STATE OF RHODE ISLAND)
COUNTY OF PROVIDENCE)

Affidavit

Comes now Janice M. Carroll, being of lawful age and sound mind, deposes and states as follows:

1. In July 2003, I retained the legal services of the Nixon Peabody law firm on behalf of myself and members of my family.

2. We were concerned about our potential liability and legal rights resulting from the discovery of contamination in the Bay Street area and retained Nixon Peabody to provide us with legal advice on this issue.

3. We were concerned that we could be sued by the Rhode Island Department of Environmental Management, "DEM" or by other residents of the Bay Street area and wanted to protect ourselves legally and also protect the value of our family's properties. In addition, we wanted New England Gas to test certain of our properties for coal gas contamination. We also desired to have other properties that we owned exempted from the Moratorium area.

4. As part of our legal representation Nixon Peabody hired Ransom Environmental Consultants to provide environmental consulting services. As part of its duties, Ransom developed and presented DEM with historical information about the Fall River gas plant and the development of roads and lands in the Bay Street area.

5. We retained Nixon Peabody to provide us with legal advice and assistance on this matter and did not retain them as, nor ever considered them to be, lobbyists for us.

FURTHER AFFIANT SAYETH NOT.

Janice M. Carroll

Notary Public

Then came Janice M. Carroll before me this 9th day of February, 2008 and declared the foregoing to be his free act and deed.

My Commission Expires: 8-29-2009

Notary Public