



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PUBLIC UTILITIES COMMISSION
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Chairman Elia Germani
Commissioner Robert B. Holbrook
Commissioner Mary E. Bray

MEMORANDUM

To: Docket No. 3969 Service List
From: Cynthia G. Wilson-Frias, Senior Legal Counsel
Date: August 20, 2008
Re: Docket No. 3969 – Fuel Adjustment Factor Tariff Filing of the Narragansett Electric Company d/b/a National Grid (NGrid)

Determination Regarding Constellation's Objections to
National Grid's First Set of Data Requests

On July 29, 2008, Narragansett Electric Company d/b/a National Grid (NGrid) propounded its First Set of Data Requests to Intervenor Constellation Energy Group, Inc. (Constellation), seeking information related to Constellation's procurement of electricity for Rhode Island. On August 12, 2008, Constellation timely objected to each of the nine Data Requests, providing no responses. On August 19, 2008, NGrid filed a Response to Constellation's Objections.

After a review of the Data Requests, the Objections and the Response, pursuant to Commission Rule of Practice and Procedure 1.18(c) Chairman Germani, as the presiding officer in this matter, overruled each of Constellation's Objections, finding that the Data Requests are reasonably calculated to lead to the discovery of admissible evidence, the requirement under Rule 26 of the Rhode Island Rules of Civil Procedure.

Constellation shall file its Responses to NGrid's First Set of Data Requests no later than Tuesday, September 2, 2008.

Notice of Appellate Rights: R.I. Gen. Laws § 39-5-1 states, Any person aggrieved by a decision or order of the commission may, within seven (7) days from the date of the decision or order, petition the supreme court for a writ of certiorari to review the legality and reasonableness of the decision or order. The petition for a writ of certiorari shall fully set forth the specific reasons for which it is claimed that the decision or order is unlawful or unreasonable. Chapter 35 of title 42 shall not be applicable to appeals from the commission. The procedure established by this chapter shall constitute the exclusive remedy for persons and companies aggrieved by any order or judgment of the commission....