

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM -

In the Matter of
Constellation NewEnergy, Inc.'s
2015 RPS Report

**CONSTELLATION NEWENERGY, INC.'S
MOTION FOR
A GENERAL PROTECTIVE ORDER
EXPEDITED CONSIDERATION REQUESTED**

1 Under ORCP 36(C)(7) and OAR 860-001-0080(1), Constellation NewEnergy, Inc.
2 (“CNE”) moves the Public Utility Commission of Oregon (Commission) for entry of a
3 general protective order in these proceedings. CNE filed its 2015 RPS Report on May 27,
4 2016. The filing included confidential information. CNE requests expedited consideration
5 of this motion in order to promptly provide to parties the confidential information in the
6 initial filing. Good cause exists to issue a protective order to protect commercially
7 sensitive and confidential business information related to CNE’s Filing.

8 The Commission's rules authorize CNE to seek reasonable restrictions on
9 discovery of trade secrets and other confidential business information.¹ The
10 Commission's general protective order is designed to allow the broadest possible
11 discovery consistent with the need to protect confidential information.² CNE's initial
12 filing in this case contains commercially sensitive pricing information, load information,
13 and confidential information regarding contracts for the purchase of RECs. CNE will be
14 exposed to competitive injury if it is forced to make unrestricted disclosure of its
15 confidential business information.

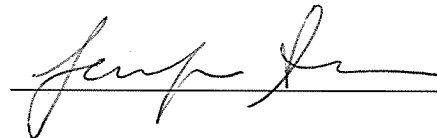
¹ See OAR 860 001-0000(1) (adopting the Oregon Rules of Civil Procedure), ORCP 36(C)(7)(providing protection against unrestricted discovery of “trade secrets or other confidential research development, or commercial information”). *See also In re Investigation into the Cost of Providing Telecommunication 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 communications of information between litigants”).

² OAR 860 001 0080(2)

1 It is also possible that the parties to these proceedings will seek to discover further
2 information held by CNE, including confidential business information.
3 Issuance of a protective order will facilitate the production of relevant information and
4 expedite the discovery process.

5 For these reasons, CNE respectfully requests that the Commission enter its
6 general protective order in this docket. CNE requests expedited consideration of this
7 motion to allow parties who execute the protective order to promptly obtain the
8 confidential information in the initial filing and responses to discovery requests.

DATED: May 21, 2016

A handwritten signature in black ink, appearing to read "Jennifer Solomon", is written over a horizontal line.

Jennifer Solomon
Assistant General Counsel
On behalf of Constellation NewEnergy, Inc.