

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Strategic)
Energy, LLC, for Authority to Operate as a) Case No. 00-1758-EL-CRS
Certified Retail Electric Supplier in Ohio.)

ENTRY

The attorney examiner finds:

- (1) On September 26, 2002, Strategic Energy LLC (Strategic) filed an application for certification as a competitive retail electric service (CRES) provider. Strategic's application was filed with a motion for a protective order of Exhibit C-3 (financial statements), Exhibit C-4 (financial arrangements), and Exhibit C-5 (financial forecasts).
- (2) In its motion, Strategic states that it is a privately held company and its financial information is not publicly available. According to Strategic, Exhibits C-3, C-4, and C-5 contain confidential financial statements, arrangements, and forecasts. Strategic also contends that this financial information is not generally disclosed, is extremely sensitive, and should be considered a trade secret under Section 1333.61(D), Revised Code. Strategic contends that it is imperative that it be allowed to disclose its financial resources only under seal, precluding its competitors from gaining access to this sensitive information. Strategic also claims that the Commission and the staff have access to this information and that this satisfies the requirements of Title 49 Revised Code.
- (3) Upon review of Strategic's motion, and given the fact that it is a non-publicly held company, the examiner finds that, pursuant to Rule 4901-1-24(D), Ohio Administrative Code (O.A.C.), Strategic's request for a protective order should be granted with respect to Exhibits C-3, C-4, and C-5. Pursuant to Rule 4901-1-24(F), O.A.C., this protective order will automatically expire 18 months after the date of its issuance. Extensions of the protective order may be requested by filing an appropriate motion at least 45 days in advance of the expiration date of the existing order. Accordingly, the docketing division should maintain under seal the information set forth in Exhibits C-3, C-4, and C-5 of the application for a period of 18 months from the date of this entry.

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
Date Processed 10-10-02
Technician

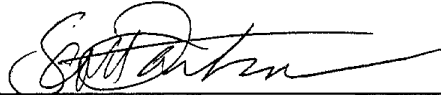
It is, therefore,

ORDERED, That Strategic's motion for a protective order be granted. It is, further,

ORDERED, That the docketing division maintain under seal the information set forth in Exhibits C-3, C-4, and C-5 of the application for a period of 18 months from the date of this entry. It is, further,

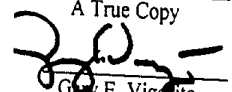
ORDERED, That a copy of this entry should be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO



By: Scott Farkas
Attorney Examiner

geb

Entered in the Journal
OCT 10 2002
A True Copy

Guy E. Vigorito
Secretary