



COLE ALBEE  
Main (503) 595-3922  
cole@mrg-law.com

December 13, 2023

**VIA E-MAIL TO**

Public Utility Commission of Oregon  
Filing Center  
201 High Street SE, Suite 100  
Salem, Oregon 97301-3398

**Re: Docket UE 426 – In the Matter of Idaho Power Company’s Application for a General Rate Revision**

Attached, for filing in the above-referenced docket, please find Idaho Power Company’s Motion for a Modified Protective Order, expedited consideration is requested for this motion.

Please contact this office with any questions.

Sincerely,

A handwritten signature in blue ink that reads "Cole Albee". The signature is written in a cursive style and is positioned above a solid horizontal line.

Cole Albee  
Paralegal  
McDowell Rackner Gibson PC

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

**UE 426**

In the Matter of  
IDAHO POWER COMPANY,  
Application for a General Rate Revision

**IDAHO POWER COMPANY’S MOTION  
FOR A MODIFIED PROTECTIVE ORDER**  
  
***Expedited Consideration Requested***

1 Pursuant to ORCP 36(C)(1), OAR 860-001-0080(3), and OAR 860-022-0019(2)(b), Idaho  
2 Power Company (“Idaho Power” or “the Company”) requests the issuance of a Modified  
3 Protective Order in this proceeding. Good cause exists to issue a Modified Protective Order to  
4 provide additional protection for highly confidential, sensitive, non-public information (“Highly  
5 Confidential Information”) in this proceeding. Idaho Power requests the Modified Protective  
6 Order attached as Appendix A be issued on an expedited basis. Idaho Power has separately  
7 filed a Notice of Use of General Protective in this docket.

8 Idaho Power will soon be filing a general rate case. In accordance with OAR 860-022-  
9 0019(2)(a), the general rate case filing must include all the information from the most recent  
10 version of the Standard Data Requests for Energy Rate Cases (“Standard Data Requests”). In  
11 addition, OAR 860-022-0019(2)(b) requires the Company to submit a motion for a general  
12 protective order or modified protective order under OAR 860-001-0080, if necessary, for the  
13 release of information under OAR 860-022-0019(2)(a). Here, the Company’s responses to the  
14 Standard Data Requests include Highly Confidential Information that requires the additional  
15 protections afforded by the proposed Modified Protective Order to prevent public disclosure of  
16 Highly Confidential Information and the resulting harm to Idaho Power and its customers.  
17 Therefore concurrent with the submission of a Notice of Use of General Protective Order, the  
18 Company also requests entry of a Modified Protective Order.

I. REQUEST FOR ADDITIONAL PROTECTION

1 OAR 860-001-0080(3) contains six requirements for seeking a modified protective order.  
2 This motion addresses each of these requirements in the following subsections.

A. Parties and Exact Nature of the Highly Confidential Information Involved – OAR 860-001-0080(3)(a)(A).

3 While no parties have formally intervened in docket UE 426, Idaho Power anticipates that  
4 in addition to Staff, the Oregon Citizens’ Utility Board (“CUB”) will intervene. The Company is not  
5 aware of any other party that has expressed an intent to participate in this case.

6 Specifically, Idaho Power’s responses to Standard Data Requests contain Highly  
7 Confidential information related to the Company’s tax filings, financial forecasts, Company load  
8 growth projections that include sensitive customer load, and highly sensitive wages and  
9 compensation information. In addition, over the course of this case, the Company anticipates that  
10 parties may seek additional material that should be treated as highly confidential due to the  
11 heightened risks associated with its release, and may designate as highly confidential  
12 competitively or commercially sensitive information requested in discovery that Idaho Power and  
13 the requesting party agree is appropriately designated as highly confidential. Public disclosure of  
14 this information would harm Idaho Power and its customers by violating confidentiality obligations  
15 to third parties, disrupting Idaho Power’s efforts in negotiations relating to the procurement of  
16 resources, and put Idaho Power at a commercial disadvantage when transacting in wholesale  
17 markets.

B. Legal Basis for the Claim the Information is Protected Under ORCP 36(C)(1) or the Public Records Law – OAR 860-001-0080(3)(a)(B).

18 ORCP 36(C)(1) provides protection against unrestricted discovery of “trade secrets or  
19 other confidential research, development, or commercial information.” A “trade secret” is  
20 information, including cost data, that: (a) derives independent economic value, actual or potential,  
21 from not being generally known to the public or to other persons who can obtain economic value

1 from its disclosure or use; and (b) is the subject of efforts that are reasonable under the  
2 circumstances to maintain its secrecy.<sup>1</sup>

3 In addition, the Oregon Public Records Law exempts from disclosure public records that  
4 are “trade secrets” that:

5 [M]ay include, but are not limited to, any formula, plan, pattern, process, tool,  
6 mechanism, compound, procedure, production data, or compilation of information  
7 which is not patented, which is known only to certain individuals within an  
8 organization and which is used in a business it conducts, having actual or potential  
9 commercial value, and which gives its user an opportunity to obtain a business  
10 advantage over competitors who do not know or use it.<sup>2</sup>

11 Idaho Power requests a Modified Protective Order so it may designate commercially  
12 sensitive information as highly confidential and minimize the risk of violating obligations to third  
13 parties and avoid the risk from the disclosure of Highly Confidential Information that would harm  
14 Idaho Power and its customers.

**C. Exact Nature of the Relief Requested – OAR 860-001-0080(3)(a)(C).**

15 The Company requests that the Commission enter the attached Modified Protective Order.  
16 The Modified Protective Order will protect the Highly Confidential Information by limiting access  
17 to the following: Staff and its counsel; the Citizens’ Utility Board and its counsel; and  
18 representatives for other parties in this docket who seek to be qualified, on a case-by-case basis,  
19 if agreed to by Idaho Power or ordered by the Administrative Law Judge (“ALJ”). The Commission  
20 and ALJ would also have access to Highly Confidential Information.

21 The proposed Modified Protective Order also requires that Highly Confidential Information  
22 be maintained in a manner distinct from non-confidential information and from confidential  
23 information designated in accordance with the general protective order (“Confidential  
24 Information”). Like Confidential Information, Highly Confidential Information must be maintained  
25 in a separate, secured location, and Highly Confidential Information may not be used or disclosed

---

<sup>1</sup> See Uniform Trade Secrets Act, ORS 646.461 to 646.475.

<sup>2</sup> ORS 192.345(2).

1 for any purpose other than participation in this proceeding. As permitted by OAR 860-001-0080(3)  
2 the proposed Modified Protective Order would limit the persons that may access the highly  
3 protected information and designate the time or place or special handling for highly protected  
4 information. Specifically, the proposed Modified Protective Order provides that that Highly  
5 Confidential Information in Docket UE 426 will be made available to qualified persons either  
6 through:

7 (a) **Encrypted email.** Email which must be encrypted using a Federal Information  
8 Processing Standards (FIPS) 140-2 approved algorithm such as Advanced Encryption  
9 Standard (AES) AES-128, AES-192 or AES-256. Free tools such as 7zip, WinZip and  
10 PGP can provide such encryption. The password must be sent separately from the  
11 encrypted file. Alternatively, secure email gateways which secure the transmission of  
12 email through the use of password protected portals (e.g., Proofpoint's Email  
13 Encryption) can be used as long as those services are managed and licensed at an  
14 enterprise level (not a personal account);

15 (b) **File-sharing.** Cloud-based file sharing and collaborative solutions such as Box,  
16 DropBox, SharePoint Online, etc. may be used if the service is managed and licensed  
17 through an enterprise level license, meaning no personal accounts may be used. The  
18 service must be configured to require multifactor authentication and must store its data  
19 exclusively in the United States;

20 (c) **Removable media.** Any Highly Confidential Information transferred on removable  
21 media (USB Drive) must be encrypted using Microsoft Bitlocker and sent via hand  
22 delivery or U.S. First Class Mail or other traceable delivery service using an opaque  
23 envelope or wrapping;

24 (d) **Paper copy.** If paper copy filing is preferred, a party may file Highly Confidential  
25 Information with the Administrative Hearings Division, consistent with Commission's

1 hard copy filing procedures. Any paper copies shall be printed on GREEN paper  
2 consistent with Paragraph 3 of the Modified Protective Order.

3 (e) **Read-only Huddle.** For discovery, Highly Confidential Information may be provided  
4 via a read-only database on Huddle, the Commission's discovery portal may be used  
5 (no downloads). If a Qualified Person needs a working version of a document  
6 provided via Huddle, the Qualified Person may request it to be provided via  
7 electronic or hard copy methods described in this Modified Protective Order.  
8 Additional details concerning the handling and storage of Highly Confidential  
9 Information are provided in Paragraph 4 of the Modified Protective Order.

10 In light of the possibility of Highly Confidential Information being provided via electronic  
11 means, the Modified Protective Order also requires that Qualified Persons commit to abide by the  
12 following terms:

- 13 a. The entity with which the Qualified Person is associated shall utilize  
14 industry-accepted firewalls, up-to-date anti-virus software, and non-  
15 end-of-life operating systems;
- 16 b. The entity with which the Qualified Person is associated shall secure  
17 electronic access to the entity's information systems containing Highly  
18 Confidential Information;
- 19 c. The entity with which the Qualified Person is associated shall store,  
20 process, and maintain any and all Highly Confidential Information on  
21 designated target servers that reside physically within the boundaries  
22 of the United States;
- 23 d. The entity with which the Qualified Person is associated shall not  
24 transfer any Highly Confidential Information outside of its network  
25 via unencrypted means;
- 26 e. The entity with which the Qualified Person is associated shall not  
27 process or transfer Highly Confidential Information to any  
28 unencrypted portable or laptop computing device, or any other  
29 unencrypted portable storage medium;
- 30 f. The entity with which the Qualified Person is associated shall use  
31 two-factor authentication for remote access to systems that access  
32 or store Highly Confidential Information;
- 33 g. The entity with which the Qualified Person is associated shall  
34 secure and prevent misuse of its own email resources;
- 35 h. The entity with which the Qualified Person is associated shall not  
36 store any Highly Confidential Information on any personal devices.

1 Idaho Power requests that the Commission enter the proposed Modified Protective Order  
2 that is included in this Motion as Appendix A. The terms of the Modified Protective Order are  
3 narrowly tailored. The proposed Modified Protective Order will allow the transmission of such  
4 information to the parties that sign the Modified Protective Order. Idaho Power is not requesting  
5 Staff sign the Modified Protective Order, they will receive the Highly Confidential Information in  
6 accordance with Commission rules. By identifying specific individuals qualified to access Highly  
7 Confidential Information, the parties to the Modified Protective Order will have certainty regarding  
8 the permissible disclosure of Highly Confidential Information.

**D. Specific Reasons the Relief Requested is Necessary – OAR 860-001-0080(3)(a)(D).**

9 The requested Modified Protective Order will protect against widespread disclosure of  
10 Highly Confidential Information that is protectable under law while providing access to entities  
11 covered by Commission rules. Any release of Highly Confidential Information could significantly  
12 adversely impact Idaho Power, and its customers. Accordingly, the goal of Idaho Power's  
13 proposed protections is to minimize the number of persons who have access to the Highly  
14 Confidential Information and to ensure that it does not fall into the hands of those who would  
15 cause harm to Idaho Power or its customers. For this reason, it is important that the Commission  
16 issue a Modified Protective Order that limits the number of people who receive Highly Confidential  
17 Information and ensures that persons not covered by the Commission rules will not have access  
18 to the Highly Confidential Information.

19 The additional protection provided by the Modified Protective Order will allow the parties  
20 access to the information in a manner that protects Highly Confidential Information. The requested  
21 Modified Protective Order will also help reduce the risk of an inadvertent disclosure of the Highly  
22 Confidential Information. The General Protective Order is insufficient as it is general in nature and  
23 does not have adequate safeguards to protect Highly Confidential Information.

**E. Detailed Description of the Intermediate Measures Explored by the Parties – OAR 860-001-0080(3)(a)(E).**

1 The standard protective order will be insufficient to protect the Highly Confidential  
2 Information. Intermediate measures are not available—selective redaction would not be possible  
3 while also responding to the Standard Data Requests. As explained above, it is necessary to limit  
4 access to Highly Confidential Information because viewing such information would inevitably  
5 create a risk of disclosure of Highly Confidential Information that could impact Idaho Power’s  
6 obligations to third parties and impair Idaho Power’s ability to negotiate competitive agreements  
7 and no precautions other than limiting access can prevent this outcome.

**F. Certification of Conferring with Parties – OAR 860-001-0080(3)(a)(F).**

8 On December 1, 2023, Idaho Power gave notice to Staff and CUB of its intention to seek  
9 a modified protective order in this docket, and Idaho Power conferred extensively with Staff and  
10 CUB regarding the terms of the Modified Protective Order. Staff and CUB represent that they  
11 support the expedited entry of the Modified Protective Order.

**G. Expedited Motion – OAR 860-001-0420(6).**

12 Idaho Power will soon be filing its general rate case, and to allow Idaho Power to provide  
13 full and complete responses to the Standard Data Requests with its filing, Idaho Power seeks  
14 expedited treatment of this motion.

**II. CONCLUSION**

15 For these reasons, Idaho Power respectfully requests that the Commission issue a  
16 Modified Protective Order in the format provided as Appendix A to this Motion for the purposes  
17 of this docket UE 426.



Dated: December 13, 2023

**MCDOWELL RACKNER GIBSON PC**



---

Adam Lowney  
Jocelyn Pease  
419 SW 11<sup>th</sup> Avenue, Suite 400  
Portland, Oregon 97205  
Telephone: (503) 290-3620  
[adam@mrg-law.com](mailto:adam@mrg-law.com)  
[jocelyn@mrg-law.com](mailto:jocelyn@mrg-law.com)  
[dockets@mrg-law.com](mailto:dockets@mrg-law.com)

Donovan Walker  
Lisa Nordstrom  
Megan Goicoechea Allen  
Idaho Power Company  
1221 W. Idaho Street  
P.O. Box 70  
Boise, ID 83707-0070  
[dwalker@idahopower.com](mailto:dwalker@idahopower.com)  
[lnordstrom@idahopower.com](mailto:lnordstrom@idahopower.com)  
[MGoicoecheaAllen@idahopower.com](mailto:MGoicoecheaAllen@idahopower.com)

Attorneys for Idaho Power Company

## **Appendix A: Proposed Modified Protective Order**

**MODIFIED PROTECTIVE ORDER**  
Docket UE 426

**Scope of this Order:**

1. This order supplements General Protective Order No. 23-132 and governs the acquisition and use of "Highly Confidential Information" produced or used by any party to Docket UE 426.

**Designation of Highly Confidential Information**

2. Any party may designate as Highly Confidential Information any information the party reasonably determines:
  - a. Falls within the scope of ORCP 36(C)(1) (a trade secret or other confidential research, development, or commercial information) or the exemptions under Oregon Public Records law, ORS 192.345 and 192.355;
  - b. Is not publicly available;
  - c. Is not adequately protected by the general protective order; and
  - d. Is related to the Company's tax filings, financial forecasts, Company load growth projections that include sensitive customer load, highly sensitive wages and compensation information, or competitively or commercially sensitive information requested in discovery that Idaho Power and the requesting party agree is appropriately designated as highly confidential.
3. To designate information as Highly Confidential Information, a party must place the following legend on the material:

HIGHLY CONFIDENTIAL INFORMATION SUBJECT TO MODIFIED  
PROTECTIVE ORDER NO. 23-\_\_\_\_

Additionally, each paper copy of a document containing Highly Confidential Information that may be provided to Qualified Persons under this Order (as defined in Paragraphs 12 and 13) must be printed on GREEN paper, separately bound, and placed in a sealed envelope or other appropriate container which must bear the legend:

THIS ENVELOPE IS SEALED UNDER ORDER NO. 23-\_\_\_\_ AND CONTAINS  
HIGHLY CONFIDENTIAL INFORMATION. THE INFORMATION MAY BE  
SHOWN ONLY TO QUALIFIED PERSONS AS DEFINED IN  
ORDER NO. 23-\_\_\_\_.

The party should make reasonable efforts to designate as Highly Confidential Information only the portions of the information that satisfies Paragraph 2 of this Modified Protective Order.

4. All Highly Confidential Information in Docket UE 426 will be provided either through:

- a. **Electronic transmission, storage and filing:**
  - i. **For transmission to or among Qualified Persons or filing Highly Confidential Information at the Commission:** Any Highly Confidential Information sent via email must be encrypted using a FIPS 140-2 approved algorithm such as AES-128, AES-192 or AES-256. Free tools such as 7zip, WinZip and PGP can provide such encryption. The password must be sent separately from the encrypted file. Alternatively, secure email gateways which secure the transmission of email through the use of password protected portals (e.g., Proofpoint's Email Encryption) can be used as long as those services are managed and licensed at an enterprise level (not a personal account). Highly Confidential Information transmitted through these secure email gateways does not require additional FIPS encryption.
  - ii. **For storage of Highly Confidential Information or transmission among Qualified Persons:** Cloud-based file sharing and collaborative solutions such as Box, DropBox, SharePoint Online, etc. may be used if the service is managed and licensed through an enterprise level license, meaning no personal accounts may be used. The service must be configured to require multifactor authentication and must store its data exclusively in the United States.
- b. **Paper or USB Drive:**
  - i. **Removable Media** – Any Highly Confidential Information transferred on removable media (USB Drive) must be encrypted using Microsoft Bitlocker and sent via hand delivery or U.S. First Class Mail or other traceable delivery service using an opaque envelope or wrapping. The password must not be sent with the encrypted media.
  - ii. **Paper Copy** – If paper copy filing is preferred, a party may file Highly Confidential Information with the Administrative Hearings Division, consistent with the Commission's hard copy filing procedures. Any paper copies shall be printed on GREEN paper consistent with Paragraph 3. .
  - iii. Qualified Persons must store the paper copy and/or USB drive in a locked room or cabinet dedicated to the storage of Highly Confidential Information when not in use
- c. **Discovery:** For discovery, a read-only database on Huddle, the Commission's discovery portal may be used (no downloads). If a Qualified Person needs a working version of a document provided via Huddle, the Qualified Person may request it to be provided via electronic or hard copy methods described in this Modified Protective Order.

Each page of a document containing Highly Confidential Information filed with the Commission or provided to Qualified Persons under this order must be clearly marked as Highly Confidential Information. If the cells in a spreadsheet or other tabular document include information that has been designated as highly confidential and that would be impractical or unduly burdensome to mark as

required above, the party designating information as highly confidential need not comply with this requirement but must identify that information in a way that reasonably provides the Commission and Qualified Persons with sufficient identification of the information to be protected.

5. Highly Confidential Information disclosed by a designated party to a person qualified to access Highly Confidential Information through informal discovery or by means of Commission's Huddle website will be marked "Highly Confidential Information" and uploaded to a file folder designated "highly confidential" in Huddle, if applicable.
6. A party may designate as Highly Confidential Information any information previously provided by giving written notice to the Commission and other parties. Parties in possession of newly designated Highly Confidential Information must make reasonable efforts that all copies of the material containing the information bear the above legend if requested by the designating party.
7. A designating party must make reasonable efforts to ensure that information designated as Highly Confidential Information continues to warrant protection under this order. If designated information becomes publicly available or no longer falls within the scope of ORCP 36(C)(1), the designating party should make reasonable efforts to remove the protected designation and provide written notice to the Commission and other parties.

#### **Challenge to Designation of Information as Highly Confidential:**

8. A party may informally challenge any designation of Highly Confidential Information by notifying the designating party. Once notified, the designating party bears the burden of showing that the challenged information is covered by ORCP 36(C)(1) and that the "Highly Confidential Information" designation is necessary. Any party may request that the Administrative Law Judge ("ALJ") hold a conference to help resolve disputes about proper designation.
9. If the dispute cannot be resolved informally, the challenging party may file a written objection with the ALJ. The objection need only identify the information in dispute and certify that reasonable efforts to achieve informal resolution have failed.
10. Within five (5) business days of service of the objection, the designating party must either remove the protected designation or file a written response. A written response must identify the factual and legal basis of how the challenged information is protected under the Oregon Public Records Act, ORS 192.410 *et seq.*, or the Uniform Trade Secrets Act, ORS 646.461(4). Broad allegations unsubstantiated by specific facts are not sufficient. If the designating party does not timely respond to the objection, the Commission will remove the protected designation from the challenged information.
11. The challenging party may file a written reply to any response within five (5) business days of service of an objection. The designating party may file a sur-reply within three (3) business days of service of a response. The ALJ will make all reasonable efforts to resolve the matter within 10 business days of service of the last filing.

### **Access to Highly Confidential Information:**

12. Only Qualified Persons may access Highly Confidential Information designated by another party under this Modified Protective Order. Persons automatically bound and qualified to access Highly Confidential Information are:
  - a. Commission employees; and
  - b. Assistant Attorneys General assigned to represent the Commission.
13. Persons qualified to access Highly Confidential Information upon a signing the Consent to be Bound section of Appendix B are:
  - a. An employee or counsel of the Oregon Citizens' Utility Board; or
  - b. Any other party or party representative, upon the mutual agreement of that party and Idaho Power, and subject to any additional restrictions mutually agreed-upon.

Any dispute that arises under this section will be resolved under Paragraphs 14 and 15.

A party must identify all these persons in section 2 of Appendix B when consenting to be bound by the order, and must update this list throughout the proceeding to ensure it accurately identifies Qualified Persons.

### **Objection to Access to Highly Confidential Information:**

14. All persons qualified to have access to Highly Confidential Information will have access to Highly Confidential Information unless the designating party objects as provided in this paragraph. As soon as the designating party becomes aware of reasons to restrict access to a Qualified Person, or objects to a person seeking qualification under Paragraph 13, the designating party must provide the person and his or her counsel notice stating the basis for the objection. The parties must promptly confer and attempt to resolve the dispute on an informal basis.
15. If the parties are unable to resolve the matter informally, the designating party must file a written objection with the ALJ. The requesting party may file a response to the motion within five (5) business days of service of an objection. The ALJ will make all reasonable efforts to resolve the matter within 10 business days of the last filing. Pending the ALJ's decision, the specific Highly Confidential Information may not be disclosed to the person subject to the objection.

### **Use of Highly Confidential Information:**

16. All Qualified Persons must take reasonable precautions to keep Highly Confidential Information secure. Qualified Persons may reproduce Highly Confidential Information to the extent necessary to participate in these proceedings. A Qualified Person may discuss Highly Confidential Information obtained under this order only with other Qualified Persons who have obtained the same information under this order, and only in relation to this proceeding. Qualified Persons commit to abide by the following terms:

- a. The entity with which the Qualified Person is associated shall utilize industry-accepted firewalls, up-to-date anti-virus software, and non-end-of-life operating systems;
  - b. The entity with which the Qualified Person is associated shall secure electronic access to the entity's information systems containing Highly Confidential Information;
  - c. The entity with which the Qualified Person is associated shall store, process, and maintain any and all Highly Confidential Information on designated target servers that reside physically within the boundaries of the United States;
  - d. The entity with which the Qualified Person is associated shall not transfer any Highly Confidential Information outside of its network via unencrypted means;
  - e. The entity with which the Qualified Person is associated shall not process or transfer Highly Confidential Information to any unencrypted portable or laptop computing device, or any other unencrypted portable storage medium;
  - f. The entity with which the Qualified Person is associated shall use two-factor authentication for remote access to systems that access or store Highly Confidential Information;
  - g. The entity with which the Qualified Person is associated shall secure and prevent misuse of its own email resources;
  - h. The entity with which the Qualified Person is associated shall not store any Highly Confidential Information on any personal devices.
17. Without the written permission of the designating party, any person given access to Highly Confidential Information under this order may not disclose Highly Confidential Information for any purpose other than participating in these proceedings.
18. Nothing in this protective order precludes any party from independently seeking through discovery in any other administrative or judicial proceeding information or materials produced in this proceeding under this protective order.
19. Counsel of record may retain memoranda, pleadings, testimony, discovery, or other documents containing Highly Confidential Information to the extent reasonably necessary to maintain a file of these proceedings or to comply with requirements imposed by another governmental agency or court order. Any other person retaining Highly Confidential Information must destroy or return it to the designating party within 90 days after final resolution of these proceedings unless the designating party consents in writing to retention of the Highly Confidential Information. This paragraph does not apply to the Commission or its staff.

**Duration of Protection:**

20. The Commission will preserve the designation of information as Highly Confidential Information or Highly Confidential Information for a period of five years from the date of the final order in these proceedings, unless extended by the Commission at the request of the designating party. The Commission will notify the designating party at least two weeks prior to the release of Confidential Information or Highly Confidential Information.



**APPENDIX B: QUALIFICATION OF PERSONS TO RECEIVE  
HIGHLY CONFIDENTIAL INFORMATION**

Docket UE 426

**I. Consent to Be Bound—Persons Qualified pursuant to Paragraph 13: Highly Confidential Information**

I have read the Modified Protective Order and agree to be bound by the terms in the order. I understand that ORS 756.990(2) allows the Public Utility Commission of Oregon (“Commission”) to impose monetary sanctions if a party subject to the jurisdiction of the Commission violates an order of the Commission. I certify that:

- a. I am an employee of the Oregon Citizens’ Utility Board, and have a legitimate and non-competitive need for the Highly Confidential Information and not simply a general interest in the information; **or**
- b. I am not an employee of the Oregon Citizens’ Utility Board, and Idaho Power Company and I have come to a mutual agreement that I am qualified to receive Highly Confidential Information; **or**
- c. I am not an employee of the Oregon Citizens’ Utility Board and the Administrative Law Judge has issued a ruling allowing my qualification to receive Highly Confidential Information.

I provide the following information.

By: Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Physical Address: \_\_\_\_\_

Email Address: \_\_\_\_\_

Employer: \_\_\_\_\_

Associated Party: \_\_\_\_\_

Job Title: \_\_\_\_\_

If not employee of party, description of practice and clients:

\_\_\_\_\_