

STATE OF NEW HAMPSHIRE  
BEFORE THE  
PUBLIC UTILITIES COMMISSION

Shell Energy North America (US) L.P., Renewal  
of registration as a Competitive Natural Gas Supplier

Docket No. DM06-153

MOTION FOR CONFIDENTIAL TREATMENT

NOW COMES Shell Energy North America (US) L.P. ("SENA") by and through its attorneys, Brown, Olson & Gould, P.C., and respectfully requests the Commission to grant this motion for confidential treatment pursuant to RSA 91-A-5, IV and the N.H. Code of Administrative Rules Puc 203.08 ("PUC 203.08") of certain financial information that SENA is required to submit with its application to renew its registration as a Competitive Natural Gas Supplier ("CNGS") and states in support hereof as follows:

1. SENA is currently registered as a CNGS with the New Hampshire Public Utilities Commission (NHPUC). SENA markets natural gas throughout North America, including New Hampshire. SENA's current registration in New Hampshire expires on November 30, 2008 and its renewal application is due October 1, 2008, sixty days prior to the expiration date. See N.H. Code Administrative Rules Puc 3003.01(d) ("PUC 3003 et seq.)
2. Pursuant to PUC 3003.01(e), SENA, in order to renew its registration, shall include an "update, including any changes, to all information" contained in its prior application. Paragraph 5 of the application form requires a copy of SENA's most recent audited financial statements.

3. SENA is seeking to renew its registration as a CNGS and in this regard, is filing contemporaneously with this motion its renewal application.

4. Since the original application was filed on October 31, 2006, audited financial statements of SENA have been prepared for years 2006 and 2007. These updates to the audited financial statements of SENA are required pursuant to PUC 3003.01(e). These documents are attached to this motion as Exhibit A.

5. The documents attached as Exhibit A are “confidential, commercial and financial records.” They are not available to the general public and, if publicly disclosed, would place SENA at a competitive disadvantage in the gas marketing industry. There is also no overriding need for the general public to have access to this confidential information as the NHPUC is in the best position to determine, based on SENA’s audited financial statements, whether SENA meets the requirements of credit worthiness to have its registration renewed as a CNGS.

6. Pursuant to RSA 91-A:5, IV, records and documents that contain “confidential, commercial or financial” information are exempt from public disclosure. The terms “commercial or financial” encompass information revealing the financial condition of a participant in commercial activities. See *Union Leader Corp. v. New Hampshire Housing Finance Authority*, 142 N.H. 540 (1997). The records of SENA in Exhibit A are just that; - confidential information concerning SENA’s financial condition while SENA is engaged in the commercial activity of marketing natural gas here in New Hampshire and throughout North America.

WHEREFORE: SENA respectfully requests the New Hampshire Public Utilities Commission to:

A. Grant this Motion for Confidential Treatment and order that the records in Exhibit A are confidential pursuant to RSA 91-A:5, IV; and

B. Grant such other and further relief as is just and proper in the circumstances.

Dated: September 29, 2008

Respectfully submitted,

Shell Energy North America (US), L.P.  
By its attorneys,

BROWN, OLSON & GOULD, P.C.

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