

McDowell Rackner & Gibson PC



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November 28, 2011

VIA ELECTRONIC AND U.S. MAIL

PUC Filing Center
Public Utility Commission of Oregon
PO Box 2148
Salem, OR 97308-2148

Re: UE 242 - In The Matter of IDAHO POWER COMPANY's 2012 Annual Power Cost Update

Attention Filing Center:

Enclosed for filing in the above-referenced matter is an original and one copy of Idaho Power Company's Motion for Protective Order.

A copy of this filing has been served on all parties to this proceeding as indicated on the attached Certificate of Service. Please contact this office with any questions.

Very truly yours,

Wendy McIndoo
Legal Assistant

Enclosures
cc: Service List

1 **BEFORE THE PUBLIC UTILITY COMMISSION**
2 **OF OREGON**

3 **UE 242**

4 In the Matter of

5 IDAHO POWER COMPANY

6 2012 Annual Power Cost Update.

MOTION FOR PROTECTIVE ORDER

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8 Pursuant to ORCP 36(C)(7) and OAR 860-001-0080, Idaho Power Company ("Idaho
9 Power") moves for the entry of the Public Utility Commission of Oregon's ("Commission")
10 general protective order in this proceeding. Good cause exists to issue a Protective Order to
11 protect commercially sensitive and confidential business information related to the Company's
12 filed 2012 Annual Power Cost Update.

13 In support of this Motion, the Company states:

14 1. The Commission's rules authorize Idaho Power to seek reasonable restrictions
15 on discovery of trade secrets and other confidential business information. See 860-001-0080;
16 ORCP 36(C)(7) (providing protection against unrestricted discovery of "trade secrets or other
17 confidential research, development, or commercial information"). See also *In re Investigation*
18 *into the Cost of Providing Telecommunication Service*, Docket UM 351, Order No. 91-500
19 (1991) (recognizing that protective orders are a reasonable means to protect "the rights of a
20 party to trade secrets and other confidential commercial information" and "to facilitate the
21 communication of information between litigants").

22 2. On October 20, 2011, Idaho Power filed its 2012 Annual Power Cost Update. It
23 is expected that certain documents related to the filing will contain confidential material,
24 including but not limited to proprietary cost data and models, commercially sensitive load and
25 resource projections, confidential market analyses and business projections, and confidential
26 information regarding contracts for the purchase or sale of electric power, power services, or

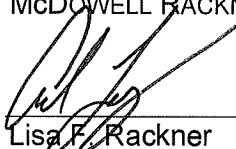
1 fuel. Public disclosure of the confidential information could be detrimental to Idaho Power and
2 its customers.

3 3. It is substantially likely that Staff and others in this proceeding will seek to
4 discover confidential business information. "The Commission's standard blanket protective
5 order is designed to facilitate discovery in cases involving discovery of large numbers of
6 documents." See *In re Portland Extended Area Service Region*, Docket UM 261, Order No.
7 91-958 (1991). Issuance of a protective order will facilitate the production of relevant
8 information and expedite the discovery process.

9 For the foregoing reasons, Idaho Power requests entry of a standard Protective Order
10 in this docket.

11 DATED: November 28, 2011.

12 McDOWELL RACKNER & GIBSON PC

13 
14 Lisa F. Rackner
Adam Lowney

15 **IDAHO POWER COMPANY**

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CERTIFICATE OF SERVICE

I hereby certify that I served a true and correct copy of the foregoing document in Docket UE 242 on the following named person(s) on the date indicated below by email addressed to said person(s) at his or her last-known address(es) indicated below.

OPUC Dockets
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DATED: November 28, 2011



Wendy McIndoo
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