

FILE

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the submission of Application for Retail Generation Providers and Power Marketers (a CRES – Application) submitted by GDF Retail Energy Solutions LLC on October 7, 2011.

GDF SUEZ ENERGY RESOURCES NA, INC.

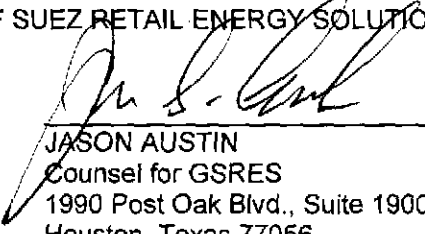
MOTION FOR PROTECTIVE ORDER

GDF Suez Retail Energy Solutions LLC (GSRES), by its attorney and pursuant to Section 4901-1-24(D) of the Ohio Administrative Code (O.A.C. § 4901-1-24(D)) moves for a protective order keeping confidential the designated confidential and/or proprietary information contained in Exhibits A-13, A-1, A-15, B-1, B-2, C-1, C-3, C-5, C-6, C-7, D-1, D-2, and D3 of the *Application for Retail Generation Providers and Power Marketers* submitted by GSRES and accompanying this Motion. The reasons underlying this motion are detailed in the attached Memorandum in Support of Protective Order. Consistent with the requirements of Section 4901-1-24(D) of the Commission's Rules, unredacted copies of the confidential information, which is the subject of this motion for protective order, have been filed under seal.

Respectfully submitted,

GDF SUEZ RETAIL ENERGY SOLUTIONS LLC

BY:


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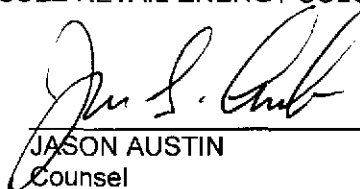
MEMORANDUM IN SUPPORT OF MOTION FOR PROTECTIVE ORDER

GDF Suez Retail Energy Solutions LLC ("GSRES") requests that the information identified as CONFIDENTIAL in the *Application for Retail Generation Providers and Power Marketers* submitted by GSRES be designated as confidential and/or proprietary and be protected from public disclosure. Section 4901-1-24(D) of the Commission's rules provides that the Commission or certain designated employees may issue an order which is necessary to protect the confidentiality of information contained in documents filed with the Commission's Docketing Division to the extent that state or federal law prohibits the release of the information and where non-disclosure of the information is not inconsistent with the purposes of Title 49 of the Revised Code. As set forth herein, state law prohibits the public release of the information that is the subject of this motion; i.e. audited financial statements and financial arrangements. Moreover, keeping this information from being disclosed to the general public will not impair the purposes of Title 49. The Commission and its Staff have full access to the information in order to fulfill their statutory obligations. No purpose of Title 49 would be served by public disclosure of this commercially sensitive information. GSRES and its affiliates have treated the financial statements and financial arrangements as proprietary and confidential business information. It is available to third-parties only pursuant to agreements protecting its confidentiality and prohibiting its public disclosure. GSRES considers and has treated the information as a trade secret. In the ordinary course of business of GSRES, this information is treated as proprietary and confidential by all GSRES employees. For the foregoing reasons, GSRES respectfully requests that the designated information be protected from public disclosure.

Respectfully submitted this 7th day of October 2011.

GDF SUEZ RETAIL ENERGY SOLUTIONS LLC

BY:



JASON AUSTIN
Counsel

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the submission of Application for Retail Generation Providers and Power Marketers (a CRES – Application) submitted by GDF Retail Energy Solutions LLC on October 7, 2011.

PROTECTIVE ORDER

In the above-captioned *Matter of the submission of Application for Retail Generation Providers and Power Marketers (a CRES –Application) submitted by GDF Retail Energy Solutions LLC on October 7, 2011*, an issue has arisen in which the Applicant is required to disclose privileged and confidential information not otherwise available to the public. Applicant's audited financial statements and financial arrangements and other sensitive business information, being requested as part of the *Application Retail Generation Providers and Power Marketers*, constitute proprietary and confidential information and intellectual property. To resolve discovery and public disclosure issues regarding the submission of Applicant's *Application Retail Generation Providers and Power Marketers* and certification of a CRES license, it is hereby ORDERED:

Such information from audited financial statements and financial arrangements and other sensitive business information produced in response to the *Application for Retail Generation Providers and Power Marketers* submitted to the Commission by Applicant (specifically the information required pursuant to Exhibits A-13, A-1, A-15, B-1, B-2, C-1, C-3, C-5, C-6, C-7, D-1, D-2, and D3) may be filed under seal and protected from public disclosure to the extent that state or federal law prohibits release of the information, including where the information is deemed by the Commission, the legal director, or the attorney examiner assigned to the case to constitute a trade secret under Ohio law, and where non-disclosure of the information is not inconsistent with the purposes of Title 49 of the Revised Code.

IT IS SO ORDERED,

SIGNED:

Presiding Officer