

THE STATE OF NEW HAMPSHIRE
before the
PUBLIC UTILITIES COMMISSION

Public Service Company of New Hampshire
Integrated Least Cost Resource Plan

Docket No. DE 07-108

PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE'S MOTION FOR
PROTECTIVE ORDER RE: NEWINGTON STATION COST ASSUMPTIONS

Pursuant to RSA 91-A:5,(IV)(Supp.) and N.H. Code Admin. Rules Puc § 203.08, Public Service Company of New Hampshire ("PSNH" or the "Company") hereby requests protective treatment for the attachment to a response to a data request propounded by the Staff at a Technical Session. PSNH alleges that the assumptions and adders contained in the attachment are confidential commercial information which are exempt from disclosure under RSA 91-A:5 (IV). PSNH further requests that access to this confidential information be restricted to the Staff and the Office of Consumer Advocate.

In support of its Motion for Protective Order, PSNH says the following:

1. The Data Requests are as follows:

TS-02
Q-TECH-05

Question:

NHPUC Commission Staff: Ref. Staff Set 01, Q-STAFF-019. Please elaborate on your economic analysis by providing the assumptions used, such as heat rate (\$/MMBTU) and the "various assumptions for adders".

2. The attachment to the response contains assumptions and adders commonly used by PSNH to compute the cost of running Newington Station. With the knowledge of the residual fuel oil price in New York Harbor, competitive suppliers can compute the running cost of Newington Station if they have access to this information. As explained in the Least Cost Plan at pages 32 to 33, Newington Station's operating status is a key factor in determining the Company's purchase decisions for supplemental supplies. If Newington's cost is known to participants in that market, PSNH will be at a competitive disadvantage. PSNH's Energy Service customers may be harmed if potential wholesale suppliers can predict Newington's running cost with greater accuracy, because such knowledge will enable the suppliers to price their offers slightly below Newington's dispatch cost. Such knowledge could result in a higher price offer from a potential wholesale supplier than would otherwise be offered without such specific information concerning PSNH's plant that operates on the margin, thus harming Energy Service customers.

3. The Commission must use a balancing test in order to weigh the importance of keeping the record of this proceeding public with the harm from disclosure of the Newington cost information. "Under administrative rule Puc 204.06, the Commission considers whether the information, if made public, would likely create a competitive disadvantage for the petitioner; whether the customer information is financially or commercially sensitive, or if released, would likely constitute an invasion of privacy for the customer; and whether the information is not general public knowledge and the company takes measures to prevent its' dissemination." *Re Northern Utilities, Inc.*, 87 NH PUC 321, 322, Docket No. DG 01-182, Order No. 23,970 (May 10, 2002). The limited benefits of disclosing the information outweigh the potential harm to customers.

4. PSNH does not circulate this information widely, and it is not disclosed outside of PSNH. The Commission Staff and the Office of Consumer Advocate can analyze this information to determine whether PSNH has adequately incorporated Newington's operation into the Company's analysis of least cost supply planning.

WHEREFORE PSNH respectfully requests the Commission issue an order preventing the public disclosure of the attachment to Request No. TS-02, Q-TECH-05, to restrict any disclosure of the attachment to parties other than Staff or the Office of Consumer Advocate and to order such further relief as may be just and equitable.

Respectfully submitted,

Public Service Company of New Hampshire

May 15 2008
Date

By: Gerald M. Eaton
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CERTIFICATE OF SERVICE

I hereby certify that, on the date written below, I caused the attached Motion for Protective Order to be hand delivered or sent by pursuant to Puc § 203.02 and § 203.11 to the persons on the attached Service List.

May 15, 2008
Date

Gerald M. Eaton
Gerald M. Eaton

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Technical Session TS-02
Dated: 05/12/2008
Q-TECH-005
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Witness: Richard C. Labrecque
Request from: Technical Session

Question:

NHPUC Commission Staff: Ref. Staff Set 01, Q-STAFF-019. Please elaborate on your economic analysis by providing the assumptions used, such as heat rate (\$/MMBTU) and the "various assumptions for adders".

Response:

See attached.

** The requested information is being filed under the Motion for Protective Order dated May 15, 2008.