**BEFORE**

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

|  |  |  |
| --- | --- | --- |
| In the Matter of the Review of the Power Purchase Agreement Rider of Ohio Power Company for 2018.In the Matter of the Review of the Power Purchase Agreement Rider of Ohio Power Company for 2019. | )))))) | Case No. 18-1004-EL-RDRCase No. 18-1759-EL-RDR |

**MEMORANDUM CONTRA MOTION OF AEP FOR PROTECTIVE ORDER**

**BY**

**OFFICE OF THE OHIO CONSUMERS' COUNSEL**

AEP has moved to keep confidential (from the public) the September 1, 2020 draft report of the Auditor hired by the Public Utilities Commission of Ohio (“PUCO”). This matter is straightforward. AEP has failed to satisfy O.A.C. 4901-1-24(D).

Under this Rule, the PUCO is required to “minimize” the information to be protected. And AEP is required to limit redactions to information that is “essential to prevent disclosure of the allegedly confidential information.”

The PUCO would know from the information in the public record of this case that AEP, with its board-brush approach, has failed to follow the Rule. AEP’s motion for protection should be denied.

Respectfully submitted,

Bruce Weston (0016973)

Ohio Consumers’ Counsel

*/s/ John Finnigan*

John Finnigan (0018689)

Counsel of Record

William Michael (0070921)

Assistant Consumers’ Counsel

**Office of the Ohio Consumers’ Counsel**

65 East State Street, Suite 700

Columbus, Ohio 43215

Telephone [Finnigan]: (614) 466-9585

Telephone [Michael]: (614) 466-1291

john.finnigan@occ.ohio.gov

william.michael@occ.ohio.gov

(willing to accept service by e-mail)

**CERTIFICATE OF SERVICE**

It is hereby certified that a true copy of the foregoing Memorandum Contra Motion of AEP for Protective Order was served upon the persons listed below by electronic transmission this 1st day of April 2022.

*/s/ John Finnigan*

John Finnigan

Assistant Consumers’ Counsel

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

**SERVICE LIST**

|  |  |
| --- | --- |
| thomas.lindgren@ohioAGO.govkyle.kern@ohioAGO.govmkurtz@BKLlawfirm.comkboehm@BKLlawfirm.comjkylercohn@BKLlawfirm.comrdove@keglerbrown.comAttorney Examiners:sarah.parrot@puco.ohio.govgreta.see@puco.ohio.gov | stnourse@aep.comEGallon@porterwright.commjschuler@aep.commatthew@msmckenzieltd.commpritchard@mcneeslaw.combmckenney@mcneeslaw.commegan.wachpress@sierraclub.orgkristin.henry@sierraclub.orgtony.mendoza@sierraclub.orgbojko@carpenterlipps.compaul@carpenterlipps.com |