

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of)
Duke Energy Ohio, Inc., to Adjust)
Rider DR-IM and Rider AU for)
2010 SmartGrid Costs and Mid-)
Deployment Review.)

Case No. 10-2326-GE-RDR

**REPLY TO MEMO CONTRA
THE CONTINUATION OF THE PROTECTIVE ORDER**

The Office of the Ohio Consumers' Counsel seems to have lost touch with any perspective on what it takes in today's world to keep data secure. Incredibly, in this case, the OCC opposes the Company's motion to extend a protective order that was designed to protect highly sensitive information that could be used to assist a potential hacker to gain access to Duke Energy Ohio, Inc's (Duke Energy Ohio) data systems. It is difficult to believe that OCC's policies might be this far out of touch with reality. The other possibility is that OCC seeks to use its motion only to complain again about a SmartGrid deployment that it explicitly agreed to for many years.

OCC states that "Duke claims that the redacted discussions in the MetaVu Report concerning data privacy, data security the assessment of its conformity to Guidelines and Practices, and forecast information from 2011 still deserve protection." OCC further states that [t]he PUCO must make its own determination regarding whether the information should remain concealed from public view under the law." Indeed, that is the purpose of filing the motion in the first place and the Company agrees that the Commission should do exactly that.

Rule 4901-1-24, O.A.C. provides that unless otherwise ordered, protective orders automatically expire after 18 months. However, as the Commission has noted previously, CEII

is not as dynamic as financial information and is granted protective treatment for security purposes.¹

Federal law prohibits the release of the Confidential Information. Following the terrorist attacks of September 11, 2001, the Federal Energy Regulatory Commission (FERC) issued Order 662, thereby removing certain documents likely to contain CEII from ready public access. The release of CEII would place the electric distribution system in an unsafe and unreliable situation by creating security issues and inviting criminal or terrorist activity intended to threaten persons and property

In view of these circumstances, continued confidential treatment of the Confidential Information is required by Federal law, Ohio law, and the Commission's regulations. For the foregoing reasons, Duke Energy Ohio respectfully requests that the Commission grant its Motion to Extend the Protective Order pursuant to O.A.C. 4901-1-24(F).

Respectfully submitted,
DUKE ENERGY OHIO, INC.

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¹*In the Matter of the Application of Columbus Southern Power Company and Ohio Power Company for Authority to Recover Costs Associated with the Ultimate Construction and Operation of an Integrated Gasification Combined Cycle Electric Generation Facility, Case No.05-376-EL-UNC, Opinion and Order, (March 2, 2011) at p.7.*

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing has been served upon the following parties via electronic mail, regular mail or by hand delivery this 12 th day of December , 2018.

Elizabeth H. Watts

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This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

12/12/2018 3:15:05 PM

in

Case No(s). 10-2326-GE-RDR

Summary: Reply Reply to Memo Contra the Continuation of the Protective Order electronically filed by Mrs. Debbie L Gates on behalf of Duke Energy Ohio Inc. and D'Ascenzo, Rocco O. Mr. and Watts, Elizabeth H