

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

LC 62

In the Matter of)	
)	MOTION IN SUPPORT OF SIERRA
PACIFICORP, dba PACIFIC POWER)	CLUB REQUEST FOR REVIEW OF LC
)	62 PROTECTIVE ORDER
2015 Integrated Resource Plan)	OF CUB, NWEAC, RNW, AND ICNU
)	
)	

Pursuant to OAR 860-001-0400(2)(b), the Citizens' Utility Board of Oregon (CUB), the Northwest Energy Coalition (NWEAC), Renewable Northwest (RNW), and Industrial Customers of Northwest Utilities (ICNU) hereby file this Motion in Support of Sierra Club's request that the Commission review certain aspects of the General Protective Order in this docket.¹ While all of the Intervenorers have now signed (or will shortly sign) the General Protective Order in question, all have the same concerns with that protective order as those set forth by the Sierra Club in its December 17, 2014 Motion.²

As discussed by Sierra Club the Intervenorers agree that:

- Publically Available Information - can never be designated as confidential.
- There is a difference between unilaterally designated confidential information and actual confidential information and this difference should be spelled out in the protective orders.
- The Dispute Resolution Provision – needs to be clarified. Is it limited or unlimited in terms of issues the ALJ can address.

¹ See Sierra Club's Request to the ALJ to Certify ALJ Ruling Granting PacificCorp's Motion for a General Protective Order, dated December 17, 2014.

² These concerns are not limited to the General Protective Order in LC 62 but the LC 62 docket is the docket in which clarification of these matters is most pressingly urgent. The Intervenorers would like to see the same issues addressed for all dockets going forward.

- The term “use” should be clarified. Parties who have signed the protective order should be able to keep and use the information received under the protective order in related, and subsequent related, cases. As things stand counsel may maintain a copy of the information for counsel’s use but an expert witness working with that counsel may not review the material. This limits the Intervenor’s ability to use the information in subsequent dockets. It would be much easier if both counsel and the expert witness were permitted to review the information kept by counsel and then draft appropriate data requests.
- The seven day waiting period for qualified persons should be reduced
- Qualified persons from different parties who have signed the protective order should be able to meet and discuss the protected information covered by that order.

Dated this 22nd day of December, 2014.

Respectfully Submitted,



G. Catriona McCracken, OSB #933587
General Counsel, Regulatory Program Director
Citizens’ Utility Board of Oregon
610 SW Broadway, Suite 400
Portland OR 97205
(503) 227-1984 ph
(503) 274-2956 fax
Catriona@oregoncub.org

LC 62 – CERTIFICATE OF SERVICE

I hereby certify that, on this 22nd day of December, 2014, I served the foregoing **MOTION IN SUPPORT OF SIERRA CLUB REQUEST FOR REVIEW OF LC 62 PROTECTIVE ORDER OF CUB, NWECC, RNW, AND ICNU** in docket LC 62 upon each party listed in the LC 62 PUC Service List by email and, where paper service is not waived, by U.S. mail, postage prepaid, and upon the Commission by email and by sending one original and one copy by U.S. mail, postage prepaid, to the Commission’s Salem offices.

**W=Waive Paper service C=Confidential
 HC=Highly Confidential**

W	*OREGON DEPARTMENT OF ENERGY KACIA BROCKMAN (C) SENIOR ENERGY POLICY ANALYST	625 MARION ST NE SALEM OR 97301-3737 kacia.brockman@state.or.us PHILIP H CARVER (C) SENIOR POLICY ANALYST 625 MARION ST NE STE 1 SALEM OR 97301-3742 phil.carver@state.or.us
W	*OREGON DEPARTMENT OF JUSTICE RENEE M FRANCE (C) SENIOR ASSISTANT ATTORNEY GENERAL	NATURAL RESOURCES SECTION 1162 COURT ST NE SALEM OR 97301-4096 renee.m.france@doj.state.or.us
W	CITIZENS' UTILITY BOARD OF OREGON OPUC DOCKETS	610 SW BROADWAY, STE 400 PORTLAND OR 97205 dockets@oregoncub.org ROBERT JENKS (C) 610 SW BROADWAY, STE 400 PORTLAND OR 97205 bob@oregoncub.org G. CATRIONA MCCracken (C) 610 SW BROADWAY, STE 400 PORTLAND OR 97205 catriona@oregoncub.org

W	DAVISON VAN CLEVE JESSE E COWELL (C)	333 SW TAYLOR ST., SUITE 400 PORTLAND OR 97204 jec@dvclaw.com
W	DAVISON VAN CLEVE PC MELINDA J DAVISON (C)	333 SW TAYLOR - STE 400 PORTLAND OR 97204 mjd@dvclaw.com
W	DEPARTMENT OF ENVIRONMENTAL QUALITY COLIN MCCONNAHA (C)	811 SW SIXTH AVE PORTLAND OR 97204 colin.mcconnaha@state.or.us
W	MOUNTAIN WEST ANALYTICS BRADLEY MULLINS (C)	333 SW TAYLOR STE 400 PORTLAND OR 97204 brmullins@mwanalytics.com
W	NW ENERGY COALITION WENDY GERLITZ (C)	1205 SE FLAVEL PORTLAND OR 97202 wendy@nwenergy.org
	FRED HEUTTE	PO BOX 40308 PORTLAND OR 97240-0308 fred@nwenergy.org
W	OREGON DEPARTMENT OF JUSTICE PAUL GARRAHAN (C)	1162 COURT ST NE SALEM OR 97301-4096 paul.garrahan@doj.state.or.us
W	PACIFIC POWER DUSTIN T TILL (C)	825 NE MULTNOMAH ST STE 1800 PORTLAND OR 97232 dustin.till@pacificorp.com
W	PORTLAND GENERAL	

LC 62 - Certificate of Service **MOTION IN SUPPORT OF SIERRA CLUB REQUEST FOR REVIEW OF LC 62 PROTECTIVE ORDER OF THE CUB, NWEAC, RNW, AND ICNU**

	ELECTRIC	
	FRANCO ALBI (C)	121 SW SALMON ST, 1WTC0702 PORTLAND OR 97204 franco.albi@pgn.com
	PATRICK G HAGER	121 SW SALMON ST 1WTC0702 PORTLAND OR 97204 pge.opuc.filings@pgn.com; patrick.hager@pgn.com
	V. DENISE SAUNDERS (C)	121 SW SALMON ST 1WTC1301 PORTLAND OR 97204 denise.saunders@pgn.com
W	RENEWABLE NORTHWEST	
	RENEWABLE NW DOCKETS	421 SW 6TH AVE., STE. 1125 PORTLAND OR 97204 dockets@renewablenw.org
	MEGAN DECKER (C)	421 SW 6TH AVE #1125 PORTLAND OR 97204-1629 megan@renewablenw.org
W	RENEWABLE NORTHWEST PROJECT	
	MICHAEL O'BRIEN (C)	421 SW 6TH AVENUE #1125 PORTLAND OR 97204 michael@renewablenw.org
W	SIERRA CLUB	
	ANDREA ISSOD (C)	85 2ND ST 2ND FL SAN FRANCISCO CA 94105 andrea.issod@sierraclub.org
W	SIERRA CLUB ENVIRONMENTAL LAW PROGRAM	
	TRAVIS RITCHIE (C)	85 SECOND STREET, 2ND FL SAN FRANCISCO CA 94105 travis.ritchie@sierraclub.org
W	SIERRA CLUB LAW PROGRAM	
	GLORIA D SMITH (C)	85 SECOND STREET SAN FRANCISCO CA 94105

LC 62 - Certificate of Service **MOTION IN SUPPORT OF SIERRA CLUB
REQUEST FOR REVIEW OF LC 62 PROTECTIVE ORDER OF THE CUB,
NVEC, RNW, AND ICNU**

Respectfully Submitted,



G. Catriona McCracken, OSB #933587
General Counsel, Regulatory Program Director
Citizens' Utility Board of Oregon
610 SW Broadway, Suite 400
Portland OR 97205
(503) 227-1984 ph
(503) 274-2956 fax
Catriona@oregoncub.org