STATE OF NEW HAMPSHIRE BEFORE THE PUBLIC UTILITIES COMMISSION

Re: EnergyNorth Natural Gas, Inc. d/b/a National Grid NH

Docket DG 10-017

RESPONSE TO THE OFFICE OF CONSUMER ADVOCATE'S LETTER OF MAY 3, 2010 TO THE PUBLIC UTILITIES COMMISSION

EnergyNorth Natural Gas, Inc. d/b/a National Grid NH ("National Grid NH" or the "Company") hereby responds to a letter from the Office of Consumer Advocate ("OCA") to the Public Utilities Commission ("the Commission") dated May 3, 2010 commenting on the Company's Motion for Protective Order and Confidential Treatment Regarding Compensation Information ("Motion") and states as follows:

- 1. The Company filed its Motion on February 26, 2010 in conjunction with its request for increase in rates (DG 10-017). The Company delivered a copy of the Motion, as well as the full rate case filing, to the OCA on the same day.
- 2. Under the Commission's Rules of Practice and Procedure, the OCA had ten days, or until March 8, 2010, to object to the Company's Motion. It did not do so.
- 3. At an April 8, 2010 prehearing conference, Commissioner Ignatius directed the Company to report back as to whether the Commissions ruling in Order No. 25,037 had any effect on the Company's Motion. In a letter to the Commission dated April 23, 2010, the Company explained that Order No. 25,037 is not applicable in this case and that it wished to maintain its Motion without amendment.
- 4. The OCA subsequently offered what it purported to be "comments" on the Company's letter, although in fact the comments relate to the substance of the Company's

underlying motion rather than the question posed by Commissioner Ignatius. The arguments put forth by the OCA in its May 3 letter should have and could have been made in an objection, had one been timely filed. For that reason, the OCA's May 3 letter should not be given any weight, and the Company's February 26 motion should be considered to have been unopposed by either the OCA or any other party.

5. If the Commission is inclined to consider the OCA's new comments in any manner, the Company should be granted leave to respond prior to any such ruling.

Respectfully submitted,

EnergyNorth Natural Gas, Inc. d/b/a National Grid NH

By Its Attorneys

MCLANE, GRAF, RAULERSON &

MIDDLETON, P.A.

By:

Dated: May 6, 2010

Steven V. Camerino, Esq.

Patrick H. Taylor, Esq.

11 South Main Street, Suite 500

Concord, NH 03301

Telephone (603) 226-0400

Email: steven.camerino@mclane.com patrick.taylor@mclane.com

Celia B. O'Brien, Esquire EnergyNorth Natural Gas, Inc. d/b/a National Grid NH 40 Sylvan Road Waltham, MA 02451

Telephone (781) 907-1520

Email: celia.obrien@us.ngrid.com

Certificate of Service

I hereby certify that a copy of this Response has been hand-delivered to the service list this 6th day of May, 2010. $\downarrow \uparrow \uparrow$

Patrick H. Taylor