

State of New Hampshire  
Public Utilities Commission

Docket No. DE 16-383

Liberty Utilities (Granite State Electric) Corp. d/b/a Liberty Utilities

**Request for Change in Rates**

**Motion for Protective Order Related to Discovery Responses**

Liberty Utilities (Granite State Electric) Corp. d/b/a Liberty Utilities, through counsel, respectfully moves the Commission pursuant to Puc 203.08 for a protective order precluding the disclosure of certain data responses and confidential attachments provided to Staff and the OCA during discovery in this matter.

In support of this motion, Liberty represents as follows:

1. Liberty notified the parties pursuant to Puc 203.08 to consider several data responses and attachments to be confidential without then filing a motion. The rule allows such a claim of confidentiality:

In lieu of immediately filing a motion for confidential treatment, a party providing a document to the commission staff in discovery that the party wishes to remain confidential shall accompany the submission with a written statement that:

(1) The party submitting such documents has a good faith basis for seeking confidential treatment of the documents pursuant to this rule; and

(2) Such party intends to submit a motion for confidential treatment regarding such documents at or before the commencement of the hearing in such proceedings.

Puc 203.08(d).

2. The rule requires the party asserting confidentiality to file a motion to ensure the documents remain confidential:

Documents submitted to the commission or staff accompanied by a written statement pursuant to (d) shall be treated as confidential, provided that the party submitting the documents thereafter files a motion for confidential treatment at or prior to the commencement of the hearing in the proceeding.

Puc 203.08(e).

3. Liberty files this motion for confidential treatment of the following data responses and attachments:

- a. Confidential Attachments OCA 1-106.1.xlsx and 1-106.2.xlsx (proprietary methods of Concentric Energy Advisors to prepare marginal cost studies);
- b. Confidential Attachment Staff 5-37.1.xlsx through 5-37.14.xlsx (proprietary process of Concentric Energy Advisors to review and select the best regression equations);
- c. Confidential Response to Staff 6-26 (a list of job titles for certain new employees and their corresponding start dates and salaries, from which the salary information of specific individuals could be easily determined); and
- d. Confidential Attachment Staff 11-39.xlsx (officer and director compensation).

4. The rule requires a motion for confidential treatment to contain “a detailed description of the types of information for which confidentiality is sought,” reference to the legal support for confidentiality, a “statement of the harm that would result from disclosure,” and “any other facts relevant to the request for confidential treatment.” Puc 203.08(b).

5. Since each data response contains the information required by the rule, those responses are attached to this motion and incorporated by reference in support of this motion.

WHEREFORE, Liberty respectfully requests that the Commission:

- A. Grant confidential treatment to the data responses and attachments listed above; and
- B. Grant such other relief as is just and equitable.

Respectfully submitted,

Liberty Utilities (Granite State Electric) Corp. d/b/a  
Liberty Utilities



Date: March 20, 2017

By:

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Certificate of Service

I hereby certify that on March 20, 2017, a copy of this Motion has been electronically forwarded to the service list in this docket.



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Michael J. Sheehan