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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Request of ROCKY MOUNTAIN POWER for Waiver of Solicitation Process and for Approval of Significant Energy Resource Decision	Docket No. 08-035-35 MOTION FOR ENTRY OF PROTECTIVE ORDER
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Rocky Mountain Power, a division of PacifiCorp (“Rocky Mountain Power” or “Company”), requests the Commission to enter the attached Protective Order to govern the provision and use of confidential information in this docket (“Motion”). The attached Protective Order is the same form of protective order issued by the Commission in other dockets except that it includes a provision clarifying its applicability to confidential information previously provided in this docket to the extent the Commission or the parties wish to use such information in connection with the request of the Company for approval of the significant energy resource decision or other matters dealt with hereafter in this docket. This Motion is based upon the following:

1. On April 1, 2008, Rocky Mountain Power filed a “Verified Request for Waiver of Solicitation Process and for Approval of Significant Energy Resource Decision” (“Request”) regarding its proposed acquisition of a generation plant known as the Chehalis Plant.¹

2. Rocky Mountain Power filed confidential testimony in support of the Request pursuant to the Protective Order issued April 17, 2007 in Docket No. 07-999-03 (“Generic Protective Order”). The Generic Protective Order was issued pursuant to Utah Code Ann. § 54-17-501(2)(b), (8)(b) and (12).

3. Rocky Mountain Power has provided the confidential testimony and additional confidential information to parties and their consultants that have agreed to comply with the Generic Protective Order. The confidential information provided has application both to Rocky Mountain Power’s request for waiver of the solicitation process (“Waiver Request”) and to its request for approval of its decision to acquire the Chehalis Plant (“Approval Request”).

4. On April 30, 2008, the Commission issued its Order Granting Request for Waiver of Solicitation. As a result of that order, further proceedings in this docket will relate primarily to the Approval Request.

5. Entry of the order requested in this Motion is in the public interest (1) to facilitate the use of confidential information previously provided to the parties in connection with the Waiver Request in proceedings on the Approval Request and (2) to expedite the production of confidential information and to afford protection to trade secret and other confidential commercial, financial and competitive information.

¹ Based on the competitively sensitive nature of the opportunity to acquire the plant and a confidentiality agreement with the seller, Rocky Mountain Power did not disclose the name or other information regarding the plant in the Request and requested that the generation plant be referred to as Project Blue. The name, location and other general information regarding the plant have since been publicly disclosed; however, the price, terms and conditions of the transaction and other information remain confidential.

6. The terms and conditions of the Protective Order are the same as those in the current form of protective order issued by the Commission in other dockets, including Docket No. 07-035-93, except that an additional provision has been added clarifying its applicability to confidential information previously provided in this docket to the extent the Commission or the parties wish to use such information in connection with the Approval Request.

7. Rocky Mountain Power had originally intended to request that the Commission adopt the Protective Order issued April 17, 2007 in Docket No. 07-999-03 (“Generic Protective Order”) as the protective order for all purposes in this docket. However, in reviewing this proposal with the parties, one party expressed concerns about that proposal and its application to retained consultants of the parties. Accordingly, Rocky Mountain Power makes this Motion based on its understanding that purpose of both protective orders is to allow access to confidential information to parties and their retained consultants that agree to use confidential information solely for purposes of this docket and to bar access to confidential information to parties or their retained consultants if they will use the information to the competitive disadvantage of Rocky Mountain Power or other parties to the transaction. The Company understands that by signing and filing an Appendix A to the Protective Order, consultants retained by the parties are agreeing that they are prohibited from disclosing confidential information to persons or clients who have competitive job functions or “business interests” that would permit the use of confidential information to the competitive disadvantage of the party providing the confidential information and that they will not share confidential information with their clients, prospective clients or any other person who may use the information to the competitive disadvantage of the Company or other parties to the transaction.

8. Rocky Mountain Power does not object to providing access to confidential information to parties or their retained consultants for the sole purpose of providing analysis,

advice and evidence regarding the transaction under review in this docket. By executing Appendix A, they are providing assurance that they will not use the information to the competitive disadvantage of Rocky Mountain Power or other parties to the transaction.

BASED ON THE FOREGOING, Rocky Mountain Power requests that the Commission issue the attached Protective Order in this docket in the public interest.

DATED: May 13, 2008.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing **MOTION FOR ENTRY OF PROTECTIVE ORDER** to be served upon the following by electronic mail to the addresses shown below on May 13, 2008:

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