

COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF PUBLIC UTILITIES

RE: **D.P.U. 19-07:** Investigation into Initiatives to Promote  
and Protect Consumer interests in the Retail Electric )  
Competitive Supply Market )

September 13, 2019

**MOTION FOR PROTECTIVE TREATMENT**

First Point Power, LLC (“FPP” or the “Company”), respectfully files this motion for protective treatment (“Motion”) for a period of four years of certain confidential information provided in FPP’s response to the Department’s Memorandum request for customer information issued by the Hearing Officer in the docket referenced above on August 15, 2019. The information that FPP deems confidential (the “Confidential Information”) is comprised of various counts of residential customers served by FPP, including tenor and incidences of contract expiry at different points in time, and contract type.


FPP is providing customer information which is confidential and proprietary according to the contractual terms and conditions between FPP and each customer, and FPP has used its best efforts to maintain as protected, secret information. The Confidential Information is valuable, commercially sensitive and not available to the general public. FPP believes that public dissemination of this specific information has the potential to inflict business injury to both FPP and its affected customers. The commercial sensitivity of this information is of paramount importance. The terms and conditions of such service contracts are, by their own terms, treated as confidential. By evidence of the written mutual agreement of both FPP and its customer, each considers such terms and conditions commercially valuable and competitive, proprietary information that neither disclose.

Protective treatment is warranted because the Confidential Information, if made publicly available, could be utilized by other companies in furtherance of their own electric supply and management strategies. Competitor companies to FPP may be able to derive independent economic value from gathering FPP’s Confidential Information, information that is not readily ascertainable by any other means.

WHEREFORE, for the reasons described herein, FPP respectfully requests that the Department grant this Motion.

Respectfully submitted,

FIRST POINT POWER, LLC

By:   
Stuart Ormsbee  
Chief Operating Officer