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June 30, 2017

Via Electronic Mail & Hand Delivery

Pamela Monroe, Administrator
New Hampshire Site Evaluation Committee
21 South Fruit Street, Suite 10
Concord, NH 03301-2429

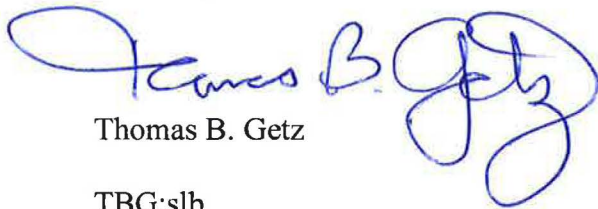
**Re: Site Evaluation Committee Docket No. 2015-06
Joint Application of Northern Pass Transmission LLC and Public Service Company
of New Hampshire d/b/a Eversource Energy (the "Applicants") for a Certificate of
Site and Facility
Business Directory and Motion for Confidential Treatment**

Dear Ms. Monroe:

Enclosed please find an original and one copy of the Business Directory requested by Subcommittee Member Way during the hearing in this proceeding on June 2, 2017. Inasmuch as the Business Directory contains confidential, commercial, or financial information and the disclosure of the information would constitute an invasion of privacy as contemplated by RSA 91-A:5, IV, the Applicants submit herewith a motion for protective order and confidential treatment. A thumb drive containing the Business Directory will be hand delivered to the Site Evaluation Committee as well.

Please contact me directly should you have any questions.

Sincerely,



Thomas B. Getz

TBG:slb

Enclosure

**THE STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE**

SEC DOCKET NO. 2015-06

**JOINT APPLICATION OF NORTHERN PASS TRANSMISSION LLC &
PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE
D/B/A EVERSOURCE ENERGY
FOR A CERTIFICATE OF SITE AND FACILITY**

**MOTION FOR PROTECTIVE ORDER AND CONFIDENTIAL TREATMENT
BUSINESS DIRECTORY**

NOW COME Northern Pass Transmission LLC and Public Service Company of New Hampshire d/b/a Eversource Energy (the “Applicants”) by and through their attorneys, McLane Middleton, Professional Association, and respectfully request that the Site Evaluation Committee (“SEC” or “Committee”) issue a protective order to preserve the confidentiality of proprietary and confidential commercial information relating to the Business Directory that is described in Applicants’ Exhibit 144. See Attachment A. In support of their Motion, the Applicants state as follows.

1. During the hearing on June 2, 2017, Committee Member Christopher Way requested that the Applicants provide a copy of the Business Directory that the Applicants compiled to provide to Northern Pass workers during construction. See Transcript, Day 12, Morning Session (June 2, 2017) pp. 114-116. As discussed below, the Business Directory, which is provided as Attachment B, contains confidential, commercial, or financial information, the disclosure of which would constitute an invasion of the privacy of the businesses that comprise the Business Directory (“Business Owners”).
2. Governmental records, as defined by RSA 91-A:1-a, are generally made available for public inspection pursuant to the Access to Governmental Records and Meetings Statute (a.k.a. the Right-to-Know Law). See RSA 91-A:4; see also N.H. Admin Rule Site 104.01.

There are certain exemptions, however, from the requirement that public agencies or public bodies produce government records, including “confidential, commercial, or financial information . . . and other files whose disclosure would constitute invasion of privacy.” RSA 91-A:5, IV. The Applicants ask that the information described herein be treated as confidential pursuant to RSA 91-A:5. *See also* Site 104.01(b) (presiding officer or chairman may protect documents that are exempt from disclosure pursuant to RSA 91-A:5).

3. The Applicants seek a protective order and confidential treatment for proprietary commercial information as it relates to the Business Directory and the privacy interests of the Business Owners. As further described in Attachment A, the Applicants compiled a Business Directory to be made available to the hundreds of Northern Pass workers who will be working to construct the Project. Thus, the Business Directory also constitutes proprietary commercial information of the Applicants.

4. As stated above, RSA 91-A:5, IV provides, in relevant part, that records pertaining to “confidential, commercial, or financial information...and other files whose disclosure would constitute invasion of privacy” are exempt from public disclosure. The SEC has routinely recognized that confidential treatment should be granted to competitively sensitive or proprietary information under the 91-A:5 exemption for “confidential, commercial, or financial information.” See, e.g., *Order on Pending Motions and Further Procedural Order*, Application of Groton Wind, LLC, NH SEC Docket 2010-01 (Dec. 14, 2010) (granting confidential treatment for financial statements and the applicant’s capacity factor profile). With respect to the protection of the privacy interests of third parties such as the Business Owners, see also, the Public Utilities Commission’s confidential treatment of information about individual residential customers pursuant to Puc 201.04 (a) (2).

5. Requests for confidential treatment in an SEC proceeding must meet the requirements set forth by the Supreme Court in *Lambert v. Belknap County Convention*, 157 N.H. 375, 382 (2008) and *Lamy v. New Hampshire Public Utilities Commission*, 152 N.H. 106 (2005), which require a three-step analysis to determine whether information should be exempt from public disclosure pursuant to the Right-to-Know law, RSA 91-A: 5, IV. *Order on Unassented-To Motion for Protective Order and Confidential Treatment*, Application of Antrim Wind, NH SEC Docket 2012-01 (June 4, 2012). When engaging in the three-step analysis, the SEC must consider (1) whether the Applicants have identified a privacy interest; (2) whether there is a public interest in disclosure; and (3) finally, if there is a public interest in disclosure, that interest is balanced against any privacy interests in non-disclosure. *Id.*

6. The Business Owners have a privacy interest in protecting the Business Directory as do the Applicants in protecting the confidential, commercial, or financial business information aspect of the Business Directory. Disclosure of this information at this time will not provide the public with information that is necessary or beneficial, may unnecessarily subject the business owners to adverse financial or commercial impacts, and may negatively affect the Applicants to the extent other Business Owners may be discouraged from participating in this effort.

7. To the extent that there is a public interest in disclosure of this information, that interest is not significant enough to outweigh the interest in protecting the privacy of the Business Owners. The Applicants therefore ask that the Committee issue a protective order consistent with the terms and conditions contained in prior Committee orders.

8. The Deerfield Abutters, Non-Abutters Bethlehem to Plymouth, Abutters and Non-Abutters Pittsburg to Stewartstown, Whitefield to Bethlehem Abutters, Southern Non-Abutters (Ashland to Deerfield), Municipal Groups 1 South, 2, 3 South, and 3 North, Society for

Protection of New Hampshire Forests, Non-Abutters Stark to Bethlehem, Sugar Hill Historical Museum, North Country Scenic Byways Commission, and Stark to Northumberland Overhead Abutters oppose the motion.

WHEREFORE, the Applicants respectfully request that this Committee:

- A. Grant the Applicants' request that the Business Directory be treated as confidential;
- B. Issue a protective order as requested herein; and
- C. Grant such further relief as it deems appropriate.

Respectfully submitted,

Northern Pass Transmission LLC and
Public Service Company of New Hampshire d/b/a
Eversource Energy
By Its Attorneys,

McLANE MIDDLETON,
PROFESSIONAL ASSOCIATION

Dated: June 30, 2017

By: 

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Thomas B. Getz, Bar No. 923
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Certificate of Service

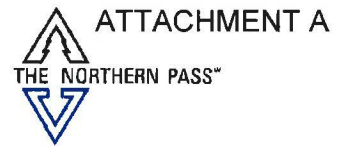
I hereby certify that on the 30th of June, 2017, an original and one copy of the foregoing Motion was hand-delivered to the New Hampshire Site Evaluation Committee and an electronic copy was served upon the SEC Distribution List.


Thomas B. Getz



May 18, 2017

McKinnon Brothers Sugar
c/o Donald McKinnon
277 Wiswell Road
Clarksville, NH 03592



Northern Pass Transmission LLC
P.O. Box 330
780 North Commercial Street
Manchester, NH 03105-0330



Dear Clarksville Business,

As part of our ongoing commitment to keep you informed about the Northern Pass transmission project, we are following up on our prior correspondence with an update on the project and an outline of our plan to support your community throughout the construction process.

While construction will not begin until Northern Pass has received all required federal and state approvals, we know that you may have questions about how construction activities might affect your business. We encourage you to let us know of concerns specific to your business so that we can address them as we develop our construction schedule. We are 100% committed to working with businesses in each community along the proposed route in order to maintain commerce during construction. We appreciate your feedback as we build our plan to support you and your business.

Here are some of the features of our plan:

Personalized Approach: We are taking a hands-on, personalized approach to support businesses and property owners along the entire project route. Our team will support each community by providing a 24-hour call-in number and on-line feedback. We will continue to meet and communicate with business owners, residents and town officials before, during, and after construction and listen to all input and any concerns.

Timely Information: We will issue timely, accurate information about construction via our website, and will provide regular communications, via e-mail and social media. This will help businesses, employees, and customers know where and when construction activities will occur so that businesses can continue to operate effectively through the construction process.

Access: Regardless of any roadwork during construction, business and property owners will always have access to and from their driveways, as will emergency vehicles. We will work with each business and property owner along the route to maintain continued access.

APP63110

Consideration of Community Events: We will take into consideration impacts on community events and other local activities when proposing work hours and construction activities in each town.

Promoting Commerce: We will work and partner with local chambers and other business groups to promote commerce to lodging, restaurants, shops and other outlets throughout construction – placing digital and print ads, and communicating with the local community about why it is important to continue to shop local.

Commitment to Restoring Impact Areas: Areas affected by construction will be restored to the same or better condition.

Business Directory: When construction on the Northern Pass does begin many workers will likely be in your area, spending money that will boost your local economy. We are developing a comprehensive business directory that will be used by Northern Pass workers. The directory will be given to each one of the hundreds of workers who will be in and around the towns along the proposed Northern Pass route during construction. If you would like your business included in the directory, please contact us via one of these methods:

call: 1-603-782-3486

e-mail: bizdirectory@northernpassbiz.com

sign up via website: <http://www.northernpass.us/business-directory.htm>

The Northern Pass transmission project will provide substantial benefits to New Hampshire communities, including lowering electricity rates for everyone; adding clean hydropower to diversify our energy supply; adding local construction jobs and construction-based revenue to local restaurants, hotels and shops. An investment like the Northern Pass also brings valuable tax revenue to the project communities. In addition, no construction costs will be paid by New Hampshire energy consumers.

Please feel free to contact me or my team at 1-800-286-7305 if you have questions or would like to meet with project representatives.

Sincerely,



Jerry Fortier
Project Director – Transmission
Northern Pass Project
Info@northernpass.us
1-800-286-7305

REDACTED
NP Business Directory
Company Name Town

ATTACHMENT B
6/28/2017

Company	Town
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