

**STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION**

RE: GRANITE STATE)		
ELECTRIC COMPANY)		
D/B/A NATIONAL GRID)		DOCKET NO. DE 09-010
DEFAULT SERVICE)		
RATES FOR FEBRUARY)		
1, 2010 THROUGH)		
APRIL 30, 2010)		
)		

MOTION FOR CONFIDENTIAL TREATMENT

NOW COMES Granite State Electric Company d/b/a National Grid ("National Grid" or "Company") and hereby moves pursuant to N.H. Code of Administrative Rules Puc 203.08 for confidential treatment by the Commission with respect to the Transaction Confirmation and Master Power Agreement between National Grid and the winning supplier, DTE Energy Trading, Inc. ("DTE"), to provide Default Service for the Large Customer Group for the period February 1, 2010 through April 30, 2010. The Company also requests confidential treatment for the revised indicative bid summary provided to Staff on December 10, 2009, the Default Service Procurement Summary ("RFP Summary") set forth in Schedule MMJ-2, the RPS bid summary provided to Staff on November 30, 2009, and the Company's analysis comparing changes in electric and gas futures costs to changes in procurement costs set forth in Schedule MMJ-3. Finally, the Company requests confidential treatment for the calculation of commodity costs at the retail customer meter. In support of this Motion, National Grid states the following:

1. National Grid and DTE entered into an agreement whereby DTE committed to

provide, among other things, service to National Grid's Large Customer Group Default Service load for the period February 1, 2010 through April 30, 2010.

2. The Transaction Confirmation and Master Power Agreement with DTE, the RFP Summary, the RPS bid summary, the Company's analysis comparing futures costs, and the calculation of commodity costs at the retail meter are being provided as separate schedules to the testimony of Ms. Janzen in the above-captioned docket.

3. The revised indicative bid summary contains the following information and material: charts illustrating indicative bids for the most recent procurement period for the Large Customer Group in dollars per megawatt-hour, inclusive of capacity costs, and in cents per kilowatt-hour, inclusive of capacity costs. In addition, the revised indicative bid summary includes the loss factor for the Large Customer Group for the twelve month period ending November 30, 2009, a chart comparing the current rates for December 2009 on a cents per kilowatt-hour basis to average indicative prices including capacity costs, and identifies the names of the bidders through a bidder key.

4. The RPS bid summary contains a chart and other information summarizing the bids received as a result of the RFP that was issued for NH RPS Law compliance as well as the names of the bidders. The RPS bid summary also contains the Company's evaluation of those bids and its recommendation as to whether purchase agreements should be executed.

5. The Transaction Confirmation and Master Power Agreement, the revised indicative bid summary, the RFP Summary, the RPS bid summary, the analysis comparing futures costs, and the calculation of commodity costs at the retail meter contain competitive energy pricing and contract terms which are commercially sensitive, the disclosure of which could be harmful to the competitive position of DTE and participants in the RFP which could chill the

willingness of these suppliers to participate in providing energy services in New Hampshire in the future. In negotiating power supply contracts in New Hampshire, competitive suppliers are sensitive to the protection of information they deem confidential or commercially sensitive. The parties have taken steps to avoid disclosure of this information and the disclosure of such information could adversely affect the business position of the parties in the future.

6. N.H. Code of Administrative Rules Puc 203.08 provides in pertinent part that "the Commission shall upon motion issue a protective order providing for the confidential treatment of one or more documents upon a finding that the document or documents are entitled to such treatment pursuant to RSA 91-A:5, or other applicable law based upon the information submitted pursuant to Puc 203.08(b)."

7. Documents exempted from public disclosure under RSA 91-A:5, IV include "records relating to ... confidential, commercial, or financial information " In addition, RSA 91-A:5, IV exempts from public disclosure "other files whose disclosure would constitute an invasion of privacy."

8. As the Commission has previously recognized in Order Nisi No. 24,000 (June 27, 2002) as well as Order No. 23,486 (May 22, 2000), Order Nisi No. 23,681 (April 19, 2001), Order Nisi No. 23,834 (November 2, 2001), and Order No. 24,412 (December 22, 2004), the information contained within wholesale power contracts for Default Service is "confidential, commercial, or financial information" and that disclosure of such information could adversely affect the business position of the parties in the future. The same rationale for protecting the Transaction Confirmation and Master Power Agreement from public disclosure applies equally to the information contained within the revised indicative bid summary, the RFP Summary, the

RPS bid summary, the Company's analysis comparing futures costs, and the calculation of commodity costs at the retail meter.

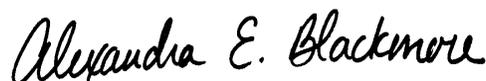
9. The Transaction Confirmation and Master Power Agreement with DTE, the revised indicative bid summary, the RFP Summary, the RPS bid summary, the Company's analysis comparing futures costs, and the calculation of commodity costs at the retail meter qualify for confidential treatment under State law and Commission rules and as such should be protected.

WHEREFORE, National Grid respectfully requests that the Commission grant confidential treatment for the Transaction Confirmation and Master Power Agreement with DTE, the revised indicative bid summary, the RFP Summary, the RPS bid summary, the Company's analysis comparing futures costs, and the calculation of commodity costs at the retail meter. In accordance with N.H. Code of Administrative Rules Puc 203.08(g) this information should, at minimum, be labeled "Confidential," held in a secure location within the Commission's offices, and not disclosed to the public or any of the parties in this proceeding other than the Commission staff without National Grid's consent.

Respectfully submitted,

GRANITE STATE ELECTRIC COMPANY
D/B/A NATIONAL GRID

By its attorney,



December 14, 2009

Alexandra E. Blackmore
Senior Counsel
National Grid
40 Sylvan Road
Waltham, MA 02451
(781) 907-1849

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Motion for Confidential Treatment has been served this date to the Office of the Consumer Advocate and to the parties named on the Service List in this proceeding.

Alexandra E. Blackmore

December 14, 2009

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