

FILE

RECEIVED-DOCKETING DIV

2004 MAY 25 AM 9:54

PUCO

5
Cinergy Corp.
139 East Fourth Street
Rm 25 AT II
P.O. Box 960
Cincinnati, OH 45201-0960
Tel 513.287.3601
Fax 513.287.3810
jfinnigan@cinergy.com

JOHN J. FINNIGAN, JR.
Senior Counsel



May 24, 2004

PUCO Docketing
10th Floor Borden Building
180 E. Broad Street
Columbus, OH 45216

RE: Case No. 03-93-EL-ATA

Dear Sir or Madam:

Enclosed is the Third Notice of The Cincinnati Gas & Electric Company of Supplemental Filing of Documents Under Seal Relating to Motion for Protective Order and twelve copies relating to Case No. 03-93-EL-ATA. Please return two filed and date stamped copies in the enclosed envelope. Also enclosed are three copies of the Confidential Material covered by the motion, which CG&E requests to be filed under seal.

Sincerely,

John J. Finnigan, Jr.

JJF/sew
Enclosures

125111

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business
technician Am Date Processed 5/25/04

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application)
of The Cincinnati Gas & Electric)
Company to Modify its Non-)
Residential Generation Rates to)
Provide for Market-Based) Case No. 03-93-EL-ATA
Standard Service Offer Pricing)
and to Establish a Pilot)
Alternative Competitively-Bid)
Service Rate Option Subsequent)
to Market Development Period)

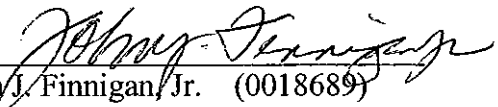
In the Matter of the Application of The)
Cincinnati Gas & Electric Company for)
Authority to Modify Current Accounting)
Procedures for Certain Costs Associated) Case No. 03-2079-EL-AAM
With The Midwest Independent)
Transmission System Operator)

In the Matter of the Application of The)
Cincinnati Gas & Electric Company for)
Authority to Modify Current Accounting)
Procedures for Capital Investment in its) Case No. 03-2081-EL-AAM
Electric Transmission And Distribution) Case No. 03-2080-EL-ATA
System And to Establish a Capital)
Investment Reliability Rider to be)
Effective After the Market Development)
Period)

**THIRD NOTICE OF
THE CINCINNATI GAS & ELECTRIC COMPANY
OF SUPPLEMENTAL FILING OF DOCUMENTS UNDER SEAL
RELATING TO MOTION FOR PROTECTIVE ORDER**

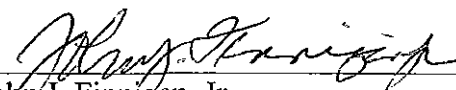
The Cincinnati Gas & Electric Company (CG&E) hereby gives notices of its supplemental filing of confidential, trade secret documents with the Public Utilities Commission of Ohio (Commission) relating to CG&E's motion for a protective order.

CG&E will produce such information to those parties who have entered into a protective agreement. The documents are responsive to the following discovery requests: OMG-INT-02-007 and OMG-INT-02-008.


John I. Finnigan, Jr. (0018689)
Senior Counsel
Paul A. Colbert (0058582)
Senior Counsel
The Cincinnati Gas & Electric Company
2500 Atrium II
P. O. Box 960
Cincinnati, Ohio 45201-0960
Telephone: (513) 287-3601
Fax: (513) 287-3810
E-mail: jfinnigan@cinergy.com

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Third Notice of The Cincinnati Gas & Electric Company of Supplemental Filing of Documents Under Seal Relating to Motion for Protective Order was electronically served on the following parties this 24th day of May, 2004.


John J. Finnigan, Jr.

Sally W. Bloomfield, Esq.
Thomas J. O'Brien
Counsel for Ohio Manufacturers' Association
Brickler & Eckler, LLP
100 South Third Street
Columbus, Ohio 43215
sbloomfield@bricker.com

Samuel C. Randazzo, Esq.
Lisa Gatchell, Esq.
McNees, Wallace & Nurick
Counsel for Industrial Energy Users-Ohio
21 East State Street, 17th Floor
Columbus, Ohio 43215
srandazzo@mwncmh.com
lgatchell@mwncmh.com

M. Howard Petricoff
Vorys, Sater, Seymour & Pease
Counsel for MidAmerica Energy Co.,
Strategic Energy, LLC and
Constellation Power Sources, Inc.
52 East Gay Street
P.O. Box 1008
Columbus, Ohio 43216-1008
mhpetricoff@vssp.com

Richard L. Sites, Esq.
Ohio Hospital Association
155 East Broad Street, 15th Floor
Columbus, Ohio 43215-3620
ricks@ohanet.org

Michael L. Kurtz
Boehm, Kurtz & Lowry
Attorneys for The Kroger Co.
and The Ohio Energy Group
2110 CBLD Center
36 East Seventh Street
Cincinnati, Ohio 45202
mkurtzlaw@aol.com

Barth E. Royer
Judith B. Sanders
Counsel for Suppliers Retail, Inc.
Bell, Royer & Sanders Co., LPA
33 South Grant Avenue
Columbus, Ohio 43215-3900
BarthRoyer@aol.com

Larry S. Sauer, Esq.
Jeffrey L. Small, Esq.
Ann M. Holtz, Esq.
Kimberly Bojko, Esq.
Office of Consumers' Counsel
10 West Broad Street, Suite 1800
Columbus, Ohio 43215
sauer@occ.state.oh.us

W. Jonathan Airey, Esq.
Counsel for Constellation NewEnergy, Inc.
Vorys, Sater, Seymour & Pease
52 East Gay Street E, P.O. Box 1008
Columbus, Ohio 43216-1008
wjairey@vssp.com

Craig G. Goodman
National Energy Marketers Association.
3333 K Street, N.W., Suite 110
Washington, DC 20007
cgoodman@energymarketers.com

Arthur E. Korkosz
First Energy Solutions Counsel
76 South Main Street
Legal Dept., 18th Floor
Akron, Ohio 44308-1890
KorkoszA@FirstEnergyCorp.com

David F. Boehm, Esq.
Counsel for AK Steel Corp.
Boehm, Kurtz & Lowry
36 East Seventh Street, Suite 2110
Cincinnati, Ohio 45202
dboehmlaw@aol.com

David C. Rinebolt
Ohio Partners for Affordable Energy
337 S. Main Street, 4th Floor, Suite 5
P.O. Box 1793
Findlay, Ohio 45839-1793
drinebolt@aol.com

William A. Adams, Esq.
Dane Stinson, Esq.
BAILEY CAVALIERI LLC
Counsel for Green Mountain Energy Co.
10 West Broad Street, Suite 2100
Columbus, Ohio 43215
William.Adams@BaileyCavalieri.com
Dane.Stinson@BaileyCavalieri.com

Shawn P. Leyden
Vice President and General Counsel
PSEG Energy Resources & Trade LLC
80 Park Plaza, 19th Floor
Newark, NJ 07102
Shawn.Leyden@pseg.com

Mary W. Christensen
Christensen, Christensen & Devillers
401 North Front Street
Suite 350
Columbus, Ohio 43215-2249
MCristensen@Columbuslaw.org