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PUBLIC UTILITIES COMMISSION

February 23, 2007

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

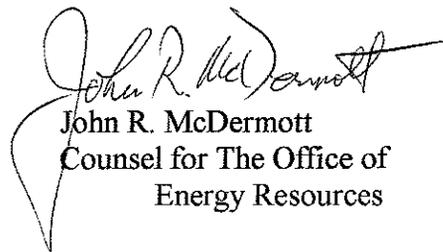
Re: Docket No. 3804 – National Grid - Affordable Energy Plan

Dear Ms. Massaro:

Enclosed for filing please find the original and nine copies of the Motion to Intervene Out Of Time of the Rhode Island Office of Energy Resources in the above-referenced proceeding.

Thank you for your assistance in this matter.

Sincerely,


John R. McDermott
Counsel for The Office of
Energy Resources

cc: Docket No. 3804 Service List

STATE OF RHODE ISLAND
PUBLIC UTILITIES COMMISSION

IN RE: NATIONAL GRID – AFFORDABLE ENERGY : DOCKET NO. 3804
PLAN

MOTION TO INTERVENE OUT OF TIME OF THE RHODE ISLAND OFFICE OF
ENERGY RESOURCES

The Rhode Island Office of Energy Resources (“OER”), by its attorney, hereby moves under Rule 1.13 of the Rules of Practice and Procedure of the Rhode Island Public Utilities Commission (“Rules” and “Commission” respectively) to intervene in the above-captioned proceeding and, in support of its motion, states as follows:

1. OER is a state agency, created by The Comprehensive Energy Conservation, Efficiency and Affordability Act of 2006 (“Act”) and, in particular, Section 11 of the Act which contains the Rhode Island Energy Resources Act.
2. The Rhode Island Energy Resources Act, as codified in Title 42, chapter 140 of the Rhode Island General Laws, established OER and gave it broad responsibilities and powers to develop and promote the “provision of energy resources for Rhode Island in a manner that enhances economic well-being, social equality, and environmental quality” as well as other diverse and substantial energy-related missions and powers.
3. The Act further added section 39-1-27.9 to Title 39, chapter 1 of the Rhode Island General Laws. That section provides that, in any proceedings such as this “...that relate to or could potentially impact any programs, functions or duties of the office of energy resources...”, OER, upon formal request to this Commission, shall be deemed to be “...an interested party for all purposes...” in any such proceedings.
4. This proceeding relates to and could potentially impact programs, functions and duties of the OER. OER has been actively following this proceeding and participating in related discussions with various parties in this proceeding. Now, OER has retained legal counsel and hereby moves to become a formal party to this proceeding. If granted, OER’s intervention at this time will include OER’s agreement to be bound by the agreements reached and orders entered prior to OER’s intervention in this proceeding and the granting of this motion will neither disrupt the proceedings nor result in any undue hardship or prejudice to any other party to this proceeding

5. OER's participation in this proceeding is consistent with its statutory responsibilities and will further the public interest.
6. Accordingly, OER's intervention is necessary and appropriate under Rule 1.13 of the Rules.

Service of any correspondence or pleadings in connection with these matters should be directed to:

Andrew C. Dzykewicz
RI Office of Energy Resources
One Capitol Hill
Providence, RI 02908-5850

adzykewicz@gov.state.ri.us

and

John R. McDermott
Po Box 451
Saunderstown, RI 02874

JRMcDermott.law@gmail.com

WHEREFORE, OER asks that its motion to intervene be granted.

Respectfully submitted,
Rhode Island Department of Energy Resources
By its attorney,



John R. McDermott
Attorney-At-Law
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Saunderstown, RI 02874
Tel: 401-269-1198
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CERTIFICATE OF SERVICE

I hereby certify that on the 23rd day of February, 2007, I emailed a copy of this document to all parties on the service list for this docket providing email addresses and by regular mail to any remaining parties.

A handwritten signature in cursive script, reading "John R. McDermott", is written over a horizontal line. The signature is fluid and extends slightly above and below the line.