

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 connection with the Company’s compliance filing (the “Compliance Filing”), 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 certain documents created by its outside advisor Concentric Energy Advisors, Inc. (“Concentric”) that contain Concentric’s proprietary information. 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

Contemporaneous with this Motion, the Company is making its Compliance Filing as directed by the PUC's motions and votes taken in this docket at the Open Meeting held on August 21, 2026. As part of the Compliance Filing, the Company is providing Excel versions of certain schedules prepared by Concentric, the Company's outside consultant. Specifically, the Company seeks confidential treatment of the excel versions of Schedules PRB-1(a)-C-Gas through PRB-2(b)-C-Gas, PRB-1-C-ELEC through PRB-4-C-ELEC, and Schedules LCS-1C-ELEC Confidential through LCS-6C-ELEC Confidential (the "Confidential Information"). The Company seeks confidential treatment for the Confidential Information given that the spreadsheets include live Excel documents containing proprietary models and formulas created by Concentric.

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).

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

The Company seeks confidential treatment for the Excel versions of Schedules PRB-1(a)-C-Gas through PRB-2(b)-C-Gas, PRB-1-C-ELEC through PRB-4-C-ELEC, and Schedules LCS-1C-ELEC Confidential through LCS-6C-ELEC Confidential to its Compliance Filing, which are all live Excel spreadsheets that include proprietary models and formulas created by Concentric used in gas and electric rate modeling for the Company.

Concentric was retained to create the models and studies contained in the Confidential Information in the regular course of its business, both in connection with the Company’s operations and this proceeding. The formulas Concentric created to aid its modeling are proprietary and have independent economic value. Concentric invested great time and effort into preparing the formulas. If made public, the models would be available to competitors to appropriate for their own businesses and clients without any compensation to Concentric, which

would put Concentric at a competitive disadvantage. Both the Company and Concentric treat this information as confidential.

For these reasons, the Confidential Information constitutes “trade secrets and commercial or financial information” such that the Confidential Information 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. Concentric treats the Confidential Information as confidential and commercially sensitive. It does not generally make it available to the public, other companies, or regulatory bodies in the absence of a protective order or confidentiality agreement.

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,



Jeremy Licht (#9518)
The Narragansett Electric Company d/b/a
Rhode Island Energy
280 Melrose Street
Providence, RI 02907
(401) 784-7288

/s/ Adam M. Ramos
Adam M. Ramos (#7591)
Christine E. Dieter (#9859)
Hinckley, Allen & Snyder LLP
100 Westminster Street, Suite 1400
Providence, RI 02903-2319
Tel: (401) 457-5278
Fax: (401) 277-9600
aramos@hinckleyallen.com
cdieter@hinckleyallen.com

Dated: August 27, 2026

CERTIFICATE OF SERVICE

I hereby certify that on August 27, 2026, I sent a copy of the foregoing to the service list
by electronic mail.

/s/ Adam M. Ramos