

**STATE OF RHODE ISLAND
PUBLIC UTILITIES COMMISSION**

THE NARRAGANSETT ELECTRIC COMPANY, D/B/A NATIONAL GRID'S UPDATED ADVANCED METERING FUNCTIONALITY BUSINESS CASE))))	DOCKET NO. 5113
THE NARRAGANSETT ELECTRIC COMPANY, D/B/A NATIONAL GRID'S GRID MODERNIZATION PLAN)))	DOCKET NO. 5114 <u>NOT CONSOLIDATED</u>

**DIVISION'S OPPOSITION TO THE CONSOLIDATION
OF DOCKET NOS. 5113 AND 5114
AND MOTION TO STAY DOCKET NO. 5114**

Pursuant to the Commission's Open Meeting Notice dated March 15, 2021, the Division of Public Utilities and Carriers ("Division") is apprised that the Commission has scheduled the above dockets for discussion at Open Meeting on March 19, 2021 to discuss and vote on consolidation of the dockets. The Division strongly opposes the consolidation of Docket Nos. 5113 and 5114, and believes they should be reviewed as further set forth in this filing.

In connection with both dockets, the Division has retained the firm of Gregory L. Booth, P.E., PLS to review the Company's filings. Mr. Booth has informed the Division that to properly review and analyze both dockets, significant time and resources that must be dedicated to each filing. He has further indicated that consolidation of Docket Nos. 5113 and 5114 will render proper review, analysis, preparation of testimony for each docket *etc.* impracticable. Consolidation of the two dockets, thus, will prejudice the Division and the ratepayers it represents, and is therefore improper. *See Giguere v. Yellow Cab. Co., 195 A. 214, 216 (R.I. 1937) (if doubt exists as to the advisability of consolidating cases, order to try cases together should not be entered).*

The Division observes that in Docket No. 5113 (AMF), NGrid is requesting approval to recover the incremental electric and gas revenue requirements generally associated with four areas (i) an integrated network of smart electric meters, (ii) a two-way communications network, (iii) Meter Management Data System, and (iv) Customer Energy Management Platform, *AMF Filing, Page 9, Vol. 1 & 3*. The AMF filing is “foundational” to Grid Mod. That is, without AMF Grid Mod “would not be possible.” *AMF Filing, Vol.1 at 24*.

By contrast, NGrid’s Grid Mod filing (Docket No. 5114) is largely an “informational guidance document,” that “includes a five-year implementation plan, a ten-year roadmap, and a comprehensive benefit-cost analysis (BCA)...” Through the filing, the Company is requesting PUC approval of the GMP and BCA for the purpose of allowing the Company to present future grid modernization investment proposals.” *Grid Mod Filing, Cover Letter date 1/21/21*.¹

From the foregoing descriptions of Docket Nos. 5113 and 5114, it is eminently apparent that two filings do not truly “arise from the same act or transaction, involve the same or like issues, [or] depend substantially on the same evidence.” *School Committee v. Bergin-Andrews, 984 A.2d 629, 646 (R.I. 2009); Giguere, 195 A. at 216 (R.I. 1937)*. For this reason, consolidation of the two dockets is also improper.

For Docket No. 5113, the Company has selected the effective date of September 1, 2021, for commencing recovery of a rate increase of \$6.2 M and \$1.8 M for NGrid-Electric and NGrid Gas, respectively above the Rate Yr. 3 revenue requirements in Dkt. 4770. *AMF Filing, Vol. 3 at 8*. The September 1, 2021 deadline for Docket No. 5113 is self-imposed. No statute, rule or Order of the Commission requires the Commission to complete its review and render a decision by that deadline.

¹ Recognizing the likely inconsistent nature of the two filings, the AMA in Docket No. 4770 recognizes that the GMP filing may be filed up to 6 months “following” the AMF filing. *AMA, Para. 15(b)*.

The Company has also indicated to the Division that it will be filing a base rate case towards the end of CY 2021. Rather establishing an artificial September 1, 2021 deadline for completion of the AMF docket, the Division believes it may make more sense to consider some of the components of the AMF filing along with the proposed base rate filing. Appropriate O&M and capital components of the AMF filing may be recovered through that proceeding and/or in the next ISR docket after the conclusion of the base rate case.

No deadline exists for approval of the GMP filing or for any future GMP filings. As stated, the AMF filing is “foundational” to Grid Mod. *AMF Filing, Vol.1 at 24*. The Division further understands from NGrid that specific GMP projects will be proposed in future ISR dockets only after the AMFs are implemented. Thus, it makes eminent sense to stay the GMP filing (Docket No. 5114) until after the AMF filing is concluded.

For the foregoing reasons, the Division opposes consolidation of Docket Nos. 5113 and 5114, and requests the Commission to stay Docket No. 5114 until the conclusion of Docket 5113.

DIVISION OF PUBLIC UTILITIES AND
CARRIERS

By its attorneys,

/s/ Leo J. Wold

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CERTIFICATE OF SERVICE

I certify that a copy of the within objection and motion was forwarded by e-mail to the Service List in the above dockets on the 17th of March, 2021.

/s/ Leo J. Wold

Leo J. Wold