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July 19, 2010

HAND-DELIVERED

Ms. Luly E. Massaro, Clerk
Rhode Island Public Utilities Commission
89 Jefferson Boulevard
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.G.L. §39-26.1-7, Docket No. 4185*

Dear Ms. Massaro,

Please find enclosed for filing an original and twelve (12) copies of the Rhode Island Building and Construction Trades Council's Objection to Motions to Dismiss relative to the above captioned docket.

An electronic copy is also being served upon the Commission and the Service List.

If you have any questions regarding the foregoing, please contact the undersigned at the below Cranston address.

Very truly yours,

Richard A. Sinapi, Esq.

RAS/ras

cc: Client
Docket 4185 service list

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
PUBLIC UTILITIES COMMISSION**

IN RE: REVIEW OF AMENDED POWER :
PURCHASE AGREEMENT BETWEEN :
NARRAGANSETT ELECTRIC COMPANY , : **DOCKET NO. 4185**
d/b/a NATIONAL GRID AND DEEPWATER :
WIND BLOCK ISLAND, LLC PURSUANT :
TO R.I. GEN.LAWS § 39-26.1-7 :

**THE RHODE ISLAND BUILDING AND CONSTRUCTION TRADES COUNCIL’S OBJECTION TO
MOTIONS TO DISMISS**

Now comes the Rhode Island Building and Construction Trades Council ("RIBCTC") and does hereby object to the Motions to Dismiss filed by the Conservation Law Foundation ("CLF") and Patrick C. Lynch, Attorney General ("Attorney General"), and as grounds therefore and in support thereof states as follows:

1. That neither *res judicata* nor administrative finality apply insofar as the within docket involves an amended statute which includes, *inter alia*, consideration of an amended power purchase agreement ("P.P.A.") with different statutory goals and standard of approval than were before the Public Utilities Commission ("P.U.C.") in Docket No. 4111, and therefore was not and could not have been previously determined by the P.U.C in that docket.
2. That separation of powers is not violated by the P.U.C's consideration of the within docket insofar as, *inter alia*, the General Assembly is not interfering with the P.U.C determination of Docket No. 4111 which is now final, but rather has enacted legislation with substantially modified terms and conditions, most notably consideration of an amended P.P.A, with different statutory goals and standard of approval, for determination by the P.U.C.
3. That the Good of the Whole Clause is not violated by the P.U.C's consideration of the within docket insofar as, *inter alia*, the purpose of the legislation serves numerous, stated public purposes and goals, including enabling the state to take advantage of the economic development benefits of the emerging offshore wind industry.

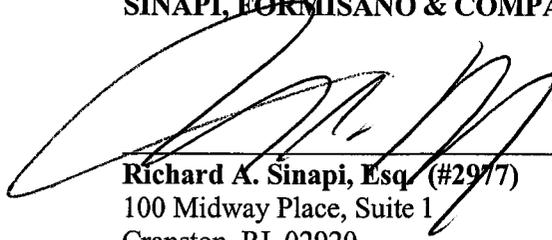
RIBCTC further hereby adopts, affirms and relies upon the grounds set forth in the filings of National Grid and Deepwater Water Wind Block Island, LLC in opposition to the Motions to Dismiss.

WHEREFORE, RIBCTC respectfully prays that the P.U.C. deny CLF's and the Attorney General's

Motions to Dismiss.

Rhode Island Building and Construction Trades Council,
By its attorneys,
SINAPI, FORMISANO & COMPANY, LTD.

Dated: July 19, 2010



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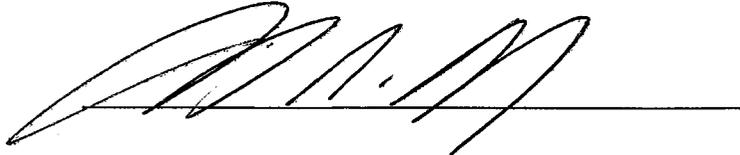
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CERTIFICATION

I hereby certify that on the **19th day of July, 2010**, a copy of the foregoing document was caused to be served upon the individuals on the below service list.



**National Grid – Review of Proposed Town of New Shoreham Project
Docket No. 4185 – Service List Updated 7/15/10**

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