

**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 a document attached to John Niland’s Supplemental Testimony, filed with the Board on November 20, 2017, be granted protection from public disclosure.

In support of its motion, Invenergy asserts that the information contained in the attachment, which it identified as the new capacity qualification determination notification, is treated by the Federal Energy Regulatory Commission as confidential pursuant to its tariffs. Invenergy states that the attachment contains information that can be classified as a trade secret and commercially sensitive, and because of this, R.I. Gen. Laws §§38-2-2(4)(b) and 38-2-2(4)(s) exempt the information from public access. No other party objected to the motion.

The arguments made by Invenergy support its motion. The Board finds that the attachment to John Niland’s Supplemental Testimony 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

( 129 ) ORDERED:

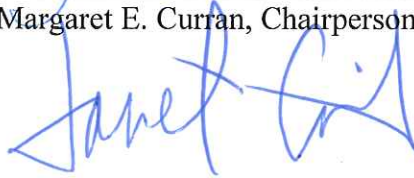
The Invenergy Thermal Development, LLC Motion for Protective Treatment of the attachment to John Niland's Supplemental Testimony is granted.

EFFECTIVE AT WARWICK, RHODE ISLAND, DECEMBER 12, 2017. WRITTEN ORDER  
ISSUED FEBRUARY 1, 2018.

ENERGY FACILITY SITING BOARD



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Margaret E. Curran, Chairperson



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Janet Coit, Member



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Parag Agrawal, Member

