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Via Hand Delivery

January 29, 2018

Todd Bianco, Coordinator
Energy Facility Siting Board
89 Jefferson Boulevard
Warwick, RI 02888

**Re: The Narragansett Electric Company d/b/a National Grid
Burrillville Interconnection Project
Docket No. SB-2017-01**

Dear Mr. Bianco:

I am enclosing for filing on behalf of The Narragansett Electric Company d/b/a National Grid an original and six (6) copies of its response to the Town of Burrillville's First Set of Data Requests. I am sending electronic copies to the Service List and will provide a hard copy to anyone that requests it.

Sincerely,



George W. Watson III

Enclosure

Copy to: Patricia S. Lucarelli, Esq. (*via hand delivery*)
Docket SB-2017-01 Service List (*via e-mail*)

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
ENERGY FACILITY SITING BOARD**

IN RE:

THE NARRAGANSETT ELECTRIC :
COMPANY d/b/a NATIONAL GRID :
AND CLEAR RIVER ENERGY LLC : SB-2017-01
(BURRILLVILLE INTERCONNECTION :
PROJECT) :

**NATIONAL GRID’S RESPONSE TO THE
FIRST SET OF DATA REQUESTS OF TOWN OF BURRILLVILLE**

REQUEST NO. DR 1-1(a): In the November 29, 2017 joint letter to FERC from ISO-NE and New England Power Co. in Docket EL18-349, there is a discussion on pages 12 —13, and in paragraphs 31 and 32 of the Kevin C. Reardon Affidavit filed in that Docket, concerning the absence of a Right of Way (ROW) agreement between Clear River and National Grid. Please provide the following regarding negotiations related to this proposed agreement:

a. Is an executed ROW agreement between Clear River and National Grid necessary for this project to move forward?

RESPONSE:

Yes, an executed ROW agreement between Clear River Energy, LLC (“Clear River”) and The Narragansett Electric Company d/b/a National Grid (“National Grid”) is necessary for the Burrillville Interconnection project, as it is currently proposed in the Unexecuted Original Service Agreement No. LGIA-ISONE/ National Grid-17-01 (“LGIA”), to move forward.

Response prepared by or under the supervision of
Kevin C. Reardon

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**NATIONAL GRID’S RESPONSE TO THE
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REQUEST NO. DR 1-1(b): In the November 29, 2017 joint letter to FERC from ISO-NE and New England Power Co. in Docket EL18-349, there is a discussion on pages 12 —13, and in paragraphs 31 and 32 of the Kevin C. Reardon Affidavit filed in that Docket, concerning the absence of a Right of Way (ROW) agreement between Clear River and National Grid. Please provide the following regarding negotiations related to this proposed agreement:

- b. What is the current status of negotiations regarding this ROW agreement?

RESPONSE:

The last communication between National Grid and Clear River regarding a potential ROW agreement occurred on October 23, 2017. On that day, National Grid sent a letter¹ to Clear River after a number of communications with Clear River relating to negotiations for a potential ROW agreement, including a teleconference meeting held on Wednesday, September 20, 2017. To date, Clear River has not responded to that October 23, 2017 letter, and instead chose to litigate the ROW agreement issue in Federal Energy Regulatory Commission (“FERC”) Docket No. ER18-349.² The FERC order in Docket No. ER18-349 holds that the Clear River Large Generator Interconnection Agreement (“LGIA”) conforms to ISO-NE’s pro forma LGIA, is just and reasonable, and both ISO-NE and National Grid have complied with the ISO-NE

¹ See Attachment D to the Motion for Leave to Answer and Answer of New England Power Company, FERC Docket No. ER18-349 (January 4, 2018).

² See Motion to Intervene and Protest of Clear River Energy LLC at PP 23-26, FERC Docket No. ER18-349 (December 20, 2017); Motion for Leave to Answer and Answer of New England Power Company at PP 14-20, FERC Docket No. ER18-349 (January 4, 2018).

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Open Access Transmission Tariff (“OATT”) with regard to the Clear River LGIA.³ Furthermore, FERC did not accept Clear River’s assertions regarding their entitlement to the Company’s ROW, or the existence of a ROW agreement.⁴ Negotiations for the ROW agreement will be resumed once Clear River responds to National Grid’s letter dated October 23, 2017.

³ See Order Accepting Unexecuted Large Generator Interconnection Agreement, FERC Docket No. ER18-349 (January 26, 2018).

⁴ *Id.*

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PROJECT)	:	

**NATIONAL GRID’S RESPONSE TO THE
FIRST SET OF DATA REQUESTS OF TOWN OF BURRILLVILLE**

REQUEST NO. DR 1-1(c): In the November 29, 2017 joint letter to FERC from ISO-NE and New England Power Co. in Docket EL18-349, there is a discussion on pages 12 —13, and in paragraphs 31 and 32 of the Kevin C. Reardon Affidavit filed in that Docket, concerning the absence of a Right of Way (ROW) agreement between Clear River and National Grid. Please provide the following regarding negotiations related to this proposed agreement:

c. If this ROW agreement has not yet been signed, please provide all details of the issues between the parties, including the positions of each party on the outstanding issues.

RESPONSE:

See, generally, ISO New England Inc. and New England Power Company – Filing of Unexecuted Original Service Agreement No. LGIA-ISONE/National Grid – 17-01 under Schedule 22 of the ISO New England Inc. Open Access Transmission Tariff, at 12-15, Docket No. ER18-349 (November 29, 2017); Motion for Leave to Answer and Answer of New England Power Company, at 14-19 and Attachments C &D, Docket No. ER18-349 (January 4, 2018); and the National Grid’s response to Request No. DR 1-1(b).

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PROJECT)	:	

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REQUEST NO. DR 1-2 Do you believe that a ROW agreement between Clear River and National Grid will be executed? If so, please explain your reasons for this belief and when you believe that such an agreement will be executed.

RESPONSE:

Please reference National Grid's responses to Request No. DR 1-1(a) and Request No. DR 1-1(b).

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REQUEST NO. DR 1-3 Please provide a copy of any drafts of this ROW agreement that exist and also provide a copy of any executed ROW agreement if and when it is in fact executed.

RESPONSE:

No drafts of any ROW agreement have been created. Please see the responses to Request No. DR 1-1(b) and Request No. DR 1-1(c).

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REQUEST NO. DR 1-4 What is the amount that you anticipate Clear River will have to pay to National Grid under this ROW agreement? Please explain if this amount is currently included in the cost estimates for this project filed with the PUC and the EFSB and provide the basis for this estimate.

RESPONSE:

Please reference responses to Request No. DR 1-1(b) and Request No. DR 1-1(c). Any costs associated with a ROW agreement or agreements between Clear River and National Grid, or its affiliate The Narragansett Electric Company, were not included in National Grid's cost estimates for the Burrillville Interconnection Project filed with the PUC and the EFSB.

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REQUEST NO. DR 1-5: What options, if any, does Clear River [Energy, LLC] have with regard to completing this project if Clear River [Energy, LLC] and [The Narragansett Electric Company d/b/a] National Grid fail to execute a ROW agreement?

RESPONSE:

Clear River Energy, LLC may use any overhead or underground alternative that does not include The Narragansett Electric Company's ROW. Some of these alternatives are found in Sections 5.4.2, 5.6.1.2, 5.6.1.3, and 5.6.1.4 of the Environmental Report.

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REQUEST NO. DR 1-6 Has Clear River [Energy, LLC]/Invenergy begun negotiating any alternative electric transmission rights of way with any party, including, but not limited to, rights of way within a natural gas pipe line corridor or within municipal rights of way? If so, please provide all details.

RESPONSE:

National Grid is not aware of any negotiations by Clear River Energy, LLC or its affiliates with respect to such alternative electric transmission rights of way.

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