

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UE 180/ UE 181/ UE 184

In the Matter of PORTLAND GENERAL  
ELECTRIC COMPANY

Request for a General Rate Revision (UE 180),

Annual Adjustments to Schedule 125  
(2007 RVM Filing) (UE 181),

Request for a General Rate Revision relating to  
the Port Westward Plant (UE 184).

**THE CITY OF PORTLAND'S  
RESPONSE IN SUPPORT OF THE  
INDUSTRIAL CUSTOMERS OF  
NORTHWEST UTILITIES' MOTION  
TO EXCLUDE EXHIBIT ICNU/412  
FROM THE PROTECTIVE ORDER**

The City of Portland, Oregon responds to the Industrial Customers of Northwest Utilities' Motion to Exclude Exhibit ICNU/412 From the Protective Order, filed November 21, 2006. As noted in ICNU's motion, the Commission uses a six-part test to determine whether a document is properly classified as confidential.<sup>1</sup>

The City of Portland agrees with the conclusions drawn in the Response filed by Staff with the Commission on November 27, 2006: application of the six-part test establishes conclusively that Exhibit ICNU/412 is not properly classified as confidential. The City of Portland joins with Staff in supporting ICNU's request that the Commission determine that Exhibit ICNU/412 is improperly designated as confidential and exclude it from the confidentiality protections afforded under Protective Order No. 06-111.

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<sup>1</sup> ICNU's Motion at 4, *citing Citizen's Utility Board v. OPUC*, 128 Or App 650, 658-59 (1994).

## CONCLUSION

For the reasons stated in the Industrial Customers of Northwest Utilities' Motion to Exclude Exhibit ICNU/412 from the Protective Order, the City of Portland asks that the ALJ conclude that Exhibit ICNU/412 is not subject to Protective Order No. 06-111 as entered in UE 180, UE 181 and UE 184.

DATED this 28<sup>th</sup> day of November, 2006.

Respectfully submitted,

s/ Benjamin Walters  
Benjamin Walters, OSB #85354  
Senior Deputy City Attorney  
Of Attorneys for City of Portland

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing CITY OF PORTLAND'S RESPONSE IN SUPPORT OF THE INDUSTRIAL CUSTOMERS OF NORTHWEST UTILITIES' MOTION TO EXCLUDE EXHIBIT ICNU/412 FROM THE PROTECTIVE ORDER on the individuals on the attached Service List by electronic mail on this 28<sup>th</sup> day of November, 2006.

s/ Benjamin Walters

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