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August 13, 2018

***VIA ELECTRONIC FILING***

Public Utility Commission of Oregon  
201 High Street SE, Suite 100  
Salem, OR 97301-3398


Attn: Filing Center

**RE: UM 1917—Motion for General Protective Order**

PacifiCorp d/b/a Pacific Power encloses for filing the attached Motion for a General Protective Order in the above-referenced proceeding.

Please direct any inquiries about this filing to Natasha Siores at (503) 813-6583.

Sincerely,



Etta Lockey  
Vice President, Regulation

Enclosure

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

**UM 1917**

In the Matter of

PACIFICORP d/b/a PACIFIC POWER's

Application for Approval of Deferred Accounting  
Related to Federal Tax Act.

PACIFICORP'S MOTION FOR  
PROTECTIVE ORDER

Under Oregon Rule of Civil Procedure (ORCP) 36(C)(7) and OAR 860-001-0080(1), PacifiCorp d/b/a Pacific Power moves the Public Utility Commission of Oregon (Commission) for entry of a standard protective order in this proceeding. PacifiCorp filed its Application for Deferred Accounting (Application) in the above-captioned proceeding on December 28, 2017. PacifiCorp anticipates updating its filing with additional information related to the income tax impacts related to the federal legislation titled "To provide for reconciliation pursuant to titles II and V of the concurrent resolution on the budget for fiscal year 2018," H.R. 1 (Tax Act), signed into law on December 22, 2017. Portions of the update, or related discovery, may present confidential tax information to parties. Good cause exists to issue a Protective Order to protect commercially sensitive and confidential business information related to PacifiCorp's tax information and strategy.

The Commission's rules authorize PacifiCorp to seek reasonable restrictions on discovery of trade secrets and other confidential business information.<sup>1</sup> The Commission's

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<sup>1</sup> See OAR 860-001-0000(1) (adopting the Oregon Rules of Civil Procedure); 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*, Docket No. 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").

standard protective order is designed to allow the broadest possible discovery consistent with the need to protect confidential information.<sup>2</sup> PacifiCorp will be updating its Application with additional financial and tax information that is commercially sensitive. PacifiCorp will be exposed to competitive injury if it is forced to make unrestricted disclosure of its confidential business information.

It is also substantially likely that parties to this proceeding will seek to discover further information held by PacifiCorp, including confidential and proprietary business information. Issuance of a protective order will facilitate the production of relevant information and expedite the discovery process.

For these reasons, PacifiCorp respectfully requests that the Commission enter its standard protective order in this docket.

Respectfully submitted this 13<sup>th</sup> day of August, 2018.

By:



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<sup>2</sup> OAR 860-001-0080(2).