

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
ENERGY FACILITY SITING BOARD

IN RE: The Narragansett Electric Company Notice of  
Intent to Relocate Transmission Lines in Providence  
and East Providence (E-183 115kV Transmission Line  
Relocation Project – A/C I-195 Relocation)

Docket No. SB-2003-01

STATUS REPORT OF THE CITY OF EAST PROVIDENCE

This report is filed with the EFSB to fulfill the requirement of quarterly reporting requested by the Board. This report will only detail steps taken by the City of East Providence (“East Providence”) in furtherance of the E-183 Underground Relocation Project since April 15, 2015.

1. A teleconference was held on Friday April 24, 2015, by and between project counsel to discuss the Peer Review Report.
2. On May 8, 2015, project counsel received a supplemental alternative alignment document produced by Haley Aldrich with cost estimates of an alternative alignment.
3. A status conference was held before the Energy Facility Siting Board on June 16, 2015. The parties agreed to meet toward the end of July to discuss and agree on an alignment.
4. A meeting was scheduled to take place on July 22, 2015 for the parties to discuss the alignment.
5. In turn, East Providence is continuing to attempt to resolve site control issues for the Transition Station and related easements. A conference call was held with representatives of Tockwotton Home and National Grid on June 22, 2015, regarding securing property rights for the Transition Station and related easements.
6. In the aftermath of that conference call, East Providence took the lead in securing a tentative agreement that a land swap could be undertaken. Specifically, that the utility

easements that are no longer needed (assuming the Underground Alignment goes to construction) would be deeded to Tockwotton and Tockwotton would deed the Transition Station location and affiliated easements to National Grid.

7. East Providence thought it was able to secure conceptual agreement. East Providence then sponsored a subsequent conference call. National Grid then introduced other elements into equation that are not consistent with a land swap. Nevertheless, East Providence took the lead in suggesting protocols to undertake the diligence necessary to complete. *See E-mail attached hereto as Exhibit A.* East Providence did not receive responses.

8. On July 13, 2015, East Providence sent out a draft land swap agreement.

9. On July 15, 2015, East Providence finally received a letter from National Grid relative to potential real estate acquisition issues. See Communication attached hereto as *Exhibit B.* The letter seems to suggest that there is conceptual agreement. East Providence received an e-mail from Tockwotton to the same effect. However, National Grid is reluctant at this point to document the process to acquire the relevant land rights. East Providence feels strongly that the conceptual agreement should be documented, so that this aspect of the project can be resolved.

Respectfully submitted,  
The City of East Providence  
By its Attorney,



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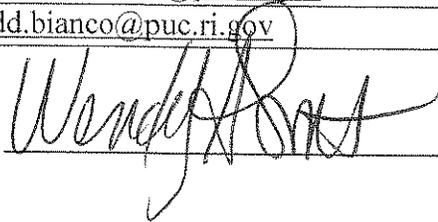
Dated: July 17, 2015

CERTIFICATE OF SERVICE

I hereby certified that on this 17<sup>th</sup> day of July, 2015, I filed and serve this document through the e-mail to the following parties:

| Name/Address                                                                                                                                                   | E-mail                                                                                                                                           | Phone/FAX                                 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|
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| National Grid                                                                                                                                                  | <a href="mailto:celia.obrien@nationalgrid.com">celia.obrien@nationalgrid.com</a>                                                                 |                                           |
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| Jon Hagopian, Esq.<br>Rhode Island Division of Public Utilities                                                                                                | <a href="mailto:JHagopian@dpuc.ri.gov">JHagopian@dpuc.ri.gov</a><br><a href="mailto:Joseph.Shilling@dpuc.ri.gov">Joseph.Shilling@dpuc.ri.gov</a> |                                           |
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| Kevin Flynn, Associate Director for<br>Division of Planning<br>Department of Administration<br>One Capitol Hill, 3 <sup>rd</sup> Floor<br>Providence, RI 02903 | <a href="mailto:kevin.flynn@doa.ri.gov">kevin.flynn@doa.ri.gov</a>                                                                               | 401-222-6496                              |
| Adrienne G. Southgate, City Solicitor<br>City of Providence<br>Department of Law<br>275 Westminster Street<br>Providence, RI 02903                             | <a href="mailto:asouthgate@providenceri.com">asouthgate@providenceri.com</a>                                                                     |                                           |
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| Mark W. Russo, Esq.<br>Ferrucci Russo P.C.<br>55 Pine Street, 4th Floor<br>Providence, RI 02903                                                | <a href="mailto:mrusso@frlawri.com">mrusso@frlawri.com</a>                       | 401-455-1000<br>401-455-7778 |
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| David Priley                                                                                                                                   | <a href="mailto:davidpriley@aol.com">davidpriley@aol.com</a>                     |                              |
| Seth Handy, Esq.<br>Handy Law, LLC<br>42 Weybosset Street<br>Providence, RI 02903                                                              | <a href="mailto:seth@handylawllc.com">seth@handylawllc.com</a>                   |                              |
| File an original and 7 copies w/:<br>Nicholas Ucci, Coordinator<br>Energy Facility Siting Board<br>89 Jefferson Boulevard<br>Warwick, RI 02888 | <a href="mailto:nicholas.ucci@puc.ri.gov">nicholas.ucci@puc.ri.gov</a>           | 401-780-2106                 |
|                                                                                                                                                | <a href="mailto:Margaret.curran@puc.ri.gov">Margaret.curran@puc.ri.gov</a>       |                              |
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|                                                                                                                                                | <a href="mailto:Todd.bianco@puc.ri.gov">Todd.bianco@puc.ri.gov</a>               |                              |

  
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# Exhibit A

## Wendy Smith

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**From:** Kellie McShane on behalf of W. Mark Russo, Esq.  
**Sent:** Tuesday, June 23, 2015 9:34 AM  
**To:** 'Peter V. Lacouture Esq.'; 'Jim McGuirk'; Timothy Chapman (tchapman@cityofeastprov.com)  
**Subject:** E-183 - Transition Site and Related Easements

To All:

Peter, Pat Wong, Jim McGuirk and I attempted to outline some steps to document an agreement where we would, in essence, complete a land swap whereby Tockwotton would receive right, title and interest to the abandoned easement areas (assuming the project was completed) and National Grid would receive right, title and interest to the transition station site and associated easements that would be necessary, including the relocated Phillipsdale tap line.

We got off to a little bit of a rocky start, because I thought National Grid had agreed to a land swap, but as we talked it became clear that National Grid is looking at this as a land swap plus money either coming from the Tockwotton side or going to the Tockwotton side depending on the outcome of appraisals.

If we move forward, the general steps that we discussed were as follows:

1. A survey would be undertaken to figure out exactly what National Grid needs for a transition station site, where the affiliated easements would be located, etc.
2. The survey would also include the necessary engineering to relocate the Phillipsdale tap line.
3. We would have appraisals done to determine the value of the easement rights being released versus the transition station site and affiliated easement rights being acquired.

Before we undertake these steps, my suggestion would be as follows:

1. We should take the information that Dave Campilii has to-date and come up with our best information of what land will be needed to be acquired for the transition site, affiliated easements and relocated Phillipsdale tap line.
2. We should have Mike DiNeza's group at National Grid come up with a pretty solid estimate as to how the hypothetical, abandoned easement areas would be valued.
3. We could have a reputable appraiser give us a drive-by assessment of value for the areas that would hypothetically be acquired for the transition site, affiliated easements, and relocated Phillipsdale tap line.
4. We then need to work out an agreement amongst the parties that if money is going to be paid to Tockwotton at the end of the day, then that money would come from project funds. Conversely, if money were due and owing to National Grid, then that money would likewise come from project funds.

If we can rough out this information in the next 10 days, we should be able to draft a Memorandum of Agreement documenting the mechanics of this transaction.

Please advise.

**W. Mark Russo**

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This e-mail message is subject to attorney-client privilege and contains information intended only for the person(s) named above. If you receive this transmission in error, please notify us immediately. Destroy the original message and all copies.

# Exhibit B

July 15, 2015

W. Mark Russo, Esq.  
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55 Pine Street – Suite 4  
Providence, RI 02903

James R. McGuirk, Esq.  
Cameron & Mittleman LLP  
301 Promenade Street  
Providence, RI 02908

**Re: National Grid - E-183 Underground Project (Tockwotton)**

Gentlemen:

This will confirm that the real estate transactions among Tockwotton, the City of East Providence and National Grid will require the following steps:

1. National Grid will pursue the engineering and design of the transition station and the relocation of the Phillipsdale tap line;
2. After the design has been finalized, National Grid will engage a surveyor to survey the property and define the property rights and easements that it will require;
3. National Grid will obtain appraisals from a mutually acceptable appraiser of the following fee and easement rights:
  - the fee interest for the transition station site;
  - the new (relocated) easement from the existing Phillipsdale tap point to the transition station;
  - the existing Phillipsdale tap line easement which National Grid will release after relocation of the existing Phillipsdale tap line (which will become the main line from the existing Phillipsdale tap point to the transition station)<sup>1</sup>;
  - the easement for the underground cable into the transition station site; and

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<sup>1</sup> This includes the easement over property located at the corner of Waterfront Drive and Mauran Avenue, which easement will be released.

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# Robinson + Cole

W. Mark Russo, Esq.  
James R. McGuirk, Esq.  
July 15, 2015  
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- the existing mainline easement across the Tockwotton property (the mainline extends from the Phillipsdale tap point through the Tockwotton property and across the Seekonk River to India Point Park and beyond) which National Grid will release to Tockwotton.

The release of the various easement rights will be to Tockwotton as the owner of the underlying fee, subject to the consent of East Providence.

Following the completion of the appraisals, we would total the values and determine whether money was owed from National Grid to Tockwotton or vice versa. We agree as you proposed in your June 23 email that any funds owed to Tockwotton would be paid from project funds rather than by East Providence, as provided in the Settlement Agreement. In the event that money is owed by Tockwotton to National Grid, we will work with the parties to determine whether this can and should be paid from project funds.

While we appear to be in agreement on the conceptual outline of the transaction as described above, National Grid believes that it is premature to seek appraisals until the engineering is completed and the extent of the fee and easement interests are defined. Thus, National Grid does not believe that a Memorandum of Understanding would be useful at this time. However, we are willing to represent to the Siting Board that we are in agreement on the general outline of the real estate transaction.

After you have reviewed this, we would be pleased to discuss it with you.

Sincerely,



Peter V. Lacouture

Copy to: David J. Beron, P.E., P.M.P.  
David M. Campilli, P.E.  
Patricia Yung Wong, Esq.