

DG 00-063

**ENERGYNORTH NATURAL GAS, INC.**

**Revenue Neutral Rate Design**

**Granting Motion for Protective Order  
and Confidential Treatment**

**O R D E R    N O.   23,704**

**May 14, 2001**

On April 16, 2001, EnergyNorth Natural Gas, Inc.

d/b/a KeySpan Energy Delivery New England (KeySpan), a public utility engaged in the business of distributing natural gas in 29 cities and towns in southern and central New Hampshire and the City of Berlin in northern New Hampshire, filed with the New Hampshire Public Utilities Commission (Commission) a filing in compliance with Commission Order No. 23,675. KeySpan concurrently filed a Motion for Protective Order and Confidential Treatment (Motion) in which it requested confidential treatment of certain information, pursuant to RSA 91-A:5,IV, Puc 204.05(b) and Puc 204.06.

The Motion requests confidential treatment of its calculation of Firm Sales Cost of Gas Rate, page one of the compliance filing.

KeySpan states the calculation of Firm Sales Cost of Gas Rate is the same information to which this Commission previously gave confidential treatment in Order No. 23,656,

dated March 16, 2001, in Keyspan's Summer 2001 Cost of Gas proceeding, Docket No. DG 01-037.

The Commission recognizes that the calculation of Firm Sales Cost of Gas Rate is critical to the review of the cost of gas filing by the Commission, the Commission Staff (Staff) and the Office of Consumer Advocate. The Commission also recognizes that the calculation of Firm Sales Cost of Gas Rate as contained in the filing is sensitive commercial information in a competitive market. Thus, based on KeySpan's representations, under the balancing test we have applied in prior cases, e.g., Re NET (Auditel), 80 NHPUC 437 (1995), Re Eastern Utilities Associates, 76 NHPUC 236 (1991), and EnergyNorth Natural Gas, Inc., Order No. 23,559, Docket No. DG 00-193 (September 25, 2000), we find that the benefits to KeySpan and its customers of non-disclosure in this case outweigh the benefits to the public of disclosure. The information, therefore, is exempt from public disclosure pursuant to RSA 91-A:5,IV and N.H. Admin. Rules, Puc 204.06.

**Based upon the foregoing, it is hereby**

**ORDERED,** that the Motion for Protective Order and Confidential Treatment of KeySpan, as it relates to the calculation of Firm Sales Cost of Gas Rate, as described above, is GRANTED; and it is

**FURTHER ORDERED,** that in future filings, KeySpan shall continue to submit, concurrent with its request for confidential treatment, both redacted and unredacted filings which the Commission shall protect from disclosure during the pendency of its review of the request for confidentiality, pursuant to N.H. Admin. Rules, Puc 204.06; and it is

**FURTHER ORDERED,** that this Order is subject to the ongoing authority of the Commission, on its own motion or on the motion of Staff or any party or any other member of the public, to reconsider this Order in light of RSA 91-A, should circumstances so warrant.

By order of the Public Utilities Commission of New Hampshire this fourteenth day of May, 2001.

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Douglas L. Patch  
Chairman

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Susan S. Geiger  
Commissioner

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Nancy Brockway  
Commissioner

Attested by:

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Thomas B. Getz  
Executive Director and Secretary