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April 2, 2019

Via Electronic Mail and Hand Delivery

Luly E. Massaro, Commission Clerk
Rhode Island Public Utilities Commission
89 Jefferson Boulevard
Warwick, Rhode Island 02888

Re: Docket D-19-04 – In re: City of East Providence Rhode Island Streetlighting Petition Statement of Issues in Dispute

Dear Ms. Massaro:

In accordance with the Procedural Schedule issued on March 12, 2019, enclosed for filing in the above-referenced docket are five (5) copies of The Narragansett Electric Company d/b/a National Grid's Statement of Issues in Dispute.

Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Andrew S. Tugan", with a long horizontal flourish extending to the right.

Andrew S. Tugan

AST/ln
Enclosures

cc: Docket D-19-04 Service List

STATE OF RHODE ISLAND
DIVISION OF PUBLIC UTILITIES AND CARRIERS

IN RE: CITY OF EAST PROVIDENCE RHODE ISLAND Docket No.: D-19-04
MUNICIPAL STREETLIGHTING PURCHASE

THE NARRAGANSETT ELECTRIC COMPANY
D/B/A NATIONAL GRID'S STATEMENT OF ISSUES IN DISPUTE

In accordance with the Procedural Schedule issued on March 12, 2019, The Narragansett Electric Company d/b/a National Grid (National Grid) submits this Statement of Issues that Remain in Dispute.

1. Whether the City of East Providence's July 29, 2016 communication to National Grid regarding the public street and area lighting in the City of East Providence required National Grid to take any actions within any specified time period pursuant to the Municipal Streetlight Investment Act, R.I. Gen. Laws § 39-30-1 *et seq.* (the Act).

2. Whether National Grid fulfilled its obligations under the Act, through its numerous communications with the City of East Providence providing information about the steps the City of East Providence needed to take to complete the purchase of public street and area lighting in the City of East Providence.

3. Whether the Division of Public Utilities and Carriers (Division) has jurisdiction to determine that the S-05 Tariff approved by the Rhode Island Public Utilities Commission (Commission) violates the Act.

4. Whether the S-05 Tariff approved by the Commission violates the Act.

5. Whether the City of East Providence is required to enter into substantially the same Agreement of Sale that National Grid has executed with all other Rhode Island municipalities making public street and area lighting purchases under the Act.

6. Whether the Agreement of Sale that National Grid has provided the City of East Providence violates the Act.

7. Whether the City of East Providence is required to enter into substantially the same Attachment Agreement that National Grid has executed with all other Rhode Island municipalities making public street and area lighting purchases under the Act.

8. Whether the Division has jurisdiction to determine whether the Attachment Agreement that National Grid has provided the City of East Providence violates the Act.

9. Whether the Attachment Agreement that National Grid has provided the City of East Providence violates the Act.

10. Whether the Act, upon the City of East Providence deciding to purchase public street and area lighting under the Act, requires the City of East Providence to purchase all public street and area lighting in the City of East Providence regardless of whether that public street and area lighting is located on, or adjacent to, roads owned or maintained by the State of Rhode Island.

11. Whether the City of East Providence had the right to cease payment of the full amount of the charges it incurred, including the facilities charge, for the provision of general street and area lighting in the City of East Providence even though it did not complete its purchase of the public street and area lighting in the City of East Providence.

12. Whether the balance forward amount on each of the City of East Providence's monthly street lighting bills constitutes an amount owed in arrears.

13. Whether the City of East Providence had an obligation to seek resolution from the Division pursuant to R.I. Gen. Laws § 39-30-3(e) before taking unilateral action to cease paying the full amount of its bills for general street and area lighting.

14. Whether the City of East Providence has a legal obligation to pay all past due amounts for its public street and area lighting bills before it can complete a purchase of the street and area lighting in the City of East Providence under the Act.

Respectfully submitted,

The Narragansett Electric
Company d/b/a National Grid
By its Attorney,

/s/ Andrew S. Tugan
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Dated: April 2, 2019

Certificate of Service

I hereby certify that a copy of the cover letter and any materials accompanying this certificate was electronically transmitted to the individuals listed below.

The paper copies of this filing are being hand delivered to the Rhode Island Public Utilities Commission and to the Rhode Island Division of Public Utilities and Carriers.

/s/ Andrew S. Tugan
Andrew S. Tugan

April 2, 2019
Date

**Docket No. D-19-04 City of East Providence - Streetlighting Petition
Service List as of 4/1/2019**

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