

THE STATE OF NEW HAMPSHIRE  
before the  
PUBLIC UTILITIES COMMISSION

Public Service Company of New Hampshire  
Default Energy Service Rate

Docket No. DE 08-113

PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE'S  
MOTION FOR PROTECTIVE ORDER RE: FUEL COST DATA

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 responses to two data requests propounded by the Staff. The requests ask for detailed information pertaining to PSNH's projected fuel costs, future supplemental power purchases and wood fuel costs. In support of its Motion for Protective Order, PSNH says the following:

1. The data request is as follows:

**NSTF-01 Q- STAFF-001**

**Question:**

Reference Baumann testimony, page 5, line 14 through page 6, line 5. Please provide the following information in the same format as the response to NSTF-01, Q-STAFF-002 in DE 07-096. Please provide information supporting the price assumptions used for coal, wood, oil and gas prices for the twelve month Energy Service period. Please provide information detailing how much of PSNH's needed fuel supply is under contract for the upcoming twelve month ES period and how much will be subject to purchases at the then-current market price. Please discuss each fuel separately. For what periods of time are the fuel supplies for each of the fossil plants under contract? Please provide the information used by PSNH in determining the forecast of peak and off-peak energy prices. Please provide an analysis of the major components of the preliminary increase in the ES rate. Please quantify each of the components in terms of cents per kWh.

**NSTF-01 Q- STAFF-009**

**Question:**

Reference Attachment RAB-2, page 3, line 8. Please provide supporting details and calculations, by month, for the amounts shown as wood energy expense.

2. The Commission must use a balancing test in order to weigh the importance of keeping open the 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).

3. The limited benefits of disclosing the information outweigh the harm done by disclosing the information and the potential harm to the owners of the facilities from disclosure. Pricing terms with power suppliers and fuel suppliers have traditionally been kept confidential. *See, Re EnergyNorth Natural Gas, Inc. dba KeySpan Energy Delivery New England*, Docket No. DG 03-068, Order No. 24,167, 88 NH PUC 221 , 226 (2003). For the RECs already acquired under contract the same consideration for confidentiality attaches. Public disclosure of PSNH's fuel supply costs, even in the aggregate, may a negative effect upon our ability to supply power at the lowest reasonable cost. In the continuing competitive market, this added protection is appropriate and warranted from our customers' viewpoint, and PSNH can provide the Commission with complete detail without wondering how this disclosure will affect future transactions. PSNH's current status for fulfilling its remaining fuel and purchased power requirements divulges how much of each product or supply PSNH still needs to procure. Disclosure of fuel prices in the aggregate do not encourage any potential supplier from offering fuel at a price lower than that average price. Although PSNH has supplied this information in the past without seeking protection, we believe confidential treatment is now in order.

WHEREFORE PSNH respectfully requests the Commission issue an order preventing the public disclosure of the response to NSTF-01, Q-STAFF-001 and Q-STAFF-009 and to order such further relief as may be just and equitable.

Respectfully submitted,

Public Service Company of New Hampshire

October 23, 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 hand delivered or sent electronically pursuant to N.H. Code Admin. Rule Puc §. 203.11(a) the persons on the attached Service List.

October 23 2008  
Date

Gerald M. Eaton  
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