THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

Investigation Pursuant to G.L. c. 164 §§ 1A(a), 1B(d), 94 and 220 C.M.R. § 11.04 into Costs that Should be Included in Default Service Rates of Fitchburg Gas and Electric Light Company	)	**D.T.E. 03-88D**

MOTION OF FITCHBURG GAS AND ELECTRIC LIGHT COMPANY FOR PROTECTIVE TREATMENT

NOW COMES Fitchburg Gas and Electric Light Company d/b/a Unitil ("Unitil") and respectfully requests that the Department of Telecommunications and Energy ("Department") grant it protection from public disclosure for certain confidential and competitively sensitive information submitted in discovery responses made by Unitil, in accordance with G.L. c. 25, § 5D. In support of this Motion, Unitil states:

1. Unitil requests protection from public disclosure the following information: The detail on the invoices of Unitil's Renewable Energy Certificate ("REC") purchases provided in response to data request AG-FGE-1-4, consisting of the quantity of RECs purchased, the unit purchase price, and the entity purchased from. A redacted version of the invoices is being filed with the Secretary of the Department, and provided to the individuals on the enclosed service list.

2. G.L. c. 25, § 5D is specifically designed to protect against disclosure of competitively sensitive information. That provision, in part, provides:

> [T]he [D]epartment may protect from public disclosure, trade secrets, confidential, competitively sensitive or other proprietary information provided in the course of proceedings conducted pursuant to this chapter. There shall be a presumption that the information for which protection is sought is public information and the burden shall be upon the proponent of such protection to prove the need for such protection. Where such a need

has been found to exist, the [D]epartment shall protect only so much of the information as is necessary to meet such need.

3. Unitil submits that the provisions of this filing described above should be protected from public disclosure because this information is competitively sensitive information concerning Unitil's REC purchases and purchase strategies. This information is normally not disclosed by Unitil, and Unitil takes steps to protect this information from public disclosure. This information reveals data and detail concerning Unitil's REC costs and may enable sellers of RECs to use this normally undisclosed information to Unitil's disadvantage. Unitil submits that this information is well within the scope of "confidential, competitively sensitive or other proprietary information" contemplated by G.L. c. 25, § 5D, and accordingly, should be protected from public disclosure.

WHEREFORE, for all the reasons set forth in this Motion, Unitil respectfully requests that the Department issue an Order granting protective treatment to the provisions of the filing described above.

Respectfully submitted,

Gary Epler

Certificate

I certify that copies of this Motion for Protective Treatment has been served this 22nd day of March, via overnight express mail, upon the Massachusetts Office of the Attorney General, and by regular U.S. Mail upon the attached service list.

Gary Epler

DTE 03-88 D Service List

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