Certificate of)
Authority to Operate as a Facilities-)
Based Carrier of Telecommunications)
Services in the State of Illinois)

CHIEF CLERK'S OFFICE

Docket No. 16-0321

MOTION FOR PROTECTIVE ORDER

eNetworks, LLC (the "Applicant") respectfully requests that the Illinois Commerce Commission (the "Commission") enter an order pursuant to Section 200.430 of the Illinois Administrative Code protecting the confidentiality of the information provided in Exhibits E, F, and G in its *Application for a Certificate of Authority to Operate as a Facilities-Based Carrier of Telecommunications Services in the State of Illinois* (the "Application").

In particular, the Application contains detailed financial projections and historical financial data of the Applicant, its affiliate Essentia, Inc., and Essentia's predecessor Utilitpath, LLC, which Applicant considers confidential, proprietary, non-public commercial information ("Confidential Information"). Applicant is submitting this Confidential Information in a separate sealed envelope (each page therein is marked "Proprietary") and respectfully requests that it be given confidential treatment and that it not be made a part of the public record or otherwise be made available for public disclosure. In addition to the filing marked as Proprietary, the Company has provided a public disclosure version of the filing with Confidential Information redacted.

With respect to such Confidential Information, Applicant respectfully submits as follows:

- (1) The information provided is commercially sensitive information that is internally generated and generally not available to Applicant's competitors;
- (2) The information contains proprietary, commercially sensitive information that, if disseminated, could be used to Applicant's detriment by competitors;
- (3) This information could not easily be replicated or obtained by a third party without Applicant's assistance;
- (4) The information being provided is for the use of the Commission and its staff in exercising their governmental functions;
- (5) There is no legitimate purpose to be served in disclosing this proprietary material to Applicant's competitors or to any person other than the appropriate staff of the Commission; and

(6) Due to the sensitive nature of the information, it is appropriate for the Commission to limit access to such information since the potential harm from disclosure of the information outweighs the public's interest in disclosure of the information.

In accordance with

WHEREFORE, Applicant respectfully moves that the Commission adopt a Protective Order that will limit the availability of the Confidential Information to the Commission and its staff.

Respectfully submitted this 13 day of May, 2016.

ENETWORKS, LLC

By: 
Name: Baxter McLindon Hayes, III
Title: Co-Chief Executive Officer