



DE 16-241

For a thriving New England

CLF New Hampshire 27 North Main Street
Concord, NH 03301
P: 603.225.3060
F: 603.225.3059
www.clf.org

March 21, 2016

Hand-Delivered

HPUC MAR21 '16 PM 4:27

Ms. Debra A. Howland
Executive Director
N.H. Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, NH 03301-2429

Re: DE 16-241, Eversource Energy, Petition for Approval of Gas Infrastructure Contract with Algonquin Gas Transmission, LLC

Dear Ms. Howland:

Conservation Law Foundation (CLF) has a strong interest in the above-referenced docket, which raises significant issues of first impression regarding the role of Electric Distribution Companies (EDCs) relative to the acquisition of natural gas capacity. CLF played an active role in the investigatory docket (IR 15-124, *Investigation into Potential Approaches to Ameliorate Adverse Wholesale Electricity Market Conditions in New Hampshire*) preceding the instant docket, having submitted a variety of filings and having participated in bi-lateral discussions with staff, at staff's request, as part of its process of obtaining information and assessing the issues. CLF has strong concerns regarding the approvals Public Service Company of New Hampshire d/b/a Eversource Energy (Eversource) is seeking in this docket and intends, upon issuance of an Order of Notice, to petition for intervention.

On February 18, 2016, the same date it filed the Petition initiating this docket, Eversource filed a motion for a protective order and confidential treatment of information, including prices and terms of the contract that is the subject of this proceeding, as well as information regarding the evaluation of the contract's prices and terms. On February 29, 2016, the Office of the Consumer Advocate, which is a party as of right, filed an opposition to Eversource's motion on several grounds, including but not limited to the significant and unique nature of this docket. By motion dated March 9, 2016, Algonquin Gas Transmission, LLC (Algonquin), Eversource's counterparty to the contract at issue, also requested a protective order and confidential treatment. As with Eversource's motion, the Office of the Consumer Advocate has objected to Algonquin's motion, by opposition filed on March 18, 2016.

We consider the subject matter of the above motions and opposition to be of great importance, particularly in light of the significance and precedent-setting nature of this docket, in which, for the first time, an EDC seeks authority to enter a long-term contract to acquire natural gas capacity, and to do so at electric ratepayer expense. Accordingly, CLF intends to respond to Eversource's and Algonquin's confidentiality motions after obtaining intervenor status and pursuant to whatever schedule the Commission establishes for responses to such motions. In the meantime, however, we are writing to alert the Commission to our concern and to ensure that no order on the pending confidentiality motions



issues in advance of the Commission's Order of Notice and before CLF, and any other intervenors, are provided an opportunity to intervene and respond.

Thank you for your assistance with this matter.

Sincerely,

Thomas F. Irwin
V.P. and CLF New Hampshire Director
tirwin@clf.org