



**GREEN ENERGY
INSTITUTE**
Lewis & Clark Law School

Caroline Cilek
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carolinecilek@lclark.edu

May 22, 2023

via electronic filing

Public Utility Commission
Attn: Filing Center
P.O. Box 1088
Salem, OR 97308-1088

Re: UE 416 – Portland General Electric General Rate Case, Request for a General Rate Revision

Dear Filing Center:

This letter seeks to supplement the record of the above-captioned docket regarding access to Highly Confidential Information under Order No. 23-138.

On Tuesday, May 16, 2023, I emailed PGE relaying that I intended to submit Signatory Pages to Modified Ord. No 23-138 submitted by NWEAC, NRDC, & GEI for UE 416. I then filed the Signatory Pages to Modified Ord. No 23-138 submitted by NWEAC, NRDC, & GEI for UE 416 with the PUC filing center shortly thereafter.

That same day, Ms. Burton, Assistant General Counsel III for PGE, emailed me stating that “PGE does not plan to object to the signatories having access to the highly confidential material.” *See* Attachment A.

On Wednesday, May 17, 2023, Mr. Rivas emailed PUC staff seeking clarification about the ability to access the highly confidential information in UE 416. PUC staff responded that access would be granted in five business days but that if Mr. Rivas could confirm that PGE did not object, that access could be granted prior to the five-day objection period. *See* Attachment B. In a separate email to PUC staff, Mr. Rivas forwarded the email chain that included Ms. Burton’s email. *See* Attachment A. PUC staff then provided NWEAC, NRDC, & GEI access to Highly Confidential Information on only May 17, 2023.

On Monday, May 22, 2023, I spoke with Ms. Burton, and she confirmed that she does not object to NWEAC, NRDC, & GEI accessing Highly Confidential Information in UE 416.

Respectfully submitted,

/s/ Caroline A. Cilek

Caroline A. Cilek, OSB #223766

Staff Attorney, Green Energy Institute at Lewis & Clark Law School

Cc: Kim Burton, Assistant General Counsel III, PGE



UE 416 - Signatory Pages to Modified Ord. No 23-138 submitted by NWECC, NRDC, & GEI

7 messages

Caroline Cilek <carolinecilek@lclark.edu> Tue, May 16, 2023 at 10:53 AM
To: kim.burton@pgn.com, Jaki Ferchland <jacquelyn.ferchland@pgn.com>, pge.opuc filings@pgn.com
Cc: Diego Rivas <diego@nwenergy.org>

Dear Ms. Burton and Ms. Ferchland:

Order. No. 23-138, Appendix A, paragraph 14, states, in part, that "[a] party bound by the General Protective Order in this docket may seek to qualify persons other than those described in Paragraphs 12 and 13 to access specific Highly Confidential Information by having each such person complete and sign Appendix B and submitting the Appendix to the designating party and to the Commission."

I am contacting you as the designating party to provide our UE 416 - Signatory Pages to Modified Ord. No 23-138. I will be filing the attached with the PUC filing center shortly.

Please let me know if you have any questions or concerns.
Sincerely,
Caroline

--
Caroline Cilek
She/Her/Hers
Staff Attorney, Green Energy Institute
Lewis & Clark Law School
319-331-0469 (cell)



UE 416 - Signatory Pages to Modified Ord. No 23-138.pdf
2617K

Kim Burton <kim.burton@pgn.com> Tue, May 16, 2023 at 11:03 AM
To: Caroline Cilek <carolinecilek@lclark.edu>, Jaki Ferchland <Jacquelyn.Ferchland@pgn.com>
Cc: Diego Rivas <diego@nwenergy.org>, Shay LaBray <shay.labray@pgn.com>

Thank you for the notice, Caroline. PGE does not plan to object to the signatories having access to the highly confidential material.

Kim Burton



Assistant General Counsel III

Cell: 573.356.9688 | Email: kim.burton@pgn.com

PortlandGeneral.com • Follow us on social @PortlandGeneral

From: Caroline Cilek <carolinecilek@lclark.edu>
Sent: Tuesday, May 16, 2023 10:53 AM

To: Kim Burton <kim.burton@pgn.com>; Jaki Ferchland <Jacquelyn.Ferchland@pgn.com>; PGE OPUC Filings <pge.opuc.filings@pgn.com>
Cc: Diego Rivas <diego@nwenergy.org>
Subject: UE 416 - Signatory Pages to Modified Ord. No 23-138 submitted by NWEAC, NRDC, & GEI

This email is from someone outside PGE.

Please take care when opening links, attachments or responding to this email.

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Diego Rivas <diego@nwenergy.org>
To: BARNES Kay PUC <Kay.BARNES@puc.oregon.gov>
Cc: Caroline Cilek <carolinecilek@lclark.edu>

Wed, May 17, 2023 at 10:31 AM

Hi Kay, thanks for your quick response and the information.

Below is the response from Kim Burton at PGE to our direct email to the company with the signed protective orders.

Thanks again!
Diego

Diego Rivas
Regulatory Counsel
NW Energy Coalition
(406) 461-6632

From: Kim Burton <kim.burton@pgn.com>
Sent: Tuesday, May 16, 2023 12:03 PM
To: Caroline Cilek <carolinecilek@lclark.edu>; Jaki Ferchland <Jacquelyn.Ferchland@pgn.com>
Cc: Diego Rivas <diego@nwenergy.org>; Shay LaBray <shay.labray@pgn.com>
Subject: RE: UE 416 - Signatory Pages to Modified Ord. No 23-138 submitted by NWEAC, NRDC, & GEI

[Quoted text hidden]

BARNES Kay * PUC <Kay.BARNES@puc.oregon.gov>
To: Diego Rivas <diego@nwenergy.org>
Cc: Caroline Cilek <carolinecilek@lclark.edu>

Wed, May 17, 2023 at 10:36 AM

Diego,

Thank for the document. You will have access soon. I saw your filing yesterday but without knowing about PGE's approval, I have to wait for 5-business day. This document speed it up.

Kay

[Quoted text hidden]

Diego Rivas <diego@nwenergy.org>
To: BARNES Kay * PUC <Kay.BARNES@puc.oregon.gov>
Cc: Caroline Cilek <carolinecilek@lclark.edu>

Wed, May 17, 2023 at 10:37 AM

Fantastic. Thank you!

Diego

From: BARNES Kay * PUC <Kay.BARNES@puc.oregon.gov>
Sent: Wednesday, May 17, 2023 11:36 AM
To: Diego Rivas <diego@nwenergy.org>
Cc: Caroline Cilek <carolinecilek@lclark.edu>

[Quoted text hidden]

[Quoted text hidden]

BARNES Kay * PUC <Kay.BARNES@puc.oregon.gov>
To: Diego Rivas <diego@nwenergy.org>
Cc: Caroline Cilek <carolinecilek@lclark.edu>

Wed, May 17, 2023 at 11:00 AM

Should have access to all 3 versions of folders. Let me know if I miss something.

[Quoted text hidden]

Caroline Cilek <carolinecilek@lclark.edu>
To: Kim Burton <kim.burton@pgn.com>

Wed, May 17, 2023 at 1:14 PM

Cc: Jaki Ferchland <Jacquelyn.Ferchland@pgn.com>, Diego Rivas <diego@nwenergy.org>, Shay LaBray <shay.labray@pgn.com>

Hi Kim,
Thanks so much for your prompt response.
Sincerely,
Caroline

[Quoted text hidden]



Caroline Cilek <lc20-0700@lclark.edu>

Highly Confidential UE-416

2 messages

Diego Rivas <diego@nwenergy.org>
To: BARNES Kay PUC <Kay.BARNES@puc.oregon.gov>
Cc: Caroline Cilek <carolinecilek@lclark.edu>

Wed, May 17, 2023 at 10:23 AM

Hi Kay,

Just inquiring as to the ability to access highly confidential information in UE-416. All of the individuals with Huddle access for NWEC/NRDC have signed and filed the highly confidential protective order 23-138 and PGE has indicated they do not object.

The order states there are three methods in which the information can be disseminated. I assume, but please correct me if I am wrong, that there is a separate folder for highly confidential in the Huddle.

Any non-highly confidential info you have would be appreciated!

Thanks!
Diego

Diego Rivas
Regulatory Counsel
NW Energy Coalition
(406) 461-6632

Diego Rivas <diego@nwenergy.org>
To: Caroline Cilek <carolinecilek@lclark.edu>

Fri, May 19, 2023 at 9:22 AM

From: BARNES Kay * PUC <Kay.BARNES@puc.oregon.gov>
Sent: Wednesday, May 17, 2023 11:27 AM
To: Diego Rivas <diego@nwenergy.org>
Subject: RE: Highly Confidential UE-416

Hi,

I have it noted to give you access on May 24 (5 business) but if you can email the document that PGE did not object, I can give access now.

Kay

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