

January 7, 2016

BY HAND DELIVERY AND ELECTRONIC MAIL

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

RE: Docket 4589-A-Proposed 2016 Renewable Energy Growth Program Tariff and Rule Changes and Proposed SolarWise Program Responses to Division Data Requests – Set 1

Dear Ms. Massaro:

I have enclosed ten copies of National Grid's¹ responses to the first set of data requests issued by the Division of Public Utilities and Carriers in the above-referenced docket.

This filing is also accompanied by a Motion for Protective Treatment in accordance with Rule 1.2(g) of the PUC's Rules of Practice and Procedure and R.I. Gen. Laws § 38-2-2(4)(i)(B). Therefore, pursuant to the PUC's Rules, I have enclosed one (1) copy of the unredacted confidential response to data request Division 1-2 and Attachment DIV 1-2.

Thank you for your attention to this filing. If you have any questions, please contact me at 781-907-2121.

Very truly yours,



Raquel J. Webster

Enclosure

cc: Docket 4589-A Service List
Leo Wold, Esq.
Jon Hagopian, Esq.
Steve Scialabba, Division

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

Certificate of Service

I hereby certify that a copy of the cover letter and any materials accompanying this certificate was electronically transmitted to the individuals listed below.

The paper copies of this filing are being hand delivered to the Rhode Island Public Utilities Commission and to the Rhode Island Division of Public Utilities and Carriers.

Joanne M. Scanlon

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Date

Docket No. 4589-A National Grid 2016 Renewable Energy Growth Program Tariff and Rule Changes and Proposed SolarWise Program; and

Docket No. 4589-B RI Distributed Generation Board (DG Board) Report and Recommendation Regarding 2016 Renewable Energy Growth Classes, Ceiling Prices and Targets

Service List updated 11/20/15

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**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
RHODE ISLAND PUBLIC UTILITIES AND CARRIERS**

**IN RE: NARRAGANSETT ELECTRIC COMPANY'S
RENEWABLE ENERGY GROWTH PROGRAM
TARIFF AND RULE CHANGES
AND PROPOSED SOLARWISE PROGRAM**

DOCKET NO. 4589-A

**NATIONAL GRID'S MOTION FOR PROTECTIVE TREATMENT
OF CONFIDENTIAL INFORMATION**

National Grid¹ respectfully requests that the Rhode Island Public Utilities Commission (PUC) provide confidential treatment and grant protection from public disclosure certain confidential information submitted in this proceeding, as permitted by R.I. Gen. Laws § 38-2-2(4)(B) and Rule 1.2(g) of the PUC's Rules of Practice and Procedure. National Grid also respectfully requests that, pending entry of that finding, the PUC preliminarily grant National Grid's request for confidential treatment pursuant to Rule 1.2(g)(2).

I. BACKGROUND

On January 7, 2016, National Grid filed with the PUC its responses to the first set of data requests issued by the Rhode Island Division of Public Utilities and Carriers (Division) in this docket. In Division Data Request 1-2, the Division requests that National Grid "describe the revenue sharing mechanism . . . between National Grid and [EnergySage] and disclose the percentage of vendor fees that will accrue to [EnergySage], and the percentage of vendor fees that will accrue to ratepayers that will

be available to offset RE Growth Program costs.” (Division Data Request 1-2). These financial details are the subject of a confidential agreement between National Grid and EnergySage, and public disclosure of these details could harm both parties’ ability to negotiate such contracts in the future. Therefore, National Grid respectfully requests that the PUC afford confidential treatment to the enclosed attachment to Division Data Request 1-2 and certain portions of the Company’s written response to Division Data Request 1-2.

II. LEGAL STANDARD

The PUC’s Rule 1.2(g) provides that access to public records shall be granted in accordance with the Access to Public Records Act (APRA), R.I. Gen. Laws. § 38-2-1 *et seq.* Under the 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. Gen. Laws § 38-2-2(4). Therefore, to the extent that information provided to the PUC falls within one of the designated exceptions to the public records law, the PUC has the authority under the APRA to protect such information from public disclosure.

Section 38-2-2(4)(B) of Rhode Island General Laws provides that the following types of 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.

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

The Rhode Island Supreme Court has held that this confidential information exemption applies where disclosure of information would likely either (1) impair the Government's ability to obtain necessary information in the future; or (2) cause substantial harm to the competitive position of the person from whom the information was obtained. Providence Journal Company v. Convention Center Authority, 774 A.2d 40 (R.I. 2001). The first prong of the test is satisfied when information is provided voluntarily to the governmental agency and that information is of a kind that would not customarily be released to the public by the person from whom it was obtained. Providence Journal, 774 A.2d at 47. National Grid meets the second prong of this test, which applies here.

III. BASIS FOR CONFIDENTIALITY

The Company seeks confidential treatment of the financial information the Division has requested in Division Data Request 1-2 regarding the Company's revenue sharing arrangement with EnergySage, the vendor National Grid has contracted with to provide services for the proposed SolarWise program. The financial details regarding the Company's revenue sharing arrangement with EnergySage and vendor fees under this arrangement are highly sensitive and commercial information that would cause commercial harm to EnergySage and National Grid if disclosed publicly. Disclosing this information could harm both parties' ability to negotiate such contracts in the future, which could harm National Grid's customers since future potential bidders could use this information in such a way that would impede the Company's ability to obtain the best possible price for its customers. Moreover, this information is the type of confidential and privileged information that the Company would not ordinarily disclose to the public.

IV. CONCLUSION

Accordingly, National Grid respectfully requests that the PUC grant protective treatment to the enclosed attachment to Division Data Request 1-2 and certain portions of the Company's written response to Division Data Request 1-2.

Respectfully submitted,

NATIONAL GRID

By its attorneys,



Raquel J. Webster, RI Bar # 9064
National Grid
40 Sylvan Road
Waltham, MA 02451
(781) 907-2121

Dated: January 7, 2016

The Narragansett Electric Company
d/b/a National Grid
RIPUC Docket No. 4589-A
In Re: Renewable Energy Growth Program and SolarWise Proposal
Responses to Division's First Set of Data Requests
Issued on December 17, 2015

Division 1-1

Request:

Regarding IS-2, Line 4, please confirm that the \$147,000 of "Revenues" refers to National Grid's share of vendor fees that are subject to a "revenue sharing mechanism" as discussed on pages 14-15 of the testimony of Ian Springsteel and Laura Rodormer.

Response:

Yes. The \$147,000 of revenues is National Grid's share of the fees, which will be credited to customers. This number is based on 3,500 kW of small and medium solar facilities being built through the SolarWise Marketplace. Please note that the actual amount of revenues will vary based on total fees generated and the overall level of closed transactions through the Marketplace.

The Narragansett Electric Company
d/b/a National Grid
RIPUC Docket No. 4589-A
In Re: Renewable Energy Growth Program and SolarWise Proposal
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Issued on December 17, 2015

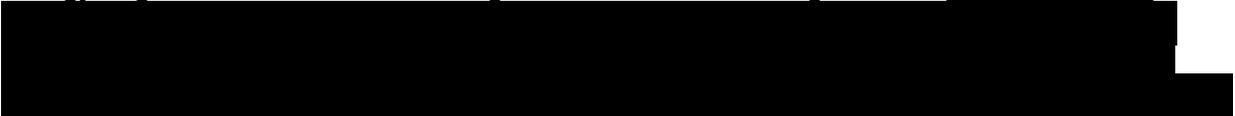
Redacted
Division 1-2

Request:

Please describe the revenue sharing mechanism, identified on page 14 of the testimony, between National Grid and Sage Energy and disclose the percentage of vendor fees that will accrue to Sage Energy, and the percentage of vendor fees that will accrue to ratepayers that will be available to offset RE Growth Program costs.

Response:

Energy Sage Inc. offers to provide leads to solar array installers in exchange for a fee when a customer agrees in a contract to an installation in response to a quote provided through the Energy Sage system. The same fee structure that is in place nationally will apply to the fees charged for sales through the SolarWise program, which are detailed in Confidential Attachment Division 1-2.

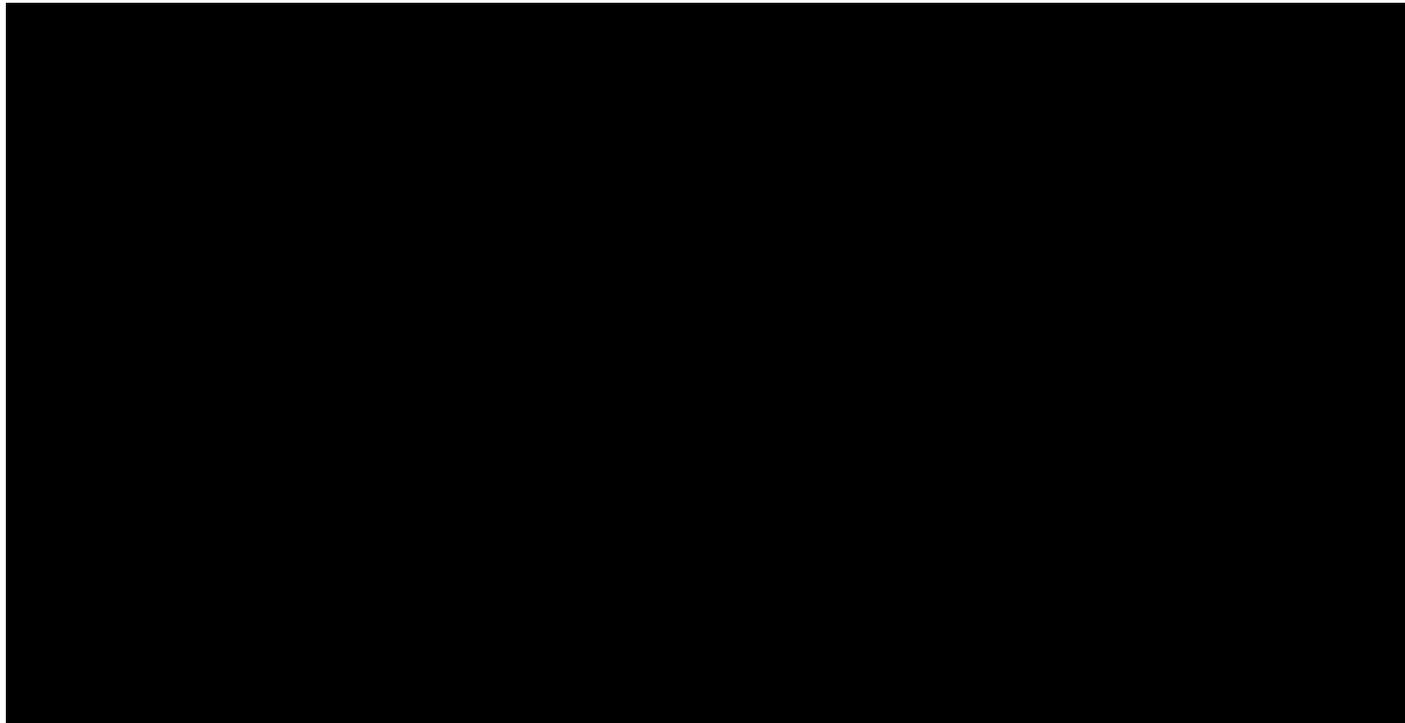
Energy Sage and National Grid then agreed to a revenue sharing structure 


Please see Confidential Attachment Division 1-2, which is the revenue sharing agreement between National Grid and Energy Sage. This agreement is part of the contract between National Grid and Energy Sage. Pursuant to PUC Rule 1.2(g), the Company requests confidential treatment of this attachment.



Revenue-Sharing with National Grid

Overview of EnergySage fee structure with installers





Revenue-Sharing with National Grid

Overview of proposed revenue-share structure & terms

