

# McDowell Rackner & Gibson PC



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March 9, 2012

## VIA ELECTRONIC AND U.S. MAIL

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

**Re: Docket No. UE \_\_\_\_\_** -- In the Matter of the Application of Idaho Power Company for Authority to Increase its Rates and Charges for Electric Service to its Customers in the State of Oregon Due to the Inclusion of the Langley Gulch Power Plant Investment in Rate Base.

Attention Filing Center:

In the above-referenced docket, please find enclosed an original and 1 copy of Idaho Power Company's Motion for Protective Order.

Please contact me with any questions.

Very truly yours,

A handwritten signature in cursive script that reads "Candace Duncan".

Candace Duncan  
Legal Assistant

Enclosures

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

3 UE \_\_\_\_

4 IN THE MATTER OF THE APPLICATION  
5 OF IDAHO POWER COMPANY FOR  
6 AUTHORITY TO INCREASE ITS RATES  
7 AND CHARGES FOR ELECTRIC  
8 SERVICE TO ITS CUSTOMERS IN THE  
9 STATE OF OREGON DUE TO THE  
10 INCLUSION OF THE LANGLEY GULCH  
11 POWER PLANT INVESTMENT IN RATE  
12 BASE.

MOTION FOR PROTECTIVE ORDER

13 Pursuant to ORCP 36(C)(7) and OAR 860-001-0080, Idaho Power Company ("Idaho  
14 Power" or "Company") moves for the entry of the Public Utility Commission of Oregon's  
15 ("Commission") general protective order in this proceeding. Good cause exists to issue a  
16 Protective Order to protect commercially sensitive and confidential business information  
17 related to the Company's concurrently filed general rate case.

18 In support of this Motion, the Company states:

19 1. The Commission's rules authorize Idaho Power to seek reasonable restrictions  
20 on discovery of trade secrets and other confidential business information. See 860-001-0080;  
21 ORCP 36(C)(7) (providing protection against unrestricted discovery of "trade secrets or other  
22 confidential research, development, or commercial information"). See also *In re Investigation*  
23 *into the Cost of Providing Telecommunication Service*, Docket UM 351, Order No. 91-500  
24 (1991) (recognizing that protective orders are a reasonable means to protect "the rights of a  
25 party to trade secrets and other confidential commercial information" and "to facilitate the  
26 communication of information between litigants").

2. On March 9, 2012, Idaho Power filed its request to revise its schedules of rates  
and charges for electric service in Oregon due to the inclusion of the Langley Gulch Power  
Plant ("Langley") in rate base. It is expected that certain documents related to the acquisition

1 of Langley will contain confidential material, including but not limited to proprietary cost data  
2 and models, commercially sensitive load and resource projections, confidential market  
3 analyses and business projections, confidential information regarding contracts, and  
4 documents relevant to the request for proposals. Public disclosure of the confidential  
5 information could be detrimental to Idaho Power and its customers.

6 3. It is substantially likely that Staff and others in this proceeding will seek to  
7 discover confidential business information. "The Commission's standard blanket protective  
8 order is designed to facilitate discovery in cases involving discovery of large numbers of  
9 documents." See *In re Portland Extended Area Service Region*, Docket UM 261, Order No.  
10 91-958 (1991). Issuance of a protective order will facilitate the production of relevant  
11 information and expedite the discovery process.

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

14 DATED: March 9, 2012.

15 McDOWELL RACKNER & GIBSON PC

16 

17 Lisa F. Rackner  
Amie Jamieson

18 **IDAHO POWER COMPANY**

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24 Attorneys for 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 No. UE \_\_\_\_ on the parties to Docket No. UE 233 (Idaho Power's 2011 General Rate Case) 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.

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DATED: March 9, 2012

  
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