

BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON

UM-___

1 In the Matter of the Application of Hydro)
2 One Limited (acting through its acquisition)
3 subsidiary Olympus Equity LLC) for an)
4 Order Authorizing Hydro One Limited To)
5 Exercise Substantial Influence Over the)
6 Policies and Actions of Avista Corporation)

JOINT MOTION FOR GENERAL
PROTECTIVE ORDER

7 Pursuant to OAR 860-001-0080(2), Hydro One (hereafter "Applicant") and Avista
8 Corporation (hereafter "Avista") move for entry of the Commission's general protective
9 order in this proceeding. As good cause for this motion, Joint Movants state:

10 1.

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

20 2.

21 The Applicant and Avista anticipate that discovery in this proceeding may include
22 propriety due diligence materials, confidential market analyses and business projections,
23 confidential analytical models, commercially sensitive financial information, and confidential

UG-___

1 employee data. Applicant and Avista will be exposed to competitive injury if they are
2 forced to make unrestricted disclosure of their confidential business information.

3 3.

4 It is likely that Staff and others in this proceeding will seek to discover information held
5 by Applicant and Avista, including confidential business information. "The Commission's
6 standard blanket protective order is designed to facilitate discovery in cases involving
7 discovery of large numbers of documents." *See In re Portland Extended rea Service Region*
8 *(UM 261)*, Order No. 91-958 (1991). Issuance of a protective order will facilitate the
9 production of relevant information and expedite the discovery process.

10 4.

11 Applicant and Avista request expedited consideration of this Joint Motion to allow parties
12 who execute the protective order to obtain prompt access to the confidential exhibits and
13 workpapers in support of the Application.

14 5.

15 Counsel for Avista has contacted counsel for Staff, CUB, and NWIGU, all of the intervenors
16 in Avista's previous general rate case, and none oppose this motion.

17
18 For the foregoing reasons, Applicant and Avista requests expedited entry of the
19 Commission's general protective order in this docket.

20

1

RESPECTFULLY SUBMITTED this 14th day of September, 2017.

2

K&L GATES LLP on Behalf of Hydro One
Limited and Olympos Equity LLC

AVISTA CORPORATION

BY:



Teresa A. Hill, OSB No. 146114
One SW Columbia St., Suite 1900
Portland OR 97258
Elizabeth Thomas, Partner (pro hac vice
application pending)
Kari Vander Stoep, Partner (pro hac vice
application pending)
925 Fourth Avenue, Suite 2900
Seattle, WA 98104-1158
Teresa.hill@klgates.com
Liz.thomas@klgates.com
kari.vanderstoep@klgates.com

By:



David J. Meyer, OSB No. 086383
Chief Counsel for Regulatory and
Governmental Affairs
Avista Corporation
1411 E. Mission Ave., MSC-27
Spokane, WA 99220-3727
David.meyer@avistacorp.com

3