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April 2, 2019

Via Electronic Mail and Hand Delivery

Luly E. Massaro, Commission Clerk
Rhode Island Public Utilities Commission
89 Jefferson Boulevard
Warwick, Rhode Island 02888

Re: Docket D-19-04 – In re: City of East Providence Rhode Island Streetlighting Petition Agreed-Upon Statement of Facts

Dear Ms. Massaro:

In accordance with the Procedural Schedule issued on March 12, 2019, enclosed for filing in the above-referenced docket are five (5) copies of the Agreed-Upon Statement of Facts submitted by The Narragansett Electric Company d/b/a National Grid, the City of East Providence, and the Advocacy Section of the Division of Public Utilities and Carriers.

Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in blue ink, appearing to read "AT", with a long horizontal flourish extending to the right.

Andrew S. Tugan

AST/ln
Enclosures

cc: Docket D-19-04 Service List

STATE OF RHODE ISLAND
DIVISION OF PUBLIC UTILITIES AND CARRIERS

IN RE: CITY OF EAST PROVIDENCE RHODE ISLAND Docket No.: D-19-04
MUNICIPAL STREETLIGHTING PURCHASE

AGREED-UPON STATEMENT OF FACTS

The Narragansett Electric Company d/b/a National Grid, the City of East Providence, and the Division of Public Utilities and Carriers Advocacy Section (Advocacy Section) submit this agreed-upon statement of facts in the above-referenced docket.

1. National Grid is an electric distribution company as defined in R.I. Gen. Laws §§ 39-1-2(12), 39-30-2.

2. The City of East Providence is a Rhode Island city that receives street lighting service from National Grid.

3. The governing tariff for a municipality's purchase of public street and area lighting is the Street and Area Lighting – Customer Owned Equipment S-05 tariff (the S-05 Tariff), currently at RIPUC No. 2190. A true and accurate copy of the S-05 Tariff is attached hereto as Joint Exhibit 1.

4. A true and accurate copy of Rhode Island Public Utilities Commission (PUC) Order No. 21704 in Docket No. 4442 is attached hereto as Joint Exhibit 2.

5. The City of East Providence and National Grid have not reached agreement on the terms of purchase for the public street and area lighting equipment in the City of East Providence (the Streetlight Assets), including but not limited to, the purchase price, the inventory of lights to be purchased, the terms of the agreement of sale, and the terms of the attachment agreement.

6. On or about July 29, 2016, East Providence sent a letter to National Grid stating that East Providence has decided to purchase its streetlight system pursuant to the Municipal

Streetlight Investment Act, R.I. Gen. Laws § 39-30-1 *et seq.* (the Act). East Providence requested the final purchase price and required closing documentation. A true and accurate copy of that letter is attached hereto as Joint Exhibit 3.

7. On or about August 11, 2016, National Grid provided East Providence with the e-mail and attachments attached hereto as Joint Exhibit 4.

8. On or about November 20, 2017, National Grid provided East Providence with the e-mail and attachments attached hereto as Joint Exhibit 5.

9. On or about May 30, 2018, National Grid provided East Providence with the e-mail and attachments attached hereto as Joint Exhibit 6.

10. On or about August 15, 2018, East Providence requested an updated purchase price for the Streetlight Assets. A true and accurate copy of that e-mail is attached hereto as Joint Exhibit 7.

11. On September 18, 2018 the East Providence City Council approved the purchase of the Streetlight Assets for up to \$218,000 provided that East Providence is able to simultaneously enter into an acceptable contract with Siemens. A true and accurate copy of the East Providence City Council September 18, 2018 Meeting Minutes is attached hereto as Joint Exhibit 8.

12. On or about November 8, 2018, National Grid provided East Providence with the e-mail and attachments attached hereto as Joint Exhibit 9.

13. Since April of 2017 the City of East Providence has placed a portion of its payment of National Grid and Direct Energy bills regarding streetlights into an escrow account.

14. RIPUC No. 2196, Terms and Conditions for Distribution Service, Section 13 provides that the Late Payment Charge accrues at the rate of 1.25 percent per month on any unpaid balance, including any interest charges, from the date of receipt until the date of payment.

Respectfully submitted,

The Narragansett Electric Company
d/b/a National Grid
By its Attorney,

/s/ Andrew S. Tugan
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City of East Providence,
By its Attorney,

/s/ Dylan Conley
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Advocacy Section of the
Division of Public Utilities and Carriers
By its Attorney,

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Dated: April 2, 2019

Certificate of Service

I hereby certify that a copy of the cover letter and any materials accompanying this certificate was electronically transmitted to the individuals listed below.

The paper copies of this filing are being hand delivered to the Rhode Island Public Utilities Commission and to the Rhode Island Division of Public Utilities and Carriers.

/s/ Andrew S. Tugan
Andrew S. Tugan

April 2, 2019
Date

**Docket No. D-19-04 City of East Providence - Streetlighting Petition
Service List as of 4/1/2019**

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