

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND)	DOCKET UE-090205
TRANSPORTATION)	
COMMISSION,)	ORDER 02
)	
Complainant,)	
)	GRANTING MOTION FOR
v.)	PROTECTIVE ORDER AND
)	GRANTING PETITION TO
PACIFICORP D/B/A PACIFIC)	INTERVENE
POWER & LIGHT COMPANY,)	
)	
Respondent.)	
.....)	

MEMORANDUM

1 **BACKGROUND.** On February 9, 2009, PacifiCorp d/b/a Pacific Power & Light Company (PacifiCorp) filed with the Washington Utilities and Transportation Commission (Commission) revisions to its currently effective Tariff WN U-74. The stated effective date is March 11, 2009. The purpose of the filing is to increase rates and charges for electric service provided to customers in the state of Washington. With this filing, the Company requests an electric rate increase of \$38.5 million, or 15.1 percent.

2 **PROTECTIVE ORDER.** On February 10, 2009, PacifiCorp filed a motion for protective order and requested expedited treatment of the motion. PacifiCorp states that portions of its prefiled direct testimony, exhibits, and workpapers in support of its proposed tariff revisions include sensitive information relating to debt financing, due diligence, and economic analysis of new resources and confidential inputs to the company’s net power cost modeling and tax information. PacifiCorp asserts that this information is commercially sensitive and that public release or use of this information could harm the company and its customers. PacifiCorp requests that the Commission issue its standard protective order before the prehearing conference so that the company may provide the confidential exhibits and workpapers to all parties and facilitate the prompt commencement of discovery.

- 3 According to RCW 80.04.095, WAC 480-07-420, and WAC 480-07-423, the Commission may issue protective orders protecting the confidentiality of information designated as proprietary. The Commission finds that the issuance of a protective order in this case will provide for the expeditious exchange of all information to the parties to this proceeding. The motion for protective order is granted and the Commission's standard protective order will be entered in this proceeding.
- 4 **.PETITION TO INTERVENE.** On February 20, 2009, the Industrial Customers of Northwest Utilities (ICNU) filed a petition to intervene. ICNU asserts that its member companies have a substantial interest in PacifiCorp's proposed rate increase because the proposed rate change would result in rate shock. ICNU states that it has extensive experience in PacifiCorp's most recent rate cases that its intervention will assist the Commission in resolving the issues and will not unreasonably broaden the issues, burden the record, or delay the proceeding. On February 27, 2009, PacifiCorp filed its nonopposition to the petition to intervene although the company objected to ICNU's characterization of the proposed rate increase as "rate shock." The petition to intervene meets the standard in WAC 480-07-355; ICNU demonstrated a substantial interest in the subject matter of this proceeding. Therefore, ICNU's petition to intervene should be granted.

DATED at Olympia, Washington, and effective March 2, 2009.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

PATRICIA CLARK
Administrative Law Judge