

BEFORE THE PUBLIC UTILITIES COMMISSION OF
THE STATE OF RHODE ISLAND

Rules and Regulations to Implement a
Renewable Energy Standard

Docket No. 3659

First Status Report of the Renewable Energy Standard
Negotiated Rulemaking Group
March 15, 2005

Following the February 15th Scheduling Conference in this docket Cynthia Wilson, Commission Legal Counsel, issued a memorandum naming the members of the Negotiated Rulemaking Group and establishing a schedule for the group to follow. The memorandum requires that a number of status reports be filed by the Group. The first, due on March 15th is to include the name of the Group's facilitator, to list the dates of the meetings held and contain a copy of the attendance sheet. This is the first status report of Renewable Energy Standard Negotiated Rulemaking Group.

Facilitator: At the February 15th scheduling conference the Rulemaking Group chose Doug Hartley, a member of the staff of the Public Utilities Commission to serve as Interim Facilitator until such time as the group met to either make a permanent choice or decide to continue with Mr. Hartley.

On March 8th, Mr. Hartley, representing the committee as its Interim Facilitator, requested and was granted funding from the Rhode Island Renewable Energy Fund to hire a professional facilitator. Following that the Rulemaking Group approved the selection of Dr. Jonathan Raab of Raab Associates to serve as the committee's facilitator.

Meeting Held: The Renewable Energy Standard Negotiated Rulemaking Group held its first meeting on March 14th, 2005. A list of those in attendance and each member's affiliation is included at the end of this report. In addition to selecting a facilitator the committee made significant progress in other areas.

First, the group reviewed a first draft of the rules described as a strawman proposal seeking to cull from it a list of issues. The plan is for the list to be distributed prior to our next meeting to be held April 4th. At that time the committee will arrange the issues into categories and prioritize them. Following that, the group will take up the issues one by one and either reach consensus on each or find that it cannot.

Secondly, the group established its ground rules which are attached to this report.

We also applied for and received the support of the Department of Energy. Through its technical assistance Project we have the services of an expert in the field of renewable portfolio legislation to provide us with information on best practices and to review our work.

Attendance at the March 15th meeting:

Doug Hartley	RI PUC
Andrew Dzykewicz	RI Economic Development Corporation
Dennis Duffy	EMI/Cape Wind
Tim Woolf	Synapse/Division of Public Utilities and Carriers
John Warshaw	Narragansett Electric
Dave Stearns	DPUC
Erich Stephens	Peoples Power and Light
John Farley	TEC-RI
Bill Short	Ridgewood Power
Peter A. Gish	UPC Wind
Elizabeth Weir	UPC Wind
Gerald M. Eaton	Public Service of New Hampshire
Bob Grace	SEA for RI State Energy Office
Pat Stanton	CSG

Questions regarding this report may be addressed to Doug Hartley who can be found in the office between Commissioner Holbrook and Tom Massaro

Respectfully Submitted,
Renewable Energy Standard
Negotiated Rulemaking Group
By its Interim Facilitator

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March 15th, 2005

Rhode Island Renewable Energy Standard Negotiated Rulemaking Group Ground Rules

3/15/05

Membership

1. Each member organization of the Renewable Energy Standard Negotiated Rulemaking Group (Rulemaking Group) will designate a lead representative, and, at their discretion, an alternate or alternates.
2. Only the lead representative, or the alternate in the case of the representative's absence, will participate in formal decision-making.
3. Attendance at work sessions of the Rulemaking Group will be limited to members and alternates. The interim reports to the Public Utilities Commission, due on March 15th, April 15th, June 15th and August 15th are public documents.
4. Other members of the public who are not from Rulemaking Group member organizations will also be given a chance to express their opinions and make suggestions at appropriate junctures, as determined by the Facilitator and the Public Utilities Commission.

Members' Roles and Responsibilities

5. Group members will make every attempt to attend all Group meetings, to be on-time, and to review all documents disseminated prior to the meeting. Members who can not make a meeting should let the Facilitator know prior to the meeting (by voice or e-mail).
6. Group members will be expected to participate in good faith in discussions including being truthful and communicative. Members also agree to act respectfully toward each other.
7. It is the responsibility of the Group members to keep their organizations and constituencies up to speed on developments and issues concerning the Rulemaking.
8. Members of the Rulemaking Group will not speak on behalf of the group without the Group's permission.
9. Members may confer with each other and with Public Utilities Commission Legal Counsel or the Facilitator in between meetings. PUC Legal Counsel's comments will be

limited to procedural matters.

Decision-making

10. The goal of the process will be to provide draft rules and regulations for presentation the Public Utilities Commission by August 15th 2005 for the Commission's consideration. We will endeavor to make major substantive decisions by consensus of the members, where consensus shall mean that everyone is at least willing to live with a decision and chooses not to dissent. If unable to consent, a representative will be expected to explain why and to try and offer a positive alternative. Members are responsible for voicing their objections and concerns, and silence will be considered consent.
11. The draft rules and regulations filed with the Public Utilities Commission at the end of the process will include all areas of consensus, and a description of the alternative approaches preferred by Group members in areas where consensus was not reached, if any.

Facilitator's Role and Responsibilities

12. The Facilitator will schedule organize and conduct all meetings of the Rulemaking Group in a professional and non-partisan manner.
13. The Facilitator or a designee will draft all agendas and meeting summaries and distribute them to Members in a timely fashion. All documents will be distributed via email.
14. All memos, documents and reports shall be prepared in a timely manner and for distribution by the facilitator or a designee several days prior to meetings.
15. The Facilitator will be available to explain the Group 's process and work products in the Commission's formal proceeding as needed.

Note: These groundrules have been adapted by Doug Hartley from the Rhode Island Greenhouse Gas Stakeholders rules, developed by that processes' Facilitator Dr. Raab of Raab Associates, Ltd..