

December 20, 2019

VIA HAND DELIVERY & ELECTRONIC MAIL

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

**RE: National Grid's Proposed FY 2021 Electric Infrastructure, Safety, and Reliability Plan
Docket No. 4995**

Dear Ms. Massaro:

On behalf of National Grid,¹ I have enclosed ten (10) copies of the Company's proposed Electric Infrastructure, Safety, and Reliability Plan (the Electric ISR Plan or Plan) for fiscal year 2021.² National Grid has developed this proposed Electric ISR Plan, which is designed to enhance the safety and reliability of the Company's electric distribution system. As required by law, the Company submitted the Plan to the Rhode Island Division of Public Utilities and Carriers (Division) for review on September 30, 2019. In preparing and refining the Plan, the Company consulted with the Division's representatives regarding the Plan, and received and responded to discovery requests from the Division. The Division has indicated general concurrence with the proposed Electric ISR Plan, including the programs and projects outlined in the Plan.

The Electric ISR Plan is designed to protect and improve the electric delivery system through repairing failed or damaged equipment, addressing load growth/migration, sustaining system viability through targeted investments that are driven primarily by condition, maintaining levels of inspection and maintenance, and operating a cost-effective vegetation management program. The Plan is intended to achieve these safety and reliability goals through a cost-effective, comprehensive work plan. The level of work that the Plan provides will sustain and enhance the safety and reliability of the Rhode Island electric distribution infrastructure and directly benefit all Rhode Island electric customers.

The proposed Electric ISR Plan addresses the following budget categories for FY 2021, or the twelve-month fiscal year ending March 31, 2021: capital spending on electric infrastructure projects; operation and maintenance (O&M) expenses for vegetation management (VM); inspection and maintenance (I&M); and Volt/Var Optimization and Conservation Voltage Reduction (VVO/CVR) Expansion.

In addition to the Plan, this filing includes the pre-filed direct testimony of several witnesses. In joint testimony, Patricia C. Easterly, Ryan A. Moe, and Kathy Castro introduce the Plan and describe its large program components. In addition, their joint testimony presents the

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

² The Electric ISR Plan is submitted in compliance with the provisions of R.I. Gen. Laws § 39-1-27.7.1.

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Company's analysis of the goals and benefit-cost framework that the Public Utilities Commission (PUC) adopted in its Report and Order No. 22851, dated July 31, 2017 and the PUC's Guidance on Goals, Principles and Values for Matters Involving The Narragansett Electric Company d/b/a National Grid, dated October 27, 2017 issued in Docket 4600A to new and incremental programs and projects in the Electric ISR Plan for which funding is being requested for the first time in FY 2021; Melissa A. Little sponsors the calculation of the Company's fiscal year 2021 revenue requirement under the Plan; and Adam S. Cray describes the calculation of the ISR factors proposed in this filing and provides the customer bill impacts from the proposed rate changes. For a residential customer receiving Standard Offer Service and using 500 kWh per month, implementation of the proposed ISR factors will result in a monthly bill increase of \$1.43, or 1.2%.

For the PUC's convenience, the Company has also included copies of its responses to Division Data Requests Set 1 and Set 2. In connection with the Data Requests, this filing contains a Motion for Protective Treatment of Confidential Information in accordance with 810-RICR-00-00-1-1.3(H)(3) (Rule 1.3(H)) of the PUC's Rules of Practice and Procedure and R.I. Gen. Laws § 38-2-2(4)(A), -(B). National Grid seeks protection from public disclosure of certain confidential and privileged information in Attachment DIV 1-10. In addition, the information in Attachment DIV 1-10 contains Critical Energy Infrastructure Information (CEII). In compliance with Rule 1.3(H), National Grid has provided the PUC with one complete, unredacted copy of Attachment DIV 1-10 in an envelope marked, "**HIGHLY CONFIDENTIAL INFORMATION - DO NOT RELEASE! Contains Critical Energy Infrastructure Information (CEII). Do Not Distribute or Copy**".

The enclosed Plan, which the Company is submitting to the PUC for review and approval, presents an opportunity to continue facilitating and encouraging investment in the Company's electric utility infrastructure and enhance the Company's ability to continue providing safe, reliable, and efficient electric service to customers.

Thank you for your attention to this transmittal. If you have any questions, please contact me at 401-784-7288.

Very truly yours,



Jennifer Brooks Hutchinson

Enclosures

cc: John Bell, Division
Greg Booth, Division
Leo Wold, Esq.
Christy Hetherington, Esq.
Al Contente, Division

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RHODE ISLAND PUBLIC UTILITIES COMMISSION

Fiscal Year 2021 Electric Infrastructure,)	Docket No. 4995
Safety and Reliability Plan)	

**MOTION OF THE NARRAGANSETT ELECTRIC
COMPANY D/B/A NATIONAL GRID FOR PROTECTIVE
TREATMENT OF CONFIDENTIAL INFORMATION**

National Grid¹ hereby requests that the Rhode Island Public Utilities Commission (PUC) grant protection from public disclosure of certain confidential, competitively sensitive, and proprietary information submitted in this proceeding, as permitted by PUC Rule 810-RICR-00-00-1-1.3(H)(3) (Rule 1.3(H)) and R.I. Gen. Laws § 38-2-2(4)(A), -(B). National Grid also hereby requests that, pending entry of that finding, the PUC preliminarily grant National Grid’s request for confidential treatment pursuant to Rule 1.3(H)(2).

I. BACKGROUND

On December 20, 2019, National Grid submitted its Fiscal Year (FY) 2021 Electric Infrastructure, Safety, and Reliability (ISR) Plan filing in the above-captioned docket. In that filing, the Company filed copies of its responses to the Division of Public Utilities and Carriers (Division) First Set and Second Set of Data Requests (Division Data Requests). Division Data Request Division 1-10 requested a copy of the South County East Area Study, which the Company provided as Confidential Attachment DIV1-10. Attachment DIV 1-10 includes one-line diagrams and other information relating to the Company’s transmission system, which constitutes Critical Energy Infrastructure Information (CEII) and is protected from public

disclosure. Accordingly, the Company is providing both redacted and un-redacted versions of Attachment DIV 1-10.

Therefore, the Company requests that, pursuant to Rule 1.3(H), the PUC afford confidential treatment to the confidential CEII contained in Attachment DIV 1-10.

II. LEGAL STANDARD

Rule 1.3(H) of the PUC's Rules of Practice and Procedure 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.* 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. Gen. Laws § 38-2-2(4). To the extent that information provided to the PUC falls within one of the designated exceptions to the public records law, the PUC has the authority under the terms of APRA to deem such information as confidential and to protect that information from public disclosure.

In that regard, R.I. Gen. Laws § 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 the 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

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position of the person from whom the information 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.

National Grid meets the first and second prongs of this test, which apply here.

III. BASIS FOR CONFIDENTIALITY

The information contained in Attachment DIV 1-10 should be protected from public disclosure. The information provided in this attachment is confidential and privileged information of the type that National Grid does not ordinarily make public. Attachment DIV 1-10 includes the South County East Area Study, which contains highly sensitive commercial information and trade secrets, such as information relating to the Company's transmission system, and/or CEII.

In addition, public disclosure of the transmission information and other information identified as CEII in Attachment DIV 1-10 would negatively impact National Grid's ability to effectively operate to provide safe and reliable service to its customers. As such, this information is of a kind that National Grid would customarily not release to the public.

Therefore, this information satisfies the exception found in R.I. Gen. Laws § 38-2-2(4)(B).

Accordingly, National Grid is providing Attachment DIV 1-10 on a voluntary basis to assist the PUC with its decision-making in this proceeding, but respectfully requests that the PUC provide confidential treatment to the information.

IV. CONCLUSION

For the foregoing reasons, National Grid respectfully requests that the PUC grant its Motion for Protective Treatment of Confidential Information.

Respectfully submitted,

**THE NARRAGANSETT ELECTRIC
COMPANY d/b/a NATIONAL GRID**
By its attorney,



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Dated: December 20, 2019