

October 28, 2015

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

**In Re: Docket 4568 Review of National Grid's Rate Design Pursuant to  
R.I. Gen. Laws §39-26.6-24**

Dear Ms. Massaro,

Enclosed please find an original and nine copies of the following document:

- 1. Energy Development Partner's Motion for Late Intervention;**
- 2. Entry of Appearance on behalf Energy Development Partners.**

Please note that an electronic copy of this document has been provided to the service list.

Should you have any questions concerning this filing please contact me at (401) 272-1400.

Thank you for your attention to this matter.

Sincerely,

  
Christian F. Capizzo, Esq.

Enclosures

Cc: PUC Docket 4568 Service List (via electronic mail)

1080 Main Street  
Pawtucket, Rhode Island 02860  
P 401.272.1400 f 401.272.1403

www.shslawfirm.com

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PUBLIC UTILITIES COMMISSION

IN RE: REVIEW OF ELECTRIC :  
DISTRIBUTION DESIGN PURSUANT : DOCKET NO. 4568  
TO R.I. GEN. LAWS §39-26.6-24 :

NOTICE OF APPEARANCE OF COUNSEL

Pursuant to Rule 1.4 of the Rhode Island Public Utilities Commission's Rules of Practice and Procedure, please enter my appearance on behalf of Energy Development Partners, LLC.

Respectfully submitted,

  
Christian F. Capizzo, Esq.  
Shechtman Halperin Savage, LLP  
1080 Main Street  
Pawtucket, RI 02869  
401-272-1400  
[ccapizzo@shslawfirm.com](mailto:ccapizzo@shslawfirm.com)

Dated: October 28, 2015

CERTIFICATE OF SERVICE

I hereby certify that this 28th of October, 2015, I mailed this original pleading and 10 copies to the Public Utilities Commission and sent a true copy of the document by electronic mail to the parties listed on the service list for Docket 4568 as of 10/23/15.

  
Christian F. Capizzo, Esq.

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS**

**PUBLIC UTILITIES COMMISSION**

**IN RE: REVIEW OF ELECTRIC :  
DISTRIBUTION DESIGN PURSUANT : DOCKET NO. 4568  
TO R.I. GEN. LAWS §39-26.6-24 :**

**MOTION TO INTERVENE LATE BY ENERGY DEVELOPEMT PARTNERS, LLC**

NOW COMES Energy Development Partners, LLC (“EDP”), by its attorneys, and hereby moves to intervene late in the above-captioned proceeding pursuant to Rule 1.13 of the Rhode Island Public Utilities Commission Rules of Practice and Procedure (“Rules”). In support of this motion, EDP states:

1. EDP is large scale developer of renewable energy projects throughout Rhode Island. With a combined 30 years of experience of project development on three different continents EDP is committed to developing energy infrastructure projects throughout the United States. EDP is based out of Rhode Island and is a solution provider for public and private energy needs, combining traditional systems with renewable energy solutions.
2. EDP’s goal is to advance the clean energy markets by providing efficiency and profitability to renewable energy solutions by working with clean energy companies, investors, policy makers and other stakeholders in the clean energy sector throughout New England.
3. Rule 1.13(b) states any person claiming an interest of such nature that intervention is necessary or appropriate may intervene in any proceeding before the Rhode Island Public Utilities Commission (“PUC”). National Grid’s proposal to implement an access fee will have a significant and negative impact on the financial security and financing of all of EDP’s current operating projects, pending projects and future projects.

4. Rule 1.13(b)(2) states that such a right or interest may be: “ An interest which may be directly affected and which is not adequately represented by existing parties and as to which movants may be bound by the Commission’s action in the proceeding.” EDP is in a unique and distinctive position from the other parties in this matter. As a medium to large scale renewable energy developer with several renewable energy projects currently in operation and multiple projects pending approval before state and local municipalities in Rhode Island it will be directly and significantly be impacted by this proceeding.

5. It is necessary and appropriate to grant EDP’s motion to intervene because EDP has an interest that is directly and significantly affected by this proceeding which is not adequately represented by existing parties.

6. Rule 1.13(f) provides for the Commission to allow for late intervention as long as the intervenors who are granted party status are bound by the agreements reached and orders entered in the proceedings prior to their intervention. In addition, the Commission will not allow for the broadening of issues unless public interest requires it. Finally, the granting of EDP’s motion will not create undue prejudice or hardship to the other parties involved with this the proceeding.

7. EDP was unaware of National Grid’s proposed implementation of charges and access fees. Once EDP became aware of National Grid’s proposed implementation of the same and the significant impact it will have on EDP’s current, pending and future projects, said motion was filed. Moreover, the rights of the parties in this matter will not be harmed or prejudiced by the delay.

8. Rule 1.13(e) provides that where there is no objection to intervention, a properly filed and served motion to intervene shall be granted. Although EDP is moving for late

intervention, it notified the parties on October 28, 2015, via the email service list for Docket 4568, dated October 23, 2015, of their intent to file a motion for late intervention and requested that they be notified of any objections. As of October 28, 2015, the following parties responded to EDP's request and indicated that they have no objections to EDP's motion for late intervention: The Acadia Center, The Office of Energy Resources, Walmart Stores East, LP and Sam's East, Inc., TASC and Wind Energy Development. EDP will notify the PUC if it receives any further responses and/or objections while this motion is pending.

Please direct service of any correspondence or pleadings in connection with this proceeding to:

Christian F. Capizzo, Esq.  
Shechtman Halperin Savage LLP  
1080 Main Street  
Pawtucket, RI 02860  
Tel: (401) 272-1400  
Fax: (401) 272-1403  
Email: [cccapizzo@shslawfirm.com](mailto:cccapizzo@shslawfirm.com)

Frank A. Epps  
Managing Director, USA  
Energy Development Partners, LLC  
51 Industrial Drive  
N. Smithfield, RI 02896  
Tel: 401-884-2248  
Fax: 888907-1603  
Email: [frank@edp-energy.com](mailto:frank@edp-energy.com)

*Remainder of Page Intentionally Left Blank*

WHEREFORE, for the reasons stated herein, EDP respectfully requests that the Rhode Island Public Utilities Commission grant this motion and allow EDP to intervene.

Respectfully Submitted,

Energy Development Partners, LLC

By their Attorney,



Christian F. Capizzo, Esq.  
Shechtman Halperin Savage, LLP  
1080 Main St.  
Pawtucket, RI 02860  
Tel: (401) 272-1400  
Fax: (401) 272-1403  
[ccapizzo@shslawfirm.com](mailto:ccapizzo@shslawfirm.com)

CERTIFICATE OF SERVICE

I hereby certify that this 28th of October, 2015, I mailed this original pleading and 10 copies to the Public Utilities Commission and sent a true copy of the document by electronic mail to the parties listed on the service list for Docket 4568 as of 10/23/15.

  
Christian F. Capizzo, Esq.