

October 16, 2013

VIA HAND DELIVERY & ELECTRONIC MAIL

Luly E. Massaro, Commission Clerk
Rhode Island Public Utilities Commission
89 Jefferson Boulevard
Warwick, RI 02888

**RE: Docket 4436 - 2013 Gas Cost Recovery Filing
Responses to Division Data Requests – Set 1**

Dear Ms. Massaro:

Enclosed please find ten (10) copies of the National Grid's¹ response to the Rhode Island Division of Public Utilities and Carriers' (the "Division") Data Request 1-10 in the above-referenced proceeding.

Please be advised that pursuant to Commission Rule 1.2(g) and R.I.G.L. § 38-2-2(4)(B), the Company is seeking protective treatment for the attachment to this response. The Company is providing one (1) copy of the confidential version of Attachment DIV 1-10 in an envelope marked, "**Contains Confidential Information – Do Not Release.**" This filing also contains a Motion for Protective Treatment in accordance with Rule 1.2(g) of the Commission's Rules of Practice and Procedure and R.I.G.L. § 38-2-2(4)(B).

Accordingly, the Company has provided the Commission with the un-redacted confidential materials mentioned above for its review. The response and confidential attachment was provided to the Division and its consultant on October 4, 2013.

Thank you for your attention to this filing. If you have any questions, please contact me at (401) 784-7667.

Very truly yours,



Thomas R. Teehan

Enclosures

cc: Docket 4346 Service List
Leo Wold, Esq.
Steve Scialabba
Bruce Oliver

¹ The Narragansett Electric Company d/b/a National Grid ("National Grid" or the "Company").

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
RHODE ISLAND PUBLIC UTILITIES COMMISSION

_____)	
National Grid)	
2013 Gas Cost Recovery)	
_____)	
)	
)	Docket No. 4436

**MOTION OF THE NARRAGANSETT ELECTRIC COMPANY,
D/B/A NATIONAL GRID
FOR PROTECTIVE TREATMENT OF CONFIDENTIAL INFORMATION**

The Narragansett Electric Company, d/b/a National Grid (the “Company”) hereby requests that the Rhode Island Public Utilities Commission (“Commission”) grant protection from public disclosure of certain confidential and proprietary information submitted in this proceeding, as permitted by Commission Rule 1.2(g) and R.I.G.L. § 38-2-2(4)(B).

I. BACKGROUND

On October 16, 2013, the Company filed with the Commission its responses to Division 1-10. The Company is seeking protective treatment for Attachment DIV 1-10 because it contains forecasted trucking requirements for its LNG supplies for which the Company seeks confidential treatment. The Company has filed with the Commission confidential versions of these documents and also redacted copies of its filing deleting the confidential information in question.

II. LEGAL STANDARD

Rule 1.2(g) of the Commission's Rules of Practice and Procedure provides that access to public records shall be granted in accordance with the Access to Public Records Act ("APRA"), R.I.G.L. §38-2-1, *et seq.* Under APRA, all documents and materials submitted in connection with the transaction of official business by an agency is deemed to be a "public record," unless the information contained in such documents and materials falls within one of the exceptions specifically identified in R.I.G.L. §38-2-2(4). Therefore, to the extent that information provided to the Commission falls within one of the designated exceptions to the public records law, the Commission has the authority under the terms of APRA to deem such information to be confidential and to protect that information from public disclosure.

In that regard, R.I.G.L. §38-2-2(4)(B) provides that the following records shall not be deemed public:

Trade secrets and commercial or financial information obtained from a person, firm, or corporation which is of a privileged or confidential nature.

The Rhode Island Supreme Court has held that the determination as to whether this exemption applies requires the application of a two-pronged test set forth in Providence Journal Company v. Convention Center Authority, 774 A.2d 40 (R.I.2001). The first prong of the test assesses whether the information was provided voluntarily to the governmental agency. Providence Journal, 774 A.2d at 47. If the answer to the first question is affirmative, then the question becomes whether the information is "of a kind that would customarily not be released to the public by the person from whom it was obtained." Id.

III. BASIS FOR CONFIDENTIALITY

The Company is seeking confidential treatment of its forecasted trucking requirements. This information is confidential and proprietary information of the type that the Company would ordinarily not make public. The dissemination of this type of information would negatively impact the Company's ability to obtain the lowest bids possible in the future.

IV. CONCLUSION

In light of the foregoing, the Company respectfully requests that the Commission grant its Motion for Protective Treatment as stated herein.

Respectfully submitted,

**THE NARRAGANSETT ELECTRIC
COMPANY**

By its attorney,



Thomas R. Teehan (RI #4698)
280 Melrose Street
Providence, RI 02907
(401) 784-7667

Dated: October 16, 2013

Redacted
Division 1-10

Request:

Re: witness Arangio's Direct Testimony at page 16, lines 8 through 11, please provide the supporting data and calculations used to determine the allocation of LNG volumes between MA and RI.

Response:

As is done each year, prior to the commencement of the off peak LNG refill season, the Company calculates the amount of LNG required, including boil-off, to fill all of the Company's LNG facilities to 100% as of December 1. Based on the total estimated refill requirements as well as certain operating requirements, the 4 BCF from GDF Suez was allocated between the MA and RI Companies, providing for approximately 89% of the volumes to MA and 11% of the volumes to RI. Please see Attachment DIV 1-10-1 for the calculation used to determine the allocation of LNG volumes between MA and RI. Pursuant to Commission Rule 1.2(g), the Company is seeking confidential treatment of Attachment DIV 1-10.

**National Grid
Forecasted Trucking Requirements Off Peak 2013
Apr-2013 to Oct-2013**

<u>Facility</u>	<u># of Trucks</u>	<u>Estimated Boiloff</u>	<u>Total Trucks</u>	<u>Total MMBtu</u>	<u>4 Bcf Allocation</u>
Commercial Point					
Lynn					
Salem					
Haverhill					
So. Yarmouth					
Wareham					
Tewksbury					
Westford					
Subtotal MA Facilities	-	-	-	-	-
NGRID Providence (Boston)					
Exeter					
Cumberland (Scott Road)					
NGRID Providence (Narragansett)					
Subtotal RI Facilities	-	-	-	-	-
National Grid Total	-	-	-	-	-
By LDC:					
Rhode Island:	-	-	-	-	-
Massachusetts:	-	-	-	-	-
Total:	-	-	-	-	-