

**BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Review of the Power)	
Purchase Agreement Rider of Ohio Power)	Case No. 18-1004-EL-RDR
Company for 2018.)	
)	
In the Matter of the Review of the Power)	
Purchase Agreement Rider of Ohio Power)	
Company for 2019.)	Case No. 18-1759-EL-RDR

NRDC’S MOTION FOR PROTECTIVE ORDER

Pursuant to Rule 4901-1-24, Ohio Administrative Code, the Natural Resources Defense Council (“NRDC”) respectfully requests that the Public Utilities Commission of Ohio (“Commission”) issue a protective order for the confidentiality of portions of the Direct Testimony of Jeremy I. Fisher, including Attachment JIF-6 of his testimony, which was filed on December 29, 2021, in this proceeding. NRDC seeks this protective order for the reasons set forth in the attached Memorandum in Support.

Dated: December 29, 2021

Respectfully submitted,

/s/Robert Dove
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**MEMORANDUM IN SUPPORT OF
NRDC’S MOTION FOR PROTECTIVE ORDER**

Contemporaneous with this Motion, NRDC has filed the Direct Testimony of Jeremy I. Fisher (“Fisher Direct Testimony”) with the Commission. NRDC has filed the Fisher Direct Testimony in both a redacted, public form and in an unredacted form under seal. By this Motion, NRDC requests confidential treatment of the unredacted portions of the Fisher Direct Testimony filed under seal, including attachment JIF-6, which include information provided to NRDC by the Ohio Power Company (“AEP Ohio”).

NRDC received information from AEP Ohio pursuant to a non-disclosure agreement (“NDA”) between NRDC and AEP Ohio. AEP Ohio has designated certain information produced under this NDA as competitively sensitive confidential and/or trade secrets and has produced the information subject to this NDA. Some of this information is included in the Fisher Direct Testimony. NRDC seeks protective treatment for this AEP Ohio-provided information that is being filed under seal and that has been included in Fisher Direct Testimony. NRDC reserves the right to challenge whether the information is a confidential trade secret under

Ohio law, but files this Motion for Protective Order and Memorandum in Support pursuant to a protective agreement with AEP Ohio.

Rule 4901-1-24(D), O.A.C., provides that the Commission or certain designated employees may issue an order which is necessary to protect the confidentiality of information contained in documents filed with the Commission's Docketing Division to the extent that state or federal law prohibits the release of the information and where non-disclosure of the information is not inconsistent with the purposes of Title 49 of the Revised Code. Trade secrets, as referenced in Rule 4901:1-24(D) and defined in R.C. 1333.61(D), are subject to protection from public disclosure by the Commission. In sum, NRDC seeks protective treatment for this AEP Ohio-provided information that is being filed under seal.

NRDC respectfully requests that this Motion for Protective Order be granted for the reasons set forth herein.

Dated: December 29, 2021

Respectfully submitted,

/s/Robert Dove

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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing NRDC 's Motion for Protective Order has been served upon the following parties via electronic mail on December 29, 2021.

/s Robert Dove

**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). 18-1759-EL-RDR, 18-1004-EL-RDR

Summary: Motion for a Protective Order electronically filed by Mr. Robert Dove on
behalf of Natural Resources Defense Council