



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PUBLIC UTILITIES COMMISSION
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Chairperson Margaret E. Curran
Commissioner Paul J. Roberti
Commissioner Herbert F. DeSimone

Via Electronic Mail

MEMORANDUM AND INTERIM ORDERS

September 8, 2015

From: Commissioner Herbert DeSimone
Presiding Officer

To: Michael McElroy, Esq.
Joseph Keough, Esq.

CC: Chairperson Margaret Curran
Commissioner Paul Roberti
Docket 4550 Service List

Re: Docket 4550- Pawtucket Water Supply Board's Application to Change Rates

Pursuant to Rule 1.18(c)(3), I have reviewed the discovery pleadings filed herein and make the following findings:

1. The Town of Cumberland's Objection to DR 1-1a was timely, given the filing due date was July 3, a federal holiday, and the Objection was filed on July 6, a state holiday. However, the issue raised in this Objection is moot, since Pawtucket Water has not demanded a rate model but merely asked the Town of Cumberland whether or not it intends to provide a rate model.¹ The Town of Cumberland has met the substance of this request in notifying Pawtucket Water that it does not intend to prepare a COS/rate design model for this docket.²
2. Pawtucket Water's Objection to Town of Cumberland DR 2-5 is denied without prejudice. Pawtucket Water has failed to establish that the information requested in Cumberland DR 2-5 is protected by either the work product doctrine or the attorney-client privilege. Pawtucket Water is ordered to provide the rate increase initially presented to the Board, as requested in Cumberland DR 2-5.

¹ Pawtucket Water's Motion to Strike and Compel Responses to Date Requests at 3 (07/15/15).

² Id.; Town of Cumberland's Objection to Pawtucket Water's Motion to Strike at 3 (07/16/15).

3. Pawtucket Water's Objection to Town of Cumberland DR 3-10 is denied without prejudice. Pawtucket Water conceded to providing actual FY2015 information after the close of the fiscal year and after accruals post and audit adjustments are made.³ Based on this concession, Pawtucket Water is ordered to update David Bebyn's Schedule 2 (DGB-2) using actual FY2015 data and provide the same to the Town of Cumberland.
4. The compliance date for these Orders shall be on or before September 18, 2015.

³ Objection of Pawtucket Water to Cumberland DR 3-10.