

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

<hr/>		
<b>PETITION FOR APPROVAL OF</b>	)	
<b>PERMANENT RATES AND</b>	)	
<b>PROPOSED TARIFF REVISIONS</b>	)	
	)	
<b>THE HAMPSTEAD AREA</b>	)	<b>DOCKET NO. DW 20-117</b>
<b>WATER COMPANY, INC.</b>	)	
Petitioner	)	
<hr/>	)	

**ASSENTED-TO MOTION FOR CONFIDENTIAL TREATMENT  
AND PROTECTIVE ORDER**

The Hampstead Area Water Company, Inc. (“HAWC” or the “Company”), with the assent of counsel for the intervenor town of Atkinson, respectfully moves the New Hampshire Public Utilities Commission (the “Commission”) to grant a protective order for certain confidential information pursuant to R.S.A. 91-A:5(IV) and NH. Admin Rules, Puc 201.04(b) and (c), and Puc 203.08, and as the town of Atkinson and the Company agreed to resolve all discovery issues that were summarized in the report to the Commission dated February 24, 2022.

In support of this motion, HAWC states as follows:

1. During discovery for this proceeding both Energy and the town of Atkinson served data requests on the Company.
2. In response to some of these requests the Company asserted some documents should be deemed confidential, and certain other documents should not be produced.
3. These issues came before the Commission through various motions including motions for confidential treatment filed by the Company, and a motion to compel

filed by the town of Atkinson. The Company also filed a motion for protective order to prevent the publication of all data requests and responses by the town of Atkinson, and both the town and The Office of the Consumer Advocate filed objections to that motion.

4. The Commission issued an order on these discovery issues, Order No. 26,584. In it, the Commission recommended the town of Atkinson and Company confer to reach a collaborative agreement on all pending discovery issues.

5. In response the town of Atkison and Company did confer and reached an agreement addressing all pending discovery issues.

6. The agreement reached includes:

a. The town of Atkinson may publish all data requests and responses produced to date except for only 6 total items. These 6 items are the AWWA water standards, the company Vulnerability Assessment, the company Emergency Plan (these 3 documents have not yet been produced in discovery), and one page in each of the following 3 documents: Staff 3-8, Atkinson 5-38, and Atkinson TS 4-2. For these 6 items the company and town of Atkinson agree to the following to resolve all discovery issues.

i. The company produces the AWWA water standards to the discovery list designating all as “Confidential”, and the parties agree not to publish to adhere to AWWA’s assertion of copyright protection.

ii. The company produces the Vulnerability Assessment to the Town of Atkinson only, designating the entire document as “Confidential” and will not be provided to the discovery list. The Town of Atkinson agrees not to publish the Vulnerability Assessment, and further agrees to limit access to the Vulnerability Assessment to the fire chief, town selectboard, town administrator, town counsel, and any town experts for this case.

- iii. The company produces the Emergency Plan to the discovery list designating portions as “Confidential.” The town of Atkinson may, if it chooses, publish the redacted version of the Emergency Plan.
  - iv. The company agrees to produce Staff 3-8 to the discovery list designating portions as “Confidential.” The town of Atkinson may, if it chooses, publish the redacted version of Staff 3-8.
  - v. The company agrees to produce Atkison 5-38 to the discovery list designating portions as “Confidential.” The town of Atkinson may, if it chooses, publish the redacted version of Atkison 5-38.
  - vi. The company agrees to produce Atkison TS 4-2 to the discovery list designating portions as “Confidential.” The town of Atkinson may, if it chooses, publish the redacted version of Atkison TS 4-2.
7. The town of Atkinson assents to confidential treatment of the above six items as indicated. The Company will submit redacted and confidential versions of those documents per the above agreement to the Commission pursuant to Puc 201.04 and Puc 201.06.

WHEREFORE, The Hampstead Area Water Company, Inc., with the assent of counsel for the town of Atkinson, respectfully requests the Commission grant this motion and issue an order protecting from public disclosure the information identified in this motion that the Company asserts is confidential.

Respectfully submitted,

THE HAMPSTEAD AREA WATER COMPANY, INC.

/s/ Anthony S. Augeri, Esq.  
Anthony S. Augeri, Esq., General Counsel

Dated: March 4, 2022

Certificate of Service

I certify that a copy of the foregoing document was served via the PUC's docket-related service list for this proceeding this 4<sup>th</sup> day of March 2022.

/s/ Anthony S. Augeri, Esq.

Anthony S. Augeri, Esq., General Counsel

Redacted submission pursuant to Puc 201.04(b)