
Hayley E. Wilburn
Associate

hwilburn@postschell.com
412-506-6362 Direct
412-227-9065 Direct Fax
File #: 217586

May 11, 2026

VIA ELECTRONIC FILING

Matthew L. Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
P.O. Box 3265
Harrisburg, PA 17105-3265

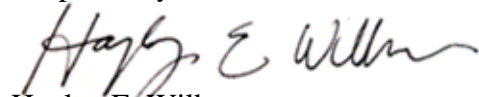
**Re: Pennsylvania Public Utility Commission, *et al.* v Peoples Natural Gas Company
LLC
Docket Number R-2026-3060855 *et al.***

Dear Secretary Homsher:

Attached for filing in the above-referenced proceeding is the Motion for Protective Order of Peoples Natural Gas Company LLC.

Copies are being provided as indicated on the Certificate of Service.

Respectfully submitted,



Hayley E. Wilburn

HEW
Attachment

cc: Administrative Law Judge Charece Z. Collins (*via email; w/attachment*)
Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this filing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

VIA E-MAIL

Steve Gray, Esq.
Senior Attorney
Assistant Small Business Advocate
Office of Small Business Advocate
Forum Place
555 Walnut Street, 1st Floor
Harrisburg, PA 17101
sgray@pa.gov
Counsel for OSBA

Joel H. Cheskis, Esq.
Jacob Guthrie, Esq.
Ryan M. Morden, Esq.
Olivia M. Spergel, Esq.
Office of Consumer Advocate
555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101-1923
JCheskis@paoca.org
OCAPeoplesBRC2026@paoca.org
Counsel for OCA

Michael A. Podskoch, Jr., Esq.
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street, Harrisburg, PA 17120
mpodskoch@pa.gov
Counsel for I&E

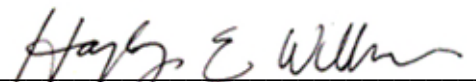
John W. Sweet, Esq.
Ria M. Pereira, Esq.
Elizabeth R. Marx, Esq.
Lauren N. Berman, Esq.
Levi A. Phillips, Esq.
Pennsylvania Utility Law Project
118 Locust Street
Harrisburg, PA 17101
pulp@pautilitylawproject.org
Counsel for CAUSE-PA

Joseph L. Vullo, Esq.
Burke Vullo Reilly Roberts
1460 Wyoming Avenue
Forty Fort, PA 18704
jlvullo@bvrrlaw.com
*Counsel for Pennsylvania Weatherization
Providers Task Force*

Todd M. Pappasergi, Esq.
Pennsylvania Independent Oil & Gas
Association
100 Allegheny Drive, Suite 104
Warrendale, PA 15086
todd@pioga.org
Counsel for PIOGA

Todd S. Stewart, Esq.
HMS Legal LLP
501 Corporate Circle, Suite 302
Harrisburg, PA 17110
tsstewart@hmslegal.com

Dated: May 11, 2026



Hayley E. Wilburn

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission, <i>et al.</i>	:	
	:	
	:	Docket Nos. R-2026-3060855
v.	:	C-2026-3061455
	:	C-2026-3061593
	:	C-2026-3061685
Peoples Natural Gas Company LLC	:	

MOTION FOR PROTECTIVE ORDER

TO ADMINISTRATIVE LAW JUDGE CHARECE Z. COLLINS:

Peoples Natural Gas Company LLC (“Peoples” or the “Company”) hereby requests that Administrative Law Judge Charece Z. Collins (the “ALJ”) enter the attached Protective Order in this proceeding pursuant to the provisions of 52 Pa. Code §§ 5.362(a)(7) and 5.365(a), and in support thereof states as follows:

1. The above-captioned proceeding was initiated on March 27, 2026 when Peoples filed with the Pennsylvania Public Utility Commission (“Commission”) Original Tariff Gas – Pa PUC No. 49 (“PA PUC No. 49”) and Original Tariff Gas – Pa PUC No. S-5 (“PA PUC No. S-5”), along with supporting information required by 52 Pa. Code §§ 53.52 and 53.53, to become effective May 26, 2026. The Company’s filing reflects an overall revenue increase of approximately \$163.2 million annually.

2. On March 31, 2026, the Office of Consumer Advocate (“OCA”) filed a Notice of Appearance, Formal Complaint, and Public Statement.

3. Also on March 31, 2026, the Office of Small Business Advocate (“OSBA”) filed a Notice of Appearance.

4. On April 2, 2026, the Bureau of Investigation and Enforcement (“I&E”) filed a Notice of Appearance.

5. On April 7, 2026, OSBA filed a Formal Complaint and Public Statement.

6. Also on April 7, 2026, the Pennsylvania Weatherization Providers Task Force, Inc. (“Providers Task Force”) filed a Petition to Intervene.

7. On April 9, 2026 CAUSE-PA filed a Formal Complaint in the above-captioned proceeding, which was docketed at Docket No. C-2026-3061685. On April 13, 2026, the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (“CAUSE-PA”) filed a Notice of Appearance at Docket No. R-2026-3060855.

8. On April 16, 2026, the Commission entered an Order suspending PA PUC No. 49 and PA PUC No. S-5 by operation of law until December 26, 2026, unless otherwise directed by Order of the Commission. Vice Chair Barrow also issued a Statement regarding the proceeding.

9. Also on April 16, 2026, an Initial Telephonic Prehearing Conference Notice was issued, which scheduled a prehearing conference in the above-captioned matter for Tuesday, April 28, 2026 at 10:00 AM before the ALJ. The ALJ also issued a Prehearing Conference Order which, among other things, directed the parties to file Prehearing Conference Memoranda on or before 12:00 p.m. on Friday, April 24, 2026.

10. On April 23, 2026, the Providers Task Force filed its Prehearing Memorandum.

11. Also on April 23, 2026, Peoples filed a Notice of Appearance.

12. On April 24, 2026, Peoples, I&E, OCA, OSBA, and CAUSE-PA filed their respective Prehearing Memoranda.

13. Also on April 24, 2026, a letter was posted to the docket in the above-captioned proceeding from State Senator Lindsey M. Williams to Chairman DeFrank, requesting that an in-person public input hearing in the proceeding be held within Senate District 38.

14. Additionally, the Pennsylvania Independent Oil & Gas Association (“PIOGA”) filed a Notice of Appearance, Petition to Intervene, and Prehearing Memorandum on April 24, 2026.

15. Confidential and Proprietary Information within the scope of 52 Pa. Code § 5.365 has been provided and requested during the course of this proceeding, which justifies the issuance of a Protective Order. This motion requests that such Proprietary Information be appropriately protected against public disclosure throughout the course of this proceeding. Treatment of such information as set forth in the attached proposed Protective Order is justified because unrestricted disclosure of such information is not in the public interest. These considerations constitute cause for the restrictions specified in 52 Pa. Code § 5.365 and in Administrative Law Judge or Commission Orders granting relief pursuant to said regulation.

16. Under 52 Pa. Code §§ 5.632(a)(7) and 5.635, the Office of Administrative Law Judge or the Commission may issue a Protective Order to limit or prohibit disclosure of confidential commercial information where the potential harm to a participant would be substantial and outweighs the public’s interest in having access to the confidential information. In applying this standard, relevant factors to be considered include: (1) the extent to which disclosure would cause unfair economic or competitive damage; (2) the extent to which the information is known by others and used in similar activities; and (3) the worth or value of the information to the party and to the party’s competitors. 52 Pa. Code § 5.365(a)(1)-(3).

17. The documents sought to be protected by the Proposed Order may also contain

proprietary information as described in 66 Pa. C.S. § 335(d), which provides:

[I]f a document contains trade secrets or proprietary information and it has been determined by the commission that harm to the person claiming the privilege would be substantial or if a document required to be released under this section contains identifying information which would operate to the prejudice or impairment of a person's reputation or personal security, or information that would lead to the disclosure of a confidential source or subject a person to potential economic retaliation as a result of their cooperation with a commission investigation, or information which, if disclosed to the public, could be used for criminal or terroristic purposes, the identifying information may be expurgated from the copy of the document made part of the public record.

Therefore, treatment of such information as set forth in the attached proposed Protective Order is justified under 66 Pa. C.S. § 335(d).

18. The attached proposed Protective Order defines four categories of protected information. The first is "CONFIDENTIAL" information, which is defined in Paragraph 3 of the attached proposed Protective Order as "those materials which customarily are treated by that party as sensitive or proprietary, which are not available to the public, and which, if disclosed freely, would subject that party or its clients to risk of competitive disadvantage or other business injury." The second is "HIGHLY CONFIDENTIAL" information, which is defined in Paragraph 3 of the attached proposed Protective Order as "those materials that are of such a commercially sensitive nature among the parties or of such a private, personal nature that the producing party is able to justify a heightened level of confidential protection with respect to those materials." The third is "CONFIDENTIAL SECURITY INFORMATION," which is defined in Paragraph 3 of the attached proposed Protective Order as "those materials, as defined in Section 2 of Act 156 of 2006, P.L. 1425, No. 156, 35 P.S. § 2141.2 *et seq.*, The Public Utility Confidential Security Information Disclosure Protection Act, the disclosure of which creates a reasonable likelihood of endangering the physical security of public utility resources, infrastructure, facility or information storage

system; and information regarding computer hardware, software and networks, including administrative and technical records, which, if disclosed, would be reasonably likely to jeopardize computer security.” The fourth is “CRITICAL ENERGY INFRASTRUCTURE INFORMATION,” which is defined in Paragraph 3 of the attached proposed Protective Order as it is defined in 18 C.F.R. § 388.113(c)(1).¹

19. Paragraph 19 of the attached proposed Protective Order guards against overly broad designations of protected information by giving all parties the right to question or challenge the confidential or proprietary nature of the information deemed “CONFIDENTIAL,” “HIGHLY CONFIDENTIAL,” “CONFIDENTIAL SECURITY INFORMATION,” or “CRITICAL ENERGY INFRASTRUCTURE INFORMATION.”

20. Limitation on the disclosure of information deemed “CONFIDENTIAL,” “HIGHLY CONFIDENTIAL,” “CONFIDENTIAL SECURITY INFORMATION,” or “CRITICAL ENERGY INFRASTRUCTURE INFORMATION” will not prejudice the rights of the participants, nor will such limitation frustrate the prompt and fair resolution of this proceeding. The proposed Protective Order balances the interests of the parties, the public, and the Commission.

21. The attached Protective Order sought by Peoples will also protect the proprietary nature of competitively valuable information while allowing the parties to use such information for purposes of the instant litigation. The proposed Protective Order applies the least restrictive

¹ 18 C.F.R. § 388.113(c)(2) defines “Critical Energy Infrastructure Information” as “specific engineering, vulnerability, or detailed design information about proposed or existing critical infrastructure that: (i) Relates details about the production, generation, transportation, transmission, or distribution of energy; (ii) Could be useful to a person in planning an attack on critical infrastructure; (iii) Is exempt from mandatory disclosure under the Freedom of Information Act, 5 U.S.C. § 552; and (iv) Does not simply give the general location of the critical infrastructure.” Moreover, 18 C.F.R. § 388.113(c)(4) defines “Critical Infrastructure” as “existing and proposed systems and assets, whether physical or virtual, the incapacity or destruction of which would negatively affect security, economic security, public health or safety, or any combination of those matters.”

means of limitation that will provide the necessary protections from disclosure.

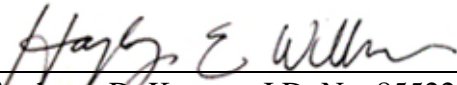
22. Prior to filing, Peoples consulted with the active parties to this case regarding the proposed Protective Order.

23. The Company is authorized to represent that the active parties either support or do not oppose the proposed Protective Order.

WHEREFORE, for all the reasons set forth above, Peoples Natural Gas Company LLC respectfully requests that Your Honor issue the attached Protective Order.

Respectfully submitted,

Meagan Moore (ID # 317975)
PNG Companies LLC
375 North Shore Drive
Pittsburgh, PA 15212
Phone: 412-208-6527
Email: meagan.moore@peoples-gas.com


Anthony D. Kanagy, I.D. No. 85522
Michael W. Gang, I.D. No. 25670
Lindsay A. Berkstresser, I.D. No. 318370
Post & Schell, PC
17 North Second Street
12th Floor
Harrisburg, Pennsylvania 17101-1601
Phone: 717-612-6034
Fax: 717-731-1985
E-mail: akanagy@postschell.com
mgang@postschell.com
lberkstresser@postschell.com

Hayley E. Wilburn (ID # 336055)
Post & Schell, P.C.
301 Grant Street
Suite 3010
Pittsburgh, PA 15219
Phone: 412-506-6362
E-mail: hwilburn@postschell.com

Dated: May 11, 2026

Counsel for Peoples Natural Gas Company LLC

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission, <i>et al.</i>	:	
	:	
	:	Docket Nos. R-2026-3060855
v.	:	C-2026-3061455
	:	C-2026-3061593
	:	C-2026-3061685
Peoples Natural Gas Company LLC	:	

PROTECTIVE ORDER

Upon consideration of the Motion for a Protective Order that was filed by Peoples Natural Gas Company LLC (“Peoples” or the “Company”) on May 11, 2026:

IT IS ORDERED THAT:

1. The Motion is hereby granted with respect to all materials and information identified in Paragraphs 2 – 3 below.

2. The information subject to this Protective Order is all correspondence, documents, data, information, studies, methodologies and other materials, furnished in this proceeding, that are believed by the producing party to be of a proprietary or confidential nature and that are so designated by being marked “CONFIDENTIAL,” “HIGHLY CONFIDENTIAL,” “CONFIDENTIAL SECURITY INFORMATION,” or “CRITICAL ENERGY INFRASTRUCTURE INFORMATION.” Such materials will be collectively referred to below as “Proprietary Information.” When a statement or exhibit is identified for the record, the portions thereof that constitute Proprietary Information shall be designated as such for the record.

3. The parties may designate as “CONFIDENTIAL” those materials which customarily are treated by that party as sensitive or proprietary, which are not available to the public, and which, if disclosed freely, would subject that party or its clients to risk of competitive

disadvantage or other business injury. The parties may designate as “HIGHLY CONFIDENTIAL” those materials that are of such a commercially sensitive nature among the parties or of such a private, personal nature that the producing party is able to justify a heightened level of confidential protection with respect to those materials. The parties shall endeavor to limit their designation of information and materials as “HIGHLY CONFIDENTIAL.” The parties agree that materials containing specific, individual customer information shall be identified as “HIGHLY CONFIDENTIAL” and the producing party may seek, via motion or objection, the right to impose further restrictions on access.. The parties may designate as “CONFIDENTIAL SECURITY INFORMATION” those materials, as defined in Section 2 of Act 156 of 2006, P.L. 1425, No. 156, 35 P.S. § 2141.2 *et seq.* “The Public Utility Confidential Security Information Disclosure Protection Act,” the disclosure of which creates a reasonable likelihood of endangering the physical security of public utility resources, infrastructure, facility, or information storage system; and information regarding computer hardware, software, and networks, including administrative and technical records, which, if disclosed, would be reasonably likely to jeopardize computer security. If the material contains “CONFIDENTIAL SECURITY INFORMATION,” the parties producing such information shall mark on each page containing information the words “HIGHLY CONFIDENTIAL – CSI – CONTAINS CONFIDENTIAL SECURITY INFORMATION – DO NOT RELEASE.” The parties may designate materials containing critical energy infrastructure information (“CEII”), as defined in 18 C.F.R. § 388.113(c)(1),² as “CRITICAL ENERGY

² 18 C.F.R. § 388.113(c)(2) defines “Critical Energy Infrastructure Information” as “specific engineering, vulnerability, or detailed design information about proposed or existing critical infrastructure that: (i) Relates details about the production, generation, transportation, transmission, or distribution of energy; (ii) Could be useful to a person in planning an attack on critical infrastructure; (iii) Is exempt from mandatory disclosure under the Freedom of Information Act, 5 U.S.C. § 552; and (iv) Does not simply give the general location of the critical infrastructure.” Moreover, 18 C.F.R. § 388.113(c)(4) defines “Critical Infrastructure” as “existing and proposed systems and assets, whether physical or virtual, the incapacity or destruction of which would negatively affect security, economic security, public health or safety, or any combination of those matters.”

INFRASTRUCTURE INFORMATION.” If the material contains CEII, the parties producing such information shall mark on each page containing information the words “HIGHLY CONFIDENTIAL – CEII – CONTAINS CRITICAL ENERGY INFRASTRUCTURE INFORMATION – DO NOT RELEASE.”

4. Proprietary Information shall be made available to counsel for a party, subject to the terms of this Protective Order. Such counsel shall use or disclose the Proprietary Information only for purposes of preparing or presenting evidence, cross examination, argument, or settlement in this proceeding. To the extent required for participation in this proceeding, counsel for a party may afford access to Proprietary Information subject to the conditions set forth in this Protective Order.

5. Information and materials deemed as “CONFIDENTIAL” shall be made available to a “Reviewing Representative” who is a person that has signed a Non-Disclosure Certificate attached as Appendix A or Appendix B, and who is:

- (a) An attorney who has entered an appearance in this proceeding for a party or a statutory advocate pursuant to 52 Pa. Code § 1.8, if not an attorney;
- (b) Attorneys, paralegals, and other employees associated for purposes of this case with an attorney described in subparagraph 5(a);
- (c) An expert or an employee of an expert retained by a party for the purpose of advising, preparing for or testifying in this proceeding; or
- (d) Employees or other representatives of a party appearing in this proceeding with significant responsibility for this docket.

With regard to the Bureau of Investigation and Enforcement (“I&E”), information and materials deemed as “CONFIDENTIAL” shall be made available to I&E Prosecutors subject to the terms of this Protective Order. The I&E Prosecutors shall use or disclose the “CONFIDENTIAL” information and materials only for purposes of preparing or presenting

evidence, cross examination, argument, or settlement in this proceeding. To the extent required for participation in this proceeding, the I&E Prosecutors may afford access to “CONFIDENTIAL” information and materials only to I&E’s experts, supervisors of experts, Chief Prosecutor, Deputy Chief Prosecutor, and administrative support staff without the need for the execution of a Non-Disclosure Certificate, who are full-time employees of the Commission and bound by all the provisions of this Protective Order by virtue of the I&E Prosecutors’ execution of a Non-Disclosure Certificate(s).

6. Information and materials deemed as “HIGHLY CONFIDENTIAL” may be provided to a “Reviewing Representative” who has signed a Non-Disclosure Certificate attached as Appendix B and who is:

- (a) An attorney who has entered an appearance in this proceeding for a party or a statutory advocate pursuant to 52 Pa. Code § 1.8, if not an attorney;
- (b) An attorney, paralegal, or other employee associated for purposes of this case with an attorney described in subparagraph 6(a);
- (c) An outside expert or an employee of an outside expert retained by a party for the purposes of advising, preparing for or testifying in this proceeding; or
- (d) A person designated as a Reviewing Representative for purposes of HIGHLY CONFIDENTIAL information and materials.

With regard to I&E, information and materials deemed as “HIGHLY CONFIDENTIAL” shall be made available to the I&E Prosecutors subject to the terms of this Protective Order. The I&E Prosecutors shall use or disclose the “HIGHLY CONFIDENTIAL” information and materials only for purposes of preparing or presenting evidence, cross examination, argument, or settlement in this proceeding. To the extent required for participation in this proceeding, the I&E Prosecutors may afford access to “HIGHLY CONFIDENTIAL” information and materials, only to I&E’s experts, supervisors of experts, Chief Prosecutor, Deputy Chief Prosecutor, and administrative

support staff without the need for the execution of a Non-Disclosure Certificate, who are full-time employees of the Commission and bound by all the provisions of this Protective Order by virtue of the I&E Prosecutors' execution of a Non-Disclosure Certificate(s).

Provided, further, that in accordance with the provisions of Sections 5.362 and 5.365(e) of the Commission's Rules of Practice and Procedure, 52 Pa. Code §§ 5.362, 5.365(e), any party may, by subsequent objection or motion, seek further protection with respect to HIGHLY CONFIDENTIAL information and materials, including, but not limited to, total prohibition of disclosure or limitation of disclosure only to particular parties.

7. Information and materials deemed as "CONFIDENTIAL SECURITY INFORMATION" may be provided to a "Reviewing Representative" who has signed a Non-Disclosure Certificate attached as Appendix B and who is:

- (a) An attorney who has entered an appearance in this proceeding for a statutory advocate pursuant to 52 Pa. Code § 1.8, or a statutory advocate if not an attorney;
- (b) An attorney, paralegal, or other employee associated for purposes of this case with an attorney described in subparagraph 7(a); or
- (c) An outside expert or an employee of an outside expert retained by a statutory advocate for the purposes of advising, preparing for or testifying in this proceeding.

"CONFIDENTIAL SECURITY INFORMATION" will only be provided for inspection via in-person review at the offices of Post & Schell, P.C., 17 N. Second Street, 12th Floor, Harrisburg, PA 17101, or upon request of a statutory advocate or an attorney for a statutory advocate, at another location in the Harrisburg-metro area of the Commonwealth or through a secure remote viewing process (if reasonably feasible in the sole discretion of Peoples), between the hours of 9 A.M. to 5 P.M., Monday through Friday. Such a review may be proctored, and the Reviewing Representatives are prohibited from reproducing such information in any form without

the prior authorization of the Company's counsel (including taking detailed notes, making photocopies, or taking pictures). If a statutory advocate determines that it is necessary to use "CONFIDENTIAL SECURITY INFORMATION" as part of their presentation of evidence in this proceeding, such statutory advocate shall request a copy from counsel for the Company, which permission shall not be unreasonably withheld and subject to that party confirming it understands and will abide by the terms of this Protective Order concerning use of such materials.

With regard to I&E, OCA, and OSBA, information and materials deemed as "CONFIDENTIAL SECURITY INFORMATION" shall be made available to the I&E Prosecutors, OCA Attorneys, and OSBA Attorneys, subject to the terms of this Protective Order. The I&E Prosecutors, OCA Attorneys, and OSBA Attorneys shall use or disclose the "CONFIDENTIAL SECURITY INFORMATION" only for purposes of preparing or presenting evidence, cross examination, argument, or settlement in this proceeding. To the extent required for participation in this proceeding, the I&E Prosecutors, OCA Attorneys, and OSBA Attorneys may afford access to "CONFIDENTIAL SECURITY INFORMATION" only to the Chief Prosecutor and Deputy Chief Prosecutor, the Consumer Advocate and Deputy Consumer Advocate, and the Small Business Advocate, respectively, as well as their experts, supervisors of experts, and administrative support staff without the need for the execution of a Non-Disclosure Certificate, who are full-time employees of the Commission, OCA, or OSBA and bound by all the provisions of this Protective Order by virtue of the I&E Prosecutors', OCA Attorneys', and OSBA Attorneys' execution of a Non-Disclosure Certificate.

Provided, further, that in accordance with the provisions of Sections 5.362 and 5.365(e) of the Commission's Rules of Practice and Procedure, 52 Pa. Code §§ 5.362, 5.365(e), any party may, by subsequent objection or motion, seek further protection with respect to "CONFIDENTIAL

SECURITY INFORMATION,” including, but not limited to, total prohibition of disclosure or limitation of disclosure only to particular parties.

8. Information deemed as “CRITICAL ENERGY INFRASTRUCTURE INFORMATION” may be made available for inspection and review by a “Reviewing Representative” who has signed a Non-Disclosure Certificate attached as Appendix B and who is:

- (a) An attorney who has entered an appearance in this proceeding for a party;
- (b) An attorney, paralegal, or other employee associated for purposes of this case with an attorney described in subparagraph 8(a); or
- (c) An outside expert or an employee of an outside expert retained by a party for the purposes of advising, preparing for or testifying in this proceeding.

“CRITICAL ENERGY INFRASTRUCTURE INFORMATION” will only be provided for inspection via in-person review at the offices of Post & Schell, P.C., 17 N. Second Street, 12th Floor, Harrisburg, PA 17101 or upon request of a statutory advocate or an attorney for a statutory advocate, at another location in the Harrisburg-metro area of the Commonwealth or through a secure remote viewing process (if reasonably feasible in the sole discretion of Peoples), between the hours of 9 A.M. to 5 P.M., Monday through Friday. Such a review may be proctored, and the Reviewing Representatives are prohibited from reproducing such information in any form without the prior authorization of the Company’s counsel (including taking detailed notes, making photocopies, or taking pictures).

With regard to I&E, OCA, and OSBA information and materials deemed as “CRITICAL ENERGY INFRASTRUCTURE INFORMATION” shall be made available to the I&E Prosecutors, OCA Attorneys, and OSBA Attorneys subject to the terms of this Protective Order. The I&E Prosecutors, OCA Attorneys, and OSBA Attorneys shall use or disclose the “CRITICAL ENERGY INFRASTRUCTURE INFORMATION” only for purposes of preparing or presenting

evidence, cross examination, argument, or settlement in this proceeding. To the extent required for participation in this proceeding, the I&E Prosecutors, OCA Attorneys, and OSBA Attorneys may afford access to “CRITICAL ENERGY INFRASTRUCTURE INFORMATION” only to the Chief Prosecutor and Deputy Chief Prosecutor, the Consumer Advocate and Deputy Consumer Advocate, and the Small Business Advocate, respectively, as well as their experts, supervisors of experts, and administrative support staff without the need for the execution of a Non-Disclosure Certificate, who are full-time employees of the Commission, OCA, or OSBA and bound by all the provisions of this Protective Order by virtue of the I&E Prosecutors’, OCA Attorneys’, and OSBA Attorneys’ execution of a Non-Disclosure Certificate.

Reviewing Representatives who gain access to “CRITICAL ENERGY INFRASTRUCTURE INFORMATION” undertake the obligation to protect the confidentiality of CEII and undertake all other obligations resulting from having access to this confidential information, in accordance with 18 C.F.R. 388.113(h), as well as all other applicable federal and state laws and other legal rules, which are incorporated by reference herein. Any copies of CEII shall also be deemed to be “CRITICAL ENERGY INFRASTRUCTURE INFORMATION.”

Provided, further, that in accordance with the provisions of Sections 5.362 and 5.365(e) of the Commission’s Rules of Practice and Procedure, 52 Pa. Code §§ 5.362, 5.365(e), any party may, by subsequent objection or motion, seek further protection with respect to “CRITICAL ENERGY INFRASTRUCTURE INFORMATION,” including, but not limited to, total prohibition of disclosure or limitation of disclosure only to particular parties.

9. For purposes of this Protective Order, a Reviewing Representative may not be a “Restricted Person.”

(a) A “Restricted Person” shall mean: (i) an officer, director, stockholder, partner, or owner of any competitor of the parties or an employee of such an entity if the employee’s duties involve marketing or pricing of the competitor’s products or services; (ii) an officer, director, stockholder, partner, or owner of any affiliate of a competitor of the parties (including any association of competitors of the parties) or an employee of such an entity if the employee’s duties involve marketing or pricing of the competitor’s products or services; (iii) an officer, director, stockholder, owner, or employee of a competitor of a customer of the parties if the Proprietary Information concerns a specific, identifiable customer of the parties; or (iv) an officer, director, stockholder, owner, or employee of an affiliate of a competitor of a customer of the parties if the Proprietary Information concerns a specific, identifiable customer of the parties; provided, however, that no expert shall be disqualified on account of being a stockholder, partner, or owner unless that expert’s interest in the business would provide a significant motive for violation of the limitations of permissible use of the Proprietary Information. For purposes of this Protective Order, stocks, partnership or other ownership interests valued at more than \$10,000 or constituting more than a 1% interest in a business establish a significant motive for violation.

(b) If an expert for a party, another member of the expert’s firm or the expert’s firm generally also serves as an expert for, or as a consultant or advisor to, a Restricted Person, said expert must: (i) identify for the parties each Restricted Person and each expert or consultant; (ii) make reasonable attempts to segregate those personnel assisting in the expert’s participation in this proceeding from those

personnel working on behalf of a Restricted Person; and (iii) if segregation of such personnel is impractical, the expert shall give to the producing party written assurances that the lack of segregation will in no way jeopardize the interests of the parties or their customers. The parties retain the right to challenge the adequacy of the written assurances that the parties' or their customers' interests will not be jeopardized. No other persons may have access to the Proprietary Information except as authorized by order of the Commission.

10. In the event that a party wishes to designate as a Reviewing Representative a person not described in Paragraphs 5(a)-(d), 6(a)-(d), 7(a)-(c), or 8(a)-(c) above, or a person that is a Restricted Person under Paragraph 9, the party shall seek agreement from the party providing the Proprietary Information. If an agreement is reached, that person shall be a Reviewing Representative with respect to that information and those materials. If no agreement is reached, the party shall submit the disputed designation to the presiding Administrative Law Judge(s) for resolution.

11. A qualified "Reviewing Representative" for "HIGHLY CONFIDENTIAL" information and materials may review and discuss "HIGHLY CONFIDENTIAL" information and materials with their client or with the entity with which they are employed or associated, to the extent that the client or entity is not a "Restricted Person," but may not share with or permit the client or entity to review the "HIGHLY CONFIDENTIAL" information and materials. Such discussions must be general in nature and not disclose specific "HIGHLY CONFIDENTIAL" information and materials, provided however that counsel for I&E, the OCA, and the OSBA may share proprietary information with the I&E Director, Consumer Advocate and Deputy Consumer Advocate, and Small Business Advocate, respectively, without obtaining a Non-Disclosure

Certificate from these individuals, provided however that these individuals otherwise abide by the terms of the Protective Order.

12. Information deemed Proprietary Information shall not be used except as necessary for the conduct of this proceeding, nor shall it be disclosed in any manner to any person except a Reviewing Representative who is engaged in the conduct of this proceeding and who needs to know the information in order to carry out that person's responsibilities in this proceeding. Reviewing Representatives may not use information contained in any Proprietary Information obtained through this proceeding to give any party or any competitor of any party a commercial advantage.

13. Reviewing Representatives shall execute a Non-Disclosure Certificate in order to obtain access to Proprietary Information and will be subject to the following conditions:

(a) A Reviewing Representative shall not be permitted to inspect, participate in discussions regarding, or otherwise be permitted access to Proprietary Information pursuant to this Protective Order unless that Reviewing Representative has first executed a Non-Disclosure Certificate, provided that if an attorney qualified as a Reviewing Representative has executed such a certificate, the paralegals, secretarial personnel, and clerical personnel under the attorney's instruction, supervision or control need not do so, nor do Commission employees assisting I&E as noted above in Paragraphs 5 through 8 above. A copy of each Non-Disclosure Certificate shall be provided to counsel for the Parties asserting confidentiality prior to disclosure of any Proprietary Information to that Reviewing Representative.

(b) Attorneys and outside experts qualified as Reviewing Representatives are responsible for ensuring that persons under their supervision or control comply with the Protective Order.

14. None of the parties waive their right to pursue any other legal or equitable remedies that may be available in the event of actual or anticipated disclosure of Proprietary Information.

15. The Parties shall designate data or documents as constituting or containing Proprietary Information by marking the documents “CONFIDENTIAL,” “HIGHLY CONFIDENTIAL,” “HIGHLY CONFIDENTIAL – CSI – CONTAINS CONFIDENTIAL SECURITY INFORMATION – DO NOT RELEASE,” or “HIGHLY CONFIDENTIAL – CEII – CONTAINS CRITICAL ENERGY INFRASTRUCTURE INFORMATION – DO NOT RELEASE.” Where only part of data compilations or multi-page documents constitutes or contains Proprietary Information, the parties, insofar as reasonably practicable within discovery and other time constraints imposed in this proceeding, shall designate only the specific data or pages of documents that constitute or contain Proprietary Information. The Proprietary Information shall be served upon the Parties hereto only, and the materials shall be separate from the nonproprietary materials and conspicuously marked “CONFIDENTIAL,” “HIGHLY CONFIDENTIAL,” “HIGHLY CONFIDENTIAL – CSI – CONTAINS CONFIDENTIAL SECURITY INFORMATION – DO NOT RELEASE,” or “HIGHLY CONFIDENTIAL – CEII – CONTAINS CRITICAL ENERGY INFRASTRUCTURE INFORMATION – DO NOT RELEASE.” For filing purposes, Proprietary Information shall be filed separately from the nonproprietary materials and conspicuously marked “CONFIDENTIAL,” “HIGHLY CONFIDENTIAL,” “HIGHLY CONFIDENTIAL – CSI – CONTAINS CONFIDENTIAL SECURITY INFORMATION – DO NOT RELEASE,” or “HIGHLY CONFIDENTIAL – CEII –

CONTAINS CRITICAL ENERGY INFRASTRUCTURE INFORMATION – DO NOT RELEASE.”

16. The parties will consider and treat the Proprietary Information as within the exemptions from disclosure provided in Section 335(d) of the Public Utility Code, 66 Pa.C.S. § 335(d), and the Pennsylvania Right-to-Know Law, 65 P.S. §§ 67.101 *et seq.*, until such time as the information is found to be non-proprietary. In the event that any person or entity seeks to compel the disclosure of Proprietary Information, the non-producing party shall promptly notify the producing party in order to provide the producing party an opportunity to oppose or limit such disclosure.

17. Any public reference to Proprietary Information by a party or its Reviewing Representatives shall be to the title or exhibit reference in sufficient detail to permit persons with access to the Proprietary Information to understand fully 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.

18. Part of any record of this proceeding containing Proprietary Information, including, but not limited to, all exhibits, writings, testimony, cross-examination, arguments, and responses to discovery, and including reference thereto as mentioned in Paragraph 17 above, shall be sealed for all purposes, including administrative and judicial review, unless such Proprietary Information is released from the restrictions of this Protective Order, either through the agreement of the parties to this proceeding or pursuant to an order of the Commission.

19. The parties shall retain the right to question or challenge the confidential or proprietary nature of Proprietary Information and to question or challenge the admissibility of Proprietary Information. If a party challenges the designation of a document or information as

proprietary, the party providing the information retains the burden of demonstrating that the designation is appropriate.

20. The parties shall retain the right to question or challenge the admissibility of Proprietary Information; to object to the production of Proprietary Information on any proper ground; and to refuse to produce Proprietary Information pending the adjudication of the objection.

21. Within 30 days after a Commission final order is entered in the above-captioned proceeding, or in the event of appeals, within 30 days after appeals are finally decided, the parties, upon request, shall either destroy or return to the parties all copies of all documents and other materials not entered into the record, including notes, which contain any Proprietary Information. However, signatory parties to this Protective Order may maintain in their official files copies of all pleadings, briefs, statements, exhibits and transcripts in this proceeding and, further provided, that all such pleadings, briefs, statements, exhibits and transcripts containing "CONFIDENTIAL" information shall remain subject to the terms of this Protective Order. In the event that a party elects to destroy all copies of documents and other materials containing Proprietary Information instead of returning the copies of documents and other materials containing Proprietary Information to the parties, the party shall certify in writing to the producing party that the Proprietary Information has been destroyed.

Dated: _____

Charece Z. Collins
Administrative Law Judge

APPENDIX A

Pennsylvania Public Utility Commission, :
et al. :
: Docket Nos. R-2026-3060855
: C-2026-3061455
v. : C-2026-3061593
: C-2026-3061685
: Peoples Natural Gas Company LLC :

**NON-DISCLOSURE CERTIFICATE FOR
CONFIDENTIAL INFORMATION AND MATERIALS**

TO WHOM IT MAY CONCERN:

The undersigned is the _____ of
_____ (the retaining party). The undersigned has
read and understands the Protective Order and the required treatment of Proprietary Information.
The undersigned agrees to be bound by and comply with the terms and conditions of said Protective
Order.

SIGNATURE

NAME (Printed)

ADDRESS

EMPLOYER

APPENDIX B

Pennsylvania Public Utility Commission,	:	
<i>et al.</i>	:	
	:	Docket Nos. R-2026-3060855
	:	C-2026-3061455
v.	:	C-2026-3061593
	:	C-2026-3061685
	:	
Peoples Natural Gas Company LLC	:	

**NON-DISCLOSURE CERTIFICATE FOR
HIGHLY CONFIDENTIAL INFORMATION, CONFIDENTIAL SECURITY
INFORMATION, AND CRITICAL ENERGY INFRASTRUCTURE INFORMATION
AND MATERIALS**

TO WHOM IT MAY CONCERN:

The undersigned is the _____ of _____ (the retaining party). The undersigned has read and understands the Protective Order and the required treatment of information and materials designated as “CONFIDENTIAL,” “HIGHLY CONFIDENTIAL,” “CONFIDENTIAL SECURITY INFORMATION,” or “HIGHLY CONFIDENTIAL – CEII – CONTAINS CRITICAL ENERGY INFRASTRUCTURE INFORMATION – DO NOT RELEASE” as defined in the Protective Order. The undersigned agrees to be bound by and comply with the terms and conditions of said Protective Order. The undersigned understands and agrees that, pursuant to Paragraphs 6, 7 and 8, a party providing “HIGHLY CONFIDENTIAL” information and materials, “CONFIDENTIAL SECURITY INFORMATION,” or “HIGHLY CONFIDENTIAL – CEII – CONTAINS CRITICAL ENERGY INFRASTRUCTURE INFORMATION – DO NOT RELEASE” may seek further protection, including, but not limited to, total prohibition of disclosure as to particular individuals, even where Appendix B has been executed.

SIGNATURE

NAME (Printed)

ADDRESS

EMPLOYER