

**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: ACCESS TO GREG LARKIN’S DISCOVERY RESPONSE  
NARROWED**

On February 7, 2023, ALJ John Mellgren held a discovery conference in this docket. Mr. Greg Larkin filed a letter in this docket today, noting that he was working to respond to a discovery request from Idaho Power, but requesting that his response be treated as confidential given its sensitivity. Mr. Larkin requests that access to this information be limited to Idaho Power attorneys and ALJ Mellgren.

I clarify Mr. Larkin’s response will be treated as confidential. The protective order governing this case, issued on August 26, 2022, allows confidential information access to all individuals who have agreed to be bound by the protective order, and in this case that group includes most parties.

However, given the sensitivity of the information Mr. Larkin is providing in his discovery response, until such time as a ruling from me or ALJ Mellgren supplants this directive, review of Mr. Larkin’s discovery response, due this day, February 8, 2023, will be limited to Idaho Power and the individuals qualified to review confidential information through Idaho Power, and no other parties. Functionally, this means that Mr. Larkin may share his response with Idaho Power and Idaho Power only, and that other parties should not have access to this information at this time.

I clarify as well that qualified individuals under the protective order include not only Idaho Power attorneys as stated in Mr. Larkin’s letter, but also other signatories, including any experts under Idaho Power’s employ that agree to be bound by the terms of the protective order.

No other parties may access Mr. Larkin's response at this time, subject to change after further consideration of the discovery dispute.

Dated this 8<sup>th</sup> day of February, 2023, at Salem, Oregon.



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Nolan Moser  
Chief Administrative Law Judge