

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

**RE: GRANITE STATE)
 ELECTRIC COMPANY)
 D/B/A NATIONAL GRID)
 DEFAULT SERVICE –)
 REQUEST FOR)
 PROPOSALS FOR NH)
 RPS LAW COMPLIANCE)
_____)**

DOCKET NO. DE 09-010

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 summary of bids associated with a request for proposals (“RFP”) conducted in compliance with the NH Electric Renewable Portfolio Standards Law (“NH RPS Law”).¹ In support of this Motion, National Grid states the following:

1. In order to satisfy its 2008 and 2009 NH RPS Law obligations for its Default Service customers, National Grid must procure NH renewable energy certificates (“RECs”) or make alternative compliance payments to the NH Renewable Energy Fund.

2. On January 27, 2009, National Grid issued an RFP to procure NH RECs to approved NH renewable generators, generators in the process of applying for approval to generate NH RECs, as well as other REC suppliers. The results of the RFP are set forth in the summary of bids. The summary of bids contains the following information and material: A description of the names of bidders and the number of bids received; a table illustrating the 2008

¹ N.H. RSA 362-F.

and 2009 RPS Law obligations and the bid prices received for each class of obligation. The table also contains the number of RECs sought by the Company and the applicable alternative compliance payment by class.

3. The summary of bids contains competitive energy pricing information which is commercially sensitive, and the disclosure of which could be harmful to the competitive position of National Grid and participants in the RFP which could chill the willingness of these bidders to participate in providing energy services in New Hampshire in the future. Bidders in competitive energy solicitations such as for RECs and power supply contracts 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.

4. 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).”

5. 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.”

6. The Commission has previously recognized that information contained within wholesale power contracts for Default Service and the Company’s analysis of related indicative bid information is “confidential, commercial, or financial information” and that disclosure of

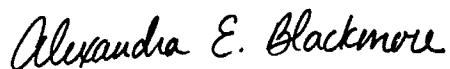
such information could adversely affect the business position of the parties in the future². The same rationale for protecting power supply contracts and related indicative bid summaries from public disclosure applies equally to the information contained within the summary of bids for compliance with the NH RPS Law. Therefore, the summary of bids qualifies for confidential treatment under State law and Commission rules and as such should be protected.

² See Order No. 24,922 in Docket DE 08-011/DE 05-126 at pp. 11-12 (December 19, 2008).

WHEREFORE, National Grid respectfully requests that the Commission grant confidential treatment for the summary of bids. 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,



February 23, 2009

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CERTIFICATE OF SERVICE

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

Alexandra E. Blackmore

February 23, 2009

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