

FILE

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**


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In the Matter of the Application of the Dayton Power and Light Company for Approval of its Electric Security Plan.)))	Case No. 08-1094-EL-SSO
In the Matter of the Application of the Dayton Power and Light Company for Approval of Revised Tariffs.)))	Case No. 08-1095-EL-ATA
In the Matter of the Application of the Dayton Power and Light Company for Approval of Certain Accounting Authority Pursuant to Section 4905.13, Revised Code.)))))	Case No. 08-1096-EL-AAM
In the Matter of the Application of the Dayton Power and Light Company for Approval of Its Amended Corporate Separation Plan.))))	Case No. 08-1097-EL-UNC

**MOTION OF INDUSTRIAL ENERGY USERS-OHIO
FOR PROTECTIVE ORDER**

Pursuant to Rule 4901-1-24, Ohio Administrative Code, Industrial Energy Users-Ohio ("IEU-Ohio") hereby moves the Public Utilities Commission of Ohio ("Commission") to issue a Protective Order to protect the confidentiality and prohibit the disclosure of the confidential version of the Direct Testimony of Kevin M. Murray for the reasons set forth in the attached Memorandum in Support.

Respectfully Submitted,



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January 26, 2009

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)	

MEMORANDUM IN SUPPORT

IEU-Ohio respectfully requests that the Commission grant its Motion for Protective Order to protect the confidentiality of the information contained in the confidential version of the Direct Testimony of Kevin M. Murray.

Dayton Power and Light ("DP&L") filed its electric security plan ("ESP") on July 31, 2008. IEU-Ohio executed a "Stipulated Protective Agreement" with DP&L related to confidential materials that may be produced or submitted during the course of this proceeding. Paragraph 11 of the Stipulated Protective Agreement specifically provides "In the event that any prefiled testimony contains or is based in any part on "CONFIDENTIAL" or "CONFIDENTIAL – ATTORNEYS' EYES ONLY" information obtained from any Stipulating Party, such prefiled testimony shall be classified

"CONFIDENTIAL" or "CONFIDENTIAL – ATTORNEYS' EYES ONLY" and shall be filed under seal. Thus, pursuant to paragraph 11 of the Stipulated Protective Agreement, IEU-Ohio is filing the confidential version of the Direct Testimony of Kevin M. Murray under seal and requests the Commission grant this document protective status.

Respectfully Submitted,



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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing *Motion of Industrial Energy Users-Ohio for Protective Order* was served upon the following parties of record this 26th day of January, 2009.



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