

**STATE OF NEW HAMPSHIRE  
BEFORE THE  
PUBLIC UTILITIES COMMISSION**

**RE:   GRANITE STATE   )  
      ELECTRIC COMPANY   )  
      D/B/A NATIONAL GRID   )  
      DEFAULT SERVICE   )  
      RATES FOR NOVEMBER )  
      1, 2008 THROUGH   )  
      JANUARY 31, 2009 AND   )  
      NOVEMBER 1, 2008   )  
      THROUGH APRIL 30,   )  
      2009   )**

**DOCKET NO. DE 08-011**

**MOTION FOR CONFIDENTIAL TREATMENT**

To the Public Utilities Commission:

NOW COMES Granite State Electric Company d/b/a National Grid (“National Grid” or “Company”) and hereby moves pursuant to N.H. Code of Administrative Rules Puc 203.08 for confidential treatment by the Commission with respect to the power supply agreements between National Grid and the winning suppliers, FPL Energy Power Marketing, Inc. (“FPL”) to provide Default Service for the Large Customer Group for the period November 1, 2008 through January 31, 2009 and PSEG Energy Resources & Trade LLC (“PSEG”) to provide Default Service for the Small Customer Group for the period November 1, 2008 through April 30, 2009. The Company also requests confidential treatment for the indicative bid summary provided to Staff on September 11, 2008, the RFP bid evaluation and its analysis comparing changes in electric and gas futures costs to changes in procurement costs. Finally, the Company requests confidential treatment for the calculation of commodity costs at the retail customer meter. In support of this Motion, National Grid states the following:

1. National Grid and FPL entered into an agreement whereby FPL committed to provide, among other things, service to National Grid's Large Customer Group Default Service load for the period November 1, 2008 through January 31, 2009.

2. National Grid and PSEG entered into an agreement whereby PSEG committed to provide, among other things, service to National Grid's Small Customer Group Default Service load for the period November 1, 2008 through April 30, 2009.

3. The contracts with FPL and PSEG, the RFP bid evaluation, the Company's analysis comparing futures costs, and the calculation of commodity costs at the retail meter are being provided as separate schedules to the testimony of Mr. Warshaw in the above-captioned docket.

4. The indicative bid summary contains the following information and material: charts illustrating indicative bids for the most recent procurement period for the Large Customer Group and Small Customer Group in dollars per megawatt-hour, both inclusive and exclusive of capacity costs, and in cents per kilowatt-hour, inclusive of capacity costs. In addition, the indicative bid summary includes a chart comparing the current average rates for May 2008 on a cents per kilowatt-hour basis to average indicative prices including capacity costs, and identifies the names of the bidders through a bidder key.

5. The contracts, the indicative bid summary, the RFP bid evaluation, the analysis comparing futures costs and the calculation of commodity costs at the retail meter contain competitive energy pricing and contract terms which are commercially sensitive, the disclosure of which could be harmful to the competitive positions of FPL and PSEG and participants in the RFP which could chill the willingness of these suppliers to participate in providing energy services in New Hampshire in the future. In negotiating power supply contracts in New

Hampshire, competitive suppliers are sensitive to the protection of information they deem confidential or commercially sensitive. The parties have taken steps to avoid disclosure of this information and the disclosure of such information could adversely affect the business position of the parties in the future.

6. N.H. Code of Administrative Rules Puc 203.08 provides in pertinent part that “the Commission shall upon motion issue a protective order providing for the confidential treatment of one or more documents upon a finding that the document or documents are entitled to such treatment pursuant to RSA 91-A:5, or other applicable law based upon the information submitted pursuant to Puc 203.08(b).”

7. Documents exempted from public disclosure under RSA 91-A:5, IV include “records relating to...confidential, commercial, or financial information....” In addition, RSA 91-A:5, IV exempts from public disclosure “other files whose disclosure would constitute an invasion of privacy.”

8. As the Commission has previously recognized in Order Nisi No. 24,000 (June 27, 2002) as well as Order No. 23,486 (May 22, 2000), Order Nisi No. 23,681 (April 19, 2001), Order Nisi No. 23,834 (November 2, 2001), and Order No. 24,412 (December 22, 2004), the information contained within the wholesale power contracts for Default Service is “confidential, commercial, or financial information” and that disclosure of such information could adversely affect the business position of the parties in the future. The same rationale for protecting the contracts from public disclosure applies equally to the information contained within the indicative bid summary, the RFP bid evaluation, the Company’s analysis comparing futures costs, and the calculation of commodity costs at the retail meter.

9. The contracts with FPL and PSEG, the indicative bid summary, the RFP bid evaluation, the Company's analysis comparing futures costs, and the calculation of commodity costs at the retail meter qualify for confidential treatment under State law and Commission rules and as such should be protected.

WHEREFORE, National Grid respectfully requests that the Commission grant confidential treatment for the contracts with FPL and PSEG, the indicative bid summary, the RFP bid evaluation, the Company's analysis comparing futures costs, and the calculation of commodity costs at the retail meter. In accordance with N.H. Code of Administrative Rules Puc 203.08(g) this information should, at minimum, be labeled "Confidential," held in a secure location within the Commission's offices, and not disclosed to the public or any of the parties in this proceeding other than the Commission staff without National Grid's consent.

Respectfully submitted,

GRANITE STATE ELECTRIC COMPANY  
By its attorney,

*Alexandra E. Blackmore*

September 22, 2008

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# CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Motion for Confidential Treatment has been served this date to the Office of the Consumer Advocate and to the parties named on the Service List in this proceeding.

*Alexandra E. Blackmore*

September 22, 2008

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Alexandra E. Blackmore