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July 22, 2010

Renee J. Jenkins Secretary, Docketing Division Public Utilities Commission of Ohio 180 East Broad Street Columbus, Ohio 43215

Re:

In the Matter of the Application for Establishment of a Reasonable Arrangement between Ohio Edison Company and

V&M Star, Case No. 09-80-EL-AEC

## Dear Secretary Jenkins:

On Monday, July 19, 2010, V&M Star received via email a notice from Thomas Lindgren on behalf of the Staff of the Public Utilities Commission of Ohio ("Commission") that the Office of the Ohio Consumers' Counsel ("OCC") filed a public records request seeking reports on reasonable arrangements, including the reasonable arrangement referenced above between V&M Star and the Ohio Edison Company ("OE"). Mr. Lindgren advised us that the Commission intends to release the records to OCC unless the companies whose information is the subject of the request files motions for protective orders pursuant to Rule 4901-1-24, Ohio Administrative Code, within three business days following receipt of the notice.

V&M Star has advised the Commission Staff that its Commission-approved reasonable arrangement has not yet become effective and, thus, V&M Star does not believe that the reporting requirements have been triggered. Accordingly, V&M Star does not believe that the Commission or its Staff possess any records that are responsive to OCC's request. Nonetheless, V&M Star anticipates that its reasonable arrangement may become effective in the near future and that V&M Star and OE will need to comply with the reporting requirements and generate customer-specific information that apparently may become a public record subject to disclosure simply by being in Staff's possession.

It is V&M Star's concern with the possibility of its competitively sensitive and highly proprietary business financial information falling within the statutory characterization of a trade secret being subject to public records requests going forward that causes V&M Star to write this letter.

V&M Star should not have to remind the Commission of the public support for its expansion project that is bringing investment and jobs to its Mahoning Valley operations, which serves to help Ohio's economy. V&M Star will remind the Commission and OCC that

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at the hearing on V&M Star's reasonable arrangement, in referring to the reasonable arrangement and V&M Star's expansion project, OCC stated, "Obviously, this would be great for all residential customers."

Nonetheless, OCC is now pursuing a process that can only cause harm, additional expense and delay V&M Star's progress on this important project by jeopardizing the confidentiality of competitively sensitive and highly proprietary business financial information related to the project.

V&M Star supports the motion for protective treatment filed by Eramet Marietta, Inc. in response to the same public records request and strongly urges the Commission to find that the reports required by those customers served pursuant to Commission-approved reasonable arrangements are not subject to a public records request. Alternatively, V&M Star requests that the Commission find that the information required to be contained in the reasonable arrangement reports includes trade secrets that are prohibited from being released.

Thank you for your kind attention to this important matter.

Very truly yours

Samuel C. Randazzo Thomas L. Froehle

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