

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
DIVISION OF PUBLIC UTILITIES AND CARRIERS**

**IN RE:           Joint Petition for Purchase and Sale of Assets by  
                  the Narragansett Electric Company and the  
                  Southern Union Company**

**Docket No.: D-06-13**

**CITY OF EAST PROVIDENCE'S MOTION TO STAY AND REQUEST FOR AN  
EMERGENCY HEARING THEREON**

NOW COMES interested party City of East Providence (the "City"), by and through counsel, and hereby moves the Rhode Island Division of Public Utilities and Carriers (the "Division") for an order staying any action upon Petitioners, Narragansett Electric Company ("Narragansett") and Southern Union Company's ("Southern Union") (collectively, the "Petitioners") joint petition seeking approval of the Division for the purchase by Narragansett of the assets associated with the regulated gas distribution business owned, and operated, by Southern Union in Rhode Island as the New England Gas Company pending the outcome of that certain agency appeal taken by the City from the Division's May 4, 2006 order denying the City's petition to intervene in the instant matter, which said agency appeal is presently pending before the Rhode Island Superior Court, Providence County, and is more commonly known, and identified, as *City of East Providence v. The Narragansett Electric Company, d/b/a National Grid, et al.*, C.A. No.: PC 06-2888.

The City represents that on May 26, 2006, it filed an agency appeal from the Division's May 4<sup>th</sup> order in the Providence County Superior Court. The City's appeal requests that the Superior Court reverse the Division's May 4<sup>th</sup> order denying the City's petition for intervention, and, further, that the Superior Court stay or enjoin any further action by the Division during the pendency of said agency appeal. The City files the within motion contemporaneous therewith

In support of the within request, the City submits that insofar as it is an interested party in the instant matter, it would highly prejudiced should the Division take any action in this proceeding without first having its pending agency appeal considered, an determined, by the Superior Court. The City's interest in this matter is more fully set forth in its previously filed April 4, 2006 petition to intervene which said reasons are incorporated herein by reference. Thus, the City urges the Division to stay this proceeding and to hold the instant matter in abeyance pending the outcome of the City's appeal given that should the Division take action before the City's agency appeal is considered, and determined, the City would be irreparably harmed by its exclusion from these proceedings. Moreover, the City suggests that there is no prejudice to the Petitioners, or either of them, should the Division grant the within request. Finally, insofar as both Petitioners are utility companies physically located within the City and providing utility service to the taxpayers of the City, and that the Petitioners' requested approval will necessarily impact the City, and its Waterfront Development Plan, the requested stay is in the best interest of the public.

Insofar as the Petitioners have requested a ruling by the Division on or before June 30, 2006, with respect to their joint petition, the City requests an emergency hearing upon its motion to stay.

WHEREFORE, for the foregoing reasons, the City respectfully prays that the Division enter an order scheduling an emergency hearing upon its motion to stay, that the Division enter an order granting the within motion to stay, that the Division enter an order staying the instant proceeding pending the consideration, and determination, of the City's agency appeal by the Superior Court, that the Division award to the City any and all attorneys' fees and costs

associated with the within request, and that the Division award to the City such other further relief as the Division may deem fair, just and reasonable.

Respectfully submitted,

City of East Providence

By its Attorneys,



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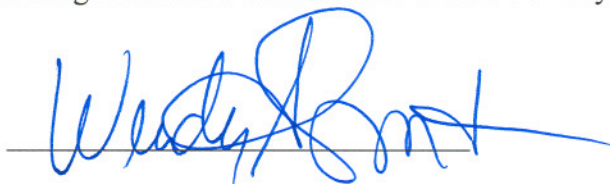
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Dated: May 30, 2006

**CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the within was served via e-mail and via first-class, postage prepaid mail upon the following referenced on Exhibit A on this 30<sup>th</sup> day of May, 2006:





**Exhibit A****National Grid & Southern Union - Docket D-06-13  
Service List 4/3/06**

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