**BEFORE**

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

|  |  |  |
| --- | --- | --- |
| In the Matter of the Procurement of Standard Service Offer Generation for Customers of **Duke Energy Ohio, Inc**. | ::: | Case No. **11-6000-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 Duke Energy Ohio’s November 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,

**Michael DeWine**

Ohio Attorney General

**William L. Wright**

Section Chief

/s/ Thomas W. McNamee

**Thomas W. McNamee**

Assistant Attorney General

Public Utilities Section

180 East Broad Street, 6th Floor

Columbus, OH 43215-3793

614.466.4397 (telephone)

614.644.8764 (fax)

thomas.mcnamee@puc.state.oh.us

**MEMORANDUM IN SUPPORT**

 Staff requests that the Commission keep both the Report of the Commission's Consultant Regarding Duke Energy Ohio’s November 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 November 2012 Duke Energy Ohio 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,

**Michael DeWine**

Ohio Attorney General

**William L. Wright**

Section Chief

/s/ Thomas W. McNamee

**Thomas W. McNamee**

Assistant Attorney General

Public Utilities Section

180 East Broad Street, 6th Floor

Columbus, OH 43215-3793

614.466.4397 (telephone)

614.644.8764 (fax)

thomas.mcnamee@puc.state.oh.us

# PROOF OF SERVICE

 I hereby certify that a 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 via electronic mail upon counsel for the parties listed below, on this 16th day of November, 2012.

/s/ Thomas W. McNamee

**Thomas W. McNamee**

Assistant Attorney General

**Parties of Record:**

|  |  |
| --- | --- |
| Amy.Spiller@duke-energy.comElizabeth.watts@duke-energy.comJeanne.Kingery@duke-energy.comsam@mwncmh.comfdarr@mwncmh.comjoliker@mwncmh.comtobrien@bricker.comcmooney2@columbus.rr.comtrent@theoec.orgnolan@theoec.orgdhart@douglasehart.comhaydenm@firstenergycorp.comdakutik@jonesday.comaehaedt@jonesday.comjlang@calfee.comlmcbride@calfee.comtalexander@calfee.comlmcalister@bricker.commwarnock@bricker.comjbentine@cwslaw.comsmorrison@cwslaw.commyurick@cwslaw.comzkravitz@cwslaw.comBarthRoyer@aol.comGary.A.Jeffries@dom.comaaragona@eimerstahl.comdstahl@eimerstahl.commchristensen@columbuslaw.org | jouett.brenzel@cinbell.comjkyler@BKLlawfirm.comdboehm@BKLlawfirm.commkurtz@BKLlawfirm.comtsantarelli@elpc.orgmhpetricoff@vorys.commjsettineri@vorys.commjsatterwhite@aep.comecmillerl@aep.comamvogel@aep.comgpoulos@enernoc.comjmclark@vectren.comsmhoward@vorys.comvparisi@igsenergy.commswhite@igsenergy.comrdc\_law@swbell.netkosterkamp@ralaw.comDane.Stinson@BaileyCavalieri.comasonderman@keglerbrown.commkimbrough@keglerbrown.comwmassey@cov.comcallwein@wamenergy.comasonderman@keglerbrown.commkimbrough@keglerbrown.comwmassey@cov.comssolberg@eimerstahl.commcox@mcdonaldhopkins.com |