

Service Date: August 8, 2001

DEPARTMENT OF PUBLIC SERVICE REGULATION
BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MONTANA

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IN THE MATTER of the Application of)	UTILITY DIVISION
MONTANA POWER COMPANY for Approval)	
of a Power Purchase Agreement with Rocky)	DOCKET NO. D2001.7.93
Mountain Power, Inc.)	ORDER NO. 6361

PROTECTIVE ORDER

On July 24, 2001 the Montana Power Company (MPC) filed a Motion for Protective Order to govern certain information filed, and expected to be filed, in this docket. MPC requests protection of “the supply bid information resulting from MPC’s Request for Proposals (RFP) and the Power Purchase Agreement [PPA].” MPC argues the PPA “is confidential and should be protected to protect the competitive position of both Rocky Mountain Power, Inc. (RMP) and MPC.”

The Montana Public Service Commission (Commission) determines that the identified information could be confidential and subject to protection from public disclosure pursuant to Montana law. Therefore, the Commission grants MPC’s motion and hereby orders that information submitted in accordance with this Order be treated as “confidential information” under the terms of this Order and ARM 38.2.5001-5030.

DONE AND DATED this 26th day of July, 2001, by a vote of 5-0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

GARY FELAND, Chairman

JAY STOVALL, Vice Chairman

BOB ANDERSON, Commissioner

MATT BRAINARD, Commissioner

BOB ROWE, Commissioner

ATTEST:

Rhonda J. Simmons
Commission Secretary

(SEAL)

NOTE: There is no reconsideration of the granting of a protective order. There is a procedure to challenge the provider's claim of confidentiality. See ARM 38.2.5008. Reconsideration of a denial of a protective order is available in accordance with ARM 38.2.4806.

Nondisclosure Agreement

ARM 38.2.5012

Docket No. D2001.7.93

Order No. 6361

Order Action Date 7/26/01

I understand that in my capacity as counsel or expert witness for a party to this proceeding before the commission, or as a person otherwise lawfully so entitled, I may be called upon to access, review, and analyze information which is protected as confidential information. I have reviewed ARM 38.2.5001 through 38.2.5030 (commission rules applicable to protection of confidential information) and protective orders governing the protected information that I am entitled to receive. I fully understand, and agree to comply with and be bound by, the terms and conditions thereof. I will neither use nor disclose confidential information except for lawful purposes in accordance with the governing protective order and ARM 38.2.5001 through 38.2.5030 so long as such information remains protected.

I understand that this nondisclosure agreement may be copied and distributed to any person having an interest in it and that it may be retained at the offices of the provider, commission, consumer counsel, any party and may be further and freely distributed.

Typed or Printed Name

Signature

Date of Signature

Business Address:

Employer

Party Represented