

September 19, 2022

VIA ELECTRONIC MAIL

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

**RE: Docket 5098 - Fiscal Year 2022 Electric Infrastructure, Safety, and Reliability Plan
Reconciliation Filing
Responses to PUC Data Requests – Set 1**

Dear Ms. Massaro:

On behalf of Rhode Island Energy,¹ I have enclosed the Company's responses to the Rhode Island Public Utilities Commission's First Set of Data Requests in the above-referenced matter.

The following attachment and response contain confidential information: Attachment PUC 1-2 and the response to data request PUC 1-4. Therefore, the Company has provided redacted and confidential versions and has requested confidential treatment pursuant to R.I. Gen. Laws § 38-2-2(4)(B) and Rule 810-RICR-00-00-1.3(H) of the PUC's Rules of Practice and Procedure.

Thank you for your attention to this filing. If you have any questions, please contact me at 401-784-4263.

Sincerely,



Andrew S. Marcaccio

Enclosures

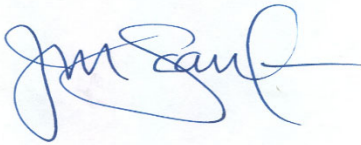
cc: Docket 5098 Service List
Leo Wold, Esq.
John Bell, Division

¹ The Narragansett Electric Company d/b/a Rhode Island Energy ("Rhode Island Energy" or the "Company").

Certificate of Service

I hereby certify that a copy of the cover letter and any materials accompanying this certificate was electronically transmitted to the individuals listed below.

The paper copies of this filing are being hand delivered to the Rhode Island Public Utilities Commission and to the Rhode Island Division of Public Utilities and Carriers.



Joanne M. Scanlon

September 19, 2022
Date

**Docket No. 5209 – The Narragansett Electric Company d/b/a Rhode Island Energy
Electric ISR Plan FY 2023 Service List as of 8/15/22**

Name/Address	E-mail Distribution	Phone
The Narragansett Electric Company d/b/a Rhode Island Energy Andrew Marcaccio, Esq. 280 Melrose St. Providence, RI 02907 Adam S. Ramos, Esq. Hinckley Allen 100 Westminster Street, Suite 1500 Providence, RI 02903-2319 Stephanie Briggs Patricia C. Easterly Susan M. Toronto Alan LaBarre Ryan Constable Kathy Castro Jeffrey Oliveira	amarcaccio@pplweb.com ;	401-784-4263
	cobrien@pplweb.com ;	
	jscanlon@pplweb.com ;	
	aramos@hinckleyallen.com ;	
	sbriggs@pplweb.com ;	
	pceasterly@RIEnergy.com ;	
	smtoronto@RIEnergy.com ;	
	ATLaBarre@RIEnergy.com ;	
	rconstable@RIEnergy.com ;	
	krcastro@RIEnergy.com ;	
joliveira@pplweb.com ;		
National Grid Melissa Little Caitlin Broderick Ryan Moe Daniel Gallagher Theresa Burns Scott McCabe	Melissa.Little@nationalgrid.com ;	
	Caitlin.broderick@nationalgrid.com ;	
	Ryan.moe@nationalgrid.com ;	
	Daniel.gallagher@nationalgrid.com ;	
	Theresa.Burns@nationalgrid.com ;	
	Scott.McCabe@nationalgrid.com ;	
Division of Public Utilities (Division)	Mark.A.Simpkins@dpuc.ri.gov ;	

Mark Simpkins, Esq. Jon Hagopian, Esq. Dept. of Attorney General 150 South Main St. Providence, RI 02903	jon.hagopian@dpuc.ri.gov ;	
	EGolde@riag.ri.gov ;	
	John.bell@dpuc.ri.gov ;	
	Robert.Bailey@dpuc.ri.gov ;	
	Margaret.l.hogan@dpuc.ri.gov ;	
	Paul.roberti@dpuc.ri.gov ;	
	Linda.george@dpuc.ri.gov ;	
	Christy.hetherington@dpuc.ri.gov ;	
David Effron Berkshire Consulting 12 Pond Path North Hampton, NH 03862-2243	Djeffron@aol.com ;	603-964-6526
Gregory L. Booth, PLLC 14460 Falls of Neuse Rd. Suite 149-110 Raleigh, N. C. 27614	gboothpe@gmail.com ;	919-441-6440
Linda Kushner L. Kushner Consulting, LLC 514 Daniels St. #254 Raleigh, NC 27605	Lkushner33@gmail.com ;	919-810-1616
Rhode Island Attorney General's Office Nicholas Vaz, Esq. on Hoffman, Esq.	nvaz@riag.ri.gov ;	
	ahoffman@riag.ri.gov ;	
Office of Energy Resources Al Vitali, Esq.	Albert.vitali@doa.ri.gov ;	
	nancy.russolino@doa.ri.gov ;	
	Christopher.Kearns@energy.ri.gov ;	
	Steven.Chybowski@energy.ri.gov ;	
	Shauna.beland@energy.ri.gov ;	
	Matthew.Moretta.INT@energy.ri.gov ;	
File an original & five (5) copies w/: Luly E. Massaro, Commission Clerk Cynthia Wilson-Frias, Esq. Public Utilities Commission 89 Jefferson Blvd. Warwick, RI 02888	Luly.massaro@puc.ri.gov ;	401-780-2107
	Cynthia.WilsonFrias@puc.ri.gov ;	
	Todd.bianco@puc.ri.gov ;	
	Alan.nault@puc.ri.gov ;	
PPL Electric Utilities Ronald Reybitz Stephen Breininger	rjreybitz@pplweb.com ;	
	skbreininger@pplweb.com ;	

Matt Sullivan, Green Development LLC

ms@green-ri.com

**STATE OF RHODE ISLAND
PUBLIC UTILITIES COMMISSION**

_____)
In Re: Electric Infrastructure, Safety,)
and Reliability FY2022 Reconciliation)
_____)

Docket No. 5098

**MOTION OF THE NARRAGANSETT ELECTRIC COMPANY D/B/A
RHODE ISLAND ENERGY FOR PROTECTIVE TREATMENT OF
CONFIDENTIAL INFORMATION**

The Narragansett Electric Company d/b/a Rhode Island Energy (the “Company”) hereby respectfully requests that the Public Utilities Commission (“PUC”) grant protection from public disclosure certain confidential information submitted by the Company in the above referenced docket. The reasons for the protective treatment are set forth herein. The Company also requests that, pending entry of that finding, the PUC preliminarily grant the Company’s request for confidential treatment pursuant to 810-RICR-00-00-1.3(H)(2).

The records that are the subject of this Motion that require protective treatment from public disclosure are confidential Attachment PUC 1-2 and the confidential version of the Company’s response to PUC 1-4 (“Confidential Records”) that were filed by the Company in the above-referenced docket on September 19, 2022. The Company requests protective treatment of the Confidential Records in accordance with 810-RICR-00-00-1.3(H) and R.I. Gen. Laws § 38-2-2-(4)(B).

I. LEGAL STANDARD

For matters before the PUC, a claim for protective treatment of information is governed by the policy underlying the Access to Public Records Act (“APRA”), R.I. Gen. Laws § 38-2-1 et seq. See 810-RICR-00-00-1.3(H)(1). Under APRA, any record received or maintained by a state

or local governmental agency in connection with the transaction of official business is considered public unless such record falls into one of the exemptions specifically identified by APRA. See R.I. Gen. Laws §§ 38-2-3(a) and 38-2-2(4). Therefore, if a record provided to the PUC falls within one of the designated APRA exemptions, the PUC is authorized to deem such record confidential and withhold it from public disclosure.

II. BASIS FOR CONFIDENTIALITY

The Confidential Records that are the subject of this Motion are exempt from public disclosure pursuant to R.I. Gen. Laws § 38-2-2(4)(B) as “[t]rade secrets and commercial or financial information obtained from a person, firm, or corporation that is of a privileged or confidential nature.” The Rhode Island Supreme Court has held that this confidential information exemption applies where the disclosure of information is likely either (1) to impair the government’s ability to obtain necessary information in the future; or (2) to cause substantial harm to the competitive position of the person from whom the information was obtained. *Providence Journal v. Convention Center Authority*, 774 A.2d 40 (R.I. 2001). The first prong of the test is satisfied when information is provided to the governmental agency and that information is of a kind that would customarily not be released to the public by the person from whom it was obtained. *Providence Journal*, 774 A.2d at 47. In this case, the Company would not customarily release this information to the public. The submission of the Confidential Records to the PUC is needed to answer the data requests issued by the PUC. Accordingly, the Company is providing Confidential Records to fulfil its regulatory responsibilities in connection with the above-referenced docket.

In addition, the release of confidential Attachment PUC 1-2 is likely to cause substantial harm to the competitive position of the Company. Attachment PUC 1-2 contains distributed generation project information. The release of confidential PUC 1-4 is likely to cause substantial harm to the competitive position of the Company. Confidential PUC 1-4 contains commercially

sensitive market information, the disclosure of which could affect the Company's ability to negotiate competitive terms with its vendors.

III. CONCLUSION

For the foregoing reasons, the Company respectfully requests that the PUC grant this motion for protective treatment of the Confidential Records.

Respectfully submitted,

**The Narragansett Electric
Company d/b/a Rhode Island
Energy**

By its attorney,

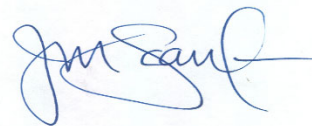


Andrew S. Marcaccio (#8168)
Rhode Island Energy
280 Melrose Street
Providence, RI 02907
(401) 784-4263

Dated: September 19, 2022

CERTIFICATE OF SERVICE

I hereby certify that on September 19, 2022, I delivered a true copy of the foregoing Motion via electronic mail to the parties on the Service List for Docket No. 5206.



Joanne Scanlon

The Narragansett Electric Company
d/b/a Rhode Island Energy
RIPUC Docket No. 5098
In Re: Electric Infrastructure, Safety, and Reliability Plan FY2022
Annual Reconciliation
Responses to the Commission's First Set of Data Requests
Issued on August 24 2022

PUC 1-1

Request:

Referencing the \$391,000 adjustment to rate base resulting from the DG project review, please provide additional detail on the preliminary findings.

Response:

The \$391,000 adjustment to rate base is associated with a DG project that was reconciled in May 2020. Preliminary findings indicate that contributions may not have been recorded to the correct cost type. The adjustment made is to reflect an estimated impact of recording to the correct cost types.

The Narragansett Electric Company
d/b/a Rhode Island Energy
RIPUC Docket No. 5098
In Re: Electric Infrastructure, Safety, and Reliability Plan FY2022
Annual Reconciliation
Responses to the Commission's First Set of Data Requests
Issued on August 24, 2022

PUC 1-2

Request:

Referencing Bates page 13, bullet 2, the Company indicates that net spending activity in the distributed generation (DG) category was \$8.8 million over budget for the fiscal year. Later, the Company explains that “[a]pproximately \$4.2 million of the spending over budget is due to timing differences of when contributions that have been received are offset against capital spending.” Please explain this statement further, including, but not limited to when the \$4.2 million was received from the interconnecting customer(s) and the project(s) that contributed to this net overspend.

Response:

The Company's practice was to record contributions directly to capital spending in the year received; however, that practice was modified during fiscal year 2020 to record contributions in deferred revenue when received. When contributions are recorded in deferred revenue, an adjusting entry is made in the future to reclassify the deferred revenue into capital spending to offset spending when it occurs. There can be a lag between when the spending occurs and when those adjustments are recorded, and sometimes contributions are still recorded to capital spending. This creates the need for two different types of adjustments to capital spending: (1) an adjustment to recognize the offsetting of deferred revenue into capital and (2) an adjustment for contributions recorded in capital spending when received and subsequently adjusted out to deferred revenue to match the new practice.

Attachment PUC 1-2 summarizes the projects that have capital spending for the year of \$4.2 million with \$3.3 million of that spending related to timing differences for when contributions were received and also presents the dates that contributions related to these projects were received. Those timing differences are summarized based on two components: (1) capital adjustments recorded to adjust contributions received in capital in prior years to deferred revenue, which was \$1.191 million and (2) available contributions in deferred revenue that will be reclassified to capital spending in the future because of the lag in recording that adjustment, which was \$2.134 million.

REDACTED

<u>Project Description</u>	FY22 CAPEX Broken Down				Deferred Revenues at 3/31/22	Available Deferred Revenues	CIACs Received - Dates, Amounts and Where Recorded	
	<u>FY22 Capital Spending</u>	<u>Deferred Revenue offsetting CAPEX</u>	<u>CIAC Rec'd in PY, Recl'd to Def Rev</u>	<u>TOTAL FY22 CAPEX</u>	<u>Deferred Rev Bal at 3/31/22</u>		<u>Date CIAC Rec'd</u>	<u>Total CIAC Rec'd</u>
1 [REDACTED]	47,521	(47,458)	208,840	208,902	(306,652)	62	Aug-19 Dec-20 Jan-21	(1,900) (224,250) (128,750)
2 [REDACTED]	-		15,557	15,557	(19,844)	-	Jun-18	(28,082)
3 [REDACTED]	52,764	58,435		111,198	(184,097)	111,198	May-18 Oct-18	(134,375) (814,500)
4 [REDACTED]	(0)		92,662	92,662	(90,242)	-	Jun-18 Mar-19 Aug-19	(33,413) (100,238) -
5 [REDACTED]	15,506		54,492	69,998	-	-	Aug-19 Jan-20 Jun-20	(4,980) (63,336) (190,256)
6 [REDACTED]	111,855	(44,023)		67,832	(80,942)	67,832	Nov-18 Oct-19	(61,838) (81,762)
							Nov-19 Jun-20	(20,405) (81,619)

REDACTED

<u>Project Description</u>	FY22 CAPEX Broken Down				Deferred Revenues at 3/31/22	Available Deferred Revenues	CIACs Received - Dates, Amounts and Where Recorded	
	<u>FY22 Capital Spending</u>	<u>Deferred Revenue offsetting CAPEX</u>	<u>CIAC Rec'd in PY, Recl'd to Def Rev</u>	<u>TOTAL FY22 CAPEX</u>	<u>Deferred Rev Bal at 3/31/22</u>		<u>Date</u>	<u>Total CIAC Rec'd</u>
							<u>Rec'd</u>	<u>Rec'd</u>
7 [REDACTED]	235,393	(158,972)	399,090	475,511	(888,988)	76,421	Nov-20	(163,237)
							Dec-20	(485,412)
							Feb-22	(410,168)
							Sep-21	(401,479)
							Jan-19	(32,409)
							Mar-19	(97,228)
							Jul-19	(2,000)
8 [REDACTED]	(12,057)		73,148	61,091	-	-	Aug-19	(4,780)
							Dec-19	(53,528)
								-
9 [REDACTED]	(19)		49,441	49,422	(53,670)	-		-
							Feb-19	(28,961)
							Apr-20	(86,883)
10 [REDACTED]	88,944			88,944	(101,748)	88,944		
							Feb-19	(31,747)
							Aug-19	(8,250)
							Apr-20	(95,242)
11 [REDACTED]	7,056		92,413	99,468	-	-	Jun-19	(38,104)
							Jul-19	(3,750)
							Mar-20	(114,312)
12 [REDACTED]	402		141,603	142,005	-	-	Feb-19	(52,144)
							Oct-19	(156,432)

REDACTED

Project Description	FY22 CAPEX Broken Down				Deferred Revenues at 3/31/22	Available Deferred Revenues	CIACs Received - Dates, Amounts and Where Recorded	
	FY22 Capital Spending	Deferred Revenue offsetting CAPEX	CIAC Rec'd in PY, Rec'd to Def Rev	TOTAL FY22 CAPEX	Deferred Rev Bal at 3/31/22		Date CIAC Rec'd	Total CIAC Rec'd
13 [REDACTED]	159,110	(44,618)		114,492	(75,486)	75,486		
							Jun-19	(36,307)
							Aug-19	(2,586)
							Dec-19	(108,919)
14 [REDACTED]	19,495		63,949	83,444	-	-		
							Jul-19	(33,550)
							Dec-19	(100,649)
15 [REDACTED] stPrk	136,587			136,587	(51,472)	51,472		
							Mar-20	(19,181)
							Aug-20	(28,771)
							Dec-20	(301,355)
16 [REDACTED]	201,291	(152,354)		48,937	(166,196)	48,937		
							Sep-20	(508,070)
							Oct-20	(3,556,490)
							May-21	(2,032,280)
							Sep-21	(677,428)
17 [REDACTED]	5,480,918	(5,108,658)		372,260	(268,585)	268,585		
							Jul-20	(17,046)
							Aug-20	(25,569)
							Feb-21	(124,798)
18 [REDACTED]	92,522	(74,736)		17,786	(38,163)	17,786		
							Jul-21	(52,690)
							Oct-21	(52,690)
19 [REDACTED]	233,870	(97,894)		135,976	(6,751)	6,751		

REDACTED

<u>Project Description</u>	FY22 CAPEX Broken Down				Deferred Revenues at 3/31/22	Available Deferred Revenues	CIACs Received - Dates, Amounts and Where Recorded	
	<u>FY22 Capital Spending</u>	<u>Deferred Revenue offsetting CAPEX</u>	<u>CIAC Rec'd in PY, Rec'd to Def Rev</u>	<u>TOTAL FY22 CAPEX</u>	<u>Deferred Rev Bal at 3/31/22</u>		<u>Date CIAC Rec'd</u>	<u>Total CIAC Rec'd</u>
20 [REDACTED]	156,420	(71,103)		85,316	(2,562,488)	85,316	Jul-20 Aug-21	(181,529) (2,459,664)
21 [REDACTED]	514,358	(270,571)		243,787	(83,395)	83,395	Jul-20 Jan-21	(103,612) (310,835)
22 [REDACTED]	324,969	(112,614)		212,355	(2,413,062)	212,355	Aug-20 Dec-21	(855,545) (1,711,090)
23 [REDACTED]	1,577,151	(803,955)		773,196	(529,851)	529,851	Sep-20 May-21 Sep-21	(806,940) (403,472) (134,492)
24 [REDACTED]	450,527	(326,469)		124,058	(886,514)	124,058	Sep-20 Jun-21	(313,715) (941,143)
25 [REDACTED] LogRd	717,335	(533,187)		184,148	(68,722)	68,722	Jan-21 Jun-21	(163,947) (491,843)
							Apr-21	(30,507)

REDACTED

<u>Project Description</u>	FY22 CAPEX Broken Down				Deferred Revenues at 3/31/22	Available Deferred Revenues	CIACs Received - Dates, Amounts and Where Recorded	
	<u>FY22 Capital Spending</u>	<u>Deferred Revenue offsetting CAPEX</u>	<u>CIAC Rec'd in PY, Rec'd to Def Rev</u>	<u>TOTAL FY22 CAPEX</u>	<u>Deferred Rev Bal at 3/31/22</u>		<u>Date CIAC Rec'd</u>	<u>Total CIAC Rec'd</u>
26 [REDACTED]	126,666	(81,187)		45,479	(38,311)	38,311	Aug-21	(91,521)
							Apr-21	(95,916)
27 [REDACTED]	132,866	(1,365)		131,502	(94,551)	94,551		
							Jul-21	(36,662)
28 [REDACTED]	43,033	(20,264)		22,769	(273,036)	22,769	Mar-22	(256,638)
							Sep-21	(96,762)
29 [REDACTED]	32,260	(20,222)		12,037	(76,540)	12,037		
	10,946,742	(7,911,217)	1,191,196	4,226,721	(9,359,305)	2,084,839		
Total for PUC 1-2 response	3,276,034		1,191,196			2,084,839		

The Narragansett Electric Company
d/b/a Rhode Island Energy
RIPUC Docket No. 5098

In Re: Electric Infrastructure, Safety, and Reliability Plan FY2022
Annual Reconciliation
Responses to the Commission’s First Set of Data Requests
Issued on August 24 2022

PUC 1-3

Request:

On Bates page 13, bullet 2, the Company also explains that another \$4.2 million of overspend “primarily relates to \$4.2 million for a substation project for a substation project, some of which has been completed, put into service, recently reconciled and additional invoices will be sent to the customer for the additional spending.” Please explain whether, in the FY 2023 reconciliation, this \$4.2 million will be included.

Response:

The Wickford Junction substation project spending is captured in two projects: one for the Distribution Line portion of the project and the other for the Substation portion of the project.

The Distribution Line portion of the project is still in construction and in fiscal year 2022 had net capital spending of \$2.067 million and cumulative capital spending of \$0.517 million. The contributions received for this project are summarized below. There is a remaining unrecognized deferred revenue credit of \$0.764 million.

	Contributions
November 2019	185,967
June 2020	73,259
November 2020	146,519
December 2020	1,341,228
July 2021	1,173,576
Total	<u>2,920,549</u>

The Distribution Substation work associated with this project has been completed. Once all the work is completed, a portion of the \$4.2 million will be included in the reconciliation with the amount offset by additional customer payments.

The Narragansett Electric Company
d/b/a Rhode Island Energy
RIPUC Docket No. 5098
In Re: Electric Infrastructure, Safety, and Reliability Plan FY2022
Annual Reconciliation
Responses to the Commission's First Set of Data Requests
Issued on August 24, 2022

Redacted
PUC 1-4

Request:

Referencing Bates page 18, bullet 2, please itemize the civil work that was accelerated, explain how the costs have been allocated between the Wickford Junction substation and new Lafayette, and whether the interconnecting customer was charged for the full cost subject to reimbursement for accelerated investment costs.

Response:

Costs have been allocated 50% to the Wickford Junction substation and 50% to the New Lafayette Substation based on the layout plan of the two substations. The area for the Wickford Junction Substation plus half the shared area is 45,350 square feet, or 51% of the total area. The area for the New Lafayette Substation plus half of the shared area is 43,460 square feet, or 49% of the total area.

These projects are being performed by an outside vendor for full project costs under an Engineering, Procurement and Construction contract. Invoiced costs for civil work costs are shown in the table below.

The Narragansett Electric Company
d/b/a Rhode Island Energy
RIPUC Docket No. 5098

In Re: Electric Infrastructure, Safety, and Reliability Plan FY2022
Annual Reconciliation
Responses to the Commission’s First Set of Data Requests
Issued on August 24, 2022

Redacted
PUC 1-4, page 2

Work Performed	Vendor Invoice Amount	Construction Costs Attributable to New Lafayette
Engineering and Design -Civil Wickford Junction & New Lafayette Note 1: The Civil Design work is to include converting the VHB Site Plan drawings to the National Grid H-Drawing border in MicroStation. Note 2- the Civil Design work is not to include design of permanent Stormwater Management System which will be done by others.		
Site work - clearing and grubbing, tree & stump removal, topsoil removal and disposal Wickford Junction & New Lafayette		
Site work - site grading Wickford Junction & New Lafayette		
Site Preparation - furnish and install TEMPORARY fencing and gates to secure the perimeter of the Substation yard until the Permanent Fence is installed Wickford Junction & New Lafayette		
Site work - furnish and install PERMANENT fencing and gates including but not limited to gates, fence, swing gates, sliding gates and grounding where required. Wickford Junction & New Lafayette		
Site work - furnish and install retaining wall using precast modular wall blocks. Wickford Junction & New Lafayette		
Site work - furnish and install permanent access driveway Wickford Junction & New Lafayette		
Site work - furnish and install station stone Wickford Junction & New Lafayette		
Site work - Furnish and install equipment protection including but not limited to bollards and guard rails. Wickford Junction & New Lafayette as applicable		
Site work - furnish and install Landscaping (per permitting requirements), including but not limited to plantings, seeding, mulching, topsoil. Wickford Junction & New Lafayette (as applicable)		
Site Work - furnish and install permanent storm water management system for, including but not limited to, substation buildings and driveway. Wickford Junction & New Lafayette		

The interconnecting customer was not charged for the full cost. The customer made or will make payments towards the Wickford Junction Substation.