



STATE OF RHODE ISLAND
OFFICE OF THE ATTORNEY GENERAL

150 South Main Street • Providence, RI 02903
(401) 274-4400 • www.riag.ri.gov

Peter F. Neronha
Attorney General

August 1, 2022

Luly Massaro, Clerk
Division of Public Utilities and Carriers
89 Jefferson Blvd.
Warwick, RI 02888
Luly.massaro@puc.ri.gov

**RE: *IN RE: THE NARRAGANSETT ELECTRIC COMPANY D/B/A RHODE ISLAND
ENERGY – LAST RESORT SERVICE (LRS) RATES***
Docket No: 4978

Dear Ms. Massaro:

Enclosed please find for filing an original and nine (9) copies of the Attorney General's Motion to Intervene in the above-referenced docket.

Thank you for your attention to this matter. Should you have any questions, please do not hesitate to contact me.

Sincerely,

/s/ Nicholas Vaz

Special Assistant Attorney General
nvaz@riag.ri.gov

Enclosures

Copy to: Service List

**STATE OF RHODE ISLAND
PUBLIC UTILITIES COMMISSION**

IN RE: THE NARRAGANSETT ELECTRIC :
COMPANY D/B/A RHODE ISLAND ENERGY : **DOCKET NO. 4978**
-LAST RESORT SERVICE (LRS) RATES :

**THE ATTORNEY GENERAL OF THE STATE OF RHODE ISLAND'S
MOTION TO INTERVENE**

NOW COMES Peter F. Neronha, Attorney General of the State of Rhode Island (“Attorney General”), and hereby moves to intervene with full-party status in the above-captioned proceeding in accordance with Rule 1.14(B) of the Public Utilities Commission’s (the “Commission”) Rules of Practice and Procedure (the “Commission Rules”).

I. Standard of Review

Commission Rule 1.14(B) states that “any person claiming a right to intervene or an interest of such nature that intervention is necessary or appropriate may intervene in any proceeding before the Commission.” 810-RICR-00-00-1.14(B). Further, 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 Commission’s action in the proceeding. (The following may have such an interest: consumers served by the applicant, defendant, or respondent; holders of securities of the applicant, defendant, or respondent.)
- c. Any other interest of such a nature that movant’s participation may be in the public interest.

810-RICR-00-00-1.14(B)(1)-(3). As explained below, the Attorney General has a statutory right to intervene and is in a unique position to represent the interests of the State and the public such that intervention is both necessary and appropriate.

II. Basis for Intervention

In this docket, The Narragansett Electric Company d/b/a Rhode Island Energy (“Rhode Island Energy” or the “Company”), petitioned the Commission for approval of its proposed Last Resort Service Rates for the Residential Group for the period October 1, 2022 through March 31, 2023; the Commercial Group for the period October 1, 2022 through March 31, 2023; and the Industrial Group for the period October 1, 2022 through December 31, 2022.

The Attorney General seeks to represent the interests of the ratepayers and the public as a whole. He is in a unique position to represent these interests and should be permitted to do so. The proposed rates represent a significant and alarming rate increase for Rhode Islanders. The average 500 kWhs residential customer stands to see a 46.7% increase, while small commercial customers could see increases between 40.7% and 51.1%. *See Pre-filed Testimony of Oliveira and Ruebenacker, 8; 1-5 (July 21, 2022).* Participation by the Attorney General in the instant proceeding is sanctioned by law and consistent with the public interest.

The Attorney General is, pursuant to § 42-9-6 of the General Laws of Rhode Island of 1956, as amended, the “legal advisor of all state boards, divisions, departments, and commissions and the officers thereof...” He is also the public officer charged with representing the State of Rhode Island, the public interest, and the people of the State. This includes representation with respect to environmental, electric or gas industry matters, as well as consumer protection matters. Additionally, the Attorney General ““has a common law duty to protect the public interest.”” *State v. Lead Indus., Ass'n, Inc.*, 951 A.2d 428, 471 (R.I. 2008) (*quoting* *Newport Realty, Inc. v. Lynch*, 878 A.2d 1021, 1032 (R.I. 2005)).

It should also be noted that the Attorney General has been granted full-party status in prior proceedings before the Public Utilities Commission involving public utility operations and rates. Moreover, the legislature and courts have recognized role of the Attorney General as an intervenor

on behalf of the state or its citizens as customers of the public utility. *See e.g.* R.I. Gen. Laws § 39-1-19(b), *see also* Narragansett Elec. Co. v. Harsch, 117 R.I. 395, 405 n. 6 (1977).

The Attorney General seeks to intervene to ensure that these proposed rates are fully vetted and that any potential means of providing relief for ratepayers facing these extreme increases are carefully considered.

III. Conclusion

For the reasons set forth herein, the Attorney General respectfully requests that the Public Utilities Commission grant his Motion to Intervene in this proceeding.

Respectfully submitted,

PETER F. NERONHA
ATTORNEY GENERAL OF THE
STATE OF RHODE ISLAND

By his Attorneys,

/s/ Nicholas M. Vaz
Nicholas M. Vaz (#9501)
/s/ Alison B. Hoffman
Alison B. Hoffman (#9811)
Special Assistants Attorney General
Office of the Attorney General
150 South Main Street
Providence, RI 02903
nvaz@riag.ri.gov
ahoffman@riag.ri.gov
(401) 274-4400 x 2297 / 2116

Dated: August 1, 2022

CERTIFICATE OF SERVICE

I hereby certify that on the 1st day of August 2022, the original and nine hard copies of this Motion were sent via in hand-delivery to Luly Massaro, Clerk of the Division of Public Utilities and Carriers, 89 Jefferson Boulevard, Warwick, RI 02888. In addition, electronic copies of the Motion were served via electronic mail on the service list for this Docket on August 1, 2022.

/s/ Ellen Golde