



State of Rhode Island and Providence Plantations
Department of State | Office of the Secretary of State
Nellie M. Gorbea, Secretary of State

Rules and Regulations Filing Form

1. Agency Name and Address

Public Utilities and Carriers, Division of Public Utilities Commission
89 Jefferson Blvd.

2. Title of Rule

Rules and Regulations Establishing Non-Profit Affordable Housing Certification Application Process and Eligibility Criteria as Required Under Rhode Island General Laws, Section 39-26-2(19)

3. Statutory Source of Authority

Formerly under RIGL §39-26-2, subsequently amended

4. Concise Explanatory Statement - §42-35-2.6

The rule is no longer applicable. In 2008, the State of Rhode Island enacted an amendment to Rhode Island General Laws, Chapter 39-26, entitled Renewable Energy Standard, specifically, Section 39-26-2(19), requiring the Rhode Island Division of Public Utilities and Carriers to promulgate regulations setting forth an application process and eligibility criteria for non-profit affordable housing developments or projects to benefit from the allotted renewable energy demonstration projects constructed and placed into service under Rhode Island General Laws, Section 39-26-6(k), and the additional consequential ability to apply excess renewable generation credits to other accounts within the eligible affordable housing development or project in accordance with Rhode Island General Laws, Section 39-26-6(g)(3). The statutory provisions were subsequently amended, making the rule obsolete.

5. Type of Filing

Emergency Rules	
A1. Emergency 120-day initial - §42-35-2.10 <input type="checkbox"/> Adoption <input type="checkbox"/> Amendment of ERLID: <input type="checkbox"/> Repeal of ERLID:	A2. Emergency 60-day renewal - §42-35-2.10 <input type="checkbox"/> Adoption <input type="checkbox"/> Amendment <input type="checkbox"/> Repeal Indicate ERLID of 120-day initial:
Brief Statement of Reason for Finding Imminent Peril §42-35-2.10:	

Final Rules		
<input type="checkbox"/> B1. Amendment - §42-35-3(a)	<input type="checkbox"/> B2. Adoption - §42-35-3(a)	<input checked="" type="checkbox"/> B3. Repeal - §42-35-3(a)
<input type="checkbox"/> C. Technical Revision	<input type="checkbox"/> D. Direct Final Rule - §42-35-2.11	
Repeals ERLID: 5601		
If B1 or C, please indicate new, amended, deleted, or revised sections:		

6. Notice and Hearing Information

Date of Public Notice - §42-35-2.8:12/05/2016
Date of Public Hearing - §42-35-2.8:Hearing Not Required
End of Comment Period - §42-35-2.8 :01/06/2017

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7. Agency Additional Information - Web Page

http://www.ripuc.ri.gov/eventsactions/docket/D_16_108.html

8. Certification

I hereby certify that the attached rules and regulations were adopted in accordance with the Administrative Procedures Act (42-35) and that they are true copies of this Department, attested.

Nellie M. Gorbea
Name
Rulemaking Coordinator
Title

John J. Pinto
Notary Public
Subscribed and sworn before me
this 10th day of January, 2017

COMMISSION EXPIRES AUGUST 14, 2017

(Repealed) ERLID#: 8445

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