



State of Rhode Island and Providence Plantations

DEPARTMENT OF ATTORNEY GENERAL

150 South Main Street • Providence, RI 02903

(401) 274-4400 - TDD (401) 453-0410

Peter F. Kilmartin, Attorney General

December 1, 2011

Luly Massaro, Commission Clerk
Rhode Island Public Utilities Commission
89 Jefferson Blvd.
Warwick, RI 02888

**RE: Docket No. 4268– National Grid Electric – Tariff Advice Filing for
Approval of Net Metering Provision and to Amend R.I.P.U.C. No. 2035, QF
Power Purchase Rate**

Dear Luly,

Enclosed please find for filing with the Commission on behalf of the Division of Public Utilities and Carriers (“Division”), an original and nine (9) copies of the Division’s Responses to the Commission’s Data Requests, November 16, 2011 in the above entitled matter.

Very truly yours,

Jon Hagopian

Special Assistant Attorney General

JGH/mec

Encl.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
PUBLIC UTILITIES COMMISSISON

IN RE: NATIONAL GRID TARIFF ADVICE :
TO AMEND R.I.P.U.C. NO. 2035 : DOCKET NO. 4268
QUALIFYING PURCHASE POWER RATE :

THE DIVISION OF PUBLIC UTILITIES AND CARRIERS
RESPONSE TO COMMISSION'S DATA REQUESTS

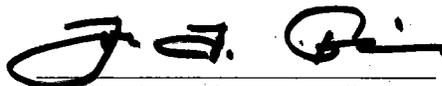
November 16, 2011

- 1-1. Please respond to the following assuming that a customer with an annual usage of 1.0 MW is seeking to construct and install a 3.5 MW wind turbine.
- a. Would the facility above qualify as an Eligible Net metering System under the definition contained in R.I. Gen. Laws § 39-26.2-2(2)?
 - b. If the answer to 1.b is yes, please explain how it is reasonably designed and sized to annually produce electricity in an amount that is equal to or less than the renewable self-generator's usage at the eligible net metering site.
 - c. If the answer to 1.b is no, please explain the circumstances under which R.I. Gen. Laws § 39-26.2-2(2) and R.I. Gen. Laws § 39-26.2-6(g) would work together.
- 1-1. (a). No. R.I. Gen. Laws §39-26.2-2(2) provides that the eligible net metering system means a facility generating electricity using an eligible net metering resource that is reasonably designed & sized to annually produce electricity in an amount that is equal to or less than the self generator's usage at the eligible net metering system site. If a customer installs a facility that is designed and sized to annually produce more than the renewable self-generator's average annual energy usage at the system site, the facility would not meet the statutory definition of an eligible net metering system.
- (b). N/A
- (c). The only circumstance that R.I. Gen. Laws §39-26.2-2(2) and R.I. Gen. Laws §39-26.2-6(g) could be reconciled is where the eligible net metering facility were designed and sized in accordance with R.I. Gen. Laws §39.26.2-2(2) and in those instances where it has excess generation above 125%, and assuming it applied for D.G. status and was accepted for enrollment, then it would receive the ceiling price rates for its excess generation above 125%. In order to qualify for a DG contract, a facility must meet the definition of a newly developed renewable energy resource.

Prepared by: Division Staff & Legal Counsel

Respectfully submitted,
Thomas Ahern, Administrator
State of Rhode Island
Division of Public Utilities and
Carriers

By his attorney,



Jon G. Hagopian, Esq. (#4123)
Special Assistant Attorney General
Department of Attorney General
150 South Main Street
Providence, R.I. 02903
Tel.: 401-274-4400

Dated: December 1, 2011

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the within was sent via e-mail to the following on this 1st day of December, 2011.



Docket No. 4268– National Grid Electric – Tariff Advice Filing for Approval of Net Metering Provision and to Amend R.I.P.U.C. No. 2035, QF Power Purchase Rate - Service List as of 11/3/11

Name/Address	E-mail	Phone/FAX
Thomas R. Teehan, Esq. National Grid 280 Melrose St. Providence, RI 02907	Thomas.teehan@us.ngrid.com	401-784-7667 401-784-4321
	Joanne.scanlon@us.ngrid.com	
Jon Hagopian, Esq. Dept. of Attorney General 150 South Main St. Providence RI 02903	Jhagopian@riag.ri.gov	401-222-2424 401-222-3016
	Sscialabba@ripuc.state.ri.us	
	Dstearns@ripuc.state.ri.us	
	Acontente@ripuc.state.ri.us	
	mcorey@riag.ri.gov dmacrae@riag.ri.gov	
Jerry Elmer, Esq. Conservation Law Foundation 55 Dorrance Street Providence, RI 02903	jelmer@clf.org	401-351-1102 Ext. 12
Seth H. Handy, Esq. Handy Law, LLC 42 Weybosset St. Providence, RI 02903	seth@handylawllc.com	401-626-4839
Jeff Broadhead, Executive Director WCRPC 344 Main St., Suite 202 Wakefield, RI 02879	jb@wcrpc.org	401-792-9900
Alan M Shoer, Esq. Adler Pollock & Sheehan P.C. One Citizens Plaza, 8th Floor Providence, RI 02903	ashoer@apslaw.com	
File an original & 10 copies w/: Luly E. Massaro, Commission Clerk Public Utilities Commission 89 Jefferson Blvd. Warwick RI 02888	Lmassaro@puc.state.ri.us	401-780-2107 401-941-1691
	Cwilson@puc.state.ri.us	
	Adalessandro@puc.state.ri.us	
	Anault@puc.state.ri.us	
	Dshah@puc.state.ri.us Nucci@puc.state.ri.us	
Benjamin Riggs	rmcriggs@earthlink.net	
Daniel W. Allegretti, VP, Energy Policy Constellation Energy	Daniel.W.Allegretti@Constellation.com	
Joseph Donovan, Constellation Energy	Joseph.Donovan@constellation.com	