

July 26, 2010

VIA HAND DELIVERY & ELECTRONIC MAIL

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

RE: Docket 4185 - 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
Responses to the Rhode Island Attorney General Data Requests (Set 1)

Dear Ms. Massaro:

Enclosed please find an original and twelve (12) copies of National Grid's¹ responses to Attorney General Patrick C. Lynch's First Set of Data Requests in the above-captioned proceeding.

Thank you for your attention to this transmittal. If you have any questions, please feel free to contact me at (401) 784-7667.

Very truly yours,



Jennifer Brooks Hutchinson

Enclosure

cc: Docket 4185 Service List
Leo Wold, Esq.
Steve Scialabba, Division

¹ The Narragansett Electric Company d/b/a National Grid ("National Grid" or "the Company").

Attorney General Data Request 1-1

Request:

Please set forth your interpretation of the term “the developer” in §7 of the LTC Statute (R.I. Gen. Law § 35-26.1-7).

Response:

National Grid objects to this question which calls for a legal conclusion out of context.

Without waiving that objection, the term “developer” as used in section 7 is referring to the same entity, Deepwater Wind Block Island, LLC (“Deepwater”), that was a signatory to the power purchase agreement with The Narragansett Electric Company (d/b/a “National Grid”) that was filed with the Commission on December 9, 2009 in Docket 4111.

National Grid had entered into the power purchase agreement with Deepwater after engaging in a solicitation process to select a proposal for a newly developed renewable energy resources project that also included a proposal to enhance the reliability and environmental quality of the Town of New Shoreham. Deepwater was the only bidder resulting from a Request for Proposals that was issued on July 31, 2009, as described in the pre-filed testimony of Madison N. Milhous, Jr. filed on December 9, 2009 in docket 4111. Deepwater proposed a project within the specifications of the original section 7 of the statute, including a proposal for an undersea cable between Block Island and the mainland.

Consistent with section 7, as recently amended, National Grid negotiated and entered into a new power purchase agreement, including new pricing provisions, as well as other changes from the December 9, 2009 power purchase agreement. These changes are described in the testimony of Mr. Milhous in this docket.

Attorney General Data Request 1-2

Request:

Please state the meaning of the phrase “the developer” in §7 of the LTC statute (R.I. Gen. Law § 35-26.1-7).

Response:

National Grid objects to this question which calls for a legal conclusion out of context. See also the response to Attorney General Data Request 1-1.

Attorney General Data Request 1-3

Request:

Please state all steps you have taken to show that you qualify for, or should be selected for, a candidate for the status of “the developer” since the most recent amendment to R.I. Gen. Laws § 35-26.1-7.

Response:

National Grid objects to the question. The question is without context. National Grid also does not understand the question in the context of this case. See also the response to Attorney General Data Request 1-1.

Attorney General Data Request 1-4

Request:

Please state all selection processes you have undertaken with respect to determining the qualifications of a candidate or entity for the status of “the developer” since the passage of the most recent amendment to (R.I. Gen. Laws § 35-26.1-7).

Response:

National Grid objects to the question. The question is without context. National Grid also does not understand the question in the context of this case. See also the response to Attorney General Data Request 1-1.

Attorney General Data Request 1-5

Request:

Explain, identify and describe all evidence you have gathered or received of any candidate's or entity's fitness, capacity, character, capitalization, competence and expertise since the time of the passage of the most recent amendment to R.I. Gen. Laws § 35-26.1-7 §7 of the LTC Statute.

Response:

National Grid objects to the question. It is overbroad. The question is without context. National Grid also does not understand the question in the context of this case.

Attorney General Data Request 1-6

Request:

Please identify all competitors to Deepwater with respect to the project described in LTC §7 you have communicated with or received communications from with respect to such project since the time of the passage of the most recent amendment to R.I. Gen. Laws § 35-26.1-7.

Response:

National Grid objects to the form of the question, as well as relevancy. It also is overbroad. The question asks to identify all communications with “competitors to Deepwater,” without defining the term “competitor of Deepwater,” and without defining the subject matter of the communication, other than saying “with respect to such project.”

Attorney General Data Request 1-7

Request:

Please describe in detail all selection processes directly leading to the amended PPA which is the subject of this Docket.

Response:

National Grid objects to the question on grounds of relevancy. Without waiving that objection, see the response to Attorney General Data Request 1-1.

Attorney General Data Request 1-8

Request:

Please provide copies of all documents you refer to in your answers to these data requests.

Response:

Other than what was made available in Docket 4111 and this docket, there are none. National Grid objects to providing copies of documents that are a part of the record in this proceeding and in Docket 4111, which are publicly available and in the possession of the Attorney General's office.

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/or mailed to the individuals listed below.



Joanne M. Scanlon

July 26, 2010
Date

**National Grid – Review of Proposed Town of New Shoreham Project
Docket No. 4185 – Service List Updated 7/23/10**

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