

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
PUBLIC UTILITIES COMMISSION

IN RE: NATIONAL GRID'S PROPOSED :
2010 STANDARD OFFER SUPPLY : DOCKET NO. 4041
PROCUREMENT PLAN AND 2010 :
RENEWABLE ENERGY SUPPLY :
PROCUREMENT PLAN : APRIL 17, 2009

**MOTION FOR INTERVENTION
OF RETAIL ENERGY SUPPLY ASSOCIATION**

The Retail Energy Supply Association (“RESA”)¹ hereby moves the Public Utilities Commission (“PUC” or “Commission”) to be designated an intervenor in the above-captioned docket pursuant to Section 1.13(b)(3) of the Commission’s Rules of Practice and Procedure. As grounds therefor, RESA states as follows:

1. RESA is a nonprofit organization and trade association that represents the interests of its members in regulatory proceedings throughout the United States. RESA’s members include providers of competitive electricity service to customers in Rhode Island and in other New England states that have restructured their electricity markets.

2. In early March 2009, Narragansett Electric Company d/b/a National Grid filed the following procurement plans with the Commission: Standard Offer Service (“SOS”) Procurement Plan for large commercial and industrial (“C&I”) customers and residential and small C&I customers for Year 2010 (“SOS Procurement Plan”); and Renewable Energy Standard Procurement Plan for Year 2010 (“RES Procurement Plan”) pursuant to Section 8.2 of the

¹ RESA’s members include Commerce Energy, Inc; Consolidated Edison Solutions, Inc; Direct Energy Services, LLC; Gexa Energy; Green Mountain Energy Company, Hess Corporation; Integrys Energy Services, Inc.; Liberty Power Corp.; Reliant Energy Retail Services, LLC; Sempra Energy Solutions LLC; SUEZ Energy Resources NA, Inc.; and US Energy Savings Corp. The comments expressed in this filing represent the position of RESA as an organization but may not represent the views of any particular member of RESA.

Commission's Rules and Regulations Governing the Implementation of a Renewable Energy Standard ("RES Rules").

3. On March 18, 2009, the Commission issued an order rejecting the SOS Procurement Plan and the RES Procurement Plan because National Grid did not propose to enter into long-term contracts for renewable energy resources pursuant to RES Rule 8.3. The Commission ordered National Grid to file a new SOS Procurement Plan and a new RES Procurement Plan on or before April 16, 2009.

4. On April 6, 2009, National Grid requested permission from the Commission to file an Accelerated Procurement Plan for Year 2010 ("APP") that would allow it to secure fixed-price financial swaps for energy to serve a large portion of its residential and small C&I customers on SOS. The APP was filed on April 9, 2009.

5. In a procedural memorandum dated April 7, 2009, the Commission established a deadline of April 17, 2009 for interested persons to file Motions to Intervene in the APP proceeding and stated that it would set a separate deadline for Motions to Intervene in the SOS and RES Procurement Plan proceedings. In this Motion, RESA respectfully requests that it be designated an intervenor in both the APP proceeding and the SOS and RES Procurement Plan proceedings.

6. Section 1.13(b)(3) of the Commission's Rules of Practice and Procedure states that intervention may be granted to a person claiming an "interest of such nature that movant's participation may be in the public interest."

7. Several RESA member companies are licensed to serve, and are presently serving, residential and C&I customers in Rhode Island. RESA therefore has a substantial interest in the continued development of the state's retail electricity market.

8. The contracting issues that will be addressed in these proceedings could have an adverse impact on Rhode Island's retail electricity market because they directly affect National Grid's SOS rates against which competitive electricity suppliers must compete and/or could alter the dynamics of the retail electricity market in other respects. No other party or intervenor can adequately represent the interests of competitive electricity suppliers in these proceedings.

9. RESA's experience with utility power contracting in other states and the resulting impact on retail electricity markets also would be helpful to the Commission in its consideration of the contracting matters at issue in these proceedings.

10. For the reasons stated in paragraphs 7, 8 and 9 above, RESA's participation in these proceedings is in the public interest.

11. RESA requests the right to submit written comments and legal briefs, propound interrogatories, cross-examine witnesses and otherwise participate fully in any hearings to be held in these proceedings.

12. All notices and correspondence should be directed to:

Hugh F. Murray, III, Esq.
Murtha Cullina LLP
CityPlace I, 185 Asylum Street
Hartford, CT 06103-3469
Voice: (860) 240-6077
Email: Hmurray@murthalaw.com

With a courtesy copy to:

Robert J. Munnely, Esq.
Murtha Cullina LLP
99 High Street
Boston, MA 02110-2320
Voice: (617) 457-4062
Email: Rmunnely@murthalaw.com

WHEREFORE, for the foregoing reasons, RESA requests that it be designated an intervenor in Docket No. 4041.

Respectfully submitted,

RETAIL ENERGY SUPPLY
ASSOCIATION

By _____
Hugh F. Murray, III, Esq.
Rhode Island Bar Number 06257