

STATE OF RHODE ISLAND
PUBLIC UTILITIES COMMISSION

IN RE: PETITION OF RIH ORTHOPAEDIC :
FOUNDATION, INC. FOR DECLARATORY : DOCKET NO. 5101
JUDGMENT ON RHODE ISLAND GEN. LAWS :
§ 39-26.4, THE NET METERING ACT :

RIH ORTHOPAEDIC FOUNDATION, INC.
RESPONSE TO
FIRST SET OF DATA REQUESTS FROM NATIONAL GRID

NG-1-1 Please provide a list itemizing the net metering facilities where University Orthopedics Inc. (“UOI”) is listed as the Host Customer. The list should also identify the following: (a) which facilities would be affected by a decision to approve this Petition; (b) whether each facility is already operating or is under development; and (c) the nameplate capacities for each facility, in AC.

RESPONSE: UOI is not listed as the Host Customer at any net metering facility. The eligible net metering system is not yet designated. The intent is to participate in net-metering through an eligible net-metering system that is not located in the same geographic area as the net-metered electric service accounts.

NG-1-2 Please explain how “re-titling electrical service accounts,” as stated on page 3 of the Petition, would “support UOI’s goal of structuring its operations in a manner that promotes renewable energy in the State of Rhode Island.”

RESPONSE: On page 2 of the Petition, the Petitioner (RIH Orthopaedic Foundation, Inc., hereinafter referred to as the “Foundation”) requests a determination as to “whether it is necessary for the Foundation to perform the administrative task of actually retitling the electric service accounts providing service to UOI facilities into the Foundation’s name in order for the Foundation to designate those accounts to receive net metering credits.” The Foundation and UOI share many objectives, one of which is for all electricity consumed at facilities shared by UOI and the Foundation to be generated from renewable energy resources. Fulfilling that objective will promote renewable energy in Rhode Island. If the RIPUC determines that “re-titling electrical service accounts” is necessary in order for the Foundation to designate those account to receive net metering credits then re-titling those accounts will help achieve that goal. If re-titling the accounts is not necessary in order for the Foundation to designate those accounts to receive net metering credits, then UOI and the Foundation will be able to achieve their goal of promoting renewable energy in Rhode Island without re-titling the accounts.

NG-1-3 Please explain why the Company would allow the Foundation to manage the accounts that are concerned in the Petition without “retitling” them from UOI to Foundation. What would be the basis for the Foundation’s access to and authority over such accounts?

RESPONSE: The Purchased Services Agreement referenced in the Petition would provide the authority for the Foundation to manage the referenced accounts.

NG-1-4 Please refer to R.I. Gen. Laws § 39-26.4-3(a)(1)(ii), “Net metering,” which states in part that “. . . the maximum aggregate amount of community remote net-metering systems built shall be thirty megawatts (30 MW). . . . This aggregate amount shall not apply to any net-metering financing arrangement involving public entity facilities, multi-municipal collaborative facilities, educational institutions, the federal government, hospitals, or nonprofits.” Please specify whether the list of net metering facilities provided in response to Data Request NG-1 are subject to the aggregate “cap” or are “uncapped.” Will the net metering facilities be “capped” or “uncapped” if the Public Utilities Commission grants the Petition?

RESPONSE: As indicated above, in response to Data Request NG-1, there are no net metering facilities where UOI is listed as the Host Customer. The arrangement proposed in the Petition and described in the Purchased Services Agreement would result in a net metering facility where the Foundation is listed as the Host Customer, with either (a) the Foundation designating UOI’s electrical service accounts as accounts designated to receive net metering credits, or, if necessary in order for the same to be eligible to receive net metering credits, (b) the Foundation first administratively retitling those same electrical service accounts into the Foundation’s name, and then the Foundation designating those electrical service accounts (which were previously titled in UOI’s name) as accounts to receive net metering credits. The Foundation and UOI are not proposing to participate in community net metering, and as such the net metering facilities envisioned would not be subject to a cap.

NG-1-5 Please describe the affiliation and/or business relationship between the Foundation and UOI.

RESPONSE: The Foundation and UOI collaborate on certain clinical, educational as well as charitable activities primarily in the field of orthopedic medicine and, for the purposes of efficiency, provide services to one another in furtherance of those activities. The Foundation and UOI have historically reimbursed one another for expenses incurred by one organization on behalf of the other. Tax filings by the Foundation disclosed that the Foundation entered into transactions in tax year 2018 with UOI as “business transactions involving interested persons” primarily involving reimbursements for expenses incurred by UOI. Edward Akelman, M.D. is the president of both UOI and the Foundation, and extensive links between the two entities exist across a broad range of shared interests.