

STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION

GRANITE STATE ELECTRIC COMPANY D/B/A NATIONAL GRID

DOCKET NO. DE 10-020

MOTION FOR PROTECTIVE ORDER AND CONFIDENTIAL TREATMENT

NOW COMES Granite State Electric Company d/b/a National Grid (“National Grid” or “Company”) and hereby moves pursuant to N.H. Code of Administrative Rules Puc 203.08 for confidential treatment by the Commission with respect to the First Amendments to the Master Power Agreement and the Transaction Confirmations between National Grid and the winning suppliers, Dominion Energy Marketing, Inc. (“Dominion”) and NextEra Energy Power Marketing, LLC (“NextEra”, formerly FPL Energy Power Marketing, Inc.), to provide Default Service to (i) the Large and Medium Commercial and Industrial Customer Group (the “Large Customer Group”) for the three-month period November 1, 2010 through January 31, 2011 and (ii) the Residential and Small Commercial Customer Group (the “Small Customer Group”) for the six-month period November 1, 2010 through April 30, 2011. The Company also requests confidential treatment for the Default Service Procurement Summary (“RFP Summary”) set forth in Schedule MMJ-2, the Company’s analysis comparing changes in electric and gas futures costs to changes in procurement costs set forth in Schedule MMJ-3, the Company’s calculations of the RPS Adders for 2010 and 2011 set forth in Schedule MMJ-6, and the Company’s calculation of commodity costs at the retail meter set forth in Schedules MMJ-7 and MMJ-8. In support of this Motion, National Grid states as follows:

1. National Grid and Dominion entered into an agreement whereby Dominion committed to provide, among other things, service to the Large Customer Group for the three-month period November 1, 2010 through January 31, 2011.

2. National Grid and NextEra entered into an agreement whereby NextEra committed to provide, among other things, service to the Small Customer Group for the six-month period November 1, 2010 through April 30, 2011.

3. National Grid's First Amendments to the Master Power Agreement and the Transaction Confirmations with Dominion and NextEra, the RFP Summary, the Company's analysis comparing futures costs, the RPS Adders calculation, and the retail meter commodity costs calculation are being provided as separate schedules to the testimony of Margaret M. Janzen in the above-captioned docket.

4. The First Amendments to the Master Power Agreements, the Transaction Confirmations, the RFP Summary, the analysis comparing futures costs, the RPS Adders calculation, and the calculation of commodity costs at the retail meter contain competitive energy pricing and contract terms which are commercially sensitive, the disclosure of which could be harmful to the competitive position of Dominion and NextEra and participants in the RFP, which could chill the willingness of these suppliers to participate in providing energy services in New Hampshire in the future. In negotiating power supply contracts in New Hampshire, competitive suppliers are sensitive to the protection of information they deem confidential or commercially sensitive. The parties have taken steps to avoid disclosure of this information and the disclosure of such information could adversely affect the business position of the parties in the future.

5. N.H. Code of Administrative Rules Puc 203.08 provides in pertinent part that “[t]he Commission shall upon motion issue a protective order providing for the confidential treatment of one or more documents upon a finding that the document or documents are entitled to such treatment pursuant to RSA 91-A:5, or other applicable law based upon the information submitted pursuant to [Puc 203.08(b)].”

6. Documents exempted from public disclosure under RSA 91-A:5, IV include “records pertaining to . . . confidential, commercial, or financial information. . . .” In addition, RSA 91-A:5, IV exempts from public disclosure “other files whose disclosure would constitute an invasion of privacy.”

7. As the Commission has previously recognized in Order 24,000 (June 27, 2002) as well as Order 23,486 (May 22, 2000), Order 23,681 (April 19, 2001), and Order 23,834 (November 2, 2001), the information contained within wholesale power contracts for Default Service is “confidential, commercial, or financial information” and that disclosure of such information could adversely affect the business position of the parties in the future. The same rationale for protecting the Transaction Confirmations from public disclosure applies to the information contained within the RFP Summary, the Company’s analysis comparing futures costs, the RPS Adders calculation, and the calculation of commodity costs at the retail meter.

8. For the reasons stated above, the First Amendments to the Master Power Agreement, the Transaction Confirmations, the RFP Summary, the Company’s analysis comparing futures costs, the RPS Adders calculation, and the calculation of commodity costs at the retail meter qualify for confidential treatment under state law and Commission rules and, as such, should be protected from disclosure.

WHEREFORE, National Grid respectfully requests that the Commission:

- A. Issue an order protecting the information described above;
- B. Hold the information described above in a secure location within the Commission's offices, and not disclose such information to the public or any of the parties in this proceeding other than the Commission without National Grid's consent; and
- C. Grant such other and further relief as may be just and equitable.

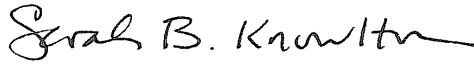
Respectfully submitted,

GRANITE STATE ELECTRIC COMPANY D/B/A
NATIONAL GRID

By Its Attorneys

MCLANE, GRAF, RAULERSON &
MIDDLETON, P.A.

Date: September 20, 2010

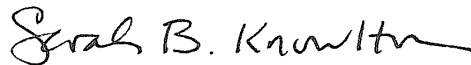
By: 

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CERTIFICATE OF SERVICE

I hereby certify that a copy of this Motion for Protective Order and Confidential Treatment has been forwarded to all parties on the service list.

Dated: September 20, 2010



Sarah B. Knowlton