



**Public Service
of New Hampshire**

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The Northeast Utilities System

October 3, 2011

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

Re: Organizational Rules Chapter 100
Procedural Rules Chapter 200
Docket No. NH PUC Docket No DRM 11-023



Dear Secretary Howland:

Enclosed please find the original and six copies of Public Service Company of New Hampshire's ("PSNH") Written Comments in the above-captioned matter.

A copy of these written comments have been forwarded to the persons on the Commission's electronic service list.

Thank you for your cooperation in this matter.

Very truly yours,

Gerald M. Eaton
Senior Counsel

Enclosures

cc: Office of Consumer Advocate
Stephen V. Camerino
Susan S. Geiger
Patrick H. Taylor

THE STATE OF NEW HAMPSHIRE
before the
PUBLIC UTILITIES COMMISSION

Organizational Rules Chapter 100
Procedural Rules Chapter 200

Docket No. DRM 11-023

PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE'S WRITTEN COMMENTS

Pursuant to the Commission's Rulemaking Notice in this proceeding, Public Service Company of New Hampshire (PSNH) hereby supplies its written comments on the readoption and amendments to its Organizational Rules, Chapter 100 and Procedural Rules, Chapter 200.

1. Definition of "Routine Filing"

Puc 102.19 "Routine filings" means documents submitted, on a recurrent basis, by a utility to the commission. ~~outside of an adjudicative proceeding.~~

PSNH supports the change to the definition of routine filings because routine filings occur in adjudicatory proceedings. Certain adjudicatory proceedings arise each year, such as cost of gas adjustment, default energy service rate setting and reconciliation proceedings. These recurring proceedings involve standard issues and questions which, when they first arise, are appropriate for a motion for protective order under NH Code Admin. Rule Puc § 203.08. If such a motion were to be granted in two subsequent adjudicatory proceedings, similar materials covered by the protective orders submitted in later proceedings ought to be considered routine filings subject to the confidential treatment afforded by Puc § 201.06 and Puc § 201.07. See PSNH's comments below on list of routine filings

2. Prescriptive Rules Regarding Redaction and Identification of Confidential Information

Many utilities may be able to comply with the directions in the proposed rules for redacting and identifying confidential text; however, some utilities may not have the word processing software to comply. The rules should provide some flexibility as long as it is clear. For example, double underlining may be adequate to identify confidential information if the use of **light gray shading** has the effect of redacting the confidential information when printed copies are made. The Commission has the authority to reject a nonconforming submission under RSA 541-A:29, I. PSNH's suggested amendments to these rules follow:

Puc 201.04 Public Records.


(b) All information within documents submitted to the commission and asserted to be confidential, pursuant to RSA 91-A:5, IV, by the person making the submission shall be redacted in the following manner in the version for public release, and all redactions shall be made in a way that, within the redacted version of the document(s), preserves the line sequencing and pagination of the unredacted version of the document(s) to the greatest practicable extent:

(1) Bear the legend "REDACTED" at the upper-right-hand corner of every page; and

(2) Either:

a. Indicate all confidential segments with the legend "BEGIN CONFIDENTIAL," in all capital letters, at the beginning of the redacted segment, followed by a left bracket. Following the left bracket, the confidential segment shall be replaced by a blank space of approximately equal length to the material being redacted. The end of the redacted segment shall be indicated with a right bracket, followed by the legend "END CONFIDENTIAL," in all capital letters, as follows:

"BEGIN CONFIDENTIAL[*blank space*]END CONFIDENTIAL;" or

b. ~~If space or format does not allow the redaction to be indicated in the manner set forth in paragraph a. above, such as for individual numbers in a table or column or very short segments of text, then~~ The submitter may indicate redacted material by blacking it out or highlighting it with a solid black line in the following manner: : or

c. Identify all confidential segments in a manner that clearly indicates the scope of the matter redacted.

(c) For each redacted document submitted, the person submitting the document shall also provide an unredacted version of the document(s) to the commission that:

(1) Bears the legend "CONFIDENTIAL" at the upper-right-hand corner of every page; and

(2) Either:

a. Indicates all redactions made pursuant to (b)(2)a. above with the legend "BEGIN CONFIDENTIAL," in all capital letters, at the beginning of the confidential segment, followed by a left bracket. The end of the confidential segment shall be indicated with a right bracket,

followed by the legend “END CONFIDENTIAL,” in all capital letters, as follows: “**BEGIN CONFIDENTIAL**[*confidential segment*]**END CONFIDENTIAL;**” or

b. Indicates all redactions made pursuant to (b)(2)b. above by highlighting the confidential segment in light gray in the following manner: *confidential segment*; or

c. Identify all confidential segments in a manner that clearly indicates the scope of the matter that had been redacted in the public document.

3. List of Routine Filings

As stated above, certain routine data requests are made in adjudicatory proceedings that occur each year. For the past several years in energy service price setting proceedings and reconciliation proceedings, PSNH has been asked data requests which have now become almost standard. Three to four years in a row, PSNH has filed motions for protective orders covering renewable energy certificate compliance plans and prices paid for certificates purchased, maintenance schedules at PSNH’s generating stations, fuel supply contracts, and fuel prices. After the same material has been filed under a motion for protective order for at least two occasions and those orders have been granted, PSNH believes that the document should then be filed as a routine confidential filing under Puc §201.06 and a reference made to the previous orders providing confidential treatment.

Puc 201.06 Requests for Confidential Treatment of Documents Submitted by Utilities in Routine Filings.

(a) The following shall be the routine filings to which the procedure established by Puc 201.06 and Puc 201.07 applies:

- (1) Telephone company cost of service studies;
- (2) Telephone company retail special contract service agreements;
- (3) Telephone company broadband deployment plans;
- (4) Telephone company infrastructure deployment plans;
- (5) Telephone customer proprietary network information;
- (6) Incumbent Local Exchange Carrier (ILEC) capital expense reports;
- (7) ILEC network improvement plans;
- (8) ILEC overtime reports;
- (9) ILEC commercial agreements;
- (10) ILEC annual retail and wholesale provisioning reports by central office;
- (11) ILEC annual special contract summaries;
- (12) Preliminary and final Performance Assurance Plan Reports for telecommunications companies containing carrier-specific performance and bill credit calculations;
- (13) NHPUC Form ILEC-22;
- (14) NHPUC Form ILEC-23;
- (15) NHPUC Form CLEC-3, Statistics, Lines by Locality and CLEC Foreign Exchange (FX) Eligibility Sections 13 and 18;
- (16) NHPUC Form CTP-3, Statistics, Lines by Locality and CLEC Foreign Exchange (FX) Eligibility Sections 13 and 18;
- (17) NHPUC Form CLEC-4;
- (18) NHPUC Form CLEC-40, Report Statistics Section 3;

- (19) Neustar (North American Numbering Plan Administration-designated overseer) Months to Exhaust and Utilization Certification Work Sheets;
- (20) Neustar Part 1A;
- (21) Neustar Part 1B;Initial Proposal – Annotated Text 7-28-11 Page 4
- (22) New England Electric Pool “My Settled Certificates” Reports filed in conjunction with annual Renewable Portfolio Standards Reports;
- (23) Listings of prices that utilities pay for fractional Renewable Energy Certificates purchased from utilities’ customers or members and plans utilities have formulated for purchases of Renewable Energy Certificates;
- (24) Bids for the purchase of RGGI allowances pursuant to RSA 125-O:22;
- (25) Supplier commodity pricing, special terms of supply agreements, and other non- public financial information and statements submitted in connection with Cost of Gas proceedings, including responses to ~~staff~~ data requests;
- (26) NHPUC Form E-1, Monthly Report on Voltage Complaints;
- (27) NHPUC Form E-4, Monthly Report of Electric Meter Complaint Tests;
- (28) NHPUC Form E-5, Accident Reports; and
- (29) Default service solicitations; bidder information, bid evaluations, fuel supplier contracts and commodity pricing, generation plant maintenance schedules, and purchase power supply agreement materials and other non-public financial information and statements submitted in connection with Default Energy Service proceedings, including responses to staff data requests.

4. Critical Energy Infrastructure Information

At the public hearing on these proposed rules, PSNH commented on the need to protect from public disclosure critical energy infrastructure information(CEII). Upon investigation, PSNH has learned that the ISO New England Participating Transmission Owners (PTO) have developed a protocol for the handling and protection from disclosure of CEII. It appears that filings of CEII will be covered by this protocol, will be addressed through a motion for protective order or some other method of confidential disclosure, and the proposed rules need not address this issue.

Respectfully submitted,
Public Service Company of New Hampshire

Date: October 3, 2011

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CERTIFICATE OF SERVICE

I hereby certify that, on the date written below, a copy of the above Written Comments was served by electronic mail pursuant to Puc § 203.02 and Puc § 203.11, to the persons listed on the attached Cover Letter.

October 3, 2011
Date

Gerald M. Eaton
Gerald M. Eaton