

**THE STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

IR 17-002

CLEARVIEW ELECTRIC, INC. d/b/a CLEARVIEW ENERGY

**Investigation and Show Cause Hearing on Penalties and
Suspension or Revocation of CEPS Registration**

MOTION FOR PROTECTIVE ORDER

Clearview Electric, Inc. ("Clearview") respectfully requests that the New Hampshire Public Utilities Commission (the "Commission") issue a Protective Order pursuant to the N.H. Admin. R. PUC 203.08 regarding certain information and documents Clearview intends to present during the hearing in the above-captioned matter on January 31, 2017.¹

The documents and information Clearview will provide ("Confidential Information") include:

1. Slide Deck for Sales Agents entitled "Welcome to Clearview Energy"
2. Field Agent Code of Conduct
3. Compliance Acknowledgement by Platinum Advertising
4. Clearview Energy D2D Compliance Audit
5. Clearview Welcome Call Script.

Such Confidential Information is protected from disclosure pursuant to N.H. Rev. Stat. Ann. §91-A:5, as it is Clearview's confidential commercial information. As reflected in the attached affidavit of Francis X. McGovern, the Confidential Information contains Clearview's internal proprietary business practices, processes and operations, which it keeps confidential, discloses only to its employees and uses its best efforts to protect it from public disclosure.

¹ On January 24, 2017, Clearview provided the Commission staff with the Confidential Information and requested that it be kept confidential until this Motion was filed and a decision regarding the confidentiality of the Confidential Information was made pursuant to PUC 203.08.

The Electric Supplier market is very competitive. If the Confidential Information were to be disclosed, it would cause substantial harm to Clearview's competitive position in New Hampshire and other markets. The Confidential Information being provided contains Clearview's training and sales materials for its sales agents, which Clearview keeps confidential. The public's interest in knowing Clearview's Confidential Information is not outweighed by Clearview's privacy interest in the Confidential Information ensuring that it remains competitive in the markets in which it operates. Notwithstanding Clearview's position that the Confidential Information should not be disclosed to the public, Clearview does not object to the Confidential Information being disclosed to the parties to the docket, including the electric distribution companies, the Office of Consumer Advocate and the Commission staff.

For the reasons set forth above, Clearview respectfully requests this Motion be granted.

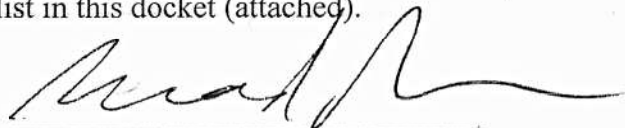
Respectfully submitted,
CLEARVIEW ELECTRIC, INC.

By: 

Brad N. Mondschein
Pullman & Comley, LLC
90 State House Square
Hartford, CT 06103
(860) 424-4300 (phone)
(860) 424-4370 (fax)
Its Counsel

CERTIFICATE OF SERVICE

I hereby certify that on January 30, 2017, a copy of this Motion for Protective Order was sent to the service list in this docket (attached).



Brad N. Mondschein

01/27/17

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IR 17-002

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AFFIDAVIT

I, Francis X. McGovern, do hereby declare and state under penalty of perjury as follows:

1. I am the President of Clearview Electric, Inc. ("Clearview"), and my principal place of business is 1201 Elm Street, Suite, 3200, Dallas, Texas 75270.

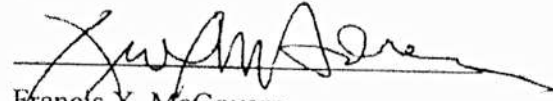
2. By this affidavit, I support Clearview's request that the New Hampshire Public Utilities Commission (the "Commission") protect from public disclosure the Confidential Information being provided during the hearing on January 31, 2017, in the above-captioned matter.

3. The Confidential information to be disclosed includes: (i) slide deck for sales agents entitled "Welcome to Clearview Energy;" (ii) field agent code of conduct; (iii) compliance acknowledgement by Platinum Advertising; (iv) Clearview Energy D2D compliance audit; and (v) Clearview welcome call scripts.

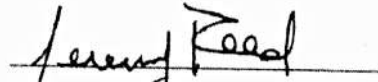
4. Clearview treats the Confidential Information as proprietary and confidential and uses its best efforts to protect this information from public disclosure.

5. Due to the sensitive nature of the Confidential Information, it is appropriate for the Commission to protect such information from public disclosure. To the best of my knowledge and belief, there is no legitimate purpose in disclosing the Confidential Information to any person other than the appropriate staff of the Commission, the electric distribution companies and the Office of Consumer Advocate, who shall be bound by the Terms of a Protective Order prior to receipt of such information.

I hereby affirm that the foregoing is true and correct to the best of my knowledge and belief.


Francis X. McGovern

Sworn to and subscribed before me on January 27, 2017


Notary Public

