



State of Rhode Island and Providence Plantations

DEPARTMENT OF ATTORNEY GENERAL

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*Patrick C. Lynch, Attorney General*

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January 20, 2010

*VIA HAND DELIVERY & ELECTRONIC MAIL*

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

Re: Docket 4111 – Review of Proposed Town of New Shoreham Project Pursuant to  
RI General Laws § 39-26.1-7  
Response to Data Request

Dear Ms. Massaro:

Enclosed please find ten (10) copies of the Division of Public Utilities and Carriers responses to Maggie Delia and Michael Delia's First Set of Data Requests in the above-captioned proceeding.

Thank you for your attention to this transmittal. If you have any questions, please feel free to contact me.

Very truly yours,

Jon G. Hagopian  
Special Assistant Attorney General

JGH

Enclosure

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
PUBLIC UTILITIES COMMISSION

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IN RE: REVIEW OF PROPOSED :  
TOWN OF NEW SHOREHAM :  
PROJECT PURSUANT TO : DOCKET NO. 4111  
R.I. GEN. LAWS § 39-26.1-7 :

**Division Of Public Utilities And Carriers Responses to Maggie Delia and Michael  
Delia's First Set of Data Requests  
Set I**

1-1 Is there any requirement in RI 39.26.1 that the location of the 30 MW project be sited in the near waters of Block Island rather than in the projected off-shore site for the 100 turbines?

**Response:** No assuming the question is referring to a requirement pursuant to R.I.G.L. 39-26.1 et. seq. and further assuming that what is intended by the terms "near water" in your question means within the three mile limit of the territorial waters of the State of Rhode Island and its shores.

1-2 The Joint Development Agreement was signed January, 2009 the New law was passed July, 2009. Did the signed Joint Development Agreement preclude or prejudice competition for the current 30 MW project?

**Response:** The Division did not participate in the negotiation processes of the JDA. The Division has no information as to whether competition was precluded or prejudiced for the current 30 MW project and cannot speculate.