

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

**NORTHERN UTILITIES, INC.
SUMMER 2010 COST OF GAS ADJUSTMENT**

DG 10-050

MOTION FOR PROTECTIVE ORDER

NOW COMES Northern Utilities, Inc., (“Northern”), by and through its undersigned attorneys, and, pursuant to RSA 91-A:5, IV and N.H. Admin. Rule, PUC 203.08, respectfully moves the New Hampshire Public Utilities Commission (“Commission”) to issue a protective order which accords confidential treatment to certain information described below and submitted herewith. Specifically, Northern requests that the Commission issue an order requiring that the answer to Staff Data Request 1-11 filed herewith be treated as confidential commercial information, and not be made part of the public record or available for public disclosure. However, notwithstanding the relief requested herein, Northern is making this information available on a confidential basis to the Commission Staff and the Office of Consumer Advocate.

In support of this Motion, Northern states the following:

1. In response to Staff Data Request 1-11, Northern has provided information revealing how Northern uses its underground storage and the factors that influence storage use. An unredacted copy of that response is submitted herewith and has been marked “confidential”.
2. The above-referenced document contains competitively sensitive commercial information that Northern does not disclose to anyone outside of its corporate

organization or authorized representatives. As such, the information is entitled to be protected from public disclosure under RSA 91-A:5, IV. *See also* RSA 350-B (“Uniform Trade Secrets Act”).

3. Northern seeks to protect this information from public disclosure in order to protect Northern’s competitive position. Release of the above-described confidential information would likely result in harm to Northern in the form of being disadvantaged in negotiations with third parties regarding contracts for gas supply, transportation and exchange. Public knowledge of the confidential information would impair Northern’s future bargaining positions and thus its ability to obtain the maximum possible contribution to fixed costs. Northern must be able to maximize such contributions to fixed costs as this benefits its firm ratepayers.

4. Under the balancing test set forth in *Union Leader Corp. v. New Hampshire Housing Fin. Auth.*, 142 N.H. 540 (1997), the above-described interests of Northern and its customers in non-disclosure outweigh the public’s interest in gaining access to the information.

5. Northern has filed this motion for a protective order to allow this confidential commercial information to be made available to Commission Staff and the Consumer Advocate during this proceeding, subject to the requested order from the Commission that such information should be accorded confidential treatment.

6. Northern requests that the Commission issue an order protecting this information from disclosure until such time as a party should appear and request such information, at which time the Commission can weigh the competing interests of

Northern's need to continue to protect this information from disclosure against any other party's expressed claim for disclosure.

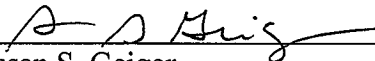
WHEREFORE, Northern respectfully requests that this honorable Commission:

A. Issue an appropriate order that exempts from public disclosure and otherwise protects the confidentiality of the information designated confidential in the document submitted herewith; and

B. Grant such additional relief as it deems appropriate.

Respectfully submitted,
NORTHERN UTILITIES, INC.
By its attorneys,
Orr & Reno, P.A.

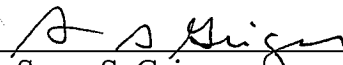
Dated: April 1, 2010



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Certificate of Service

I hereby certify that a copy of the foregoing Motion has on this 1st day of April, 2010 been sent by electronic mail to persons listed on the Service List.



Susan S. Geiger