



Laura C. Bickel
Senior Counsel
Legal Department

July 14, 2020

Luly E. Massaro, Commission Clerk
Rhode Island Public Utilities Commission
89 Jefferson Boulevard
Warwick, RI 02888

Re: Petition for Approval of Eight Long-Term Contracts for Renewable Energy and Renewable Energy Certificates Pursuant to the Long-Term Contracting Standard for Renewable Energy - Docket No. 4764

Dear Ms. Massaro:

On November 1, 2017, The Narragansett Electric Company d/b/a National Grid (National Grid or Company) filed a petition with the Public Utilities Commission (“Commission”), pursuant to the Long-Term Contracting Standard for Renewable Energy, R.I. Gen. Laws § 39-26.1, for approval of eight long-term power purchase agreements (PPAs or contracts) to purchase renewable energy and associated renewable energy certificates from seven solar photovoltaic projects and one wind power project.¹ The contracts were negotiated as part of a regional procurement process that was conducted to serve electric customers in Massachusetts, Connecticut, and Rhode Island. Among these contracts, National Grid submitted a PPA with Scituate RI Solar, LLC Solar (the Seller), under which the Company contracted to purchase a portion of the energy and RECs from a planned solar photovoltaic project located in Scituate, Rhode Island, with a nameplate capacity of 10 megawatts (MW) (the Scituate Solar PPA). The Scituate Solar PPA was for the Company to purchase up to 5 MW from the project. On February 9, 2018, at an Open Meeting, the Commission approved all eight contracts, including the Scituate Solar PPA.

Section 9.2(e) of the Scituate Solar PPA provides that failure to achieve any of the Critical Milestones set forth in Section 3.1 constitutes an Event of Default. One of the Critical Milestones, set forth at Section 3.1(a)(i), requires the Seller to obtain all Permits necessary to construct the Facility.

On July 9, 2020, pursuant to Section 9.3(b) of the Scituate Solar PPA, the Company provided written notice of termination of its PPA, because the Seller failed to satisfy the Critical Milestone for receipt of all of the Permits necessary to construct the Facility by June 30, 2020, as provided in Section 3.1(a)(i) of the PPA (extended by Section 3.1(c) of the PPA). The date of

¹ The Commission docketed this petition as Docket No. 4764.

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July 7, 2020 was the deadline for the Seller to provide notice that it had achieved that Critical Milestone required in Section 3.1(b) of the PPA.²

The Company included this PPA to meet its obligations under the Long-Term Contracting Standards, § 39-26.1-2 and 3. However, this termination will not drop the Company down below its expected minimum contract capacity, as required by § 39-26.1-2. As a result, no action is required by the Commission on the Company's Notice of Termination to the Seller.

Please contact me with any questions you may have. Thank you for your attention to this matter.

Very truly yours,



Laura C. Bickel
RI Bar # 10055

Enclosures

cc: Docket No. 4764 Service List
Linda George, Administrator, Division of Public Utilities and Carriers
Nicholas Ucci, Commissioner, Office of Energy Resources

² The Massachusetts electric utilities that executed long-term contracts with the Seller, including the Company's affiliates, have also provided the Seller with written notice of termination of their PPAs.