



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

DIVISION OF PUBLIC UTILITIES AND CARRIERS  
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**MEMORANDUM**

**TO:** Counsel of Record

**FROM:** John Spirito, Hearing Officer

**RE:** Docket No. D-10-126

**DATE:** May 27, 2011

I am in receipt of the "Motion For Summary Disposition" (the "Motion") filed by the Town of Portsmouth, Washington County Regional Planning Council, Church Community Housing Corporation, People's Power & Light, and the Town of Westerly on May 9, 2011. As I indicated at the Scheduling Conference conducted on April 12, 2011, the parties would be free to include any motion(s) for dispositive relief with the legal memoranda to be filed in this docket. I explained that I would consider such motions as part of my findings in this case. Based on that earlier decision, I will not be issuing a separate order with respect to the aforementioned Motion.

Also during the Scheduling Conference, I offered two issues for the parties to address (brief) in this complaint matter. I explained that I thought these two issues generally summed up the nature of Mr. Riggs' complaint in this matter (I referenced the Division's Advocacy Section's February 2, 2011 Memorandum of Law as the genesis for the two issues presented). I also stated that the parties would be afforded some latitude to expand their arguments beyond these two issues so long as the focus of their arguments remained consistent with the crux of the two issues that I presented and the concerns raised in the Riggs complaint. Broadly speaking, I believe the focus of this investigation is to examine whether the rate the Town of Portsmouth is receiving from National Grid is in harmony with the provisions of the Commission's relevant tariff and the State's net-metering statute.

cc Service List