



October 3, 2011

BY OVERNIGHT MAIL

Debra A. Howland, Executive Director and Secretary
New Hampshire Public Utilities Commission
21 S. Fruit Street, Suite 10
Concord, NH 03301-2429



RE: Docket No. DRM 11-023 Comments on Proposed Procedural and Organizational Rules

Dear Director Howland:

Pursuant to the Commission's Order of Notice issued August 26, 2011 in the above-captioned docket, Unitil Energy Services, Inc. and Northern Utilities, Inc. (collectively "Unitil") submit the following comments on proposed changes to the Commission's Organizational and Procedural Rules.

Unitil agrees with many of the changes to the proposed rules that Commission Staff has suggested in a redlined draft submitted to the Commission at the public hearing held September 20, 2011. In particular, Unitil agrees with the revised definition of "routine filings" which eliminates the words "outside of an adjudicative proceeding."

In addition to the revision noted above, Unitil supports revisions to Puc 201.04 (b)(2) and (c)(2) that provide filers of confidential information with greater flexibility in presenting redacted and unredacted confidential information in documents submitted to the Commission. Although Staff's proposed revisions to those rules are good first steps, there are certain situations that may require a different approach. In a case where a lengthy document contains only a few pages of confidential information, Unitil suggests that in addition to filing a redacted version of the entire document, the filing party should be provided the option of submitting just the confidential pages of the document rather than the entire document. For example, in a recent filing, Unitil submitted a document in excess of 100 pages, of which only one page contained confidential information.

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Unitil also recommends that the filing party be provided greater flexibility in Puc 201.04(c) to indicate the unredacted portion of a document in addition to the two methods described. Neither of the two methods would work in instances where the confidential document has been faxed or scanned in a manner such that it is not able to be electronically altered.

Finally, Unitil suggests that in cases where lengthy documents contain substantial amounts of confidential information that would be difficult to parse from public content, the filing party should not be required to file redacted versions. Instead, Unitil believes that the filing party should have the option of filing the entire document as confidential. An example of this situation is Unitil's Default Service Tab A filing which contains competitively sensitive information relating to Unitil's power procurement processes, e.g. bidding and pricing information, comparative analysis of the bids, proposal submission forms and redlined power supply agreements. Unitil believes filing redacted versions of these documents would not be appropriate for the following reasons:

- Redacted versions of the Bidder Key and Bid tables would likely reveal the number of bidders;
- Redactions of NYMEX Futures comparisons and Financial Security provisions could reveal competitively sensitive information about the Company's approach to evaluating these issues;
- It would be difficult and impractical to manually redact portions of Proposal Submission Forms that Unitil receives via fax machine or scanned PDF;
- Redacted versions of redlined power service agreements should not be provided. Arguably everything that is not redacted in redlined power service agreements could be considered public since those sections would match the version UES issues to the public. However, providing those (redacted/redlined) provisions on which Unitil agreed to changes (additions or deletions) could flag other suppliers to seek better terms in those areas.

In view of the above-described situations, Unitil believes that proposed rule Puc 201.06(a)(29) should be revised to provide filers of confidential information in default service proceedings and other similar situations with the option of marking confidential the entire document specified in that rule and not providing a redacted version.

Unitil appreciates the opportunity to submit these comments and is willing to work with Commission Staff on further revisions to the proposed rules to address the issues noted above.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary Epler". The signature is fluid and cursive, with the first name "Gary" and last name "Epler" clearly distinguishable.

Gary Epler
Attorney for Unitil Energy Systems, Inc.
and Northern Utilities, Inc.