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BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO

PUCO

- In the Matter of the Application of )  
The Dayton Power and Light Company ) Case No. 12-426-EL-SSO  
for Approval of Its Market Rate Offer. )
- In the Matter of the Application of )  
The Dayton Power and Light Company ) Case No. 12-427-EL-ATA  
for Approval of Revised Tariffs. )
- In the Matter of the Application of )  
The Dayton Power and Light Company ) Case No. 12-428-EL-AAM  
for Approval of Certain Accounting )  
Authority. )
- In the Matter of the Application of )  
The Dayton Power and Light Company ) Case No. 12-429-EL-WVR  
for Waiver of Certain Commission Rules. )
- In the Matter of the Application of )  
The Dayton Power and Light Company ) Case No. 12-672-EL-RDR  
to Establish Tariff Riders. )

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MOTION OF INDUSTRIAL ENERGY USERS-OHIO  
FOR PROTECTIVE ORDER  
AND MEMORANDUM IN SUPPORT

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March 1, 2013

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**MOTION OF INDUSTRIAL ENERGY USERS-OHIO  
FOR PROTECTIVE ORDER**

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Pursuant to the provisions of Rule 4901-1-24(D), Ohio Administrative Code ("O.A.C."), the Industrial Energy Users-Ohio ("IEU-Ohio") respectfully requests that the Public Utilities Commission of Ohio ("Commission") issue a protective order for the confidentiality of the response to Question 24 in the Direct Testimony of J. Edward Hess filed on behalf of IEU-Ohio on March 1, 2013 in this proceeding for the reasons set forth in the attached Memorandum in Support.

Respectfully submitted,

*Matt Pritchard*

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**MEMORANDUM IN SUPPORT**

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Contemporaneous with this motion, IEU-Ohio has filed the Direct Testimony of J. Edward Hess in an unredacted form and under seal. By this motion, IEU-Ohio requests confidential treatment for the response to Question 24 in the Direct Testimony of J. Edward Hess that contains material from a response to FirstEnergy Solutions' Eighth Set of Discovery Responses, Interrogatory No. 8-13. The Dayton Power & Light Company ("DP&L") has designated the response as confidential and competitively sensitive and produced the response subject to a protective agreement between DP&L and IEU-Ohio. IEU-Ohio takes no position as to whether the information is a

confidential trade secret under Ohio law, but files this Motion for Protective Order and Memorandum in Support pursuant to a protective agreement executed by IEU-Ohio and DP&L.

WHEREFORE, IEU-Ohio respectfully requests that this Motion for Protective Order be granted for the reasons set forth herein.

Respectfully submitted,



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## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing *Motion of Industrial Energy Users-Ohio for Protective Order and Memorandum in Support* was served upon the following parties of record this 1<sup>st</sup> day of March 2013, via electronic transmission, hand-delivery or first class U.S. mail, postage prepaid.



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