

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
PUBLIC UTILITIES COMMISSION**

IN RE: SOLICITATIONS OF LONG-TERM)
CONTRACTS FOR RENEWABLE ENERGY)
AND RENEWABLE ENERGY CERTIFICATES)
(RECS), PURSUANT TO R.I.)
GEN. LAWS 39-26.1-1 ET SEQ.)

Docket 4822

**VINEYARD WIND LLC's
REPLY TO
NATIONAL GRID'S OBJECTION
TO PRE-FILED DIRECT TESTIMONY**

By its attorneys, Vineyard Wind LLC (“Vineyard Wind”), replies to National Grid’s objection. The rules of procedure (“Rules”) expressly call for witness participation at hearings and provide the procedure for presenting a witness. The provision cited by National Grid to preclude Vineyard Wind’s witness relates to the schedule for filing direct testimony if the procedural schedule addresses that schedule. If the procedural schedule does not set a schedule for direct testimony, as in this docket, the Rules do.

Rule 1.20(d) makes it clear that Vineyard Wind has the right to present witness testimony at a hearing:

(d) General. Parties shall have the rights to present evidence, cross-examine witnesses, object, file motions and briefs, and present arguments. The Commission and its staff may examine witnesses and require additional testimony.

Rule 1.20(e) says that where time allows direct testimony must be filed at least 14 days before the hearing:

(e) Direct testimony.

(1) All direct testimony shall be presented in writing, unless otherwise allowed by the Commission. Written testimony, when properly authenticated by the witness under oath, may be transcribed into the record or admitted as an exhibit. Where time permits, direct testimony shall be prefiled at least fourteen (14) days prior to a scheduled hearing.

Vineyard Wind complied with the rules by filing its pre-filed testimony 14 days before the hearing.

Contrary to National Grid's assertion, Vineyard Wind's testimony is not precluded by Rule 1.20(e)(4). That rule says,

(4) The filing and service of testimony and exhibits by the Division and any other party shall be made in accordance with the pre-hearing conference schedule, if any.

The fact that the procedural schedule in this docket did not address pre-filed testimony does not mean that pre-filed testimony is not permitted. It means that the schedule set by the Rules governs the filing of direct testimony.

Due process rights are not at stake here, unless Vineyard Wind is prohibited from presenting its witness. The Rules address the process and schedule for National Grid to present its rebuttal.

Rule 1.20(f) reads:

(f) Rebuttal testimony. All rebuttal testimony shall be presented in writing, unless otherwise allowed by the Commission. Written testimony, when properly authenticated by the witness under oath, may be transcribed into the record or admitted as an exhibit. Where time permits, rebuttal testimony shall be prefiled at least seven (7) days prior to a scheduled hearing. Cross-examination of a witness presenting rebuttal testimony shall proceed at the hearing at which it is authenticated if, not less than seven (7) days prior to such hearing, service of the rebuttal testimony has been made upon each party, unless the presiding officer for good cause shall otherwise direct.

The Rules afforded National Grid seven days to rebut Vineyard Wind's direct testimony. The Company was not denied its right to respond to Vineyard Wind's pre-filed testimony.

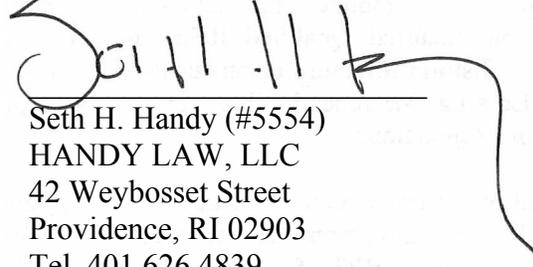
Nevertheless, if any claimed procedural harm can be resolved by allowing National Grid a reasonable extension of time to prepare its witness testimony, Vineyard Wind does not object to

postponing the hearing.

Respectfully submitted,

VINEYARD WIND LLC

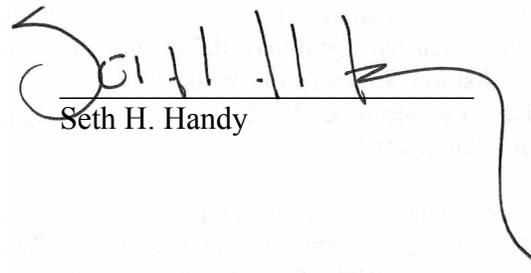
By their attorney,

A handwritten signature in black ink, appearing to read "Seth H. Handy", is written over a horizontal line. A long, sweeping flourish extends from the end of the signature to the right.

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CERTIFICATE OF SERVICE

I hereby certify that on July 27, 2018, I sent a true copy of the document by electronic mail to the Commission and the service list and mailed the original pleading and 9 photocopies to the Commission.

A handwritten signature in black ink, appearing to read "Seth H. Handy", is written over a horizontal line. A long, sweeping flourish extends from the end of the signature to the right.

Seth H. Handy