



**STATE OF RHODE ISLAND
DIVISION OF PUBLIC UTILITIES & CARRIERS**

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May 10, 2024

Cynthia Wilson-Frias, Esq.
Chief of Legal Services
Rhode Island Public Utilities Commission
89 Jefferson Blvd.
Warwick, RI 02889

Re: Docket Nos. 23-37-EL and 23-38-EL

Dear Cindy,

The Division is in receipt of motions for summary disposition in the above matters. We do not believe the alleged issues Movant raises in its motion papers possess any merit. Mr. Booth's Direct Testimonies amply demonstrate why both the Tiverton and Weaver Hill Projects do not benefit other ratepayers or improve the capacity or reliability of the EDS. At the very least his testimonies raise issues of material fact that make summary disposition inappropriate.¹ The issues contained in Movant's motion papers, the Division believes, can best be addressed through the hearing process.

The existing Procedural Schedule for both dockets was agreed to by all of the parties and has been in place for many months. For all that time, no party proposed having the Commission attempt to resolve the petitions merely on the papers without conducting a hearing. The Procedural Schedules also do not afford the parties an opportunity of doing so.² Kindly let me know as soon as possible as to the direction the

¹ Dkt. 1659, Order No.10820 (questions of fact should not be answered before the parties have produced a record which can serve as the basis for a Commission decision).

² See Procedural Schedule for Tiverton: <https://ripuc.ri.gov/sites/g/files/xkgbur841/files/2023-12/2337%20PS%20%28Tiverton%29%20.pdf>;

Procedural Schedule for Weaver Hill: <https://ripuc.ri.gov/sites/g/files/xkgbur841/files/2023-12/2338%20Procedural%20Schedule%20%28Weaver%20Hill%29.pdf>

Commission would like to take relative to the pending motions so that the Division can utilize its scarce resources in what we believe is the most efficient manner possible (*i.e.*, filing surrebuttal, preparing for hearing).

I am at 401-612-5093 today and am available by e-mail. Thank you for your prompt attention to this correspondence.

Respectfully submitted,

Division of Public Utilities and Carriers

Leo J. Wold

Leo J. Wold
Chief of Legal Services

cc: Service Lists
