



State of Rhode Island and Providence Plantations

DEPARTMENT OF ATTORNEY GENERAL

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*Peter F. Kilmartin, Attorney General*

October 20, 2011

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

**Re: REVIEW OF AMENDED POWER PURCHASE AGREEMENT BETWEEN  
NARRAGANSETT ELECTRIC COMPANY D/B/A NATIONAL GRID AND  
DEEPWATER WIND BLOCK ISLAND, LLC PURSUANT TO R.I. GEN. LAWS § 39-  
26.1-7-Docket No. 4185**

Dear Ms. Massaro,

The Division, as reflected by the docket and record in the instant matter, participated inter alia by offering the expert opinion testimony of an experienced power market analyst with respect to the rate making issues pertaining to the Power Purchase Agreement, (the PPA) in accordance with R.I. Gen. Laws § 39-26.1-7. This matter was vetted to conclusion at the Commission and ultimately to final disposition by the Rhode Island Supreme Court.

The Division is aware that National Grid filed a request for approval by the Commission of a waiver of the termination provision set forth in § 8.3 of the PPA. Toray Plastics (America), Inc. has replied with an objection and cross request for termination of the PPA. Both National Grid and Deepwater Wind Block Island, LLC (Deepwater) have responded to Toray's objection.

The Division views the issue presented here as strictly a contract issue between National Grid and the other contracting party, Deepwater, and therefore takes no position as to the requests before the Commission. The legal issues appear to have been fully briefed by the interested parties in this matter.

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Thank you for your attention to this matter.

Sincerely,

Thomas Ahern  
Administrator  
Division of Public Utilities and Carriers

By his Attorney,

A handwritten signature in black ink, appearing to read 'Jon G. Hagopian', written in a cursive style.

Jon G. Hagopian  
Special Assistant Attorney General

cc: Service List (e-mail only)