

State of Rhode Island Public Utilities Commission

**In Re: Petition of the Episcopal Diocese of Rhode Island for Declaratory Judgment
on Transmission System Costs and Related “Affected System Operator” Studies**

Docket No. 4981

Pre-Filed Testimony of

Scott Milnes

May 25, 2021

I. Introduction and Qualifications

1 **Q. Please state your name and business address.**

2 A. My name is Scott Milnes and my business address is 48 Waterfield Road P.O. Box
3 808, Winchester, MA 01890.

4 **Q. By whom are you employed and in what capacity?**

5 A. I am the President and Founder of Econox Renewables, Inc.

6 **Q. When was Econox formed?**

7 A. The company was founded in 2009.

8 **Q. What is Econox's mission?**

9 A. Econox is focused on providing renewable energy services with the highest levels of
10 customer satisfaction. Econox implements an innovative and unique approach based on
11 solid experience, to overcome any obstacles that arise during the development of any
12 particular renewable energy or energy efficiency project.

13 **Q. How has Econox done?**

14 A. Developed and completed over 50 commercial projects in RI

15 **Q. Please summarize your interconnection experience with your Howard Lane
16 project.**

17 A. Econox applied to interconnect that 3,960 kw project on January 18, 2018, requesting
18 an impact study. National Grid completed its impact study on June 14, 2018. The
19 project was found to be feasible and interconnection was authorized. The impact study
20 did not mention need for any transmission level study. The land use approval process
21 required Econox to reduce the project size to 3120 kW and Econox requested any

1 necessary revision to the impact study on December 17, 2018. Under R.I. Gen. Laws
2 §39-26.3-3(d), National Grid had ninety days from the date of application to issue an
3 impact study. By statute, National Grid's restudy was due on March 7, 2019. The study
4 and the restudy were both late. On July 2, 2019, National Grid advised Econox that it
5 will require a Transmission System Impact Study that will take 6 to 9 months to
6 complete. National Grid required Econox to pay a \$4680 fee for that study no later than
7 July 26, 2019 or else our interconnection application would be cancelled. The Putnam
8 Pike substation only has 1.0 MW of Distributed generation on it prior to this project.
9 National Grid's penetration map presented on pages 7 and 17 of the handout issued at its
10 seminar regarding these cluster studies held on June 21, 2019, indicated that the only
11 other significant load proposed in the vicinity of this project was the Invenergy natural
12 gas power plant proposed for Burrillville. ISO has not accepted that project into its
13 capacity market and the Energy Facility Siting Board has denied its application for a
14 permit. Econox requested justification for National Grid's position that its project could
15 have any affect on the transmission system that would warrant such a study, but has
16 received none. The project made it thru the ISO study with no Transmission costs and
17 was issued a ISA on August 7, 2020 after significant delays.

18 **Q. Did you consider disputing this matter?**

19 A. Yes. R.I. Gen. Laws §39-26.3-4.1 states that the interconnection deadlines can be
20 extended only to the extent of events that are clearly not under NGrid's control, such as
21 third-party delays, including, without limitation, delays due to ISO-NE requirements not
22 attributable to electric distribution company actions, which cannot be resolved despite

1 commercially reasonable efforts. Tariff No. 2163 (applicable to any projects applying for
2 interconnection before September 6, 2018) did not contemplate any requirement that
3 Customer submit to a transmission study for this project, nor is NGrid's evaluation of
4 transmission level impacts or its charge for that study warranted or authorized by law.
5 Moreover, the need for any additional studies was required to have been identified in the
6 impact study phase of the process. ISO had not informed us of its intent to exercise
7 jurisdiction over the project, or of any need for additional transmission studies, or of the
8 schedule for such studies, or whether that schedule precludes compliance with Rhode
9 Island's statutory mandated schedule for interconnection of this project. We
10 contemplated asking National Grid to confirm from ISO NE that it was requiring a
11 transmission study for our project and the policy justification for that requirement. But, I
12 decided not to dedicate our resources to a fight with the utility that controls
13 interconnection of our projects.

14 **Q. What are the consequences?**

15 A. Project planning is now extremely difficult and partially on hold until National Grid
16 determines the path forward. Econox has substantial investment backed expectations for
17 this project based on the prior Impact Study provided with a higher AC rating. The
18 project is fully approved in the town and is ready to go into the construction
19 phase. Econox had planned to deliver this project in 2019 so as to benefit from the
20 investment tax credit and produce all other benefits of project development. The project
21 was on track for funding and construction in 2019. The inability to complete our
22 interconnection process made it impossible for us to fund and construct in 2019. That

1 resulted in direct damages to Econox, including its federal tax credits, and substantial lost
2 revenues. Any delays based on previously unanticipated studies (for which we have had
3 no notice) threaten the viability of this project. The Howard Farm is also relying on lease
4 income from this project to keep its family farm alive.

5 **Q. Does this conclude your testimony?**

6 A. Yes.