

THE STATE OF NEW HAMPSHIRE
before the
PUBLIC UTILITIES COMMISSION

Public Service Company of New Hampshire
Default Energy Service Rate

Docket No. DE 07-096

PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE'S
MOTION FOR PROTECTIVE ORDER RE: RECS SALES

Pursuant to RSA 91-A:5,(IV)(Supp.) and N.H. Code Admin. Rules Puc § 203.08, Public Service Company of New Hampshire ("PSNH" or the "Company") hereby requests protective treatment for the response to a data request propounded by the Staff. The response contains prices for sales of Renewable Energy Certificates (RECs) and the estimated percentage of sales of RECs from Schiller Station during 2008, the upcoming Default Energy Service period. PSNH further requests that access to this confidential information be restricted to the Staff and the Office of Consumer Advocate and not supplied to the other interveners. In support of its Motion for Protective Order, PSNH says the following:

1. The data request is as follows:

NSTF-01 Q- STAFF-017

Question:

Reference Attachment RAB-3, page 3, line 9. Please provide the amount of RECs from Schiller Unit 5 that PSNH has contracted for sale in 2008 and at what price(s). What percentage of the total expected RECs are under contract for 2008?

2. The Commission must use a balancing test in order to weigh the importance of keeping open the record of this proceeding with the harm from disclosure of confidential financial or competitive information. "Under administrative rule Puc 204.06, the Commission considers whether the information, if made public, would likely create a competitive disadvantage for the petitioner; whether the customer information is financially or commercially sensitive, or if released, would likely constitute an invasion of privacy for the customer; and whether the information is not general public knowledge and

the company takes measures to prevent its' dissemination." *Re Northern Utilities, Inc.*, 87 NH PUC 321, 322, Docket No. DG 01-182, Order No. 23,970 (May 10, 2002).

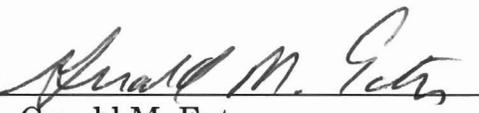
3. Sales of RECs help to defray the cost of the conversion of Schiller Unit 5 to burn wood chips. *See*, Docket No. DE 03-166. RECs are traded in an open market. Both buyers and sellers desire to have the price remain confidential, and PSNH wishes that the total RECs still available for sale remain confidential. Disclosure of this information to the public would put PSNH at a competitive disadvantage in future sales of 2008 RECs. The lower price is in the public domain as the price is contained in an agreement with the Massachusetts Technology Collaborative; however, PSNH hopes to negotiate future contracts for sales of RECs at the highest possible price. Disclosure of this price may hinder PSNH's ability to negotiate future sales of RECs at the highest possible price.

WHEREFORE PSNH respectfully requests the Commission issue an order preventing the public disclosure of the response to NSTF-01, Q-STAFF-017 to restrict any disclosure of the response to interveners other than Staff or the Office of Consumer Advocate and to order such further relief as may be just and equitable.

Respectfully submitted,

Public Service Company of New Hampshire

Nov 27 2007
Date

By: 
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CERTIFICATE OF SERVICE

I hereby certify that, on the date written below, I caused the attached Motion for Protective Order to be hand delivered or sent by First Class U.S. Mail, postage prepaid, to the persons listed on the attached cover letter.

Nov. 27 2007

Date

Gerald M. Eaton

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