

FILE

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the Energy Efficiency)	
and Peak Demand Reduction Program)	
Portfolio of Ohio Edison Company,)	Case No. 09-951-EL-EEC
The Cleveland Electric Illuminating)	09-952-EL-EEC
Company, and The Toledo Edison)	09-953-EL-EEC
Company.)	

SUPPLEMENTAL MOTION FOR PROTECTIVE ORDER
BY
THE OFFICE OF THE OHIO CONSUMERS' COUNSEL
AND
THE NATURAL RESOURCES DEFENSE COUNCIL

The Office of the Ohio Consumers' Counsel ("OCC") and the Natural Resources Defense Council ("NRDC") submit this Supplemental Motion for Protective Order.¹ Concurrently with this Supplemental Motion for Protective Order ("Supplemental Motion"), the OCC and the NRDC file attachments that were inadvertently omitted from the Second Motion for Hearing that was filed on January 6, 2011. A redacted version of the attachments is being publicly filed and an unredacted (confidential) version of the attachments is being filed under seal with this Supplemental Motion. While the OCC and NRDC already filed a Motion for Protective Order on January 6, 2011, this Supplemental Motion is submitted in order to protect information contained in attachments to the Second Motion for Hearing that Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company (collectively, "FirstEnergy EDUs") assert is confidential.

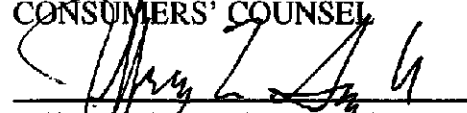
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¹ Ohio Adm. Code 4901-1-02(E), 4901-1-12, and 4901-1-24(D)(3).

The reasons supporting this Supplemental Motion are set forth in the attached
Memorandum in Support.

Respectfully submitted,

JANINE L. MIGDEN-OSTRANDER
CONSUMERS' COUNSEL



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by JLS*

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MEMORANDUM IN SUPPORT

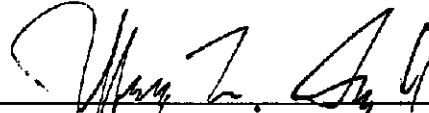
Concurrently with this Supplemental Motion, a letter of transmittal is filed along with attachments to a Second Motion for Hearing that was filed on January 6, 2011. The OCC and the NRDC submit both a redacted version for the public filing and an unredacted version under seal, consistent with the procedures stated in Ohio Adm. Code 4901-1-24(D)(1) and (2). The attachments to the Second Motion for Hearing contain some information that FirstEnergy EDUs assert to be confidential. Specifically, the attachments to the Second Motion for Hearing contain discovery responses alleged to be confidential information by the FirstEnergy EDUs that provide details regarding the transmission and distribution projects described in the Application.

The OCC and the NRDC might not agree with the FirstEnergy EDUs regarding the confidential nature of all of the protected information contained in the discovery responses, and makes no concession in that regard. Nevertheless, the OCC and the NRDC take this step to protect the information, consistent with the terms of its protective agreements with the FirstEnergy EDUs, to ensure that the information is protected under seal pursuant to the FirstEnergy EDUs' claim of confidentiality. The OCC and the

NRDC, however, reserve the right to challenge the confidentiality of any and all information that the FirstEnergy EDUs assert to be confidential.

Respectfully submitted,

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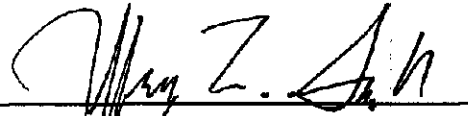
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Counsel for the NRDC

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Supplemental Motion for Protective Order was electronically served on the persons stated below this 10th day of January 2011. Parties were also served with a redacted public version of attachments that are the subject of this Supplemental Motion for Protective Order (and the FirstEnergy EDUs were served with an unredacted confidential version).



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