From: Erin Apperson
To: ROWE Sarah
Cc: GRANT Michael; MENZA Candice; Loretta Mabinton; Selena Jones
Subject: FW: UM 1934 Motion for a Modified PO
Date: Tuesday, October 2, 2018 3:55:20 PM

ALJ Rowe,

I received your email communication from Ms. Mabinton who is currently out of the office—I am covering for her on this matter. In response to your first set of questions regarding conferring with parties, I left voicemails with parties today and followed up with an email to parties asking whether there are any objections to the terms of the proposed Modified Protective Order.

I have received responses from CUB and AWEC that they do not object to the proposed Modified Protective Order. AWEC also communicated that it supports the proposed modified language for paragraph 13(b) contained in your email. I also received a response from NIPPC that there should not be concerns "if PGE has appropriately drafted the language consistent with the order in the PacifiCorp proceeding that allows NIPPC's attorneys to review the confidential materials even if those attorneys represent bidders on other unrelated matters."

I will communicate whether I receive any objections by the end of today and PGE's recommended next steps based on those responses and given the time-sensitive nature of this motion.

In response to your second set of questions, PGE requests the following modifications to paragraph 13(b) in red: "Counsel for a non-bidding Party in UM 1934, except a Party in UM 1934 (including attorneys) who is a seller, producer, or distributor of energy or energy resources. ~~that was a bidder or planned to bid in Portland General Electric Company's 2018 Request for Proposals for Renewable Resources~~

PGE believes that this modification would provide the same level of protection while being something that the Commission is able to determine.

Thank you,

Erin Apperson
Assistant General Counsel
Portland General Electric
503-464-8544
Erin.Apperson@pgn.com

From: ROWE Sarah [mailto:sarah.rowe@state.or.us]
Sent: Tuesday, October 2, 2018 11:31 AM

To: Loretta Mabinton
Cc: MENZA Candice; GRANT Michael
Subject: UM 1934 Motion for a Modified PO

Ms. Mabinton,

The Commission has two questions about PGE's motion for a Modified Protective Order in UM 1934, PGE's 2018 R-RFP.

(1) Has PGE conferred with the parties to UM 1934 regarding the terms of the proposed Modified Protective Order?
   a. If yes, do any parties oppose the terms of the proposed Modified Protective Order?
   b. If no, can PGE please confer and report back to me on how best to resolve any opposition? Given the expedited timeline for review of the shortlist, it may be faster for PGE to confer with parties than it would be for AHD to set a shortened response time for objections and then wait for that clock to run.

(2) Paragraph 13(b) identifies persons qualified by signing a signatory page.
   a. The language excludes parties that had bid "or planned to bid." The Commission is unable to determine which parties "had planned to bid." Is this something that is known to other parties?
   b. To clarify the intent of paragraph 13(b), could it be simplified to read as follows?: "Counsel for a non-bidding Party in UM 1934~~, except a Party in UM 1934 (including attorneys) that was a bidder or planned to bid in Portland General Electric Company's 2018 Request for Proposals for Renewable Resources~~."

Thank you,

Sarah Rowe
Administrative Law Judge
Oregon Public Utility Commission
Tel: 503-378-6106