

BEFORE THE STATE OF NEW HAMPSHIRE

PUBLIC UTILITIES COMMISSION

PETITION FOR REVIEW OF THE)
REASONABLENESS OF CERTAIN)
CHARGES OF PUBLIC SERVICE) DE 12-295
COMPANY OF NEW HAMPSHIRE)
FOR SERVICES TO COMPETITIVE)
SUPPLIERS)

NORTH AMERICAN POWER AND GAS, LLC
MOTION FOR CONFIDENTIAL TREATMENT

Pursuant to New Hampshire Public Utilities Commission (“PUC” or “Commission”) Rule 203.08 and RSA 91-A, IV, North American Power and Gas, LLC (“NAPG”) seeks confidential treatment for information contained in the confidential exhibit to NAPG’s response to Request PSNH-NAPG 1-33 in the above docket. As grounds therefor, NAPG states as follows:

1. Request PSNH-NAPG 1-33 sought disclosure of confidential pricing information between NAPG and its vendor providing electronic data interface (“EDI”) services. NAPG initially objected on several grounds, including the confidential nature of the information provided. It now proposes to respond to the inquiry notwithstanding the objections.
2. PUC Rule 203.08 establishes the substantive and procedural requirements for confidential treatment of materials filed with the Commission.
3. The instant motion seeks confidential treatment of Exhibit PSNH-NAPG 1-33, which consists of the pricing terms applied to NAPG by its EDI

vendor and brief text which compares the pricing terms to the PSNH charges.

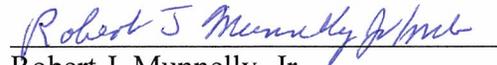
4. The information in Confidential Exhibit PSNH-NAPG 1-33 is patently confidential, representing a private arrangement between a non-utility competitive electric supplier and its EDI vendor. The terms of this information are non-public and releasing this information on the public record could harm the competitive positions of both NAPG and its vendor.
5. The information is properly protected pursuant to RSA 91-A, IV, which protects from disclosure inter alia “confidential, commercial, or financial information.” See also *Union Leader Corp. v. New Hampshire Housing Finance Authority*, 142 N.H. 540, 553 (1997) (discussing application of standards).
6. Given the commercial sensitivity of the information contained on Confidential Exhibit PSNH-NAPG 1-33, NAPG requests that access be limited to the (1) Commission and Office of Consumer Advocate, (2) PSNH counsel and in-house regulatory personnel only (i.e., no operational or marketing personnel) upon the signing of a suitable confidentiality agreement, and (2) competitive supplier outside counsel (i.e., no in-house personnel at all) upon the signing of a suitable confidentiality agreement.
7. Given the commercial sensitivity of the information in question, NAPG requests that it remain confidential indefinitely. To the extent that a sunset date must be issued, NAPG requests protection for a period not less than five years.

Accordingly, for the foregoing reasons, NAPG requests that the Commission grant confidential treatment to Confidential Exhibit PSNH-NAPG 1-33.

Respectfully submitted,

NORTH AMERICAN POWER AND GAS, LLC

By its attorneys,



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