

March 26, 2010

VIA HAND DELIVERY & ELECTRONIC MAIL

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

**RE: Docket 4111 – Review of Proposed Town of New Shoreham Project
Pursuant to RI General Laws § 39-26.1-7**

Dear Ms. Massaro:

National Grid¹ notes that no party with intervenor status objects to approval of the Power Purchase Agreement (“PPA”). For that reason, National Grid is not filing a formal Reply Brief in this proceeding. However, it is important for National Grid to note that its silence in reply does not necessarily mean that the Company agrees with all of the points or arguments made by all of the other parties in the docket. For example, while National Grid supports approval of the PPA, it does not necessarily agree with all of the arguments relating to the financial analyses and above market cost impacts put forth by Deepwater in their Post-Hearing Memorandum. Rather, National Grid stands by its testimony and rate impacts as it was provided in its filing.

In addition, National Grid believes it is important to respond to one argument made by the Division in their Post-Hearing Memorandum. Specifically, the Division argued that the Commission is vested with the authority to approve the PPA with conditions as part of the Commission’s authority to make a final determination regarding whether the terms or pricing of the contract are commercially reasonable.² National Grid strongly disagrees with the Division that Chapter 26.1 vests the Commission with the authority to amend the contract that has been filed with the Commission for approval pursuant to Section 39-26.1-7(a). The plain language of this section requires the Commission to review the filed contract and issue an order “approving or disapproving” the **filed** contract.³ National Grid does not believe that it is appropriate for the Commission to issue an order that has conditions attached to it. In fact, a conditional order of such kind would effectively constitute a disapproval. National Grid urges the Commission to approve or disapprove the contract in the form that has been filed with the Commission.

Thank you for your attention to this transmittal. If you have any questions, please feel free to contact me at (781) 907-1820.

Very truly yours,



Ronald T. Gerwatowski

cc: Docket 4111 Service List
Leo Wold, Esq.
Jon G. Hagopian, Esq.

¹ The Narragansett Electric Company d/b/a National Grid hereinafter referred to as “National Grid” or the “Company.”

² See Division Post-Hearing Memorandum at 5.

³ See § 39-26.1-7(a).

Certificate of Service

I hereby certify that a copy of the cover letter and/or any materials accompanying this certificate were electronically submitted, hand delivered and mailed to the individuals listed below.



Joanne M. Scanlon
National Grid

March 26, 2010
Date

**National Grid – Review of Proposed Town of New Shoreham Project
Docket No. 4111 - Service List Updated 3/17/2010**

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