

# McDowell & Rackner PC



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November 13, 2008

## VIA ELECTRONIC FILING AND U.S. MAIL

PUC Filing Center  
Public Utility Commission of Oregon  
PO Box 2148  
Salem, OR 97308-2148

**Re: Docket No. UM 1355**

Enclosed for filing in the above-referenced docket are an original and one copy of Idaho Power Company's Motion for Standard Protective Order.

A copy of this filing has been served on all parties to this proceeding as indicated on the attached certificate of service.

Very truly yours,

A handwritten signature in cursive script that reads "Wendy L. McIndoo".

Wendy L. McIndoo

cc: Service List

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**CERTIFICATE OF SERVICE**

I hereby certify that I served a true and correct copy of the foregoing document in Docket UM 1355 on the following named person(s) on the date indicated below by email and first-class mail addressed to said person(s) at his or her last-known address(es) indicated below.

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DATED: November 13, 2008

  
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Wendy McIndoo  
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BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON

UM 1355

In the Matter of  
THE PUBLIC UTILITY COMMISSION  
OF OREGON,  
Investigation into Forecasting Forced  
Outage Rates for Electric Generating  
Units.

**MOTION FOR STANDARD  
PROTECTIVE ORDER**

Pursuant to OAR 860-012-0035(1)(k), Idaho Power Company moves for entry of the Commission's standard protective order in this proceeding. As good cause for this motion, Idaho Power Company states:

1. The Commission's rules authorize Idaho Power Company to seek reasonable restrictions on discovery of trade secrets and other confidential business information. See OAR 860-11-0000(3) (adopting Oregon Rules of Civil Procedure ("ORCP")); ORCP 36(C)(7) (providing protection against unrestricted discovery of "trade secrets or other confidential research, development, or commercial information"). See also *In re Investigation into the Cost of Providing Telecommunication Service* (UM 351), Order No. 91-500 (1991) (recognizing that protective orders are a reasonable means to protect "the rights of a party to trade secrets and other confidential commercial information" and "to facilitate the communication of information between litigants").

2. Idaho Power Company anticipates that discovery in this proceeding may include proprietary business and financial information, and the parties will be exposed to competitive injury if they are forced to make unrestricted disclosure of confidential business information.

1           3.        Issuance of a protective order will facilitate the production of relevant  
2 information, aid the discovery process and expedite resolution of this case.

3           For the foregoing reasons, Idaho Power Company requests entry of the  
4 Commission's standard protective order in this docket.

5           DATED: November 10, 2008

McDOWELL & RACKNER PC



Lisa F. Rackner

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