

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
PUBLIC UTILITIES COMMISSION

IN RE: INVESTIGATION PURSUANT  
TO R.I.G.L. § 39-26-6(d) TO DETERMINE  
ADEQUACY OF RENEWABLE ENERGY  
SUPPLIES

Docket No. 4404

**UNOPPOSED MOTION FOR INTERVENTION  
OF CONSERVATION LAW FOUNDATION**

I. Introduction

The Conservation Law Foundation (CLF), pursuant to Public Utility Commission (PUC or Commission) Rules of Practice and Procedure 1.13(a) and (b), respectfully files its Motion for Intervention in this Docket.

This Docket was opened by the Commission sua sponte pursuant to the requirements set for in R. I. Gen. Laws § 39-26-6(d).

Pursuant to PUC Rule of Practice and Procedure 1.15(b), CLF has contacted the utility, Narragansett Electric, d/b/a National Grid (Grid) and the Division of Public Utilities and Carriers (the Division). Neither Grid nor the Division objects to CLF's intervention in this Docket.

II. The Intervenor

CLF is New England's leading environmental advocacy organization. Since 1966, CLF has worked to protect New England's people, natural resources and communities.

CLF is a nonprofit, member-supported organization with offices throughout New England. The Rhode Island CLF office is located at 55 Dorrance Street, Providence.

CLF promotes clean, renewable and efficient energy production throughout New England and has an unparalleled record of advocacy on behalf of the region's environmental resources. As part of its 40-year legacy, CLF was a party in the landmark case in which the U.S. Supreme Court ruled that the U.S. Environmental Protection Agency has an obligation under the Clean Air Act to consider regulating tailpipe emissions that contribute to global warming, Massachusetts v. E.P.A., 127 S. Ct. 1438 (2007); CLF obtained an injunction to stop drilling for oil and gas on the environmentally sensitive Georges Bank, Conservation Law Foundation v. Sec'y of the Interior, 790 F.2d 965 (1st Cir. 1986); litigated to ensure enforcement of an earlier settlement agreement in a case stemming from the Big Dig, which settlement agreement required 20 public transit projects in and around Boston including construction of additional subway and rail lines, Conservation Law Foundation v. Romney, 421 F. Supp.2d 344 (D. Mass. 2006); and successfully advanced legal strategies to restore groundfish to the Gulf of Maine and southern New England waters. Conservation Law Foundation v. Evans, 211 F. Supp.2d 55 (D.D.C. 2002).

### III. The Standard Governing this Motion

Intervention in PUC proceedings is governed by PUC Rule of Practice and Procedure 1.13.

PUC Rule of Practice and Procedure 1.13(b) states, in relevant part, that “any person claiming . . . an interest of such a nature that intervention is . . . appropriate may intervene in any proceeding before the Commission.”

PUC Rule of Practice and Procedure 1.13(e) states, in relevant part, that “all timely motions to intervene not objected to by any party within ten (10) days of service of the motion for leave to intervene shall be deemed allowed . . . .”

CLF has inquired of both Grid and Division, and has learned that neither party objects to CLF’s intervention in this Docket.

#### IV. CLF’s Interest in This Proceeding

CLF is a membership organization, and CLF members are involved in developing renewable energy facilities in Rhode Island and elsewhere in New England. These CLF members may have an interest in rulings made in this proceeding.

CLF members are also Grid ratepayers in Rhode Island, and therefore pay, through their electricity bills, for the renewable energy (and Renewable Energy Credits) procured by Grid.

CLF is New England’s leading environmental organization, and has a long and widely respected history of working on issues related to renewable energy. CLF participated, without objection by any party, to the prior proceeding in this Commission that investigated the adequacy of renewable energy supplies.

In addition, CLF has participated in many previous PUC Dockets pertaining to renewable energy. These include Docket # 3659 (setting Rules pursuant to R. I. Gen.

Laws § 39-26-1, et seq., the state's first Renewable Energy Standard, or RES); Docket # 3765 (considering Grid's 2007 RES compliance procurement); Docket # 3901 (considering Grid's 2008 RES procurement); Docket # 4012 (considering Grid's 2009 RES procurement); Docket # 4111 (first of two dockets concerning Deepwater Wind's proposed Block Island demonstration wind project); and Docket # 4185 (second of two dockets concerning Deepwater Wind's proposed Block Island demonstration wind project).

CLF has extensive experience with matters related to renewable energy in general and to implementation of renewable energy laws in Rhode Island.

As a result of this history, both in Rhode Island and in the rest of New England, CLF can play a constructive and helpful role in this Docket.

Moreover, the participation in this proceeding of a public interest organization such as CLF will serve the public interest. See, generally, John E. Bonine, Public Interest Environmental Lawyers: Global Examples and Personal Reflections, 10 *Widener L. Rev.* 451 (2004) (emphasizing the constructive and salutary role of public-interest environmental lawyers in a wide range of legislative, judicial, and regulatory fora).

V. Conclusion

WHEREFORE, for the foregoing reasons, CLF respectfully requests that its unopposed motion to intervene in this proceeding be granted.

CONSERVATION LAW FOUNDATION,  
by its Attorney,



---

Jerry Elmer (# 4394)  
CONSERVATION LAW FOUNDATION  
55 Dorrance Street  
Providence, RI 02903  
Telephone: (401) 351-1102  
Facsimile: (401) 351-1130  
E-Mail: JElmer@CLF.org

CERTIFICATE OF SERVICE

I certify that the original and nine photocopies of this Motion To Intervene were filed by mail with the Clerk of the Public Utilities Commission, 99 Jefferson Blvd., Warwick, RI 02888. In addition, electronic copies of this Motion were served via e-mail on the service list for this Docket. I certify that all of the foregoing was done on May 7, 2013.

