

State of Rhode Island and Providence Plantations

**Public Utilities Commission
Memorandum**

To: Service List – Docket No. 4111
From: Cynthia G. Wilson-Frias, Senior Legal Counsel
Re: **Docket No. 4111 – Review of Proposed Town of New Shoreham Project Pursuant to R.I. Gen. Laws § 39-26.1-7**
Date: October 30, 2009

Thank you for your participation in the pre-hearing conference in the above-referenced matter. The following represents the schedule which assumes that National Grid and Deepwater Wind file a contract by November 13, 2009.

The parties agreed to a 7-day response period for discovery.

11/2/09 Expected filing date for Deepwater Wind's Motion to Interpret R.I.G.L. § 39-26.1-7(a) deadlines
11/9/09 Filing of Responses to Deepwater Wind's Motion
11/13/09 Filing of a contract between National Grid and Deepwater Wind
11/19/09 1:00 PM – Oral Argument, if needed
11/25/09 Filing of National Grid's Testimony and Deepwater Wind's Testimony regarding the contract
12/4/09 9:00 AM – Pre-Hearing Conference

Since our pre-hearing conference yesterday, two bills passed the House and Senate extending the review deadline to January 31, 2010 in the event a contract is submitted to the Commission by 10/15/09 and allowing for up to eight wind turbines to be installed. Each was passed in concurrence (S 1066, H 6458). According to the General Assembly's website, it has not yet been transmitted to the Governor for his signature. It appears that even though the amendment did not clear up the particular ambiguity we were discussing yesterday, it is clear that if the amendments become law a decision is not due from the Commission by 12/31/09 under any reading.

cc: Commissioners/Staff
Division