

**BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

NORTHWEST NATURAL GAS
COMPANY,

Respondent.

Docket No. UG-_____

NORTHWEST NATURAL GAS
COMPANY'S MOTION FOR
MODIFIED PROTECTIVE ORDER
(Expedited Treatment Requested)

I. RELIEF REQUESTED

1 In conjunction with its purchase gas adjustment (“PGA”) filed by Northwest Natural Gas Company (“NW Natural” or “Company”) on September 13, 2024, NW Natural moves for the entry of a modified standard protective order with enhanced protection of highly confidential information pursuant to WAC 480-07-420(2). NW Natural seeks expedited treatment of this motion to ensure that its highly confidential information is covered by a modified protective order as promptly as possible. NW Natural’s legal representative in this proceeding is:

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II. STATEMENT OF FACTS

2 On September 13, 2024, NW Natural filed its PGA. Unlike past PGA filings, NW Natural has included two renewable natural gas (“RNG”) purchase agreements and supporting documentation showing how the Company evaluated these agreements, as well as other

potential acquisition opportunities. This includes NW Natural’s RNG evaluation methodology and how NW Natural determines the incremental cost of RNG (i.e., how much more RNG costs than conventional natural gas). All such information is clearly marked “highly confidential” in NW Natural’s PGA filing.

III. AUTHORITY AND ARGUMENT

3 WAC 480-07-420(2) authorizes the Commission to amend its standard protective order and to add protections for highly confidential information. Under WAC 480-07-420(2), it is necessary to create a separate designation in this case and to establish a higher degree of protection for RNG purchase agreements and supporting documents.

4 The Commission has previously amended its standard protective order to allow for the designation of highly confidential documents under the following circumstances: (1) the information relevant to the case is sensitive competitive information that would be of value to competitors if released; (2) a significant risk exists that confidential information might become available to persons who have no legitimate need for such information; (3) a disclosing party might suffer harm as a result of the information’s disclosure; and (4) the entry of the protective order will facilitate discovery.¹

5 The RNG purchase agreements and supporting documentation that NW Natural seeks to protect are precisely the type of information that is eligible for a “highly confidential” designation under WAC 480-07-420(2). The RNG purchase agreements contain the material terms and conditions of its recent RNG acquisitions, and the supporting documentation shows

¹ See, e.g., WUTC v. Nw. Nat. Gas, d/b/a NW Nat., Docket UG-181053, Order 04 (Mar. 19, 2019); WUTC v. Puget Sound Energy, Docket UG-151663, Order 02 (Sept. 9, 2015); WUTC v. Puget Sound Energy, Docket No. UE-111048 and UE- UG-111049 (consolidated), Order 01 (June 17, 2011); WUTC v. Puget Sound Energy, Docket No. UE-090704 and UE-090705 (consolidated), Order 03 (June 23, 2009)

how NW Natural evaluates potential RNG acquisitions. As such, these documents contain highly sensitive commercial information that would be valuable to competitors if released and the disclosure of which would harm NW Natural. The public release of this highly sensitive information would provide a distinct advantage to NW Natural's competitors, as well as sellers of RNG, and would harm NW Natural and, ultimately, its customers.

6. The additional protection provided by a "highly confidential" designation will help ensure that any parties receiving highly confidential information treat it with the utmost care and will limit the forms of duplication and transmission of such information. These enhanced protections will help ensure that highly confidential information does not fall into the possession of market competitors or those who have no legitimate need for such information.
7. NW Natural is not seeking to restrict access to "highly confidential" information by Commission Staff or potentially other parties to this proceeding beyond the protections contained in the Commission's standard protective order for "confidential" information, provided that these parties certify that they will not use the information to achieve a competitive advantage.

IV. CONCLUSION

8. For the reasons set forth above, NW Natural respectfully requests that the Commission enter a modified standard form of protective order in this case with enhanced protection of highly confidential information, in substantially the same form attached as Exhibit A. Exhibit A is the same modified protective order that was utilized in the Company's last general rate case (UG-200994).

Respectfully submitted this 13th day of September 2024.

/s/ Ryan Sigurdson

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