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BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Fuel Adjustment Clauses)	Case No. 09-872-EL-FAC
for Columbus Southern Power Company and)	Case No. 09-873-EL-FAC
Ohio Power Company.)	

**MOTION FOR PROTECTIVE ORDER
AND MEMORANDUM IN SUPPORT OF
INDUSTRIAL ENERGY USERS-OHIO**

Samuel C. Randazzo, Counsel of Record
Lisa G. McAlister
Joseph M. Clark
MCNEES WALLACE & NURICK LLC
21 East State Street, 17th Floor
Columbus, OH 43215-4228
Telephone: (614) 469-8000
Telecopier: (614) 469-4653
sam@mwncmh.com
lmcAlister@mwncmh.com
jclark@mwncmh.com

September 23, 2010

Attorneys for Industrial Energy Users-Ohio

(C31731:2)

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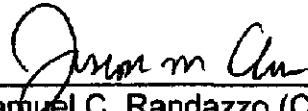
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MOTION FOR PROTECTIVE ORDER

Industrial Energy Users-Ohio ("IEU-Ohio") hereby respectfully moves the Public Utilities Commission of Ohio ("Commission"), pursuant to Rule 4901:1-24, Ohio Administrative Code ("O.A.C."), for a protective order regarding confidential information in the "Initial Brief of Industrial Energy Users-Ohio" ("Initial Brief"). Specifically, the confidential information contained in IEU-Ohio's Initial Brief discusses the same confidential information in the management/performance audit report that was previously granted protective treatment as a trade secret by a June 29, 2010 Attorney Examiner Entry (hereinafter "June 29 Entry") in this docket. Additionally, Attachment A and a select portion of IEU-Ohio's Initial Brief contains background information that, if not protected as confidential information, would potentially disclose the information deemed confidential by the Attorney Examiner's June 29 Entry. Pursuant to Rule 4901-1-24(D), O.A.C., IEU-Ohio filed a redacted/public version of its Initial Brief and the confidential version of the Initial Brief is being filed under seal accompanied by this Motion for Protective Order.

Respectfully submitted,



Samuel C. Randazzo (Counsel of Record)

Lisa G. McAlister

Joseph M. Clark

MCNEES WALLACE & NURICK LLC

21 East State Street, 17th Floor

Columbus, OH 43215-4228

Telephone: (614) 469-8000

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sam@mwncmh.com

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MEMORANDUM IN SUPPORT

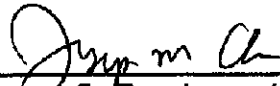
As explained in the Motion for Protective Order, the June 29 Entry granted a Columbus Southern Power Company ("CSP") and Ohio Power Company ("OP") (collectively, American Electric Power-Ohio or "AEP-Ohio") Motion for Protective Order of certain confidential information in the management/performance audit report filed in this docket on May 14, 2010. Additionally, when Parties filed their respective testimony in this case on August 16, 2010, the Attorney Examiner permitted Parties to simply file a letter requesting protective treatment of confidential information in the testimony in lieu of the ordinary motion for protective order inasmuch as the confidential information in the testimony had already been granted protective treatment by the June 29 Entry. IEU-Ohio hereby submits the information contained in the body of its Initial Brief contains the same confidential information already deemed confidential by the June 29 Entry and therefore should continue to be protected as confidential trade secrets in accordance with the June 29 Entry.

Further, "Attachment A" and Section B(2) of the Initial Brief provide additional background information regarding a coal contract at issue in this proceeding. While IEU-Ohio believes this information should be considered confidential pursuant to the June 29 Entry, it is not clear that the background information supporting IEU-Ohio's positions are subject to protective treatment under the June 29 Entry. Public release of this background information would possibly allow persons who have not executed

protective agreements with AEP-Ohio to discern the information previously granted protective treatment by the June 29 Entry. Therefore, protection of this background information would be consistent with the June 29 Entry.

Thus, consistent with the protective agreement executed by IEU-Ohio and AEP-Ohio as well as the June 29 Entry, and to ensure that AEP-Ohio has a timely opportunity to seek protective treatment of the portion of IEU-Ohio's Initial Brief that may not be covered by the June 29 Entry, IEU-Ohio hereby files this Motion for Protective Order and Memorandum in Support.

Respectfully submitted,



Samuel C. Randazzo (Counsel of Record)

Lisa G. McAlister

Joseph M. Clark

MCNEES WALLACE & NURICK LLC

Fifth Third Center

21 East State Street, 17th Floor

Columbus, OH 43215-4228

Telephone: (614) 469-8000

Telecopier: (614) 469-4653

sam@mwncmh.com

lmcalister@mwncmh.com

jclark@mwncmh.com

Attorneys for Industrial Energy Users-Ohio

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing *Motion for Protective Order and Memorandum in Support of Industrial Energy Users-Ohio* was served upon the following parties of record this 23rd day of September 2010, via electronic transmission, hand-delivery, or U.S. first class mail, postage prepaid.



JOSEPH M. CLARK

Steven T. Nourse
Matthew J. Satterwhite
American Electric Power Service
Company
1 Riverside Plaza, 29th Floor
Columbus, OH 43215

**ON BEHALF OF COLUMBUS SOUTHERN
POWER AND OHIO POWER COMPANY**

Clinton A. Vince
Douglas G. Bonner
Daniel D. Barnowski
Keith C. Nausbaum
Emma C. Hand
Sonnenschein Nath & Rosenthal
1301 K Street NW
Suite 600, East Tower
Washington, DC 20005

**ON BEHALF OF ORMET PRIMARY
ALUMINUM CORPORATION**

Jeffrey Jones
Greta See
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, Ohio 43215

ATTORNEY EXAMINERS

Janine L. Migden-Ostrander
Ohio Consumers' Counsel
Michael Idzkowski
Assistant Consumers' Counsel
Office of the Ohio Consumers' Counsel
10 W. Broad Street, Suite 1800
Columbus, OH 43215

**ON BEHALF OF THE OFFICE OF THE OHIO
CONSUMERS' COUNSEL**

William L. Wright
Ohio Attorney General's Office
Chief, Public Utilities Section
Werner L. Margard
Thomas McNamee
180 East Broad Street, 6th Floor
Columbus, OH 43215

**ON BEHALF OF THE STAFF OF THE PUBLIC
UTILITIES COMMISSION OF OHIO**