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October 13, 2009

***VIA ELECTRONIC FILING
AND OVERNIGHT DELIVERY***

Oregon Public Utility Commission
550 Capitol Street NE, Ste 215
Salem, OR 97301-2551

Attn: Filing Center

RE: UM 1429 – Motion for Additional Protection

PacifiCorp d/b/a Pacific Power (“PacifiCorp or the Company”) encloses for filing a Motion for Additional Protection in the above-referenced docket.

Please contact Joelle Steward, Regulatory Manager, at (503) 813-5542 for questions on this matter.

Sincerely,

A handwritten signature in black ink that reads "Andrea L. Kelly". The signature is written in a cursive style with a large initial 'A' and a stylized 'K'.

Andrea L. Kelly
Vice President, Regulation

Enclosure

Cc: Service List – UM 1429

CERTIFICATE OF SERVICE

I hereby certify that I served a true and correct copy of the foregoing document in Docket No. UM-1429 on the following named person(s) below by e-mail and U.S. Mail (if paper service has not been waived) on October 13, 2009 addressed to said person(s) at his or her last-known address(es) indicated below:

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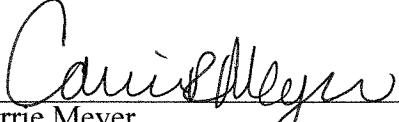
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**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1429

In the Matter PacifiCorp’s Request for
Approval of a 2009R Solicitation Process
for New Renewable Resources

**PACIFICORP’S MOTION FOR
ADDITIONAL PROTECTION**

1 Pursuant to paragraph 16 of Appendix A to Protective Order No. 09-371
2 (“Protective Order”), entered on September 18, 2009 in the above-referenced docket,
3 PacifiCorp d/b/a Pacific Power (“PacifiCorp” or “Company”) hereby moves for an order
4 granting additional protective measures. Specifically, PacifiCorp requests the
5 Administrative Law Judge (“ALJ”) to issue another protective order that would allow the
6 qualified signatories to review highly commercially sensitive, non-public information
7 related to PacifiCorp’s solicitation for new renewable resources (“2009R RFP”),
8 including: the Initial Shortlists and Final Shortlist work papers; bid scoring and
9 evaluation results, and any other highly sensitive, non-public information submitted by
10 parties and the Oregon independent evaluator (“IE”) in this proceeding related to
11 PacifiCorp’s 2009R RFP.

Background

12
13 In Order 09-272, the Public Utility Commission of Oregon (“Commission”)
14 approved PacifiCorp’s request for approval of its draft 2009R RFP with certain
15 conditions recommended by Staff. The 2009R RFP was subsequently issued to the
16 market on June 5, 2009. Bids were due September 10, 2009. Since that time, the
17 Company, in connection with oversight and input from the IE and Staff, has been
18 evaluating bids and working with the IE and Staff to ensure that such bids comply with

1 the terms and requirements established in the 2009R RFP and by the Commission.
2 PacifiCorp plans to file a Request for Acknowledgment of Final Shortlist of Bidders in
3 the 2009R RFP in the near future. In that Request, the Company will make reference to
4 or include highly confidential work papers supporting the Initial Shortlists and Final
5 Shortlist selection decisions. The IE, Commission staff and PacifiCorp will be
6 submitting other highly confidential information as part of the 2009R RFP process.

7 **Request for Additional Protection**

8 Pursuant to paragraph 16 of Appendix A of the Protective Order, the Company
9 submits that in order to maintain the competitive integrity of the 2009R RFP and the bid
10 evaluation process, the highly sensitive, non-public information should be disclosed in
11 Oregon only to the Commissioners, Commission Staff, the IE, and non-bidding parties
12 who execute a modified protective order. The Company contends that disclosing any of
13 the information surrounding the bids or the bid evaluation process could prove
14 detrimental to the integrity of the 2009R RFP process and jeopardize the bidders and the
15 Company's competitive positions. Moreover, the Commission has already acknowledged
16 in Order No. 06-446 that any bidding information, including detailed bid scoring and
17 evaluation results should be limited to the Commission, the Commission Staff and non-
18 bidding parties under protective orders that limit use of the information to RFP approval
19 and acknowledgement and to cost recovery proceedings. *See* Order No. 06-446,
20 Guidelines 12 and 11.

21 Consistent with Order No. 06-446 and in accordance with paragraph 16 of the
22 Protective Order, the Company specifically requests that the order issued by the ALJ
23 include the following language or language substantially similar to the following:

1 • This order governs the acquisition and use of “Non-Public Information”
2 which is highly sensitive and confidential information submitted by parties
3 and the IE in this proceeding related to PacifiCorp’s 2009R RFP.

4 • “Non-Public Information” is information that falls within the scope of
5 ORCP 36(c)(7) (“a trade secret or other confidential research,
6 development, or commercial information”) and includes bidding
7 information, as well as detailed scoring and evaluation results, as
8 discussed in Guidelines 11 and 12 of Order No. 06-446.

9 • A “qualified person” is an individual who is:
10 ○ An author(s), addressee(s), or originator(s) of the Non-Public
11 Information;
12 ○ A Commissioner or Commission Staff;
13 ○ A person qualified pursuant to paragraph ____ who is a non-
14 bidding party. This includes parties and their employees.

15 • The Company may designate information as Non-Public Information by
16 placing the following legend on the information:

17 NON-PUBLIC INFORMATION

18 SUBJECT TO SPECIAL PROTECTIVE ORDER

19 • Non-Public Information that is filed with the Commission or its staff shall
20 be printed on green paper, separately bound and placed in a sealed
21 envelope or other appropriate container with the following legend on the
22 envelope/container:

23 THIS ENVELOPE IS SEALED PURSUANT TO ORDER NO. _____
24 AND CONTAINS NON-PUBLIC INFORMATION. THE INFORMATION

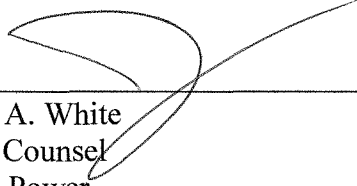
1 MAY BE SHOWN ONLY TO QUALIFIED PERSONS AS DEFINED IN
2 THE SPECIAL PROTECTIVE ORDER.

- 3 • Any use of the Non-Public Information is limited to RFP approval and
4 acknowledgement and to cost recovery proceedings.
- 5 • These additional protective measures are intended to supplement, not
6 supersede, Protective Order No. 09-371.

7 **Conclusion**

8 Based upon the foregoing, PacifiCorp respectfully requests that the ALJ grant its
9 motion for additional protective measures and issue an order containing the additional
10 protective measures set forth herein.

DATED: October 13, 2009.



Jordan A. White
Senior Counsel
Pacific Power
PacifiCorp