

THE STATE OF NEW HAMPSHIRE



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PUBLIC UTILITIES COMMISSION

21 S. Fruit Street, Suite 10  
Concord, N.H. 03301-2429

January 11, 2018

Re: DE 17-075 Public Service Co. of N.H. d/b/a Eversource Energy  
Reconciliation of 2016 Energy Service and Stranded Costs  
Motion for Protective Order

To the Parties:

On November 8, 2017, Eversource filed a Motion for Protective Order in the above referenced matter requesting confidential treatment of an "opinion of counsel" in connection with the Company's settlement of a coal shippers transportation contract. According to the Motion, Eversource was asked in a technical session to provide an opinion of counsel or similar document relating to the contract and Eversource's potential costs or likelihood of success in litigating the underlying contract. Technical Session DR 1-1. In response, Eversource provided a redacted opinion obtained from outside counsel in 2010.

The Office of Consumer Advocate (OCA) filed an objection to the Motion on November 21, 2017. The OCA insisted that "knowledge of the redacted materials' substance is absolutely necessary for the Commission Staff and the OCA to judge whether Eversource's decision to settle the [coal shipper contract dispute] was actually a prudent decision," and that Eversource must produce an unredacted copy of the letter.

In order to determine whether the redacted information should be disclosed, the Commission has directed General Counsel F. Anne Ross to review the unredacted letter *in camera* and make an appropriate recommendation to the Commission concerning Eversource's Motion for Protective Order and the use of the unredacted letter in this docket.

Eversource is directed to supply the unredacted letter to the General Counsel as soon as possible. The General Counsel shall hold the unredacted letter as confidential and shall return it to the Company when the pending motion has been decided.

Sincerely,

A handwritten signature in black ink that reads "Debra A. Howland".

Debra A. Howland  
Executive Director

cc: Service List (electronically)  
Docket File

**SERVICE LIST - EMAIL ADDRESSES - DOCKET RELATED**

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**Pursuant to N.H. Admin Rule Puc 203.11 (a) (1): Serve an electronic copy on each person identified on the service list.**

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Docket #: 17-075-1      Printed: January 11, 2018

**FILING INSTRUCTIONS:**

- a) **Pursuant to N.H. Admin Rule Puc 203.02 (a), with the exception of Discovery, file 7 copies, as well as an electronic copy, of all documents including cover letter with:**
- DEBRA A HOWLAND  
EXECUTIVE DIRECTOR  
NHPUC  
21 S. FRUIT ST, SUITE 10  
CONCORD NH 03301-2429
- b) **Serve an electronic copy with each person identified on the Commission's service list and with the Office of Consumer Advocate.**
- c) **Serve a written copy on each person on the service list not able to receive electronic mail.**