



**CONFIDENTIAL
MATERIAL
IN COMM FILE**

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WAPUC 23MAR15PM1:10

March 20, 2015

Via First Class and Electronic Mail

Debra A. Howland
Executive Director
New Hampshire Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, New Hampshire 03301-2429

ORIGINAL	
N.H.P.U.C. Case No.	DG 14-380
Exhibit No.	#5
Witness	Panel #1
DO NOT REMOVE FROM FILE	

**Re: Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty Utilities
Petition for Approval of a Firm Transportation Agreement with the
Tennessee Gas Pipeline Company, LLC**

Dear Ms. Howland:

I am writing on behalf of Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty Utilities in response to your request regarding the Company's basis to seek protective treatment for the confidential information marked on Bates pages 31 to 33 of Mr. DaFonte's testimony in the above-captioned docket. We have reviewed the confidential markings and determined that much of the information may now be released. Since Mr. DaFonte's testimony was filed, C2C has publicly released the pricing for its project, and thus the quoted pricing in Mr. DaFonte's testimony is no longer confidential. Accordingly, we have revised the redacted markings on the three pages, and we enclose for filing an original and six copies of the revised pages for both the confidential and redacted versions of the testimony. The Company requested approval from Atlantic Bridge to release its proposed pricing to which Atlantic Bridge would not consent. Thus, those confidential markings remain.

As a result, the only information for which the Company continues to seek protective treatment is the pricing provided by Tennessee for the cost to upgrade the Concord lateral and the projected cost of the Atlantic Bridge project. Pricing information on both these projects was provided to the Company as part of confidential negotiations potentially leading up to a transaction to procure firm capacity. This type of pricing information is not made public given that there are ongoing negotiations among shippers and owners of pipeline capacity regarding potential business transactions to procure firm capacity. These types of negotiations are very similar to the negotiations that the Company enters into on an ongoing basis to procure commodity. That information is routinely afforded protection pursuant to Puc 201.06(a)(26).

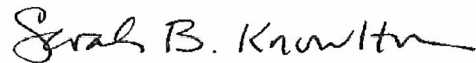
Here, both the Company and the potential counterparties (Tennessee and Algonquin Gas, the owner of the Atlantic Bridge project) have a reasonable expectation of privacy in the information based on those commercial dealings and the fact that pricing information is not publicly released unless and until a public rate is determined. Further, release of this information

Debra A. Howland
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would not provide any insight regarding the workings of the Commission, but rather, if made public, would harm the Company's ability to obtain commercially sensitive cost information from pipeline companies during the course of contract negotiations. This could result in real harm to the Company's customers, who will ultimately pay for any rates associated with firm capacity obtained by the Company. For these reasons, the Company asserts that protective treatment of the information on the attached pages is appropriate pursuant to RSA 91-A:5,IV.

Thank you for your consideration of the Company's position. Please do not hesitate to contact me should you wish to discuss this matter.

Very truly yours,



Sarah B. Knowlton

Enclosures
cc: Service List

LINKED

3/24/15 JC

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COMMISSIONERS
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EXECUTIVE DIRECTOR
Debra A. Howland

STATE OF NEW HAMPSHIRE



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March 18, 2015

Sarah B. Knowlton
Liberty Utilities
15 Buttrick Rd.
Londonderry, N.H. 03053

Re: DG 14-380 Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty Utilities
Petition for Approval of a Firm Transportation Agreement
Town of Dracut Right-to-Know Request

Dear Ms. Knowlton:

Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty Utilities (EnergyNorth) redacted information from its December 31, 2014 filing in this proceeding. The Town of Dracut requests that the Commission disclose some of that information, and the Commission, which previously granted protection of the information, is considering Dracut's request under RSA 91-A, New Hampshire's Right to Know law.

Specifically, Dracut requests "all confidential documents submitted by Liberty in their filing which address the possible expansion of the capacity of the Concord Lateral, or the creation of any infrastructure that may be necessary to deliver gas to Liberty customers under the alternative proposals Liberty considered (PNGTS "C2C" project and Spectra Atlantic Bridge)." Energy North objects to Dracut's request claiming that the Commission "has already concluded that the information requested ... is subject to protection under RSA 91-A," when it granted Liberty's Motion for Protective Order and Confidential Treatment.

EnergyNorth's motion requested protective treatment of a "limited number of the commercial terms of the Precedent Agreement ... which ... include pricing terms, special delivery terms regarding the nature of the capacity arrangements being provided to [EnergyNorth] by Tennessee, and other financial terms of the agreement between the two parties." Not all of the redacted information found on Bates pages 31 through 33 of Mr. DaFonte's testimony appears to fall within the scope of EnergyNorth's motion. Consequently, the Commission requests that EnergyNorth explain why the redacted information on Bates pages 31-33 should not be disclosed under RSA 91-A. The deadline for EnergyNorth's response is March 24, 2015.

Sincerely,

A handwritten signature in cursive script, appearing to read "Debra A. Howland".

Debra A. Howland
Executive Director

cc: Service List
Town of Dracut

SERVICE LIST - EMAIL ADDRESSES - DOCKET RELATED

Pursuant to N.H. Admin Rule Puc 203.11 (a) (1): Serve an electronic copy on each person identified on the service list.

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Docket #: 14-380-1 Printed: March 18, 2015

FILING INSTRUCTIONS:

- a) Pursuant to N.H. Admin Rule Puc 203.02 (a), with the exception of Discovery, file 7 copies, as well as an electronic copy, of all documents including cover letter with:
DEBRA A HOWLAND
EXEC DIRECTOR
NHPUC
21 S. FRUIT ST, SUITE 10
CONCORD NH 03301-2429
- b) Serve an electronic copy with each person identified on the Commission's service list and with the Office of Consumer Advocate.
- c) Serve a written copy on each person on the service list not able to receive electronic mail.