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August 19, 2016

BY HAND DELIVERY

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

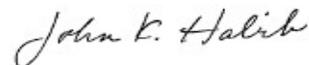
Re: Docket 4627 – In Re: Request for Approval of Firm Transportation Contracts
with Algonquin Gas Transmission, LLC for the Access Northeast Project
Responses to NEER Data Requests – Set 2

Dear Ms. Massaro:

On behalf of National Grid,¹ enclosed are National Grid's responses to the Second Set of Data Requests issued by NextEra Energy Resources, LLC in the above-referenced matter. Please note that the response to Data Request NEER 2-1 contains Highly Sensitive Confidential Information. A Motion for Protective Treatment is enclosed and the confidential version of this response will only be provided to the Public Utilities Commission and those parties that have executed the appropriate non-disclosure agreement.

Thank you for your attention to matter. If you have any questions, please contact me at (617) 951-1400, or Jennifer Brooks Hutchinson at 401-784-7685.

Very truly yours,



John K. Habib

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

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RHODE ISLAND PUBLIC UTILITIES COMMISSION

**Review of Precedent Agreement with
Algonquin Gas Transmission LLC for
Capacity on the Access Northeast Project
Pursuant to R.I.G.L. § 39-31 *et seq.***

Docket No. 4627

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

National Grid¹ hereby requests that the Rhode Island Public Utilities Commission (PUC) provide confidential treatment and grant protection from public disclosure of certain confidential, competitively sensitive, and proprietary information submitted in this proceeding, as permitted by PUC Rule 1.2(g) and R.I.G.L. § 38-2-2(4)(B). National Grid also hereby 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 June 30, 2016, National Grid filed with the PUC its request for approval of a precedent agreement with Algonquin Gas Transmission LLC (Algonquin) for capacity on the Access Northeast Energy Project (ANE Project). In support of its request for approval, National Grid submitted initial testimony and supporting exhibits including a copy of the precedent agreement and the Company's analysis of the precedent agreement and ANE Project, including proprietary modeling information and analysis provided by

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

the Company's third-party consultants. For example, the testimony of Gary Wilmes of Black & Veatch Management Consulting LLC (Black & Veatch), provided detailed cost-benefit analysis related to the ANE Project that was created using Black & Veatch's proprietary modeling.

On August 19, 2016 National Grid filed its responses to NextEra Energy Resources, LLC's (NEER) Second Set of Data Requests that reference these highly sensitive confidential terms and confidential business information. Specifically, the Company is seeking protective treatment of its response to Data Request NEER 2-1 (containing Highly Sensitive Confidential Information).

As noted above, the Company's affiliates Massachusetts Electric Company and Nantucket Electric Company each d/b/a National Grid have filed a similar request for approval of precedent agreements with Algonquin for capacity on the ANE Project with the Department. The Department has approved a two tier confidential document designation to provide an added layer of protective treatment in this related proceeding. This additional layer of protective treatment is necessary because certain intervenors granted full-party status in the Massachusetts proceeding are classified as bidders with respect to the request for proposals (RFP) that resulted in the precedent agreement that is the subject of this proceeding. The RFP was jointly and simultaneously issued by the Company, the Company's Massachusetts affiliates and Eversource Energy and, therefore the Company expected that some of the parties who have intervened in the Massachusetts proceeding would also intervene in this proceeding. Therefore, in order to ensure that confidential information is treated consistently across jurisdictions, the Company proposed to implement the same two-tier system for this proceeding. The Company

asserted that if some of these same parties intervene in this proceeding and the two-tier system is not utilized, the two-tier system being used in Massachusetts will be undermined and the Company (and its affiliates) will be placed at a competitive disadvantage. This result would be particularly problematic because it is expected that other pipeline projects will be proposed in the near future to address capacity restraint in the New England region.

In this proceeding, the Company proposed to adopt the same approach to ensure consistency across New England jurisdictions, and to prevent intervenors from gaining access to confidential information that has been restricted in Massachusetts. The Company's response to Data Request NEER 2-1 has been classified as Highly Sensitive Confidential Information, consistent with the Company's initial filing and as filed in Massachusetts. Although the PUC has declined to adopt the two-tier method of protective treatment proposed, the PUC has determined that National Grid can still mark documents as either HSCI or Confidential and enter into non-disclosure agreements appropriate for each classification. This is appropriate because certain intervenors in this proceeding are also intervenors in the Massachusetts proceeding and many of the documents requested in the discovery of this proceeding are copies of Massachusetts filings.

The Company has provided redacted and unredacted versions of its response to Data Request NEER 2-1; this response contains confidential and proprietary economic analysis information. Therefore, National Grid requests that the PUC give the information contained in the unredacted version of its response to Data Request NEER 2-1 confidential treatment.

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.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 PUC falls within one of the designated exceptions to the public records law, the PUC 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 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.

The Rhode Island Supreme Court has held that this confidential information exemption applies where disclosure of information would be likely either (1) to impair the Government's ability to obtain necessary information in the future; or (2) to 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 voluntarily provided to the governmental agency and that information is of a kind that would customarily not be released to the public by the person from whom it was obtained. Providence Journal, 774 A.2d at 47.

III. BASIS FOR CONFIDENTIALITY

The information contained in the un-redacted version of the response to Data Request NEER 2-1, specifically in Attachment NEER 2-1, includes information and outputs that flow from proprietary modeling systems that are the property of the Company's consultant, Black & Veatch. These models, including the assumptions, and the outputs resulting from the models were developed by Black & Veatch for its use in providing analytical and other services to its business clients, including the Company. The models are not available in the public domain, nor may the public access the models, inputs or outputs absent a binding contract for services with Black & Veatch. If publicly disclosed, these documents would provide competitively sensitive information to other parties and could seriously harm the competitive business position of Black & Veatch. Such a result would be contrary to the public interest.

IV. CONCLUSION

Accordingly, the Company requests that the PUC grant protective treatment to the Company's response to Data Request NEER 2-1 (providing Highly Sensitive Confidential Information).

WHEREFORE, the Company respectfully requests that the PUC grant its Motion for Protective Treatment as stated herein.

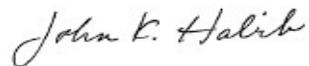
Respectfully submitted,

NATIONAL GRID

By its attorneys,

A handwritten signature in blue ink, appearing to read "Jennifer Brooks Hutchinson", with a long horizontal line extending to the right.

Jennifer Brooks Hutchinson (RI Bar #6176)
National Grid
280 Melrose Street
Providence, RI 02907
(401) 784-7288

A handwritten signature in black ink, appearing to read "John K. Habib", with a long horizontal line extending to the right.

John K. Habib, Esq. (RI Bar #7431)
Keegan Werlin LLP
265 Franklin Street
Boston, Massachusetts 02110
(617) 951-1400

Dated: August 19, 2016

NEER 2-1

Request:

Reference Information Request MA DPU 16-05 NEER-1-1(e) which asks the following question: For ISO-New England, the New York Independent System Operator and the PJM Interconnection, complete modeling time horizon listing of all individual generation resources included in the analysis. For each resource please provide the generation unit modeled capacity, geographic location, fuel type(s), production profile used (if a renewable resource), and forced outage rate (where applicable). In addition, for any interruptible demand modeled as a generation resource, the modeled capacity and an explanation of how the resource is dispatched in the modeling analysis. In Attachment NEER-1-1(d) (HIGHLY SENSITIVE CONFIDENTIAL), Black & Veatch provided by unit for ISO-New England, the geographic location/fuel type, nameplate capacity, and forced outage rates utilized in the analysis for the relevant market, but the data provided do not cover the complete modeling time horizon. This can be understood by looking at the renewable resource capacity listing, which includes only a very small amount of wind and solar generation capacity that appears to be at most existing and what may be currently planned.

The question requests a complete modeling time horizon listing of all individual generation resources included in the analysis. Please provide a listing of all generation resources, as requested in the original question, in the modeling analysis for New England, for each year of the modeling time horizon.

Response:

Please see Attachment AG 4-1(a) (Highly Sensitive Confidential Information) filed by the Company's Massachusetts affiliates in D.P.U. 16-05 and provided in this proceeding in response to Data Request PUC 1-1 for generic combined cycle additions. See also Attachment NEER 2-1 (Highly Sensitive Confidential Information) for generic wind and solar additions used for each year of the modeling time horizon.

