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October 3, 2012

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

***In Re: Commission Investigation Relating to Stray and Contact Voltage Occurring in
Narragansett Electric Company Territories Docket 4237***

Dear Ms. Massaro:

As you know, I represent Capital Advocacy, LLC d/b/a Contact Voltage Information Center ("CVIC") in the above captioned docket. I am in receipt of the October 2, 2012 letter from Leo J. Wold of the Rhode Island Attorney General's Office regarding CVIC Exhibit 2 in the above-captioned docket. On behalf of CVIC, I object to this correspondence as it contains rank hearsay that is not subject to cross examination.

Attorney Wold's letter conveys several statements about the IEEE Draft Standard On Contact Voltage attributed to the expert consultants retained by The Division of Public Utilities and Carriers ("Division"). The Division's expert consultants had ample opportunity to make these statements under oath in their pre-filed and hearing testimony and failed to do so.

CVIC's witness, Alan Homyk, PE, CHP, cited the IEEE Draft Standard On Contact Voltage in his pre-filed written testimony, which CVIC submitted on September 7, 2012. The Division did not submit its expert testimony until September 18, 2012. The Division's experts did not object to Mr. Homyk's citation to the IEEE Draft Standard On Contact Voltage, and their testimony certainly did not contain any of the statements set forth in Attorney Wold's October 2, 2012 letter.

Furthermore, when CVIC moved to admit Exhibit 2, the Division had ample opportunity to object, and its objections were overruled. The Division's expert witness then testified *after* the Commission admitted CVIC Exhibit 2 as a full exhibit. Yet, the Division did not elicit any statements in the October 2, 2012 letter from its expert when he testified. CVIC assures the Commission that had the Division's witness made these statements under oath at the September 24, 2012 hearing, they would have been subject to cross-examination.

CVIC disagrees with the statements set forth in Attorney Wold's October 2, 2012, but notes that even if they were true, they do not affect the admissibility or importance of the IEEE Draft Standard On Contact Voltage. This Draft Standard is the most current guidance from the IEEE, an organization that counts both of the Division's experts as members. Furthermore, the Draft Standard is published on the IEEE web site (<http://grouper.ieee.org/groups/td/dist/stray/>) and is easily available. CVIC further notes that the IEEE web site does not include any of the disclaimers set forth in Attorney Wold's letter, nor does the Draft Standard On Contact Voltage include any disclaimers.

Thank you for your attention to these matters.

Sincerely,



Joseph A. Keough Jr.

JAK/kf

cc: Service List (via electronic mail)