



State of Rhode Island and Providence Plantations

DEPARTMENT OF ATTORNEY GENERAL

150 South Main Street • Providence, RI 02903

(401) 274-4400

TDD (401) 453-0410

Patrick C. Lynch, Attorney General

October 1, 2007

Luly Massaro, Clerk
Public Utilities Commission
89 Jefferson Blvd.
Warwick, RI 02889

Re: Docket No. 3565

Dear Ms. Massaro,

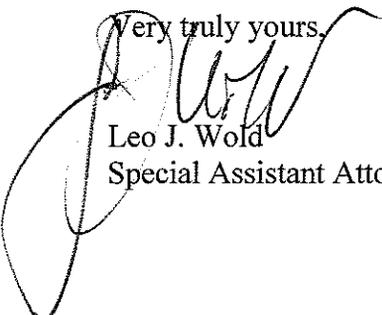
The Division of Public Utilities and Carriers had advised the Commission that it did not appear necessary to file a brief because the Commission, at open meeting, appeared to have rejected the proposed settlement on the ground that the Rhode Island Resource Recovery Corp. would be acting as a "public utility" were the company to own/operate "Direct Connect" facilities within the confines of the Industrial Park. This conclusion was confirmed by an e-mail dated September 27, 2007 in which we were informed:

"The Commission reasoned that it appears that RIRRC would be acting as a public utility. In light of this discussion, Commission Counsel has suspended the procedural schedule pending further notice."

If oral argument is going to take place, it would appear *all* issues in the above matter are still open. In that event, the Division will be filing its written recommendation with the Commission. Please apprise me as to whether the oral argument date is now "unsuspended".

Thank you for your attention to this matter.

Very truly yours,


Leo J. Wold

Special Assistant Attorney General

Service List

RECEIVED
2007 OCT -2 AM 11:45
PUBLIC UTILITIES COMMISSION