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March 23, 2011

Zachary Gerson
617 832 1247 *direct*
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Via U.S. Mail
Via E-Mail

Re: COMPLAINT OF BENJAMIN RIGGS RELATING TO PORTSMOUTH
GENERATING FACILITY
Docket No. D-10-126

Dear Ms. Massaro,

Enclosed for filing are an original and four copies of Nexamp Inc.'s motion to intervene in the above referenced proceeding with a certificate of service.

Sincerely yours,

A handwritten signature in black ink that reads "Zachary Gerson". The signature is fluid and cursive, with the first name being more prominent.

Zachary Gerson

ZG:
Enclosure

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DIVISION OF PUBLIC UTILITIES AND CARRIERS
89 JEFFERSON BOULEVARD
WARWICK, RHODE ISLAND 02888**

IN RE: COMPLAINT OF BENJAMIN RIGGS :
RELATING TO PORTSMOUTH : DOCKET NO. D-10-126
GENERATING FACILITY :

MOTION TO INTERVENE

**BY
NEXAMP, INC**

Nexamp, Inc. (“Nexamp”) hereby moves to intervene in the above-captioned proceeding pursuant to Rule 17(b)(2) of the Rhode Island Division of Public Utilities and Carriers (the “Division”) Rules of Practice and Procedure and the Division’s February 28, 2011 Notice of Hearing and Opportunity to Intervene. Nexamp avers that it has an interest of such a nature that its intervention in this proceeding is both necessary and appropriate. Nexamp offers the following in support of its Motion:

1. Rule 17(b) of the Division Rules states that “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,” and that such right or interest may be “an interest which may be directly affected and which is not adequately represented by existing parties,” and, or “of such a nature that the movant’s participation may be in the public interest.”
2. Nexamp’s interest is directly affected by this proceeding and its participation in the proceeding may be in the public interest.
3. It is appropriate to grant Nexamp the right to intervene in this proceeding because Nexamp’s participation will lead to a fuller development of the record and because

Nexamp has an interest in the outcome of this proceeding not adequately represented by any other party.

4. Nexamp is a company that develops and installs solar projects throughout the country.

As such, Nexamp has a direct interest in net metering proceedings and regulations, as set forth in its areas of business, which may have an impact on existing and potential projects.

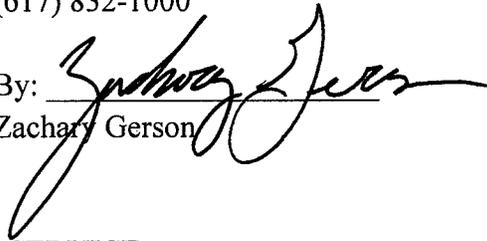
5. Nexamp views the existing rate structure for the Portsmouth wind turbine and other net metering projects of a similar nature as consistent with the long-term public interest, as set forth by public policy, for reasons including, but not limited to, job creation and retention, reduced and stable energy costs, alignment with existing environmental efforts put forth by the State and, more generally, the country. Therefore, certain residents and businesses of Portsmouth and the state of Rhode Island have interests which are currently unrepresented in the proceeding that would be represented by the intervenor.

The signatory to this motion is not a member of the Bar of the State of Rhode Island. In order to avoid unduly prejudicing the interests of Nexamp, the undersigned submits this petition before having obtained *pro hac vice* admission to practice law in the State of Rhode Island. The undersigned states that he will promptly seek, as required by law, to either obtain *pro hac vice* admission, or to obtain for Nexamp other counsel qualified to represent Nexamp's interests in this forum.

For the forgoing reasons, Nexamp asks that the Division grant its Motion to Intervene.

Respectfully Submitted,

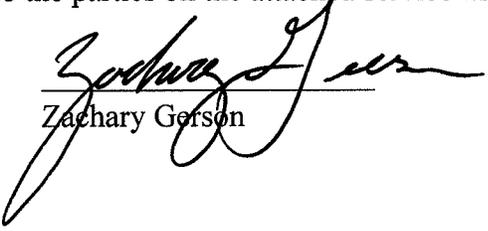
FOLEYHOAG LLP
Zachary Gerson
155 Seaport Boulevard
Boston, Massachusetts 02210
(617) 832-1000

By: 
Zachary Gerson

Dated: March 23, 2011

CERTIFICATE OF SERVICE

I hereby certify that on March 23, 2011, I delivered a true copy of the foregoing document by electronic mail and first class mail to the parties on the attached service list.


Zachary Gerson

Service List
Docket No. D-10-126

Parties/Address	E-mail Distribution	Phone
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