

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Duke :  
Energy Ohio, Inc., for Authority to Defer : Case No. 16-1106-GA-AAM  
Environmental Investigation and :  
Remediation Costs. :

In the Matter of the Application Duke : Case No. 16-1107-GA-UNC  
Energy Ohio, Inc., for Tariff Approval. :

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**MOTION FOR PROTECTIVE ORDER  
SUBMITTED ON BEHALF OF THE STAFF OF  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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Pursuant to Rules 4901-02(D)(2), 4901-12, and 4901-1-24(D), Ohio Administrative Code, the Staff of the Public Utilities Commission of Ohio (Staff) hereby files this motion or protective order with the Public Utilities Commission of Ohio (Commission) seeking protective order regarding information asserted to be confidential by Duke Energy Ohio (the Company). As part of its investigation in this case, the Company provided the Staff with certain information which the Company asserts is confidential trade secret information under Ohio law.

The Staff hereby requests that in accordance with Section 4901-1-02(D)(2), Ohio Administrative Code, the commission issue such order as is necessary to protect the information contained in the redacted portions of the Comments of the Staff in this case

which are asserted to be confidential by Duke Energy Ohio. The Staff is filing its comments under seal in this case and is also filing a public version of its comments which contains all information not claimed by the Company to be confidential.

By filing this motion or a protective order, the Staff does not concede that the information for which protection is sought constitutes trade secret information.

Respectfully submitted,

**Michael DeWine**  
Ohio Attorney General

**William L. Wright**  
Section Chief

/s/ Thomas W. McNamee

**Thomas W. McNamee**  
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**On behalf of the Staff of  
The Public Utilities Commission of Ohio**

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## MEMORANDUM IN SUPPORT

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Staff files its motion for protective order at the same time it files its comments in this case. In filing this motion, Staff does not concede that the information in its comments is trade secret information pursuant to R.C. 1333.61(D) and further does not concede that the information is deserving of protection under Rule 4901-1-24(D) O.A.C. The Company believes otherwise and this motion is appropriate to initiate a process for this determination to be made. Further, the Staff has filed a public version of its comments so that all information not claimed by the Company to be confidential is accessible to the public.

For the foregoing reasons the Commission should grant the motion for protective order sought herein

Respectfully submitted,

**Michael DeWine**  
Ohio Attorney General

**William L. Wright**  
Section Chief

*/s/ Thomas W. McNamee*

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**Thomas W. McNamee**  
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**On behalf of the Staff of  
The Public Utilities Commission of Ohio**

## **PROOF OF SERVICE**

I hereby certify that a true copy of the foregoing **Motion for Protective Order** submitted on behalf of the Staff of the Public Utilities Commission of Ohio, was served via electronic mail upon the following Parties of Record, this 23<sup>rd</sup> day of November, 2016.

/s/ Thomas W. McNamee

**Thomas W. McNamee**

Assistant Attorney General

### **Parties of Record:**

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Summary: Motion for Protective Order submitted by Assistant Attorney General Thomas McNamee on behalf of the Staff of the Public Utilities Commission of Ohio. electronically filed by Kimberly L Keeton on behalf of Public Utilities Commission of Ohio