

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UM 1087

CENTRAL LINCOLN PEOPLE'S )  
UTILITY DISTRICT, )  
 )  
Complainant, )  
 )  
vs. )  
 )  
VERIZON NORTHWEST INC., )  
 )  
Defendant. )

RULING

**DISPOSITION: MOTION FOR PROTECTIVE ORDER DENIED**

On March 25, 2004, Central Lincoln People's Utility District (CLPUD) filed a motion for a protective order requesting that "discovery not be had with respect to" any of the data requests filed on it by the Oregon Cable Telecommunications Association (OCTA). CLPUD stated that it conferred with OCTA counsel and that the parties were unable to resolve the dispute. On April 1, 2004, OCTA filed a response to the motion, as did Verizon Northwest, Inc. (Verizon).

OCTA made 12 data requests to CLPUD to support its cross-examination at the hearing to be held in this docket. CLPUD refused to respond and filed this motion instead. This is not properly a motion for a protective order, under which the answers would be provided and kept confidential, but an objection to the data requests.

CLPUD responded to each request with the same answer, that the request was "overly broad, oppressive, unduly burdensome and expensive, and seeks information irrelevant to the issues in this case." This stock response is not a thoughtful good faith answer to OCTA's data requests. The response by OCTA and additional memorandum by Verizon show how OCTA's data requests provide information relevant to the issues in this docket. CLPUD should respond to the data requests or may be subject to sanctions under OAR 860-014-0070(2).

The motion is denied.

Dated at Salem, Oregon, this 6th day of April, 2004.

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Christina M. Smith  
Administrative Law Judge