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August 27, 2012

Donna Giliberto, Esq.
New York State Department of Public Service
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Case 12-E-0136 – Petition of Dunkirk Power LLC (“Dunkirk”) and NRG Energy, Inc. for Waiver of Generator Retirement Requirements—Reliability Support Services Agreement between Dunkirk Power LLC and Niagara Mohawk Power Corp. d/b/a/ National Grid (“National Grid”)

Dear Ms. Giliberto:

Concurrent with this letter, National Grid has submitted to the New York Public Service Commission an executed copy of the Reliability Support Services Agreement (“RSS Agreement”) between Dunkirk and National Grid. The RSS Agreement has been submitted in a redacted format to protect certain of the information in Schedule 2 and Exhibits 1 and 2 (such Schedule and Exhibits, the “Dunkirk Confidential Information”) because that information is confidential commercial information, proprietary and constitutes trade secrets. An unredacted executed copy of the RSS Agreement is attached to this letter.

Dunkirk hereby seeks permanent trade secret and confidential commercial information status for the Dunkirk Confidential Information under Section 6-1.3(b)(1) of the Commission's Rules and Regulations (16 CRRNY 6-1.3) and Section 87(2)(d) of the New York Public Officers Law because the attached materials contain confidential commercial information, is proprietary, and constitutes a trade secret.

Pursuant to Section 6-1.3(b)(2) of the Commission's Rules and Regulations, “[a] person submitting trade secret or confidential commercial information to the department shall clearly state the reason(s) why the information should be excepted from disclosure ... ” In accordance therewith, NRG hereby requests that the materials be excepted from disclosure because they contain information on Dunkirk’s outages and maintenance, earnings and capacity bid price that is not publically known and would provide valuable market and other information to NRG’s competitors that cannot otherwise be obtained or duplicated by them. Specifically, certain portions of the

schedule and exhibits (i) contain confidential market information, (ii) describe projects and maintenance for the facility that if disclosed would provide unfair competitive advantage to NRG's competitors and counterparties, and (iii) contain confidential financial information that would allow NRG's competitors to determine Dunkirk's profits and losses, thereby gaining a competitive advantage. As such, the Dunkirk Confidential Information constitutes commercially-sensitive, proprietary information and the release of this information would cause substantial harm in the form of unfair economic and competitive damage to NRG.

Accordingly, excepting the materials from disclosure is consistent with New York Public Officers Law § 87(2)(d) because disclosure would cause substantial competitive and economic injury to NRG's competitive position.

Sincerely,

/s/ Judith Lagano

Judith Lagano
Vice President – Asset Management
NRG Energy, Inc.

cc (via electronic mail):
Service List Case 12-E-0136 (without attachment)
Raj Addepalli
David Drexler
Tammy Mitchell