

**PETITION OF
THE NARRAGANSETT ELECTRIC COMPANY
AND
SOUTHERN UNION COMPANY
FOR APPROVAL OF
PURCHASE AND SALE OF ASSETS**

**DOCKET NO. D-06-13
BEFORE THE RHODE ISLAND DIVISION OF
PUBLIC UTILITIES AND CARRIERS**

**TESTIMONY AND EXHIBITS
OF DAVID SOUSA
ON BEHALF OF THE
TOWN OF TIVERTON**

JUNE 26, 2006

1 Q. PLEASE STATE YOUR NAME AND ADDRESS.

2 A. David Sousa, Tiverton, Rhode Island.

3 Q. FOR WHOM ARE YOU TESTIFYING?

4 A. I am testifying on behalf of the Town of Tiverton.

5 Q. PLEASE DESCRIBE YOUR RELATIONSHIP WITH THE TOWN OF
6 TIVERTON.

7 A. I was the Town Administrator for the Town of Tiverton during 2003 and 2004.

8 Q. DURING YOUR TENURE AS THE TOWN ADMINISTRATOR FOR THE
9 TOWN OF TIVERTON, DID YOU BECOME AWARE OF ANY AREAS IN
THE

10 TOWN THAT WERE CONTAMINATED WITH MANUFACTURED GAS
11 BY-PRODUCTS?

12 A. Yes, prior to my working for the town, the area of Cory's Lane was determined to
13 contain manufactured gas by-products. Also, the Bay Street area.

14 Q. DID YOU HAVE ANY DISCUSSIONS WITH REPRESENTATIVES OF ANY
15 COMPANY REGARDING RESPONSIBILITY TO CLEAN THE
16 CONTAMINATION FORM THE CORY'S LANE AREA?

17 A. Yes, I spoke with representatives of the New England Gas Company in my office
18 sometime in 2003. At that time, New England Gas verbally committed to me that New
19 England Gas would remediate the contamination at Cory's Lane.

20 Q. TO YOUR KNOWLEDGE, WAST THE AREA CLEANED?

21 A. No, New England Gas said they were going to meet with the residents and begin the
22 process. But, nothing ever happened.

23 Q. HOW DO YOU KNOW NOTHING HAPPENED?

24 A. The residents called me and told me nothing was being done. I called New England
25 Gas to follow up, but I never received a response.

26 Q. I'M SHOWING YOU A SETTLEMENT AGREEMENT DATED JANUARY 9,
27 2004 WHICH WAS SUBMITTED BY SOUTHERN UNION IN RESPONSE TO
1 THE ATTORNEY GENERAL'S DATA REQUEST 2-11. ACCORDING TO THAT
2 SETTLEMENT AGREEMENT, SOUTHERN UNION RECEIVED A PORTION OF A
3 \$15,000,000 REMEDIATION CLAIM AGAINST PRIOR FALL RIVER GAS
4 COMPANY MANAGEMENT. DURING YOUR TENURE AS TOWN
5 ADMINISTRATOR AND IN THAT CAPACITY WOULD YOU HAVE KNOWN IN
6 NEW ENGLAND GAS OR SOUTHERN UNION GAS HAD EXPENDED ANY
MONEY
7 ON REMEDIATION OF THE COREY'S LANE SITE?

8 A. Yes, I would have known.

9 Q. TO YOUR KNOWLEDGE DID EITHER NEW ENGLAND GAS OR
10 SOUTHERN UNION SPEND ANY PART OF \$15,000,000 ON REMEDIATING THE
11 CORY'S LANE AREA?

12 A. No they did not.

Sousa Testimony

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