

**STATE OF NEW HAMPSHIRE  
PUBLIC UTILITIES COMMISSION**

**Docket No. DG 16-852**

**LIBERTY UTILITIES (ENERYNORTH NATURAL GAS) CORP.  
d/b/a LIBERTY UTILITIES**

**Petition for Expansion of Franchise to Town of Hanover and City of Lebanon**

**Liberty's Response to Mr. Chaffee's Objection to  
Revised Motion for Confidential Treatment**

Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty Utilities (the "Company" or "Liberty"), through counsel, respectfully responds to Mr. Chaffee's *Objection to Revised Motion for Protective Order and Confidential Treatment* to make two brief points.

1. First, Mr. Chaffee argues the Company should disclose the "ADTH" and "current fuel" of several potential customers who are listed by name in the table at Bates 80R. Mr. Chaffee says "some of the redacted data is clearly already in the public domain," and "that much of the data in the Table has been previously disclosed by the potential customers." Objection at 2-3.
2. Liberty's response is that it protects information that customers or potential customers provide in confidence. That is, if a potential customer disclosed its annual usage to Liberty with an expectation of privacy, then Liberty will not voluntarily disclose that information. Liberty believes that even if the information becomes public through some other avenue, Liberty is not relieved of its obligation to maintain confidentiality. It is not possible for Liberty to monitor all the confidential information it possesses to see if others have made it public. Therefore, even if Mr. Chaffee has legitimately obtained the

confidential information through another source, Liberty is still bound by its promise not to make such a disclosure.

3. Also, to the extent Mr. Chaffee has possession of the information from other sources, there is no need to litigate whether Liberty should be compelled to breach that confidence.

4. Second, as to the letter of intent that appears at Bates 107R through 111R in its recent filing, Liberty un-redacted all but the potential customer's name and identifying information. In his objection, Mr. Chaffee notes that several years ago the Company filed the document in another matter without redactions, as an exhibit. Mr. Chaffee is correct. Therefore, the Company includes with this response a copy of the Kleen letter of intent, without redactions, labelled Bates 107RR through 111RR.

Respectfully submitted,  
Liberty Utilities (EnergyNorth Natural Gas) Corp.  
d/b/a Liberty Utilities

By its Attorney,



Date: April 24, 2018

By: \_\_\_\_\_

Michael J. Sheehan, Senior Counsel #6590  
116 North Main Street  
Concord, NH 03301  
Telephone (603) 724-2135  
[michael.sheehan@libertyutilities.com](mailto:michael.sheehan@libertyutilities.com)

Certificate of Service

I hereby certify that on April 24, 2018, a copy of this response has been electronically forwarded to the service list.



By: \_\_\_\_\_  
Michael J. Sheehan