

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

**RE: RHODE ISLAND PUBLIC TOWING ASSOCIATION INC.'S PETITION
FOR DECLARATORY JUDGMENT**

DOCKET NO.: D-10-26

MEMORANDUM OF INTERVENER TOWN OF MIDDLETOWN
IN SUPPORT OF PETITION FOR DECLARATORY JUDGMENT
BY PETITIONER RHODE ISLAND PUBLIC TOWING ASSOCIATION, INC.

The Town of Middletown is one of the municipalities in the State that would be directly and adversely affected by the ruling of the Commission making local police departments liable for the costs of storing vehicles impounded by the police in a private storage lot.

The Town of Middletown agrees with the petitioner, Rhode Island Public Towing Association, Inc., that the Commission has misinterpreted applicable law in making this ruling, and hereby joins in the Legal Memorandum of Petitioner, Rhode Island Public Towing Association, Inc., in Support of Its Motion for Summary Judgment, and requests that this memorandum be considered by the Administrative Judge as fully setting forth the position of the Town of Middletown on this matter.

Respectfully submitted:

Town of Middletown
By its attorney, Assistant Town Solicitor

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CERTIFICATION

I hereby certify that on the 27th day of September, 2010, I sent by electronic mail the foregoing memorandum to all parties on the Service List.

Francis S. Holbrook II