

**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
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**REPLY TO THE ADVOCACY SECTION’S
OBJECTION TO INTERVENTION**
BY
CHURCH COMMUNITY HOUSING CORPORATION
AND
PEOPLE’S POWER AND LIGHT

By its attorneys, Church Community Housing Corporation (CCHC) and People’s Power and Light (PP&L) hereby reply to the Advocacy Section’s objection to their motions to intervene. CCHC and PP&L rely principally on the contents of their motions but add three points in response.

First, we contest the allegation in the last sentence of the objections that this is “a limited question relating to the transaction between National Grid and the Town of Portsmouth and should be limited in scope thereto.” The Division’s own letter commencing this investigation announces that this proceeding is broader than mere resolution of the complaint. It states that “[t]he Division is of the opinion that there are sufficient facts to warrant a formal investigation of what it deems are unresolved issues associated with the Complaint, and also with respect to Narragansett’s interpretation of the statutes which address net metering.” The Division’s memo also offers findings that have implications for much broader interests than just Portsmouth’s existing wind turbine including the conclusion that “National Grid has inappropriately permitted a self-standing generator with no material on site load to be net metered and receive credits at a rate that is higher than its avoided cost” and that “the Rhode Island statute should be interpreted more narrowly to avoid

constitutional issues.” The question of how Rhode Island’s net metering statute must be construed to be consistent with federal law and the United States Constitution is one that clearly has implications for many interests beyond those Portsmouth represents. As stated in our motions, CCHC represents the interests of an affordable housing project that planned a wind turbine the erection of which has been interrupted by National Grid’s new interpretation of Rhode Island’s net metering mandate, which interpretation is at issue in this case. PP&L represents the interest of energy consumers who pay a premium on their electric bills to support the development of renewable energy and that distinct interests could clearly be impaired by this broad investigation and the conclusions offered by National Grid and the Advocacy Section.

The assertion that the interests of these parties or the public’s interest are adequately represented by the Division is meritless at best. CCHC and PP&L completely disagree with the legal analysis offered and findings in the Advocacy Section’s memorandum. This effort to disallow these parties’ participation due to the prospect of delayed proceedings is indicative of the great divide between the Advocacy Section’s interests and the serious interests of CCHC and PP&L that are at stake in this proceeding.

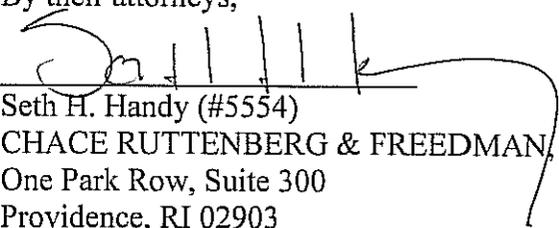
Finally, the suggestion that these parties need not be admitted as interveners because their attorney represents other parties to this proceeding is totally misconceived. The identity of counsel has no bearing on the independent significance of each interest and should not be invoked to prevent

intervention.

Respectfully submitted,

CHURCH COMMUNITY HOUSING
CORPORATION and PEOPLE'S POWER AND
LIGHT

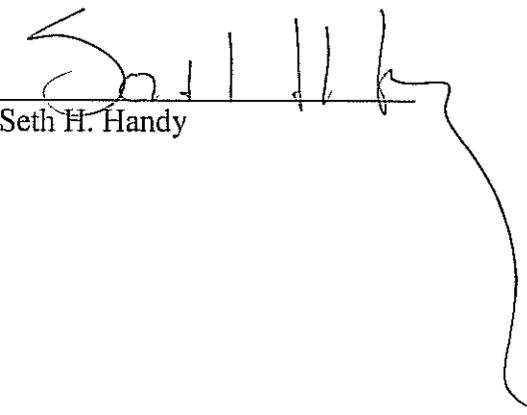
By their attorneys,



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CERTIFICATE OF SERVICE

I hereby certify that on April 11, 2011, I delivered a true copy of the foregoing document
either by electronic mail to the parties.



Seth H. Handy