

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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

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

**MEMORANDUM CONTRA MOTION OF AEP FOR PROTECTIVE ORDER
BY
OFFICE OF THE OHIO CONSUMERS' COUNSEL**

AEP has moved to keep confidential (from the public) the September 1, 2020 draft report of the Auditor hired by the Public Utilities Commission of Ohio (“PUCO”). This matter is straightforward. AEP has failed to satisfy O.A.C. 4901-1-24(D).

Under this Rule, the PUCO is required to “minimize” the information to be protected. And AEP is required to limit redactions to information that is “essential to prevent disclosure of the allegedly confidential information.”

The PUCO would know from the information in the public record of this case that AEP, with its board-brush approach, has failed to follow the Rule. AEP’s motion for protection should be denied.

Respectfully submitted,

Bruce Weston (0016973)
Ohio Consumers' Counsel

/s/ John Finnigan

John Finnigan (0018689)
Counsel of Record
William Michael (0070921)
Assistant Consumers' Counsel

Office of the Ohio Consumers' Counsel

65 East State Street, Suite 700
Columbus, Ohio 43215
Telephone [Finnigan]: (614) 466-9585
Telephone [Michael]: (614) 466-1291
john.finnigan@occ.ohio.gov
william.michael@occ.ohio.gov
(willing to accept service by e-mail)

CERTIFICATE OF SERVICE

It is hereby certified that a true copy of the foregoing Memorandum Contra Motion of AEP for Protective Order was served upon the persons listed below by electronic transmission this 1st day of April 2022.

/s/ John Finnigan
John Finnigan
Assistant Consumers' Counsel

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

SERVICE LIST

thomas.lindgren@ohioAGO.gov
kyle.kern@ohioAGO.gov
mkurtz@BKLawfirm.com
kboehm@BKLawfirm.com
jkylern@BKLawfirm.com
rdove@keglerbrown.com

Attorney Examiners:
sarah.parrot@puco.ohio.gov
greta.see@puco.ohio.gov

stnourse@aep.com
EGallon@porterwright.com
mjschuler@aep.com
matthew@msmckenzieltd.com
mpritchard@mcneeslaw.com
bmckenney@mcneeslaw.com
megan.wachpress@sierraclub.org
kristin.henry@sierraclub.org
tony.mendoza@sierraclub.org
bojko@carpenterlipps.com
paul@carpenterlipps.com

**This foregoing document was electronically filed with the Public Utilities
Commission of Ohio Docketing Information System on**

4/1/2022 5:11:44 PM

in

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

Summary: Memorandum Memorandum Contra Motion of AEP for Protective Order
by Office of the Ohio Consumers' Counsel electronically filed by Ms. Alana M.
Noward on behalf of Finnigan, John