

THE STATE OF NEW HAMPSHIRE  
before the  
PUBLIC UTILITIES COMMISSION

Public Service Company of New Hampshire  
Reconciliation of Energy Service and Stranded Costs for 2007

Docket No. DE 08-066

PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE'S  
MOTION FOR PROTECTIVE ORDER RE: NEWINGTON INFORMATION

Pursuant to RSA 91-A:5,(IV)(Supp.) and N.H. Code Admin. Rules Puc § 203.08, Public Service Company of New Hampshire ("PSNH" or the "Company") hereby requests protective treatment for the response to certain data requests propounded by the Staff. The responses contain detailed data and a description of the planning and operational decisions PSNH makes with regard to generation from PSNH's Newington Station. Currently there are no intervenors in this proceeding; however, if competitive energy suppliers are granted intervention in the future, PSNH further requests that access to this confidential information be restricted to the Staff and the Office of Consumer Advocate and not supplied to any other interveners.

In support of its Motion for Protective Order, PSNH says the following:

1. The data request are as follows:

**NSTF-01 Q- STAFF-003**

**Question:**

Reference Baumann testimony, Attachment RAB-4, page 8, line 4.  
Please provide a schedule detailing the dates that Newington Station was serving load in each month.

**NSTF-01 Q- STAFF-006**

**Question:**

Please provide a schedule identifying the total 2007 costs and revenues associated with Newington Station. Please list individually the items included in the cost and revenue categories.

**NSTF-01 Q- STAFF-008 FO-01(follow up)**

**Question:**

Please provide more detail on how PSNH modified the operation of Newington to maximize value to customers.

2. The position of Newington Station in PSNH's resource mix is pivotal. Depending on the market price of Newington's fuels (#6 residual fuel oil or natural gas) and the market price for purchased power, PSNH is planning ahead or deciding on a day to day basis whether to operate Newington. That decision making process is described generally in Mr. Richard Labrecque's pre-filed testimony and more specifically described in the response to Staff follow up Data Request No. 8, FO-01. Request No. 3 details the actual running time of Newington Station in 2007 and Request No. 6 provides the actual costs and revenues from operating Newington Station in 2007. These operational details are not publically available elsewhere, including from ISO-NE which must adhere to the confidentiality provisions of their Information Policy.

3. The Commission must use a balancing test in order to weigh the importance of creating an open record of this proceeding with the harm from disclosure of confidential, financial or competitive information. "Under administrative rule Puc 204.06, the Commission considers whether the information, if made public, would likely create a competitive disadvantage for the petitioner; whether the customer information is financially or commercially sensitive, or if released, would likely constitute an invasion of privacy for the customer; and whether the information is not general public knowledge and the company takes measures to prevent its' dissemination." *Re Northern Utilities, Inc.*, 87 NH PUC 321, 322, Docket No. DG 01-182, Order No. 23,970 (May 10, 2002).

4. The limited benefits of disclosing the information outweigh the harm done by disclosing the information. PSNH would be put at a disadvantage with respect to suppliers of PSNH's supplemental power because the data contained and processes described in the responses give a close look at the decisions PSNH makes to run Newington or buy power. If suppliers knew the actual costs and operation of Newington Station and the details of how PSNH makes the decision to run Newington or go to the market, PSNH may not be able to arrange supplies of supplemental power that maximize savings to customers.

WHEREFORE PSNH respectfully requests the Commission issue an order preventing the public disclosure of responses to the above-listed Data Request, and to order such further relief as may be just and equitable.

Respectfully submitted,  
Public Service Company of New Hampshire

August 22 2008  
Date

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#### CERTIFICATE OF SERVICE

I hereby certify that, on the date written below, I caused the attached Motion for Protective Order to be served pursuant to N.H. Code Admin. Rule Puc §203.11.

August 22 2008  
Date

Gerald M. Eaton  
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