



825 NE Multnomah, Suite 2000
Portland, Oregon 97232

September 14, 2021

VIA ELECTRONIC FILING

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

RE: UM 2193—PacifiCorp's 2022 All Source Request for Proposal—Motion for General Protective Order and Request for Expedited Treatment

PacifiCorp d/b/a Pacific Power hereby submits for filing its Motion for a General Protective Order in the above docket and request for expedited treatment.

Please direct any inquiries about this filing to Cathie Allen, Regulatory Affairs Manager, at (503) 813-5934.

Sincerely,

Shelley McCoy
Director, Regulation

Enclosure

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 2193

In the Matter of

PACIFICORP d/b/a PACIFIC POWER's

Application for Approval of 2022 All-
Source Request for Proposals.

**MOTION FOR GENERAL
PROTECTIVE ORDER**

Expedited Consideration Requested

Under Oregon Rule of Civil Procedure (ORCP) 36(C)(1) and OAR 860-001-0080(1), PacifiCorp d/b/a Pacific Power (PacifiCorp or the Company) moves the Public Utility Commission of Oregon (Commission) for entry of a general protective order in this proceeding. On September 2, 2021, PacifiCorp filed an application asking the Commission to open a docket for approval of a solicitation process for new resources and to appoint an independent evaluator to oversee the request for proposal (RFP) process. Good cause exists to issue a general protective order to protect commercially sensitive and confidential business information related to PacifiCorp's 2022 All-Source RFP. PacifiCorp requests expedited consideration of this motion to facilitate the disclosure of confidential information related to independent evaluator bids to Commission Staff.

The Commission's rules authorize PacifiCorp to seek reasonable restrictions on discovery of trade secrets and other confidential business information.¹ The Commission's general protective order is designed to allow the broadest possible discovery consistent with

¹ See OAR 860-001-0080(1) (adopting the Oregon Rules of Civil Procedure); ORCP 36(C)(1) (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").

the need to protect confidential information.² PacifiCorp anticipates that discovery in this proceeding may include RFP-related information covered by confidentiality agreements, proprietary cost data and models, commercially-sensitive load and resource projections, and confidential market and pricing analyses. PacifiCorp will be exposed to competitive injury if it is forced to make unrestricted disclosure of its confidential 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 general protective order in this docket. PacifiCorp requests expedited consideration of this motion to allow for the disclosure of confidential materials related to the selection of the independent evaluator.

Respectfully submitted this 14th day of September, 2021.

By: 

Carla Scarsella, OSB #193139
Senior Attorney
PacifiCorp
825 NE Multnomah Street, Suite 2000
Portland, OR 97232
PHONE: (503) 813-6338
EMAIL: carla.scarsella@pacificorp.com

² OAR 860-001-0080(2).