

BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND)	
TRANSPORTATION COMMISSION,)	
)	
Complainant,)	DOCKET NO. UE-090205
)	
v.)	RESPONSE OF THE INDUSTRIAL
)	CUSTOMERS OF NORTHWEST
PACIFICORP d/b/a PACIFIC POWER &)	UTILITIES
LIGHT COMPANY,)	
)	
Respondent.)	
_____)	

1 The Industrial Customers of Northwest Utilities (“ICNU”) submits this response to PacifiCorp’s (or the “Company”) motion for a protective order (“Motion”). ICNU supports PacifiCorp’s Motion and respectfully requests that the Washington Utilities and Transportation Commission (“WUTC” or the “Commission”) or the Administrative Law Judge (“ALJ”) expeditiously grant the Motion, which would facilitate ICNU’s access to confidential material in this proceeding.

2 PacifiCorp filed a new general rate case on February 9, 2009. PacifiCorp marked some of its testimony, exhibits and workpapers as confidential. Motion at 2. Portions of the Company’s power cost modeling inputs, tax information, debt financing, and its economic analysis regarding new resources have been labeled confidential. Id.

3 On February 10, 2009, PacifiCorp filed a motion requesting that the Commission issue its standard protective order. The Company also requested that the Commission issue a protective order expeditiously “so that the Company may provide

confidential exhibits and workpapers to all parties.” Id. The Company also noted that entering the standard protective order would “facilitate the prompt commencement of discovery in this case.” Id.

4 On February 19, 2009, ICNU filed a petition to intervene and notice of appearance of counsel. ICNU has not been provided the confidential version of PacifiCorp’s filing, but has initiated informal discovery on the non-confidential materials.

5 The Commission should grant PacifiCorp’s Motion because it would facilitate the parties’ access to the confidential testimony, exhibits and workpapers. Access to the confidential portions of PacifiCorp’s filing is necessary for ICNU and other parties to thoroughly review and analyze PacifiCorp’s filing.

6 WHEREFORE, ICNU respectfully requests that the Commission or the ALJ expeditiously issue a standard protective order in this proceeding.

Dated this 24th day of February, 2009.

Respectfully submitted,

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