

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 2051

FOSSIL LAKE SOLAR, LLC,

Complainant,

v.

PORTLAND GENERAL ELECTRIC
COMPANY,

Defendant.

**FOSSIL LAKE SOLAR, LLC’S
MOTION FOR A GENERAL
PROTECTIVE ORDER**

EXPEDITED CONSIDERATION
REQUESTED

Under ORCP 36(C)(1) and OAR 860-001-0080(1), Fossil Lake Solar, LLC (“Fossil Lake”), moves the Public Utility Commission of Oregon (“Commission”) for entry of a general protective order in this proceeding to protect commercially sensitive and confidential business information. Fossil Lake requests expedited consideration of this motion in order to promptly provide confidential information to PGE in response to PGE’s First Set of Data Requests. Good cause exists to issue a protective order to protect Fossil Lake’s commercially sensitive and confidential business information.

In support of this Motion, Fossil Lake states:

1. The Commission’s rules authorize Fossil Lake to seek reasonable restrictions on discovery of trade secrets and other confidential business information. *See* OAR 860-001-0080; ORCP 36(C)(1) (providing protection against unrestricted discovery of “a trade secret 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. PGE’s First Set of Data Requests seeks documents and information from Fossil Lake that qualify as trade secrets and other confidential commercial information. This includes financial data concerning Fossil Lake’s development expenses for a solar project. It also includes reports that have been designated by third-parties as confidential. Fossil Lake will be exposed to competitive injury if it is forced to make unrestricted disclosure of such confidential business information.

3. Fossil Lake anticipates that additional trade secrets or commercially sensitive information may be requested in future discovery requests. Issuance of a protective order will facilitate the production of relevant information and expedite the discovery process.

For the foregoing reasons, Fossil Lake respectfully requests entry of a standard protective order in this proceeding on an expedited basis.

DATED this 13th day of April, 2020.

Respectfully submitted,

s/ Richard G. Lorenz

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