

December 1, 2006

VIA HAND DELIVERY & ELECTRONIC MAIL

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

**RE: Docket 3761 – Summer Moratorium
Response to AARP Comments**

Dear Ms. Massaro:

On Monday, November 27, 2006, the Public Utilities Commission (“Commission”) held a public hearing in this docket regarding the proposed amended regulation to establish a summer moratorium for residential utility service shut-offs on days when the National Weather Service (“NWS”) issues a heat advisory or excessive heat warning for Rhode Island. At the public hearing, Commission Counsel specifically requested that National Grid and other utilities provide a response to the comments filed on November 27 by AARP Rhode Island, which recommended that the rule extend the prohibition on disconnections to periods when the NWS issues an “excessive heat watch.”

As the Commission is aware, National Grid has been supportive of the Commission’s request for a summer moratorium policy on utility service shut-offs. In fact, the language contained in the Commission’s draft regulation stems directly from research prepared and comments provided to the Commission by National Grid (see National Grid Comments filed on August 17, 2006). Rhode Island is the only state in New England – and one of only seven states in the entire United States – that has established a moratorium rule regarding summer shut-offs. In addition, the other states are located in regions with significantly more heat issues (e.g., Texas, Oklahoma). Nevertheless, National Grid supports the rule regarding a summer moratorium for residential customers on those days for which the NWS has issued a “heat advisory” or “excessive heat warning” for Rhode Island.¹

The NWS will issue a “heat advisory” for Rhode Island when the heat index of 100 to 104 degrees Fahrenheit is expected to be met for two hours or more. The criteria for “excessive heat

¹ National Grid concurs with AARP’s research that the term “heat advisory” as used by the NWS does not require the adjective “excessive”. NWS uses the terms “heat advisory” and “excessive heat warning.”

warnings” for Rhode Island is a heat index of 105 degrees Fahrenheit or greater. These are the times where the potential health concerns are the greatest.

AARP has suggested that the Commission include “excessive heat watch” to the regulation. National Grid believes that this amendment goes too far. According to the NWS, a “watch” is issued “when the risk of a hazardous weather event is significant in the 12 to 48 hour time frame, but occurrence, location, severity, or timing is uncertain.” NWS Eastern Region Supplement 06-2006, page 3 (September 1, 2006). The NWS would issue a “watch” in anticipation of and prior to a heat advisory or excessive heat warning. Subsequent updates are issued at least once every 12 hours until a warning or advisory is issued or the watch is cancelled. Id at page 6. Halting the Company’s ability to terminate accounts during the “watch” time would significantly impact the Company’s performance. As indicated in the Company’s earlier filing, National Grid wants to be as responsive as we can to legitimate health issues, without unduly impacting the need to implement effective collections practices. The current rule strikes the appropriate balance. Additionally, other states’ practices rely on the actual heat index, rather than the watch time.

It should also be noted that the Commission’s rules contain special prohibitions regarding termination of utility service for elderly, disabled, and seriously ill customers, which are effective throughout the year. National Grid does not terminate service to protected elderly or disabled customers for non payment until a thorough review of the case has been completed by the Division and the Division’s approval is granted for shut-off pursuant to the regulations.

Thank you for the opportunity to respond to the AARP’s recommendations. If you have any questions regarding these comments, please feel free to contact me at (401) 784-7667.

Very truly yours,



Laura S. Olton

cc: Docket 3761 Service List

Certificate of Service

I certify that a copy of the cover letter and materials accompanying this certificate were mailed or hand-delivered to the parties listed below.



Date: December 1, 2006

Joanne M. Scanlon

National Grid

Docket No. 3761 – George Wiley Petition to Institute a Summer Moratorium

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