

MEMO

10/20/16

To: Robin Muksian, Mayor Elorza's Director of Administration and COO

From: David Riley, Co-chair, Friends of India Point Park

Re: Ideas for objecting to National Grid/East Providence motion for overhead re-alignment of the waterfront power lines

We object to the motion because it would:

1. Saddle the Capital Region's signature waterfront with overhead power lines for the next 100 years, given the fact that some of the existing towers that this motion would replace date to 1918.

2. Deprive Providence and East Providence of the opportunity to transform this area from being the remnant of an industrial backwater into an attractive waterfront destination, which would encourage tourism, promote economic development, and enhance the scenic, popular public parks at the head of Narragansett Bay. Other mid-size cities like Louisville, Chattanooga, and San Antonio have successfully transformed their public waterfronts after burying power lines.

3. Preclude the possibility of using the bridges over the Providence and Seekonk Rivers to hide the wires, as an alternative to burying them under the rivers. This motion acknowledges that drilling under the rivers "could result in significantly increased project costs."

4. Absolve National Grid of its failure to do due diligence on the bridge route, which would likely substantially reduce the project's cost to RI ratepayers. The Public Utilities Commission's attached 2004 Advisory Opinion summarized the testimony of National Grid (then Narragansett Electric) engineer Dave Campilli, stating that Campilli "maintained that there really is no design for the bridge route and the estimates are very preliminary" (PUC Opinion, p. 38).

The PUC Opinion concluded that "It is not clear whether the bridge crossing route is technically feasible" (p. 61, underlining added), after RI Department of Transportation (RIDOT) chief engineer Ed Parker testified that "the Providence River Bridge could potentially accommodate the electric line" and "we would have to investigate whether the connections could be made to the bridge" (p. 5 of Parker's testimony).

Despite these statements indicating that more information is needed, National Grid attorney Peter Lacouture wrote to RIDOT Director Alviti on 10/14/16 that "National Grid believes that the issue was fully considered in 2004 and there is no need to reconsider the determination that the bridges were not (and are not) suitable for the underground transmission cables." Lacouture enclosed the attached 12-year-old one-page list of seven issues to address.

National Grid has never seriously evaluated the bridge route option or conducted the due diligence on it which the Cities and State deserve. For a decision that will shape our waterfront for the next century, National Grid's attempt to declare "case closed" on the bridge route represents bad faith.

We object to the motion because it would:

5. Absolve National Grid of its failure to do due diligence on the environmental and socio-economic impacts of leaving the power lines overhead. State law explicitly mandates that these impacts be addressed. National Grid has ignored them for more than a decade, before listing some in its motion filed this month. The law requires that energy facilities:

- “be produced at the least possible cost to the consumer consistent with...the fewest possible adverse effects on the quality of the state’s environment; most particularly, its land...and its esthetic and recreational value to the public” (RIGL 42-98-2 (3)).
- “will not cause unacceptable harm to the environment and will enhance the socio-economic fabric of the state” (RIGL 42-98-11 (b) (3)).

Although the parent company, National Grid/UK, emphasizes the importance of environmental considerations in siting power lines in the attached 2012 booklet (see p. 19 summary), National Grid’s subsidiary operating in RI has done no due diligence on the long-term environmental and socio-economic impact of removing the wires in relation to economic development, including the I-195 parcels on the Providence waterfront, and enhancing public uses of four waterfront parks (India Point, Bold Point, the linear park over the Seekonk, and Corliss Landing).

National Grid’s list of environmental and socio-economic benefits in its motion – removing the wires from the India Point Park soccer field and the lattice towers from the Seekonk River bank, and freeing up easements for possible future development in East Providence – pales in comparison to the benefits that would result for both Cities and the State from ridding our gateway waterfront of overhead lines through full burial or using the bridges and burial on the land in between.

The company’s reference in its motion to preserving the Singh property for development is highly misleading and borders on the ridiculous, because Mr. Singh has repeatedly told National Grid that he is amenable to granting an easement, which would allow him to develop his property.

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6. Disregard the Advisory Opinions of state and local agencies (as well as statements from 40 political and civic leaders and organizations, and 400 comments submitted by petition signers), which support burial, and repeatedly emphasize the environmental and economic benefits of removing the overhead waterfront wires (see attached state-level quotes). For example:

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“Overhead power lines crossing India Point Park and Bold Point Park diminish the Park experience and subsequently the recreational and aesthetic value of the Park.”

-- RI Department of Environmental Management

“Burial of the power lines is most consistent with good planning practices.”

-- RI Statewide Planning Program

“The Providence City Plan Commission strongly supports the burial of the power lines in India Point Park as an opportunity to significantly improve the City’s waterfront, and feels that the relocation of the aboveground wires will have a lasting, negative effect....”

-- Providence City Plan Commission

“The power lines are an eyesore....Burying them will create a more attractive waterfront for future high-quality development, as well as for current residents.”

-- East Providence Waterfront District Commission

“The overhead power lines are a vestige from another waterfront era. They are a visual and psychological deterrent to the future enjoyment of the [India Point] park and to the re-development of the Fox Point waterfront area.

-- Providence Parks Department Superintendent Nancy Derrig

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We object to the motion because it would:

7. Overlook the inconsistencies in National Grid’s support for statewide ratepayer funding for some power lines projects, but not others. In 1994, National Grid (then Narragansett Electric) supported the state’s ratepayers paying an extra \$6 million to move power lines farther away from 37 homes on Cindy Anne Drive in East Greenwich because of concerns about property values and exposure to electro-magnetic fields.

The company also supported statewide ratepayers paying for burying power lines that Fidelity executives didn’t want outside their offices in Smithfield, yet National Grid has resisted for more than a decade burying power lines in waterfront parks that more than 200,000 people enjoy every year, a project supported by 2,100 petition signers and a long list of political and civic leaders and groups.

8. Allow National Grid to succeed in stopping the burial of the waterfront power lines, contrary to the clear purpose of state law, which declared that National Grid “shall be authorized to proceed” with burying the waterfront wires, “including the acquisition of any property rights needed to implement the underground alignment” (RIGL 42-98-1.1).

Instead of proceeding to bury the lines, National Grid has repeatedly failed to take the initiative on the project, delayed and obstructed the project at ratepayers’ expense, and finally resorted to the classic divide and conquer tactic of pitting Providence and East Providence against each other, hoping that its motion providing some benefit for East Providence and hardly any for Providence would be approved by the Energy Facility Siting Board.

If National Grid truly cared about the future of Rhode Island, it would have long ago adopted the broader perspective of investor-owned utilities in other states that have worked for many decades with public officials to bury strategically located power lines by spreading the cost across a large base of ratepayers (see attached fact sheet).

California’s exemplary criteria for regional funding of burial projects – that they be in “a civic area or public recreation area or an area of unusual scenic interest to the general public” – would fit the Providence/East Providence waterfront burial project to a t.

In conclusion, for the above reasons among others, we urge the Energy Facility Siting Board to use its clear authority over siting decisions in RIGL 42-98-7 (c) and 42-98-12 (c) to do the following:

- 1. Rescind its approval of the 2004 Settlement Agreement,** which has not been carried out by the Parties.
- 2. Order a feasibility study and cost estimate of the bridge route,** which could be funded by using some of the more than \$3 million in interest on the refund that paid for the full burial study.
- 3. Order full burial or burial including the bridge route for the waterfront power lines,** to be financed by using the \$18 million raised for burial and/or any adjustment in rates to be decided by the PUC, as it does in other cases.

