**BEFORE**

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

|  |  |  |
| --- | --- | --- |
| In the Matter of the Procurement of Standard Service Offer Generation for Customers of **Ohio Edison Company**, **The Cleveland Electric Illuminating Company**, and **The Toledo Edison Company.**In the Matter of the Procurement of Standard Service Offer Generation as Part of the Third Electric Security Plan for Customers of **Ohio Edison Company**, **The Cleveland Electric Illuminating Company**, and **The Toledo Edison Company**. | ::::::::::::: | Case No. 10-1284-EL-UNCCase No. 12-2742-EL-UNC |

**MOTION FOR A PROTECTIVE ORDER
SUBMITTED ON BEHALF OF THE STAFF OF
THE PUBLIC UTILITIES COMMISSION OF OHIO**

 Comes now the Staff of the Public Utilities Commission of Ohio (Staff) and requests that both the Report of the Commission’s Consultant Regarding FirstEnergy’s October 2012 Standard Service Offer Auction and the Notification of CBP Auction Results be kept confidential pursuant to O.A.C. Rule 4901-1-24 for the reasons set forth in the attached memorandum in support.

Respectfully submitted,

/s/ Thomas W. McNamee

**Thomas W. McNamee**

 Assistant Attorney General

 Public Utilities Section

 180 East Broad Street

 Columbus, OH 43215-3793

 614.466.4396 (telephone)

 614.644.8764 (facsimile)

 thomas.mcnamee@puc.state.oh.us

**MEMORANDUM IN SUPPORT**

 Staff requests that the Commission keep both the Report of the Commission’s Con­sultant Regarding FirstEnergy’s October 2012 Standard Service Offer Auction and the Notification of CBP Auction Results confidential and that they not be publicly released. This information identifies the details of various bids and parties making the bids in the October, 2012 FirstEnergy auction. This information is highly competitively sensitive. Public disclosure of this information would be highly prejudicial to the bidding parties and to the viability of any future auction in Ohio. Keeping this material confi­dential is consistent with the Commission’s actions in prior auction matters. A redacted version of the Notification of CBP Auction Results has been filed publicly in this docket.

Respectfully submitted,

/s/ Thomas W. McNamee

**Thomas W. McNamee**

 Assistant Attorney General

 Public Utilities Section

 180 East Broad Street

 Columbus, OH 43215-3793

 614.466.4396 (telephone)

 614.644.8764 (facsimile)

 thomas.mcnamee@puc.state.oh.us

# **PROOF OF SERVICE**

I certify that a true copy of the foregoing **Motion for a Protective Order and Memorandum in Support** submitted on behalf of the Staff of the Public Utilities Com­mission of Ohio was served by regular U.S. mail, postage prepaid, or via electronic mail, upon the following parties of record, this 24th day of October, 2012.

/s/ Thomas W. McNamee

**Thomas W. McNamee**

 Assistant Attorney General

**Parties of Record:**

|  |  |
| --- | --- |
| Samuel C. RandazzoJoseph M. ClarkMcNees Wallace & Nurick LLC21 East State St., 17th FloorColumbus, OH 43215sam@mwncmh.comjclark@mwncmh.comColleen L. Mooney231 West Lima StreetPO Box 1793Columbus, OH 43215cmooney2@columbus.rr.comLance M. Keiffer420 Madison Ave., Suite 100Toledo, OH 43604-1219lance.keiffer@toledo.oh.govMichael K. LavangaBrickfield, Burchette, Ritts & Stone1025 Thomas Jefferson Street, NWEighth Floor, West TowerWashington, DC 20007-5201mkl@bbrslaw.comCraig I. Smith2824 Coventry RoadCleveland, Ohio 44120wis29@yahoo.comDane StinsonBailey Cavalieri LLC10 West Broad Street, Suite 2100Columbus, Ohio 43215Dane.Stinson@BaileyCavalieri.comGlenn S. KrassenMatthew W. WarnockBricker & Eckler LLP1375 E. 9th St., Suite 1500Cleveland, OH 44114gkrassen@bricker.commwarnock@bricker.comM. Howard PetricoffVorys, Sater, Seymour and Pease, LLP52 East Gay St.PO Box 1008Columbus, OH 43216-1008mhpetricoff@vorys.comJacqueline Lake RobertsRegulatory Affairs and Public Policy101 Federal Street, Suite 1100Boston, MA 02110jroberts@enernoc.comTeresa Ringenbach5400 Frantz Rd., Suite 250Dublin, OH 43016teresa.ringenbach@directenergy.comRichard L. Sites155 E. Broad Street, 15th FloorColumbus, OH 43215-3620ricks@ohanet.orgGregory K. Lawrence28 State StreetMcDermott Will & Emory LLPBoston, MA 02109glawrence@mwe.comHenry W. Eckhart50 West Broad Street, #2117Columbus, Ohio 43215henryeckhart@aol.comAmy SpillerDuke Energy Business Services, Inc.221 E. Fourth St., 25 Fl.Cincinnati, OH 45202amy.spiller@duke-energy.comCheri B. CunninghamDirector of Law161 South High StreetSuite 202Akron, OH 44308ccunningham@akronohio.govDavid A. KutikJones Day901 Lakeside AvenueCleveland, OH 44114dakutik@jonesday.comLaura C. McBrideJames F. LangCalfee, Halter & Griswold1400 KeyBank Center800 Superior AvenueCleveland, OH 44114lmcbride@calfee.comMamie J. MitchellCleveland City Council601 Lakeside AvenueRoom 220Cleveland, OH 44114Charles FarukiD. Jeffrey IrelandFaruki, Ireland & Cox500 Courthouse Plaza, S.W.10 North Ludlow StreetDayton, OH 45402cfaruki@ficlaw.comdireland@ficlaw.comF. Timothy Hagan, CommissionerCuyahoga County Board of County Commissioners1219 Ontario StreetCleveland, OH 44113Laura Chappelle4218 Jacob MeadowsOkemos, MI 48864laurac@chappelleconsulting.netMegan DeLisi1207 Grandview AvenueSuite 201Columbus, OH 43212-3449 | Nolan MoserBell & Royer, LPA33 South Grant AvenueColumbus, OH 43215nmoser@theoec.orgMichael L. KurtzDavid F. BoehmBoehm, Kurtz & Lowry36 East Seventh Street, Suite 1510Cincinnati, OH 45202mkurtz@BKLlawfirm.comdboehm@BKLlawfirm.comJeffrey L. SmallGregory J. PoulosAssistant Consumers’ CounselOffice of the Ohio Consumers’ Counsel10 West Broad Street18th FloorColumbus, OH 43215-3485small@occ.state.oh.uspoulos@occ.state.oh.usreese@occ.state.oh.usMatthew S. WhiteChester Wilcox & Saxbe, LLP65 E. State St., Suite 1000Columbus, OH 43215mwhite@cwslaw.comTheodore S. Robinson2121 Murray AvenuePittsburgh, PA 15217robinson@citizenpower.comMichael D. DortchKravitz, Brown & Dortch, LLC63 E. State St., Suite 200Columbus, OH 43215mdortch@kravitzllc.comGeorge A. YurchisinFirstEnergy Service Company76 S. Main St.Akron, OH 44308Michael E. HeintzStaff Attorney1207 Grandview Ave.Suite 201Columbus, Ohio 43212mheintz@elpc.orgEric D. WeldeleTucker, Ellis & West, LLP1225 Huntington Center41 South High StreetColumbus, OH 43215-6197eric.weldele@tuckerellis.comJoseph P. MeissnerMatthew D. VincelThe Legal Aid Society of Cleveland1223 West 6th StreetCleveland, OH 44113jpmeissn@lasclev.orgSteven HuhmanMorgan Stanley2000 Westchester Ave.Purchase, NY 10577steven.huhman@morganstanley.comSamuel A. Wolfe100 W. Elm Street, Suite 410Conshohocken, PA 19428Christopher MillerAndre T. PorterSchottenstein Zox & Dunn Co., LPA250 West St.Columbus, OH 4321 5cmiller@szd.comaporter@szd.comMeena T. SinfeltAndrews Kurth1350 I Street, N.W.Suite 1100Washington, DC 20005Robert Kelter35 East Wacker DriveSuite 1300Chicago, IL 60613Barbara BoydState Representative77 South high Street, 11th FloorColumbus, OH 43215-6111Roger LindgrenJoe Mastervich2669 Martin Luther King, Jr. BoulevardYoungstown, OH 44510-1033Glen Thomas1060 First AvenueSuite 400King of Prussia, PA 19406Charles R. Dyas, Jr.Barnes & ThornburgFifth Third Center21 East State Street Suite 1850Columbus, OH 43215-4219Thomas FroehleMcNees Wallace & Nurick21 East State Street, 17th FloorColumbus, OH 43215-4228tfroehle@mwncmh.com |