

November 24, 2014

Rhode Island Public Utilities Commission
89 Jefferson Boulevard
Warwick, RI 02888

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PUBLIC UTILITIES COMMISSION

Re: Rhode Island Division of Public Utilities and Carriers comments (second set) on Docket No. 4450 - Rules and Regulations Governing the Termination of Residential Electric and Natural Gas Service

Honorable Chair of Rhode Island Public Utilities Commission Margaret Curran, Honorable Commissioner Paul Roberti and Honorable Commissioner Herbert DeSimone:

In July, 2014 the Rhode Island Division of Public Utilities (the Division) sent a second set of comments related to the Rhode Island Public Utilities Commission's (the Commission) Docket 4450. We would like to respond to these comments before Docket 4450 is further discussed.

While we have been deeply concerned by many of the specific changes in the proposed utility termination rules, we are also aware that these proposed changes -- in a broader context -- indicate a diminishing of the Commission's authority. The argument being put forward by the Division that the current rules are beyond the Commission's authority is inaccurate, since the Commission used their authority to make the current rules. We would like to weigh in again, to encourage the Commission to maintain their past practices, and to protect not only their own rules created through years of wisdom and public input, but also to protect the continuation of their existing authority. The utility termination rules are extremely important to the lives of thousands of Rhode Islanders who would be negatively impacted if proposed rule changes were implemented. In addition to the harm that would be caused to many utility consumers, weakening the power and authority of the Public Utility Commission is also of public concern.

Besides questioning the Commission's authority, we are also concerned with the Division's attempt to discourage public input in the decision-making process. In the Division's comments they suggest that the Commission should make rule changes without holding the promised public hearings, requesting that the Commission "reconsider its earlier Open Meeting Decision to conduct additional hearings." This opinion from the Division encourages the Commission to betray their promise to hold hearings across the state. If followed, this would put at risk the reputation of the Commission's word, and also minimize the importance of public input about rule changes that would affect thousands of Rhode Islanders for years to come. We disagree with this sentiment which would only serve to weaken the public trust and remove

transparency and accountability, which are vitally important to the Commission and all good public servants.

The only acceptable rationale not to hold the promised hearings would be if the Commission had decided not to make any of the rule changes that were originally proposed and to close Docket 4450. If such were the case, and currently existing termination rules remain in place, we agree further public hearings would be unnecessary at this time.

Additionally, and equally importantly, we object to the anti-consumer and anti-constituent sentiments expressed by the Division when they portray public advocates as "special interests" promoting "advantage." In the Division's comments submitted in July, they attempt to discredit advocates for vulnerable populations, such as the disabled and elderly, by saying they promote "special advantages for limited constituency," claiming that advocacy is "a misdemeanor." This interpretation of the law is disturbing and indeed not only contradicts the public perception of the perceived role that is given to the Commission, but also puts forth an analysis that segregates specific sectors of the public from being considered in their policies. There are many protections for specific constituencies in the existing rules, from children under 24 months old to the elderly over 62, the ill, disabled, low-income, and unemployed. The radical reading of the law by the Division would threaten vulnerable individuals and families who already struggle despite the existing termination rules. The Division may opine that those concerned for any specific category of people are "special interests," but we are proud to work with thousands of Rhode Islanders from young to old, those who may not have a seat at corporate meetings but are our friends and coworkers, our children, grandparents and neighbors. The interests of the poor are always underrepresented in public policy without organized efforts such as ours. We are advocating for our loved ones, for ourselves, and for all Rhode Islanders, and we will continue to stand up for the public interest of basic well-being and dignified quality of life. We hope the Commission understands and agrees with the importance of our work and advocacy.

We appreciate the Public Utilities Commission's recognizing and respecting the past input and experience that formed the basis for the existing utility termination rules. By keeping the current termination rules and not implementing the proposed changes, we can consider ways in the future to strengthen rather than weaken necessary utility access. We look forward to working together to keep the public involved in these issues that affect all Rhode Islanders.

Sincerely,
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