

March 5, 2010

**VIA HAND DELIVERY & ELECTRONIC MAIL**

Luly E. Massaro, Commission Clerk  
Rhode Island Public Utilities Commission  
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  
Support for Deepwater Wind Block Island, LLC’s Motion to Strike  
the Testimony of William V. Short, III, Michael Delia and Maggie Delia**

Dear Ms. Massaro:

National Grid<sup>1</sup> submits this letter in support of Deepwater Wind Block Island, LLC’s (“Deepwater”) Motion to Strike the testimony of William V. Short, III, Michael Delia and Maggie Delia. National Grid adopts the arguments stated in Deepwater’s Motion to Strike and believes that those arguments are sufficient grounds for the Commission to grant the Motion to Strike.

National Grid issued its First Set of Data Requests to Michael Delia and Maggie Delia (the “Delias”) on January 26, 2010. Their responses were due on February 5, 2010. The Delias failed to respond to National Grid’s data requests and subsequently withdrew from the proceedings on February 8, 2010. National Grid agrees with Deepwater that this fact warrants striking any testimony relating to such requests. See Rule 1.18(c)(4).

In addition, National Grid agrees with Deepwater that there is no mechanism or legal basis under the Commission’s Rules to convert testimony to public comment and keep it in the proceeding as part of the record. As parties to the proceedings, the Delias filed pre-filed direct testimony on January 19, 2010, as well as pre-filed direct testimony of their expert witness, William V. Short, III. The proper mechanism for admitting written testimony of a party into the record is by proper authentication by the witness under oath. See Rule 1.20(e)(1). Likewise, to admit the written testimony of an expert witness, the written testimony must be properly supported by oral testimony on direct examination, subject to cross-examination. See Rule 1.21(b). Since the Delias have withdrawn from the case, their testimony and the testimony of Mr. Short cannot be properly entered into the record and should be stricken.

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<sup>1</sup> Submitted on behalf of The Narragansett Electric Company d/b/a National Grid (“Company”).

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For these reasons, National Grid respectfully urges the Commission to grant Deepwater's Motion to Strike.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jennifer Brooks Hutchinson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Jennifer Brooks Hutchinson

Enclosures

cc: Docket 4111 Service List  
Leo Wold, Esq.

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 5, 2010  
Date

**National Grid – Review of Proposed Town of New Shoreham Project  
Docket No. 4111 - Service List Updated 2/10/2010**

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