

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.

The Narragansett Electric Company
d/b/a National Grid
Docket 4185
Review of Amended Power Purchase Agreement
Deepwater Wind Block Island Project
Responses to RI Attorney General's Data Requests – Set 1
Issued July 19, 2010

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

Name/Address	E-mail Distribution	Phone/FAX
Thomas R. Teehan, Esq. National Grid. 280 Melrose St. Providence, RI 02907	Thomas.teehan@us.ngrid.com	401-784-7667 401-784-4321
	Joanne.scanlon@us.ngrid.com	
Ronald T. Gerwatowski, Esq. National Grid 40 Sylvan Rd. Waltham, MA 02451	Ronald.gerwatowski@us.ngrid.com	781-907-1820
	Celia.obrien@us.ngrid.com	781-907-2153
	Jennifer.brooks@us.ngrid.com	781-907-2121
Gerald J. Petros, Esq. David M. Marquez, Esq. Hinkley, Allen & Snyder LLP 50 Kennedy Plaza, Suite 1500 Providence, RI 02903-2319 (National Grid)	gpetros@haslaw.com	401-274-2000 401-277-9600
	dmarquez@haslaw.com	
Joseph A. Keough, Jr., Esq. Keough & Sweeney 100 Armistice Blvd. Pawtucket, RI 02860 (Deepwater Wind)	jkeoughjr@keoughsweeney.com	401-724-3600
Alan Mandl, Esq. Smith & Duggan LLP Lincoln North 55 Old Bedford Road Lincoln, MA 01773 (Town of New Shoreham)	amandl@smithduggan.com	617-228-4464 781-259-1112
Katherine A. Merolla, Esq., Merolla & Accetturo 469 Centerville Road Suite 206 Warwick, RI 02886 (Town of New Shoreham)	KAMLAW2344@aol.com	401-739-2900 401-739-2906
Jerry Elmer, Esq. Tricia K. Jedeke, Esq. Conservation Law Foundation	Jelmer@clf.org	401-351-1102 401-351-1130

55 Dorrance Street Providence, RI 02903 (Conservation Law Foundation)	tjedele@clf.org	
Richard A. Sinapi, Esq. Sinapi Formisano & Company, Ltd. 100 Midway Place, Suite 1 Cranston, RI 02920-5707 (RIBCTC)	dicks@sfclaw.com	401-944-9690 401-943-9040
Alan Shoer, Esq. Adler Pollock & Sheehan One Citizens Plaza, 8 th Floor Providence, RI 02903-1345 (EDC)	Ashoer@apslaw.com	401-274-7200 401-751-0604
Leo Wold, Esq. Dept. of Attorney General 150 South Main St. Providence, RI 02903 (DPUC)	lwold@riag.ri.gov	401-222-2424
	Steve.scialabba@ripuc.state.ri.us	401-222-3016
	Al.contente@ripuc.state.ri.us	
	David.stearns@ripuc.state.ri.us	
	Tahern@ripuc.state.ri.us	
	John.spirito@ripuc.state.ri.us	
Jon Hagopian, Esq. Dept. of Attorney General 150 South Main St. Providence, RI 02903 (DPUC)	jhagopian@riag.ri.gov	
	Dmacrae@riag.ri.gov	
	Mtobin@riag.ri.gov	
Mike Rubin, Esq. Asst. Atty. General Dept. of Attorney General 150 South Main St. Providence, RI 02903 (Attorney General)	Mrubin@riag.ri.gov	401-274-4400 x-2116
	gschultz@riag.ri.gov	
Gregory S. Schultz, Esq. Dept. of Attorney General		
Michael Sullivan, Executive Director Dept. of Environmental Management	Michael.sullivan@dem.ri.gov	401-222-4700 Ext. 2409
Mary E. Kay, Esq. Acting Executive Counsel Department of Environmental Management 235 Promenade Street Providence, Rhode Island 02908	mary.kay@dem.ri.gov	401 222-6607 ext 2304
Michael McElroy, Esq. 21 Dryden Lane PO Box 6721 Providence, RI 02940-6721 (Toray Plastics & Polytop Corporation)	McElroyMik@aol.com	401-351-4100 401-421-5696
Dr. Edward M. Mazze, Ph.D. Witness for Toray and Polytop.	emazze@cox.net	

John J. Kupa, Jr., Esq. 20 Oakdale Road North Kingstown, RI 02852 (Ocean State Policy Research Institute)	JohnKupaLaw@aol.com	401-294-5566
Richard D. Sherman, Esq. Edwards Angell Palmer & Dodge LLP 2800 Financial Plaza Providence, RI 02903 (TransCanada) Deming E. Sherman, Esq. Edwards Angell Palmer & Dodge LLP Robert M. Buchanan, Jr. Choate, Hall & Stewart LLP Two International Place Boston, MA 02110	rsherman@eapdlaw.com	401-274-9200
	dsherman@eapdlaw.com	
	rbuchanan@choate.com	
Joseph J. McGair, Esq. Petrarca & McGair, Inc. 797 Bald Hill Rd. Warwick, RI 02886 (Citizen Intervenors)	jjm@petrarcamcgair.com	401-821-1330
Original & twelve (12) copies w/: Luly E. Massaro, Commission Clerk Public Utilities Commission 89 Jefferson Blvd. Warwick RI 02889	Lmassaro@puc.state.ri.us	401-780-2017 401-941-1691
	Cwilson@puc.state.ri.us	
	Nucci@puc.state.ri.us	
	Anault@puc.state.ri.us	
	Sccamara@puc.state.ri.us	
	Adalessandro@puc.state.ri.us	
	Dshah@puc.state.ri.us	
Thomas Kogut, DPU	tkogut@ripuc.state.ri.us	
Richard Hahn Mary Neal Lacapra Associates 1 Washington Mall, 9th floor Boston, MA 02108	rhahn@lacapra.com	
	mneal@lacapra.com	
Susan Demacedo, Deepwater Wind	susan@dwwind.com	
David Schwartz, Deepwater Wind	dschwartz@dwwind.com	
David Nickerson from Mystic River Energy Group, LLC	dave@nickersons.org	
Richard LaCapra, LaCapra Associates	Rlacapra@lacapra.com	212-675-8123
William P. Short, III	w.shortiii@verizon.net	917-206-0001
Matt Auten, Office of Lt. Governor	mauten@ltgov.state.ri.us	
Julian Dash, RIEDC	jdash@riedc.com	
Rep. Laurence Ehrhardt	rep-ehrhhardt@rilin.state.ri.us	
Dr. Albert Cassaza	albertrc@optimum.net	

Cliff McGinnes	ifrtruck35@mac.com	
Marie DeCastro	mdecastro@rilin.state.ri.us	
Bob Grace	bgrace@seadvantage.com	
Representative Eileen Naughton	rep.naughton@gmail.com	
Brian Bishop (OSPRI)	riwiseuse@cox.net	
Michael & Maggie Delia	maggie@biaero.com	
	mikdelia@biaero.com	
Mike Beauregard	mbeauregard@huroncapital.com	
Rosemarie Ives	ivesredmond@aol.com	
Jonathan Ives	jives98836@aol.com	
Nancy Dodge, Town Manager Town of New Shoreham	townmanager@new-shoreham.com kpson@aol.com	401-466-3219
Emilie Joyal	ejoyal@rilin.state.ri.us	
Benjamin Riggs	rmcriggs@earthlink.net	
Tina Jackson, Pres. American Alliance of Fishermen in their Communities	liteangel3367@yahoo.com	
Shigeru Osada	shigeru.osada@toraytpa.com	
Tom D'Amato	tdamato@polytop.com	
Kevin Rowles	krowles@polytop.com	
Julia Techentin	jbtechentin@apslaw.com	