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November 10, 2005

VIA HAND DELIVERY

Luly Massaro, Commission Clerk
Rhode Island Public Utilities Commission
89 Jefferson Boulevard
Warwick, Rhode Island 02888

RE: Docket No. 3690, Earnings Sharing Mechanism and Distribution Adjustment Charge Filing

Dear Ms. Massaro:

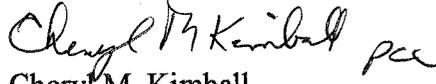
Pursuant to Rule 1.18(c)(3) of the RIPUC Rules of Practice and Procedure, New England Gas Company ("NEGC" or the "Company") respectfully objects to the First Set of Data Requests of the Rhode Island Department of the Attorney General (the "Requests"), which were issued to the Company on November 1, 2005. The information sought in these Requests pertains to matters beyond the scope of the pending investigation into the Company's Distribution Adjustment Clause, Docket No. 3690, and release of these materials in this forum could have a detrimental and adverse effect on the Company in litigation in other, more appropriate jurisdictions.

As stated in the Company's objection to certain data requests issued by the Rhode Island Division of Public Utilities and Carriers (the "Division") (filed with the Commission on October 14, 2005), this docket involves the Commission's investigation of whether the Company has properly calculated the Earnings Sharing Mechanism ("ESM") for fiscal year ended June 30, 2005. Thus, the scope of this investigation is limited to the amounts booked as operating revenues and expenses, or as reconciliation amounts, and included in the calculation of earnings to be shared between the Company and its customers. As stated in the testimony of Robert J. Riccitelli (at page 6), expenses relating to the incident in question were excluded from Operating Expense for the purpose of calculating the ESM. Because these costs are excluded from the ESM calculation, these expenses are not within the scope of a proceeding that is investigating whether the ESM is properly calculated.

In that regard, the Attorney General's Requests seek information that is either wholly unrelated to the ESM calculation (e.g., AG 1-1 and AG 1-2¹) or relates to the accounting for costs that the Company has excluded from the ESM (AG 1-3 through AG 1-6), and therefore falls outside of the scope of this proceeding. Accordingly, the Company respectfully objects to the Attorney General's Requests.

Thank you very much for your consideration of this matter.

Sincerely,


Cheryl M. Kimball
(R.I. Bar #6458)

cc: Luly Massaro, Commission Clerk (nine copies)
Service List, Docket No. 3690

¹ In fact, the Company's witness (Mr. Peter Czekanski) provided the answer to Data Request AG 1-2 on the stand, and therefore, this question is redundant and unnecessary.