

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of)
Vectren Retail LLC, d/b/a Vectren Source)
for Certification as a Retail Natural Gas) Case No. 02-1668-GA-CRS
Supplier in the State of Ohio.)

ENTRY

The attorney examiner, pursuant to the authority granted by Rules 4901-1-14 and 4901-1-24, Ohio Administrative Code (O.A.C.), finds:

- (1) On July 5, 2002, Vectren Retail LLC, d/b/a Vectren Source (Vectren Source), as part of its original application to become a certified competitive retail natural gas supplier pursuant to Section 4929.20 *et seq.*, Revised Code, requested a protective order under Rule 4901-1-24(D), O.A.C., for its financial statements ("Exhibit C-3"); financial arrangements ("Exhibit C-4"); and forecasted financial statements ("Exhibit C-5"). Additionally, on July 11, 2002, Vectren Source filed supplemental information to its Exhibit C-6 to its application and similarly sought a protective order for that filing. On July 14, 2003, the attorney examiner granted a protective order for a period of six months to those four exhibits. Further, on January 22, 2004, Vectren Source sought and was granted an 18-month extension to the July 14, 2003 protective order.
- (2) On May 23, 2005, in accordance with Rule 4901-1-24(F), O.A.C., Vectren Source filed a motion to extend the protective order granted on July 14, 2003 for an additional 18-month period. Vectren continues to assert that the information contained in the four original exhibits is competitively sensitive and proprietary business financial information (motion at 5-6).
- (3) Rule 4901-1-24(D), O.A.C., provides that an attorney examiner may issue a protective order where the information in question is deemed to be sensitive and where non-disclosure of the information is not inconsistent with the purposes of Title 49, Revised Code. The order may be extended pursuant to Rule 4901-1-24(F), O.A.C. In this case, Vectren Source asserts that the information in question is still not generally known by the public and continues to be held in confidence. It also states that public disclosure of the information would jeopardize its business position in negotiations with other parties and harm

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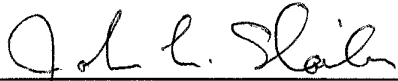
its ability to compete. Non-disclosure of this information is not inconsistent with the purposes of Title 49, Revised Code. Vectren Source's request for an 18-month extension to the July 14, 2003 protective order is reasonable. Thus, the attorney examiner finds that continued protection is warranted, and the motion for extension of the protective order should be granted.¹

It is, therefore,

ORDERED, That the motion of Vectren Source for extension of the July 14, 2003 protective order be granted. Exhibits C-3, C-4, C-5 filed on July 5, 2002, and the supplemental information to Exhibit C-6 filed on July 11, 2002, shall remain under seal for the 18-month period ending January 22, 2007. It is, further,

ORDERED, That a copy of this entry be served upon Vectren Source, its counsel and all other parties of record.

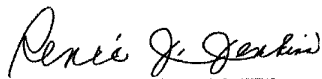
THE PUBLIC UTILITIES COMMISSION OF OHIO


By: John L. Shailer
Attorney Examiner

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Entered in the Journal

JUN 8 2005



Renee J. Jenkins
Secretary

¹ On August 11, 2004, the attorney examiner granted in part and denied in part Vectren Source's motion for a protective order related to several similar exhibits that were filed under seal as part of Vectren Source's application to renew its certification to be a certified competitive retail natural gas supplier. That protective order took a slightly more restrictive view of the contents of renewal Exhibit C-4. The reasoning in that entry is not inconsistent with granting the instant extension.

CASE NUMBER: 02-1668-GA-CRS
CASE DESCRIPTION: VECTREN RETAIL, LLC
DOCUMENT SIGNED ON: 6/8/2005
DATE OF SERVICE: 6-8-2005 KW

FILE

PARTIES SERVED

PARTIES OF RECORD

ATTORNEYS

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