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BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF )  
THE AGGREGATOR APPLICATION OF ) 11-5361-GA-CRS  
HOSPITAL ENERGY SERVICES, LLC. )


APPLICANT'S MOTION FOR PROTECTIVE ORDER


Pursuant to OAC Rule 4901-1-24, Hospital Energy Services, LLC hereby moves the Public Utilities Commission for an order granting this motion for protective order and designating Applicant's Revised Exhibit C-5 filed coincident hereto under seal is confidential and proprietary until further ordered.

This motion is further supported by the attached Memorandum In Support. The motion is well-made and should be granted.

Respectfully submitted,

HOSPITAL ENERGY SERVICES, LLC

By:   
Its President

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BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF	)	
THE AGGREGATOR APPLICATION OF	)	PUCO 11-1087 ELAGG
HOSPITAL ENERGY SERVICES, LLC.	)	March 14, 2011

MEMORANDUM IN SUPPORT OF  
APPLICANT'S MOTION FOR PROTECTIVE ORDER

Applicant Hospital Energy Services, LLC filed its Certification Application For Aggregators including its forecasted financial projections attached as Exhibit C-5. Applicant contends this Exhibit includes confidential and proprietary financial information not otherwise publicly available. Applicant now moves for a protective order to place this Exhibit C under seal pursuant to OAC Rule 490 M-24.


The Commission's filing instructions for Certification Applications contemplate that some financial information required to be submitted may be confidential and proprietary. The filing instructions provide that an applicant may file a motion for protective order under OAC 4901 -1 -24 where financial information may be appropriately subject to a protective order. OAC Rule 4901-1-24(E) provides that pending a ruling on a motion for a protective order, the information shall be filed under seal and shall be treated as confidential or proprietary until the Commission rules on the motion for protective order.

The information submitted in Exhibit C-5 filed under seal includes the Applicant's

financial projections for the years 2011 and 2012. The Applicant is a privately-held limited liability company and its financial statements and projections are, by their very nature, confidential, proprietary and not otherwise subject to public disclosure. The information should be protected from disclosure. There are no other parties to this proceeding so there are no other competing interests for the Commission to weigh in considering this motion. The information will be available for the PUCO Staff to review. There is no legitimate reason to require public disclosure of this confidential and proprietary information. Accordingly, Applicant submits that this motion for protective order is well-made and should be granted.

Respectfully submitted,

HOSPITAL ENERGY SERVICES, LLC

By:   
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Its President