

**State of Rhode Island**

**Public Utilities Commission**

**Minutes of Open Meeting Held on October 11, 2022**

An Open Meeting of the Public Utilities Commission (Commission or PUC) was held Tuesday, October 11, 2022 at 2:30 P.M. in Hearing Room A, 89 Jefferson Boulevard, Warwick, Rhode Island to discuss, deliberate, and/or vote on the following dockets.

In attendance: Chairman Ronald Gerwatowski, Commissioner Abigail Anthony, Commissioner John Revens, Cynthia Wilson-Frias, Todd Bianco and Luly Massaro.

- I. Chairman Gerwatowski called the Open Meeting to order at 2:30 P.M. A quorum was present.
- II. **Approval of Minutes of Open Meetings** – After review, Chairman Gerwatowski moved the approve of Minutes of Open Meetings held on June 2, 2022, July 14, 2022, August 11, 2022, as amended, and September 29, 2022. Commissioner Anthony seconded the motion and the motion was unanimously passed. **Vote 3-0.**
- III. **Docket No. 22-35-TL – MCImetro Access Transmission Services LLC d/b/a Verizon Access Transmission Services (Verizon)** – Verizon filed a request for a waiver of the Number Pooling Administrator’s decision to deny Verizon’s Request for Number Block Release of 400 consecutive telephone numbers to serve a customer. The Company is seeking a waiver so that it can immediately use the numbers to serve its customer, Encompass Health. After a summary of the request by Commission Counsel, Chairman Gerwatowski moved to approve Verizon’s request for a waiver from the denial of the release of 400 consecutive numbers in one block of the 401-587 NPA-NXX. Commissioner Anthony seconded the motion and the motion was unanimously passed. **Vote 3-0.**
- IV. **Renewable Energy Resource Eligibility Applications** – The Commission reviewed and voted on the applications submitted in the following dockets:
  - Docket No. 22-15-RES – North Kingstown Solar LLC** – Discussion and vote on this application was postpone pending further information by the applicant.
  - Docket No. 5260 – Unity Park, LLC’s** application for eligibility of the 500 Wood Street Solar generation unit, a 0.2 MW AC (0.24984 MW DC) solar facility located in Bristol, Rhode Island as a New Renewable Energy Resource. PUC consultant recommended approving the application.
  - Docket No. 22-16-RES – Jamestown Distributors** – The Company applied for eligibility of the Jamestown Distributor generation unit, a 0.19980 MW AC (0.2499 MW DC) solar energy facility located in Bristol, Rhode Island as a New Renewable Energy Resource. PUC consultant recommended approving the application.

Chairman Gerwatowski moved to accept the PUC consultant's recommendation to approved the applications in Docket No. 5260 and Docket No. 22—16-RES. Commissioner Anthony seconded the motion and the motion was unanimously passed. **Vote 3-0.**

**Docket No. 22-18 -RES – Northern-Forest Four Seasons LLC** – The Company applied for eligibility of the Northern-Forest Four Seasons LLC, 17 Church St., Bldg 8 generation unit, a 0.0333 MW AC (0.03613 MW DC) solar energy facility located in East Providence, Rhode Island as a New Renewable Energy Resource. The facility has not yet achieved commercial operations. PUC consultant recommended conditional approval of the application.

**Docket No. 5218 – Bluestone Development LLC's** application for eligibility of the 2670 Warwick Ave Solar generation unit, a 57.60 kW AC (76.98 kW DC) solar facility located in Warwick, Rhode Island as a New Renewable Energy Resource. The facility has not yet achieved commercial operations PUC consultant recommended conditional approval of the application.

After review, Chairman Gerwatowski moved to accept the PUC consultant's recommendation to conditionally approve the applications in Docket No. 22-18-RES and Docket No. 5218. Commissioner Revens seconded the motion and the motion was unanimously passed. **Vote 3-0.**

- V. **Docket No. 22-14-REG – Ecogy Energy, Inc.** - On July 15, 2022, Ecogy Energy, Inc. submitted a Petition for Dispute Resolution pursuant to Section 3.6 of the Renewable Energy Growth Program Enrollment Rules (“Rhode Island Renewable Energy Growth Program Solicitation and Enrollment Process Rules for Solar (Greater than 25 kW), Wind, Hydro and Anaerobic Digester Projects”) seeking from the Commission an “order that directs Rhode Island Energy to award Certificates of Eligibility to any and all of Ecogy’s Six Projects that were competitively priced in comparison with other applicants in the 2022 First Open Enrollment.” The Narragansett Electric Company d/b/a Rhode Island Energy “Company”) deemed the projects ineligible because they already have Certificates of Eligibility from prior program years after having been successfully enrolled following prior program years’ Renewable Energy Growth Program solicitations. Ecogy disputes that this is a disqualifying condition of enrollment under the applicable Renewable Energy Growth Program Tariff and Enrollment Rules and that its practice of bidding previously enrolled projects has been allowed by The Narragansett Electric Company before.

The Commission discussed and reviewed the record, applicable statute and tariff. R.I. Gen. 39-26.6-20(c) governing the issuance of certificates and right to incentive payments, clearly states that the rights and obligation of both parties is going to effect upon the receipt of the COE. The Commission agreed that Ecogy should not be able to apply for a new COE while holding on to existing COE. Another dimension is that because the project has the COE, it has already committed that product, REC and capacity to the Company through the tariff; thus, Ecogy has no

eligible project to seek a new COE. Ecology's project is ineligible because it had already committed the RECs.

Chairman Gerwatowski moved to deny the request as stated in the petition. Commissioner Anthony seconded the motion and the motion was unanimously passed. **Vote 3-0.**

- VI. There being no further business to discuss, the Chairman adjourned the Open Meeting at 2:45 P.M. A web video of the Open Meeting discussion can be accessed at <https://video.ibm.com/recorded/132189313>