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September 25, 2009

*Via Federal Express and Electronic Mail*

Lucy 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 1.13 of the Practices and Procedures of the Rhode Island Public Utilities Commission, enclosed for filing please find an original and nine (9) copies of the Motion to Intervene Out of Time of Direct Energy Services, LLC in the above-captioned proceeding.

Very truly yours,

*David C. Fixler / RDS*

David C. Fixler

DCF/jmh

Enclosures

cc: Thomas R. Teehan, Senior Counsel, National Grid



fairly attributable to upstream capacity assets are included in the calculation of the Company's weighted average cost.

4. No other existing parties to this proceeding can adequately represent the interest of Direct in its position as a competitive marketer. Indeed, Direct is not aware of any licensed gas marketer that has sought to intervene in this proceeding.

5. Direct learned of the existence of National Grid's filing and the Commission's plans to review National Grid's filing on September 23, 2009, one day before the intervention deadline.

6. Christopher Kallaher, Direct's Director of Government and Regulatory Affairs, and the person at Direct responsible for these matters, was out of the country through September 24, 2009.

7. Allowing Direct to file its Motion to Intervene out of time will not prejudice National Grid or any other parties as the proceeding has just commenced and Direct accepts and will abide by the Procedural Schedule adopted in this proceeding.

WHEREFORE, Direct Energy Services, LLC respectfully requests that its Motion to Intervene Out of Time as a full party in this proceeding be granted by the Commission.

Respectfully submitted,

DIRECT ENERGY SERVICES, LLC

By its attorney,

*David C. Fixler / RDS*

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Dated: September 25, 2009

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 25<sup>th</sup> day of September, 2009.

  
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Robert G. Clifford