

FILE

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of CRA Energy, LLC for Renewal Certification as a Competitive Retail Electric Power Broker Service In Ohio.

CRA Energy, LLC
Case No. 14-1681-EL-AGG
PUCO Certification # 14-886E (2)

MOTION FOR PROTECTIVE ORDER

Pursuant to Ohio Adm. Code 4901:1-27-07, CRA Energy, LLC (CRA Energy) hereby moves the Commission for a protective order regarding the confidential information that it is filing contemporaneously with this Motion, specifically Exhibits C-3 and C-5 and C-7 that are attached to its Renewal Certification Application (the "Confidential Information"). Section 4928.06 (F), Revised Code, requires the Commission to take the necessary measures to protect the confidentiality of certain information provided to the Commission.

CRA Energy requests that the Commission issue such order as is necessary to protect the Confidential Information. Non-disclosure of the information is not inconsistent with the purposes of Title 49 of the Revised Code because the Commission and its staff will have full access to the Confidential Information in order to fulfill their statutory obligations.

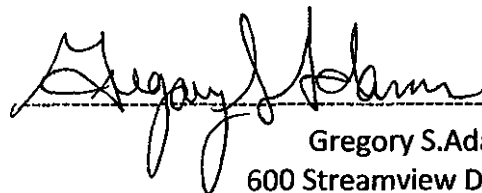
The basis for this Motion may be found in the attached Memorandum of Support.

Respectfully Submitted,
CRA ENERGY, LLC

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PUCO



Gregory S. Adams
600 Streamview Drive
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Phone: 419-290-4067
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MEMORANDUM IN SUPPORT OF **MOTION FOR PROTECTIVE ORDER**

CRA Energy, LLC (CRA Energy) is concurrently filing a Renewal Certification Application (the "Application") to become a power broker in Ohio. Exhibits C-3 and C-5 and C-7 to CRA Energy Application provide the Commission with balance sheet, income statements, and financial projections, respectively (together, the "Confidential Information"). Because CRA Energy considers the information in those exhibits to be confidential, Exhibits C-3 and C-5 and C-7 have been filed under seal as required by Ohio Adm. Code 4901: 1-27-07.

The Confidential Information includes detail about the operations and finances of CRA Energy that would be significant interest to competitors. Consequently, that data constitutes confidential information that should not be disclosed in the public record.

The Confidential Information constitutes trade secrets as defined in Revised Code 1331.61(D). The Information (1) derives 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, and (2) is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

The Ohio Supreme Court adopted six factors to be used in determining whether a trade secret claim meets the statutory definition.

- 1) The extent to which the information is known to 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 the 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. The Plain Dealer v. Ohio Dept. of Ins, 80 Ohio St. 3d 513, 524-525 (1997).

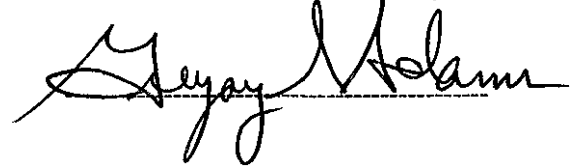
The Confidential Information is not known outside of CRA Energy and is known within CRA Energy only to senior management and a limited number of employees with a particular need to know. CRA Energy has taken precautions to guard the secrecy of the Confidential Information by limiting its dissemination. Further, CRA Energy expended a significant amount of time and money in developing Confidential Information. Disclosure of the Confidential Information would harm CRA Energy competitive position in the marketplace.

(See attached Affidavit of Greg Adams, Owner/Member, CRA Energy)

The protection of trade secret information from public disclosure is consistent with the purposes of Title 49 because the Commission and its Staff have access to the information. Granting protection of the Confidential Information requested herein will not impair the Commission's regulatory responsibilities.

Confidential treatment of Exhibits C-3 and C-5 and C-7 to the Application is therefore both appropriate and required by Ohio law and the Commission's rules. For the foregoing reasons, CRA Energy, LLC prays that its Motion for Protective Order be granted.

Respectfully submitted,
CRA ENERGY, LLC

A handwritten signature in black ink, appearing to read "Gregory S. Adams", written over a horizontal dashed line.

Gregory S. Adams
600 Streamview Drive
Perrysburg, OH 43551
Phone: 419-290-4067
Fax: 419-710-7849

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AFFIDAVIT OF GREGORY S. ADAMS

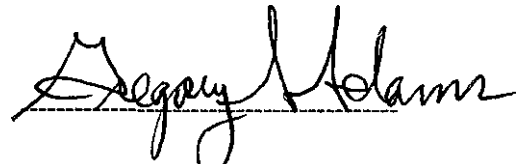
STATE OF OHIO

COUNTY OF WOOD

NOW COMES Gregory S. Adams, being first duly cautioned and sworn, deposes and says:

- 1) I am Owner/Member of CRA Energy, LLC (CRA Energy), 600 Streamview Drive, Perrysburg, OH 43551. I make this Affidavit on behalf of CRA Energy, and do so in the ordinary discharge of my responsibilities.
- 2) I have personal knowledge of all relevant matters pertaining to the Renewal Certification Application that CRA Energy is contemporaneously filing with the Public Utilities Commission of Ohio. I am authorized to make this Affidavit on behalf of CRA Energy.
- 3) CRA Energy considers the information included within Exhibits C-3 and C-5 and C-7 (the "Financial Information") to be confidential.
- 4) The Financial Information is not otherwise available to the general public, and includes detail about the operations and finances of CRA Energy that would be of significant interest to competitors. Consequently, CRA Energy is requesting that the Financial Information not be disclosed to the public.
- 5) The Financial Information 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 derive economic value from its disclosure and use.
- 6) The Financial Information provided only to CRA Energy senior management and a restricted list of employees who have a particular need to know the Information.
- 7) The Financial Information is indicative of CRA Energy current and future business plans and, therefore, public disclosure of the Financial Information would place CRA Energy at a competitive and economic disadvantage.
- 8) The Financial Information is subject of efforts by CRA Energy that are reasonable under the circumstances to maintain its secrecy.
- 9) CRA Energy has expended a significant amount of time and money to develop the Financial Information. Disclosure of the Financial Information would harm CRA Energy competitive position in the marketplace.

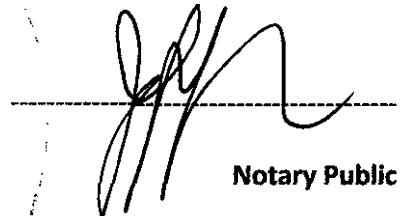
FURTHER AFFIANT SAYETH NAUGHT.


Gregory S. Adams

Sworn to me and subscribed in my presence this 18th day of September 2018.



JEFFREY S. LANGENDERFER
Notary Public, State of Ohio
My Commission Expires
December 13, 2019


Notary Public