

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

IN RE: RULES AND REGULATIONS :
GOVERNING THE TERMINATION OF RESIDENTIAL : DOCKET NO. 4098
ELECTRIC AND NATURAL GAS SERVICE :

**NOTICE OF NEGOTIATED RULEMAKING AND
ESTABLISHMENT OF A NEGOTIATED RULEMAKING COMMITTEE**

Pursuant to the provisions of Sections 39-1, 39-1.1 and 42-35-3 of the Rhode Island General Laws, as amended, the Public Utilities Commission (“Commission”) hereby gives notice of a Negotiated Rulemaking Proceeding pursuant to Commission Rule of Practice and Procedure 1.29. At an Open Meeting held on July 15, 2009, the Commission determined that the current Rules and Regulations Governing the Termination of Residential Electric, Gas and Water Utility Service had become too complex and open to interpretation. The Commission also agreed to develop separate termination of service rules for energy and water services. Accordingly, the Commission is commencing the process under Rule 1.29 to establish a Negotiated Rulemaking Committee limited to ten (10) members.

The subject of the Negotiated Rulemaking will be to develop new Rules and Regulations Governing the Termination of Residential Electric and Natural Gas Service (“New Termination Rules). The New Termination Rules are intended to supersede in their entirety the current Rules and Regulations Governing the Termination of Residential Electric, Gas and Water Utility Service. In developing the New Termination Rules, the Commission believes several issues need to be addressed, including: definitions of protected status to include financial hardship; length of the winter moratorium;

moratorium protections to only apply if reasonable efforts are made to pay during the winter moratorium; flexibility of payment plans; customer deposits; student accounts; State agency interfacing; clarification of consumer rights and responsibilities; clarification of utilities' rights and responsibilities; and clarification of definitions of handicapped and seriously ill for purposes of protections.

The Regulations will affect the interests of residential consumers of electricity and natural gas, Narragansett Electric Company d/b/a National Grid, Pascoag Utility District, Block Island Power Company, and the Division of Public Utilities and Carriers. The Commission has selected Peter N. Dennehy, Esq., Deputy Chief Legal Counsel for the Department of Administration, Division of Legal Services as the Facilitator. The Commission will be represented at the Negotiated Rulemaking Committee by Cynthia G. Wilson-Frias, Senior Legal Counsel. The Commission anticipates the Division of Public Utilities and Carriers, Narragansett Electric Company d/b/a National Grid, Pascoag Utility District, and Block Island Power Company will be represented on the negotiated rulemaking committee.

The deadline to apply for membership on the negotiated rulemaking committee or to nominate a representative is **Wednesday, September 30, 2009**. Eligibility for membership is available to persons or entities who will be significantly affected by the proposed regulation and believe that their interests will not be adequately represented by any person or entity specified in this notice. Each application or nomination shall contain the following information: (1) the name of the applicant or nominee and a description of the interests such person shall represent; (2) evidence that the applicant or nominee is authorized to represent parties related to the interests the person proposes to represent; (3)

a written commitment that the applicant or nominee shall actively participate in good faith in the development of the rule under consideration; and (4) the reasons that the interests of the person submitting the application or nomination can not be adequately represented by other representatives. Persons or entities that have common interests may nominate a single representative. An original and nine (9) copies of all written submissions must be filed with the Clerk at 89 Jefferson Boulevard, Warwick, RI 02888.

Reference is also made to Chapters 42-35 and 39-1 of the Rhode Island General Laws. Specifically, Sections 42-35-1, 42-35-2, 42-35-3, 42-35-4, 42-35-5, 39-1-1, 39-1-3, 39-1-11, 39-1-18, 39-1-38, 39-1.1-1 et seq., and 39-2-1.

Luly E. Massaro
Commission Clerk
September 14, 2009