

THE STATE OF NEW HAMPSHIRE
before the
PUBLIC UTILITIES COMMISSION

Public Service Company of New Hampshire
Petition for Approval and Long Term and Short Term Debt

Docket No. DE 10-122

PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE'S
MOTION FOR PROTECTIVE ORDER
RE: REVOLVING CREDIT AGREEMENT SUMMARY TERMS AND CONDITIONS

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 response to a data requests in the above-captioned matter. PSNH contends that the information is confidential business and financial information and should be protected from public disclosure.

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

1. The data request OCA Set No. 1, Q-OCA-007 is as follows:

Question:

Ms. Weber's testimony on page 00014 line 24 refers to an expected new unsecured Revolving Credit Agreement. Please provide the new agreement and summarize any changes from the previous agreement.

2. The NU Operating Companies, including PSNH, have not yet signed a new Revolving Credit Agreement. PSNH anticipates entering into a new unsecured Revolving Credit Agreement in the September / October timeframe, prior to the expiration of its existing unsecured Revolving Credit Agreement on November 6, 2010. The new agreement is still subject to negotiation. The information to be provided in response to the data request, the indicative size, spread, proposed fees and covenants approved by the PSNH Board of Directors is confidential and competitive information which falls within the exemption from public disclosure of RSA 91-A:5, IV and N.H. Admin. Rules, Puc 204.06. Public disclosure of this information could adversely impact PSNH's negotiating position and ability to obtain the most

favorable terms and conditions possible. Under these circumstances, the limited benefits of disclosing the information outweigh the harm done by disclosing the information.

3. No party or intervenor to this proceeding will be prejudiced by the protection of this information because each such party can obtain access to this data (on a confidential basis) in accordance with the terms of a Protective Order in this docket. Furthermore, the terms and conditions of the proposed Revolving Credit Agreement will be publicly disclosed when the agreement has been finalized and executed.

4. The Commission must use a balancing test in order to weigh the importance of creating an open record of this proceeding with the harm from disclosure of confidential, financial, or competitive 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).

WHEREFORE PSNH respectfully requests the Commission issue an order preventing the public disclosure of responses of the above-noted Data Requests, and to order such further relief as may be just and equitable.

Respectfully submitted,
Public Service Company of New Hampshire

7/16/10
Date

By: 
Catherine E. Shively
Senior Counsel

CERTIFICATE OF SERVICE

I hereby certify that, on the date written below, I caused the attached Motion for Protective Order to be served pursuant to N.H. Code Admin. Rule Puc §203.11.

7/16/10
Date

Catherine E. Shively
Catherine E. Shively