



State of Rhode Island and Providence Plantations

DEPARTMENT OF ATTORNEY GENERAL

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*Patrick C. Lynch, Attorney General*

August 6, 2008

Luly Massaro, Clerk  
Rhode Island Public Utilities Commission  
89 Jefferson Blvd.  
Warwick, RI 02888

**Re: Docket No. 3942**

Dear Ms. Massaro,

Enclosed please find the Division's Objection to the City of Warwick's Motion to Extend Time. Thank you for your attention to this matter.

Very truly yours,

Leo J. Wold

Special Assistant Attorney General

cc: Service List  
John Bell, Public Utility Rate Analyst, DPUC

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS**

**PUBLIC UTILITIES COMMISSION**

IN RE: **Petition of the Kent County Water Authority** )  
**Rate Application** ) **DOCKET NO. 3942**

**OBJECTION TO THE INTERVENOR CITY OF WARWICK'S  
MOTION TO EXTEND TIME TO SUBMIT PRE-FILED TESTIMONY**

Pursuant to Rule 1.15(d) of the Rules of Practice and Procedure of the Public Utilities Commission (the "Commission"), the Division of Public Utilities and Carriers (the "Division"), hereby objects to the Motion of the City of Warwick (the "City") to Extend Time to Submit Pre-filed Testimony in the above-captioned proceeding. In its Motion for Extension of Time to Submit Pre-filed Testimony, the City of Warwick requests that the Commission allow its pre-filed testimony to be due 45 days after the originally scheduled deadline of July 30, 2008. For the reasons set forth below the Division respectfully requests that the Commission deny the City of Warwick's request and instead set a deadline of August 14, 2008 for the filing of their testimony.

The City of Warwick was granted intervenor status on June 18, 2008 and as relayed in the conference call held on July 29, 2008, has known since May 27, 2008 that their rate consultant, Christopher Woodcock, would be unable to submit testimony in this case on behalf of the City due to a conflict of interest. The City has had over two months to retain a new consultant and prepare their pre-filed testimony. Just as importantly, a 45-day extension will require a substantial postponement in the dates that other testimonies<sup>1</sup> are due as well as the date for the hearing of this matter, itself (September 24, 2008). Such a postponement would almost

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<sup>1</sup> KCWA's rebuttal is due on August 28, 2008; the Division's Surrebuttal is due on September 10, 2008.

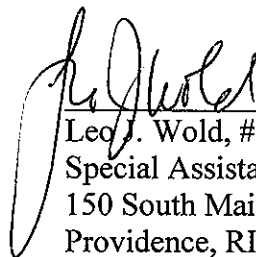
certainly place the Commission in the untenable position of having to issue a decision after its statutorily mandated time-period for issuing decisions has expired.

The City, however, is entitled to a reasonable extension of time that will not unduly prejudice the other parties or delay adjudication of the pending docket. On this basis, the Division would not object if the Commission were to afford the City a 14-day extension (from July 30, 2008 to August 14, 2008) to file its direct testimony. Such an extension will have little impact on the current procedural schedule, still affording all of the parties as well as the Commission sufficient time to fulfill their respective obligations.

For all of the foregoing reasons, the Division requests that the Commission deny the City's Motion to Extend Time to Submit Pre-filed Testimony.

DIVISION OF PUBLIC UTILITIES AND  
AND CARRIERS,  
By its attorneys,

PATRICK C. LYNCH,  
ATTORNEY GENERAL

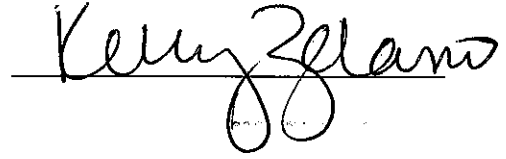


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**CERTIFICATE OF SERVICE**

I certify that a copy of the within objection was served by e-mail and regular mail, postage prepaid, to all persons listed on the service list for Public Utilities Commission Docket 3942 on the 6th day of August, 2008.

A handwritten signature in black ink, reading "Kelly Zelano", is written over a horizontal line. The signature is cursive and includes a large loop at the end.