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STATE OF ILLINOIS

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ACN Communication Services, LLC)	
Amended Petition for Emergency Relief to Protect Portions of)	Docket No. <u>16-200</u>
Petitioner's Annual Report from Disclosure)	
for not less than Two Years in Order to Protect)	
Highly Proprietary Information)	

ORIGINAL

AMENDED PETITION

NOW COMES, **ACN Communication Services, LLC** ("Petitioner") and hereby petitions the Illinois Commerce Commission ("Commission") for emergency relief to protect portions of Petitioner's 2015 Annual Report, submitted to the Commission on March 23, 2016, from disclosure for not less than two years in order to protect highly proprietary information included therein. In support of this Petition, Petitioner states as follows:

1. Petitioner is certificated by the Commission to provide competitive telecommunications services in the state of Illinois.
2. Petitioner is required to file an Annual Report pursuant to Section 5-109 of The Public Utilities Act (220 ILCS 5/5-109).
3. The Annual Report of the Petitioner contains highly proprietary and confidential commercial and financial information, the disclosure of which to competitors, or potential competitors, would be detrimental to Petitioner.
4. The telecommunications industry is highly competitive, and it is imperative that public disclosure of confidential information contained in the Annual Report of Petitioner be avoided for a period of at least two years following the issuance of an Order by the Commission because of the competitive harm which disclosure of such information would likely cause Petitioner.
5. Section 7 of the Illinois Freedom of Information Act, 5 ILCS 140/7(g), exempts from public disclosure "trade secrets and commercial or financial information... where the trade secrets or information are proprietary, privileged or confidential, or where disclosure of such trade secrets or information may cause competitive harm." The redacted information included in the Annual Report of Petitioner (e.g. revenue, expense & income data and company financial statements), which is the subject matter of this Petition, falls within this exemption.
6. Petitioner seeks an Order from this Commission, without hearing, protecting from disclosure the financial information included in the Petitioner's Annual Report for a period of not less than two years.



ILLINOIS COMMERCE COMMISSION

June 1, 2016

ACN Communication Services, LLC

16-0200

Petition for Emergency Relief to Protect
 Petitioner's Annual Report from disclosure for
 not less than two years in order to protect
 highly proprietary information.

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 MAIL**

NOTICE OF ADMINISTRATIVE LAW JUDGE'S RULING

TO ALL PARTIES OF INTEREST:

Notice is hereby given that the Administrative Law Judge has completed a preliminary review of the petition for confidential treatment filed by ACN Communication Services, LLC ("Petitioner"), and hereby rules that the information described below shall be filed with the Chief Clerk of the Illinois Commerce Commission ("Commission") on or before June 16, 2016.

The response to this ruling shall be verified and must be actually received by the date indicated, regardless of whether the response is filed with the Chief Clerk electronically or as hardcopy. Petitioner shall also electronically serve a Word version of its response on the Administrative Law Judge (jvonqual@icc.illinois.gov) by the date indicated.

- 1) A detailed description, sentence by sentence, of the rationale for requesting that its Annual Report in its entirety should be treated as proprietary, i.e., how does each sentence fall within the "trade secrets" or "commercial or financial information" exception to the Illinois Freedom of Information Act (5 ILCS 140/7(1)(g);

Or

- 2) File an Amended Petition, identifying with particularity the specific information for which Petitioner seeks confidential treatment;

Notice is also given by the Administrative Law Judge that if an Amended Petition is filed, Petitioner shall provide a public, redacted version of the Annual Report as well as a confidential version.

Questions may be addressed to Administrative Law Judge Von Qualen at (217)785-3402 or jvonqual@icc.illinois.gov.

Sincerely,

Elizabeth A. Rolando
 Chief Clerk

EAR:ikb

Administrative Law Judge Von Qualen

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