

STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION

Docket No. DW 17-165

Abenaki Water Company, Inc. – Rosebrook Division
Permanent Rate Proceeding

**SUPPLEMENTAL MOTION FOR PROTECTIVE ORDER AND CONFIDENTIAL
TREATMENT OF HOURLY BILLING RATE AND EMPLOYEE COMPENSATION
INFORMATION**

NOW COMES, Abenaki Water Company, Inc. (AWC) in accordance with N.H. Admin. Rule Puc 203.08 and RSA Chapter 91-A, and hereby amends its prior motions for protective treatment of confidential attorney hourly billing records and employee information filed in this proceeding. In support of its motion, AWC states as follows:

1. AWC has filed rate case expense documentation on numerous occasions in this proceeding. Filings were made in January, February, May, and July of 2019 as well as in May and September of 2020. Record Request 28 was filed in June 2020. All of these filings contain confidential attorney hourly billing records and employee information which RSA 91-A and this Commission deem private.

2. AWC has filed motions requesting the Commission grant protective treatment of the confidential attorney hourly billing records and employee information contained in most of those rate case expense filings. A motion was filed in January 2019 to cover the January expense filing. A motion was filed in July 2019 to cover the February, May, and July 2019 expense filings. A motion was filed in May 2020 to cover the May 2020 expense filing.

3. In this instant motion, AWC seeks to make clear that it requests protective treatment of any and all filed rate case expense documentation that contains competitively sensitive attorney hourly billing information and private, employee compensation information. In addition, this request is to expressly cover competitively sensitive attorney hourly billing information and private, employee compensation information that was filed in September 2020 and in Record Request 28. It appears that AWC did not previously request that the September 2020 and Record Request 28 information be covered; it does so now. Although Record Request 28 was a compilation of prior rate case expense filings which were the subject of motions for protective treatment, AWC includes Record Request 28 in this instant request for completeness.

4. The next issue to be addressed in this motion is that AWC has been made aware that some of the pages contained in the February 2019 rate case expense filing may have been too extensively redacted to the point where non-confidential information was redacted. Puc 201.04 requires redaction of only the confidential information sought to be protected. Upon review, AWC agrees. The affected pages to the February 2019 filing are: 163, 192, 240, 241, 243, 249, and 324. In Record Request 28, those pages correlate to: 180, 209, 257, 258, 260, 266, and 341.

5. Page 163 of the February 2019 filing (which appears as page 180 in Record Request 28) inadvertently had non-confidential information redacted in addition to the confidential information. This has been corrected. Confidential and public versions of page 163 are attached as Attachment A. Confidential and public versions of page 180 are attached as Attachment B.

6. The remaining six pages cited from the February 2019 filing and Record Request 28 contained redactions of non-confidential information yet there was no confidential

information on the affected pages. Therefore, these six pages of the February 2019 filing have been corrected and are attached as Attachment C. Corrected pages for Record Request 28 are attached as Attachment D. AWC apologizes for any confusion these over-redactions may have caused and thanks the Commission for the opportunity to correct the record of what AWC seeks protected.

7. The reasons and legal argument supporting AWC's requests for protective treatment were previously articulated in AWC's motions filed on January 30, 2019 and July 15, 2019. AWC includes those arguments, by reference, in this instant motion.

WHEREFORE, Abenaki Water Company, Inc. respectfully requests the Commission:

- A. Grant its motions for protective treatment; and
- B. Grant such other relief as is just and equitable.

Respectfully submitted,

ABENAKI WATER COMPANY, INC.
ROSEBROOK DIVISION

By Its Attorney,

Date: March 23, 2021

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CERTIFICATE OF SERVICE

I hereby certify that a copy of this motion has been forwarded this day by electronic transmission to the Docket-Related Service List for DW 17-165.

Dated: March 23, 2021

Marcia A. Brown
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