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11-1095-GA-AGG

February 25, 2011

VIA UPS - NEXT DAY AIR

Public Utilities Commission of Ohio
Docketing Division 13th Floor
180 East Broad Street
Columbus, OH 43215-3793

Re: *HealthTrust Purchasing Group, L.P.'s Motion for Protective Order –
Certification Application For Competitive Retail Natural Gas Brokers/Aggregators*

Dear Docketing Division:

Enclosed for filing with the Commission are an original and three (3) copies of a Motion for Protective Order and a Memorandum in Support relating to the confidentiality of the financial documents in HealthTrust Purchasing Group, L.P.'s ("HPG") Certification Application For Competitive Retail Natural Gas Brokers/Aggregators ("Gas Application"). The financial documents marked as Exhibits C-2, C-3 and C-5 of the Gas Application are labeled "Confidential" and are being filed with the Commission under seal of confidentiality along with this Motion for Protective Order. These documents must not to be disclosed or disseminated to the public without HPG's prior written consent. HPG's Gas Application and public documents are being filed concurrently but separately from this Motion for Protective Order and Memorandum in Support.

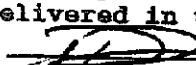
Please date stamp the extra copies of this transmittal letter and Motion, and return them to me in the self-addressed, stamped envelope. If you have any questions regarding these filings, please contact me at your convenience. Thank you.

Very truly yours,



Alan M. Seltzer

AMS/gm

cc: Gary Pack, Chief Legal Officer, HealthTrust Purchasing Group, L.P. an
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**BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of HealthTrust Purchasing	:	
Group, L.P.'s Certification Application	:	Case No. 11- <u>1095</u> -GA-AGG
For Competitive Retail Natural Gas	:	
Brokers/Aggregators	:	


MOTION FOR PROTECTIVE ORDER

HealthTrust Purchasing Group, L.P. ("HPG"), by and through its attorneys, Buchanan Ingersoll & Rooney, P.C. and Alan Michael Seltzer, respectfully requests that the Public Utilities Commission of Ohio ("Commission") issue a Protective Order in this matter pursuant to the provisions of Rule 4901-1-24(D) of the Ohio Administrative Code ("O.A.C.") to protect the confidentiality and prohibit public disclosure and dissemination of certain documents filed simultaneously with this Motion for Protective Order. The financial documents, marked as Exhibits C-2, C-3 and C-5 and part of HPG's Certification Application for Competitive Retail Natural Gas Brokers/Aggregators, contain competitively sensitive and proprietary business/financial information. These documents have been marked as Confidential and are hereby filed under seal, separate from the remainder of the materials that comprise HPG's Certification Application for Competitive Retail Natural Gas Brokers/Aggregators filed simultaneously with this Motion. In addition, because there is a need for continued protection from public disclosure of the aforesaid information, HPG respectfully requests that the Commission issue a Protective Order as provided for in Rule 4901-1-24(F) of the O.A.C. that does not automatically expire 18 months after the date of its issuance.

In support of this Motion, attached is a Memorandum in Support setting forth the grounds for the instant Motion.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY, P.C.

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Dated: February 25, 2011

Attorneys for HealthTrust Purchasing
Group, L.P.

**BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of HealthTrust Purchasing :
Group, L.P.'s Certification Application : Case No. 11-_____-GA-AGG
For Competitive Retail Natural Gas :
Brokers/Aggregators :

MEMORANDUM IN SUPPORT

This Motion for Protective Order and Memorandum in Support on behalf of HealthTrust Purchasing Group, L.P. ("HPG") are being filed with the Public Utilities Commission of Ohio ("Commission") contemporaneously with HPG's Certification Application for Competitive Retail Natural Gas Brokers/Aggregators ("Application"). The Application contains financial statements marked as Exhibits C-3 and C-5 and SEC reports marked as Exhibit C-2 that HPG believes should be treated by the Commission as confidential and held under seal separate and apart from its public files because the documents contain HPG's competitively sensitive and highly propriety business/financial information. Accordingly, HPG requests that the Commission maintain the confidential nature of these documents and the information contained therein and protect the documents from public disclosure.

Rule 4901-1-24(D) of the Ohio Administrative Code ("O.A.C.") provides for the issuance of an order that is necessary to protect the confidentiality of information contained in documents filed at the Commission to the extent that state and federal laws prohibit the release of such information and where non-disclosure of the information is not inconsistent with the purposes of Title 49 of the Revised Code ("R.C."). State law recognizes the need to protect information that is confidential in nature, as is the information in Exhibits C-2, C-3 and C-5. Section 4928.06(F), R.C., specifically permits the Commission to grant confidentiality to competitive information:

"The Commission shall take such measures as it considers necessary to protect the confidentiality of any such information." Public non-disclosure of the information contained in Exhibits C-2, C-3 and C-5 of the Application will not impair the purposes of Title 49 as the Commission and its Staff will have access to the information they need to complete the review process.

HPG and its general partners and majority owners, HCA Inc. and HCA Holdings, Inc., are privately held businesses whose financial statements are not publicly available and public disclosure of this information could hurt their competitive position with other similar businesses licensed in Ohio.

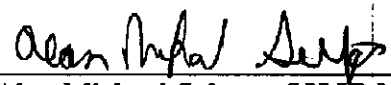
The documents and information contained in Exhibits C-2, C-3 and C-5 of the Application relating to HPG, HCA Inc. and HCA Holdings, Inc. constitute competitively sensitive and highly proprietary business/financial information falling within the statutory characterization of a trade secret as defined by Section 1333.61(D), R.C. The financial statements in Exhibits C-2, C-3 and C-5 contain proprietary data and are confidential. Public disclosure or dissemination of this information would jeopardize HPG's business position and ability to compete. While HPG's financial statements are included at Exhibits C-3 and C-5, and its general partners' Form 10K/8-K and Form 10-Q reports have been filed with the SEC and are included as part of Exhibit C-2, HPG asserts that this information is not generally known by the public in Ohio and is held in confidence in the ordinary and normal course of business. Therefore, HPG requests that the identified financial information contained in Exhibits C-2, C-3 and C-5 of the Application be considered trade secrets, and thus, be treated as confidential by the Commission and its Staff. Unredacted copies of the confidential information are being filed concurrently with the Application, but separate and apart from the Application under seal.

Due to the competitively sensitive and highly proprietary business/financial information and because public disclosure of this information would jeopardize HPG's business position and ability to compete, there is a need for continued and permanent protection from public disclosure. Therefore, HPG respectfully requests that the Commission issue an Order as provided for in Rule 4901-1-24(F) of the O.A.C. granting permanent protection from public disclosure or dissemination and extend beyond the initial 18 months after the date of its issuance.

WHEREFORE, HealthTrust Purchasing Group, L.P. respectfully requests that its Motion for Protective Order be granted for the reasons set forth in this Memorandum in Support.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY, P.C.

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