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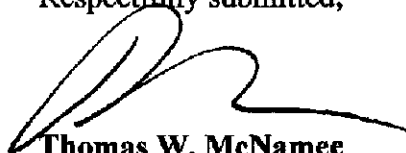
Before the  
Public Utilities Commission of Ohio

In the Matter of the Application of Ohio Edison Company, The Cleveland electric Illuminating Company, and the Toledo Edison Company for Authority to Establish a Standard Service Officer Pursuant to Section 4928.143, Revised Code, in the Form of an Electric Security Plan (Entry considering auction)	Case No(s). 08-935-EL-SSO 09-21-EL-ATA 09-22-EL-AEM 09-23-EL-AAM
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**MOTION FOR A PROTECTIVE ORDER BY STAFF OF THE PUBLIC  
UTILITIES COMMISSION OF OHIO**

Come now the Staff of the Public Utilities Commission of Ohio (Staff) and request that the Report of the Commission Consultant regarding FirstEnergy's 2009 Standard Service Office Auction and the Notification of SSO Auction Results be kept confidential pursuant to O.A.C. Rule 4901-1-24 for the reasons set forth in the attached memorandum.

Respectfully submitted,



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## MEMORANDUM

Staff Requests that the Commission keep the Report of the Commission Consultant regarding FirstEnergy's 2009 Standard Service Office Auction and the Notification of SSO Auction Results be kept confidential and not be publicly released. This information identifies the details of various bids and parties making the bids in the 2009 FirstEnergy's Auction. This information is highly competitively sensitive. Public disclosure of this information would be highly prejudicial to the bidding parties and to the viability of any future Auction in Ohio. Keeping this material confidential is consistent with the Commission action in prior auction matters. A redacted version of the Notification of SSO Auction Results has been filed publicly in these dockets.

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## **PROOF OF SERVICE**

I hereby certify that a true copy of the foregoing **Motion for a Protective Order and Memorandum** submitted on behalf of Appellee, the Public Utilities Commission of Ohio, was served by regular U.S. mail, postage prepaid, or hand-delivered, on all the parties of record in the above-referred dockets, this 14th day of May, 2009.

A handwritten signature in black ink, appearing to read 'Tom McNamee', is written over a horizontal line.

**Thomas W. McNamee**  
Assistant Attorney General

**Case Record For 08-0935-EL-SSO**

**Case Title:** FIRST ENERGY  
**Status:** OPEN-OPEN  
**Industry Code:** EL-ELECTRIC  
**Purpose Code:** SSO-Standard Service Offer  
**Date Opened:** 7/31/2008  
**Date Closed:**

[Case Documents](#)[Parties of Record](#)[Related Cases](#)**Parties of Record****Attorneys****Applicant**

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FPL ENERGY POWER MARKETING INC D. LYNN SMALLRIDGE 700 UNIVERSE BOULEVARD JUNO BEACH FL 33408 Phone: 561-691-7002	DUTTON, F MITCHELL 700 UNIVERSE BOULEVARD CTR/JB JUNO BEACH FL 33408 Phone: (561) 304-5295 Fax: (561) 625-7504
---	--

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GEXA ENERGY HOLDINGS LLC F MITCHELL DUTTON 700 UNIVERSE BOULEVARD CTR/JB JUNO BEACH FL 33408 Phone: (561) 304-5295 Fax: (561) 625-7504	NONE
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INTEGRYS ENERGY SERVICES INC TERESA RINGENBACH 300 WEST WILSON BRIDGE ROAD SUITE 350 WORTHINGTON OH 43085 Phone: (614) 844-4028 Fax: (614) 844-4305	NONE
--	------

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KROGER COMPANY, THE  MR. DENIS GEORGE 1014 VINE STREET-G07 CINCINNATI OH 45202-1100	WHITE , MATTHEW S. ATTORNEY AT LAW CHESTER WILCOX & SAXBE LLP 65 EAST STATE STREET, SUITE 1000 COLUMBUS OH 43215 Phone: 614-221-4000 Fax: 614-221-4012
--	---

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LAKE TOWNSHIP THOMAS HAYS, SOLICITOR 3315 CENTENNIAL RD., SUITEA-2 SYLVANIA OH 43560 Phone: 419-843-5355	NONE
--	------

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LUCAS COUNTY COMMISSIONERS LANCE KEIFFER 2ND FLOOR 711 ADAMS	NONE
--	------

TOLEDO OH 43624  
Phone: 419-213-4596  
Fax:

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MACY'S INC TIM LEIGH 5985 STATE BRIDGE ROAD DULUTH GA 30097 Phone: (678) 474-3214	NONE
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MATERIAL SCIENCE CORPORATION CRAIG I SMITH 2824 COVENTRY ROAD CLEVELAND OH 44120 Phone: (216) 561-9410	NONE
--	------

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NATIONAL ENERGY MARKETERS ASSOCIATION CRAIG G. GOODMAN, ESQ. 3333 K STREET N.W. SUITE 110 WASHINGTON DC 20007 Phone: (202) 333-3288 Fax: (202) 333-3266	GOODMAN, CRAIG NATIONAL ENERGY MARKETERS ASSOC. 3333 K STREET, N.W. SUITE 110 WASHINGTON DC 20007
--	--

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NATURAL RESOURCES DEFENSE COUNCIL  2 N RIVERSIDE PLAZA # 2250 CHICAGO IL 60606-2600 Phone: 312-780-7431 Fax: 312-663-9900	ECKHART, HENRY ATTORNEY AT LAW 50 WEST BROAD STREET SUITE 2117 COLUMBUS OH 43215-3301
--	--

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NORTHEAST OHIO PUBLIC ENERGY COUNCIL  31320 SOLON ROAD SUITE 20 SOLON OH 44139 Phone: (440) 238-1992	KRASSEN, GLENN ATTORNEY AT LAW BRICKER & ECKLER LLP 1375 EAST NINTH STREET SUITE 1500 CLEVELAND OH 44114-1718 Phone: (216) 523-5469 Fax: (216) 523-7071
--	--

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NORTHWEST OHIO AGGREGATION COALITION	KEIFFER, LANCE
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ONE GOVERNMENT CENTER, SUITE 2250  
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ASSISTANT PROSECUTING ATTORNEY  
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NUCOR STEEL MARION, INC  
  
912 CHENEY AVENUE  
  
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DOUGHERTY, TRENT ATTORNEY  
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OHIO FARM BUREAU FEDERATION, INC.  
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OHIO FARM BUREAU FEDARATION  
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OHIO SCHOOLS COUNCIL  
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SIERRA CLUB OHIO CHAPTER  
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VILLAGE OF HOLLAND  
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**Party of Record**

BUCKEYE ASSOCIATION OF SCHOOL  
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DANE STINSON, ATTORNEY  
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NONE

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CITIZENS COALITION  
JOSEPH MEISSNER  
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NONE

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CITIZENS FOR FAIR UTILITY RATES  
TIM WALTERS  
c/o THE MAY DUGEN CENTE 4115 BRIDGE AVENUE  
CLEVELAND OH 44113  
Phone: (216) 631-5800

NONE

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CITY OF STRONGSVILLE  
MAYOR-THOMAS P. PERCIAK  
16099 FOLTZ INDUSTRIAL PARKWAY  
STRONGSVILLE OH 44149-5598

NONE

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CLEVELAND HOUSING NETWORK  
2999 PAYNE AVENUE  
CLEVELAND OH 44114

NONE

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CONSUMERS FOR FAIR UTILITIES RATES  
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EMPOWERMENT CENTER OF GREATER CLEVELAND

NONE

3030 EUCLID AVENUE UNIT 100  
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INTEGRYS ENERGY SERVICES, INC.	NONE
M. HOWARD PETRICOFF 52 EAST GAY STREET P.O. BOX 1008 COLUMBUS OH 43216-1008	

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MATERIAL SCIENCE CORPORATION	NONE
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MATERIAL SCIENCE CORPORATION	NONE
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NEIGHBORHOOD ENVIRONMENTAL COALITION REV. MIKE FRANK, CO-CHAIR 5920 ENGLE AVE. CLEVELAND OH 44127	MEISSNER, JOSEPH DIRECTOR OF URBAN DEVELOPMENT ATTORNEY AT LAW 1223 WEST SIXTH STREET CLEVELAND OH 44113
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NEXTERA ENERGY RESOURCES LLC	NONE
PO BOX 14000 JUNO BEACH FL 33408	

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OHIO SCHOOL BOARDS ASSOCIATION DANE STINSON, ATTORNEY 10 W. BROAD ST. SUITE 2100 COLUMBUS OH 43215 Phone: 614-221-3155 Fax: 614-221-0479	NONE
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OMNISOURCE CORPORATION DAMON E XENOPOULOS 1025 THOMAS JEFFERSON STREET NW 8TH FLOOR WEST TOWER WASHINGTON DC 20007 Phone: (202) 342-0800 Fax: (202) 342-0807	NONE
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SAGAMORE HILLS TOWNSHIP OFFICE OF THE CLERK 11551 VALLEY VIEW ROAD SAGAMORE HILLS OH 44067	NONE
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THE ASSOCIATION OF INDEPENDENT OF INDEPENDENT COLLEGES AND UNIVERSITIES OF OHIO  41 SOUTH HIGH STREET SUITE 2720 COLUMBUS OH 43215 Phone: 614-462-2700 Fax: 614-222-4707	PORTER, ANDRE T  SCHOTTENSTEIN ZOX & DUNN CO LPA 250 WEST STREET COLUMBUS OH 43215 Phone: (614) 462-1065 Fax: (614) 222-4707
--	--

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THE OHIO ENVIRONMENTAL COUNCIL 1207 GRANDVIEW AVE STE. 201 COLUMBUS OH 43212-3449 Phone: 614-487-7508	NONE
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UNITED CLEVELANDERS AGAINST POVERT MAY DUGAN CENTER 4115 BRIDGE AVENUE CLEVELAND OH 44113 Phone: 216-631-5800	NONE
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VILLAGE OF MIDDLEFIELD	NONE
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MIDDLEFIELD OH 44062-1019	
Phone: (440) 632-5248	
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VILLAGE OF WALTON HILLS, OHIO	NONE
7595 WALTON ROAD	
WALTON HILLS OH 44146	
Phone: 440-232-7800	
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