



Respectfully submitted,

BORDER ENERGY ELECTRIC SERVICES, INC.

By: /s/ Stephanie M. Chmiel  
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The Ohio Supreme Court adopted six factors to be used in determining whether a trade secret claim meets the statutory definition:

- 1) The extent to which the information is known outside the business;
- 2) The extent to which it is known to those inside the business, i.e., by the employees;
- 3) The precautions taken by the holder of the trade secret to guard the secrecy of the information;
- 4) The savings effected and the value to the holder in having the information as against competitors;
- 5) The amount of effort or money expended in obtaining and developing the information; and
- 6) The amount of time and expense it would take for others to acquire and duplicate the information.

*State ex rel. The Plain Dealer v. Ohio Dept. of Ins.*, 80 Ohio St.3d 513, 524-525 (1997).

The Confidential Information is not known outside of Border and is known within Border only to senior managers and a limited number of employees with a particular need to know. Border has taken precautions to guard the secrecy of the Confidential Information by limiting its dissemination. Further, Border expended a significant amount of time and money in developing the Confidential Information. Disclosure of the Confidential Information would harm Border's competitive position in the marketplace. (*See* Affidavit of Andrew Mitrey, President, Border Energy Electric Services, Inc., attached hereto.)

The protection of trade secret information from public disclosure is consistent with the purposes of Title 49 because the Commission and its Staff have access to the information. Granting protection of the Confidential Information requested herein will not, therefore, impair the Commission's regulatory responsibilities.

Confidential treatment of Table 1 of the Report is therefore both appropriate and required by Ohio law and the Commission's rules. For the foregoing reasons, Border Energy Electric Services, Inc. prays that its Motion for Protective Order be granted.

Respectfully submitted,

BORDER ENERGY ELECTRIC SERVICES, INC.

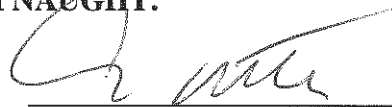
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interest to competitors. Consequently, Border is requesting that the Forecasted Load and REC Information not be disclosed to the public.

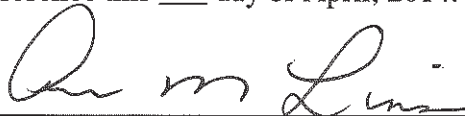
5. The Forecasted Load and REC Information derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can derive economic value from its disclosure or use.
6. The Forecasted Load and REC Information is provided only to Border's senior management and a restricted list of employees who have a particular need to know the Information.
7. The Forecasted Load and REC Information is indicative of Border's current and future business plans and, therefore, public disclosure of the Forecasted Load and REC Information would place Border at a competitive and economic disadvantage.
8. The Forecasted Load and REC Information is the subject of efforts by Border that are reasonable under the circumstances to maintain its secrecy.
9. Border has expended a significant amount of time and money to develop the Forecasted Load and REC Information. Disclosure of the Forecasted Load and REC Information would harm Border's competitive position in the marketplace.

**FURTHER AFFIANT SAYETH NAUGHT.**

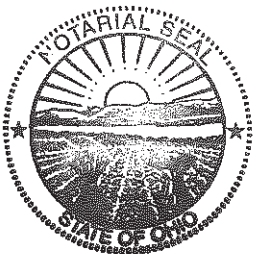


Andrew Mitrey

Sworn to before me and subscribed in my presence this 1<sup>st</sup> day of April, 2014.



Notary Public



**ANN M LINN**  
Notary Public  
In and for the State of Ohio  
My Commission Expires  
March 05, 2017

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Summary: Motion For Protective Order electronically filed by Ms. Stephanie M Chmiel on behalf of Border Energy Electric Services, Inc.