



**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Fuel Adjustment Clauses	)	Case No. 09-872-EL-FAC
for Columbus Southern Power Company and	)	Case No. 09-873-EL-FAC
Ohio Power Company.	)	

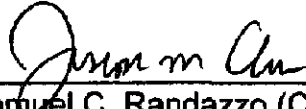
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**MOTION FOR PROTECTIVE ORDER**

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Industrial Energy Users-Ohio ("IEU-Ohio") hereby respectfully moves the Public Utilities Commission of Ohio ("Commission"), pursuant to Rule 4901:1-24, Ohio Administrative Code ("O.A.C."), for a protective order regarding confidential information in the "Initial Brief of Industrial Energy Users-Ohio" ("Initial Brief"). Specifically, the confidential information contained in IEU-Ohio's Initial Brief discusses the same confidential information in the management/performance audit report that was previously granted protective treatment as a trade secret by a June 29, 2010 Attorney Examiner Entry (hereinafter "June 29 Entry") in this docket. Additionally, Attachment A and a select portion of IEU-Ohio's Initial Brief contains background information that, if not protected as confidential information, would potentially disclose the information deemed confidential by the Attorney Examiner's June 29 Entry. Pursuant to Rule 4901-1-24(D), O.A.C., IEU-Ohio filed a redacted/public version of its Initial Brief and the confidential version of the Initial Brief is being filed under seal accompanied by this Motion for Protective Order.

Respectfully submitted,



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Samuel C. Randazzo (Counsel of Record)

Lisa G. McAlister

Joseph M. Clark

MCNEES WALLACE & NURICK LLC

21 East State Street, 17<sup>th</sup> Floor

Columbus, OH 43215-4228

Telephone: (614) 469-8000

Telecopier: (614) 469-4653

sam@mwncmh.com

lmcAlister@mwncmh.com

jclark@mwncmh.com

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**MEMORANDUM IN SUPPORT**

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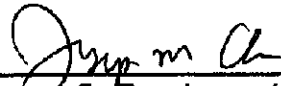
As explained in the Motion for Protective Order, the June 29 Entry granted a Columbus Southern Power Company ("CSP") and Ohio Power Company ("OP") (collectively, American Electric Power-Ohio or "AEP-Ohio") Motion for Protective Order of certain confidential information in the management/performance audit report filed in this docket on May 14, 2010. Additionally, when Parties filed their respective testimony in this case on August 16, 2010, the Attorney Examiner permitted Parties to simply file a letter requesting protective treatment of confidential information in the testimony in lieu of the ordinary motion for protective order inasmuch as the confidential information in the testimony had already been granted protective treatment by the June 29 Entry. IEU-Ohio hereby submits the information contained in the body of its Initial Brief contains the same confidential information already deemed confidential by the June 29 Entry and therefore should continue to be protected as confidential trade secrets in accordance with the June 29 Entry.

Further, "Attachment A" and Section B(2) of the Initial Brief provide additional background information regarding a coal contract at issue in this proceeding. While IEU-Ohio believes this information should be considered confidential pursuant to the June 29 Entry, it is not clear that the background information supporting IEU-Ohio's positions are subject to protective treatment under the June 29 Entry. Public release of this background information would possibly allow persons who have not executed

protective agreements with AEP-Ohio to discern the information previously granted protective treatment by the June 29 Entry. Therefore, protection of this background information would be consistent with the June 29 Entry.

Thus, consistent with the protective agreement executed by IEU-Ohio and AEP-Ohio as well as the June 29 Entry, and to ensure that AEP-Ohio has a timely opportunity to seek protective treatment of the portion of IEU-Ohio's Initial Brief that may not be covered by the June 29 Entry, IEU-Ohio hereby files this Motion for Protective Order and Memorandum in Support.

Respectfully submitted,



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Samuel C. Randazzo (Counsel of Record)

Lisa G. McAlister

Joseph M. Clark

MCNEES WALLACE & NURICK LLC

Fifth Third Center

21 East State Street, 17<sup>th</sup> Floor

Columbus, OH 43215-4228

Telephone: (614) 469-8000

Telecopier: (614) 469-4653

sam@mwncmh.com

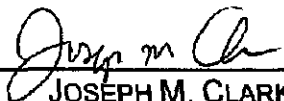
lmcalister@mwncmh.com

jclark@mwncmh.com

**Attorneys for Industrial Energy Users-Ohio**

## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing *Motion for Protective Order and Memorandum in Support of Industrial Energy Users-Ohio* was served upon the following parties of record this 23rd day of September 2010, via electronic transmission, hand-delivery, or U.S. first class mail, postage prepaid.



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JOSEPH M. CLARK

Steven T. Nourse  
Matthew J. Satterwhite  
American Electric Power Service  
Company  
1 Riverside Plaza, 29<sup>th</sup> Floor  
Columbus, OH 43215

**ON BEHALF OF COLUMBUS SOUTHERN  
POWER AND OHIO POWER COMPANY**

Clinton A. Vince  
Douglas G. Bonner  
Daniel D. Barnowski  
Keith C. Nausbaum  
Emma C. Hand  
Sonnenschein Nath & Rosenthal  
1301 K Street NW  
Suite 600, East Tower  
Washington, DC 20005

**ON BEHALF OF ORMET PRIMARY  
ALUMINUM CORPORATION**

Jeffrey Jones  
Greta See  
Public Utilities Commission of Ohio  
180 East Broad Street  
Columbus, Ohio 43215

**ATTORNEY EXAMINERS**

Janine L. Migden-Ostrander  
Ohio Consumers' Counsel  
Michael Idzkowski  
Assistant Consumers' Counsel  
Office of the Ohio Consumers' Counsel  
10 W. Broad Street, Suite 1800  
Columbus, OH 43215

**ON BEHALF OF THE OFFICE OF THE OHIO  
CONSUMERS' COUNSEL**

William L. Wright  
Ohio Attorney General's Office  
Chief, Public Utilities Section  
Werner L. Margard  
Thomas McNamee  
180 East Broad Street, 6<sup>th</sup> Floor  
Columbus, OH 43215

**ON BEHALF OF THE STAFF OF THE PUBLIC  
UTILITIES COMMISSION OF OHIO**