

STATE OF RHODE ISLAND
PUBLIC UTILITIES COMMISSION

In re: The Narragansett Electric Company)
d/b/a Rhode Island Energy – Application for) Docket No. 25-45-GE
Approval of a Change in Electric and Gas Base)
Distribution Rates)

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

The Narragansett Electric Company d/b/a Rhode Island Energy (“Rhode Island Energy” or the “Company”) respectfully requests that the Rhode Island Public Utilities Commission (“PUC”) provide confidential treatment and grant protection from public disclosure to certain confidential, competitively sensitive, and proprietary information submitted in response to the PUC’s requests made on the record during the evidentiary hearings held in the above docket from June 1, 2026, through July 16, 2026 (the “Record Requests”), as permitted by Rule 1.3(H)(3) of the PUC Rules of Practice and Procedure, 810-RICR-00-00-1-1.3(H)(3) (“Rule 1.3(H)”), and R.I. Gen. Laws § 38-2.

Specifically, the Company requests confidential treatment for their responses to Record Requests 20 (made June 3, 2026), 58 (made June 11, 2026), 63 (made June 12, 2026), and 95 (made July 9, 2026). The Company also requests that, pending entry of a ruling on this motion, the PUC preliminarily grant the Company's request for confidential treatment pursuant to Rule 1.3(H)(2).

I. Background

The PUC continued evidentiary hearings on the Company's application in this docket on June 3, June 11, June 12, and July 9, 2026. On the record during those hearing dates, the PUC requested that the Company produce certain additional materials and information in response to the Record Requests. The Company has produced responses to the Record Requests contemporaneously with this Motion.

This Motion seeks confidential treatment for the following materials: (1) portions of Attachments RR-20-1 and RR-20-2; (2) portions of the response to RR-58 and the entirety of Attachment RR-58, (3) portions of Attachment RR-63, and (4) the entirety of Attachment RR-95 (collectively the "Confidential Information"). The Confidential Information contains confidential and proprietary business information of the Company and three third-party companies (specifically JD Power, Tata Consultancy, and GridX, Inc.) and therefore requires protection from public disclosure under Rhode Island law.

II. Legal Standard

Rule 1.3(H) 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.* APRA establishes the balance between "public access to public records" and protection "from disclosure [of] information about particular individuals maintained in the files of public bodies when disclosure would constitute an unwarranted invasion of personal privacy." Gen. Laws § 38-2-1. Per APRA, "all records maintained or kept on file by any public body" are "public records" to which the public has a right of inspection unless a statutory exception applies. *Id.* § 38-2-3. The definition of "public record" under APRA specifically excludes "trade secrets and commercial or financial information obtained from a person, firm, or corporation that is of a privileged or confidential

nature.” *Id.* § 38-2-2(4)(B). Additionally, “[p]ersonnel . . . records . . . the disclosure of which would constitute a clearly unwarranted invasion of personal privacy” also are exempted from the definition. R.I. Gen. Laws § 38-2-2(4)(A)(i)(b). Under the statute, such records “shall not be deemed public.” *Id.*

The Rhode Island Supreme Court has held that when documents fall within a specific APRA exemption, they “are not considered to be public records,” and “the act does not apply to them.” *Providence Journal Co. v. Kane*, 577 A.2d 661, 663 (R.I. 1990). Further, the court has held that “financial or commercial information” under APRA includes information “whose disclosure would be likely to 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 Co. v. Convention Ctr. Auth.*, 774 A.2d 40, 47 (R.I. 2001) (internal quotation marks omitted). 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. *Id.* at 47.

III. Basis for Confidentiality

By this Motion, the Company seeks confidential treatment for portions of Attachment RR-20-1, Attachment RR-20-2, and Attachment RR-63, portions of the response to RR-58, and the entirety of Attachment RR-58 and Attachment RR-95.

First, in Attachments RR-20-1, RR-20-2, and RR-63, the Company seeks to redact small portions of its contracts with third parties to protect the confidential pricing information of those third parties. Specifically, RR-20-1 and RR-20-2 consist of the Statements of Work for Tata Consultancy Services (“Tata”) for the transition and post-transition periods. Attachment RR-63

consists of a contract between GridX, Inc. (“GridX”) and PPL Services Corporation for services related to time-varying rates. The Company does not seek to seal these documents in their entireties but only to make very limited and necessary redactions. The Company’s redactions are based on its contractual obligations to Tata and GridX to keep certain pricing information confidential from public disclosure. With respect to GridX in RR-63, the Company only seeks to redact breakdown pricing, and not overall contract pricing. The specific breakdown and timing of its pricing is confidential business information of GridX. It is not publicly available and is commercially sensitive. The total amount the Company proposes to spend on the GridX contract will still be available for public review under the Company’s proposed redactions.

With respect to the Tata contracts in Attachments RR-20-1 and RR-20-2, the Company seeks to redact all pricing indicated in the agreement as well as identifying information of Tata personnel in the agreement, which Tata has specifically required the Company to redact to comply with the confidentiality provision in its contract. Moreover, the redacted employee information identifies their contact information as well as their function under the contract, which is non-public information that would constitute an unwarranted invasion of privacy. Under Rhode Island law, disclosing non-public contact information and job functions for employees constitutes personnel information that would create an unwarranted invasion of personal privacy and is therefore exempted from disclosure requirements. *See* R.I. Gen. Laws § 38-2-2(4)(A)(i)(b). Accordingly, the Company requests that this information be protected from disclosure.

Second, RR-58 requested the JD Power gas residential survey from the Company. The Company seeks protective treatment for a small portion of redacted information in its response to RR 58, as well as the entirety of the attachment to the response. These items disclose JD Power’s

survey methodology and specific rankings, which are proprietary to JD Power, commercially sensitive, and not publicly available. Under the Company's contractual obligations with JD Power, the Company is required to keep this information confidential.

Finally, the Company also requests protective treatment for Attachment RR-95. RR-95 requested a 300 MW application from a potential customer. The confidentiality of this document is necessary given that the project is still in the exploratory stage, is not yet a certainty, and could change from the initial application if it does move forward. Moreover, no contracts have been entered into with respect to the application requested. Therefore, confidential treatment of the application is necessary to protect the details of the project itself, as well as the information provided by the potential customer. The Company raised the need for confidentiality for this document at the record at the July 9, 2026 hearing, and the PUC acknowledged the need for confidentiality.

The Confidential information all constitutes "trade secrets and commercial or financial information" such that it does not fall within APRA's definition of a public record. *See* Gen. Laws § 38-2-2(4)(B); *Kane*, 577 A.2d at 663. The Company treats the Confidential Information as confidential and commercially sensitive, as do the third parties whose confidential pricing and methodologies are at issue. Disclosing this information publicly as part of the PUC's review process would "cause substantial harm" to the third parties' (GridX, Tata, and JD Power) and the Company's "competitive position." *See* Gen. Laws §38-2-1; *Convention Ctr. Auth.*, 774 A.2d at 47.

IV. Conclusion

For the foregoing reasons, the Company respectfully requests that the PUC grant its Motion for Protective Treatment of Confidential Information and grant protective treatment to

the Confidential Information. Specifically, the Company requests that the PUC take the following actions to preserve the confidentiality of the Confidential Information: (1) maintain the Confidential Information as confidential indefinitely; (2) not place any of the Confidential Information on the public docket; (3) disclose the Confidential Information only to the PUC, its attorneys, and staff as necessary to this matter; and (4) pending entry of a ruling on this Motion, the PUC preliminarily grant the Company's request for confidential treatment.

WHEREFORE, the Narragansett Electric Company d/b/a Rhode Island Energy respectfully requests that the PUC grant its motion for Protective Treatment.

Respectfully submitted,

**THE NARRAGANSETT ELECTRIC
COMPANY d/b/a RHODE ISLAND ENERGY**

By its attorney,

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Dated: July 23, 2026

CERTIFICATE OF SERVICE

I hereby certify that on July 23, 2026, I sent a copy of the foregoing to the service list by electronic mail.

/s/ Adam M. Ramos