

BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON

UM-2124

In the matter of the Application of )  
AVISTA CORPORATION, DBA )  
AVISTA UTILITIES for )  
Authorization of Deferral of )  
Income Tax Expense )

MOTION FOR PROTECTIVE ORDER

**Expedited Consideration Requested**

1 Pursuant to OAR 860-001-0080(2), Avista Corporation, d/b/a Avista Utilities (“Company”),  
2 moves for entry of the Commission’s general protective order in this proceeding. The Company  
3 requests expedited consideration of this Motion in order to allow parties that execute the protective  
4 order to obtain prompt access to the confidential information and to expedite any discovery in this  
5 proceeding. Good cause exists to issue a Protective Order to protect commercially sensitive and  
6 confidential business information related to the Company’s request for deferral of income tax  
7 expense. In support of this Motion, the Company states:

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The Commission’s rules authorize Avista to seek reasonable restrictions on discovery of  
sensitive commercial information and other confidential business information. See OAR 860-001-  
0080(2) (adopting Oregon Rules of Civil Procedure (“ORCP”)); 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* (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”).

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Avista anticipates that parties to this docket may request proprietary cost data and models, confidential market analyses and business projections. This confidential business information is of significant commercial value, which would expose the Company to competitive injury if disclosure is unrestricted.

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It is substantially likely that Staff and other parties in this proceeding will seek to discover information held by Avista, including confidential business information. “The Commission’s standard blanket protective order is designed to facilitate discovery in cases involving discovery of large numbers of documents.” *See In re Portland Extended Area Service Region*, Docket UM 261, Order No. 91-958 (1991). Issuance of a protective order will facilitate the production of relevant information and expedite the discovery process.

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The Company requests expedited consideration of this Motion to allow parties who execute the protective order to obtain prompt access to the confidential information in support of the Company’s request for deferred accounting of income tax expenses and to expedite any discovery in this proceeding.

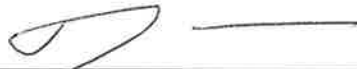
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Counsel for Avista has contacted counsel for Staff and AWEC, all of the Parties in this docket, and none oppose this motion.

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2           For the foregoing reasons, Avista requests expedited entry of the Commission's standard  
3 protective order in this docket.

DATED: February 23, 2021.



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David J. Meyer  
Chief Counsel for Regulatory and Governmental Affairs  
Avista Corporation