



STATE OF RHODE ISLAND
Department of Administration
DIVISION OF LEGAL SERVICES
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June 25, 2021

Via Electronic Mail

Luly E. Massaro, Commission Clerk
Rhode Island Division of Public Utilities and Carriers
89 Jefferson Boulevard
Warwick, RI 02888
Luly.Massaro@puc.ri.gov

Re: OER Motion to Intervene
Rhode Island Division of Public Utilities and Carriers Docket No. D-21-09
Petition of PPL Corporation, PPL Rhode Island Holdings, LLC, National Grid
USA, and The Narragansett Electric Company for Authority to Transfer
Ownership of the Narragansett Electric Company to PPL Rhode Island Holdings,
LLC and Related Approvals

Dear Ms. Massaro:

I write to notify you that the Rhode Island Office of Energy Resources (“OER”) hereby formally makes a motion to intervene as a party in the above-referenced docket (“Docket”).

Enclosed for filing with the DPUC is OER’s Motion to Intervene (“Motion”). In accordance with 815-RICR-00-00-1.17(D), the Motion is being filed following the May 4, 2021 filing of Petitioners’ PPL Corporation (“PPL”) et al. Petition for Authority to Transfer Ownership of The Narragansett Electric Company to PPL Rhode Island Holdings, LLC and Related Approvals (“Petition”). This Motion is being served upon all other parties electronically and prior to the imposed deadline of June 25, 2021 in accordance with 815-RICR-00-00-1.11.

Thank you for your attention to this matter. Please contact me should you have any questions regarding the filing of this Motion.

Sincerely,

Albert J. Vitali III, Esq.
Senior Legal Counsel

MOTION

Rhode Island Office of Energy Resources
Motion to Intervene
June 25, 2021

Rhode Island Office of Energy Resources' Motion to Intervene

**Rhode Island Division of Public Utilities and Carriers Docket No. D-21-09
Petition of PPL Corporation, PPL Rhode Island Holdings, LLC, National Grid
USA, and The Narragansett Electric Company for Authority to Transfer
Ownership of the Narragansett Electric Company to PPL Rhode Island
Holdings, LLC and Related Approvals**

June 25, 2021

Submitted to: Rhode Island Division of Public Utilities and Carriers

Docket No. D-21-09

Submitted by:

Rhode Island Office of Energy Resources



**STATE OF RHODE ISLAND
DIVISION OF PUBLIC UTILITIES AND CARRIERS**

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**In Re: Petition of PPL Corporation, PPL)
Rhode Island Holdings, LLC, National)
Grid USA, and The Narragansett Electric)
Company for Authority to Transfer)
Ownership of The Narragansett Electric)
Company to PPL Rhode Island Holdings,)
LLC and Related Approvals)**

Docket No. D-21-09

**MOTION TO INTERVENE OF
THE RHODE ISLAND OFFICE OF ENERGY RESOURCES**

The Rhode Island Office of Energy Resources (“OER”) hereby respectfully requests that the Division of Public Utilities and Carriers (“Division”) grant OER’s intervention in the above referenced docket pursuant to 815-RICR-00-00-1.17. The reasons for intervention are set forth in this Motion to Intervene (“Motion”).

INTRODUCTION

1. On May 4, 2021, PPL Corporation (“PPL”), PPL Rhode Island Holdings, LLC (“PPL Rhode Island”), National Grid USA (“National Grid USA”) and The Narragansett Electric Company (“Narragansett”) jointly filed with the Division a Petition for Authority to Transfer Ownership of The Narragansett Electric Company to PPL Rhode Island Holdings, LLC and Related Approvals (“Petition”) in accordance with R.I. Gen. Laws §§ 39-3-24 and 39-3-25, as well as 815-RICR-00-00-1.13.
2. The Division established the above-referenced docket to review the Petition. On June 11, 2021, the Division issued a Notice of Filing and Deadline to Intervene, which established a filing deadline of Friday, June 25, 2021 for all motions to

intervene in this Docket to be filed and considered in accordance with the requirements contained in 815-RICR-00-00-1.17 of the Division's Rules of Practice and Procedure.

LEGAL STANDARD

3. Intervention is governed by 815-RICR-00-00-1.17 of the Division's Rules of Practice and Procedure. Pursuant to 815-RICR-00-00-1.17(B)(1), "[A]ny person with a right to intervene or an interest of such nature that intervention is necessary or appropriate may intervene in any proceeding before the Division. Such right or interest may be: (a.) A right conferred by statute; (b.) 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 Division's action in the proceeding;" or (c.) Any other interest of such a nature that movant's participation may be in the public interest."

ARGUMENT

4. R.I. Gen. Laws § 39-3-25 requires that the Division be satisfied by a standard of review that assures "facilities for furnishing service to the public will not thereby be diminished (by the transaction)" and "that the purchase, sale, or lease and the terms thereof are consistent with the public interest."
5. Narragansett provides services in accordance with R.I. Gen. Laws § 39-2-1 et seq., which includes among other duties, furnishing "safe, reasonable, and adequate services and facilities" (R.I. Gen. Laws § 39-2-1(a)), "include a charge per kilowatt-hour delivered to fund demand-side management programs... which shall be... administered and implemented by the distribution company" (R.I. Gen. Laws § 39-2-1.2(b) verbatim as related to electric demand-side management and R.I. Gen. Laws § 39-2-1.2(f) as related to gas demand-side management), and R.I. Gen. Laws § 39-26.2-1 et seq. Additional services are required in accordance with various R.I. Gen. Laws, including Least-Cost Procurement (R.I. Gen. Laws § 39-1-27.7), the

Renewable Energy Standard (R.I. Gen. Laws § 39-26), Long-Term Contracting (R.I. Gen. Laws § 39-26.1), Net Metering (R.I. Gen. Laws § 39-26.4), and the Renewable Energy Growth Program (R.I. Gen. Laws § 39-26.6). Therefore, the Petition must be reviewed in part to assess whether the aforementioned services will be maintained, augmented, or in any way altered such that they remain “consistent with the public interest” (R.I. Gen. Laws § 39-3-25).

6. OER’s mission is “to lead the state toward a clean, affordable, reliable, and equitable energy future”.¹ Pursuant to R.I. Gen. Laws § 42-140-3, OER’s statutory purpose includes, but is not limited to:

- Develop and put into effect plans and programs to promote, encourage, and assist the provision of energy resources for Rhode Island in a manner that enhances economic well-being, social equity, and environmental quality;
- Monitor, forecast, and report on energy use, energy prices, and energy demand and supply forecasts, and make findings and recommendations with regard to energy supply diversity, reliability, and procurement, including least-cost procurement;
- Monitor and report technological developments that may result in new and/or improved sources of energy supply, increased energy efficiency, and reduced environmental impacts from energy supply, transmission and distribution;
- Develop and to put into effect plans and programs to promote, encourage and assist the efficient and productive use of energy resources in Rhode Island, and to coordinate energy programs for natural gas, electricity, and heating oil to maximize the aggregate benefits of conservation and efficiency of investments; and
- Advise the governor and the general assembly with regard to energy resources and all matters relevant to achieving the purposes of the office.

¹ [Home- Rhode Island -Office of Energy Resources \(ri.gov\)](http://Home-Rhode-Island-Office-of-Energy-Resources(ri.gov))

7. In order for OER to fulfill its statutory duty, it must be allowed to intervene in the Docket, which involves a transfer of ownership of the state's dominant electric distribution utility and its sole natural gas distribution utility. These utilities, by their nature, play an integral role in the advancement of vital economic, energy, and environmental policies, and impact nearly every Rhode Island home, business, and public sector entity.

8. Also, as part of its duties, OER supports development of and/or supports the administration of several clean energy programs administered through National Grid USA and the Narragansett Electric Company (e.g., least cost procurement, Renewable Energy Growth, etc.). Further, OER has a responsibility to ensure that those programs continue to act as robust, responsive tools in helping Rhode Island achieve its policy goals, particularly as they relate to the Act on Climate and greenhouse gas emissions reduction strategies.

9. OER's work is inextricably tied to Rhode Island's energy utilities and requires certain utility capabilities and commitments, especially in the areas of energy decarbonization, grid modernization and planning, advanced metering, integration of clean transportation solutions, etc. Accordingly, OER's interest and responsibilities on behalf of Rhode Islanders may be directly affected by these proceedings.

10. It is incumbent upon OER in its unique role regarding clean energy policies and programs to safeguard existing and proposed clean energy programs and services, and ensure there is no degradation of capability, investment, commitment, and/or general quality – or any significant impact on the advancement of state policy – as a result of the proposed transaction, and to ensure these programs and services continue in the public interest.

CONCLUSION


OER asserts that its intervention in the Docket is necessary and appropriate, and OER's interests are of such a nature that its participation in Docket No. D-21-09 is in the public interest, thereby satisfying 815-RICR-00-00-1.17(B)(1)(c) of the Division's Rules of Practice and Procedure. For the reasons stated within, and in the interest of clarity and conciseness, please allow the stated facts to serve as the basis for OER's intervention into the Docket's proceedings. The movant, OER, respectfully request that the DPUC grant OER's Motion to Intervene.

WHEREFORE, OER respectfully requests that the Commission grant its Motion to Intervene as stated herein.

Respectfully submitted,

**RHODE ISLAND
OFFICE OF ENERGY RESOURCES**

By its attorney,


Albert J. Vitali III, Esq.