

January 9, 2024

VIA ELECTRONIC MAIL AND HAND DELIVERY

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

RE: Docket No. 23-48-EL – The Narragansett Electric Company d/b/a Rhode Island Energy’s Proposed FY 2025 Electric Infrastructure, Safety, and Reliability Plan
Amendment to Motion for Protective Treatment of Confidential Information

Dear Ms. Massaro:

On behalf of The Narragansett Electric Company d/b/a Rhode Island Energy (the “Company”), enclosed is an amended Motion for Protective Treatment for filing in the above referenced docket. The amended Motion for Protective Treatment reflects a withdrawal of the Company’s request for protective treatment of Attachment DIV 2-27-3 related to Pennsylvania mobile substations. Also enclosed is the now public version of Attachment DIV 2-27-3.

When the Company filed its proposed Electric Infrastructure, Safety, and Reliability Plan for fiscal year 2025, the Company included four (4) Motions for Protective Treatment dated December 21, 2023. One of the Motions requested protective treatment for Attachment DIV 2-27-3 and Attachment DIV 2-30-1. Through the enclosed amended Motion, the Company is withdrawing its request for protective treatment of Attachment DIV 2-27-3 but continues to request protective treatment for Attachment DIV 2-30-1. Below is a summary of the requests for protective treatment to date.

Motion 1 - Personally Identifiable Information (National Grid employee names)
Attachment DIV 1-23
Motion 2 -CEII (Still reviewing for CEII, anticipated to be completed by 1/31/2024)
Attachments DIV 1-24-2 through 1-24-16
Motion 3 - Pricing
Attachments DIV 2-5-4 through 2-5-6; 2-14-1 through 2-14-6; and 2-31-1 through 2-31-3
Motion 4 as Amended - System Information (not CEII)
Attachment DIV 2-30-1

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Thank you for your attention to this transmittal. If you have any questions or concerns, please do not hesitate to contact me at 401-784-4263.

Sincerely,

A handwritten signature in blue ink, appearing to read "Andrew S. Marcaccio". The signature is fluid and cursive, with a large initial "A" and "M".

Andrew S. Marcaccio

Enclosures

cc: Docket No. 23-48-EL Service List

STATE OF RHODE ISLAND
PUBLIC UTILITIES COMMISSION

THE NARRAGANSETT ELECTRIC COMPANY)	
d/b/a RHODE ISLAND ENERGY'S FY 2025 ELECTRIC)	DOCKET NO. 23-48-EL
INFRASTRUCTURE, SAFETY AND)	
RELIABILITY PLAN)	

MOTION OF THE NARRAGANSETT ELECTRIC COMPANY D/B/A
RHODE ISLAND ENERGY FOR PROTECTIVE TREATMENT OF
CONFIDENTIAL INFORMATION
AS AMENDED

The Narragansett Electric Company d/b/a Rhode Island Energy (the “Company”) hereby respectfully requests that the Public Utilities Commission (“PUC”) grant protection from public disclosure certain confidential information submitted by the Company in the above referenced docket. The reasons for the protective treatment are set forth herein. The Company also requests that, pending entry of that finding, the PUC preliminarily grant the Company’s request for confidential treatment pursuant to 810-RICR-00-00-1.3(H)(2).

The record that is the subject of this Motion that requires protective treatment from public disclosure is the Company’s confidential Attachment DIV 2-30-1 (the “Confidential Attachment”) which was submitted to the Division of Public Utilities and Carriers (“Division”) in response to the Second Set of Data Requests issued by the Division during the pre-filing stage and then filed by the Company in the above referenced docket on December 21, 2023. The Company requests protective treatment of the Confidential Attachment in accordance with 810-RICR-00-00-1.3(H) and R.I. Gen. Laws § 38-2-2-(4)(B).

I. LEGAL STANDARD

For matters before the PUC, a claim for protective treatment of information is governed by the policy underlying the Access to Public Records Act (“APRA”), R.I. Gen. Laws § 38-2-1 et

seq. See 810-RICR-00-00-1.3(H)(1). Under APRA, any record received or maintained by a state or local governmental agency in connection with the transaction of official business is considered public unless such record falls into one of the exemptions specifically identified by APRA. See R.I. Gen. Laws §§ 38-2-3(a) and 38-2-2(4). Therefore, if a record provided to the PUC falls within one of the designated APRA exemptions, the PUC is authorized to deem such record confidential and withhold it from public disclosure.

II. BASIS FOR CONFIDENTIALITY

The Confidential Attachment, which is the subject of this Motion, is exempt from public disclosure pursuant to R.I. Gen. Laws § 38-2-2(4)(B) as “[t]rade secrets and commercial or financial information obtained from a person, firm, or corporation that is of a privileged or confidential nature.” The Rhode Island Supreme Court has held that this confidential information exemption applies where the disclosure of information is 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 v. Convention Center Authority*, 774 A.2d 40 (R.I. 2001). The first prong of the test is satisfied when information is 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.

The Confidential Attachment consists of system information in Rhode Island. The Company would customarily not release Attachment DIV 2-30-1 to the public. The Company’s submission of the Confidential Attachment stems from data requests issued by the Division in the above-referenced docket. Accordingly, the Company is providing the Confidential Attachment to fulfil its regulatory responsibilities.

Public disclosure of the information identified in the Confidential Attachment may negatively impact the Company's ability to effectively operate to provide safe and reliable service to its customers in Rhode Island. As such, the Company would not release this information to the public. Therefore, this information satisfies the exception found in R.I. Gen. Laws § 38-2-2(4)(B).

III. CONCLUSION

For the foregoing reasons, the Company respectfully requests that the PUC grant this motion for protective treatment of the Confidential Attachment.

Respectfully submitted,

**The Narragansett Electric Company
d/b/a Rhode Island Energy**

By its attorney,

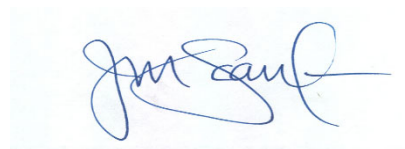


Andrew S. Marcaccio (#8168)
Rhode Island Energy
280 Melrose Street
Providence, RI 02907
(401) 784-4263

Dated: January 9, 2024
(Amends previous Motion dated December 21, 2023)

CERTIFICATE OF SERVICE

I hereby certify that on January 9, 2024, I delivered a true copy of the foregoing Motion via electronic mail to the parties on the Service List for Docket No. 23-48-EL.

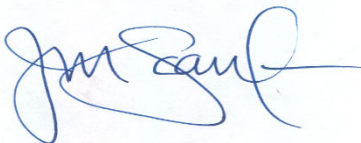


Joanne M. Scanlon

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

January 9, 2024
Date

**Docket No. 23-48-EL – RI Energy’s Electric ISR Plan FY 2025
Service List as of 1/9/2024**

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