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June 12, 2008

***VIA ELECTRONIC FILING
AND OVERNIGHT DELIVERY***

Oregon Public Utility Commission
550 Capitol Street NE, Suite 215
Salem, OR 97301-2551

**Attention: Vikie Bailey-Goggins
Administrator, Regulatory Operations**

Re: UM 1374 – Motion for Additional Protection.

PacifiCorp, d.b.a. Pacific Power, hereby submits in electronic format, a Motion for Additional Protection under Protective Order No. 08-191. Expedited consideration is requested

Informal questions may be directed to Joelle Steward at (503) 813-5542.

Sincerely,

A handwritten signature in black ink that reads "Andrea L Kelly/B".

Andrea L. Kelly
Vice President, Regulation

Enclosure

Cc: UM-1374 Service List (w/ enclosure)

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1374

In the Matter of
PACIFICORP dba PACIFIC POWER
Petition for Wavier of the Commission's
Competitive Bidding Guidelines

**PACIFICORP'S MOTION FOR
ADDITIONAL PROTECTION**
Expedited Consideration Requested

1 Pursuant to paragraph 16 of Protective Order No. 08-191 entered on April 4, 2008 in
2 the above-referenced docket, PacifiCorp d/b/a Pacific Power (or the Company) hereby moves
3 for an order granting additional protective measures. Specifically, the Company requests the
4 Administrative Law Judge (ALJ) to issue another Protective Order that would allow the
5 qualified signatories to review commercially sensitive, non-public information, including bid
6 scoring and evaluation results, produced by the Company in Docket UM 1208 which is the
7 proceeding governing Pacific Power's 2012 request for proposal (2012 RFP) and which is
8 relied on for certain analysis in this waiver proceeding.

9 Background

10 As part of the recent schedule amendment, the Company agreed to have an
11 independent evaluator prepare a report to provide an assessment of whether the generation
12 plant at issue in this waiver proceeding is a time-limited resource opportunity of unique value
13 to customers. As part of that analysis, it is anticipated that the independent evaluator may
14 rely on information produced in the Company's 2012 RFP docket and provided as part of the
15 analysis used in this waiver proceeding. Because negotiations in the 2012 RFP docket are
16 ongoing, the Company believes that an additional level of protection should be afforded to
17 certain information as set forth more fully below.

18 Request for Additional Protection

1 Pursuant to paragraph 16 of the Protective Order, the Company submits that in order
2 to maintain the competitive integrity of the 2012 RFP and the bid evaluation and negotiation
3 process, information should be kept confidential, and be disclosed in Oregon only to the
4 Commissioners, the Staff, the IEs and non-bidding parties who execute a modified protective
5 order. The Company contends that disclosing any of the information surrounding the bid
6 evaluation and negotiation process and the status of the bids could prove detrimental to the
7 integrity of the 2012 RFP process and jeopardize the bidders and the Company's competitive
8 positions. Moreover, the Commission has already acknowledged in Order No. 06-446 that
9 any bidding information, including detailed bid scoring and evaluation results should be
10 limited to the Commission, the Commission Staff and non-bidding parties under protective
11 orders that limit use of the information to RFP approval and acknowledgement and to cost
12 recovery proceedings. *See* Order No. 06-446, Guidelines 12 and 11.

13 Consistent with Order No. 06-446 and in accordance with paragraph 16 of the
14 Protective Order, the Company specifically requests that the order issued by the ALJ include
15 the following language or language substantially similar to the following:

- 16 • This order governs the acquisition and use of "Non-Public Information"
17 submitted by PacifiCorp as part of its 2012 request for proposal.
- 18 • "Non-Public Information" is information that falls within the scope of ORCP
19 36(c)(7) ("a trade secret or other confidential research, development, or
20 commercial information") and includes bidding information, as well as
21 detailed scoring and evaluation results, as discussed in Guidelines 11 and 12
22 of Order No. 06-446.
- 23 • A "qualified person" is an individual who is:

- An author(s), addressee(s), or originator(s) of the Non-Public Information;
- A Commissioner or Commission Staff;
- A person qualified pursuant to paragraph ____ who is a non-bidding party. This includes parties and their employees.

- The Company may designate information as Non-Public Information by placing the following legend on the information:

NON-PUBLIC INFORMATION

SUBJECT TO SPECIAL PROTECTIVE ORDER

- Non-Public Information that is filed with the Commission or its staff shall be printed on green paper, separately bound and placed in a sealed envelope or other appropriate container with the following legend on the envelope/container:

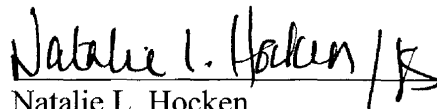
THIS ENVELOPE IS SEALED PURSUANT TO ORDER NO. _____ AND CONTAINS NON-PUBLIC INFORMATION. THE INFORMATION MAY BE SHOWN ONLY TO QUALIFIED PERSONS AS DEFINED IN THE SPECIAL PROTECTIVE ORDER.

- Any use of the Non-Public Information is limited to this waiver proceeding, RFP approval and acknowledgement and to cost recovery proceedings.
- These additional protective measures are intended to supplement, not supersede, Protective Order No. 08-191.
- This order governs the acquisition and use of “Non-Public Information” which is highly sensitive and confidential information submitted by parties in this proceeding or in Docket UM 1208 related to PacifiCorp’s 2012 RFP.

1 Conclusion

2 Based upon the foregoing, Pacific Power respectfully requests that the
3 ALJ grant its motion for additional protective measures and issue an order
4 containing the additional protective measures set forth herein.

DATED: June 12, 2008.



Natalie L. Hocken
Vice President & General Counsel,
Pacific Power
PacifiCorp

CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of June, 2008, I caused to be served, via E-Mail and US Mail (to those parties who have not waived paper service), a true and correct copy of the foregoing document on the following named person(s) at his or her last-known address(es) indicated below.

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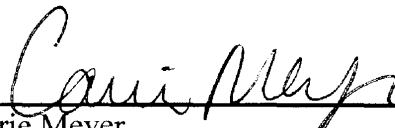
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