



State of Rhode Island and Providence Plantations

DEPARTMENT OF ATTORNEY GENERAL

150 South Main Street • Providence, RI 02903
(401) 274-4400 - TDD (401) 453-0410

Peter F. Kilmartin, Attorney General

November 20, 2013

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

Re: Docket No. 4405

Dear Ms. Massaro:

I am writing on behalf of the Division of Public Utilities and Carriers (“Division”) in regards to the above-entitled matter. The Division believes it is appropriate to comment on the concerns expressed by the various Commissioners in their discussion of this Tariff Advice Filing during the November 14, 2013, Open Meeting:¹

While there are people who intentionally do not pay their utility bills, the majority of the people who would be affected by this Tariff Advice Filing are those who simply cannot pay their bills . . . Approving this Tariff Advice Filing would be trying to get “blood from a stone.”

As the Division previously argued to the Commission in correspondence dated October 3, 2013, every customer who accepts gas distribution service from National Grid possesses an obligation pursuant to tariff to give the Company access to its meters. RIPUC NG-101 Section 1, Schedule A, Sheet 10. The proposed Tariff Advice is not, as the Commission opines, aimed at compelling indigent customers to pay their bills (“getting blood from a stone”). Rather, the proposed Tariff Advice is aimed at incenting delinquent customers, regardless of financial circumstances, to give the Company access to its meters for the purpose of exercising lawful termination procedures. Additional access, in turn, will enable National Grid to more effectively manage what has become in recent years a growing uncollectibles problem.

Ultimately, the fact that a customer may be in financial extremis is not relevant with respect to whether or not the Company has a right to terminate the service of a customer who fails to pay his or her bills. The situations that would be covered by this Tariff Advice Filing are largely within the control of the customer. All the customer has to do to avoid being billed for a curb or street valve installation is live up to that customer’s obligation to allow the Company

¹ The concerns expressed by various Commissioners appear in italics followed by the Division’s comments.

reasonable access to the Company's own property. Allowing these unpaid balances to grow forever is simply unfair to the general body of ratepayers.

No other jurisdiction has ever approved this type of measure, and the utility has failed to explain why it had not already set up this type of mechanism (collection and/or curb stops) when the system was being built.

That National Grid has not installed curb stops throughout its gas distribution system is not surprising. The Company's system was designed and constructed decades ago long before there was a requirement for outside access to shut-off gas supplies to individual service lines. To partially address this issue in connection with inside meter sets and long-term estimated reads, National Grid has voluntarily agreed to install a fixed number of curb stops annually for certain large balance delinquent accounts as part of its Rhode Island gas ISR program. The proposed Tariff Advice seeks to expand this partial solution by targeting curb stop installation for recalcitrant, delinquent customers that specifically refuse to provide the Company access to its meters. Little, then, would be gained by learning whether another jurisdiction has approved of a similar tariff.

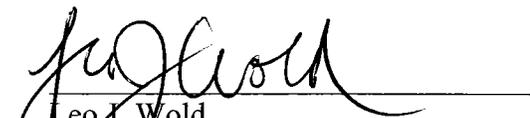
It seems unfair in a multi-family dwelling to terminate services to all of the families simply because one family out of many is not paying its utility bill.

National Grid has represented to the Division that it makes multiple efforts to notify a non-paying customer residing in a multi-family dwelling before a curb stop installation and termination occurs. These include forwarding three letters to the customer; making telephone calls during regular business hours, after 5:00 p.m. and on Saturday, as well as sending a representative to the residence under certain circumstances. These safeguards precede posting and landlord notification which, in turn, provide further procedural protections for paying customers from the impact of a curb stop installation and termination.

It is also important to remember that any of the customers in a multi-family dwelling can avoid service interruptions simply by calling the Company and arranging a time when the Company can have access to the meters in the building. If this is done, there will be no need for a curb or street valve installation, and no need for even a temporary interruption in gas service for the building as a whole.

Based on the foregoing, the Division, again, recommends that Commission approve National Grid's Tariff Advice Filing.

Division of Public Utilities and Carriers
By its attorneys,


Leo J. Wold
Assistant Attorney General

cc: Service List