

6704

EXHIBIT C (HIGHLY CONFIDENTIAL INFORMATION AGREEMENT)

**AGREEMENT CONCERNING HIGHLY CONFIDENTIAL INFORMATION
IN DOCKET UE-09⁶⁷⁰⁴ and UG-09 ___
BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

I, Kurt J. Boehm, as

- In-house attorney
- In-house expert
- Outside counsel
- Outside expert

in this proceeding for The KROGER CO. (a party to this proceeding) hereby declare under penalty of perjury under the laws of the State of Washington that the following are true and correct:

- a. I am not now involved, and will not for a period of two years involve myself in, competitive decision making with respect to which the documents or information may be relevant, by or on behalf of any company or business organization that competes, or potentially competes, with the company or business organization from whom they seek disclosure of highly confidential information with respect to the development or purchase of energy resources; and
- b. I am not now involved, and will not for a period of two years involve myself in, the ownership or development of electric energy projects or resources: (i) that have been or could potentially be offered to PSE for its electric portfolio; or (ii) that are competing or could potentially compete with other projects that are or could be offered to PSE for its electric portfolio; and
- c. I am not now involved, and will not for a period of two years involve myself in, providing consulting services or advice to owners or developers of electric energy projects or resources: (i) that have been or could potentially be offered to PSE for its electric portfolio; or (ii) that are competing or could potentially compete with other projects that are or could be offered to PSE for its electric portfolio, to the extent such consultation or advice involves matters for which the "highly confidential" information would be relevant; and

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DOCKET UE-09 ___ and UG-09 ___
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d. I have read and understand, and agree to be bound by, the terms of the Protective Order in this proceeding, including this Section C of the Protective Order.

[Signature]
Signature

5-22-09
Date

Cincinnati Oh
City/State where this Agreement was signed

Boehm, Kurtz & Lowry
Employer

Attorney
Position and Responsibilities

1510 URS Center
Permanent Address

The following portion is to be completed by the responding party and filed with the Commission within 10 days of receipt. Failure to do so will constitute a waiver and the above-named person will be deemed a person having access to Highly Confidential Information under the terms and conditions of the protective order.

_____ No objection.

_____ Objection. The responding party objects to the above-named person having access to Highly Confidential Information. The objecting party shall file a motion with the Commission, supported by affidavit, setting forth the basis for objection and asking exclusion of the person from access to Highly Confidential Information.

Signature

Date

EXHIBIT C (HIGHLY CONFIDENTIAL INFORMATION AGREEMENT)

**AGREEMENT CONCERNING HIGHLY CONFIDENTIAL INFORMATION
IN DOCKET UE-09 0704 and UG-09 ___
BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

I, Michael L Kurtz, as

- In-house attorney
- In-house expert
- Outside counsel
- Outside expert

in this proceeding for The KROGER CO. (a party to this proceeding) hereby declare under penalty of perjury under the laws of the State of Washington that the following are true and correct:

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- b. I am not now involved, and will not for a period of two years involve myself in, the ownership or development of electric energy projects or resources: (i) that have been or could potentially be offered to PSE for its electric portfolio; or (ii) that are competing or could potentially compete with other projects that are or could be offered to PSE for its electric portfolio; and
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EXHIBIT C (HIGHLY CONFIDENTIAL INFORMATION AGREEMENT)

**AGREEMENT CONCERNING HIGHLY CONFIDENTIAL INFORMATION
IN DOCKET UE-09 ___ and UG-09 ___
BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

I, KEVIN C. HIGGINS, as

- In-house attorney
- In-house expert
- Outside counsel
- Outside expert

in this proceeding for THE KROGER CO. (a party to this proceeding) hereby declare under penalty of perjury under the laws of the State of Washington that the following are true and correct:

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DOCKET UE-09 ___ and UG-09 ___
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d. I have read and understand, and agree to be bound by, the terms of the Protective Order in this proceeding, including this Section C of the Protective Order.

[Signature]
Signature

5-21-09
Date

SALT LAKE CITY, UTAH
City/State where this Agreement was signed

ENERGY STRATEGIES
Employer

PRINCIPAL
Position and Responsibilities

215 S. STATE ST., SUITE 200
SALT LAKE CITY, UT 84111
Permanent Address

The following portion is to be completed by the responding party and filed with the Commission within 10 days of receipt. Failure to do so will constitute a waiver and the above-named person will be deemed a person having access to Highly Confidential Information under the terms and conditions of the protective order.

_____ No objection.

_____ Objection. The responding party objects to the above-named person having access to Highly Confidential Information. The objecting party shall file a motion with the Commission, supported by affidavit, setting forth the basis for objection and asking exclusion of the person from access to Highly Confidential Information.

Signature

Date

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**AGREEMENT CONCERNING HIGHLY CONFIDENTIAL INFORMATION
IN DOCKET UE-09 ___ and UG-09 ___
BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

I, NEAL TOWNSEND, as

- In-house attorney
- In-house expert
- Outside counsel
- Outside expert

in this proceeding for THE KROGER CO. (a party to this proceeding) hereby declare under penalty of perjury under the laws of the State of Washington that the following are true and correct:

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[Handwritten Signature] _____
Signature Date 5-21-09

SALT LAKE CITY, UTAH
City/State where this Agreement was signed

ENERGY STRATEGIES
Employer

Sr. CONSULTANT
Position and Responsibilities

215 S. STATE ST., STE 200
SALT LAKE CITY, UT 84111
Permanent Address

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_____ No objection.

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Signature Date

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IN DOCKET UE-09___ and UG-09___
BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

I, OLIVIA SMITH, as

- In-house attorney
- In-house expert
- Outside counsel
- Outside expert

in this proceeding for THE KROGER CO. (a party to this proceeding) hereby declare under penalty of perjury under the laws of the State of Washington that the following are true and correct:

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d. I have read and understand, and agree to be bound by, the terms of the Protective Order in this proceeding, including this Section C of the Protective Order.

Alena Gunn
Signature

5-21-09
Date

SALT LAKE CITY, UT
City/State where this Agreement was signed

ENERGY STRATEGIES
Employer

CONSULTANT
Position and Responsibilities

215 S. STATE STREET, SUITE 200
Permanent Address
S2C1, UT 84111

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Signature

Date