

BEFORE THE PUBLIC UTILITY COMMISSION

OF OREGON

DOCKET UM 1823

COLUMBIA BASIN ELECTRIC
COOPERATIVE, INC. an Oregon cooperative
corporation

Complainant,

v.

UMATILLA ELECTRIC COOPERATIVE,
INC., an Oregon cooperative corporation

Defendant.

Regarding Wheatridge Wind Project.

**MOTION FOR GENERAL
PROTECTIVE ORDER**

Pursuant to ORCP 36(C)(7) and OAR 860-001-0080 Umatilla Electric Cooperative (“UEC”) moves for the entry of the Public Utility Commission of Oregon’s (“Commission”) general protective order in this proceeding (“Motion”).

Good cause exists to issue a Protective Order to protect commercially sensitive and confidential business information. Counsel for UEC conferred with Staff and other parties and no party objects to this Motion.

This docket was previously part of Docket UM 1818, which has now been bifurcated. UEC filed an earlier motion for a general protective order in that docket, which was granted. Following bifurcation, the Commission requested that a new motion for protective order be filed in this docket, if necessary. UEC has determined that a protective order is necessary because the discovery sought in this proceeding includes the same discovery sought in UM 1818 that necessitated the protective order in that docket.

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In support of this Motion, UEC states:

1. The Commission's rules authorize parties to seek reasonable restrictions on discovery of confidential business information. *See* 860-001-0080; ORCP 36(C)(7) (providing protection against unrestricted discovery of "confidential research, development, or commercial information"); *see also In re Investigation into the Cost of Providing Telecommunication Service*, Docket 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. Columbia Basin Electric Cooperative ("CBEC") has begun to propound extensive discovery requests in this proceeding. Responses to those requests will include customer-specific information and contracts with third parties. Some of the information CBEC has requested contains confidential material, including but not limited to commercially sensitive business information, and confidential information regarding contracts for the transmission of electric power. Public disclosure of the confidential information could be detrimental to UEC.

3. It is possible that Staff or others in this proceeding may also seek to discover confidential business information. "The Commission' standard blanket protective order is designed to facilitate discovery in cases involving discovery of large numbers of documents." *See In re Portland Extended Area Service Region*, Docket UM 261, Order No. 91-958 (1991). Issuance of a protective order would facilitate the production of relevant information and expedite the discovery process.

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For the foregoing reasons, UEC requests entry of a general Protective Order in this docket.

DATED: March 27, 2017.

Respectfully submitted,



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