

STATE OF RHODE ISLAND
PUBLIC UTILITIES COMMISSION

IN RE: NARRAGANSETT ELECTRIC --
APPLICATION TO IMPLEMENT
ELECTRICITY AND GAS DECOUPLING
MECHANISM

Docket No. 4206

**UNOPPOSED MOTION FOR INTERVENTION
OF CONSERVATION LAW FOUNDATION**

I. Introduction

The Conservation Law Foundation (CLF), pursuant to Public Utility Commission (PUC) Rules of Practice and Procedure 1.13(a) and (b), respectfully files its Motion for Intervention in this Docket.

On October 18, 2010, National Grid (Grid) transmitted to the PUC a set of documents styled "Revenue Decoupling Mechanism." The PUC opened this docket in response to that submission.

Pursuant to PUC Rule of Practice and Procedure 1.15(b), CLF has contacted Grid and has learned that Grid does not object to CLF's intervention in this Docket.

II. The Intervenor

CLF is New England's leading environmental advocacy organization. Since 1966, CLF has worked to protect New England's people, natural resources and communities. CLF is a nonprofit, member-supported organization with offices throughout New England. The Rhode Island CLF office is located at 55 Dorrance Street, Providence.

CLF promotes clean, renewable and efficient energy production throughout New England and has an unparalleled record of advocacy on behalf of the region's environmental resources. As part of its 40-year legacy, CLF was a party in the landmark case in which the U.S. Supreme Court ruled that the U.S. Environmental Protection Agency has an obligation under the Clean Air Act to consider regulating tailpipe emissions that contribute to global warming, Massachusetts v. E.P.A., 127 S. Ct. 1438 (2007); CLF obtained an injunction to stop drilling for oil and gas on the environmentally sensitive Georges Bank, Conservation Law Foundation v. Sec'y of the Interior, 790 F.2d 965 (1st Cir. 1986); litigated to ensure enforcement of an earlier settlement agreement in a case stemming from the Big Dig, which settlement agreement required 20 public transit projects in and around Boston including construction of additional subway and rail lines, Conservation Law Foundation v. Romney, 421 F. Supp.2d 344 (D. Mass. 2006); and successfully advanced legal strategies to restore groundfish to the Gulf of Maine and southern New England waters. Conservation Law Foundation v. Evans, 211 F. Supp.2d 55 (D.D.C. 2002).

III. The Standard Governing this Motion

Intervention in PUC proceedings is governed by PUC Rule of Practice and Procedure 1.13.

PUC Rule of Practice and Procedure 1.13(b) states, in relevant part, that “any person claiming . . . an interest of such a nature that intervention is . . . appropriate may intervene in any proceeding before the Commission.”

PUC Rule of Practice and Procedure 1.13(e) states, in relevant part, that “all timely motions to intervene not objected to by any party within ten (10) days of service of the motion for leave to intervene shall be deemed allowed”

Grid has informed CLF that it has no objection to CLF’s motion to intervene.

IV. CLF’s Interest in This Docket

Grid opened this Docket on October 18, 2010, by transmitting to the PUC a covering letter, signed by Senior Counsel Thomas R. Teehan, together with pre-filed testimony. The subject of this docket is revenue decoupling.

CLF is New England’s leading environmental organization, and has a long and widely respected history of working on issues related to energy efficiency in general and on decoupling in particular.

In recent years CLF has intervened and participated in decoupling dockets in Massachusetts (DPU Docket No. 07-50), New Hampshire (PUC Docket No. 07-064), and Vermont (PSB Docket No. 7176). In each case, because of its deep knowledge and expertise, CLF was able to make valuable contributions to these respective decoupling dockets.

In Rhode Island, CLF participated, without objection from any party, in Docket # 3943 before this Commission, which Docket addressed, in part, a proposal by Grid for revenue decoupling for Grid’s gas utility. Later, CLF participated, again without objection, in Docket # 4065 which addressed, among other matters, a proposed revenue decoupling mechanism for electricity.

Thus, decoupling the subject of this Docket, is a subject about which CLF has considerable background, knowledge, and experience.

Moreover, the participation in this Docket of a public interest organization such as CLF will serve the public interest. See, generally, John E. Bonine, Public Interest Environmental Lawyers: Global Examples and Personal Reflections, 10 Widener L. Rev. 451 (2004) (emphasizing the constructive and salutary role of public-interest environmental lawyers in a wide range of legislative, judicial, and regulatory fora). Decoupling presents multiple issues of public policy. As a public interest organization, CLF can make salient contributions to the PUC's deliberations on decoupling.

V. Conclusion

WHEREFORE, for the foregoing reasons, CLF respectfully requests that its unopposed motion to intervene in Docket # 4206 be granted.

CONSERVATION LAW FOUNDATION,
by its Attorney,



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CERTIFICATE OF SERVICE

I hereby certify that, on December 2, 2010, pursuant to PUC Rule of Practice and Procedure 1.7(a), an original and nine copies of the within Motion were hand-delivered to Lully Massaro, Commission Clerk, Public Utilities Commission, 99 Jefferson Blvd., Warwick, RI 02888. In addition, hard copies of the within Motion were sent by first-class mail, postage prepaid to each of:

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