



19-1013-E-AGG

FILE

Before the Ohio Public Utilities Commission

**Motion for Protective Order
In the Application of Albireo Energy, LLC
to Serve as an ELECTRIC & GAS AGGREGATOR/BROKER**

Date: 4.25.2019

NOW COMES the Petitioner/Applicant, Albireo Energy, LLC, ("Albireo") and respectfully requests the Commission to issue the attached Protective Order, so that confidential financial information contained in Albireo's application be maintained under protective seal, subject to review by Commission personnel, and subject to appropriate safeguards.

The documents in Exhibit C -3 (Financial Statements) are documents for which Albireo Energy Seeks protection. Albireo has submitted these documents, in a sealed envelope, which is privileged and confidential and is not otherwise available to the public. Albireo has filed the Confidential Information in order to demonstrate that it is financially capable of providing electric and natural gas brokerage services to customers in Ohio. Albireo views its finances as confidential, proprietary data of the company.

In support of its Motion, Albireo represents as follows:

1. Albireo Energy LLC, ("Albireo") is applying for a license to provide services as an electric and natural gas broker in Ohio.
2. Albireo is not a publicly held corporation and therefore does not have an obligation to disclose its financial information to shareholders or to the public.
3. Albireo contends that disclosure of its financial information could give its competitors access to confidential and privileged information to which it would not otherwise have access; would allow competitors to seek to undermine the nature and scope of Albireo's business; would provide its competitors with an unfair business advantage, or the opportunity of obtaining such advantage; or would otherwise be detrimental to the commercial interests of Albireo.
4. Albireo exercises due diligence to keep its financial statements secure in order to maintain their confidentiality. Albireo has never disclosed or released such information to the public and does not disseminate it to its employees, other than those employees with a specific need to know.

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5. No legitimate public interest will be served by disclosure of said information to the public or to any individuals other than the Commission and its authorized personnel.

6. The undersigned verifies under penalty of perjury that the facts contained in this Motion for Protective Order are true and correct to the best of his knowledge, information and belief.

WHEREFORE, based upon the foregoing, Albireo, LLC, respectfully requests that the Commission to determine that Albireo's financial information, including but not limited to its Profit and Loss Statement and Balance Sheet constitute "confidential information" which is not subject to public disclosure and further requests that the Commission keep this information protected and under seal.

Respectfully submitted,

Rudi Miklosvary, VP Compliance
330 Montage Mountain Rd, Moosic PA 18507

AFFIDAVIT
"Veracity of Statements"

Commonwealth of Pennsylvania

ss. Moosic

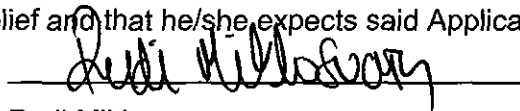
County of Lackawanna

Rudi Miklosvary Affiant, being duly sworn/affirmed according to law, deposes and says that he is the Vice President of Albireo Energy, LLC (Applicant) and that he is authorized to make this affidavit for the Applicant;

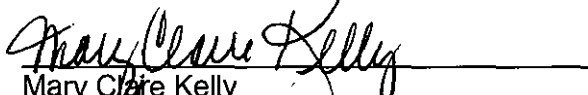
That, Albireo Energy certifies under penalty of law that all statements made in the application for Motion for Protective Order are true and complete and that it will also amend its application while the application is pending if any changes occur regarding the information provided in the application within ten days of any such change.

1. The documents in Exhibit C-3 (Financial Statements) are documents for which Albireo Energy Seeks protection. Albireo has submitted these documents, in a sealed envelope, which is privileged and confidential and is not otherwise available to the public. Albireo has filed the Confidential Information in order to demonstrate that it is financially capable of providing electric and gas brokerage services to customers in Ohio. Albireo views its finances as confidential, proprietary data of the company.
2. Albireo contends that disclosure of its financial information could give its competitors access to confidential and privileged information to which it would not otherwise have access; would allow competitors to seek to undermine the nature and scope of Albireo's business; would provide its competitors with an unfair business advantage, or the opportunity of obtaining such advantage; or would otherwise be detrimental to the commercial interests of Albireo

That the facts above set forth are true and correct to the best of his/her knowledge, information, and belief and that he/she expects said Applicant to be able to prove the same.


Rudi Miklosvary

Sworn and subscribed before me this 25th day of April 2019


Mary Claire Kelly
Executive Assistant and Notary

My commission expires March 2, 2023
(For Notary Publics only)

