

BEFORE THE OHIO POWER SITING BOARD

In the Matter of the Amendment to the)	
Certificate of Environmental Compatibility and)	
Public Need for the West Milton-Eldean)	Case No. 21-897-EL-BTA
138 kV Transmission Line Project of)	
The Dayton Power and Light Company d/b/a)	
AES Ohio)	

MOTION OF THE DAYTON POWER AND LIGHT COMPANY d/b/a AES OHIO
FOR AND MEMORANDUM IN SUPPORT OF PROTECTIVE ORDER

Pursuant to Ohio Admin. Code § 4901-1-24(D), The Dayton Power and Light Company d/b/a AES Ohio (“AES Ohio” or “the Company”) moves for the entry of a Protective Order to exempt from public disclosure certain information that is confidential and culturally sensitive. The information at issue involves the identification of the location historic sites, including burial grounds and other sites of archeological significance. Providing such information in a public filing creates an increased potential for disturbance from individuals who have a hobbyist’s interest in collecting material from some sites. Specifically, AES Ohio requests that the information submitted in Appendices 7-3, 7-4, and 7-5 of this Case pursuant to O.A.C. 4906-5 be exempted from public disclosure as confidential. In accordance with O.A.C. § 4901-1-24(D)(2), copies of the Confidential Information were filed under seal in this Case in binders labeled with the Case Number and the relevant Appendix number and submitted in compliance with O.A.C. § 4906-5 of the Company’s Application. The Ohio Power Siting Board (“OPSB”) and its Staff therefore has full access to the Confidential Information in order to fulfill its statutory obligations. For these foregoing reasons, AES Ohio requests that the Board or its delegated official issue a Protective Order that permits the Confidential Information to be designated as confidential and to remain under seal.

Respectfully submitted,

ss: *Randall V. Griffin*
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Attorney for The Dayton Power and Light Company
(willing to accept service via email).

January 13, 2022

SERVICE

On this date, January 13, 2022, I, Randall V. Griffin, certify that I have served via e-mail a copy of the foregoing pleading on the following attorneys of record:

Matthew.butler@puc.state.oh.us

ss: *Randall V. Griffin*

**This foregoing document was electronically filed with the Public Utilities
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in

Case No(s). 21-0897-EL-BTA

Summary: Motion and Memorandum in Support of Motion for a Protective Order
electronically filed by Mr. Randall V. Griffin on behalf of The Dayton Power and
Light Company