

STATE OF RHODE ISLAND
PUBLIC UTILITIES COMMISSION

Pascoag Utility District's
Reconciliation of
Power Supply Service,
Transmission Charge,
and PPRF Credit

Docket No. 5194

**MOTION OF PASCOAG UTILITY
DISTRICT FOR PROTECTIVE TREATMENT
OF CONFIDENTIAL INFORMATION**

NOW COMES the Pascoag Utility District (PUD) and hereby requests that the Public Utilities Commission (PUC) grant protection and not publicly disclose certain proprietary, sensitive, competitive and confidential information submitted in this docket pursuant to Rule 1.3 (H) of the PUC's Rules of Practice and Procedure and that the PUC grant temporary relief pursuant to Rule 1.3 (H)(2) until the finding has been made official.

In support hereof, PUC states that it submitted its initial filing in this docket on November 4, 2021. Included in the filing, specifically in the pre-filed testimony of Michael Kirkwood, General Manager, are confidential market and pricing information and contract terms in the Power Forward agreement between PUD and Shell Energy (Exhibit 1-MK). PUD has provided a redacted version for public inspection and an unredacted, confidential version for Commission inspection only. PUD respectfully requests that the PUC treat the above-described information confidentially.

ARGUMENT

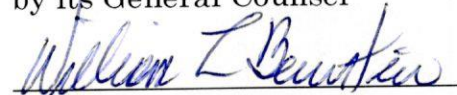
With respect to the disclosure of information supplied to the PUC, Rule 1.3 (H) of the PUC Rules of Procedure provides that disclosure or access to public records shall be governed by R.I.G.L. Sec. 38-2-1 et seq. (the Access to Public Records Act). Under APRA all documents submitted in connection with agency proceedings such as this one are deemed to be public records; however, there are some well recognized exceptions to this regulation. One of them is found under R.I.G.L. Sec. 38-2-2 (4) (B) which provides that "...trade secrets and or commercial or financial information obtained from a person, firm or corporation which is of a confidential nature" are not public records within the meaning of the APRA. Confidentiality is found whenever the information would be likely to cause

substantial harm to the competitive position of the entity from whom the information was obtained.

Clearly the pricing information and the contract terms discussed above are items that if disclosed would impair Shell Energy's ability to set pricing information on a competitive basis going forward, as markets may change in the future. PUD has provided this information to assist PUC in ruling on this docket, but would not ordinarily disclose this information otherwise because of its proprietary nature.

In light of the above, Pascoag respectfully requests that its motion for protective treatment of confidential information be granted.

Respectfully Submitted,
Pascoag Utility District
by its General Counsel



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