

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Application of PacifiCorp)
for Approval of a 2009 Request for Proposals)
for Flexible Resource)

DOCKET NO. 05-035-47

PROPOSED ORDER GRANTING
ROCKY MOUNTAIN POWER'S
MOTION FOR ADDITIONAL
PROTECTIVE MEASURES

ISSUED: October , 2007

By The Commission:

On September 28, 2007, PacifiCorp, by and through its Rocky Mountain Power division, submitted a motion and a proposed order to the Commission in the above-entitled proceeding requesting additional protective measures pursuant to paragraph 1 (D) of the Protective Order issued by the Commission on October 13, 2006.

Rocky Mountain Power states in its Motion that the entry of an order granting additional protective measures will facilitate the disclosure of certain information that is non-public information and commercially sensitive to the request for proposals process, the disclosure of which would jeopardize the integrity of the request for proposals process. The company further states that the issuance of an order will afford the necessary protection for this non-public information.

The Commission finds that sufficient grounds exist for entry of an order granting Rocky Mountain Power's motion protective order.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

The Protective Order issued by the Commission on October 13, 2006 shall be supplemented to include the following provision as paragraph 1(E).

(E) Non-Public Information: Disclosing certain information about the status of a pending request for proposals to members of the public may jeopardize the competitive integrity of the request for proposals bids, and the bid evaluation and bid approval process. If the holder of information believes that the public disclosure of the information in this docket will jeopardize the competitive integrity and fairness of the request for proposals, it may submit such information to the Commission under seal and designate such information as Non-Public Information. If a holder of Non-Public Information submits Non-Public Information to the Commission, it shall also provide a copy of such filing to Rocky Mountain Power, the Utah Division of Public Utilities (“Division”), the Utah Committee of Consumer Services (“CCS”), and to the designated independent evaluator. The Division, CCS, and the independent evaluator shall keep such Non-Public Information secret and confidential. The Company shall not be required to distribute any Non-Public Information to any other party. Any hearing or other proceedings where Non-Public Information will be discussed shall be conducted only in the presence of the party who made the filing, Rocky Mountain Power, the Division, the CCS, and the independent evaluator. A record of such hearing or proceeding shall be kept and maintained by the Commission under seal. Any party may challenge a party’s designation of any information as Non-Public Information pursuant to Section 2 of the Protective Order.

This order granting these additional protective measures is intended to supplement the Protective Order.

DATED at Salt Lake City, Utah, this ____ day of October 2007.

/s/ Ted Boyer, Chairman

/s/ Ric Campbell, Commissioner

/s/ Ron Allen, Commissioner

Attest:
/s/ Julie Orchard
Commission Secretary