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STATE OF NEW HAMPSHIRE



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April 3, 2017

4 APR '17 AM 8:48

Ms. Debra A. Howland
Executive Director
New Hampshire Public Utilities Commission
21 S. Fruit Street, Suite 10
Concord, New Hampshire 03301-7319

RE: DG 16-852 Liberty Utilities (EnergyNorth Natural Gas) Corp.
Petition for Expansion of Franchise to the Town of Hanover and City of Lebanon
OCA Support of Objection to Confidential Treatment of Certain Materials

Dear Ms. Howland:

On November 23, 2017, Liberty Utilities (EnergyNorth Natural Gas) Corp. ("Liberty") filed a Motion for Protective Order and Confidential Treatment in Docket No. DG 16-852 relative to certain information within their Petition for franchise expansion, pursuant to Puc 203.08. On April 3, 2017 joint intervenors Ariel Arwin and Jonathan Chaffee filed an Objection to Liberty Utilities' Motion for Protective Order and Confidential Treatment.

The Office of the Consumer Advocate ("OCA") supports Ariel Arwin and Jonathan Chaffee's objection, with reservations as detailed below.

While the OCA thanks Liberty for its filing, which includes the relevant statutory references and types of harm that might result from disclosure of each withheld document or redaction, we take this opportunity to remind the Commission that the courts tend to broadly construe provisions favoring disclosure under RSA 91-A, while interpreting exemptions restrictively. See, e.g., Society for Protection of N.H. Forests v. Water Supply and Pollution Control Comm'n, 115 N.H. 192, 194, 337 A.2d 788, 789 (1975).

Accordingly, while there may be instances in which Liberty reasonably invokes protections for confidential, commercial, financial, or otherwise private information, many of those justifications for confidentiality likely only apply to a portion of the document for which Liberty is seeking full confidential treatment. In ruling on the motion, the Commission should therefore parse the relevant documents carefully and redact only those portions for which non-public treatment is appropriate.

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Please feel free to contact me with any questions you may have relating to this letter of support.

Sincerely,

A handwritten signature in cursive script that reads "Brian D. Buckley".

Brian D. Buckley
Staff Attorney

Cc: DG 17-852 Service List