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April 16, 2019

***VIA ELECTRONIC FILING***

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


Attn: Filing Center

**RE: UP 393—Pacific Power’s Application for Approval of the Sale of Property to DJ  
Clean Fuels, LLC —Motion for General Protective Order—Expedited  
Consideration Requested**

PacifiCorp d/b/a Pacific Power hereby submits for filing its Motion for General Protective Order with Expedited Consideration Requested. The entry of a general protective order will prevent delay in providing the confidential information included in its April 11, 2019 errata filing to parties in this docket.

Please direct any inquiries about this filing to Cathie Allen, Manager, Regulatory Affairs, at (503) 813-5934.

Sincerely,



Etta Lockey  
Vice President, Regulation

Enclosure

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

**UP 393**

In the Matter of

PACIFICORP d/b/a PACIFIC POWER

Application for Approval of the Sale of  
Property to DJ Clean Fuels, LLC.

MOTION FOR PROTECTIVE ORDER

*Expedited Consideration Requested*

Under Oregon Rule of Civil Procedure (ORCP) 36(C)(1) and OAR 860-001-0080(1), PacifiCorp d/b/a Pacific Power moves the Public Utility Commission of Oregon (Commission) for entry of a standard protective order in this proceeding. PacifiCorp filed its request for approval of the sale of property to DJ Clean Fuels, LLC on March 4, 2019. An errata filing was made on April 11, 2019, to redact certain commercially and competitively sensitive information contained in the Company’s initial filing. Good cause exists to issue a protective order to protect this commercially sensitive and confidential business information.

The Commission’s rules authorize PacifiCorp to seek reasonable restrictions on discovery of trade secrets and other confidential business information.<sup>1</sup> The Commission’s standard protective order is designed to allow the broadest possible discovery consistent with the need to protect confidential information.<sup>2</sup> PacifiCorp’s initial filing included commercially sensitive and confidential pricing information

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<sup>1</sup> See OAR 860-001-0000(1) (adopting the Oregon Rules of Civil Procedure); ORCP 36(C)(1) (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 a party to trade secrets and other confidential commercial information” and “to facilitate the communication of information between litigants”).

<sup>2</sup> OAR 860-001-0080(2).

regarding the property sale; PacifiCorp also expects to receive discovery requests related to this filing that will require disclosure of commercially sensitive pricing and contractual terms. PacifiCorp will be exposed to competitive injury if it is forced to make unrestricted disclosure of this confidential business information. Issuance of a protective order will facilitate the production of relevant information and expedite the discovery process.

For these reasons, PacifiCorp respectfully requests that the Commission enter its standard protective order in this docket. The company additionally requests expedited consideration of this motion so to allow the Company to provide the confidential information to parties as soon as possible. PacifiCorp has conferred with counsel for Commission staff and counsel for the Citizens' Utility Board and can represent that neither party objects to this request; there are no other parties to this proceeding as of the date of this filing.

Respectfully submitted this 16<sup>th</sup> day of April, 2019,



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