

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

IN RE: COMPLAINT OF BENJAMIN RIGGS)
RELATING TO PORTSMOUTH)
GENERATING FACILITY)

DOCKET NO. D-10-126

MOTION TO INTERVENE
BY
CHURCH COMMUNITY HOUSING CORPORATION

By its attorneys, Church Community Housing Corporation (CCHC), hereby moves pursuant to Rule 17(b) of the Rhode Island Division of Public Utilities and Carrier's ("Division") Rules of Practice and Procedure ("Rules") to intervene in the above-captioned proceeding and, in support of this motion, states:

1. CCHC is a non-profit 501(c)(3) corporation formed in 1969 as a grassroots effort to improve housing conditions and increase the housing supply for low and moderate-income residents of Newport County.
2. CCHC is the developer of the recently constructed Sandywoods Farm, a residential arts and agricultural low income housing community designed to include a wind turbine, which would reduce living costs for residents further while offering an environmentally conscious housing choice in Rhode Island.
3. CCHC worked closely with National Grid to plan the installation of its wind turbine pursuant to Rhode Island's net metering law.
4. In reliance on the net metering law's provisions for affordable housing projects and the tariff National Grid filed with the Rhode Island Public Utilities Commission (RIPUC) and that RIPUC

approved and based on National Grid's guidance, CCHC planned to tie its wind turbine directly to the grid and receive a check from National Grid for the power it sent to the grid.

5. CCHC proceeded with the planned turbine to the point where the turbine was delivered to the project site.
6. When CCHC applied to National Grid to enter an interconnection agreement for its connection to the grid, National Grid informed CCHC that it had developed a "new policy" requiring that net metered facilities must have an onsite load equal to at least twenty five percent (25%) of the nameplate capacity of the wind generation facility and that, therefore, the Sandywoods turbine did not qualify for net metering and would be placed on the P-Rate (the hourly wholesale rate from ISO-NE).
7. As a result of this change in National Grid policy, the economics of the Sandywoods turbine have been impaired and the turbine has yet to be erected, causing very significant financial impact to the project.
8. Rule 17(b) of the Division Rules states "any person with a right to intervene or an interest of such nature that intervention is necessary or appropriate may intervene in any proceeding before the Division."
9. Further, Rule 17(b) goes on to state that such a right or interest may be "an interest which may be directly affected and which is not adequately represented by existing parties."
10. It is necessary and appropriate to grant CCHC the right to intervene in this proceeding because CCHC's interest is directly affected by this proceeding and is not adequately represented by existing parties.
11. The Sandywoods turbine project is obstructed and impaired by the same legal interpretation of Rhode Island's net metering law that is at issue in this proceeding.

12. Rule 17(b) also states that such a right or interest to intervene may be “any other interest of such nature that movant’s participation may be in the public interest.”
13. In supporting the existing rate structure for the Portsmouth wind turbine and net metering projects in planning, CCHC will advocate for a position that is entirely consistent with the public interest as manifest in many Rhode Island statutes, the Rhode Island State Energy Plan and other public policy. These interests include, but are not limited to: enhanced availability and affordability of housing in Rhode Island, job creation, stable energy pricing, reduced energy costs, a sustainable Rhode Island economy and environmental benefits.
14. Accordingly, this intervention is necessary and appropriate under Rule 17(b).

Please direct service of any correspondence or pleadings in connection with this proceeding to:

Christian Belden, Project Manager
Church Community Housing Corporation
50 Washington Square, Newport, RI 02840
cbelden@cchcnewport.org

and

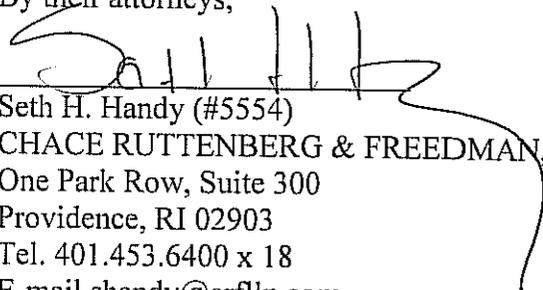
Seth H. Handy
Chace Ruttenberg & Freedman, LLP
One Park Row, Suite 300
Providence, RI 02903
E-mail shandy@crflp.com

WHEREFORE, based on the foregoing reasons, CCHC asks that the Division grant this Motion to Intervene.

Respectfully submitted,

CHURCH COMMUNITY HOUSING
CORPORATION

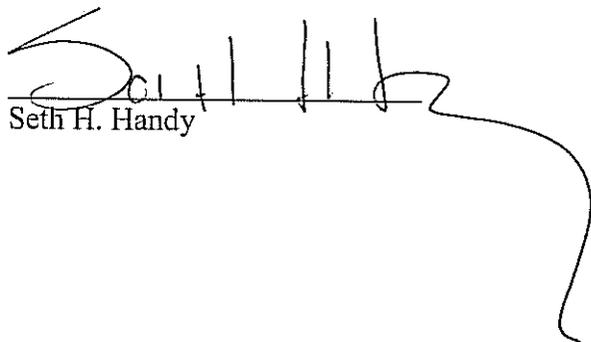
By their attorneys,



Seth H. Handy (#5554)
CHACE RUTTENBERG & FREEDMAN, LLP
One Park Row, Suite 300
Providence, RI 02903
Tel. 401.453.6400 x 18
E-mail shandy@crflp.com

CERTIFICATE OF SERVICE

I hereby certify that on March 23, 2011, I delivered a true copy of the foregoing document by electronic mail and regular mail to the existing parties, National Grid, The Division of Public Utilities and Carriers Advocacy Section, Benjamin Riggs, the Town of Charlestown, the Town of Jamestown, the Town of Westerly, Peoples Power & Light and the Conservation Law Foundation.



Seth H. Handy

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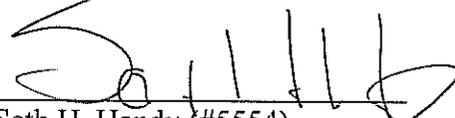
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_____)

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NOTICE OF APPEARANCE OF COUNSEL

Pursuant to Rule 5 of the Division of Public Utilities and Carrier's Rules of Practice and Procedure, please enter my appearance on behalf of Church Community Housing Corporation, in the above-captioned proceeding.

Respectfully submitted,



Seth H. Handy (#5554)

CHACE RUTTENBERG & FREEDMAN, LLP

One Park Row, Suite 300

Providence, RI 02903

Tel. 401.453.6400 x 18

E-mail shandy@crflp.com

Dated: March 23, 2011