

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

Docket No. DE 17-189

**LIBERTY UTILITIES (GRANITE STATE ELECTRIC) CORP.
d/b/a LIBERTY UTILITIES**

Petition to Approve Battery Storage Pilot Program

Motion for Confidential Treatment

Liberty Utilities (Granite State Electric) Corp. d/b/a Liberty Utilities (the “Company” or “Liberty”), through counsel, respectfully files this motion pursuant to Puc 203.08 for confidential treatment of two pieces of information contained in Attachment C to the Company’s revised filing, titled “Battery Energy Storage System – Single Sourcing Criteria and Justification,” because the information is “confidential, commercial, or financial information” protected from disclosure pursuant to RSA 91-A:5, IV.

In support of this motion, the Company states as follows:

1. The Company’s supplemental filing disclosed that Liberty chose Tesla as the project’s vendor for the battery and related software system. Attachment C is a document prepared by Liberty’s consultant, Alectra Energy, which describes why Liberty chose Tesla.

2. There are two pieces of confidential commercial information in Attachment C for which Liberty seeks confidential treatment. The first is the price that Tesla proposes to charge to install the battery systems in customer homes. Although Liberty has chosen Tesla to supply the batteries and related software, Liberty intends to issue an RFP for the installation of the battery systems. That is, others will have the opportunity to bid and provide Liberty with their proposed

installation pricing. Tesla would also have the opportunity to bid for that work, so disclosing their price would violate customary RFP procedures and would improperly disclose Tesla's price.

3. The second piece of information is the cost Tesla charges for the warranty on its battery system. For purposes of this pilot, this cost is embedded in the per battery cost that Tesla will charge Liberty. Therefore, the itemized warranty cost is not relevant to this proceeding. Tesla's warranty cost is otherwise confidential commercial information, disclosure of which would cause Tesla competitive harm outside this pilot program.

4. The Company thus seeks confidential treatment of these two pieces of information contained in Attachment C.

5. The Commission routinely treats as confidential such pricing from third-party vendors and potential bidders. *See Granite State Electric*, Order No. 25,338 (Mar. 27, 2012) (Commission granted confidential treatment "to the RFP bid evaluation, a comparison of changes in electric and gas futures costs to changes in power procurement costs, the calculation of commodity costs at retail"). Indeed, in the context of default service proceedings, Puc 201.06(a)(15) presumes confidential treatment of "default service solicitations, "bidder information," and "bid evaluations."

WHEREFORE, Liberty respectfully asks that the Commission:

- A. Grant this motion pursuant to Puc 203.08 for confidential treatment as to the information highlighted in the confidential version and redacted in the public version of Attachment C; and
- B. Grant such other relief as is just and reasonable and consistent with the public interest.

Respectfully submitted,

Liberty Utilities (Granite State Electric) Corp. d/b/a
Liberty Utilities

By its Attorney,



Date: February 9, 2018

By: _____

Michael J. Sheehan, Senior Counsel #6590
116 North Main Street
Concord, NH 03301
Telephone (603) 724-2135
michael.sheehan@libertyutilities.com

Certificate of Service

I hereby certify that on February 9, 2018, a copy of this motion has been forwarded to the service list.



By: _____

Michael J. Sheehan