

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATION
SUPREME COURT

IN RE THE NARRAGANSETT :
ELECTRIC COMPANY, d/b/a/ :
NATIONAL GRID, e-183 115 Kv : No. SU-18-_____
TRANSMISSION LINE : EFSB Docket No. SB-2003-01
RELOCATION PROJECT :

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SUPREME COURT
CLERK'S OFFICE

**THE FIRST MOTION OF THE CITY OF PROVIDENCE, THE
FRIENDS OF INDIA POINT PARK, THE HILTON GARDEN
INN AND THE R.I. SEAFOOD FESTIVAL TO EXTEND THE
TIME FOR FILING MEMORANDA AND AN APPENDIX IN
SUPPORT OF THEIR PETITIONS FOR CERTIORARI**

Petitioners, the City of Providence (“Providence”); the Friends of India Point Park (the “FIPP”), a Rhode Island non-profit corporation; Procaccianti Companies, Inc., a Delaware corporation, d/b/a The Hilton Garden Inn (the “Hotel”); and McMac, Inc., a New York S corporation, d/b/a The R.I. Seafood Festival (the “Seafood Festival”) (collectively, the “Petitioners”), hereby jointly move for a sixty (60) day extension – to the close of business on Friday, March 30, 2018 – within which to file memoranda and a joint appendix in support of their petitions for a writ of certiorari to remand the January 17, 2018 order (the “January 17 Order”) of the state’s Energy Facility Siting Board (the “EFSB”) in *In Re Narragansett Electric Company d/b/a National Grid E-183 115 Kv Transmission Line Relocation Project*, EFSB Docket No. SB-2003-01.

As grounds, Petitioners aver that:

- (1) National Grid’s (“NG’s”) application to relocate the high-voltage electrical power lines now crossing above the Providence and Seekonk Rivers which is the subject of the January 17 Order – and specifically, whether NG should be permitted to continue its use of unsightly overhead towers and other overhead structures to transmit the power lines above the rivers rather than requiring that all or some of the power lines be buried

underground in connection with their relocation— has been pending before the EFSB for well over a decade.

- (2) There are thousands of pages of hearing transcripts, pre-filed testimony and expert reports spanning nearly fifteen (15) years which are relevant to the Petitions and which will take time to review and assemble.
- (3) The Petitions concern and will address complex and novel factual and legal issues, such as whether the EFSB:
 - (a) violated Rhode Island law and its own rules of practice and procedure by failing to: (i) make required findings in its January 17 Order; or (ii) explain the specific factual basis for its conclusion that burying all or some of the lines was not feasible;
 - (b) abdicated its statutory duty by approving a private agreement that illegally delegated and essentially privatized the EFSB's non-delegable duty to evaluate the feasibility of alternative approaches to the requested relocation of the power lines; and/or
 - (c) violated state law by authorizing the use of ratepayer funds for purposes other than under-grounding the power lines.
- (4) The attorneys for Providence and the Hotel both have extremely busy criminal and civil caseloads during the next few months, and the attorney for the FIPP and the Seafood Festival is required to be out of town in the service of other clients for substantial periods during the next several months.
- (5) Finally, the requested extension will not unduly delay consideration of the case or prejudice opposing parties.

THE CITY OF PROVIDENCE,

By its attorney,



Jeffrey B. Pine, Esq. (# 2278)

Lynch & Pine, LLC

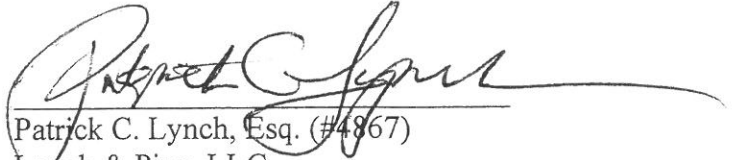
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THE FRIENDS OF INDIA POINT PARK,
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d/b/a The R.I. Seafood Festival,
By their attorney,



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January 29, 2018

CERTIFICATE OF SERVICE

I hereby certify that on this 29th of January, 2018, I caused a true copy of the within Motion to be delivered by hand and sent by e-mail to:

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