

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

**PCN 5**

In the Matter of

IDAHO POWER COMPANY,

Petition for Certificate of Public  
Convenience and Necessity.

RULING

**DISPOSITION: PROCESS ESTABLISHED FOR FILINGS INVOLVING  
CONFIDENTIAL MEDICAL RECORDS**

On February 8, 2023, Chief Administrative Law Judge Moser issued a ruling concerning access to Greg Larkin's medical records in this proceeding. Chief ALJ Moser noted that review of discovery responses concerning Mr. Larkin's medical records would be limited to Idaho Power and the individuals qualified to review confidential information through Idaho Power, including any experts under Idaho Power's employ that agreed to be bound by the terms of the protective order. On February 14, 2023, Idaho Power sought guidance on how to handle Mr. Larkin's medical records when submitting its reply testimony.

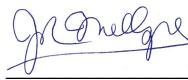
Any filings involving Mr. Larkin's medical records must be treated with a heightened level of confidentiality. In doing so, parties should follow the general procedures for filing confidential information with a modification. Parties submitting a filing involving Mr. Larkin's medical records should prepare three versions of the filing: (1) a fully redacted version that will be made publicly available; (2) a version that is only redacted with respect to Mr. Larkin's medical records that will be made available to all parties who have signed the protective order; and (3) a version with no redactions, clearly marked as containing additional confidential medical information. The three filings should follow the standard filing center rules and be emailed separately with the appropriate parties copied. Only Mr. Larkin should be copied on the emails regarding the filings that discuss or contain his medical records. When filing any confidential documents please remember, the file must be compressed, encrypted, and password protected, with a second email containing the password for the filing.

The unredacted version will only be accessible to Idaho Power, Mr. Larkin (including any individuals advising Mr. Larkin, at his discretion), the Commissioners, the ALJs working on this matter, and the Administrative Hearings Division support staff working on this matter. Should any other party, including Staff, feel they have a need to review testimony involving Mr. Larkin's medical records, they may file a motion with the Filing Center explaining the reasons for such access and I will consider the request on an expedited basis after hearing from Mr.

Larkin. These same provisions will apply to any testimony or briefing filed at later stages of these proceedings that involve confidential medical records, with Idaho Power copied on any such filings.

Should any party have any questions regarding how to file any reply testimony referencing Mr. Larkin's medical records, they should contact the Filing Center at PUC.FILINGCENTER@puc.oregon.gov or Chief ALJ Moser.

Dated this 17<sup>th</sup> day of February, 2023, at Salem, Oregon.



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John Mellgren  
Administrative Law Judge