

June 10, 2011

VIA HAND DELIVERY & ELECTRONIC MAIL

Luly E. Massaro, Division Clerk
Rhode Island Division of Public Utilities and Carriers
89 Jefferson Boulevard
Warwick, RI 02888

RE: Docket No. D-10-126 - Complaint of Benjamin Riggs Relating to Portsmouth Generating Facility Comments Concerning Pending Legislation

Dear Ms. Massaro:

In light of ongoing legislative activity, which is expected to clarify the provisions of net metering in Rhode Island, the Company is reserving comment on the issues presented in this matter, until those legislative activities are concluded.

In this proceeding, the Division is asked to interpret the provisions of the controlling net metering statute to determine whether the Portsmouth wind turbine should be treated as a net metering facility. The Rhode Island General Assembly is currently in the process of considering substantial changes to the existing net metering statute, and this legislation seems likely to be enacted into law during the current legislative session. In light of the pending legislation, the Company believes that briefing the proper interpretation of the existing statutory provisions, which will likely soon be replaced, would not lead to any useful insights or conclusions regarding the proper treatment of the Portsmouth generating facility under net metering. In the unlikely event that the bill currently before the legislature is not enacted into law. However, the Company reserves its opportunity to file a memorandum analyzing the issues relating to the Portsmouth generating facility during the second round of briefing under the procedural schedule in this matter.

Thank you for your attention to this transmittal. If you have any questions, please feel free to contact me at (401) 784-7667.

Very truly yours,



Thomas R. Teehan

Enclosure

cc: Docket D-10-126 Service List
Steve Scialabba
Jon Hagopian, Esq.