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BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of)
RD Energy, Inc. for Renewal) Case No. 10-0073-GA-AGG
Certification as a Competitive Retail)
Natural Gas Broker and Aggregator)

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MOTION FOR PROTECTIVE ORDER

Applicant RD Energy, Inc. (hereinafter, "RD Energy" or "Applicant") by and through counsel, moves pursuant to Ohio Administrative Code 4901-1-24(D), for the entry of a Protective Order to designate as confidential its responses to questions C-3 and C-5 in the Commission's Renewal Certification Application for Competitive Retail Natural Gas Aggregators and Brokers. These questions seek information and records which RD Energy considers confidential and proprietary trade secrets, and which are maintained as confidential by the Company. Public disclosure of this information could be potentially harmful to RD Energy's competitive position as an energy provider. RD Energy filed its Renewal Application in this proceeding on the date of filing of this Motion.

RD Energy asks further that its responses to any subsequent requests for additional information or clarification which Staff might make with regard to these same requests also be permitted to be filed under seal, pursuant to the same Protective Order requested herein. The grounds supporting this Motion are fully explained in the attached Memorandum in Support.

RD Energy requests that the Protective Order be effective for a period of twenty-four (24) months from the effective date of the certificate issued to it in this proceeding.

Respectfully submitted,



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MEMORANDUM IN SUPPORT OF PROTECTIVE ORDER

RD Energy incorporated under the laws of the State of Ohio and registered with the Ohio Secretary of State as a for-profit corporation.

In the Renewal Application, Question C-3 requests “copies of the applicant’s two most recent years of audited financial statements (balance sheet, income statement, and cash flow statement)”; Question C-5 requests “two years of forecasted financial statements (balance sheet, income statement, and cash flow statement) for the applicant’s CRNGS operation, along with a list of assumptions, and the name, address, e-mail address, and telephone number of the preparer.” RD Energy gladly provides this information to the Commission, but asks that it be subject to Protective Order due to the confidential, proprietary nature of this information and because its public disclosure might be injurious to the Company’s competitive position. RD Energy is a corporation engaged solely in consultation relating to energy management and the brokering of supply arrangements for its customers and does not make public disclosure of the requested information through SEC filings or otherwise. As such, and given the intense

competition in the CRNGS arena, this information is a legitimate trade secret, access to which could negatively affect RD Energy's competitive position.

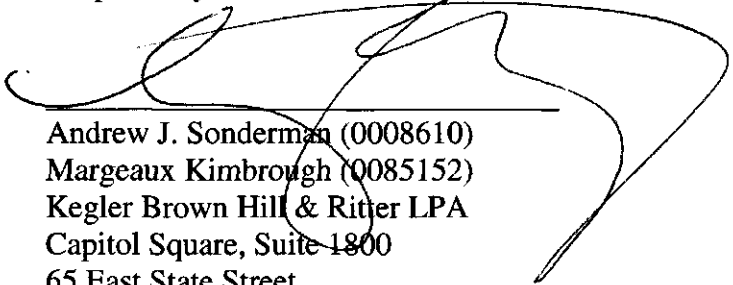
This request for a Protective Order is reasonable, necessary and will not prejudice any other party or individual. In fact, to the extent RD Energy's ability to compete effectively is preserved, Ohio consumers will be better served. Fair competition is the philosophical basis for the CRNGS statute and implementing regulations.

Applicant notes that a similar Motion for Protective Order, filed by T.E.S. Energy Services, L.P. with respect to its approved Application for certification as a competitive retail natural gas broker with respect to Exhibits C-3, C-5, and C-7, was granted by Entry dated April 14, 2011, *In the Matter of the Application of T.E.S. Energy Services, L.P. for Certification as a Competitive Retail Natural Gas Broker*, Case No. 11-1209-GA-AGG. RD Energy submits that the basis for the Attorney Examiner to grant the Motion with respect to RD Energy's pending Renewal Application is equally compelling here as it was in that proceeding.

For all of the foregoing reasons, RD Energy, Inc. respectfully requests that a Protective Order be issued which permits it to file its responses to CRNGS Broker's Renewal Application Questions C-3 and C-5 under seal and requires those with access to those responses to treat them in a confidential manner for a period of twenty-four (24) months from the effective date of the certificate issued in this proceeding. RD Energy, Inc. further requests that should Staff seek any additional information or clarification with respect to its responses to Questions C-3 and C-5, those also be permitted to be filed under seal and subject to the same Protective Order.

In compliance with Ohio Administrative Code 4901-01-24(D)(2), three (3) unredacted copies of the confidential information in response to Questions C-3 and C-5 are being submitted under seal with this Motion.

Respectfully submitted,

A large, stylized handwritten signature in black ink, likely belonging to Andrew J. Sonderman, is written over the contact information.

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