

other clients, and their ability to solicit further engagements from these clients and other potential clients.

2. R.S.A. 91-A:5(IV) expressly exempts from the public disclosure requirements of the Right-to-Know law, R.S.A. 91-A, any records pertaining to “confidential, commercial or financial information.” The Commission’s rule on confidential treatment of public records, Puc 203.08, also recognizes that confidential, commercial or financial information may be appropriately protected from public disclosure pursuant to an order of the Commission.

3. UES’ request for a protective order is not inconsistent with the public disclosure requirements of the Right-to-Know law, R.S.A. 91-A. This statute generally provides open access to public records, but the Commission has recognized that the determination whether to disclose confidential information involves a balancing of the public’s interest in full disclosure with the countervailing commercial or private interests for non-disclosure. UES submits that the interests in support of a protective order outweigh the public’s interest in full disclosure. This is particularly the case in this instance as all of this confidential information is being made available to the Commission Staff and the Office of Consumer Advocate in order to provide an opportunity to review and examine it. Moreover, redacted versions of all of these documents have been provided as well, and much information concerning the underlying matters at issue is available in these documents, as well as in the Company’s responses to the Staff’s data requests.

4. **In considering a similar motion by UES in docket DE 07-035, the** Commission did not find the public’s interest in review of this financial, commercially

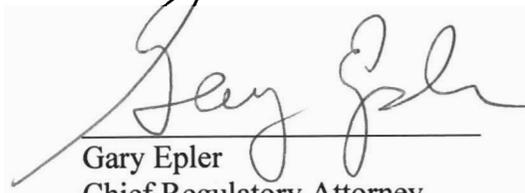
sensitive information sufficient to outweigh the benefit derived from maintaining the confidentiality of such information, and granted protective treatment of the information regarding billing rates, while allowing disclosure of the invoice totals. See Order No. 24,746, *Slip Op.* at p. 10. UES is not requesting confidential treatment of the invoice totals, only the hourly rates and number of hours worked. The invoice totals are disclosed in the public (redacted) versions of the responses.

WHEREFORE, UES respectfully requests that the Commission issue an order protecting the confidential information specified herein from public disclosure.

Respectfully submitted,

UNITIL ENERGY SYSTEMS, INC.

By its Attorney,

A handwritten signature in black ink, appearing to read "Gary Epler", is written over a horizontal line. The signature is cursive and extends to the right of the line.

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