

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In The Matter of The Application of Columbia Gas of Ohio, Inc. for Authority to Amend its Filed Tariffs to Increase the Rates and Charges for Gas Services and Related Matters.)	Case No. 21-637-GA-AIR
In The Matter of The Application of Columbia Gas of Ohio, Inc. for Approval of an Alternative form of Regulation.)	Case No. 21-638-GA-ALT
In The Matter of The Application of Columbia Gas of Ohio, Inc. for Approval of a Demand Side Management Program for Its Residential and Commercial Customers.)	Case No. 21-639-GA-UNC
In The Matter of The Application of Columbia Gas of Ohio, Inc. for Approval To Change Accounting Methods)	Case No. 21-640-GA-AAM

**MOTION FOR PROTECTIVE ORDER
BY
OHIO SCHOOLS COUNCIL**

The Ohio Schools Council (“OSC”) hereby moves the Public Utilities Commission of Ohio (“PUCO”) for a protective order regarding information asserted to be confidential and/or competitively sensitive by Columbia Gas of Ohio (“Columbia). This Motion is filed pursuant to Ohio Adm. Code 4901-1-02(E), 4901-1-12 and 4901-1-24(D).

As part of discovery in this proceeding, Columbia provided information to OSC, subject to a protective agreement, and Columbia asserts that this information is confidential and/or competitively sensitive under Ohio law. The direct testimony of OSC witnesses Anthony J. Yankel discusses and cites to discovery responses that are deemed by the Utilities to be subject to the protective agreement. OSC hereby requests that the PUCO issue such order as is necessary

to protect portions of the direct testimony of Anthony J. Yankel contains information that is asserted to be confidential and/or competitively sensitive by Columbia. Subject to OSC's rights under the protective agreement, OSC is filing a portion of the direct testimony of Anthony J Yankel under seal.

By filing the instant Motion, OSC does not concede that the information is confidential and/or competitively sensitive. However, OSC acknowledges that it has obtained this information pursuant to a protective agreement with Columbia. That protective agreement provides for such information to be treated as confidential and/or competitively sensitive and protected (subject to OSC's right to initiate a process for the PUCO to rule whether the information deserves confidential treatment under Ohio law).

The grounds supporting this motion are more fully set forth in the attached Memorandum in Support.

Respectfully submitted,



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In The Matter of The Application of Columbia)
Gas of Ohio, Inc. for Authority to Amend its)
Filed Tariffs to Increase the Rates and Charges) Case No. 21-637-GA-AIR
for Gas Services and Related Matters.)

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Alternative form of Regulation.) Case No. 21-638-GA-ALT

In The Matter of The Application of Columbia)
Gas of Ohio, Inc. for Approval of a Demand)
Side Management Program for Its Residential) Case No. 21-639-GA-UNC
and Commercial Customers.)

In The Matter of The Application of Columbia)
Gas of Ohio, Inc. for Approval To Change)
Accounting Methods) Case No. 21-640-GA-AAM

MEMORANDUM IN SUPPORT

OSC files this Motion for Protective Order (“Motion”) to protect purported confidential and/or competitively sensitive information contained in the direct testimony of OSC witness Anthony J. Yankel filed under seal. OSC understands that Columbia considers some of the undisclosed information to be confidential and/or competitively sensitive and deserving of protection under Ohio law. OSC’s understanding is based on claims by Columbia that some of the information (1) derives economic value, actual or potential, from not being known to, and not being readily ascertainable by proper means by others, and (2) is the subject of efforts that are reasonable under the circumstances to maintain its secrecy. *See* R.C. 1333.61(D).

In filing this Motion, OSC does not concede that any of the information in the direct testimony of OSC witness Anthony J. Yankel is trade secret information pursuant to R.C. 1333.61(D). Nor does OSC concede that any of the information is deserving of protection from

public disclosure under Ohio Adm. Code 4901-1-24(D). Under the assertions made by Columbia, at this time, confidential treatment of some of the information contained in the direct testimony of Anthony J. Yankel could be appropriate, subject to OSC's rights under its protective agreement with Columbia to initiate a process to determine whether the information should be protected.

For the foregoing reasons and subject to the foregoing reservations of rights, this Motion should be granted at this time.

Respectfully submitted,



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CERTIFICATE OF SERVICE

In accordance with Rule 4901-1-05, Ohio Administrative Code, the PUCO's e-filing system will electronically serve notice of the filing of this document upon the following parties. In addition, I hereby certify that a service copy of the foregoing Motion for Protective Order was sent by, or on behalf of, the undersigned counsel to the following parties of record this 13th day of May 2022.



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**Case No(s). 21-0637-GA-AIR, 21-0638-GA-ALT, 21-0639-GA-UNC, 21-0640-GA-
AAM**

Summary: Motion for Protective Order and Memorandum in Support by Ohio
Schools Council electronically filed by Teresa Orahood on behalf of Dane Stinson