BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF CALIFORNIA

FILED
02/04/26
03:43 PM
A0507010

Application of PacifiCorp (U-901-E) and MidAmerican Energy Holdings Company for Exemption Under Section 853(b) from the Approval Requirements of Section 854(a) of the Public Utilities Code with Respect to the Acquisition of PacifiCorp by MidAmerican.	Application 05-07-010 (Filed July 15, 2005)

MOTION FOR CONFIDENTIAL TREATMENT OF SPECIFIED INFORMATION PROVIDED IN RESPONSE TO ADMINISTRATIVE LAW JUDGE'S RULING

DOWNEY BRAND LLP
Michael B. Day
Christopher M. Marelich
455 Market Street, Suite 1500
San Francisco, California 94105
Telephone: 415.848.4800
Facsimile: 415.848.4801

February 4, 2026

Attorneys for PacifiCorp

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Application of PacifiCorp (U-901-E) and MidAmerican Energy Holdings Company for Exemption Under Section 853(b) from the Approval Requirements of Section 854(a) of the Public Utilities Code with Respect to the Acquisition of PacifiCorp by MidAmerican.	Application 05-07-010 (Filed July 15, 2005)

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Pursuant to General Order 66-D and Rule 11.1(a) and Rule 11.4 of the Commission's Rules of Practice and Procedure, PacifiCorp d/b/a Pacific Power ("PacifiCorp" or "Company") respectfully submits this Motion for Confidential Treatment of Specified Information Provided in Response to Administrative Law Judge's Ruling ("Motion") to protect from disclosure confidential information contained within PacifiCorp's Response to Administrative Law Judge's Ruling Directing Filing of Additional Information ("Response") that is being filed concurrently with this Motion. The Response contains PacifiCorp's answers to questions included in Administrative Law Judge ("ALJ") Ehren D. Seybert's January 20, 2026 Ruling ("Ruling") that are relevant to PacifiCorp's Petition to Modify Decision ("D.") 06-09-032 ("Petition").[1] As discussed in Section II of this Motion, the following portions of the Response contain confidential information related to the Company's current and projected financial structure that

[1] See Administrative Law Judge's Ruling Directing Filing of Additional Information (Filed January 20, 2026); PacifiCorp's Petition to Modify Decision 06-09-032 (Filed October 15, 2025).

PacifiCorp seeks to protect from disclosure under Public Utilities Code section 583 and General Order ("GO") 66-D:[2]

- Pages 1–2: PacifiCorp's answer to question 1.a. addressing the implications if the minimum equity level of PPW Holdings LLC ("PPW Holdings") remained at 44 percent;[3]

- Page 3: PacifiCorp's answer to question 1.c. addressing the potential impacts on financing costs and PacifiCorp's financial condition if PPW Holdings' equity level is reduced below 44 percent, and maintained at, or near the requested minimum of 35 percent;[4]

- Page 6: PacifiCorp's answer to question 3.a. addressing the level of wildfire liabilities PacifiCorp has/is expected to accrue, the additional capital needed to maintain PacifiCorp's Transmission and Distribution system, and how and when these costs are expected to impact PPW Holdings' minimum equity percentage threshold.[5]

The confidential information is also detailed in the Declaration of Ryan Weems in Support of Motion for Confidential Treatment of Specified Information Provided in Response to Administrative Law Judge's Ruling, which is attached to this Motion as "Attachment A."

I. BACKGROUND AND PROCEDURAL HISTORY.

PacifiCorp filed its Petition on October 15, 2025, in Application ("A.") 05-07-010. PacifiCorp's Petition asks that the Commission to modify D.06-09-032 by reducing California Commitment 16(a)'s required minimum equity percentage for PacifiCorp's direct parent company, PPW Holdings in MidAmerican Energy Holding Company's ("MEHC") Total Capital from 44 to 35 percent.[6]

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[2] See Response of PacifiCorp to Administrative Law Judge's Ruling Directing Filing of Additional Information, pp. 1–2, 6 (Filed February 4, 2026)

[3] *Id.* at p. 1.

[4] *Id.* at p. 2.

[5] *Id.* at p. 6.

[6] California Commitment 16(a) is one of several conditions created by the Commission applicable to both PacifiCorp and Berkshire Hathaway, Inc., the parent company that wholly owns PPW Holdings, in D.06-

On January 20, 2026, ALJ Seybert issued a Ruling directing PacifiCorp to file answers to questions about the proposed change to California Commitment 16(a), the current financial conditions of PacifiCorp, the potential impact of the change to MEHC's total capital, the actions of other state utility commissions with respect to similar merger conditions, and the extent of PacifiCorp's wildfire liabilities that necessitated additional capital investment.

PacifiCorp filed its Response to the Ruling on February 4, 2026. PacifiCorp's answers to the Ruling's questions within the Response include information that has been identified and labeled as confidential. To ensure that this information remain confidential, PacifiCorp has filed the present Motion concurrently with the Response.

II. BASIS FOR CONFIDENTIAL TREATMENT.

Public Utilities Code section 583 provides that confidential information submitted to the Commission must not be made open to public inspection or otherwise be made public.[7] GO 66-D contains procedures for the disclosure of information and records in the Commission's possession, and recognizes that commercially sensitive information should be protected from public disclosure. Specifically, section 3.3 of GO 66-D allows a party in a formal proceeding to protect confidential information by filing a Motion pursuant to Rule 11.4 of the Commission's Rules. The instant Motion complies with General Order 66-D and identifies the legal basis under the California Public Records Act ("CPRA") for the Commission to provide confidential treatment for the specified material in PacifiCorp's Response. Section 79220.000 of the CPRA provides that records in the possession of a public agency can be withheld if the record in question is exempt under express provisions of the CPRA (such as those contained in sections

02-033—the decision authorizing a transfer of control of PacifiCorp from Scottish Power PLC to MidAmerican Energy Holding Company.

[7] Pub. Util. Code § 583.

7927.705 and 7924.510 (c), (f)) or if the public interest served by not disclosing the record outweighs the public interest served by disclosure.[8]

In addition to those protections from disclosure under GO 66-D and provisions of the CPRA, trade secrets are protected from disclosure under other provisions of California law. Trade secrets are defined in California's Uniform Trade Secrets Act as information that "derives independent economic value, actual or potential, from not being generally known to the public or to other persons who can obtain economic value from its disclosure or use" and "is the subject of efforts that are reasonable under the circumstances to maintain its secrecy."[9] The holder of a trade secret has a "privilege to refuse to disclose the secret, and to prevent another from disclosing it, if the allowance of the privilege will not tend to conceal fraud or otherwise work injustice."[10]

PacifiCorp's Response contains information that is corporate confidential information and trade secret protected from disclosure under California law. The designated confidential information on page 1–2 of the Response within the answer to question 1.a. includes market-sensitive details regarding PacifiCorp's current and future financing strategy, as well as the impact debt issuances would have on the Company's operations. PacifiCorp closely protects its financing strategy and does not disclose it to the public. If the confidential and trade secret information on pages 1–2 of the Response is made public, competitors and participants in the market would "obtain economic value" by gaining insight into PacifiCorp's financial position

[8] See Cal. Gov. Code § 7922.000 ("An agency shall justify withholding any record by demonstrating that the record in question is exempt under express provisions of this division, or that on the facts of the particular case the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record").

[9] See Cal. Civ. Code § 3426.1(d).

[10] See Cal. Evid. Code § 1060.

and strategy. In addition, the public interest is not served by disclosure of this information as it would distort the market price of capital available to PacifiCorp and increase the cost for debt. As a result, PacifiCorp and its customers would be harmed if PacifiCorp was required to pay inflated prices to secure the capital necessary to operate its business operations.

The redacted information on page 3 of the Response within the answer to question 1.c. includes details of PacifiCorp's current expected financing costs and anticipated financial strategy that should not be disclosed by the Commission because they are confidential and trade secret. As previously discussed, market participants would gain economic value by gaining access to this information and could use it to undercut PacifiCorp's ability to secure favorable terms on the market. In addition, the public disclosure of the designated confidential information on page 3 of the Response does not serve the public interest. If this information is disclosed to the public, it could increase the prices paid by PacifiCorp and its customers to secure financing necessary to operate its business.

Finally, the confidential information on page 6 of the Response should be withheld from disclosure under GO 66-D. The designated confidential portions of page 6 are PacifiCorp's market-sensitive forecast of its liquidity costs. The public disclosure of this confidential and trade secret information is not in the public interest as it would compromise the Company's financing strategy as competitors in the market, stakeholders, and other parties could use it to determine PacifiCorp's financial condition, financing needs, and future investment plan. Furthermore, the disclosure would harm PacifiCorp's reputation amongst potential investors and in the debt market. As a result, PacifiCorp could end up paying inflated prices on the market to secure the requisite funding necessary to support its business operations.

III. CONCLUSION.

PacifiCorp appreciates the Commission's consideration of this Motion. Due to the highly sensitive nature of the designated confidential information contained in PacifiCorp's Response, they are protected from disclosure by GO 66-D. GO 66-D authorizes the Commission to protect material designated as confidential when the party requesting confidential treatment has shown that public disclosure is not in the public interest or is otherwise prohibited by state law. PacifiCorp maintains that the facts described in this Motion and the accompanying Declaration meet this standard as they demonstrate that the public interest is not served by disclosure of the Response. For these reasons, PacifiCorp requests that the Commission issue an order directing that the designated portions on pages 1–2, 3, and 6 of the Response be treated as confidential. A proposed order granting this Motion is attached as Attachment B.

Respectfully submitted this February 4, 2026, at San Francisco, California,

DOWNEY BRAND, LLP

By: */s/ Michael B. Day*

Michael B. Day
Christopher M. Marelich
455 Market Street, Suite 1500
San Francisco, California 94105
Telephone: 415.848.4800
Facsimile: 415.848.4801
Email: mday@downeybrand.com

Attorneys for PacifiCorp

ATTACHMENT A

DECLARATION OF RYAN WEEMS IN SUPPORT OF CONFIDENTIAL TREATMENT OF SPECIFIED INFORMATION PROVIDED IN RESPONSE TO ADMINISTRATIVE LAW JUDGE'S RULING

DECLARATION OF RYAN WEEMS IN SUPPORT OF MOTION FOR CONFIDENTIAL TREATMENT OF SPECIFIED INFORMATION PROVIDED IN RESPONSE TO ADMINISTRATIVE LAW JUDGE'S RULING

I, Ryan Weems, declare as follows:

1. I am Senior Vice President, Chief Financial Officer and Treasurer for PacifiCorp d/b/a Pacific Power ("PacifiCorp" or "the Company"). I am responsible for treasury, financing, investments, budgeting and forecasting, and capital planning. PacifiCorp is a multi-jurisdictional utility providing electric retail service to customers in California, Idaho, Oregon, Utah Washington, and Wyoming. PacifiCorp serves approximately 46,000 customers in portions of Del Norte, Modoc, Shasta and Siskiyou Counties in northern California.
2. On October 15, 2025, PacifiCorp filed its Petition of PacifiCorp to Modify Decision 06-09-032 in Application 05-07-010 seeking an order to allow PacifiCorp's direct parent company, PPW Holdings LLC ("PPW Holdings"), to maintain a minimum equity percentage of above 35 percent of total capital.
3. On January 20, 2026, the Presiding Administrative Law Judge in A.05-07-010 issued a Ruling Directing Filing of Additional Information ("ALJ Ruling"). The ALJ Ruling directed PacifiCorp to file answers by February 10, 2026 to multiple questions about the need for the change in the merger conditions, PacifiCorp's current financial condition, the actions of other state commissions with respect to similar merger conditions, and the extent of wildfire liabilities that necessitate obtaining additional capital.
4. On February 4, 2026, PacifiCorp filed its Response of PacifiCorp to Administrative Law Judge's Ruling Directing Filing of Additional Information ("Response"). Within the

Response, PacifiCorp highlighted and labeled specific confidential portions of PacifiCorp's answers as confidential.

5. PacifiCorp filed its Motion of PacifiCorp for Confidential Treatment of Specified Information Provided in Response to Administrative Law Judge's Ruling ("Motion") on February 4, 2026. This Declaration is offered in support of that Motion.

6. This Declaration is based on my information and belief and is submitted in accordance with the procedures required by General Order ("GO") 66-D of the California Public Utilities Commission ("Commission").

7. Information submitted to the Commission is public, unless otherwise protected as confidential. Various California statutes and Commission decisions detail how stakeholders can request the Commission to protect certain information as confidential. To merit protection in informal proceedings, stakeholders must: identify what information should be protected, describe the basis for protection, provide an appropriate declaration that supports the request, and include appropriate contact information. The Commission protects information as confidential when permitted by relevant California and federal law, and has adopted categories of information that the Commission generally protects as confidential.

8. I have reviewed the additional information provided by PacifiCorp in its Response. PacifiCorp's answers to the questions posed in the ALJ Ruling contain designated confidential information concerning PacifiCorp's financial strategy for financing its business, its plans to issue additional debt, including the timing of such issuances, factors affecting its credit ratings, its forecasts of future interest rates and the cost of debt, factors

affecting its review by external auditors, and its forecasts of total capital spending in the coming years.

9. The designated confidential portions of PacifiCorp's Response contains market-sensitive and confidential information that would reveal important information relating to PacifiCorp's financial plans, forecasts of current and future market conditions and the cost of debt, and its forecasts of total capital spending. Public disclosure of this sensitive information would allow parties to determine PacifiCorp's current and future financial condition and its need for additional financing, which could be used to impact the market price of capital available to PacifiCorp or affect the price PacifiCorp pays for debt in the marketplace. Public disclosure of such information would also compromise PacifiCorp's ongoing financing strategies, which could harm customers by inflating the cost paid by PacifiCorp for the capital necessary to operate its business.

10. Accordingly, PacifiCorp is asserting a claim of confidentiality for the designated confidential portions on pages 1–2, 3, and 6 of its Response filed concurrently with the Motion.

11. Consistent with California law, and Commission policy and precedent, PacifiCorp asserts that this information is confidential and respectfully requests the Commission protect the information designated as confidential in the Response. PacifiCorp makes every effort to prevent public disclosure of this information, and this information has not been disclosed to date. Each category falls within the scope of the information protected as proprietary and trade secret information, or other intellectual property and protected market sensitive/competitive data subject to confidential treatment under GO 66-D or other applicable state statute.

12. I declare under penalty of perjury under the laws of the State of California that the statements and information contained in this Declaration are true and correct.

Executed this 4th day of February, 2026, at Portland, Oregon.

Ryan Weems
Senior Vice President, Chief Financial Officer, and Treasurer
PacifiCorp

ATTACHMENT B

[PROPOSED] ORDER GRANTING MOTION FOR CONFIDENTIAL TREATMENT OF SPECIFIED INFORMATION PROVIDED IN RESPONSE TO ADMINISTRATIVE LAW JUDGE'S RULING

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[PROPOSED] ORDER GRANTING MOTION FOR CONFIDENTIAL TREATMENT OF SPECIFIED INFORMATION PROVIDED IN RESPONSE TO ADMINISTRATIVE LAW JUDGE'S RULING

On February 4, 2026, PacifiCorp d/b/a Pacific Power ("PacifiCorp" or "Company") filed a Motion For Confidential Treatment Of Specified Information Provided In Response To Administrative Law Judge's Ruling ("Motion") concurrently with its Response to Administrative Law Judge's Ruling Directing Filing of Additional Information ("Response"). The Response provides the Company's answers to questions included in Administrative Law Judge ("ALJ") Ehren D. Seybert's January 20, 2026 Ruling. The Motion notes that the following portions of PacifiCorp's Response should be protected from disclosure under Public Utilities Code section 583 and General Order ("GO") 66-D as they include confidential and trade secret information:

- Pages 1–2: PacifiCorp's answer to question 1.a. addressing the implications if the minimum equity level of PPW Holdings LLC ("PPW Holdings") remained at 44 percent;[1]

- Page 3: PacifiCorp's answer to question 1.c. addressing the potential impacts on financing costs and PacifiCorp's financial condition if PPW Holdings' equity level is reduced below 44 percent, and maintained at, or near the requested minimum of 35 percent;[2]

[1] Response of PacifiCorp to Administrative Law Judge's Ruling Directing Filing of Additional Information, pp. 1–2 (Filed February 9, 2026).

[2] *Id.* at p. 3.

- Page 6: PacifiCorp's answer to question 3.a. addressing the level of wildfire liabilities PacifiCorp has/is expected to accrue, the additional capital needed to maintain PacifiCorp's Transmission and Distribution system, and how and when these costs are expected to impact PPW Holdings' minimum equity percentage threshold.[3]

For Good Cause shown, it is hereby ruled that:

1. PacifiCorp's Motion is granted;

2. PacifiCorp's Response will be filed and maintained under seal and not be accessible or disclosed to persons other than Commission staff.

DATED:_____, 2026, at San Francisco, California

_____
Administrative Law Judge

[3] *Id.* at p. 6.