

CLERKS REPORT

DOCKET NO. & NAME: **DG 07-050 KeySpan Energy Delivery New England**

DATE: 5/3/07 OPENED AT: 10:13 CLOSED: 11:04 PHC: X HEARING: _____

PRESIDING OFFICER: _____ HEARING EXAMINER: **Donald Kreis**

COURT REPORTER: **Steve Patnaude** CLERK: **Diane Bateman**

APPEARANCES:

**Steven V. Camerino, Esq., McLane, Graf, Raulerson & Middleton for KeySpan
Kenneth Traum for the Office of Consumer Advocate
F. Anne Ross, Esq., for Staff of the Public Utilities Commission**

AFFIDAVIT FILED: Yes

INTERVENTION GRANTED:

N/A

NOTES:

This docket was started pursuant to Order No. 24,688 file on 10/27/06.

Hearing Examiner Kreis asked which party bares the burden of truth? Who provides testimony first, etc. Counsel for KeySpan states that they have a procedural schedule in place with the exemption of finalizing the dates. Staff and OCA will file testimony first.

Staff believes that it is the Company should demonstrate that their methodology is just and reasonable. The OCA agrees with Staff. The Company disagrees with this; they believe that there is a disagreement in this docket and feel that Staff bares the burden to support this filing as the two disputes as this was done after the rates were approved by the Commission. Staff believes that there are 4, not 2, issues. Staff would like to suggest that Staff state their position before the Company.

The Company does not believe that their rates should not be adjusted on two of the issues.

OCA states that there is a potential fifth issue that resulted from DG 06-121.

The company recognized only two issues that remain unresolved. They do not believe that there are four outstanding issues, or a fifth as the OCA pointed out.

The company plans to file for intervenors status in the Northern Case. They also will be filing a petition for rehearing in docket DG 07-033 as they do not agree with how it was wording on the four issues. They are also going to send a petition to consolidate with Northern's case.

Staff opposes the request to consolidate with Northern as the two companies are completely different in many aspects. By consolidating it would create confusion as the issues in the Northern case are different from the issues in this proceeding. The second issue results from the expedited time frame in which the COG proceedings are done. There is not enough time to gather all the issues that are pertinent thus the reason for the two issues resulting after the COG proceedings.

As for the exhibit that was entered in as an exhibit, the Hearings Examiner will leave it up to the Commission as to if they will enter it in as a full exhibit.

PROCEDURAL SCHEDULE: _____ HEARINGS CONTINUED: _____
BRIEFS DUE: _____ ORDER DUE: _____
TRANSCRIPT DUE DATE: _____ REQUEST WHEN DUE: _____
HEARING EXAMINER REPORT DUE: _____ ATTACH THE EXHIBITS LIST: Yes
UNDER ADVISEMENT: _____

KeySpan Energy Delivery New England

DG 07-050

EXHIBITS

DATE	NO.	DESCRIPTION	WITNESS
5/3/07	1	3/29/07 Staff Report that was filed in DG 06-121	
	2		