

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION,

Complainant,

v.

PACIFICORP dba  
PACIFIC POWER & LIGHT COMPANY,

Respondent.

Docket UE-21\_\_\_\_\_

PACIFICORP’S MOTION FOR  
STANDARD PROTECTIVE ORDER

**I. RELIEF REQUESTED**

*I* In conjunction with the power cost only rate case filed by PacifiCorp dba Pacific Power & Light Company (PacifiCorp or the Company) on June 1, 2021, PacifiCorp moves for the entry of the standard protective order by the Washington Utilities and Transportation Commission (Commission) under WAC 480-07-420(1). PacifiCorp’s representatives in this proceeding are:

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## II. BACKGROUND AND AUTHORITIES IN SUPPORT

2 On June 1, 2021, PacifiCorp filed a power cost only rate case. PacifiCorp marked information contained on certain pages of its supporting testimony and exhibits as confidential. Under WAC 480-07-510(3), the Company provided workpapers in support of its filing, portions of which are also marked confidential. Pending entry of the Commission's standard protective order, the Company designated this information as confidential under the Commission's general rule on confidentiality, WAC 480-07-160, and under RCW 80.04.095.

3 The information that PacifiCorp marked "confidential" includes commercially sensitive information regarding the Company's pricing strategy, fuel costs, contracts, reports, and other terms that could be misappropriated by parties for their commercial benefit and to the Company's and its customers' detriment. In discovery, parties to this proceeding may request other types of information that is commercially valuable to the Company or involves confidential information of customers, employees, business counter-parties, or other third-parties. PacifiCorp minimized the amount of information it designated as confidential to promote the ability of the public to review the filing and participate in this case.

4 The Commission has authority to grant PacifiCorp's motion under WAC 480-07-420(1), which allows the Commission to enter "a standard form of protective order to promote the free exchange of information and development of the factual record in a proceeding when the commission finds that parties reasonably anticipate that discovery or evidentiary filings will re-quire information designated as confidential as defined in WAC 480-07-160 to be disclosed to other parties in the adjudication." There is ample Commission precedent for the entry of protective orders in general rate cases, including the protective

order the Commission entered in both PacifiCorp's 2014 general rate case<sup>1</sup> and 2015 general rate case.<sup>2</sup>

5           The material PacifiCorp seeks to protect in this case is the type of information that is intended to be eligible for confidential protections under RCW 80.04.095 and WAC 480-07-160. Public release of any of the confidential information could compromise the Company's ability to compete fairly and impose a business risk to the Company. The result would be increased costs for PacifiCorp and, ultimately, its customers.

### III. CONCLUSION

6           For the reasons set forth above, PacifiCorp respectfully requests that the Commission enter its standard form of protective order in this case.

Respectfully submitted this 1<sup>st</sup> day of June, 2021.

/s/

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<sup>1</sup> *Washington Utils. & Trans. Comm. v. PacifiCorp d/b/a Pac. Power & Light Co.*, Docket No. UE-140762, Order 02 (May 14, 2014).

<sup>2</sup> *Washington Utils. & Trans. Comm. v. PacifiCorp d/b/a Pac. Power & Light Co.*, Docket No. UE-152253, Order 02 (Dec. 8, 2015).