

BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON

UM-1947

In the Matter of 3 Phases Renewables, Inc.'s
2018 Compliance Report

**3 PHASES RENEWABLES, INC.'S
MOTION FOR A GENERAL
PROTECTIVE ORDER**

EXPEDITED CONSIDERATION
REQUESTED

Under ORCP 36(C)(7) and OAR 860-001-0080(1), 3 Phases Renewables, Inc. ("3 Phases"), moves the Public Utility Commission of Oregon ("Commission") for entry of a general protective order in these proceedings. 3 Phases will file its 2018 RPS Report on June 1, 2018. The filing will include confidential information. 3 Phases requests expedited consideration of this motion in order to promptly provide to parties the confidential information in the initial filing. Good cause exists to issue a protective order to protect commercially sensitive and confidential business information related to 3 Phases' filing.

The Commission's rules authorize 3 Phases to seek reasonable restrictions on discovery of trade secrets and other confidential business information.¹ The Commission's general protective order is designed to allow the broadest possible

¹ See OAR 860 001-0000(1) (adopting the Oregon Rules of Civil Procedure), ORCP 36(C)(7) (providing protection against unrestricted discovery of "trade secrets or other confidential research development, or commercial information"). See also *In re Investigation into the Cost of Providing Telecommunication Service*, Docket UM 351, Order No. 91-500 (1991) recognizing that protective orders are a reasonable means to protect "the rights of party to trade secrets and other confidential commercial information" and "to facilitate the communications of information between litigants").

discovery consistent with the need to protect confidential information.² 3 Phases' filing in this case will contain commercially sensitive pricing information, load information, and confidential information regarding contracts for the purchase of RECs. 3 Phases will be exposed to competitive injury if it is forced to make unrestricted disclosure of its confidential business information.

It is also possible that the parties to these proceedings will seek to discover further information held by 3 Phases, including confidential business information. Issuance of a protective order will facilitate the production of relevant information and expedite the discovery process.

For these reasons, 3 Phases respectfully requests that the Commission enter its general protective order in this docket. 3 Phases requests expedited consideration of this motion to allow parties who execute the protective order to promptly obtain the confidential information in the initial filing and responses to discovery requests.

DATED this 14th day of May, 2018.

Respectfully submitted,

/s/ Richard Lorenz

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² OAR 860 001 0080(2).