

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)	Case No. 18-1759-EL-RDR
Company for 2019.)	

**MOTION FOR PROTECTIVE ORDER
OF
THE OHIO MANUFACTURERS' ASSOCIATION ENERGY GROUP**

Pursuant to Ohio Adm. Code 4901-1-02(E), 4901-1-12, and 4901-1-24(D), the Ohio Manufacturers' Association Energy Group (OMAEG) hereby files this motion for protective order (Motion) with the Public Utilities Commission of Ohio (Commission), seeking protective treatment of information asserted to be confidential by Ohio Power Company (AEP Ohio). The Testimony of John Seryak contains information from the document titled "Audit of the OVEC Power Purchase Agreement Rider of AEP Ohio," which AEP Ohio asserts constitutes trade secret information under Ohio law, as well as other information that has been deemed to be confidential.

OMAEG hereby requests that, in accordance with Ohio Adm. Code. 4901-1-02(E), the Commission issue such order as is necessary to protect the information contained in the redacted portions of the Testimony of John Seryak, which AEP Ohio has asserted are confidential, or have been previously deemed confidential in other proceedings. Pursuant to OMAEG's rights under its protective agreement with AEP Ohio, OMAEG is filing the

Testimony of Mr. Seryak under seal, and is also filing a public version of the Testimony of John Seryak which includes all information not claimed or deemed to be confidential.

By filing this Motion for protective order, OMAEG does not concede that the information for which protection is sought constitutes trade secret information; however, OMAEG acknowledges that it has obtained said information pursuant to a protective agreement that provides for such information to be treated as confidential and protected (subject to OMAEG's right under the protective agreement to initiate a process by which the Commission may determine whether the information should be afforded confidential treatment under Ohio law). The grounds for this Motion are more fully discussed in the accompanying memorandum in support.

Respectfully Submitted,

/s/ Thomas V. Donadio

Kimberly W. Bojko (0069402)

Thomas V. Donadio (0100027)

Carpenter Lipps & Leland LLP

280 Plaza, Suite 1300

280 North High St.

Columbus, Ohio 43215

Telephone: (614) 365-4100

bojko@carpenterlipps.com

donadio@carpenterlipps.com

(willing to accept service by email)

*Counsel for the Ohio Manufacturers'
Association Energy Group*

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MEMORANDUM IN SUPPORT

OMAEG files its Motion contemporaneously with the Testimony of John Seryak in the above-captioned proceeding. In filing this Motion, OMAEG does not concede that the information in the Testimony of John Seryak is trade secret information pursuant to R.C. 1333.61(D), and further does not concede that the information is deserving of protection from public disclosure under Ohio Adm. Code 4901-1-24(D).

OMAEG understands that AEP Ohio and others consider the information contained in the redacted portions of the Testimony of John Seryak to be confidential and deserving of protection as trade secret information pursuant to R.C. 1333.61(D). OMAEG's understanding is based on claims by AEP Ohio and others that the information would enable competitors to ascertain the manner in which the Ohio utilities plan and manage OVEC's output and the costs associated therewith.¹

Under the assertions made by AEP Ohio and others, at this time, confidential treatment of the information contained in the redacted portions of the Testimony of John Seryak would be appropriate, subject to OMAEG's rights under its protective agreements

¹ See AEP Ohio's Motion for a Protective Order (September 21, 2020).

to initiate a process to determine whether the information should be protected. In addition, OMAEG is filing a public version of the Testimony of John Seryak so that all information not claimed by AEP Ohio to be confidential is accessible to the public.

For the aforementioned reasons, the Commission should grant the Motion for protective sought herein.

Respectfully Submitted,

/s/ Thomas V. Donadio

Kimberly W. Bojko (0069402)

Thomas V. Donadio (0100027)

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280 Plaza, Suite 1300

280 North High St.

Columbus, Ohio 43215

Telephone: (614) 365-4100

bojko@carpenterlipps.com

donadio@carpenterlipps.com

(willing to accept service by email)

*Counsel for the Ohio Manufacturers'
Association Energy Group*

CERTIFICATE OF SERVICE

The Public Utilities Commission of Ohio's e-filing system will electronically serve notice of the filing of this document on the parties referenced on the service list of the docket card who have electronically subscribed to the case. In addition, the undersigned hereby certifies that a copy of the foregoing document also is being served via electronic mail on December 29, 2021 upon the parties listed below.

/s/ Thomas V. Donadio

Thomas V. Donadio

*Counsel for the Ohio Manufacturers'
Association Energy Group*

stnourse@aep.com
kyle.kern@ohioattorneygeneral.gov
thomas.lindgren@ohioattorneygeneral.gov
mkurtz@BKLawfirm.com
kboehm@BKLawfirm.com
jkylercohn@BKLawfirm.com
mpritchard@mcneeslaw.com
tlong@mcneeslaw.com
bmckenney@mcneeslaw.com
christopher.healey@occ.ohio.gov
william.michael@occ.ohio.gov
john.finnigan@occ.ohio.gov
rdove@keglerbrown.com
megan.wachpress@sierraclub.org
alexander@beneschlaw.com
ssiewe@beneschlaw.com

Attorney Examiners:

sarah.parrot@puco.ohio.gov
greta.see@puco.ohio.gov

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Case No(s). 18-1004-EL-RDR, 18-1759-EL-RDR

Summary: Motion for Protective Order electronically filed by Mrs. Kimberly W. Bojko
on behalf of OMA Energy Group