

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission,	:	Docket No. R-00061346
	:	
Duquesne Industrial Intervenors and	:	Docket No. R-00061346C0001
Industrial Energy Consumers of Pennsylvania,	:	
	:	
Irwin A. Popowsky, Consumer Advocate,	:	Docket No. R-00061346C0002
	:	
Office of Small Business Advocate	:	Docket No. R-00061346C0005
	:	
v.	:	
	:	
Duquesne Light Company	:	

DOCUMENT
FOLDER

PROTECTIVE ORDER

IT IS ORDERED:

1. That a Protective Order is hereby granted with respect to all materials and information identified in Paragraph 2 below, which are presented as evidence in these proceedings. All persons now and hereafter granted access to the materials and information identified in Paragraph 2 of this Protective Order shall use and disclose such information only in accordance with this Order.

2. The materials subject to this Protective Order are all materials provided by Duquesne Light Company ("Duquesne") to other parties in this proceeding which are claimed to be of a proprietary or confidential nature and which are hereinafter referred to as "Proprietary Information". Duquesne has entered into Stipulated Protective Agreements with the Parties regarding this Proprietary Information. Under the terms of the Proprietary Agreements, Parties have the right to challenge the confidential nature of the Proprietary Information provided by Duquesne. If Proprietary Information that is provided by Duquesne under the terms of the Proprietary Agreements is not challenged, that information will be covered by this Protective

Order. If specific Proprietary Information is challenged in writing by a Party as non-confidential, Duquesne will have 14 days to file a Petition for Protective Order with regard to that specific information. Pending the Commission's approval or disapproval of the Petition, the Party and the Commission will continue to treat the information as confidential.

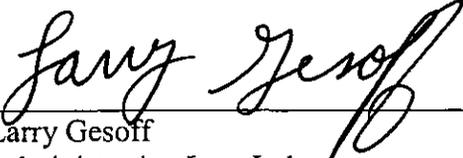
3. Proprietary Information shall be made available to the Commission for use in this proceeding. For purposes of filing, to the extent that Proprietary Information is placed in the Commission's report folders, such information shall be handled in accordance with routine Commission procedures inasmuch as the report folders are not subject to public disclosure. To the extent that Proprietary Information is placed in the Commission's testimony or document folders, such information shall be separately bound, conspicuously marked, and accompanied by a copy of this Order. Public inspection of Proprietary Information shall be permitted only in accordance with this Protective Order. In addition, the Proprietary Information has been made available to counsel and experts for the Parties for their use in these proceedings pursuant to negotiated Protective Agreements entered into between Duquesne and the respective parties.

4. Any public reference to Proprietary Information by counsel or persons afforded access thereto shall be to the title or exhibit reference in sufficient detail to permit persons with access to the Proprietary Information to fully understand the reference and not more. The Proprietary Information shall remain a part of the record, to the extent admitted, for all purposes of administrative or judicial review.

5. Part of any record of this proceeding containing Proprietary Information, including but not limited to all exhibits, writings, testimony, cross examination, argument and responses to discovery, and including reference thereto as mentioned in Ordering Paragraph 4 above, shall be sealed for all purposes, including administrative and judicial review, unless such Proprietary Information is released from the restrictions of this Order, either through the agreement of the parties or pursuant to order of the Administrative Law Judge, the Commission or appellate court.

6. Upon completion of this proceeding, including any administrative or judicial review, all copies of all documents and other materials, including notes, which contain any Proprietary Information shall be immediately returned upon request to the party furnishing such Proprietary Information. In the alternative, parties may provide an affidavit of counsel affirming that the materials containing or reflecting Proprietary Information have been destroyed.

Dated: 6/19 2006



Larry Gesoff
Administrative Law Judge

SERVICE LIST: R-00061346

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