

State of Rhode Island and Providence Plantations

Public Utilities Commission

Minutes of Open Meeting Held December 20, 2016

Attendees: Chairperson Margaret Curran, Commissioner Herbert DeSimone, Commissioner Marion Gold, Cynthia Wilson-Frias, Linda George, Sharon Colby Camara, Alan Nault, Todd Bianco and Luly Massaro.

Chairperson Curran called the Open Meeting to order at 10:00 A.M. in the first-floor hearing room of the Public Utilities Commission. A quorum was present.

4670 – Clean Energy Development LLC – Clean Energy filed a Petition for a Declaratory Judgment that public housing authorities are “public entities” eligible to participate in the existing public entity net metering and, therefore, are not subject to the thirty megawatt cap on the newly instituted pilot program for eligible credit recipients from community remote net-metering systems. After review of the petition, responsive pleadings and comments, Commissioner Curran declared that public housing authorities are public entities and therefore not subject to the thirty megawatt cap on the community remote net metering cap. Commissioner Gold seconded the motion and the motion unanimously passed. **Vote 3-0.**

4631 – The Narragansett Electric Company d/b/a National Grid – National Grid filed on November 30, 2016, amendments to its Net Metering Tariff to implement the statutory provisions regarding the Community Remote Net Metering Pilot (Pilot). Chairperson Curran moved to suspend the tariff filing to conduct examination into the filing. Commissioner Gold seconded the motion and the motion passed. **Vote 3-0.**

4610 – National Grid – National Grid filed on November 9, 2016, a filing tariff to include the Admiral Street Site to the list of environmental sites contained in the Environmental Response Fund tariff. Chairperson Curran moved to suspend the tariff filing to conduct examination into the filing. Commissioner Gold seconded the motion and the motion passed. **Vote 3-0.**

4290 – National Grid – National Grid submitted revised LIHEAP Enhancement Plan Provision and LIHEAP Charge in compliance with the PUC’s open meeting decision on November 29, 2016. The compliance filing updates the LIHEAP Enhancement Plan Provision for gas and electric and modifies the LIHEAP Charge from \$0.73 to \$0.81 for the calendar year 2017. After review, Commissioner DeSimone moved to approve National Grid’s compliance filing. Commissioner Gold seconded the motion and the motion passed. **Vote 3-0.**

4628 – National Grid – National Grid filed on July 5, 2016, a tariff filing to amend Tariffs RIPUC Nos. 2110, 2111 and 2112 to implement National Grid’s proposed Company-Owned LED Streetlighting Proposal. The Washington County Regional Planning Council & RI Streetlight Management submitted comments. The Division filed a memorandum summarizing its review and analysis of the filing. The Division recommended approval of

the Company's proposed tariffs. After review and discussion, Commissioner Gold moved to adopt National Grid's July 5, 2016 filing with the provision that the utility provide the PUC and Division with updates and an opportunity to discuss the implementation of the program, including the items that were outline in page 3 of the Memorandum of Synapse Energy on behalf of the Division, dated November 15, 2016. Chairperson Curran seconded the motion and the motion passed. **Vote 3-0.**

4673 - National Grid – National Grid filed on November 14, 2016, its Long-Term Contracting for Renewable Energy Recovery Factor Filing for the period January 2017 through June 2017. The Division submitted a memorandum summarizing its review of National Grid's filing and recommended a LTC Recovery Factor of 0.667¢ per kWh be approved. Consequently, National Grid on December 16, accepted the Division's recommendation and submitted a revised LTC Recovery Factor of 0.667¢ per kWh, applicable to all customers, effective for consumption on and after January 1, 2017. After review, Commissioner DeSimone moved to adopt the Division's proposed LTC Recovery Factor and the recommendation that National Grid engage the Division and other interested parties in discussion of capturing more capacity values in future filing. Chairperson Curran seconded the motion and the motion passed. **Vote 3-0.**

4654 – National Grid – The PUC reviewed the Settlement Agreement for approval of the National Grid's Energy Efficiency Program Plan for 2017. The Settlement, submitted on October 7, 2016, is entered into by the RI Division of Public Utilities and Carriers, the RI Energy Efficiency Resources Management Council, Acadia Center, People's Power & Light, RI Office of Energy Resources, The Energy Council of RI, Emerald Cities RI and National Grid. The Agreement provides National Grid with a budget to implement electric and natural gas energy efficiency programs targeted at different classes of residential, commercial and industrial customers.

After review and discussion, the PUC agreed to support approval of the Settlement Agreement. Commissioner Gold moved to approve the Settlement Agreement with the stipulation that the funds used to finance energy efficiency projects by either the Rhode Island infrastructure bank or National Grid, be tracked and progress reports shall be submitted to the PUC twice each year. Chairperson Curran seconded the motion and the motion was unanimously passed. **Vote 3-0.**

Commissioner DeSimone expressed his concern and wants to address the following issues going forward:

- 1) The variance between the results in the annual plan and the 3-year plan. In the last two years, the benefits in the annual plan have been less than the benefits in the 3-year plan, while the cost of system benefit charge in the annual plan have been higher than the 3-year plan.
- 2) The rising growth in the budgets, specifically on the electric side.
- 3) The rising system benefit charge.

4611 – Kent County Water Authority (KCWA) - The PUC reviewed the December 6, 2016 Settlement Agreement executed between KCWA and the Division of Public Utilities regarding KCWA's multi-year rate plan application, and compliance tariffs based on the

Settlement Agreement. The PUC concurred with the Division's witness that the Settlement Agreement is reasonable and in the best interest of the ratepayers. Due to the efforts by the fire districts, the settlement limits the increases in the initial step to 30% to the public and private fire protection charges, is consistent with the principle of gradualism and is a fair resolution to the issues raised. After discussion, the following motions were unanimously passed:

- 1) Commissioner DeSimone moved to approve the Settlement Agreement filed with the PUC and marked as Joint Exhibit 1. Commissioner Gold seconded the motion. **Vote 3-0.**
- 2) Commissioner DeSimone moved to approved KCWA's compliance tariffs based on the Settlement Agreement, which would include the increase in the meter testing charge from \$50 to \$100. Chairperson Curran seconded the motion. **Vote 3-0.**
- 3) Commissioner DeSimone moved that at the conclusion of compound meter testing study, KCWA should file a recommendation as to what the next steps should be in light of the study results. Commissioner Gold seconded the motion. **Vote 3-0.**

4025 – City of Newport Water Division – Discussion of this docket was postponed.

Renewable Energy Resource Eligibility Applications Dockets

The PUC reviewed the eligibility applications as submitted in the following dockets by:

- **4656 – Marsh Hill Energy, LLC's** application for certification of the Marsh Hill Wind Farm Generation Unit, a 16.4 MW wind energy facility located in Jasper, New York. The PUC's Consultant filed a memorandum summarizing his review and recommending approval. Commissioner Gold moved to approve the application. Commissioner DeSimone seconded the motion and the motion was unanimously passed. **Vote 3-0.**
- **4657 – Stony Creek Energy, LLC d/b/a Orangeville Wind Farm's** application for certification of the Orangeville Wind Farm Generation Unit, a 94.4 MW wind energy facility located in Warsaw, New York. The PUC's Consultant filed a memorandum summarizing his review and recommending approval. Commissioner Gold moved to approve the application. Chairperson Curran seconded the motion and the motion was unanimously passed. **Vote 3-0.**

The PUC considered the following eligibility applications together. These applicants sought certification for facilities behind one single market settlement system meter. The PUC approved the applications with conditional compliance requirement. The motions are enumerated below.

- **4645 – Town of West Warwick's** application for certification of the Coventry Two LLC Generation Unit, a 4.5 MW wind energy facility located in Coventry, Rhode Island.
- **4650 – Narragansett Bay Commission's** application for certification of the Coventry 3 and Coventry 4 Generation Units, having a combined capacity of 3.0 MW wind energy facilities and located in Coventry, Rhode Island.

- **4662 – Narragansett Bay Commission’s** application for certification of the Coventry 1 Generation Unit, a 1.5.0 MW wind energy facility located in Coventry, Rhode Island. PUC Consultant will submit a recommendation.
 - **4649 – WED Coventry Six, LLC’s** application for certification of the WED Coventry Six LLC and WED Coventry Five LLC Generation Units, having a combined capacity of 6.0 MW wind energy facilities and located in Coventry, Rhode Island.
- 1) Chairperson Curran moved to approve the applications of the Town of West Warwick and the Narragansett Bay Commission as a New Renewable Energy Resources. Commissioner Gold seconded the motion and the motion was unanimously passed. **Vote 3-0.**
 - 2) Chairperson Curran moved to approve the application of WED Coventry Six, LLC as a New Renewable Energy Resources as a 4.5 MW resource with the requirement that WED provided the PUC with the date that Coventry Five achieves commercial operation at which time it will be updated to a 6.0 MW resource. Commissioner Gold seconded the motion and the motion was unanimously passed. **Vote 3-0.**
 - 3) Chairperson Curran move to require National Grid, WED Coventry Six, LLC, the Town of West Warwick, and the Narragansett Bay Commission to file with the PUC, no later than January 5, 2017, for its review a Dissagregation Plan setting forth the measurement method for verifying energy generated by each owner’s generation unit. The plan should clearly set forth how the tracking of each owner’s generation units will occur; how portions of MWHs (RECs) will be allocated to owners; and how the tracking of the sale and ownership transfers of all of the RECs associated with the aggregation will occur in order to avoid double counting Commissioner DeSimone seconded the motion and the motion was unanimously passed. **Vote 3-0.**
 - 4) Chairperson Curran moved to require the applicants to work with National Grid, ISO-NE and the GIS Administrators during Quarters one and two of 2017 to replace the single Asset Identification number with three separate and distinct ISO-NE Asset ID numbers and associated GIS MSS Asset ID numbers in time for inclusion within ISO-NE’s Quarter two 2017 Power System Model Release. Once the new Asset ID numbers and associated GIS MSS Asset ID numbers have been assigned, each applicant shall notify the PUC so that we may assign each applicant (and their respective collective units) a unique certification number. Commissioner Gold seconded the motion and the motion was unanimously passed. **Vote 3-0.**

Commissioner DeSimone recused himself from participating in the discussion of the following matter.

RI Convention Center Authority (Applicant) — After review, Chairperson Curran moved to grant Attorney Bruce A. Leach’s Motion Pursuant to Rule 1.4(d)(2) requesting approval to appear before the Public Utilities Commission in connection with filing a Petition for Declaratory Judgment. Commissioner Gold seconded the motion. **Vote 2-0.**