

David M. Marquez
dmarquez@haslaw.com

November 19, 2009

Via Electronic and Regular Mail

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

Re: *Newport Water – Docket 4128*

Dear Ms. Massaro:

Enclosed for filing in the above-referenced matter are an original and nine copies of Portsmouth Water and Fire District's Assented-To Motion to Intervene.

Please feel free to contact me at (401) 457-5216 if you have any questions concerning this filing.

Very truly yours,



David M. Marquez

DMM:jlm

Enclosures

cc: Docket 4128 Service List (electronically only)

10158455 (38210-137951)

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
BEFORE THE PUBLIC UTILITIES COMMISSION

IN RE: THE CITY OF NEWPORT, :
UTILITIES DEPARTMENT WATER DIVISION : Docket No. 4128
COST OF SERVICE STUDY AND :
RATE DESIGN RATE FILING :

**PORTSMOUTH WATER AND FIRE DISTRICT'S
ASSENTED-TO MOTION TO INTERVENE**

The Portsmouth Water and Fire District (“Portsmouth”) hereby moves to intervene in this proceeding. In support of this motion, Portsmouth states that:

1. Portsmouth purchases all of the water that it supplies to customers within the Portsmouth Water and Fire District.
2. The City of Newport Utilities Department, Water Division (“Newport”), is the sole supplier of water to Portsmouth.
3. Portsmouth purchased an average of 441,370,000 gallons of water from Newport during each of Newport’s five fiscal years preceding July 1, 2009, exclusive of water purchased by Portsmouth for sale to the Navy on a temporary, emergency basis from September 29, 2006 through June 30, 2008.

Accordingly, Portsmouth seeks to intervene in this proceeding pursuant to Rule 1.13 of the Rhode Island Public Utility Commission’s Rules of Practice and Procedure. Portsmouth possesses an interest that may be directly affected by the Commission’s action in this proceeding and is not adequately represented by the existing parties. Portsmouth’s participation in this proceeding is also in the public interest.

Newport has no objection to this motion to intervene.

Respectfully submitted,

PORTSMOUTH WATER AND FIRE DISTRICT

By its Attorneys,

A handwritten signature in black ink, appearing to read "Gerald J. Petros", written over a horizontal line.

Gerald J. Petros (#2931)

David M. Marquez (#8070)

Hinckley, Allen & Snyder LLP

50 Kennedy Plaza, Suite 1500

Providence, RI 02903

401-274-2000

401-277-9600 (fax)

Dated: November 19, 2009

**Docket 4128 - City of Newport Water Division – Cost of Service Study/Rate Design
Updated 11/18/09**

Parties/Address	E-mail Distribution	Phone/Fax
Joseph A. Keough, Jr., Esq. Keough & Sweeney 100 Armistice Blvd. Pawtucket, RI 02860	jkeoughjr@keoughsweeney.com	
Julia Forgue, Director of Public Works Newport Water Department 70 Halsey St. Newport, RI 02840	jforgue@cityofnewport.com	401-845-5601
	resten@cityofnewport.com	401-846-0947
	lsitrin@CityofNewport.com	
Jon Hagopian, Esq. Dept. of Attorney General 150 South Main St. Providence, RI 02903	Jhagopian@riag.ri.gov	401-222-2424
	sscialabba@ripuc.state.ri.us	401-222-3016
	pdodd@ripuc.state.ri.us	
	Amancini@ripuc.state.ri.us	
	dmacrae@riag.ri.gov	
Harold Smith Raftelis Financial Consulting, PA 511 East Blvd. Charlotte, NC 28203	Hsmith@raftelis.com	704-373-1199
	Hhoover@raftelis.com	704-373-1113
Gerald Petros, Esq. Hinckley, Allen & Snyder 1500 Fleet Center Providence, RI 02903	gpetros@haslaw.com	401-274-2000
	dmarquez@haslaw.com	
	jmansolf@haslaw.com	
William McGlinn Portsmouth Water & Fire District 1944 East Main Rd. PO Box 99 Portsmouth, RI 02871	wmcglinn@portsmouthwater.org	401-683-2090 ext. 224
Audrey VanDyke, Esq. Naval Facilities Engineering Command Litigation Command 1314 Harwood St., SE Washington Navy Yard, DC 20374-5018	Audrey.VanDyke@navy.mil	202-685-1931 202-433-2591
Dr. Kay Davoodi, P.E. Utility Rates and Studies Office NAVFACHQ- Building 33 1322 Patterson Ave SE Washington Navy Yard, D.C. 20374-5065	Khojasteh.davoodi@navy.mil	202-685-3319 202-433-7159
	Larry.r.allen@navy.mil	
Maurice Brubaker Brubaker and Associates, Inc.	mbrubaker@consultbai.com	401-724-3600 401-724-9909
Jerry Mierzwa Exeter Associates, Inc.	Jmierzwa@exeterassociates.com	410-992-7500 410-992-3445
Thomas S. Catlin Exeter Associates, Inc.	tcatlin@exeterassociates.com	410-992-7500 410-992-3445
Christopher Woodcock Woodcock & Associates, Inc. 18 Increase Ward Drive Northborough, MA 01532	Woodcock@w-a.com	508-393-3337 508-393-9078

File an original and nine (9) copies w/: Luly E. Massaro, Commission Clerk Public Utilities Commission 89 Jefferson Blvd. Warwick, RI 02888	lmassaro@puc.state.ri.us	401-780-2107 401-941-1691
	cwilson@puc.state.ri.us	
	anault@puc.state.ri.us	

1014722 (38210-137951)