

BEFORE THE PUBLIC UTILITY COMMISSION OF OREGON

UM 1283

In the Matter of

MDU RESOURCES GROUP, INC.

Application for Authorization to Acquire
Cascade Natural Gas Corporation

MOTION FOR ENTRY OF STANDARD
PROTECTIVE ORDER

Pursuant to OAR 860-012-0035(1)(k), applicant MDU Resources Group, Inc. ("MDU") respectfully requests entry of the Commission's standard protective order in this proceeding. MDU believes good cause exists for issuance of such an order to protect confidential business information. In support of this motion, MDU states the following:

1. The Commission's rules authorize a party to seek reasonable restrictions on discovery of trade secrets and other confidential business information. *See* OAR 860-11-000(3) (adopting Oregon Rules of Civil Procedure ("ORCP")); ORCP 36(C)(7) (providing protection against unrestricted discovery of "a trade secret or other confidential research, development, or commercial information"). *See also In re Investigation into the Cost of Providing Telecommunications Service* (Docket UM 351), Order No. 91-500 (1991) (recognizing that protective orders are a reasonable means to protect "the rights of a party to trade secrets and other confidential commercial information" and "to facilitate the communication of information between litigants").

2. Good cause exists for the issuance of a protective order in this proceeding. MDU anticipates that discovery in this proceeding may include proprietary due diligence materials, confidential market analyses and business projections, confidential analytical models, commercially sensitive financial information, confidential employee data, or confidential

information regarding contracts for the purchase or sale of natural gas or for natural gas transportation services. MDU and Cascade will be exposed to competitive injury if they are forced to make unrestricted disclosure of their confidential business information. Issuance of a protective order will facilitate the production of relevant information.

3. It is likely that Staff and others in this proceeding will seek to discover a large amount of information held by MDU or other parties to this proceeding. "The Commission's standard blanket protective order is designed to facilitate discovery in cases involving discovery of large numbers of documents." *See In re Portland Extended Area Service Region* (Docket UM 261), Order No. 91-958 (1991). Issuance of a protective order will facilitate the production of relevant information and expedite the discovery process.

4. Accordingly, MDU seeks the issuance of the Commission's standard protective order to limit the use and disclosure of such confidential business information. In addition, pursuant to ORCP 36(C)(7), under the terms of such an order, any party providing information in this proceeding may designate, as confidential, any information that it reasonably believes falls within the scope of the rule. As such, other parties to this proceeding, including Cascade Natural Gas Corporation, may designate confidential information as appropriate.

DATED: December 6, 2006

PERKINS COIE LLP

By 

James M. Van Nostrand, OSB No. 79428
Lawrence Reichman, OSB No. 86083

Attorneys for MDU Resources Group, Inc.

CERTIFICATE OF SERVICE

I certify that I have this day served the Motion for Entry of Standard Protective Order by causing a copy to be sent by electronic and U.S. Mail to:

Lowrey R. Brown
Jason Eisdorfer
Robert Jenks
Citizens' Utility Board of Oregon
610 SW Broadway, Suite 308
Portland, OR 97205

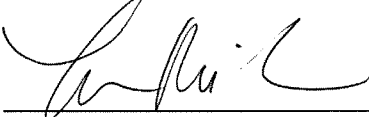
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DATED: December 6, 2006.

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