STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

| LH Telecom, Inc.                                  | : |                           |
| Petition for Emergency Relief to protect         | : |                           |
| Petitioner’s 2011 Annual Report from             | : | 12-0207                    |
| disclosure for not less than two years in        | : |                           |
| order to protect highly proprietary              | : |                           |
| information.                                    | : |                           |

ORDER

By the Commission:

In this proceeding, LH Telecom, Inc. ("Petitioner"), which holds a Certificate of Service Authority authorizing it to provide competitive telecommunications services, filed the above-referenced petition with the Illinois Commerce Commission ("Commission"). Petitioner therein seeks an order protecting from disclosure, for a period of not less than two years, its Annual Report for 2011. Petitioner filed both a redacted public version, and an unredacted confidential version, of the report.

The Commission Staff did not participate in this docket. No petitions for leave to intervene were filed. No hearings were held in this matter.

Section 7(g) of the Freedom of Information Act ("FOIA"), 5 ILCS 140/1 et seq., exempts, from public 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 such disclosure of such trade secrets or information may cause competitive harm.

Petitioner asserts that the information which it seeks to protect is “highly proprietary and confidential commercial and financial information,” the disclosure of which, to current or potential competitors, would be detrimental to Petitioner. The Petitioner further asserts that the telecommunications industry is highly competitive, and that preventing public disclosure of confidential information in the Annual Report is imperative because of the competitive harm such disclosure would likely cause to Petitioner.

Commission Conclusions, Findings and Ordering Paragraphs
The Commission has considered Petitioner’s explanation of its concerns about the harm that could occur upon public disclosure of the financial and commercial information in its annual report. The Commission finds that such information in Petitioner’s 2011 Annual Report falls within the exemption in Section 7(g) of the FOIA; this information will be afforded proprietary treatment and will be exempt from public disclosure and accessible only by the Commission and the Commission Staff, until March 20, 2014.

The Commission, having considered the entire record herein, is of the opinion and finds that:

(1) Petitioner holds a Certificate of Service Authority authorizing it to provide competitive telecommunications services pursuant to Article XIII of the Public Utilities Act ("Act"), 220 ILCS 5/1-101 et seq;

(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 record and are hereby adopted as findings of fact;

(4) the confidential version of Petitioner’s 2011 Annual Report should be exempt from public disclosure under Section 7(g) of the FOIA until March 20, 2014.

IT IS THEREFORE ORDERED by the Illinois Commerce Commission that the information specified in Finding (4) above is afforded proprietary treatment, is exempt from public disclosure and will be accessible only by the Commission and the Commission Staff until March 20, 2014.

IT IS FURTHER ORDERED that, subject to the provisions of Section 10-113 of the 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 17th day of October, 2012.

(SIGNED) DOUGLAS P. SCOTT

Chairman