

December 7, 2016

VIA HAND DELIVERY & ELECTRONIC MAIL

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

RE: Docket No. 4670 – National Grid’s Comments to Clean Economy Development LLC’s Petition for Declaratory Judgment

Dear Ms. Massaro:

National Grid¹ submits these comments to assist the Rhode Island Public Utilities Commission as it considers Clean Economy Development LLC’s Petition for Declaratory Judgment regarding net metering, R.I. Gen. Laws § 39-26.4-1, *et seq.* (Net Metering Act), in the above-referenced docket. After reviewing the Petition and the relevant legal authorities, National Grid agrees that municipal housing authorities organized and existing in accordance with, and with the powers set forth in, chapters 25 and 26 of title 45 of the Rhode Island General Laws are “public entities” as defined by the Net Metering Act.

Under the Net Metering Act, the definition of a “public entity” includes municipalities. R.I. Gen. Laws § 39-26.4-2(15). The Net Metering Act defines “municipality” as “any Rhode Island town or city, including any agency or instrumentality thereof, with the powers set forth in title 45 of the general laws.” R.I. Gen. Laws § 39-26.4-2(10). Consistent with the Net Metering Act, title 45 of the general laws defines a “housing authority” as “a public body and a body corporate and politic, organized in accordance with the provisions of chapters 25 and 26 of this title for the purposes, with the powers, and subject to the restrictions established in chapters 25 and 26 of this title.” R.I. Gen. Laws § 45-25-3(1). Thus, National Grid agrees that housing authorities that are organized and existing in accordance with, and with the powers set forth in, chapters 25 and 26 of title 45 of the Rhode Island General Laws are “public entities” as defined by the Net Metering Act. On the other hand, housing authorities that are not organized and existing in accordance with, and with the powers set forth in, chapters 25 and 26 of title 45 of the Rhode Island General Laws would not fall under the definition of a “public entity” in the Net Metering Act.

¹ The Narragansett Electric Company d/b/a National Grid.

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Thank you for your attention to this filing. If you have any questions, please contact me at 401-784-7415.

Very truly yours,



Robert J. Humm

cc: Docket No. 4670 Service List
Steve Scialabba, Division
Seth H. Handy, Esq.
Jon Hagopian, Esq.

Certificate of Service

I hereby certify that a copy of the cover letter and any materials accompanying this certificate was electronically transmitted to the individuals listed below.

The paper copies of this filing are being hand delivered to the Rhode Island Public Utilities Commission and to the Rhode Island Division of Public Utilities and Carriers.



Joanne M. Scanlon

December 7, 2016

Date

Docket No. 4670– Clean Economy Development – Petition for Declaratory Judgment

Service List updated 11/18/16

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