

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of Alternative Energy	)	
Resources Report for Calendar Year 2014	)	Case No. 15-0666-EL-ACP
From CenStar Energy Corp.	)	

---

**MOTION FOR PROTECTIVE ORDER**

---

Applicant CenStar Energy Corporation (hereinafter referred to as “CenStar” or “Applicant”) by and through counsel, hereby moves pursuant to Ohio Administrative Code 4901-1-24(D), for the entry of a Protective Order to keep certain confidential and proprietary information contained in its Alternative Energy Resources Report for Calendar Year 2014 confidential and not part of the public record. The information contained in the report is information which CenStar considers confidential and proprietary trade secrets, and which are maintained as confidential by the Company. Public disclosure of this information could be potentially harmful to CenStar’s competitive position as an energy provider.

CenStar further asks that its responses to any subsequent requests for additional information or clarification which Staff might make with regard to these same requests also be permitted to be filed under seal, pursuant to the same Protective Order requested herein. The grounds supporting this Motion are fully explained in the attached Memorandum in Support.

CenStar requests that the Protective Order be effective for a period of twenty-four (24) months from the effective date of the filing made in this proceeding.

Respectfully submitted,

/s/ Todd M. Williams  
Todd M. Williams (0083647)  
Attorney at Law  
Two Maritime Plaza, 3rd floor  
Toledo, OH 43604  
(567) 225 3330

*Counsel for CenStar Energy Corp.*

Natara G. Feller  
Feller Energy Law Group, PLLC  
159 20<sup>th</sup> St, Ste 1B  
Brooklyn, New York 11232  
Phone: (212) 590-0145  
Email: [natarafeller@fellerenergylaw.com](mailto:natarafeller@fellerenergylaw.com)

*Advisor to CenStar Energy Corp.*

Date: 04/14/2015

THE PUBLIC UTILITIES COMMISSION OF OHIO

## MEMORANDUM IN SUPPORT

1

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.

Rev. Code § 1333.61(d). The Commission facilitates the protection of such trade secrets in its Rules in the Administrative Code as well. *See* Ohio Admin. Code 4901-1-24(A)(7).

The Ohio Supreme Court has adopted a six factor test to analyze whether information is a trade secret under Rev. Code § 1331:

(1) The extent to which the information is known outside the business; (2) the extent to which it is known to those inside the business, *i.e.*, by the employees; (3) the precautions taken by the holder of the trade secret to guard the secrecy of the information; (4) the savings effected and the value to the holder in having the information as against competitors; (5) the amount of effort or money expended in obtaining and developing the information, and; (6) the amount of time and expense it would take for others to acquire and duplicate the information.

*State ex. Rel. Plain Dealer v. Ohio Dep't of Ins.*, 80 Ohio St. 3d 513, 687 N.E. 2d 661 (1998) (citations omitted).

CenStar gladly provides this information to the Commission, but asks that it be subject to Protective Order due to the confidential, proprietary nature of this information and because its public disclosure might be injurious to the Company's competitive position. CenStar does not make public disclosure of the requested information through SEC filings or otherwise. As such, and given the intense competition in the Competitive Retail Electric Service ("CRES") arena, this information is a legitimate trade secret, access to which could negatively affect CenStar's competitive position.

This request for a Protective Order is reasonable, necessary and will not prejudice any other party or individual. In fact, to the extent CenStar's ability to compete effectively is preserved, Ohio consumers will be better served. Fair competition is the philosophical basis for the CRES statute and implementing regulations.

For all of the foregoing reasons, CenStar Energy Corporation respectfully requests that a Protective Order be issued which permits it to file confidentially Exhibit A, Compliance Plan Status Report Summary Sheet, Exhibit B, REC Compliance Data, and Exhibit C, Ten-Year Projections, and requires those with access to these Exhibits treat them in a confidential manner for a period of twenty-four (24) months from the effective date of the order issued in this proceeding. CenStar Energy Corporation further requests that should Staff seek any additional information or clarification with respect to the Exhibits, those responses will also be permitted to be filed under seal and subject to the same Protective Order.

In compliance with Ohio Administrative Code 4901-01-24(D)(2), two (2) unredacted copies of CenStar's Alternative Energy Resources Report for Calendar Year 2014 are being submitted under seal with this Motion.

/s/ Todd M. Williams

Todd M. Williams (0083647)  
Attorney at Law  
Two Maritime Plaza, 3rd floor  
Toledo, OH 43604  
(567) 225 3330

*Counsel for CenStar Energy Corp.*

Natara G. Feller  
Feller Energy Law Group, PLLC  
159 20<sup>th</sup> St, Ste 1B  
Brooklyn, New York 11232  
Phone: (212) 590-0145  
Email: [natarafeller@fellerenergylaw.com](mailto:natarafeller@fellerenergylaw.com)

*Advisor to CenStar Energy Corp.*

Date: 04/14/2015

## Exhibit A - Public Version

### Compliance Plan Status Report for Compliance Year 2014 Summary Sheet

	Sales Unadjusted (MWHs)	Proposed Adjustments (MWHs)	Sales Adjusted (MWHs)	Source of Sales Volume Data
2011	0	0	0	1 (A)
2012	0	0	0	2 (B)
2013	1,100	0	1,100	(C)

Baseline for 2014 Compliance Obligation (MWHs)

1,100

(D) = AvgABC

(Note: If using 2014 sales as your baseline, insert that figure in cell I14 and indicate in box to right if 2014 sales are adjusted or not.

i.e., Not Adjusted

2.50%

**2014 Statutory Compliance Obligation**

2014 Non-Solar Renewable Benchmark

2.38%

(E)

2014 Solar Renewable Benchmark

0.12%

(F)

Per ORC, 4928.64(B)(2)

**2014 Compliance Obligation**

Non-Solar RECs Needed for Compliance

26

(G) = (D) \* (E)

Solar RECs Needed for Compliance

1

(H) = (D) \* (F)

**Carry-Over from Previous Year(s), if applicable**

Non-Solar (RECs)

0

(I)

Solar (S-RECs)

0

(J)

**Total 2014 Compliance Obligations**

Non-Solar RECs Needed for Compliance

26

(K) = (G) + (I)

Solar RECs Needed for Compliance

1

(L) = (H) + (J)

**2014 Performance (Per GATS or MRETS Data)**

Non-Solar (RECs)

(M)

Solar (S-RECs)

(N)

**Under Compliance in 2014, if applicable**

Non-Solar (RECs)

(O) = (K) - (M)

Solar (S-RECs)

(P) = (L) - (N)

**2014 Alternative Compliance Payments**

Non-Solar, per REC (Refer to Case 14-0746-EL-ACP)

\$49.22

(Q)

Solar, per S-REC - per 4928.64(C)(2)(a)

\$300.00

(R)

**2014 Payments, if applicable**

Non-Solar Total

(S) = (O) \* (Q)

Solar Total

(T) = (P) \* (R)

TOTAL

(U) = (S) + (T)

This compliance worksheet was developed by Staff for internal review purposes. However, it may be useful for your company in preparation of its RPS annual compliance status report for the **2014** compliance year. Your company is not required to include this form in its filing, but that is an option. If using this form, your company should insert data in the blue shaded boxes (as applicable). The remaining cells should auto-calculate. However, you should still independently verify the accuracy of the calculations. Questions concerning this worksheet can be addressed to Stuart.Siegfried@puc.state.oh.us

EXHIBIT B - PUBLIC VERSION

Subaccount Name	Zone Name	Month/ Year	Unit ID	Facility Name	State	Fuel Type	Certificate Serial Numbers	Quantity
Default								
Default								
Default								
Default								
Default								
Default								
Default								
Default								
Default								
Default								
Default								
Default								
Default								
Default								
Default								



## EXHIBIT B - PUBLIC

State Certification Number	Solar Renewable Energy Source	Renewable Energy Source	RPS	RPS Price	RPS Period
			Yes		2014
			Yes		2014
			Yes		2014
			Yes		2014
			Yes		2014
			Yes		2014
			Yes		2014
			Yes		2014
			Yes		2014
			Yes		2014
			Yes		2014
			Yes		2014
			Yes		2014

**Exhibit C - Ten Year Projections PUBLIC**

Year	Forecast	Baseline	Renewable Requirement %	Solar Renewable %	Non-Solar Renewable %	Non-Solar RECs	Solar RECs
2014	1155	1100	2.5	0.12	2.38		
2015			2.5	0.12	2.38		
2016			2.5	0.12	2.38		
2017			3.5	0.15	3.35		
2018			4.5	0.18	4.32		
2019			5.5	0.22	5.28		
2020			6.5	0.26	6.24		
2021			7.5	0.3	7.2		
2022			8.5	0.34	8.16		
2023			9.5	0.38	9.12		
2024			10.5	0.42	10.08		
2025			11.5	0.46	11.04		

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**4/14/2015 1:09:15 PM**

**in**

**Case No(s). 15-0666-EL-ACP**

Summary: Motion Motion for Protective Order electronically filed by Mr. Todd M Williams on behalf of CenStar Energy Corp.