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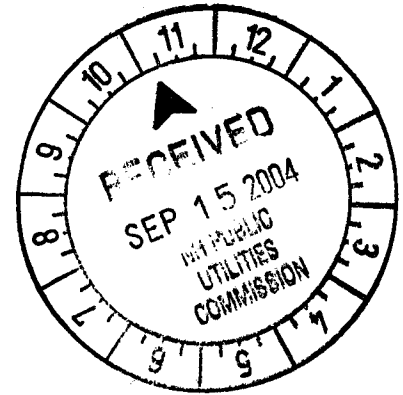
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**CONFIDENTIAL
MATERIAL
IN COMM FILE**

September 14, 2004

VIA OVERNIGHT COURIER

Debra A. Howland
Executive Director and Secretary
NH Public Utilities Commission
21 S. Fruit Street, Suite 10
Concord, NH 03301



Re: Northern Utilities, Inc., New Hampshire Division –
Filing of Revised Tariff Sheets Regarding Annual Update of Appendices A and C
of the Delivery Terms and Conditions, 2004-2005 Winter Period Cost of Gas

Dear Ms. Howland:

Enclosed, with reference to the above filing, please find Northern Utilities, Inc.'s Motion for Standing Order of Protection and Confidential Treatment. One CONFIDENTIAL version of the filing is being provided to Marcia A. B. Thunberg, Esq., until such time as the Commission issues its Order regarding this Motion.

Please do not hesitate to telephone me with any questions.

Very truly yours,

Patricia M. French
Patricia M. French / SBH

cc: Service List

STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION

NORTHERN UTILITIES, INC.
Cost of Gas Adjustment

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Docket DG 04-____

**MOTION FOR STANDING ORDER
FOR PROTECTION FROM PUBLIC DISCLOSURE
AND CONFIDENTIAL TREATMENT**

NOW COMES Northern Utilities, Inc. ("Northern") and respectfully requests that the New Hampshire Public Utilities Commission ("Commission") grant a "standing" protective order for certain confidential information consistent with R.S.A. 91-A and N.H. Admin. Rules, Puc 204.07. Specifically, Northern requests that the Commission issue its order requiring that the resource, supplier identity and cost information contained in Northern's update to its Model Delivery tariff be treated as confidential commercial information and in the nature of a trade secret, and not be made part of the public record in this proceeding. Northern intends to make such information available to the Commission Staff and the Consumer Advocate under its requested protective order. Northern asks for the Commission to make its order a "standing" order of protection so that the same information that filed as part of successive cost of gas filings each fall will be granted protection until a party to such a filing seeks public disclosure of such material.

In support of its motion, Northern states the following:

1. On March 15, 2001, in Docket No. DE 98-124, the Commission approved Northern's Model Delivery Tariff, currently identified as NHPUC No. 10 – Gas, Part VII. Delivery Service Terms and Conditions ("T&Cs").
2. Among the Supplier Charges set out in Appendix A of the T&Cs, Schedule of Administrative Fees and Charges, are the Supplier Balancing Charge and the Peaking Service Demand Charge. Northern is required to update these charges once each year, effective for the billing (calendar) month of November.
3. As part of the filing of revised charges in Appendix A, Northern provides specific information about its suppliers, resource information, commodity and demand charges and related contract terms. This information constitutes a trade secret; Northern does not disclose this information outside a close circle of Northern employees with a need to know, and their representatives; release of this information is likely to result in competitive disadvantage for Northern and possibly also its suppliers; and this information is likely to be very beneficial to a competitor of Northern or NiSource, or their suppliers, who may gain a competitive edge as a result of disclosure.
4. Northern seeks to protect from disclosure on the public record this information in order to protect trade, contractual and financial secrets closely held by Northern.
5. R.S.A. 91-A:5(iv) expressly exempts from the public disclosure requirements of Chapter 91-A any records pertaining to "confidential, commercial or financial

information.” The Commission’s rule on public records, Puc 204.07, also allows documents to be protected from public disclosure pursuant to an appropriate order of the Commission.

6. Northern requests that the Commission not disclose on the public record the confidential information on the grounds that disclosure of the confidential information would disadvantage Northern in negotiations with Suppliers or other resource providers. Public knowledge of the confidential information would impair Northern’s future bargaining position and thus its ability to obtain the best cost resources for its natural gas portfolio. The Commission has recognized that supply information is sensitive commercial information in the competitive market.
7. Disclosure of this information would expose to the public and to actual and potential competitors Northern’s internal, and closely held, business information. Northern does not disclose this information in any venue nor to anyone outside of its corporate affiliates with a lawful need to know and their representatives.
8. Northern is not requesting non-disclosure protection from Staff or the Consumer Advocate. Northern has filed its motion for a protective order to allow it to make available its trade secrets and confidential information to Staff and the Consumer Advocate during this proceeding subject to the requested order from the Commission that such information should be accorded confidential treatment.

9. The Commission has granted protected treatment to similar financially-sensitive information that is held as a trade secret, finding that the benefits of non-disclosure in similar cost of gas proceedings outweigh the benefits to the public of disclosure. E.g. EnergyNorth Natural Gas, Inc., Order Granting Motion for Protective Order and Confidential Treatment, Order No. 23,950, Docket No. DG 02-045 (Apr. 12, 2002) citing Union Leader Corp. v. New Hampshire Housing Finance Authority, 142 N.H. 540 (1997); Re NET (Auditel), 80 NHPUC 437 (1995); Re Eastern Utilities Assoc., 76 NHPUC 236 (1991); EnergyNorth Natural Gas, Order No. 23,559, Docket No. 00-193 (Sept. 25, 2000).
10. Because the same type of information is required to support Northern's cost of gas filings each year, year after year, Northern respectfully requests that, should the Commission grant protection, it make its order protecting such information from disclosure as a "standing" order emanating from this docket, such that the order for protection will remain in effect over supplier and cost information in this and future dockets, until such time as another party should appear and request such information. At that time, the Commission may weigh the competing interests of Northern's need to protect this information from disclosure and any other party's expressed need to obtain the same information.
11. Should the Commission grant its Order on a standing basis, reference by Northern to the Commission's grant of protection in this docket in each successive cost of gas filing before the Commission would serve to both to renew the protection and

provide notice to the public and interested parties of the protection provided as a result of this request.

WHEREFORE, Northern Utilities, Inc. respectfully requests that the Commission grant its protective order over Northern's confidential and trade secret information as described herein, and that the Commission make its order of a standing nature.

Respectfully submitted,

NORTHERN UTILITIES, INC.

By its attorney,

Patricia M. French / sbe

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DATED: September 14, 2004