

**BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO**

THOMAS GALLAGHER,)	
)	
Complainant,)	
)	
vs.)	CASE NO. 21-0864-EL-CSS
)	
THE CLEVELAND ELECTRIC)	
ILLUMINATING COMPANY,)	
)	
Respondent.)	

**THE CLEVELAND ELECTRIC ILLUMINATING COMPANY’S MOTION FOR
PROTECTIVE ORDER**

Pursuant to O.A.C. 4901-1-24(D), The Cleveland Electric Illuminating Company (“CEI”) moves for a protective order keeping confidential the information identified on Attachment A, which includes the following customer-specific information:

- Complainant Thomas Gallagher’s (“Complainant”) electric consumption history, charges, amount paid, and account balance as detailed in his account statements from CEI.

Ohio Adm. Code 4901:1-10-24(E) prohibits disclosure by an electric distribution utility of customer-specific information. A Memorandum in Support of this Motion is attached hereto and incorporated herein by reference.

Respectfully submitted,

/s/ Christopher A. Rogers

Christopher A. Rogers (100781)

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MEMORANDUM IN SUPPORT OF MOTION FOR PROTECTIVE ORDER

The Cleveland Electric Illuminating Company (“CEI”) requests that the Commission protect from public disclosure the following customer-specific information, which is contained and/or referenced in the testimony of CEI’s witness:

- Complainant Thomas Gallagher’s (“Complainant”) electric consumption history, charges, amount paid, and account balance as detailed in his account statements from CEI.

The referenced information is pertinent to the issues raised in this matter and is contained and/or referenced in the testimony of CEI’s witness Princess Davis. However, it is also the type of customer-specific information that CEI generally deems to be confidential.

Ohio law and the Commission’s rules provide for the protection of such confidential and proprietary information. Specifically, O.A.C. 4901-1-24(A) provides the Commission may issue:

[A]ny order that is necessary to protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense. Such a protective order may provide that: . . .

(7) A trade secret or other confidential research, development, commercial, or other information not be disclosed or be disclosed only in a designated way.

Pursuant to O.A.C. 4901-1-24(D), the Commission also may issue an order to protect the confidentiality of information contained in documents filed with the Commission 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. Here, the information CEI seeks to protect is customer-specific information that CEI generally deems to be confidential; thus, it warrants the Commission’s protection, and non-disclosure is not inconsistent with the purposes of Title 49. The Commission and its Staff will have full access to the information in order to fulfill their statutory obligations.

For the foregoing reasons, The Cleveland Electric Illuminating Company requests that the Commission protect from public disclosure the documents and information referenced in Attachment A, which is contained in the pre-filed testimony of The Cleveland Electric Illuminating Company's witness Princess Davis.

Respectfully submitted,

/s/ Christopher A. Rogers

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ATTACHMENT A

Direct Testimony of Princess Davis

- Page 5, Lines 8-9: Meter read detailing Complainant's consumption
- Page 5, Line 6: Details amount due and amount past due
- Page 5, Line 23: Meter read detailing Complainant's consumption
- Page 6, Line 5: Meter read detailing Complainant's consumption
- Page 10, Line 15: Details amount past due
- Exhibit C.1: Complainant's Statement of Account detailing monthly consumption history, charges based on consumption, payments, and outstanding balance
- Exhibit C.2: Complainant's Statement of Account detailing monthly consumption history, charges based on consumption, payments, and outstanding balance

CERTIFICATE OF SERVICE

On May 3, 2022, the foregoing document was filed on the Public Utilities Commission of Ohio's Docketing Information System. The PUCO's e-filing system will electronically serve notice of the filing of this document on all parties of record in this proceeding. A service copy has been sent by U.S. Mail on this 3rd day of May 2022 to the Complainant at the following address:

Mr. Thomas Gallagher
8484 Stearns Road
Olmsted Falls, Ohio 44138

/s/ Christopher A. Rogers

Attorney for Respondent

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

5/3/2022 3:34:23 PM

in

Case No(s). 21-0864-EL-CSS

Summary: Motion THE CLEVELAND ELECTRIC ILLUMINATING COMPANY'S
MOTION FOR PROTECTIVE ORDER electronically filed by Mr. Christopher
Rogers on behalf of The Cleveland Electric Illuminating Company