

**BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO**

ANNE L. LAUDERDALE,
990 Calumet Lane
Dayton, OH 45417

Case No. 13-1233-EL-CSS

Complainant

v.

DAYTON POWER & LIGHT and VERDE ENERGY
USA OHIO, LLC,

Respondents.

**MOTION FOR PROTECTIVE ORDER OF VERDE ENERGY USA OHIO, LLC OR,
IN THE ALTERNATIVE, A REQUEST FOR WAIVER**

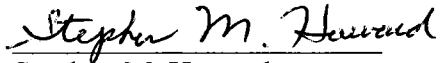
Pursuant to Rule 4901-1-24(D) of the Ohio Administrative Code (“OAC”), Verde Energy USA Ohio, LLC (“Verde”) respectfully moves for a protective order to protect the account number contained in the Answer, the Compact Disc marked as Exhibit A containing the audio of the third party verification of the complainant’s enrollment, and the account number contained on Exhibit B, the transcription of the complainant’s third party verification. Rule 4901:1-21-10(B) of the OAC prohibits a competitive retail electric service provider such as Verde from disclosing a customer’s account number without the customer’s consent. Verde does not have that consent. However, the complainant wrote the account number on its complaint which was publicly filed on May 22, 2013 in Case No. 13-1233-EL-CSS. In the alternative, Verde respectfully requests that the Commission waive the provisions of Rule 4901:1-21-10(B) of the Ohio Administrative Code in this situation because the complainant has publicly disclosed its utility account number in the complaint.

WHEREFORE, Verde Energy USA Ohio, LLC respectfully moves for a protective order protecting the unredacted version of the Answer, Exhibit A, and the public version of Exhibit B under seal, or, in the alternative, a Commission Entry waiving the provisions of Rule 4901:1-21-

10(B) of the Ohio Administrative Code with respect to the disclosure in this case of the complainant's utility account number.

Respectfully submitted,

VORYS, SATER, SEYMOUR & PEASE LLP

A handwritten signature in cursive script that reads "Stephen M. Howard". The signature is written in dark ink and is positioned above a horizontal line.

Stephen M. Howard
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Attorneys for Verde Energy USA Ohio, LLC

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MEMORANDUM IN SUPPORT

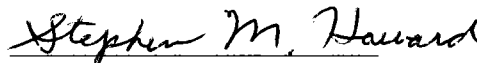
On May 22, 2013, Anne L. Lauderdale filed a complaint in Case No. 13-1233-EL-CSS. In that one page complaint which was publicly filed, she listed her utility account number.

Rule 4901:1-21-10(B) of the Ohio Administrative Code prohibits a competitive retail electric service provider from disclosing a customer's account number without that customer's consent. Verde does not have the customer's consent. However, the customer did write the account number on the complaint which was publicly filed.

Verde respectfully requests that the Commission either grant its motion for protective order so that the unredacted version of the Answer, Exhibit A and Exhibit B which all contain the account number can be protected under seal. In the alternative, Verde respectfully requests that the Commission grant a waiver from the requirements of Rule 4901:1-21-10(B) of the Ohio Administrative Code in this situation because the complainant has publicly filed the account number in the context of its complaint.

Respectfully submitted,

VORYS, SATER, SEYMOUR & PEASE LLP

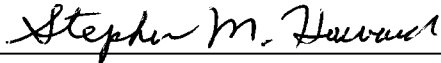


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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing document was served on Anne L. Lauderdale, 990 Calumet Lane, Dayton, Ohio 45417 and upon Ms. Dona Seger-Lawson, Dayton Power & Light Company, 10625 Woodman Drive, Dayton, Ohio 45432 via U.S. First Class Mail, postage prepaid, this 11th day of June, 2013.



Stephen M. Howard

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

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in

Case No(s). 13-1233-EL-CSS

Summary: Motion Motion for Protective Order or, in the Alternative, a Request for Waiver electronically filed by Mr. Stephen M Howard on behalf of Verde Energy USA Ohio, LLC