

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC UTILITIES**

Western Massachusetts Electric Company

D.P.U. 11-119-C

**REPLY BRIEF
OF THE ATTORNEY GENERAL**

Respectfully submitted,
MARTHA COAKLEY
ATTORNEY GENERAL

By: Sandra Callahan Merrick
Charlynn R. Hull
Paul A. Stakutis
Ronald J. Ritchie
James W. Stetson
Assistant Attorneys General
Office for Ratepayer Advocacy
Office of the Attorney General
One Ashburton Place
Boston, MA 02108
(617) 727-2200

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REPLY BRIEF OF THE ATTORNEY GENERAL

I. INTRODUCTION

Pursuant to the briefing schedule established by the Department of Public Utilities (the “Department”) in D.P.U. 11-119-C, the Attorney General submits her Reply Brief ¹responding to the arguments made by Western Massachusetts Electric Company (“WMECO” or “Company”) in its Initial Brief, dated June 29, 2012 (“Company Initial Brief”). The Department’s focus should be on how WMECO implemented its Emergency Response Plan (“ERP”) and whether the Company’s restoration efforts complied with its ERP. Further, the Department must take action by penalizing the Company and directing it to improve its emergency response planning to ensure that an investigation of electric distribution companies is not required each time severe weather occurs in Massachusetts. At a minimum, the Department must ensure that WMECo implements each of its “lessons learned” to improve its emergency response and restoration. Co. Br., pp. 34-36.

¹ This brief is not intended to respond to every argument made or position taken by the Company. Rather, this Reply Brief is intended to respond only to the extent necessary to assist the Department in its deliberations. Silence by the Attorney General with respect to any issue addressed in the Company’s Initial Brief cannot be construed as assent to its position.

The Attorney General recommends that in addition to examining the Company's adherence to its ERP, the Department also consider reassessing the standards mandated by WMECo's ERP. That is, even if the Department finds that WMECo complied with each ERP standard, the Department may find that WMECo's ERP is not meeting the public's need for reliable restoration of service.

II. THE DEPARTMENT DID NOT OPEN AN INVESTIGATION INTO WMECO'S PREPARATION FOR AND RESPONSE TO THE OCTOBER SNOWSTORM WITHOUT CAUSE

The Company's Initial Brief provides ample discussion of the Company's efforts to follow its ERP by securing crews to respond to the October Snowstorm. Co. Br., pp. 7-22. The Company points to the Attorney General's recognition of the utilization of good utility practices by WMECO in responding to this event. Co. Br., pp. 8, 10-11, and 18-19 (citing Mr. Cannata's testimony). Nevertheless, on its own initiative, the Department voted to open an investigation into WMECo's efforts to prepare for and restore power following the October Snowstorm. Co. Br., p. 1 (citing *Investigation by the Department of Public Utilities on its Own Motion into the Preparation and Response of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, NSTAR Electric Company, and Western Massachusetts Electric Company to the October 29, 2011 snowstorm*, D.P.U. 11-119, p. 1 (November 8, 2011)).

The Company implies that the Attorney General is solely concerned with penalizing it. Co. Br., p. 40. The Attorney General's chief concern, however, is for public safety and for efficient and effective storm restoration for the customers of Massachusetts.

Here, the Department opened the investigation because customers, public officials and public safety personnel expressed concern with WMECo's performance during the event. Exh.

AG-DJS; Tr. Vol. B at 30-36 (Dec. 13, 2011). Customers were without power and, in some cases, without heat and water, for over one week. Exh. AG-DJS, p. 1. Customers did not receive communication from WMECo via its press releases and did not have the requisite restoration information with which to make a decision concerning shelter. Tr. Vol. B at 34-35. Mr. Eric LaPoint, a WMECo customer, described the horrific situation he and his wife experienced in Greenfield during the outage:

We used our cell phones for as long as we could. The towers were clogged. We were able to get a few phone calls out. You couldn't find a generator within a hundred-mile radius. My wife and I are both disabled. You offer some type of protection thing. I would like to know just what that does, because it didn't do anything for me or my wife. My wife is homebound disabled. She can't leave the house, can't leave the town. Getting her to a warming shelter would have been difficult in itself. However, it would have been nice to know where the warming shelters were, what you guys were doing, where you guys stood, how long we were going to be without electricity.

Id.

Notwithstanding testimony like this from its customers, WMECo denies that complaints of delays were substantial. Co. Br., p. 15 citing Exh. WM-RSC, p. 5.

A. WMECo Should Have Been Prepared for the October Snowstorm Because It Must Be Prepared for Storms that It has Not Before Encountered.

WMECo failed in its obligation to be prepared for the October snowstorm. The Company's Initial Brief describes the difficulty that forecasters had in predicting the October snowstorm as well as the efforts that the Company made to track the weather. Co. Br., pp. 8-12. The Company implies that the unpredictable weather forecast is the reason why the Company is being investigated rather than any of its own actions or omissions. Co. Br., pp. 7-9 ("The advance weather forecasts of the October Snowstorm never called for the type of storm that struck.").

WMECo argues that the October snowstorm's damage was "beyond anyone's comprehension and *past experience*." Co. Br., p. 12 (emphasis added). However, the Department has clearly stated that it will not excuse poor preparation and planning for a storm on the basis that a Company has not experienced the same winter storm before. *Investigation by the Department of Public Utilities on its Own Motion into the Preparation and Response of Fitchburg Gas and Electric Light Company d/b/a Unitil to the December 12, 2008 Winter Storm*, D.P.U. 09-01-A, p. 48 ("The Department will not absolve the Company from its public service obligations simply because this Storm was bigger than the Company has experienced."). Further, in the 2008 ice storm investigation of Unitil, the Department stated that Unitil's reliance on its performance during recent storms as its primary emergency planning and training vehicle was not sufficient. *Id.* at 47. Lastly,

B. The Adequacy of WMECo's Preparation and Restoration Are at Issue in this Case.

WMECo argues that it activated and followed its ERP to safely restore power to its customers as quickly and responsibly as possible. Co. Br., pp. 9-10. Clearly, the Company had a Department approved ERP in place, which it claims to have followed during the event.² *See e.g.* Exh. WM-RSC, p. 2; Exh. AG 1-1; Exh. AG 1-11; Exh. AG 4-14; Exh. AG 4-31; and Exh DPU 2-16.

An ERP is a plan established by utilities to address outages caused by storms and other natural disasters, civil unrest, major equipment failure, or other emergencies. The ERP is intended to provide a framework for an orderly company response in these situations. The ERP sets forth the procedures during major emergencies for restoration of electric service, notification to applicable government agencies and the public of emergency restoration

² Pursuant to G.L. c. 164, § 85B all local distribution companies are required to submit an annual ERP for review and approval by the Department.

progress, and response to official requests for specific emergency actions.

Investigation by the Department of Public Utilities on its Own Motion into the Preparation and Response of Fitchburg Gas and Electric Light Company d/b/a Unitil to the December 12, 2008 Winter Storm, D.P.U. 09-01-A, p. 26 (Nov. 2, 2009) (hereinafter “Unitil 2008 Winter Storm”).

However, having an approved ERP in place is not the same as proving that the ERP was efficiently and effectively implemented. WMECo acknowledged this in its Initial Brief, when it reiterated a point clarified by the Department in its rulemaking docket that established 220 C.M.R. 19.00 et. seq. Co. Br., p. 6. (“The Department has stated that implementation of an ERP in and of itself does not constitute compliance with the Department’s standards.”) For example, if the ERP stated that the Company must have municipal liaisons in an emergency event, and the Company had municipal liaisons, but those municipal liaisons failed to communicate accurate and timely information to their municipal counterparts, the Company did not follow the intent or spirit of the ERP. Therefore, how and when the requirements of an ERP are executed is at issue here, not whether the Company had an approved ERP—it was required to have an approved ERP. G.L. c. 164, § 85B.

Moreover, the Company has a public service obligation to provide safe and reliable service to its customers that is independent of the Company’s enumerated ERP requirements. *Unitil 2008 Winter Storm*, D.P.U. 09-01-A, p. ix.

III. WMECO’S COMMUNICATION FAILURES VIOLATED ITS ERP

The Company boasts that it has filled the record with evidence that it properly informed customers of the severity of the expected outage, provided timely and accurate restoration estimates, and contacted life support customers (“LSCs”) per the ERP. Co. Br., p. 43. Yet, Springfield Mayor Sarno’s statements that communication with the Company broke down and

Springfield officials lacked information from the Company remain unrefuted. Exh. AG-DJS-1, p. 2. WMECo did not follow reasonable utility practices or conform to its obligation in the 2011 ERP Communication section (Section 5.5), which states in pertinent part that during “emergency events it is important to ensure effective communications with the public by providing timely information about outage severity, restoration status, and projections and appropriate safety messages.” Exh. DPU-4-1, Section 5.5, p. 16. The problems with WMECo’s restoration efforts identified by Mayor Sarno represent significant public safety concerns. *See generally* Exh. AG-DJS-1. For example,

Springfield’s Emergency Operations Center (“EOC”) never received a detailed status of outages and restoration efforts until day six; the Springfield EOC only became aware that additional updates were available through social media *after* the event; all classes of Springfield customers suffered from a lack of outage and restoration information—residential customers did not know if they should evacuate and food service industries lost inventory expecting the restoration to be shorter; the Springfield EOC required a full-time municipal liaison because the flow of information concerning damaged infrastructure was so rapid; Springfield needed a listing of WMECo’s medical alert customers so that it could perform wellness checks on those customers, particular those with oxygen concentrators, many of which do not have an alternative source of electric power.

Id. at 2 (emphasis added).

Finally, Mr. Eric LaPoint’s contention that he and his homebound disabled wife received no information or communication from the Company also remains unrefuted. Tr. Vol. B at 34-35.

What is more, Springfield’s Fire Department raised serious and unrefuted concerns about the following.

1. Many emergency requests by the fire department had a response time of up to an hour or more;
2. Its inability to get a map from WMECo that showed where the power was still out;

3. Its inability to get information from WMECo of where and when power was going to be restored; and
4. WMECo representatives did not always provide timely and accurate information to city officials.

Exh. AG-DJS-1, p. 2.

A. WMECO Distorts the Attorney General's Analysis of its Communication Efforts

WMECo argues that the Attorney General's concerns regarding communications are wrong. Co. Br., p. 43. This does not mask the fact that WMECo did not follow reasonable utility practices or conform to its obligation in the 2011 ERP (Section 5.5), which states in pertinent part that during "emergency events it is important to ensure effective communications with the public by providing timely information about outage severity, restoration status, and projections and appropriate safety messages." Exh. DPU-4-1, Section 5.5, p. 16. Additionally, the ERP states that the Company will "communicate information to media sources that disseminate this information to the public." *Id.*

WMECo did not properly inform customers of the severity of the outage situation on October 28 or 29, 2011 or alert customers to the potential for a weeklong restoration of service that would be expected for a Level 5 event of this magnitude. Exh. DPU-1-11. First, on October 30, 2012, in the immediate aftermath of the storm and while still gaining damage assessment information, WMECo advised customers generally that their power could be out for up to a week. *Id.* Second, working within the circuit-based restoration method, WMECo proceeded to generate and publicize district-level estimated times of restoration ("ETRs") that proved to be largely inaccurate and not useful to most customers because of their lack of knowledge of "district" level

information. Exh. WM-RSC-7, p. 19; Exh. DPU-IR-2-14. The customer notification that “power could be out for up to a week,” appeared in only one press release. Exh. DPU-1-11. The record does not show any repetition of that power restoration estimate in any of the press releases, IVR scripts or customer communication that occurred after that one press release. *Id.*; Exh. AG-2-2. Rather, WMECo issued “global ETRs” of “four days or more” thereafter until it developed district level ETRs by around November 1. Exh. DPU-1-11.

Even the district-level ETRs were poorly communicated, because they did not tell customers which towns were included in the districts, and did not explain what it meant to have a “circuit” restored. Exh. AG 6-5 (“Because our general communication on ETRs was at the district or area level, there was some question on the part of customers as to which district their town was in.”). Further, the district level ETRs were frequently changed to lengthen the restoration period. Exh. WM-BAY, p. 6. Town-level ETRs were so poorly presented that once distributed, the Company had to withdraw them. Exh. AG 6-5. Finally, Mr. Young’s claim in his pre-filed testimony that the town and neighborhood ETRs were distributed through the call center is incorrect and misleading. Exh. WM-BAY-6. Mr. Young’s testimony is misleading because during evidentiary hearings, WMECo testified that it did not, in fact, promote or publicize the town level ETRs after they calculated them. Tr. 2 at 265.

WMECo claims that the record is replete with evidence that it provided timely and accurate restoration estimates. Co. Br., p. 43. However, the record shows discrepancies with respect to how the Company issued global-, district- and town-level ETRs. Exh. WM-BAY-6. According to WMECo’s Storm Event Report, “communication flow during the event was smooth, accurate, and timely.” Exh. WM-RSC-1, p. 22. But, the Storm Event Report also stated that due to the scope and scale of the damage, “specific communication information was less

detailed than what would normally occur during a smaller scale storm.” *Id.* The Storm Event Report stated that “external communications were frequent and timely” and that the Company “tailored external messages by geography as the restoration effort progressed,” citing to county level restoration estimates to customers and external media. *Id.* The Company noted that these same messages were issued via Facebook and Twitter as well. Exh. WM-RSC-1, p. 22. ERTs were discussed again by WMECo witness Mr. Young in his direct testimony filed on February 10, 2012. Exh. WM-BAY, pp. 5-6. Mr. Young testified that Estimated Restoration Times (ERTs) were available and communicated to customers. *Id.* According to Mr. Young, in the “early stages” of storm restoration only a “high level, global ERT” can be calculated and provided, but this is refined to the district level “as the required restoration effort is determined.” *Id.* These preliminary ERTs are then used to project “major restoration in each town” and communicated to municipalities by the liaisons. *Id.* In response to the question of whether ERTs are “refined at some point,” Mr. Bliss stated that, “as damage assessment and restoration efforts proceed, street-to-street or neighborhood level ERTs are determined and are available to customers that access the Company’s Call Center. These more specific street/neighborhood level ERT supersedes prior generalized municipal level ERTs, so the customer always receives the most refined estimate available.” *Id.* In sum, the Company claims its restoration times were timely, accurate, broad and also tailored. At the same time, the Company admits that it did not publicize town-level ERTs after they were calculated. Tr. 2 at 265. This is confusing and shows that WMECo’s restoration estimates were not timely or accurate.

WMECo asserts that the Attorney General’s conclusion that customers and officials “typically” were confused and upset throughout the week of the restoration period is unsubstantiated based on a citation of 74 complaints out of approximately 215,000 customers,

approximately 40,000 of whom had lost power at some point. Co. Br., p. 44. However, WMECo's own internal emails document that customers were confused and upset about the restoration projections. Exh. RR-WMECo-1; Exh. AG-1-2 Attachment. The public hearings held in Greenfield and Springfield revealed positive and negative statements about WMECo's restoration efforts. Exh. AG-BRA-1. Customers criticized WMECO for not providing enough information to them about restoration progress and the status of restoration in their towns. *Id.*

WMECo claims that Attorney General witness Alexander is factually incorrect by asserting that WMECo did not reach out to its LSCs during and after the storm. Co. Br., p. 44. Pursuant to its ERP, WMECo's responsibilities to its LSCs during an outage include "contacting, via automated dialer, all qualified customers when weather conditions may indicate a probability of widespread or sustained power outages." Exh. DPU-4-1, Section 5.5, p. 17. In addition, "contact should be made pre, during and post events." *Id.* While WMECo attempted to contact these customers with automated calls prior to the outage event, but did not attempt direct contact with these customers during and after the event as required by their ERP. Tr. I, pp. 102-104.

IV. WMECO DISTORTS ITS EFFORTS TO PREPARE FOR RESTORATION

WMECo states that it was at a "Tropical Storm Irene level of staffing even before the state had recommended that level." Co. Br., p. 17. However, the Company is misstating the facts. As the Attorney General noted, "[b]y Saturday morning, WMECO had also requested 20 mutual aid crews, which it increased to 50 at the behest of the DPU that it reach Irene level crew compliments." Exh. AG-MDC/PJL-1, p. 19 (citing Exh. AG 1-2, October 29, 2011 3:57 p.m. (email from Robert Coates to Michael Zappone)). In fact, on Saturday, the Department told

WMECo to add another 30 crews to get to Irene crew levels. Exh. AG 1-2, October 29, 2011 3:57 p.m. (email from Robert Coates to Michael Zappone). The Department directed WMECo to get crews at the upper range of Level 4, i.e., closer to 100 than to 30. *Id.*; Exh. DPU-4-1. While it is true that WMECo may have been at the bottom of the Level 4 range by Friday evening, its statements imply it did not have to do anything extra after the “state had recommended that level;” this is inaccurate.

WMECo states that the Attorney General “appears to agree” that its ramp-up to Level 3 and 4 was consistent with good utility practice, but this misinterprets the Attorney General’s position. Co. Br., p. 17. Messrs. Cannata and Lanzalotta discussed having a process in place to alert and mobilize the Company’s own resources. Exh. AG-MDC-PJL-1, p. 19. WMECo implies that the Attorney General’s statement applies to all of WMECo’s efforts to secure resources, including outside resources, which is not accurate. The good utility practice discussed by the Attorney General here only concerns mobilizing company personnel. *Id.*

A. WMECO Cannot Deny the Fact that It Should Have Known That It Was Facing a Severe Weather Event.

The record establishes that WMECo had sufficient information to discern that a severe storm would come into its territory. *See e.g.* Exh. WM-RSC-4; Exh. WM-RSC-5; Exh. WM-RSC-6 and Exh. AG 3-23 Att. at 3. The record shows that WMECo received daily weather forecasts from Telvent, its contract weather service. Exh. AG 3-23. In addition, the Company received information from the National Weather Service and additional media outlets. *Id.* “By Thursday, October 27, 2011, WMECo knew it might be facing the possibility of an abnormal weather event and knew, or should have known by Friday morning at the latest that regardless of the ultimate snowfalls--the amount of damage would be magnified beyond normally expected levels because of the circumstances--significant foliage still on the trees.” Exh. AG-MDC-PJL-1, p. 7. In its

Initial Brief, WMECo repeats that the October snowstorm was unprecedented, rare, and unpredictable. Co. Br. pp. 7-9. Simultaneously, WMECo stresses that “based on the long history of the WMECo managers with weather events,” it determined the proper level of preparation as the storm approached. Co. Br., p. 11. The Company goes on to say that “[t]his model where utility managers factor in all the variables, using their experience as a guide, is the industry standard for estimating storm damage.” *Id.* This begs the question of why the Company’s managers could not have used their long history with weather events to recognize that a severe storm would hit the territory? WMECo moved from a level 2-3 event on October 28, 2011 to a level 4 event and finally a level 5 event on October 29, 2011. Co. Br., p. 12. The Company’s managers failed to rely on their long history with weather events to recognize the severity of the coming storm, but rather they only reacted to the storm itself, which struck on October 29, 2011. *See* Co. Br., p. 18.

B. WMECO Did Not Have Enough Damage Assessors.

WMECo asserts that the Attorney General mistakenly claims that the Company did not properly proceed with its damage assessment. Co. Br., pp. 38-40. The Company fails to understand the Attorney General’s position. The point is that the Company did not have enough damage assessors, which the Company blurs by its discussion of the 48-hour standard. *Id.* The Company conflates the problem of access to roads, with its choice of circuit-based restoration, as excuses for not meeting the 48-hour standard. Co. Br., p. 38, fn 16. Nevertheless, the Company did not have enough damage assessors to be able to do a “detailed-enough” assessment within 48 hours so that it could provide reasonably accurate ETRs. Co. Br., p. 27.

Even though the speed of WMECo’s damage assessment did not hold up crew-related restoration work, this does not mean that WMECO could not necessarily have benefitted from

having more damage assessors available. Exh. AG-MDC-PJL-1, p. 30. It appears that WMECo may have had difficulty with accurate damage assessment on a town-by-town basis from a communications perspective, as WMECo was often adjusting town-level ERTs on a day-to-day basis. The inaccuracy of the ERTs that WMECo supplied to some towns may be related to insufficient numbers of damage assessors.

C. Recommended Changes to Information to be Filed with the Department

The Attorney General makes the following recommendations with respect to action that the Department can take to improve WMECo's emergency planning and restoration efforts. First, with respect to WMECo's Emergency Response Plan, the Department should focus on whether WMECo fully complied with its ERP, Department precedent, and 220 CMR, § 19.00 et. seq. Exh. DPU-4-1; D.P.U. 10-02-A; and 220 CMR § 19.00 et. seq. If WMECo is complying with its plan, but yet tens of thousands of customers remain without power and heat for significant periods of time, how can the plan be improved? This issue should be addressed in the Department's existing ERP docket for WMECo, D.P.U. 12-ERP-11

And second, the Department should examine the ERP's requirements with respect to the Company's communication with municipal and public safety officials. Municipal and public safety officials in Springfield complained about WMECo's failure to communicate with them during the October snowstorm. Exh. AG-DJS.

XI. SUMMARY AND RECOMMENDATION

When evaluating whether the Company acted in a prudent manner, the Department must determine whether the Company's actions, based on all that it knew or should have known at the time, were reasonable in light of the existing circumstances. *Milford Water Company*, D.P.U.

08-5 at 12-13 (2008). Prudence dictates that the Company analyzes all of the facts and circumstances and engages in a course of activity that provides the best opportunity to produce the best result for customers. The Company can make no credible argument that its overall performance, which was tainted by poor communication, a lack of timely ETRs, and failures to estimate storm damage and provide timely damage assessment is in the best interests of customers.

A. The Attorney General Recommends a Penalty of \$ 4 Million for Violations of WMECo's ERP in accordance with G.L. c. 164, § 1J.

Section 1J of Chapter 164 of the General Laws provides for penalties for a Company's violation of standards. "The penalty is \$250,000 for each violation for each day the violations exists, with a maximum penalty of \$20,000,000 for any related series of violations." G.L. c. 164, § 1J; Co. Br., p. 5. For the reasons set forth above, the Attorney General requests that the Department penalize WMECo up to \$250,000 per ERP violation per day for its failure to comply with four ERP requirements: 1) ensuring effective communications with customers, §5.5 of the ERP; 2) actually contacting LSCs before, during and after an event, §6.3 of the ERP; 3) providing timely ETRs, §5.5 of the ERP; and 4) providing a timely damage assessment, § 5.2. Exh. DPU-4-1. Although, the first customer outage occurred the day the storm struck on October 29, 2011 and the last customer was restored on November 9, 2011, meaning that outages existed due to the storm for a total of twelve (12) days, the Attorney General does not recommend penalizing the Company for each day customers were out but, rather, for the duration of each ERP violation. Exh. DPU 3-27.

1. Calculation of Penalties.

i. Damage Assessment.

Under its ERP, WMECO is required to analyze its damage assessment information “within 48 hours or sooner.” Exh. DPU 4-1 Attachment at section 5, page 6. WMECO concedes that it did not complete its detailed damage assessment within 48 hours. Tr. III, at 451-452, 455; Exh. DPU 3-27(e). Therefore, the Attorney General recommends the maximum fine allowable under G.L. c. 164, § 1J, \$250,000, for the duration of time that this violation existed, which was through November 3, 2011 or five (5) days. The recommended penalty for this failure is \$1,250,000 to reflect a fine of \$250,000 for five (5) days.

ii. Life Support Customers.

WMECO’s ERP requires it to contact life support customers before, during and after the event. Exh. DPU-4-1, Section 5.5, p. 17. WMECO did not attempt direct contact with these customers during and after the event as required by their ERP. Tr. I, pp. 102-104; Tr. II, p. 312. For this ERP failure, the Attorney General recommends the maximum penalty of \$250,000 each day of the storm event, which lasted from October 29, 2011 through November 6, 2011 or nine (9) days. Exh. WM-RSC-1, pp. 1-2. The recommended penalty for failure to directly contact life support customers during and after the event is \$2,250,000.

iii. Communications with Customers.

WMECO’s ERP states the following: “During emergency events it is important to ensure effective communications with the public by providing timely information about outage severity, restoration status and projections and appropriate safety messages.” Exh. DPU 4-1, § 5.5 at 16. WMECO did not properly inform customers of the severity of the outage situation on October 28, 2011 or 29, 2011 or alert customers to the potential for a weeklong restoration of service that would be expected for a Level 5 event of this magnitude. Exh. DPU-1-11. The Attorney General recommends that the Company pay a penalty of \$250,000 for two days, October 28th and

October 29th, when its news releases only advised of a forecasted winter storm (October 28th) and advised customers to prepare for a potentially multi-day outage. Beginning on October 30 through November 6, the Company began to publish news releases with restoration status, safety messages and best-known ETRs. *Id.* The penalty recommended for this violation is \$500,000.

In addition, the Department has authority to penalize the Company for any violation of the regulations on storm restoration. *Order on Final Emergency Response Plan Guidelines for Electric Companies*, D.P.U. 10-02-A (April 20, 2010); 220 C.M.R. 19.00 *et seq.*; G.L. c. 164, § 76. These recommendations and those more fully set forth in the Attorney General's Briefs should be adopted in the interest of the Companies' customers.

Respectfully submitted,
MARTHA COAKLEY
ATTORNEY GENERAL
By:

/s/ Sandra Callahan Merrick

Sandra Callahan Merrick
Charlynn R. Hull
Paul A. Stakutis
Ronald J. Ritchie
James W. Stetson
Assistant Attorneys General
Office for Ratepayer Advocacy
Office of the Attorney General
One Ashburton Place, 18th Floor
Boston, MA 02108
(617) 727-2200

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