

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of Volunteer)	
Energy Services, Inc.,)	
)	
Complainant,)	
)	
v.)	Case No. 03-1021-GA-CSS
)	
Columbia Gas of Ohio, Inc., and)	
Nisource Corporation,)	
)	
Respondents.)	

ENTRY

The attorney examiner finds:

- (1) On April 18, 2003, Volunteer Energy Services, Inc. (Volunteer) filed a complaint with the Commission against Columbia Gas of Ohio, Inc. (Columbia) and NiSource Corporation (NiSource). As a part of that proceeding, Volunteer filed a motion for a protective order for portions of the complaint that pertain to confidential negotiations between Volunteer and Columbia. Volunteer stated that the protective order motion was filed at the request of Columbia and that Volunteer has no objection to the disclosure or to the maintenance of the documents under seal.
- (2) On June 6, 2003, the motion for a protective order was granted by the attorney examiner until such time that the matter might be further reviewed.
- (3) On October 2, 2003, as a result of settlement among the parties, the Commission dismissed the complaint. Thus, the outstanding protective order was never further reviewed.
- (4) Rule 4901-1-24(F), Ohio Administrative Code, provides that:

Unless otherwise ordered, any order prohibiting public disclosure . . . shall automatically expire eighteen months after the date of its issuance, and such information may then be included in the

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public record of the proceeding. A party wishing to extend a protective order beyond eighteen months shall file an appropriate motion at least forty-five days in advance of the expiration date of the existing order. The motion shall include a detailed discussion of the need for continued protection from disclosure.

- (5) The protective order granted in this case was, when issued, not clear as to expiration. However, it has been in place for more than four years, without any reconsideration of whether continued protection is appropriate. Therefore, the attorney examiner finds that, unless any party to this proceeding moves for continued protection within 30 days of this entry, the protective order issued on June 6, 2003, will expire and the information covered by that protective order will be moved to the public record.

It is, therefore,

ORDERED, That if no motion for continuation of the protective order in this case is filed within 30 days of this entry, the protective order issued on June 6, 2003, will expire and the information covered by that protective order will be moved to the public record. It is, further,


ORDERED, That a copy of this entry be served upon each party of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO


By: Jeanne W. Kingery
Attorney Examiner

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Entered in the Journal
AUG 06 2007


Renee J. Jenkins
Secretary