

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

THE CONNECTICUT LIGHT AND POWER : PETITION NO. 1157
COMPANY DOING BUSINESS AS EVERSOURCE :
ENERGY AND THE UNITED ILLUMINATING :
COMPANY PETITION CONCERNING :
IMPROVEMENTS PURSUANT TO THE NORTH :
AMERICAN ELECTRIC RELIABILITY :
CORPORATION RELIABILITY STANDARDS : August 17, 2015

**PROTECTIVE ORDER CONCERNING
THE PROVISION OF CONFIDENTIAL AND PROPRIETARY INFORMATION BY
THE CONNECTICUT LIGHT AND POWER COMPANY DOING BUSINESS
AS EVERSOURCE ENERGY AND
THE UNITED ILLUMINATING COMPANY**

WHEREAS, The Connecticut Light and Power Company doing business as Eversource Energy (“Eversource”) and The United Illuminating Company (“UI”) (Eversource and UI are referred to herein individually as a “Company” and together, as the “Companies”) are providing information to the Connecticut Siting Council (the “Council”) in Petition No. 1157, *The Connecticut Light and Power Company doing business as Eversource Energy and The United Illuminating Company Petition Concerning Improvements Pursuant to the North American Electric Reliability Corporation Reliability Standards*, which information would, in the opinion of the Companies, result in the disclosure of commercially sensitive critical energy infrastructure information that is confidential and proprietary information.

NOW, THEREFORE, it is hereby ordered, that the following procedure is adopted for the protection of the critical energy infrastructure information provided by one of the Companies (“CEII Information”):

1. Access to the CEII Information will be limited as set forth herein, except to the extent this Protective Order ("Order") is modified. All CEII Information provided by the Companies, whether in documentary form or otherwise, shall be identified essentially as follows: "Petition No. 1157 CEII Information," and will be governed by the terms of this Order. This Order is applicable to all such CEII Information, whether in the form of documents, data, testimony, studies or otherwise. All materials claimed by either Company to be CEII Information under the terms of this Order shall be clearly marked "Petition No. 1157 CEII Information" by the Company, and shall bear an appropriate legend identifying them as such. Faxed materials should be marked as any other confidential document. With regard to other media, diskettes should be marked "Petition No. 1157 CEII Information" on the outside and each file on the diskette should be similarly identified.

CEII Information will be marked as such and delivered in sealed envelopes to Melanie Bachman, Executive Director of the Council. A statement essentially in the following form shall be placed prominently on each envelope:

"CONFIDENTIAL-CEII INFORMATION.
This envelope is not to be opened nor the contents
to be displayed or revealed except pursuant to the
pertinent Protective Order issued in Petition No.
1157"

Materials produced electronically shall be marked "confidential" and access to electronically-produced confidential materials shall be limited accordingly to the terms and limitations provided in this Order. Any person or party subject to the terms of this Order who receives unmarked documents or materials which s/he believes the Company

intended to be protected by the terms of this Order, and that would have been protected if marked in accordance with this paragraph, shall make a good faith effort to notify the Company of this fact and to avoid use of such documents or materials in a manner inconsistent with protection of such material under this Order.

2. Information that is designated as CEII Information by one of the Companies and information or data that is deemed to be CEII Information pursuant to this Order, will be and will remain confidential, except to the extent that any such CEII Information is removed from coverage of this Order in accordance with the terms herein. CEII Information shall not be disclosed for any purpose other than the purposes of this proceeding, and then solely in accordance with this Order. No person to whom access to CEII Information is accorded pursuant to this Order shall disclose or reveal, directly or indirectly, the content of the CEII Information to others, except as provided in herein.
3. The parties and intervenors to whom CEII Information is furnished may challenge the designation of any documents or other information as confidential by motion to the Council and upon reasonable prior notice to the parties and an opportunity for hearing. Upon the entry of an order granting such a motion, the provisions and restrictions of this Order shall cease to bind any party or other person with respect to the documents or information that the order granting the motion shall have expressly and clearly removed from the coverage of this Order.
4. Except to the extent that this Order is modified, access to CEII Information filed in this proceeding shall be limited to: (i) registered employees of a Governance or Market Participant as defined in the ISO-NE Open Access Transmission Tariff; (ii) an employee of an Independent System Operator ("ISO") or Regional Transmission Organization

("RTO"); (iii) a state agency employee, including members and staff of the Council; (iv) other state and municipal officials and their staff; (v) federal agencies and their staff; (vi) an employee of an electric reliability organization or regional entity; (vii) an employee of a Transmission Owner; (viii) parties and intervenors in this proceeding, and their counsel; (ix) a consultant engaged for the purpose of this proceeding for one of the foregoing persons or entities; and (x) a stenographer or reporter recording any hearing in connection with this proceeding as part of the official record of the proceeding.

5. Any such recipient of CEII Information shall agree to use the CEII Information solely for the purposes of this proceeding and not disclose the information to any other person except as specifically provided herein. Each person within an entity or organization (except for: an employee of ISO-NE or another independent system operator or regional transmission organization in North America; an employee of a Transmission Owner; a state agency official or employee; a federal agency official or employee an employee of the Electricity Reliability Organization; state officials and employees of a state agency or municipal government) who is provided access to the CEII Information must complete a CEII Request Form and Non-Disclosure Agreement, similar to the forms attached hereto.
6. No copies of CEII Information furnished by one of the Companies shall be circulated to persons other than those persons who are authorized under Paragraph 4 of this Order to obtain CEII Information. Documents offered in evidence may be copied as necessary for that purpose. Persons authorized under Paragraph 4 hereof also may take such notes as may be necessary solely for the purposes of this proceeding. Those notes must also be treated as CEII Information. Although a person authorized to obtain CEII Information may use the information as foundation for advice to his or her employer or clients, s/he

may only discuss the CEII Information with or disclose CEII Information to another person authorized to receive the identical CEII Information.

7. All CEII Information made available pursuant to this Order may be given to the Council members, and the Council's staff, upon execution of the Acknowledgement referenced below. Consultants retained by the Council shall also be provided with the CEII Information upon their becoming signatories to the Order and executing the Nondisclosure Agreement, attached hereto as Exhibit 1 ("Signatories").
8. Members and staff of the Council are bound by the terms of the Order provided that a representative thereof has executed Exhibit 1 found at the close of the Order.
9. Signatories to this Protective Order agree to be bound by its terms and shall not use the CEII Information except for purposes of this proceeding. All recipients of the CEII Information under this Order, shall maintain a written log of all individuals granted access to said CEII Information. All persons granted access to the CEII Information shall neither use nor disclose the CEII Information for purposes of business or competition, or for any other purpose, other than for purposes of preparation for and conduct of this proceeding solely as contemplated herein and shall in good faith take all reasonable precautions to keep the CEII Information secure in accordance with the purposes and intent of the Order using existing best practices for preventing disclosure of confidential information.
10. Any CEII Information made available pursuant to this Order shall be part of the record in the docket cited above, subject to the same relevancy and other evidentiary considerations as non-confidential information, subject to the conditions stated in this Order.

11. If the CEII Information is used in any manner in any interrogatory, letter, petition, brief or other writing ("Document"), all reference to the CEII Information in the Document shall be either:

- (a) in a separate document, prominently labeled "Proprietary Information," which document shall be safeguarded in accordance with the Order and distributed only to Commissioners and staff of the Authority; or
- (b) solely by title or exhibit reference, in a manner reasonably calculated not to disclose the CEII Information.

12. If the CEII Information is used in any manner in any proceeding or during the course of a public hearing before the Council or its Members ("Hearing"), the Hearing shall not be held before, nor any record of it made available to, any party, intervenor, or other person or entity not a Signatory, other than the appropriate Council staff. Presence at the Hearing shall be limited to the Members and appropriate staff of the Council, representatives of the Companies and Signatories to this Order. No record shall be disclosed, nor any communication made, of use of the CEII Information in the Hearing to any person or entity not a Signatory, other than the appropriate Council staff. Any transcript or other recording of the Hearing which relates to the CEII Information shall be placed in sealed envelopes or containers and a statement essentially in the following form placed prominently on such envelope or container:

"CONFIDENTIAL-CEII INFORMATION
This envelope is not to be opened nor the contents
to be displayed or revealed except pursuant to the
pertinent Protective Order issued in Petition No.
1157"

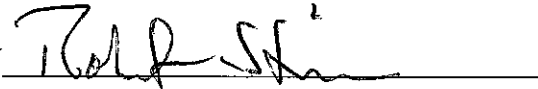
13. If any appeal of, or other challenge to, the Council's decision in this proceeding be taken, any portions of the record that have been sealed in accordance with this Order shall be forwarded to the courts of this State or other court having subject matter jurisdiction, in accordance with applicable law and procedures, under such protective order as may be entered by the court.
14. CEII Information made available pursuant to this Order and made part of the record in any proceeding before the Council shall remain in the possession of the Council, under seal, and subject to the protective requirements of this Order, until this Council shall otherwise order.
15. Nothing herein shall be construed as a final determination that any of the CEII Information will be admissible as substantive evidence in this proceeding or at any hearing or trial. Moreover, nothing herein shall be considered a waiver of any party's right to assert at a later date that the material is or is not proprietary or privileged. A party seeking to change the terms of the Order shall by motion give every other party five (5) Council business days prior written notice. No information protected by the Order shall be made public until the Council rules on any such motion to change the terms of the Order. CEII Information otherwise properly discovered, even though also subject to the terms of the Order, shall not be considered protected by the Order.
16. Copies of the CEII Information and documents, notes and other materials containing or reflecting, directly or indirectly, the CEII Information, that are in possession of the Council members, counsel or employees may be retained by those persons for the purpose of performing those persons' duties and obligations. If retained, the CEII Information shall be subject to this Protective Order or to a protective order

issued in another proceeding in which the CEII Information is used. If such a member, counsel or employee of the Council does not retain the CEII Information, that person shall destroy it as provided in this paragraph. When the Council determines that any CEII Information is no longer required for its work, it shall destroy such CEII Information. All parties and intervenors to whom CEII Information has been made available in the proceeding, their counsel and retained experts, shall destroy all documents, notes and other materials containing or reflecting, directly or indirectly, the CEII Information no later than thirty (30) days after the expiration of all appeal periods applicable to the final decision rendered in this proceeding. Audio, video or other such magnetically recorded materials shall be electronically erased before disposal. Paper documents shall be shredded.

SO ORDERED BY:

CONNECTICUT SITING COUNCIL

BY



Dated: September 3, 2015

**NONDISCLOSURE AGREEMENT AND
AGREEMENT TO BE BOUND BY THE
TERMS OF THE PROTECTIVE ORDER**

The undersigned hereby acknowledges review of the Protective Order filed, August 11, 2015 in Petition No. 1157, *The Connecticut Light and Power Company doing business as Eversource Energy and The United Illuminating Company Petition Concerning Improvements Pursuant to the North American Electric Reliability Corporation Reliability Standards*, and hereby agrees to abide by the terms thereof, in exchange for receipt of the CEII Information from The Connecticut Light and Power Company doing business as Eversource Energy and The United Illuminating Company.

Recipient: _____

Date: _____

Recipient: _____

Date: _____

Recipient: _____

Date: _____

Recipient: _____

Date: _____

**REQUEST FOR INFORMATION
CRITICAL ENERGY INFRASTRUCTURE INFORMATION (“CEII INFORMATION”)
PURSUANT TO PROTECTIVE ORDER**

1. This form must be accompanied by an original signed Non-Disclosure Agreement or a Subscription to a Protective Order entered in an administrative proceeding, if you are a party or intervenor in an administrative proceeding and are not employed by the Independent System Operator, New England (ISO-NE) or a federal or state agency. If you have already signed a CEII Non-Disclosure Agreement, please provide the date: _____

2. The undersigned requests the following information:

Any additional material to be filed in this proceeding for which CEII status is claimed by the Company.

3. The undersigned is.

- a party or intervenor in the proceeding identified in paragraph 3, having been admitted as such on _____
- an employee of ISO-NE or another independent system operator or regional transmission organization in North America
- a state official or agency employee
- a municipal government official or employee of a municipal government
- a federal agency employee
- an employee of the electricity reliability organization or regional entity
- an employee of a transmission owner in another control area
- a consultant of one of the entities listed above who has been retained to provide advice regarding the matter described in no. 5 below

4. Give the name of your employer and your title: _____

5. The undersigned represents warrants and agrees that the information is to be used solely for the following purpose [describe in detail]: _____

6. If you are a consultant, provide the name and contact information of an individual at the organization that has retained you so that we may verify your role: _____

I acknowledge that the foregoing is true and accurate, and agree to give [Eversource Energy Service Company or United Illuminating Company](the “Company”) immediate notice if any of the foregoing is no longer true. I also consent to the Company and its affiliated companies sharing the fact that this request has been made and/or granted, and agree that the Company and its parent and affiliated companies shall have no liability to me in connection with this request.

Signature: _____ Name (please print): _____

Organization: _____ Business Address: _____

Email: _____ Phone: _____