

BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON

UG-461

In the matter of the Application of)
AVISTA CORPORATION, DBA)
AVISTA UTILITIES for a)
General Rate Increase in the)
Company's Oregon Annual Revenues)

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 filed in support of the request and to
5 expedite any discovery in this proceeding. Good cause exists to issue a Protective Order to protect
6 commercially sensitive and confidential business information related to the Company’s request for a
7 general rate increase. In support of this Motion, the Company states:

8

9

1.

10 The Commission’s rules authorize Avista to seek reasonable restrictions on discovery of
11 sensitive commercial information and other confidential business information. See OAR 860-001-
12 0080(2) (adopting Oregon Rules of Civil Procedure (“ORCP”)); ORCP 36(C)(7) (providing
13 protection against unrestricted discovery of “trade secrets or other confidential research,
14 development, or commercial information”). See also *In re Investigation into the Cost of Providing*
15 *Telecommunication Service* (UM 351), Order No. 91-500 (1991) (recognizing that protective orders
16 are a reasonable means to protect “the rights of a party to trade secrets and other confidential
17 commercial information” and “to facilitate the communication of information between litigants”).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

2.

Avista anticipates that parties to this docket may request proprietary cost data and models, commercially sensitive load and resource projections, confidential market analyses and business projections, confidential employee data, and confidential information regarding contracts for the purchase or sale of natural gas. This confidential business information is of significant commercial value, which would expose the Company to competitive injury if disclosure is unrestricted.

3.

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.

4.

The Company requests expedited consideration of this Motion to allow parties who execute the protective order to obtain prompt access to the confidential exhibits and workpapers in support of the Company’s request for a general rate increase and to expedite any discovery in this proceeding. In addition, in making its general rate filing, Commission rules require the submission of responses to a set of standard information requests (see OAR 860-022-0019), and some of such responses contain confidential information.

1

5.

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

DATED: February 28, 2023.

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