

State of Rhode Island and Providence Plantations

PUBLIC UTILITIES COMMISSION

STATEMENT OF NEED FOR EMERGENCY ACTION

In accordance with the provisions of subsection (b) of §42-35-3 of the Rhode Island General Laws, as amended, the Public Utilities Commission has approved a regulation entitled, *Emergency Restoration of Utility Service from October 6, 2008 through December 1, 2008*. This regulation has been promulgated pursuant to the authority contained in Rhode Island General Laws §39-2-1, as amended.

This regulation is to become effective immediately upon filing with the Secretary of State.

Such an effective date is necessary in view of a finding by the Public Utilities Commission that any substantial delay might imperil the public health, safety, and welfare. This finding is based upon the following:

Pursuant to R.I. Gen. Laws §39-2-1(c), "The Commission shall promulgate such further rules and regulations as are necessary to protect consumers following the introduction of competition in the electric industry..." Furthermore, R.I. Gen. Laws §39-2-1(d) requires the commission to administer such rule and regulations as ay be necessary to implement the purpose of this section and to provide for restoration of electric and/or gas service to very low income households...."

As required, the Commission adopted Rules and Regulations Governing the Termination of Residential Electric, Gas and Water Utility. Because there are approximately 3256 households without electricity or gas service, and because the unemployment rate in Rhode Island is the second highest rate in the country, and because Rhode Island's unemployment rate is growing faster than any other state in the country, and because children and elderly people are at risk because of inadequate heat, and because the majority of LIHEAP funding will be allocated to oil heat customers, the Commission finds that there exists an imminent peril to public health and safety requiring the adoption of an emergency regulation pursuant to R.I. Gen. Laws §42-35-3 in order for the Commission to provide for the immediate restoration of the utility service of a number of citizens without further delay.

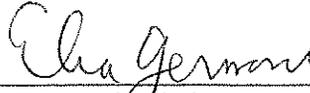
These emergency rules and regulations are available for inspection at the Rhode Island Public Utilities Commission, 89 Jefferson Boulevard, Warwick Rhode Island 02888 and

will be available on the Rhode Island Secretary of State's website:
www.rules.state.ri.us/rules/

Pursuant to subsection (b) of §42-35-3, the emergency regulation shall take effect upon filing with the Rhode Island Secretary of State and shall remain in effect as provided in said subsection.

This emergency regulation has been adopted by me on this 6th day of October, 2008.

PUBLIC UTILITIES COMMISSION



Elia Germani, Chairman



Mary E. Bray, Commissioner