

FILE

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the 2005 Long-Term)
Forecast Report of Cinergy Corporation) Case No. 05-503-EL-FOR
and Related Matters.)

ENTRY

The attorney examiner finds:

- (1) On April 15, 2005, Cincinnati Gas & Electric Company (CG&E), a subsidiary of Cinergy Corporation, filed its 2005 electric long-term forecast report (LTFR).
- (2) Also on April 15, 2005, CG&E filed a motion for a protective order and accompanying memorandum in support. In the motion, CG&E sought protection of proprietary, confidential, and Critical Energy Infrastructure Information (CEII) contained in the LTFR. CG&E also requested that the protective order place the information under seal in a restricted access file and that access to the data be limited by Commission order to parties agreeing to comply with the order, while prohibiting any person who has access to the data from revealing it to any other person, except as provided in the order.

In the memorandum of support, CG&E explained that following the events of September 11, 2001, certain information in the LTFR is now considered to be CEII. CG&E added that the release of such information would possibly place the transmission system in an unsafe and unreliable situation, and could present security issues and be used by terrorist organizations or others to disrupt CG&E's ability to provide reliable electric service. CG&E explained that the information includes maps of CG&E's electrical system and substations and thermal capacities of transmission circuits.

- (3) By entries dated April 22, 2005 and September 5, 2006, the attorney examiner granted CG&E's requests for confidentiality concerning CEII because of the security risk described by CG&E. The attorney examiner also allowed that Staff and any parties granted intervention have the opportunity to examine such information and to request additional similar information from CG&E if necessary. Further, Staff and parties granted

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intervention were not to disclose such information to parties not authorized to examine the aforementioned information.


- (4) On January 16, 2008, Duke Energy Ohio, formerly CG&E, filed a second motion for continuation of the protective order regarding proprietary, confidential, and CEII information contained in the LTFR. The motion and attached memorandum in support reiterate CG&E's position, as described in Finding (2).
- (5) The attorney examiner grants Duke's motion to continue the protective order until otherwise ordered by the Commission under the same conditions as described in Finding (3).

It is, therefore,

ORDERED, That Duke's motion for a protective order regarding proprietary and confidential information is granted as set forth above. It is, further,

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

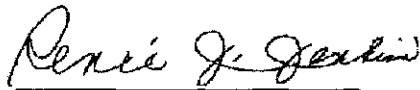
THE PUBLIC UTILITIES COMMISSION OF OHIO


By: R. Russell Gooden
Attorney Examiner

 RRG:ct

Entered in the Journal

JAN 30 2008


Renee J. Jenkins
Secretary