

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND)	DOCKET UE-100749
TRANSPORTATION COMMISSION,)	
)	
Complainant,)	ORDER 14
)	
v.)	
)	
PACIFICORP D/B/A PACIFIC)	ORDER REOPENING
POWER & LIGHT COMPANY,)	EVIDENTIARY RECORD AND
)	ADMITTING REVISED EXHIBITS
Respondent.)	
)	
.....)	

BACKGROUND

- 1 On August 23, 2012, the Washington Utilities and Transportation Commission (Commission) entered Order 10, Order Establishing Disposition of Proceeds from the Sale of Renewable Energy Credits (Order 10). The Commission entered Order 11 on November 30, 2012, denying the petition of PacifiCorp d/b/a Pacific Power and Light Company (PacifiCorp or Company) for reconsideration of Order 10. PacifiCorp is seeking judicial review of those orders.

- 2 On March 27, 2013, PacifiCorp filed a Motion to Modify Confidentiality Designations (Motion). The Company requests that the Commission reopen the evidentiary record in this docket for the limited purpose of modifying some of the confidentiality designations of the following exhibits:

- | | |
|----------|---|
| ALK-2CT | Pre-filed Direct Testimony of Andrea L. Kelly |
| RBD-28CT | Pre-filed Rebuttal Testimony of R. Bryce Dalley |
| RBD-29C | Correction of WUTC Staff’s Position |
| RBD-30C | Correction of ICNU/Public Counsel’s Position |
| KHB-7CT | Pre-filed Response Testimony of Kathryn H. Breda |
| KHB-8C | Calculation of Washington REC Revenues 2008 & 2010 |
| KHB-9TC | Pre-filed Cross-Answering Testimony of Kathryn H. Breda |

KHB-10C Reconciliation between Parties Calculation of Washington REC Revenues for 2009 and 2010
DWS-5CT Pre-filed Response Testimony of Donald W. Schoenbeck
DWS-6C Source of 2009 RECs

PacifiCorp provided revised copies of these exhibits that reflect the modified designations. In addition, the Company has identified portions of the evidentiary hearing transcript and parties' post-hearing briefs that include information that should no longer be designated as confidential.

3 On March 28, 2013, Commission Staff filed a reply in support of PacifiCorp's Motion. Staff explains that the Thurston County Superior Court has required the Company to re-evaluate the confidentiality designations in the record to be forwarded to the Court and entered its own protective order to protect the confidentiality of properly designated record information. No other party responded to the Motion.

DISCUSSION

4 The Commission finds PacifiCorp's request to be reasonable. The Commission, like the Superior Court, takes seriously its obligation to make available to the public all documents filed with the agency except the limited portions of those documents that contain information properly designated as confidential or otherwise exempt from public disclosure. Parties to Commission dockets retain the obligation to ensure that information designated as confidential remains properly designated. Revising the record in this docket to make more information publicly available is consistent with this obligation, the Superior Court's requirement, and the public interest.

ORDER

THE COMMISSION ORDERS that:

- 5 (1) The evidentiary record in this docket is reopened for the limited purpose of revising the confidential designation of information in exhibits that PacifiCorp no longer contends is confidential.
- 6 (2) The revised exhibits listed in this Order are admitted into the record in place of the previous exhibits, and the evidentiary record is once again closed.

- 7 (3) The Commission will conform the hearing transcript and post-hearing briefs filed with the Commission to the revised confidentiality designations.

Dated at Olympia, Washington, and effective April 4, 2013.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

GREGORY J. KOPTA
Administrative Law Judge