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BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Annual Alternative Energy )  
Portfolio Status Report of North American ) Case No. 13-856-EL-ACP  
Power and Gas, LLC )

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MOTION FOR PROTECTIVE ORDER

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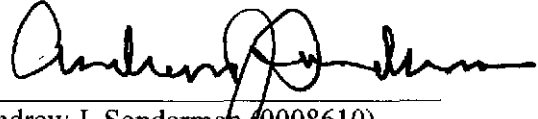
North American Power and Gas ("North American" or "the Company") moves pursuant to Ohio Administrative Code §4901-1-24(D), for the entry of a Protective Order to designate as confidential portions of Attachment 1 to North American's Annual Alternative Energy Portfolio Status report which specify the Facility Name, Certificate Serial Numbers, and Ohio Certificate Number of those counterparties from whom North American acquired Renewable Energy Credits ("RECs") or Solar Renewable Energy Credits ("SRECs") to cover its renewable energy benchmark requirements. ("Confidential Information")

The identity of the Company's source of supply of RECs and SRECs constitutes proprietary trade secret material, the public disclosure of which would subject the Company to an unfair competitive disadvantage. This information is maintained as confidential by the North American.

The grounds in support of this motion are fully explained in the attached memorandum. Three unredacted copies of the Attachment I are being submitted under seal contemporaneously with the filing of this Motion.

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Respectfully submitted,



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**MEMORANDUM IN SUPPORT**

North American is submitting contemporaneously with this motion its Annual Alternative Energy Portfolio Status Report for calendar year 2012 ("Annual Report"). Attachment 1 to the Company's Annual Report is a "REC Details Sheet," and its "Generation Attributes Tracking System Reserve Subaccount Details" which contain a detailed analysis and breakdown of the specific sourcing for each of the RECs and SRECs acquired by North American to satisfy its statutory renewable energy requirements. This level of detail contains proprietary trade secret materials. Specifically, the Facility Names, Certificate Serial Numbers and Ohio Certificate Numbers provide a detailed roadmap to North American's sources and contract counterparties for RECs and SRECs. The Company exerted extensive efforts to ensure that these supply sources were identified and relationships were fostered. Maintaining the confidentiality of its REC and SREC sourcing is critical to North American to maintain its REC and SREC supply moving forward. Moreover, making such information publicly available would subject the Company to a substantial competitive disadvantage.

O.A.C. §4901-1-24(D) provides that the Commission or certain designated employees may issue an order when it 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. State law recognizes the need to protect certain types of information which are the subject of this motion. The non-disclosure of the specific identity and location of North American's REC and SREC supply will not impair the purposes of Title 49. The Commission and its Staff have full access to the information in order to fulfill its statutory obligations. Further, only such information that is essential to prevent disclosure of Confidential Information was redacted from the public document. No purpose of Title 49 would be served by public disclosure of this highly proprietary confidential information.

The definition of a "trade secret" is set forth in the Uniform Trade Secrets Act, Ohio Rev. Code § 1333.61(D):

"Trade secret" means information, including the whole or any portion or phase of any scientific or technical information, design, process, procedure, formula, pattern, compilation, program, device) method, technique, or improvement, or any business information or plans, financial information or listing of names, addresses, or telephone numbers, that satisfies both of the following:

(1) It derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use.

(2) It is the subject of efforts that are reasonable under the circumstances to maintain its secrecy?

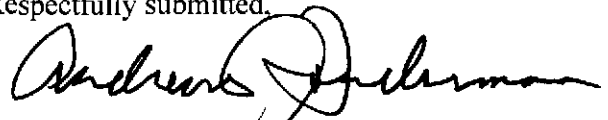
This definition clearly reflects the state policy favoring the protection of trade secrets such as the REC and SREC supply information which is the subject of this motion. The information being redacted analogous to a "customer list"; making it

publically available in list format to the Company's competing CRES suppliers also seeking to acquire RECs and SRECs would severely diminish the value of the list to North American while providing substantial value to its competitors, which expended no efforts to locate, develop and maintain the relationships associated with these REC and SREC resources.

North American submits that this is Confidential Information that is proprietary, confidential and a trade secret as defined by Ohio Rev. Code § 1333.61(D). The Confidential Information is not known outside of the Company, and is not disseminated to internal employees unless those employees have a legitimate business need to know the information. Maintaining the confidentiality of this information will allow North American to realize the value of its considerable efforts in developing these supply sources, while preventing an undue competitive disadvantage to the Company, as well as promoting a fair and robust competitive REC marketplace within Ohio.

WHEREFORE, for the foregoing reasons, North American respectfully requests that the Commission grant this Motion for Protective Order and direct that the unredacted Attachment 1 to its Alternative Energy Portfolio Status Report for calendar year 2012 be designated as Confidential Information, to remain under seal.

Respectfully submitted,



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