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October 9, 2009

Via Federal Express and Electronic Mail

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

RE: National Grid - Annual Gas Cost Recovery Charge Filing - Docket No. 4097

Dear Ms. Massaro:

Pursuant to Rule 1.15 of the Practices and Procedures of the Rhode Island Public Utilities Commission, enclosed for filing please find an original and nine (9) copies of Direct Energy Services, LLC's Motion for Extension of Time to File Intervenor Direct Testimony in the above-captioned proceeding. Please note that all parties have assented to the relief requested in the enclosed Motion.

Very truly yours,

A handwritten signature in blue ink that reads 'D. Fixler'.

David C. Fixler

DCF/jmh
Enclosures

cc: Thomas R. Teehan, Senior Counsel, National Grid
Leo J. Wold, Special Assistant Attorney General
Service List

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

_____))
National Grid - Annual Gas Cost)
Recovery Charge Filing)
_____)

Docket No. 4097

**DIRECT ENERGY SERVICES, LLC'S MOTION FOR EXTENSION
OF TIME TO FILE INTERVENOR DIRECT TESTIMONY**

Direct Energy Services, LLC ("Direct"), an intervenor in the above-captioned proceeding, respectfully requests that the Rhode Island Public Utilities Commission ("Commission") approve this Motion for Extension of Time to File Intervenor Direct Testimony. As set forth below, having been unable to informally exchange information with the Petitioner, National Grid, and without assurance that National Grid will provide responses to data requests issued by Direct sufficiently in advance of the October 16, 2009 deadline for filing intervenor direct testimony in this case, Direct requests that the Commission allow Direct sufficient time to submit the pre-filed direct testimony of its expert witness, Rebecca Bachelder, in the above-captioned proceeding. In support of this Motion, Direct states the following:

1. On September 25, 2009, Direct submitted its Motion to Intervene Out of Time, which was granted on October 5, 2009.
2. Beginning on September 30, 2009 and continuing through the date of this motion, Direct has contacted counsel for National Grid on several occasions to set up a conference call between Direct's witness, Ms. Bachelder, and National Grid's witnesses to discuss, among other things, the calculations which support the proposed Gas Cost Recovery ("GCR") filing at issue in this docket.

3. On October 2, 2009, Direct issued seven data requests to National Grid, and, at the same time, continued to diligently pursue the resolution of its questions regarding the calculations supporting National Grid's proposed GCR through requests for an informal conference call.

4. Having been unable to meet informally with National Grid and without assurance that National Grid will respond to Direct's October 2, 2009 data requests sufficiently in advance of the October 16, 2009 deadline for filing intervenor direct testimony, Direct will be unable to prepare its intervenor direct testimony by October 16, 2009

5. Pursuant to Rule 1.18(c)(2), data responses "shall be produced for the requesting party as soon as practicable and in no event later than twenty-one (21) days after service of the request, unless the time for production is otherwise shortened or extended by agreement or order." Given the expedited procedural schedule adopted by the Commission on September 14, 2009, a response by National Grid to Direct's data requests "as soon as practicable" would certainly require National Grid to provide responses in sufficient time to allow Direct the ability to review those responses at least a few days before filing intervenor direct testimony.

6. Direct requests that upon its receipt of National Grid's responses to Direct's data requests, Direct be allowed three (3) business days to submit its direct testimony. Thus, if National Grid provides Direct with its data responses on or before October 13, 2009, Direct will submit Ms. Bachelder's prefiled direct testimony on October 16, 2009, as set forth in the current procedural schedule. If National Grid submits the responses to Direct's data requests on or after October 14, 2009, Direct should be allowed to submit Ms. Bachelder's testimony within three (3) business days.

7. Without the ability to review information relating to the costs included in certain calculations, Direct is not able to address fully issues related to the calculation of the costs assigned to marketers who provide gas supply services to some of National Grid's largest transportation customers in Rhode Island. With the additional time requested to prepare testimony after receipt of National Grid's responses to Direct's data requests, Direct asserts that the testimony of its witness will more effectively address the issues relating to the GCR calculations which have been submitted to the Commission for review and approval.

8. Direct does not seek to delay the October 26, 2009 hearing or the November 1, 2009 implementation of the proposed annual GCR. By granting this Motion, the Commission can assure that Direct will be able to provide accurate and complete intervenor direct testimony in a timely manner. Moreover, by seeking permission to file its prefiled testimony only three business days after receipt of responses to its data requests, Direct believes that the Commission can grant Direct's Motion and not disrupt or delay the remainder of its procedural schedule.

9. Consistent with the requirements of Rule 1.15(b), Direct has contacted the other parties to this proceeding regarding this motion. Direct certifies that counsel for National Grid and the Division have assented to Direct's request to submit its direct testimony no later than three (3) business days after receipt of National Grid's Responses to Direct's Data Requests.

WHEREFORE, Direct respectfully requests that the Commission grant this Motion and allow the pre-filed direct testimony of Ms. Bachelder to be submitted no later than three (3) business days after receipt of National Grid's responses to Direct's October 5, 2009 data requests.

Dated: October 9, 2009

Respectfully submitted,

DIRECT ENERGY SERVICES, LLC

By its attorney,



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**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
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CERTIFICATE OF SERVICE

I hereby certify that I have this day caused to be served electronically the foregoing document upon each person designated on the service list compiled in this proceeding.

Dated in Boston, MA this 9th day of October, 2009.



 Robert G. Clifford

SERVICE LIST

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