

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
PUBLIC UTILITIES COMMISSION**

IN RE: NATIONAL GRID :
APPLICATION TO CHANGE RATE : **DOCKET NO. 3943**
SCHEDULES :

ORDER

On May 27, 2008, the New England Gas Workers' Association ("NEGWA"), filed a motion to intervene in Commission Docket No. 3943, National Grid's ("NGrid") Application to Change Rate Schedules. NEGWA stated that it is an organization representing the interests of a number of affiliates including Local 12431 of the United Steelworkers of America, a labor union recognized pursuant to federal labor relations laws to represent certain employees of the National Grid's Rhode Island Natural Gas division. NEGWA noted that its affiliate and members have an interest in ensuring that NGrid's filing "does not result in any degradation in service quality or system safety and reliability for Rhode Island consumers...." It pointed that allowing its members' experience and knowledge in the construction, maintenance and repair of the distribution system will assure a full, fair and open consideration of all issues related to the Infrastructure Improvement Proposal. The Infrastructure Improvement Proposal may also have a substantial impact on the working conditions of the its members. NEGWA intends to present evidence regarding the current distribution system safety and reliability and customer service functions as well as evidence concerning the impact of the proposal on the same.

On June 9, 2008, NGrid filed an objection to NEGWA's motion to intervene. In support of it's objection, NGrid asserted that NEGWA did not satisfy the criteria for intervention. It requested that should the Commission choose to allow intervention,

NEGWA's participation be limited to issues the Commission finds appropriate. Specifically, NGrid asserted that NEWGWA did not satisfy the Commission's criteria for intervention as set forth in Rule 1.13(b) of the Commission's Rules of Practice and Procedure. It alleges that NEGWA's participation "would undermine the administrative efficiency of the proceeding and would provide NEGWA with the opportunity to gather information for its own benefit in terms of negotiating future collective bargaining agreements with the Company." NGrid asserted that NEGWA has no statutory right to intervene, it did not state an interest that may be directly affected by the Commission proceedings. Additionally, NGrid contended that the public interest will be adequately protected by the Division and the Rhode Island Attorney General. Finally, NGrid noted that NEGWA's participation will contribute to administrative complexity and add to the expense of the proceeding. It urges that should the Commission allow intervention, the participation be limited to the issues that the Commission finds legitimate.

Commission Findings

At an open meeting on June 19, 2008, the Commission reviewed the pleadings and voted by a two to one majority to allow NEGWA to intervene in Docket No. 3943 pursuant to Rule 1.3 of the Commission's Rules of Practice and Procedure. The Commission finds that NEGWA is "directly affected" by this rate case because the wages, benefits and employment of the members of NEGWA can be affected by the rates set by the Commission in this docket. In addition, NEGWA's interests may not be adequately represented by the Division, because the Division and NEGWA could have fundamentally different perspectives or positions in this docket. It is also in the public interest to allow NEGWA to intervene because of its members' expertise relating to the

provision of safe and reliable gas service to NGrid's customers. Lastly, NEGWA is instructed that it shall limit its issues to those identified in the docket and the Commission will not allow NEGWA to use this proceeding for the purpose of furthering its interest or gaining an advantage in collective bargaining.

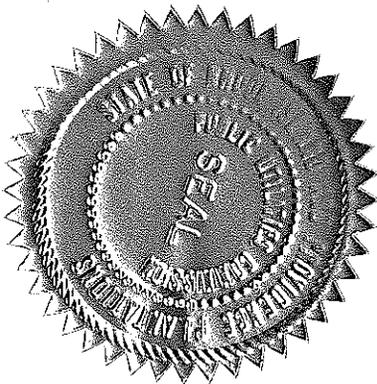
Accordingly, it is

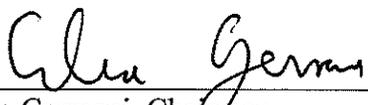
(19330) ORDERED:

1. The Motion to Intervene in this docket filed by New England Gas Workers' Association is hereby granted.
2. New England Gas Workers' Association is bound by the procedural schedule established in this docket.

EFFECTIVE AT WARWICK, RHODE ISLAND ON JUNE 19, 2008
PURSUANT TO AN OPEN MEETING DECISION. WRITTEN ORDER ISSUED
JULY 7, 2008.

PUBLIC UTILITIES COMMISSION





Elia Germani, Chairman



Mary E. Bray, Commissioner

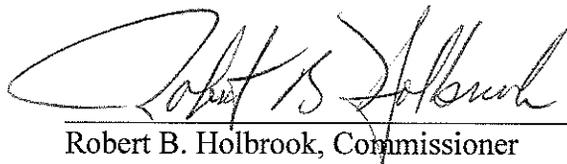
Dissenting Opinion

I hereby dissent from the decision of the majority. I agree with the arguments made by NGrid in its objection to NEGWA's petition. NGrid contended that NEGWA failed to satisfy the Commission's criteria for intervention as set forth in Rule 1.13(b) of

the Commission's Rules of Practice and Procedure. Specifically Rule 1.13(b) permits "any person claiming a right to intervene or an interest of such nature that intervention is necessary or appropriate may intervene in any proceeding before the Commission."

NGrid argued that allowing NEGWA to participate in the docket would 1) undermine the administrative efficiency of the proceeding, 2) provide NEGWA with the opportunity to gather information for its own benefit in terms of negotiating future collective bargaining agreements, 3) contribute to administrative complexity and 4) add to the expense of the proceeding. Furthermore, NGrid asserted that NEGWA had no statutory right to intervene and did not state an interest that may be directly affected by the Commission's proceedings and that the public interest would be adequately represented by the Division and the Rhode Island Attorney General.

I believe that the docket is the responsibility of NGrid and its management, not the union and/or its members. Management alone should determine the extent of assistance it may need from the union to present its arguments to the Commission. Because of such, I hereby dissent from the decision of my fellow Commissioners.


Robert B. Holbrook, Commissioner