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BEFORE THE
OHIO POWER SITING BOARD

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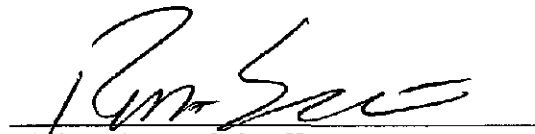
In the Matter of:)
The Application of American Transmission)
Systems, Incorporated and the Cleveland Electric)
Illuminating Company for a Certificate of)
Environmental Compatibility and Public Need)
for the North Medina Transmission Substation)
Project)

Case No. 07-0171-EL-BTX

**MOTION BY AMERICAN TRANSMISSION SYSTEMS, INCORPORATED AND THE
CLEVELAND ELECTRIC ILLUMINATING COMPANY FOR PROTECTIVE ORDER
FOR CERTAIN INFORMATION PRODUCED TO STAFF**

Applicants American Transmission Systems, Incorporated, ("ATSI") and The Cleveland Electric Illumination Company ("CEI"), pursuant to Rule OAC §4906-7-07, file this motion to request for a protective order to protect, as confidential, certain information provided to the Staff in the above-captioned case. One copy of the materials for which a protective order is requested have been filed under seal. For the reasons set forth in the attached Memorandum in Support, good cause exists to grant the requested protective order.

Respectfully submitted,



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Technician JS Date Processed 9-28-07

MEMORANDUM IN SUPPORT OF MOTION FOR WAIVER

ATSI and CEI propose to construct a new 138 kV transmission line in Geauga County. The transmission line will connect a new 138 kV to 36 kV distribution substation located in Geauga County with the existing Ashtabula – Mayfield 138 kV transmission line located near the boarder of Lake and Geauga Counties. The proposed transmission line is needed to reinforce the existing transmission system serving the greater Geauga and Ashtabula Counties area in order to meet expected load growth. Residential and commercial construction continues to take place throughout the areas. This growth has increased, and will continue to increase, the load on local distribution and transmission facilities.

Pursuant to OAC §4906-15-02(A)(4), the Applicants are required to provide raw power flow base case information as part of the application. Applicants request that this information be maintained as confidential business information because it contains raw data on the design, structure and condition of the transmission system owned and operated by ATSI.

OAC §4906-7-07(H)(4) provides, in pertinent part:

Upon motion by any party of person filing a document with the board's docketing division relative to a case before the board, the board or the administrative law judge assigned to the case may issue an order which is necessary to protect the confidentiality of information contained in the document, to the extent that state or federal law prohibits release of the information, including where it is determined that both of the following criteria are met: the information is deemed by the board or administrative law judge assigned to the case to constitute a trade secret under Ohio law, and where non-disclosure of the information is not consistent with the purposes of Title 49 of the Revised Code.

(Emphasis added)

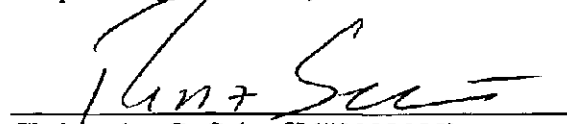
A "trade secret" is defined by the Uniform Trade Secrets Act, as set forth in Section 133.61(D) to mean:

...information, including the whole or any portion or phase of any scientific or technical information, design, process, procedure, formula, pattern, compilation, program, device, method, technique, or improvement, or any business information or plans, financial information, or listing of names, addresses, or telephone numbers, that satisfies both of the following:

- (1) It derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use.
- (2) It is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

The raw power flow data meets the definition of a "trade secret" under Section 1331.61 (D) of the Revised Code because it contains proprietary data on the design, structure and condition of the transmission system owned and operated by ATSI. It is therefore reasonable under these circumstances to maintain its secrecy.

Respectfully submitted,



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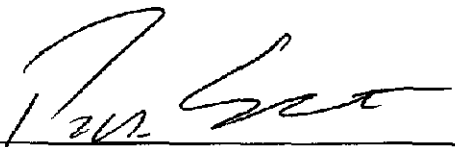
CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion By American Transmission Systems, Incorporated and The Cleveland Electric Illuminating Company for a Protective Order was served upon the following persons by mailing a copy, postage prepaid, on September 28, 2007, addressed to:

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