

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
ENERGY FACILITY SITING BOARD**

IN RE:	INVENERGY THERMAL DEVELOPMENT LLC	:	
	APPLICATION TO CONSTRUCT AND	:	
	OPERATE THE CLEAR RIVER ENERGY	:	SB-2015-06
	CENTER, BURRILLVILLE, RHODE ISLAND	:	
	MOTION FOR PROTECTIVE TREATMENT	:	

ORDER

This matter came before the Energy Facility Siting Board (Board or EFSB) on a Motion for Protective Treatment filed by Invenergy Thermal Development LLC (Invenergy). Invenergy requests that its responses to the Conservation Law Foundation’s (CLF) Ninth Set of Data Requests be granted protection from public disclosure.

In support of its motion, Invenergy asserts that the information concerning ISO-NE’s Annual Reconfiguration Auction and whether or not Invenergy participated in that Auction is confidential and requires protective treatment from public disclosure. As such, Invenergy claims that this information should be protected under the trade secret and commercial exemption of the Access to Public Records Act, specifically, R.I. Gen. Laws § 38-2-2(4). No party or other interested person in this matter objected to the motion.

The arguments made by Invenergy support its motion, and the Board finds that the responses to CLF’s Ninth Set of Data Requests should be provided protective treatment. Those files shall be kept confidential indefinitely, not be placed in the public docket, and be disclosed only to the Board, attorneys, and expert consultants as necessary to these proceedings.

Accordingly, it is hereby

(122) ORDERED:

The Invenergy Thermal Development, LLC Motion for Protective Treatment of its responses to the Conservation Law Foundation's (CLF) Ninth Set of Data Requests, is granted. EFFECTIVE AT WARWICK, RHODE ISLAND, OCTOBER 17, 2017. WRITTEN ORDER ISSUED JANUARY 8, 2018.

ENERGY FACILITY SITING BOARD



A handwritten signature in cursive script, appearing to read "Margaret E. Curran", is written over a horizontal line.

Margaret E. Curran, Chairperson

Janet Coit, Member

Parag Agrawal, Member