

November 28, 2012

**VIA E-MAIL**

Donna Giliberto, Esq.  
Records Access Officer  
New York State Public Service Commission  
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**CASE NO. 93-G-0932: REQUEST FOR TRADE SECRET PROTECTION –  
THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY AND  
KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID  
GAS CUSTOMER MIGRATION REPORTS**

**ATTACHMENT CONTAINS CONFIDENTIAL INFORMATION**

Dear Ms. Giliberto:

Pursuant to Public Officers Law §§ 87[2](d), 89[5](a)(1), and Section 6-1.3 of the Commission's Rules of Procedure, 16 N.Y.C.R.R. § 6-1.3, and in accordance with the October 20, 2006, letter decision issued by Secretary Brilling regarding a "Request for Certain Information in Unredacted ESCO Gas Flow-Through Data Reports for November and December 2005 (Trade Secret (06-1)," and the Record Access Officer's March 16, 2010, letter decision regarding "Request for Records Showing 2009 Breakdown of Revenue and Number of Residential Customers for Gas & Electric per ESCO per Utility Company (Cases 93-G-0932 and 94-E-0952)," The Brooklyn Union Gas Company d/b/a National Grid NY (KEDNY) and KeySpan Gas East Corporation d/b/a National Grid (KEDLI)(collectively, National Grid) hereby seek confidential trade secret protection and exception from public disclosure for the attached Gas Customer Migration Reports (Migration Reports), dated November 2012. The Migration Reports show ESCO-specific migration data in the Company's service territory.

National Grid requests confidential status for the Migration Reports because they capture, on a monthly basis, the number of customers that have migrated to, or from, ESCO service in each of the company's service territories, as well as the annualized load and the total volume of gas for each of the ESCOs' customer classes. Disclosure of this information would adversely affect ESCOs' ability to procure natural gas supplies because suppliers could demand higher prices if suppliers knew the volume of gas ESCOs needed on a particular utility's system. In addition, since ESCOs use available information concerning their competitors when creating their marketing plans, disclosure of the Migration Reports would unfairly assist new entrants in deciding on the timing of

entry into the New York market, which markets to enter and which market segments to target or to avoid.

For the reasons stated above, National Grid respectfully requests that the Migration Reports be deemed to be confidential trade secret material exempt from public disclosure under Public Officers Law Section 87 and Part 6-1 of the Commissions Regulations.

Please contact the undersigned with any questions regarding this letter or the enclosures.

Sincerely,  
/s/ Katherine E. Smith  
Katherine E. Smith