

February 26, 2013

VIA ELECTRONIC FILING AND OVERNIGHT DELIVERY

Public Utility Commission of Oregon 550 Capitol Street NE, Ste 215 Salem, OR 97301-2551

Attn: Filing Center

RE: UE 263—PacifiCorp's Motion for a General Protective Order

- P. Cappit /PBD

Expedited Consideration Requested

PacifiCorp d/b/a Pacific Power anticipates filing a general rate case on March 1, 2013, that has been pre-assigned docket number UE 263. To allow other parties to obtain confidential information related to the general rate case as promptly as possible, the Company filed the enclosed Motion for a General Protective Order.

Please contact Bryce Dalley, Director of Regulatory Affairs, at (503) 813-6389 with any questions.

Sincerely,

William R. Griffith

Vice President, Regulation

Enclosure

cc: Service List-UE 246

BEFORE THE PUBLIC UTILITY COMMISSION OF OREGON

UE 263

In the Matter of
PACIFICORP d/b/a PACIFIC POWER
Request for a General Rate Revision.

PACIFICORP'S MOTION FOR A GENERAL PROTECTIVE ORDER

EXPEDITED CONSIDERATION REQUESTED

1 Under ORCP 36(C)(7) and OAR 860-001-0080(1), PacifiCorp d/b/a Pacific Power 2 (Company) moves the Public Utility Commission of Oregon (Commission) for entry of a general 3 protective order in these proceedings. The Company will file a request for a general rate increase 4 on March 1, 2013. The initial filing, including the Company's responses to many of Commission 5 Staff's Standard Data Requests, will include confidential information. The Company requests 6 expedited consideration of this motion so it may promptly provide the confidential information in 7 the initial filing to parties. Good cause exists to issue a protective order to protect commercially 8 sensitive and confidential business information related to the Company's request for a general 9 rate increase. 10 The Commission's rules authorize PacifiCorp to seek reasonable restrictions on discovery of trade secrets and other confidential business information. The Commission's 11 12 general protective order is designed to allow the broadest possible discovery consistent with the need to protect confidential information.² PacifiCorp's initial filing in this case includes 13 14 proprietary cost data and models, commercially sensitive pricing information, confidential

¹ 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 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 OAR 860-001-0080(2).

- 1 market analyses and business projections, and confidential information regarding contracts
- 2 for the purchase or sale of electric power, power services, or fuel. PacifiCorp will be
- 3 exposed to competitive injury if it is forced to make unrestricted disclosure of its confidential
- 4 business information.
- 5 It is also substantially likely that the parties to these proceedings will seek to discover
- 6 further information held by PacifiCorp, including confidential business information.
- 7 Issuance of a protective order will facilitate the production of relevant information and
- 8 expedite the discovery process.
- 9 For these reasons, PacifiCorp respectfully requests that the Commission enter its
- 10 general protective order in this docket. The Company requests expedited consideration of
- this motion to allow parties who execute the protective order to promptly obtain the
- 12 confidential information in the initial filing and responses to discovery requests.

Respectfully submitted this 26th day of February, 2013.

Sarah K. Wallace

Senior Counsel

PacifiCorp d/b/a Pacific Power

CERTIFICATE OF SERVICE

I hereby certify that I served a true and correct copy of the foregoing document, in Docket UE 246, on the date indicated below by email, addressed to said parties at his or her last-known address(es) indicated below.

Kurt J. Boehm (W)(C) Boehm Kurtz & Lowry 36 E. Seventh St., Suite 1510 Cincinnati, OH 45202 kboehm@bkllawfirm.com

OPUC Dockets (W) Citizens' Utility Board of Oregon 610 SW Broadway, Suite 400 Portland, OR 97205 dockets@oregoncub.org

G. Catriona McCracken (W)(C) Citizens' Utility Board of Oregon 610 SW Broadway, Suite 400 Portland, OR 97205 catriona@oregoncub.org

Melinda J. Davison (W)(C) Davison Van Cleve PC 333 SW Taylor, Suite 400 Portland, OR 97204 mail@dvclaw.com

Michael T. Weirich (W)(C)
Department of Justice
Regulated Utility & Business Section
1162 Court St. NE
Salem, OR 97301-4096
Michael.weirch@doj.state.or.us

Johanna Riemenschneider (W)(C)
PUC Staff – Dept of Justice
Business Activites Section
1162 Court St NE
Salem, OR 97301-4096
Johanna.riemenschneider@doj.state.or.us

Jeremy Fisher (W)(C) Synapse Energy 485 Massachusetts Ave, Ste 2 Cambridge, MA 02139 jfisher@synapse-energy.com

Sarah Wallace (W)(C) Pacific Power 825 NE Multnomah St Ste 1800 Portland, OR 97232 Sarah.wallace@pacificorp.com Jody Kyler (W)(C) Boehm Kurtz & Lowry 36 E. Seventh St. Ste 1510 Cincinnati, OH 45202 ikyler@bkllawfirm.com

Robert Jenks (W)(C) Citizens' Utility Board of Oregon 610 SW Broadway, Suite 400 Portland, OR 97205 Bob@oregoncub.org

Irion A Sanger (W)(C)
Davison Van Cleve
333 SW Taylor – Ste 400
Portland, OR 97204
mail@dyclaw.com

Kevin Higgins (W)(C) Energy Strategies 215 State St., Suite 200 Salt Lake City, UT 84111-2322 Khiggins@energystrat.com

John W. Stephens (W)(C) Esler Stephens & Buckley 888 SW 5th Ave Ste 700 Portland, OR 97204 - 2021 <u>stephens@eslerstephens.com</u> mec@eslerstephens.com

Wendy Gerlitz (W)(C) NW Energy Coalition 1205 SE Flavel Portland, OR 97202 wendy@nwenergy.org

Bryce Dalley (W)(C)
Pacific Power
825 NE Multnomah St., Suite 2000
Portland, OR 97232
Bryce.dalley@pacificorp.com

Oregon Dockets (W)
Pacific Power
825 NE Multnomah St., Suite 2000
Portland, OR 97232
oregondockets@pacificorp.com

Donald W Schoenbeck (W)(C) Regulatory & Cogeneration Services, Inc 900 Washington St, Ste 780 Vancouver, WA 98660-3455 Dws@r-c-s-inc.com

Randall Dahlgren (W)
Portland General Electric
121 SW Salmon St., 1WTC0702
Portland, OR 97204
Pge.opuc.filings@pgn.com

Deborah Garcia (W)(C) Oregon Public Utility Commission PO Box 2148 Salem, OR 97308-2148 deborah.garcia@state.or.us

Jimmy Lindsay (W)(C) Renewable Northwest Project 421 SW 6th Ave #1125 Portland, OR 97204-1629 jimmy@rnp.org

Stuart Robertson (W) Robertson-Bryan, Inc 9888 Kent Street Elk Grove, CA 95624 stuart@robertson-bryan.com

William Ganong (W)(C) 514 Walnut Avenue Klamath Falls, OR 97601 wganong@aol.com

DATED: February 26, 2013

Gloria D. Smith (W)(C) Sierra Club Law Program 85 Second St San Francisco, CA 94105 Gloria.smith@sierraclub.org

Douglas C. Tingey (W) Portland General Electric 121 SW Salmon St., 1WTC13 Portland, OR 97204 doug.tingey@pgn.com

Megan Walseth Decker (W)(C) Renewable Northwest Project 421 SW 6th Ave #1125 Portland, OR 97204-1629 megan@rnp.org

Derek Nelson (W)(C) Sierra Club Law Program 85 Second St, 2nd Floor San Francisco, CA 94105 derek.nelson@sierraclub.org

Kevin E. Parks (W)
Parks Law Offices LLC
310 SW 4th Ave. Ste 806
Portland, OR 97204
kevin@parks-law-offices.com

Hollie Cannon (W)(C) Klamath Water and Power Agency 735 Commercial St Ste 4000 Klamath Falls, OR 97601 Hollie.cannon@kwapa.org

Carrie Meyer

Coordinator, Regulatory Operations