

In the Matter of the Review of the)
Reconciliation Rider of Duke Energy Ohio,) Case No. 20-167-EL-RDR
Inc.)

The Office of the Ohio Consumers' Counsel ("OCC") hereby moves the Public Utilities Commission of Ohio ("PUCO") for a protective order regarding information asserted to be confidential by the Duke Energy Ohio ("Duke").¹ As part of discovery in this proceeding, Duke provided information to OCC, subject to a protective agreement, and Duke asserts that this information constitutes trade secret information under Ohio law.

OCC hereby requests that, in accordance with Ohio Adm. Code. 4901-1-02(E), the PUCO issue such order as is necessary to protect the undisclosed (redacted) portions of the Testimony of Devi Glick on Behalf of the Office of the Ohio Consumers' Counsel (the "Glick Testimony") that are asserted to be confidential by Duke. Subject to OCC's rights under the protective agreement, OCC is filing the Glick Testimony under seal and is also filing a public version that shows all information not claimed by the Duke to be confidential.

By filing this motion, OCC does not concede that the information constitutes trade secret information. But OCC acknowledges that it has obtained this information under a protective agreement with Duke that provides for such information to be treated as confidential and

¹ This Motion is filed pursuant to Ohio Am. Code 4901-1-02(E), 4901-1-12, and 4901-1-24(D).

protected unless and until the PUCO rules that the information must be publicly disclosed under Ohio law.

The grounds for this motion are more fully described in the accompanying memorandum in support.

Respectfully submitted,

Bruce Weston (0016973)
Ohio Consumers' Counsel

/s/ Angela D. O'Brien
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For the foregoing reasons and subject to the foregoing reservations of rights, this motion should be granted at this time.

Respectfully submitted,

Bruce Weston (0016973)
Ohio Consumers' Counsel

/s/ Angel D. O'Brien
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the Motion for Protective Order was served on the persons stated below via electronic transmission this 26th day of October 2021.

/s/ Angela D. O'Brien

Angela D. O'Brien

Assistant Consumers' Counsel

The PUCO's e-filing system will electronically serve notice of the filing of this document on the following parties:

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Summary: Motion Motion for Protective Order by Office of the Ohio Consumers'
Counsel electronically filed by Ms. Deb J. Bingham on behalf of O'Brien, Angela
Ms.