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BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Long-Term Forecast)	
Report of Ohio Power Company and Related)	Case No. 18-501-EL-FOR
Matters)	
In the Matter of the Application Seeking)	
Approval of Ohio Power Company's)	
Proposal to Enter into Renewable Energy)	Case No. 18-1392-EL-RDR
Purchase Agreements for Inclusion in the)	
Renewable Generation Rider)	
In the Matter of the Application of Ohio)	Case No. 18-1393-EL-ATA
Power Company to Amend its Tariffs)	

MOTION FOR PROTECTIVE ORDER

Pursuant to Ohio Adm. Code 4901-1-12 and 4901-1-24(D), The Kroger Co. (Kroger) hereby files this motion for protective order with the Public Utilities Commission of Ohio (Commission), seeking protective treatment of information asserted to be confidential by The Ohio Power Company (AEP Ohio). As part of discovery in this proceeding, AEP Ohio provided certain information to Kroger and other parties, subject to a protective agreement, which AEP Ohio asserts constitutes trade secret information under Ohio law.

Kroger hereby requests that the Commission issue such an order as is necessary to protect certain information contained in the Direct Testimony of Justin Bieber and in his Confidential Exhibits JDB-1 and JDB-2 attached thereto, which AEP Ohio has asserted to be confidential. Pursuant to Kroger's rights under the protective agreement, Kroger is filing certain portions of the Direct Testimony of Justin Bieber and the related exhibits under seal, and is also filing a public version of Mr. Bieber's Direct Testimony, which includes all information not claimed by

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AEP Ohio to be confidential. By filing this motion for protective order, Kroger does not concede that the information for which protection is sought constitutes trade secret information under Ohio law; however, Kroger acknowledges that it has obtained said information pursuant to a protective agreement with AEP Ohio that provides for such information to be treated as confidential and protected (subject to Kroger's rights under the protective agreement to initiate a process by which the Commission may determine whether the information should be afforded confidential treatment under Ohio law). The grounds for this motion are more fully discussed in the accompanying memorandum in support.

Respectfully Submitted,

/s/ Angela Paul Whitfield
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Counsel for The Kroger Co.

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MEMORANDUM IN SUPPORT

Kroger files its motion for protective order (Motion) contemporaneously with the Direct Testimony of Justin Bieber in these proceedings. In filing this Motion, Kroger does not concede that certain of the information in Mr. Bieber's Direct Testimony or in the attached Confidential Exhibits JDB-1 or JDB-2 constitute trade secret information pursuant to R.C. 1333.61(D), and further does not concede that the information is deserving of protection from public disclosure under Ohio Adm. Code 4901-1-24(D).

Kroger understands, however, that AEP Ohio considers the information contained in the redacted portions of Mr. Bieber's Direct Testimony and the attached Confidential Exhibits JDB-1 and JDB-2 to be confidential and deserving of protection as trade secret information pursuant to R.C. 1333.61(D). Kroger's understanding is based on claims by AEP Ohio that the information (1) is sensitive and proprietary, and (2) would subject AEP Ohio to competitive disadvantage or other business injury in the event of disclosure.

Under the assertions made by AEP Ohio, confidential treatment of the redacted portions of the Direct Testimony of Justin Bieber and of the attached Confidential Exhibits JDB-1 and JDB-2 would be appropriate at this time, subject to Kroger's rights under its protective agreement with AEP Ohio to initiate a process to determine whether the information should, in fact, be protected. In addition, Kroger is filing a public version of the Direct Testimony of Justin Bieber with certain information redacted, so that all information not claimed by AEP Ohio to be confidential is accessible to the public.

For the aforementioned reasons, the Commission should grant the motion for protective order sought herein.

Respectfully submitted,

/s/ Angela Paul Whitfield
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Counsel for The Kroger Co

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing document was served on January 2, 2019 by electronic mail upon all parties of record in these cases.

/s/ Angela Paul Whitfield
Angela Paul Whitfield