

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Inspire)	
Energy Holdings, LLC for Certification as a)	Case No. 21-0301-GA-CRS
Competitive Retail Natural Gas Supplier)	

MOTION FOR PROTECTIVE ORDER

Inspire Energy Holdings, LLC (Inspire), pursuant to Rule 4901-1-24(D), O.A.C., respectfully requests issuance of a protective order. The protective order is needed to prevent public disclosure of certain confidential and proprietary information contained in Exhibits B-2, C-2, C-3, C-5, and C-9 to Inspire’s application for certification as a competitive retail natural gas supplier, filed on March 31, 2021. Unredacted copies of the confidential information which is the subject of this motion have been filed under seal.

Under Rule 4901-1-24(A)(7), the Commission may issue an order prohibiting public disclosure of “trade secret or other confidential research, development, commercial, or other information[.]” Additionally, Rule 4901-1-24(D), the Commission may issue a protective order “which is necessary to protect the confidentiality of information contained in the document, to the extent that state or federal law prohibits the release of the information, including where the information is deemed by the commission . . . to constitute a trade secret under Ohio law, and where nondisclosure of the information is not inconsistent with the purposes of Title 49 of the Revised Code.”

The following factors are relevant to whether information constitutes a “trade secret” under Ohio law:

- (1) The extent to which the information is known outside the business;
- (2) the extent to which it is known 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 (1997).

Exhibits B-2, C-2, C-3, C-5, and C-9 to the Application contain highly confidential trade secret information. First, Inspire does not enclose the information contained in the Exhibits to anyone outside of the company other than its attorneys and accountants. Second, within the company, Inspire only discloses this information to its management team. Third, Inspire has taken appropriate precautions to guard the secrecy of the information including stamping it as confidential in the ordinary course of business and filing it under seal in other jurisdictions where it serves as an electric or natural gas supplier. Finally, release of the information Inspire seeks to protect is likely to result in a competitive disadvantage, as it contains the intimate details of Inspire's current and projected finances and its strategic allocation of resources for the Ohio electric and natural gas market.

For the foregoing reasons, the Commission, pursuant to Rule 4901-1-24(D), should grant Inspire's motion for a protective order.

Dated: March 31, 2021

Respectfully submitted,

/s/ Lucas A. Fykes

Mark A. Whitt (0067996)

Lucas A. Fykes (0098471)

WHITT STURTEVANT LLP

The KeyBank Building, Suite 1590

88 East Broad Street

Columbus, Ohio 43215

Telephone: (614) 224-3946

Facsimile: (614) 224-3960

whitt@whitt-sturtevant.com

fykes@whitt-sturtevant.com

Attorneys for Inspire Energy Holdings, LLC

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Summary: Motion Motion for Protective Order electronically filed by Ms. Valerie A Cahill on behalf of Inspire Energy Holdings, LLC