

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

PUGET SOUND ENERGY,

Respondent.

DOCKET PG-160924

PUGET SOUND ENERGY'S MOTION
FOR STANDARD PROTECTIVE ORDER

I. RELIEF REQUESTED

1 Pursuant to WAC 480-07-375 and WAC 480-07-420, Puget Sound Energy (“PSE”) respectfully requests that the Commission’s Standard Protective Order be entered in this proceeding to protect the disclosure of PSE’s confidential information. Before filing this motion, the parties’ respective counsel conferred in good faith. Neither party opposes the issuance of a protective order in this case.

II. STATEMENT OF FACTS

2 On March 9, 2016, a natural gas explosion occurred in the vicinity of 8411 Greenwood Avenue North, Seattle, Washington (the “Greenwood Incident”).

3 Following the Greenwood Incident, Commission Staff (“WUTC Staff”) began investigating the cause of the incident. During the course of its investigation, WUTC Staff issued a series of informal data requests to PSE seeking information from PSE relating to the Greenwood Incident.

4 PSE responded to these requests. In some instances, PSE determined that the information
requested by WUTC Staff contained information relating to PSE’s pipeline systems that
constituted “confidential information” under WAC 480-07-160(2). Accordingly, in compliance
with the procedures outlined in WAC 480-07-160, PSE designated certain responses to WUTC
Staff’s informal data requests as “Confidential per WAC 480-07-160.”

5 On September 20, 2016, the Commission filed a complaint against PSE relating to the
Greenwood Incident in this Docket.

6 On October 18, 2016, Public Counsel appeared in this proceeding.

7 On November 22, 2016, Public Counsel issued a data request to PSE seeking copies of
responses to any informal data requests made by any party in PG-160924, including any informal
data requests issued prior to the initiation of PG-160924. PSE understands that Public Counsel
intends to disclose such responses to its consultant in this proceeding.

III. ARGUMENT

8 Under WAC 480-07-160(2), information is confidential if it is “[v]aluable commercial
information, including trade secrets or confidential marketing, cost, or financial information, or
customer-specific usage and network configuration and design information, as provided in
RCW 80.04.095.” Under WAC 480-07-420(1), the Commission may enter a protective order
when the parties reasonably anticipate that discovery in a proceeding will call for the production
of “confidential information.” Under WAC 480-07-423(3), information is “confidential” if the
disclosure of such information “might compromise a company’s ability to compete fairly or that
otherwise might impose a business risk if disseminated without the protections provided in the
commission’s protective order.”

9 Because the information requested by Public Counsel contains proprietary commercial
business information relating to PSE's pipeline systems, PSE appropriately designated the
information prior to the initiation of PG-160924 as "Confidential" under WAC 480-07-160(2).

10 In order to preserve the confidentiality of this information, PSE respectfully requests that
the Commission issue its Standard Protective Order to govern the disclosure of PSE's confidential
business information sought by Public Counsel. Such a protective order would also protect the
disclosure of any future information sought in discovery that qualifies as "Confidential."

11 Given that PSE's confidential information has already been requested and that additional
confidential information may be requested in the future, good cause exists to issue a protective
order in this case.

III. CONCLUSION

12 For the reasons stated above, PSE respectfully requests that the Commission enter its
Standard Protective Order to protect the disclosure of PSE's confidential commercial business
information.

13 Respectfully submitted this 21st day of December, 2016.

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