

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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Direct Energy Business, LLC,	)	
	)	
Complainant,	)	Case No. 14-1277-EL-CSS
	)	
v.	)	
	)	
Duke Energy Ohio	)	
	)	
Respondent.	)	

**DUKE ENERGY OHIO'S MOTION FOR PROTECTIVE ORDER**

Duke Energy Ohio, Inc., (Duke Energy Ohio or Company) hereby moves this honorable Public Utilities Commission of Ohio (Commission) for a protective order, pursuant to O.A.C. Rule 4901-1-24(D), regarding information asserted by Direct Energy Business LLC (Direct Energy) to be confidential. This confidential information was provided during the oral deposition of Direct Energy witnesses Andrew Vance, Teresa Ringenbach and Robert Kennelly filed in this case.

Duke Energy Ohio hereby requests that in accordance with OAC Rule 4901-1-02(D)(2), that the Commission issue such order as is necessary to protect the following information:

1. Exhibit 2, Exhibit 3 and Exhibit 5 to the deposition transcript of Andrew Vance.
2. Exhibit 5 to the deposition transcript of Teresa Ringenbach.
3. Exhibit 2 to the deposition transcript of Robert Kennelly.

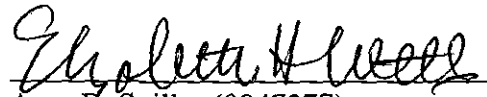
In filing this motion for a protective order, Duke Energy Ohio recognizes that the aforementioned deposition exhibits were identified by Complainant, Direct Energy Business, as confidential. Consequently, Duke Energy Ohio expressly reserves the right

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to amend, alter, or withdraw this request pending arguments from Direct Energy Business  
in respect of the confidential nature of such material.

Respectfully submitted,

DUKE ENERGY OHIO, INC.

A handwritten signature in dark ink, appearing to read "Elizabeth H. Watts", is written over a horizontal line.

Amy E. Spiller (0047277)

Counsel of Record

Deputy General Counsel

Elizabeth H. Watts (0031092)

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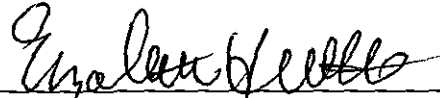
## **MEMORANDUM IN SUPPORT**

Duke Energy Ohio files its motion for protective order at the same time it files the transcripts of Robert Kennelly, Teresa Ringenbach, and Andrew Vance. Duke Energy Ohio does not concede that the information in these transcripts is trade secret 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. But as Direct Energy Business has characterized such material as confidential and subject to protection, this motion is appropriate to initiate a process for this determination to be made. Further, Duke Energy Ohio has filed a public version of these transcripts so that all information not claimed by Direct Energy to be confidential is accessible to the public.

WHEREFORE, Duke Energy Ohio respectfully requests that the Commission, pursuant to O.A.C. 4901-1-24(D), grant its Motion for Protective Order sought herein.

Respectfully submitted,

DUKE ENERGY OHIO, INC.

A handwritten signature in black ink, appearing to read "Amy B. Spiller", written over a horizontal line.

Amy B. Spiller (0047277)

Counsel of Record

Deputy General Counsel

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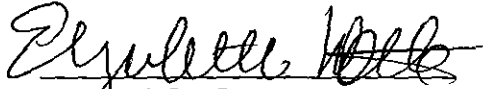
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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Motion for Protective Order was served on the following parties this <sup>th</sup> 12 day of June, 2017 by regular U. S. Mail, overnight delivery or electronic delivery.

  
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