

McDowell Rackner & Gibson PC



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January 22, 2016

VIA ELECTRONIC MAIL

PUC Filing Center
Public Utility Commission of Oregon
PO Box 1088
Salem, OR 97308-1088

Re: UE 301 – In the Matter of IDAHO POWER COMPANY's 2016 Annual Power Cost Update

Attention Filing Center:

Attached for filing in the above-referenced matter is an electronic copy of Idaho Power Company's Motion for Protective Order.

Please contact this office with any questions.

Very truly yours,

Handwritten signature of Wendy McIndoo in blue ink.

Wendy McIndoo
Office Manager

Attachment

1 **BEFORE THE PUBLIC UTILITY COMMISSION**
2 **OF OREGON**

3 **UE 301**

4 In the Matter of
5 IDAHO POWER COMPANY
6 2016 Annual Power Cost Update

MOTION FOR PROTECTIVE ORDER

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8 Pursuant to ORCP 36(C)(7) and OAR 860-001-0080, Idaho Power Company ("Idaho
9 Power" or "Company") moves for the entry of the Public Utility Commission of Oregon's
10 ("Commission") general protective order in this proceeding. Good cause exists to issue a
11 Protective Order to protect commercially sensitive and confidential business information
12 related to the Company's filed 2015 Annual Power Cost Update.

13 In support of this Motion, the Company states:

14 1. The Commission's rules authorize Idaho Power to seek reasonable restrictions
15 on discovery of trade secrets and other confidential business information. See 860-001-0080;
16 ORCP 36(C)(7) (providing protection against unrestricted discovery of "trade secrets or other
17 confidential research, development, or commercial information"); *see also In re Investigation*
18 *into the Cost of Providing Telecommunication Service*, Docket UM 351, Order No. 91-500
19 (1991) (recognizing that protective orders are a reasonable means to protect "the rights of a
20 party to trade secrets and other confidential commercial information" and "to facilitate the
21 communication of information between litigants").

22 2. On October 23, 2015, Idaho Power filed its 2016 Annual Power Cost Update. It
23 is expected that certain documents related to the filing will contain confidential material,
24 including but not limited to proprietary cost data and models, commercially sensitive load and
25 resource projections, confidential market analyses and business projections, and confidential
26 information regarding contracts for the purchase or sale of electric power, power services, or

1 fuel. Public disclosure of the confidential information could be detrimental to Idaho Power and
2 its customers.

3 3. It is substantially likely that Staff and others in this proceeding will seek to
4 discover confidential business information. "The Commission's standard blanket protective
5 order is designed to facilitate discovery in cases involving discovery of large numbers of
6 documents." See *In re Portland Extended Area Service Region*, Docket UM 261, Order No.
7 91-958 (1991). Issuance of a protective order will facilitate the production of relevant
8 information and expedite the discovery process.

9 For the foregoing reasons, Idaho Power requests entry of a standard Protective Order
10 in this docket.

11 DATED: January 22, 2016.

12 McDOWELL RACKNER & GIBSON PC

13 
14 Lisa F. Rackner
Adam Lowney

15 **IDAHO POWER COMPANY**

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