



State of Rhode Island and Providence Plantations

DEPARTMENT OF ATTORNEY GENERAL

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Peter F. Kilmartin, Attorney General

November 22, 2011

Luly Massaro, Clerk
Public Utilities Commission
89 Jefferson Blvd.
Warwick, RI 02888

In Re: Docket No. 4251

Dear Ms. Massaro,

On October 27, 2011, the Division of Public Utilities and Carriers (the "Division") submitted a recommendation to the Commission, concluding that it did not object to the Commission's approval of the tariff advices that The Narragansett Electric Company, d/b/a National Grid (the "Company") had filed with the Commission on May 24, 2011 in the above-entitled dockets. While the Division still generally supports the adoption of R.I.P.U.C. NG-GAS No. 101 as filed, upon further review and consideration, the Division recommends the following additional modifications to the proposed tariff language:

- 1) **Section 1, Schedule A, Sheet Five, Second Paragraph** – The sentence should read as follows: "In addition if the Company obtains ~~oral or~~ written acceptance or a signed agreement from a landlord/property owner, the Company may establish the landlord/property owner as the customer of record."

Division Explanation for the Recommended Modification – The proposed modification precludes "oral acceptance" as a means by which the Company may establish a landlord/property owner as a customer of record. With oral acceptances, landlord/property owners may become customers of record based solely upon oral communications with Company representatives. Should such communications be unclear or not adequately preserved in the Company's internal records, it will be impossible to determine whether the landlord/property owner, in fact, has agreed to accept such responsibility. The proposed modification ensures that the responsibility for gas charges occasioned by the Soft-Off policy is clear and documented thereby saving litigation and administrative expenses in the event that liability for charges associated with the policy is contested.

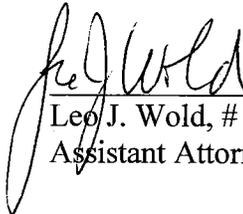
- 2) **Section 1, Schedule A, Sheet Five, Last Paragraph: Insert as the Third, Fourth and Fifth Sentences** – When consumption at the location exceeds 33 ccf, service to the location will be terminated. All unrecoverable charges relating to gas usage exceeding 33 ccf shall be borne by the Company’s shareholders. The Company shall provide the Division with a report on an annual basis identifying the accounts and associated amounts of Soft-Off overages (in excess of 33 ccf) that occurred during the preceding year.

Division Explanation for the Recommended Modification – The Company’s proposed tariff language in R.I.P.U.C. No. 2072 precludes the Company from leaving an electric account in Soft-Off Status when consumption at the location exceeds 250 kilowatt-hours. R.I.P.U.C. No. 101, however, contains no similar ceiling on Soft-Off gas consumption. Without such a ceiling, the Company can leave accounts in a Soft-Off status on an open-ended basis. If the landlord/property owner has not executed a “signed agreement” or provided the Company with a “written acceptance” that he/she will become the customer of record, then the general body of ratepayers will be required to bear the cost of the unbilled gas charges associated with the open-ended Soft-Off status. Such charges could be prohibitive, particularly if the account is left in Soft-Off status during the winter months or for a lengthy period of time. The proposed modification will protect the general body of ratepayers from paying for the unnecessary continuation of unbillable gas due to any service termination delays on the part of the Company. A reporting requirement is necessary so that ratepayers may be sure that the claimed benefits of the proposed Soft-Off policy, in fact, exceed its costs.

Thank you for providing the Division with the opportunity to submit these additional comments, and if you have any questions or comments, please do not hesitate to contact me.

Respectfully submitted,

Division of Public Utilities and Carriers



Leo J. Wold, # 3613
Assistant Attorney General

cc: Service List