

PAUL H. PROCTOR (2657)
Assistant Attorney General
MARK L. SHURTLEFF (4666)
Attorney General
Utah Office of Consumer Services
160 East 300 South
P.O. Box 140857
Salt Lake City, Utah 84114-0857
Telephone (801) 366-0552
pproctor@utah.gov

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of PacifiCorp's 2011 Integrated Resource Plan	Docket No. 11-2035-01
	PROPOSED ORDER ON UTAH OFFICE OF CONSUMER SERVICES' MOTION FOR PROTECTIVE ORDER – ADDITIONAL PROTECTIVE MEASURES

On September 12, 2011, the Utah Office of Consumer Services filed its Motion for Protective Order – Additional Protective Measures, requesting that the Commission attach additional protective measures to the standing protective order applicable to this docket under Utah Admin. Code R. 746-100-16. The additional protective measures pertain to the “Report on Rocky Mountain Power Fuel Management and Coal Supply” (Report) prepared by Energy Ventures Analysis, referenced by the Office’s September 7, 2011 Comments upon PacifiCorp’s 2011 Integrated Resource Plan. The additional protective measures would allow the Office to file the Report with the Commission and serve it upon only the Utah

Division of Public Utilities and PacifiCorp. The Office also moved that the additional protective measures provide a means by which other parties to this docket may request that the Commission grant the party access to the Report upon such terms and conditions as the Commission determines will protect the confidentiality of the Report.

More than 15 calendar days have past since the Motion was filed and no response has been filed. The Commission therefore presumes that there is no opposition. Utah Admin. R. 746-100-4 D. The Commission finds that the Office has established the need for the specific, additional protective measures, and the reasonableness of the requested, additional protection. The Commission finds that the Report is based upon and contains highly confidential information that if disclosed creates a high risk of competitive disadvantage or other business injury. Also, the Commission finds that the manner in which PacifiCorp imposed restrictions on the access and use of the information, the Office cannot create a public and non-public version of the Report that reliably protects the confidentiality of the information as required by Utah law.

Accordingly, it is ordered that the Office file the Report with the Commission as a highly confidential document; that the Office serve the Report upon only the Utah Division of Public Utilities and PacifiCorp; and that no public version of the Report is to be prepared.

Parties may request access to the Report or a copy of it, by filing a request with the Commission demonstrating that by reason of the organization, character,

activities, and purpose of the party and its interest in this docket, access to the Report will create no competitive disadvantage or advantage, nor can the party's use of the Report result in or risk business injury. Further, the party must demonstrate that access to the Report is necessary to its intervention in this docket and to permit it to represent its interest and positions of record.

DATED at Salt Lake City, Utah, this 4th day of October 2011.

/s/
Administrative Law Judge

Approved and confirmed this day 4th of October, 2011, as the Report and Order of the Public Service Commission of Utah.

/s/ Ted Boyer, Chairman

/s/ Ric Campbell, Commissioner

/s/ Ron Allen, Commissioner

Attest:
/s/ Julie Orchard
Commission Secretary

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the above Proposed Order on Motion for Protective Order – Additional Protective Measures was served upon the following by electronic mail sent on October 4, 2011:

Arthur Morris, Clean Energy Analyst
HEAL Utah
68 S. Main Street, Suite 400
Salt Lake City, Utah 84101
801.355.5055
arthur@healutah.org

Brian Moench, MD, President
Utah Physicians for a Healthy Environment
Salt Lake City, Utah
drmoench@yahoo.com

Sophie Hayes
Utah Clean Energy
1014 2nd Avenue
Salt Lake City, UT 84103
sophie@utahcleanenergy.org

Western Resources Advocates
150 South 600 East, Suite 2A
Salt Lake City, UT 84102
rdubuc@westernresources.org
smichel@westernresources.org

Gloria D. Smith
Sierra Club
85 Second Street, 2d Flr.
San Francisco, CA 94105
gloria.smith@sierraclub.org

Patricia Schmid
Dahnelle Burton-Lee
Assistant Attorney General,
Heber M. Wells Bldg., Fifth Floor

160 East 300 South
Salt Lake City, UT 84111
pschmid@utah.gov
dburton-lee@utah.gov

Yvonne R. Hogle
Rocky Mountain Power
201 South Main Street, Suite 2300
Salt Lake City, UT 84111
yvonne.hogle@pacificorp.com

Gary Dodge
Hatch, James & Dodge
10 West Broadway, Suite 400
Salt Lake City, UT 84101
gdodge@hjdllaw.com

Patti L. Case
Intermountain Clean Energy Application Center
c/o ETC Group
1997 South 1100 East, Suite 201
Salt Lake City, UT 84106
plcase@etcgrp.com

Craig Cox
Executive Director
Interwest Energy Alliance
P.O. Box 261311
Denver, CO 80226
cox@interwest.org

Paul H. Proctor
Assistant Attorney General
Utah Office of Consumer Services