

STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION

GRANITE STATE ELECTRIC COMPANY D/B/A NATIONAL GRID

DOCKET DE 11-016

MOTION FOR PROTECTIVE ORDER AND CONFIDENTIAL TREATMENT

NOW COMES Granite State Electric Company d/b/a National Grid (“National Grid” or “Company”) and hereby moves pursuant to Puc 203.08 for confidential treatment by the Commission with respect to the Transaction Confirmations between National Grid and the winning suppliers, DTE Energy Trading, Inc. (“DTE”) to provide Default Service to (i) the Large and Medium Commercial and Industrial Customer Group (the “Large Customer Group”) for the three-month period May 1, 2011 through July 31, 2011, and Constellation Energy Commodities Group, Inc. (“Constellation”) to (ii) the Residential and Small Commercial Customer Group (the “Small Customer Group”) for the six-month period May 1, 2010 through October 31, 2011. The Company also requests confidential treatment for the Default Service Procurement Summary (“RFP Summary”) set forth in Schedule MMJ-2 (to Ms. Janzen’s testimony), the Company’s calculations of the RPS Adder for 2011 set forth in Schedule MMJ-6, and the Company’s calculation of commodity costs at the retail meter set forth in Schedules SMM-1 and SMM-2. In support of this Motion, National Grid states as follows:

1. National Grid and DTE entered into an agreement whereby DTE committed to provide, among other things, service to the Large Customer Group for the three-month period May 1, 2011 through July 31, 2011. A copy of the DTE Master Power Agreement was filed with the Commission on December 14, 2009 in Docket DE 09-010.

2. National Grid and Constellation entered into an agreement whereby Constellation committed to provide, among other things, service to the Small Customer Group for the six-month period May 1, 2011 through October 31, 2011. A copy of the Constellation Master Power Agreement was filed with the Commission on March 20, 2006 in Docket DE 06-115. A copy of the Constellation First Amendment to the Master Power Agreement was filed with the Commission on September 15, 2009 in Docket DE 09-010.

3. National Grid's Transaction Confirmations with DTE and Constellation, the RFP Summary, the RPS Adder calculation, and the retail meter commodity costs calculation are being provided as separate schedules to the testimonies of Margaret M. Janzen and Scott M. McCabe in the above-captioned docket.

4. The Transaction Confirmations, the RFP Summary, the RPS Adder calculation, and the calculation of commodity costs at the retail meter contain competitive energy pricing and contract terms which are commercially sensitive, the disclosure of which could be harmful to the competitive position of DTE and Constellation and participants in the RFP, which could chill the willingness of these suppliers to participate in providing energy services in New Hampshire in the future. In negotiating power supply contracts in New Hampshire, competitive suppliers are sensitive to the protection of information they deem confidential or commercially sensitive. The parties have taken steps to avoid disclosure of this information and the disclosure of such information could adversely affect the business position of the parties in the future.

5. Puc 203.08 provides in pertinent part that "[t]he Commission shall upon motion issue a protective order providing for the confidential treatment of one or more documents upon a

finding that the document or documents are entitled to such treatment pursuant to RSA 91-A:5, or other applicable law based upon the information submitted pursuant to [Puc 203.08(b)].”

6. Documents exempted from public disclosure under RSA 91-A:5, IV include “records pertaining to . . . confidential, commercial, or financial information. . . .” In addition, RSA 91-A:5, IV exempts from public disclosure “other files whose disclosure would constitute an invasion of privacy.”

7. As the Commission has previously recognized in Order 24,000 (June 27, 2002) as well as Order 23,486 (May 22, 2000), Order 23,681 (April 19, 2001), and Order 23,834 (November 2, 2001), the information contained within wholesale power contracts for Default Service is “confidential, commercial, or financial information” and that disclosure of such information could adversely affect the business position of the parties in the future. The same rationale for protecting the Transaction Confirmations from public disclosure applies to the information contained within the RFP Summary, the RPS Adder calculation, and the calculation of commodity costs at the retail meter.

8. For the reasons stated above, the Transaction Confirmations, the RFP Summary, the RPS Adder calculation, and the calculation of commodity costs at the retail meter qualify for confidential treatment under state law and Commission rules and, as such, should be protected from disclosure.

WHEREFORE, National Grid respectfully requests that the Commission:

- A. Issue an order protecting the information described above;
- B. Hold the information described above in a secure location within the Commission's offices, and not disclose such information to the public or any of

the parties in this proceeding other than the Commission without National Grid's consent; and

C. Grant such other and further relief as may be just and equitable.

Respectfully submitted,

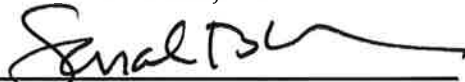
GRANITE STATE ELECTRIC COMPANY D/B/A
NATIONAL GRID

By Its Attorneys

MCLANE, GRAF, RAULERSON &
MIDDLETON, P.A.

Date: March 15, 2011

By:



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Certificate of Service

I hereby certify that a copy of this Motion for Protective Order and Confidential Treatment has been forwarded to all parties on the service list via electronic mail.

Dated: March 15, 2011



Sarah B. Knowlton