

September 3, 2013

VIA HAND DELIVERY & ELECTRONIC MAIL

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

RE: Docket 4436 - 2013 Gas Cost Recovery Filing

Dear Ms. Massaro:

Enclosed please find ten (10) copies of the National Grid's¹ Annual Gas Cost Recovery ("GCR") filing, which is being submitted pursuant to the Gas Cost Recovery Clause found in the Company's tariffs at RIPUC NG-Gas No. 101, Section 2, Schedule A. The proposed rates contained in this GCR filing reflect the customer class-specific factors necessary for the Company to collect sufficient revenues to recover projected gas costs for the period November 1, 2013 through October 31, 2014.

This filing consists of the pre-filed testimony and schedules of Elizabeth D. Arangio, Ann E. Leary, and Stephen A. McCauley. Ms. Arangio provides testimony relative to the Company's projected gas costs and in support of the Company's proposed GCR factors. She also discusses the Company's decision to enter into a Precedent Agreement with Algonquin Gas Transmission Company. Ms. Leary's testimony describes the development of the GCR charges proposed for effect November 1, 2013 and provides a bill impact analysis relative to those proposed rates. Mr. McCauley discusses the results of the Gas Procurement Incentive Plan for the period July 1, 2012 through June 30, 2013. He also discusses the results of the Natural Gas Portfolio Management Plan for the period April 1, 2012 through March 31, 2013 and the recommendation to continue with that plan after March 31, 2014.

As described in Ms. Leary's testimony, based on the GCR rates proposed for effect November 1, 2013 through October 31, 2014, an average residential heating customer using 846 therms per year will experience a total bill decrease related to the proposed GCR and Distribution Adjustment Charge ("DAC") rates of approximately \$15, or an annual 1.3 percent decrease from the current existing rates. This decrease is comprised of an \$8 decrease in the GCR-related costs and a \$7 decrease in the DAC-related costs, which were filed today under separate cover.

This filing also contains a Motion for Protective Treatment in accordance with Rule 1.2(g) of the Commission's Rules of Practice and Procedure and R.I.G.L. § 38-2-2(4)(B). The Company seeks protection from public disclosure of certain pricing terms and costs related to its Precedent Agreement with Algonquin Gas Transmission Company and to certain existing contracts, which are set forth on

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

Luly E. Massaro, Commission Clerk
Docket 4436 – Annual GCR 2013
Page 2 of 2

page 21 of the pre-filed testimony of Ms. Arangio. The Company also seeks protective treatment for gas-cost pricing information and forecasts, which are provided in Attachments EDA-1, EDA-2, and EDA-4 to the testimony of Ms. Arangio and in Attachments AEL-1 and AEL-3 to the testimony of Ms. Leary. Accordingly, the Company has provided the Commission with the un-redacted confidential materials for its review, and has included redacted copies of these materials in the filing.

Thank you for your attention to this filing. If you have any questions, please contact me at (401) 784-7667.

Very truly yours,



Thomas R. Teehan

Enclosures

cc: Leo Wold, Esq.
Steve Scialabba
Bruce Oliver

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
RHODE ISLAND PUBLIC UTILITIES COMMISSION

Annual Gas Cost Recovery Filing 2013
Docket No. 4436

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

National Grid¹ hereby requests that the Rhode Island Public Utilities Commission (“Commission”) provide confidential treatment and grant protection from public disclosure of certain confidential, competitively sensitive, and proprietary information submitted in this proceeding, as permitted by Commission 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 Commission preliminarily grant National Grid’s request for confidential treatment pursuant to Rule 1.2 (g)(2).

I. BACKGROUND

On September 3, 2013, National Grid filed with the Commission its Annual Gas Cost Recovery filing in this docket. This filing includes information relative to certain pricing terms and costs related to the Company’s Precedent Agreement with Algonquin Gas Transmission Company, which are set forth on page 21 of the pre-filed testimony of Elizabeth D. Arangio. This filing also includes gas-cost pricing information and forecasts, which are provided in Attachments EDA-1, EDA-2, and EDA-4 to the

testimony of Ms. Arangio and in Attachments AEL-1 and AEL-3 to the testimony of Ms. Leary.

II. LEGAL STANDARD

The Commission'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 Commission falls within one of the designated exceptions to the public records law, the Commission 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

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

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.

II. BASIS FOR CONFIDENTIALITY

The pricing and information related to the Company's Precedent Agreement with Algonquin Gas Transmission Company and the costs of certain existing contracts, which are set forth on page 21 of the pre-filed testimony of Ms. Arangio and the pricing gas-cost pricing information and forecasts, which are provided in Attachments EDA-1, EDA-2, and EDA-4 to the testimony of Ms. Arangio and in Attachments AEL-1 and AEL-3 to the testimony of Ms. Leary is confidential and privileged information of the type that the Company would ordinarily not make public. The dissemination of this type of information could impact the Company in the future to obtain advantageous pricing.

III. CONCLUSION

Accordingly, the Company requests that the Commission grant protective treatment to those previously identified portions of its GCR filing.

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

Respectfully submitted,

NATIONAL GRID

By its attorney,



Thomas R. Teehan, Esq. (RI Bar #4698)
National Grid
280 Melrose Street
Providence, RI 02907
(401) 784-7667

Dated: September 3, 2013