

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Annual Application of                    )  
Columbia Gas of Ohio, Inc. for an                                ) Case No. 19-1940-GA-RDR  
Adjustment to Rider IRP and Rider DSM                        )  
Rates.    )

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**MOTION FOR PROTECTIVE ORDER  
BY  
THE OFFICE OF THE OHIO CONSUMERS' COUNSEL**

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The Office of the Ohio Consumers' Counsel ("OCC") moves the Public Utilities Commission of Ohio ("PUCO") for a protective order regarding information asserted to be confidential by Columbia Gas of Ohio, Inc. ("Columbia").<sup>1</sup> As part of discovery in this proceeding, Columbia provided information to OCC, subject to a protective agreement, and asserts that this information constitutes trade secret information under Ohio law.

OCC hereby requests that, in accordance with Ohio Adm. Code. 4901-1-24, the PUCO issue such order as is necessary to protect the undisclosed (redacted) portions of the Direct Testimony of Colleen Shutrump on Behalf of the Office of the Ohio Consumers' Counsel that are asserted to be confidential by Columbia. Subject to OCC's rights under the protective agreement, OCC is filing the Direct Testimony of Colleen Shutrump under seal, and in accordance with the procedure set forth by the PUCO under its April 8, 2020 Entry in Case Nos. 20-591-AU-UNC and 20-2000-XX-XXX. OCC is also filing a public version of Ms. Shutrump's testimony that shows all information not claimed by Columbia to be confidential.

By filing the instant motion, OCC does not concede that the information constitutes trade secret information. However, OCC acknowledges that it has obtained this information pursuant

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<sup>1</sup> This Motion is filed pursuant to Ohio Adm. Code 4901-1-02, 4901-1-12 and 4901-1-24(D).

to a protective agreement with Columbia that provides for such information to be treated as confidential and protected (subject to the PUCO's resolution of Columbia's Motion for a Protective Order and Memorandum in Support, filed in this proceeding on September 7, 2016, and subject to OCC's right under the protective agreement to initiate a process for the PUCO to rule whether the information deserves confidential treatment under Ohio law).

The grounds for this Motion are more fully described in the accompanying Memorandum in Support.

Respectfully submitted,

Bruce Weston (0016973)  
Ohio Consumers' Counsel

/s/ Christopher Healey

Christopher Healey (0086027)  
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**MEMORANDUM IN SUPPORT**

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OCC files this Motion for Protective Order ("Motion") contemporaneously with the filing of the Direct Testimony of Colleen Shutrump on Behalf of the Office of the Ohio Consumers' Counsel (the "Shutrump Testimony"). In filing this motion, OCC does not concede that the information in Ms. Shutrump's testimony is trade secret information under R.C. 1333.61. Nor does OCC concede that the information deserves protection from public disclosure under Ohio Adm. Code 4901-1-24(D).

This filing for protection is based on claims made by Columbia. Columbia considers the undisclosed (redacted) information to be confidential and deserving of the protection of trade secret information as defined in R.C. 1333.61. Columbia claims that the information (1) derives economic value, actual or potential, from not being known to, and not being readily ascertainable by proper means by others, and (2) is the subject of efforts that are reasonable under the circumstances to maintain its secrecy. *See* R.C. 1333.61(D). Under the assertions made by Columbia, at this time, confidential treatment of the redacted information in the Shutrump Testimony would be appropriate, subject to OCC's rights under its protective agreement with Columbia to initiate a process to determine whether the information should be protected.

In addition, OCC is filing a public version of the Shutrump testimony so that all information not claimed by Columbia to be confidential is accessible for the public's review. The public version does not contain information that was asserted by Columbia to be confidential.

For the foregoing reasons and subject to the foregoing reservations of rights, this Motion should be granted at this time.

Respectfully submitted,

Bruce Weston (0016973)  
Ohio Consumers' Counsel

/s/ Christopher Healey  
Christopher Healey (0086027)  
Counsel of Record  
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### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Motion for Protective Order by the Office of the Ohio Consumers' Counsel has been served upon those persons listed below via electronic transmission this 20th day of April 2020.

/s/ Christopher Healey  
Christopher Healey  
Assistant Consumers' Counsel

The PUCO's e-filing system will electronically serve notice of the filing of this document on the following parties:

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Summary: Motion Motion for Protective Order by The Office of The Ohio Consumers' Counsel electronically filed by Mrs. Tracy J Greene on behalf of Healey, Christopher