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November 16, 2007

VIA E-FILING & FIRST CLASS MAIL

Oregon Public Utility Commission
Attn: Filing Center
550 Capitol St. NE, Suite 215
P. O. Box 2148
Salem, Oregon 97308-2148

Re: *UM 1224*

Attention Filing Center:

Enclosed for filing is the original of Portland General Electric Company's Motion for Protective Order. Five additional copies are also enclosed. This document is being filed electronically per the Commission's eFiling policy to the electronic address PUC.FilingCenter@state.or.us, with copies being served on all parties on the service list via e-mail and, if they have not waived paper service, by U.S. Mail. A photocopy of the PUC tracking information will be forwarded with each hard copy filing.

Very truly yours,

A handwritten signature in black ink that reads 'David F. White'.

David F. White

DFW/cp
Enclosures
cc: Service List
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**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON
UM 1224**

In the Matter of

UTILITY REFORM PROJECT and
KEN LEWIS

Application for Deferred Accounting

**PORTLAND GENERAL ELECTRIC
COMPANY'S MOTION FOR
PROTECTIVE ORDER**

Pursuant to OAR 860-12-0035(1)(k), ORS 757.267(1)(g), and Order No. 06-033, Portland General Electric ("PGE") hereby moves for entry of a standard protective order as amended consistent with Order No. 06-033 and with this motion. Prior to filing this motion, PGE has conferred with Staff, and Staff does not oppose the motion. Counsel for PGE has attempted to confer with counsel for the Utility Reform Project and Ken Lewis but has been unable to reach him. PGE requests expedited consideration of this motion and shortening of the time for opposing it so that the requested protective order is entered before December 1, the date by which Order No. 07-351 requires PGE to file confidential tax information contained in PGE's tax report. In support of this motion, PGE states as follows:

1. In Order No. 07-351, the Commission ordered PGE to calculate the deferred amounts using the methodologies for determining Taxes Collected and Taxes Paid adopted (and defined) in the Commission rules implementing SB 408, OAR 860-022-0041. By December 1, 2007, PGE must submit its calculation of Taxes Paid, Taxes Collected, and the deferred amount, along with an earnings test. To comply with Order No. 07-351, PGE must provide its tax report filed on October 15, 2007, (the "2007 Tax Report") containing protected

tax information and then allocate the amounts for Taxes Paid and Taxes Collected to the deferral period.

2. The 2007 Tax Report is highly confidential, subject to the protections of the modified protective order entered in UE 178 (Order No. 06-033). In that docket, the Commission found that no party disputed the "sensitivity of the information contained in the SB 408 tax reports or the harm presented by its public release." Order No. 06-033 at 3. When enacting SB 408, the Legislative Assembly expressly recognized that the tax information of any business is commercially sensitive and its disclosure could harm the party producing the information. ORS 757.267(1)(g). In addition, the Commission concluded that without the protections of a "safe room" the "risk of such disclosure is, unfortunately, uncontrollable." *Id.* at 5.

3. In this docket, PGE requests that the Commission issue its standard protective order amended in a manner consistent with Order No. 06-033, so that the 2007 Tax Report and similar sensitive tax information are protected in a manner consistent with the Commission's ruling in UE 178.

4. Amendments to the standard protective order should include the addition of the following paragraphs, which replicate the provisions of Order No. 06-033:

12. PGE has the right, at its option, to designate documents as containing "Highly Confidential Information" and to refuse to provide copies to the requesting party. These documents shall be printed on green paper and placed in a sealed envelope or other appropriate container. All documents designated as containing Highly Confidential Information shall be made available for inspection and review by qualified persons at the following location in Portland ("Portland Safe Room"): 121 S.W. Salmon Street, Suite 1301, Portland, Oregon 97204.

Access to the Portland Safe Room requires an appointment. A qualified person may make an appointment to review Highly Confidential Information during the following office hours: Monday through Friday, between the hours of 9:00 a.m. and noon

and 1:00 p.m. and 5:00 p.m., excluding holidays. Notice of an appointment must be made in writing, and received by mail, e-mail or facsimile by the primary person designated by PGE, at least 24 hours in advance of the requested safe room appointment. PGE will notify all parties to contact a secondary person if the primary person is unavailable to receive notice. PGE may require the presence of a monitor. PGE shall designate a primary and a secondary person to receive notice within (5) five business days of the date of this order.

13. PGE shall deliver a copy of all documents designated as containing Highly Confidential Information to the Commission. These documents shall be printed on green paper and placed in a sealed envelope or other appropriate container. These documents will be available for inspection and review by the Commission Staff only at a safe room located in the offices of the Commission (the "Salem Safe Room"). The documents in the Salem Safe Room will be secured in a locked cabinet in a specially designated area at the Commission. One person designated by staff will control the key to the locked cabinet and maintain a log stating the names of staff persons reviewing documents located in the Salem Safe Room, time and date of such review, and listing the documents reviewed. A second person will also be designated by staff in the event the primary person is unavailable.

14. Qualified persons are not authorized to, and shall not make, copies of any document designated as containing Highly Confidential Information. Qualified persons reviewing the highly confidential documents may make limited notes regarding the documents for reference purposes only. Such notes shall not constitute a verbatim or substantive transcript of the documents, and shall be considered Confidential Information subject to the terms of this protective order.

15. Disputes between the parties regarding the proper designation of documents containing Highly Confidential Information shall be resolved pursuant to paragraph 20 of this protective order.

16. PGE shall Bates number all documents designated as containing Highly Confidential Information so that any party may reference any page it wants to use as an exhibit to testimony. Once referenced, PGE will file a copy of the document with the Commission's Administrative Hearings Division. All such copies must be printed on green paper, sealed in an envelope or other appropriate container, and contain the following legend:

THIS ENVELOPE IS SEALED PURSUANT TO
ORDER NO. _____ AND CONTAINS
HIGHLY CONFIDENTIAL INFORMATION
REFERENCED IN _____
TESTIMONY AT _____

5. PGE also requests the following conforming revisions to the Commission's standard protective order:

a. Revise paragraph 1 as follows:

This order governs the acquisition and use of "Confidential Information" and "Highly Confidential Information" in this proceeding.

b. In paragraph 17*, add "or Highly Confidential Information" after each occurrence of "Confidential Information."

c. At the end of paragraph 17*, add the following sentence: "No party may make copies of Highly Confidential Information without PGE's written permission."

d. In paragraph 18*, first sentence add "and Highly Confidential Information" after "Confidential Information."

e. In paragraph 20*, first sentence, after "confidential" add "or highly confidential."

f. Revise the Consent to be Bound statement as follows:

This Protective Order governs the use of "Confidential" and "Highly Confidential" information in this proceeding.

For the reasons stated above, PGE requests entry of the standard protective order as amended above.

DATED this __th day of November, 2007.

Douglas C. Tingey, OSB No. 04436
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david.white@tonkon.com

Attorneys for Portland General Electric
Company

CERTIFICATE OF SERVICE

I hereby certify that on this day I served the foregoing **PORTLAND GENERAL ELECTRIC COMPANY'S MOTION FOR PROTECTIVE ORDER** by mailing a copy thereof in a sealed envelope, first-class postage prepaid, addressed to each party listed below, deposited in the U.S. Mail at Portland, Oregon.

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Portland, OR 97204

Portland General Electric Company
Rates & Regulatory Affairs
121 SW Salmon Street, 1WTC0702
Portland, OR 97204

DATED this __th day of November, 2007.

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4. Amendments to the standard protective order should include the addition of the following paragraphs, which replicate the provisions of Order No. 06-033:

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e. In paragraph 20*, first sentence, after "confidential" add "or highly confidential."

f. Revise the Consent to be Bound statement as follows:

This Protective Order governs the use of "Confidential" and "Highly Confidential" information in this proceeding.

* The numbered paragraphs reflect renumbering of the paragraphs in the standard protective order based upon the addition of the five paragraphs set forth in paragraph 4 above.

For the reasons stated above, PGE requests entry of the standard protective order as amended above.

DATED this 16th day of November, 2007.

Douglas C. Tingey FOR DCT

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david.white@tonkon.com

Attorneys for Portland General Electric
Company

CERTIFICATE OF SERVICE

I hereby certify that on this day I served the foregoing **PORTLAND GENERAL ELECTRIC COMPANY'S MOTION FOR PROTECTIVE ORDER** by mailing a copy thereof in a sealed envelope, first-class postage prepaid, addressed to each party listed below, deposited in the U.S. Mail at Portland, Oregon.

Daniel W. Meek
10949 SW Fourth Avenue, Suite 1000
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DATED this 16th day of November, 2007.



DAVID F. WHITE

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