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November 10, 2010

Via Hand Delivery and Electronic Mail
NH Site Evaluation Committee
c/o Jane Murray, Secretary
29 Hazen Drive, P.O. Box 95
Concord, NH 03302-0095

***Re: Docket 2010-01 Application of Groton Wind, LLC
for a Certificate of Site and Facility for a Renewable Energy Facility***

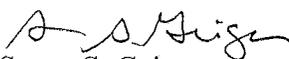
Dear Ms. Murray:

Enclosed for filing with the New Hampshire Site Evaluation Committee in the above-captioned matter please find an original and eleven copies of the Applicant's responses to outstanding record requests made at the adjudicative hearing of this matter. Exhibits App. 33, 35, 37, 40, 41, 46 and 47 have been reserved for this information. The documents are labeled to correspond with the above-referenced exhibit numbers. Please note that prior to the recess of the hearing held November 5, 2010, the Applicant had submitted responses to record requests for which Exhibits App. 34, 36, 42 and 48 had been reserved.

Also enclosed for filing in the above-captioned docket is an original and four copies of a Motion for Protective Order and Confidential Treatment along with one copy of the confidential information which is the subject of this Motion. The Applicant respectfully asks that you take all necessary and appropriate steps to insure that this confidential information is protected from disclosure pending the Presiding Officer's ruling on the enclosed Motion.

Please do not hesitate to contact me if you have any questions about this filing. Thank you for your assistance and cooperation in this matter.

Very truly yours,


Susan S. Geiger

cc: Parties (via electronic mail)
Enclosures

Maureen D. Smith
(Of Counsel)

STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE

Docket No. 2010-01

**RE: APPLICATION OF GROTON WIND, LLC
FOR A CERTIFICATE OF SITE AND FACILITY
FOR A RENEWABLE ENERGY FACILITY IN GROTON, NH**

**UNASSENTED –TO MOTION FOR PROTECTIVE ORDER AND
CONFIDENTIAL TREATMENT**

NOW COMES Groton Wind, LLC (“the Applicant”) by and through its undersigned attorneys and respectfully moves that the Site Evaluation Committee (“SEC” or “Committee”) issue a protective order which preserves the confidentiality of responses to two record requests made at the adjudicative hearings held November 1-5, 2010 in the above-captioned matter. In support of this Motion, the Applicant states as follows:

Capacity Factor Profile Data – Exhibit App. 33

1. At the adjudicative hearings in this docket, the Committee requested that the Applicant provide information relating to the profile of the Applicant’s claimed capacity factor, including information about production capacity during peak load periods. Exhibit App. 33 has been reserved for this information, and a copy of a document containing that information is provided herewith and is marked confidential.

2. The attached capacity factor profile information is highly confidential, sensitive commercial and technical information which constitutes trade secrets of Groton Wind, LLC. *See* RSA 350-B:1, IV. The Applicant has expended significant resources to develop this information and does not publicly disclose it. Under RSA 91-A:5, IV.

records pertaining to confidential, commercial information are exempt from the public disclosure requirements of RSA 91-A.

3. If the capacity factor profile information is disclosed to the public, including to other developers of wind energy facilities, the Applicant would be placed at a competitive disadvantage. The Applicant has expended funds for the development of this information which it considers proprietary and unique to the Groton Wind Project. If this proprietary information is made public or made available to Groton Wind's competitors, Groton Wind would suffer competitive injury given that its competitors could make use of this information without incurring the expenses that that Applicant did to develop this information. In addition, the possibility exists that other participants in the competitive New England electricity market could utilize this sensitive information to their advantage and to the disadvantage of the Applicants and other market participants. Under the balancing test set forth in *Union Leader Corp. v. New Hampshire Housing Fin. Auth.*, 142 N.H. 540 (1997), the above-described interests in non-disclosure and protection of commercially competitive information and trade secrets outweigh any public interest in disclosing this information.

Financial Information – Exhibit App. 40

4. The Committee has also requested certain financial information about the Applicant's ultimate U.S. parent company, Iberdrola Renewables Holdings, Inc. ("IRHI"). Exhibit App. 40 has been reserved for this confidential information (and for the updated balance sheet of Iberdrola Renovables, SA which is public and provided in unredacted form.) A copy of the IRHI document has been marked confidential and is provided herewith.

5. The financial information submitted herewith is commercially sensitive and proprietary, and is not disclosed publicly. As such, RSA 91-A:5, IV exempts this information from public disclosure. Disclosure of this information to the general public or to competitors of Groton Wind and/or other Iberdrola companies could have a materially adverse effect on the Applicant and its parent companies. The electricity generation market is intensely competitive. Competitive generators safeguard this type of information and those who are not publicly traded do not disclose it to the public or to one another for various reasons, some of which relate to preserving their negotiating positions in commercial transactions with third parties. Under the balancing test set forth in *Union Leader Corp. v. New Hampshire Housing Fin. Auth.*, 142 N.H. 540 (1997), the above-described interests in non-disclosure and protection of commercially competitive information and trade secrets outweigh any public interest in disclosing this information.

6. At the hearing in this docket, the Applicant agreed to provide the enclosed information to Counsel for the Public, Senior Assistant Attorney General Peter Roth, without the need for him to sign a confidentiality agreement and with the understanding that he would: take steps to insure that the confidentiality of this information is maintained, and not publicly disclose or otherwise disseminate or distribute any of it.

7. Pursuant to N.H. Admin Rule Site 202.14(d), the undersigned has made a good faith effort to obtain concurrence with the relief sought herein from all of the parties. As of the time of the filing of this Motion, the parties have indicated their positions as follows: The Buttolph/Lewis/Spring intervenor group has not concurred. It responded to the undersigned's request for concurrence as follows: "Our group respectfully requests that the applicant voluntarily update your motion to include the

Buttolph/Lewis/Spring intervenor group as a recipient of exhibits 33 and 40 in their entirety, including confidential information. We assent to your motion under this condition, and hereby provide our expressed intent to be governed by a protective order as deemed appropriate by the committee.” No other party has responded to the request for their position on the within Motion.

8. Given the sensitive nature of the information that is the subject of the within Motion, the Applicant cannot agree with the Buttolph/Lewis/Spring position stated above.

WHEREFORE, Groton Wind, LLC respectfully requests that this Committee:

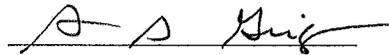
A. Issue an appropriate protective order that exempts the enclosed information from disclosure and prohibits the copying, duplication, dissemination or disclosure of it in any form; and

B. Grant such further relief as it deems appropriate.

Respectfully submitted,

Groton Wind, LLC
By Its Attorneys

Dated: November 10, 2010



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Certificate of Service

I hereby certify that, on the date written below, I caused the foregoing Motion to be sent by electronic mail and/or hand delivery to the persons on the service list (exclusive of Committee members).

11/10/10

Date

S. S. Geiger

Susan S. Geiger

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