

STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION

NORTHERN UTILITIES, INC.
2010-2011 WINTER PERIOD
COST OF GAS ADJUSTMENT

DG 10-250

MOTION FOR PROTECTIVE ORDER
AND CONFIDENTIAL TREATMENT

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. In support of this Motion, Northern states the following:

1. In response to Staff Data Request 1-6, Northern has provided to Commission Staff and the Office of Consumer Advocate a copy of an agreement between Bay State Gas and Northern, as well as a copy of an amendment to that agreement. In response to Staff Data Request 1-7b, 1-7c, 1-7 d and 1-7f, Northern has provided the following documents to Commission Staff and the Office of Consumer Advocate: a list of the suppliers/asset managers from whom Northern solicited bids in response to a request for proposals (Attachment 1-7B); a table showing the identity of the bidders and to which bid package each responded (Attachment 1-7C); a table summarizing the bids, for each category, received by Northern (Attachment 1-7D); and the supply/asset management agreements that impact supply pricing or the release of capacity during the

2010-2011 winter cost of gas period (1-7F(a)-(h)). Unredacted copies of these documents have been marked "confidential" and are submitted herewith as required by N.H. Admin. Rule Puc 203.08 (b)(1). Northern has made this information available to the Commission Staff and the Office of Consumer Advocate with the understanding it will be maintained confidential until the Commission rules on the within Motion.

2. The above-referenced documents contain 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. 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 this confidential information would impair Northern's future bargaining positions with gas suppliers and others and could result in less advantageous or more expensive gas supply contracts. For example, gas suppliers possessing this information would be aware of Northern's expectations regarding gas supply costs and other contract terms, and would therefore gain an unfair advantage over Northern in future negotiations concerning gas supply, transportation, exchange, etc. Such disadvantage to Northern would likely increase costs which would ultimately harm Northern's firm/sales customers.

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 requests that the Commission issue an order protecting this information from public disclosure and prohibiting copying, duplication, dissemination or disclosure of it in any form. Northern requests that the protective order also extend to any discovery, testimony, argument or briefing relative to the confidential information.

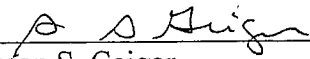
WHEREFORE, Northern respectfully requests that the Commission:

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

B. Grant such additional relief as it deems appropriate.

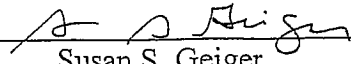
Respectfully submitted,
NORTHERN UTILITIES, INC.
By its attorneys,
Orr & Reno, P.A.

Dated: October 12, 2010


Susan S. Geiger
One Eagle Square
Concord, New Hampshire 03301
603-223-9154
sgeiger@orr-reno.com

Certificate of Service

I hereby certify that a copy of the foregoing Motion has on this 12th day of October, 2010 been sent by electronic mail to persons listed on the Service List.


Susan S. Geiger