

July 18, 2022

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

Re: Motion to Intervene in Docket 22-07-GE and Docket 22-08-GE

Dear Ms. Massaro:

Attached to this email and mailed by regular mail (10 copies) are the Rhode Island Center for Justice's Motion to Intervene on behalf of the George Wiley Center and low-income utility customers directly affected by the two dockets.

Please note that an electronic copy of this document has been provided to the service list in Dockets 22-07 and 22-08.

Thank you for your attention to this matter.

Respectfully submitted,



Jennifer L. Wood
Executive Director

c: Service list Dockets 22-07 and 22-08

**STATE OF RHODE ISLAND
PUBLIC UTILITIES COMMISSION**

**IN RE: TARIFF ADVICE FILING –BILL
CREDITS FOR ELECTRIC AND GAS
CUSTOMERS**

DOCKET NO. 22-07-GE

**IN RE: PETITION FOR AUTHORITY TO FORGIVE
CERTAIN ARREARAGE BALANCES FOR
LOW-INCOME AND PROTECTED CUSTOMERS**

DOCKET NO. 22-08-GE

**MOTION FOR
INTERVENTION**

The George Wiley Center hereby moves, through counsel, to intervene in the above-captioned proceedings on behalf of low-income utility consumers pursuant to Rule 1.14 of the Rules of Practice and Procedure for the Rhode Island Public Utilities Commission ("Commission") (R.I. Code of Regulations, Title 810, Chapter 00, Subchapter 00, Part 1, Section 1.14). In support of this motion, the George Wiley Center states the following:

1. The George Wiley Center is a grassroots, community-based organization comprised of low-income consumers and focused on advocacy for social and economic justice in our state. The George Wiley Center works in partnership with its counsel, the R.I. Center for Justice, a nonprofit public interest law center, to provide legal assistance to low-income individuals and families across the State relating to their rights as consumers.
2. The George Wiley Center has been a leading voice advocating for the interests of low-income consumers in Rhode Island for more than forty years.
3. On behalf of George Wiley Center members and additional low-income utility consumers, the R.I. Center for Justice represents the plaintiffs in *Bennett et al. v. Linda George, et al.*, PC15-4214 (hereafter "*Bennett*"), asserting due process rights in protection from utility termination for low-income, seriously ill and disabled utility

consumers with bill arrearages, all of whom will be directly impacted by the proposed rebates and arrearage forgiveness at issue in Dockets 22-07-GE and 22-08-GE.

4. On June 24, 2022 the Narragansett Electric Company, d/b/a Rhode Island Energy filed its Petition for Authority to Forgive Certain Arrearage Balances for Low-Income and Protected Customers. (22-08-GE)

5. On June 24, 2022 the Narragansett Electric Company, d/b/a Rhode Island Energy also filed its Tariff Advice Filing – Bill Credits for Electric and Gas Customers. (22-07-GE)

6. In these two dockets RI Energy proposes one-time rebates to all customers (22-07-GE) and forgiveness of certain arrearage balances that directly impact low-income and protected customers, including but not limited to the low-income seriously ill and handicapped protected customers who are plaintiffs in *Bennett* (22-08-GE).

7. Intervention in Commission proceedings is governed by Rule 1.14 of the Commission's Rules of Practice and Procedure, which states at Rule 1.14(B):

Subject to the provisions of these rules, 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. Such right or interest may be:

1. A right conferred by statute.
2. 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.)
3. Any other interest of such nature that movant's participation may be in the public interest.

8. The Commission rule further provides that “all timely motions to intervene not objected to by any party within ten (10) days of service of the motion for leave to intervene shall be deemed allowed” (Rule 1.14(E)).

9. The George Wiley Center advocates for and works with low-income consumers, all of whom will be directly affected by the proposed rebates in Docket 22-07-GE and many of whom will be directly affected by the proposed arrearage forgiveness at issue in Docket 22-08-GE.

Through its counsel, the R.I. Center for Justice, the George Wiley Center also facilitates legal representation for low-income consumers seeking to protect their rights as consumers under the law. The George Wiley Center conducts meetings and workshops with low-income consumers on a regular basis in order to remain fully informed about the lived experience of low-income consumers, particularly as it relates to their challenges in maintaining affordable utility services in the homes they own and rent.

10. Economic impact on customers and access to affordable utility service is a central consideration in the PUC's review of the proposals in Dockets 22-07-GE and 22-08-GE, and the George Wiley Center is uniquely capable to help to inform issues of economic impact on directly affected low-income consumers due to its extensive work with these affected consumers over several decades.

11. The George Wiley Center has participated, through its counsel the R.I. Center for Justice, without objection, in many previous PUC Dockets including, most recently, Dockets 4651, 4770, 4780, 4890, and 5022.

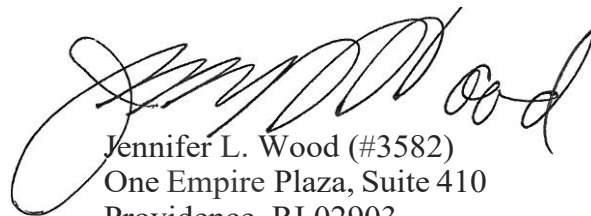
12. The George Wiley Center's participation in dockets 22-07 and 22-08 as an advocate for low-income utility consumers should be granted because the George Wiley Center is able to bring forward the rights and interests of low-income consumers directly affected by the dockets, which interests are not adequately represented by existing parties to the docket, (Rule 1.14(B)(2)) and the George Wiley Center is able to assert the perspectives and concerns of low-income consumers affected by the filings and the inclusion of a voice for low-income consumers in this proceeding is in the public interest (Rule 1.14(B)(3)).

13. The George Wiley Center's intervention in Docket 22-08-GE in particular, relating to forgiveness of certain arrearages for low-income and protected customers, is not only appropriate under the Commission's rules, but essential. The R.I. Center for Justice, on behalf of George Wiley Center members and other directly-affected low-income and protected customers, represents the

plaintiffs in *Bennett* who have “[a]n 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.” Many of the *Bennett* plaintiffs have significant utility arrearages that may prevent them from retaining reliable access to utility service necessary to address disability-related or serious medical needs if their court-ordered protection from utility termination were ended. They have an acute, direct interest in the approval of the proposed arrearage forgiveness in order to protect their continued affordable access to life-sustaining utility service. Other parties to Docket 22-08 are not solely focused on asserting the interests and needs of low-income and protected customers thus the R.I. Center for Justice has a duty to intervene in this matter on behalf of the George Wiley Center, including but not limited to the *Bennett* plaintiffs who are George Wiley Center members, and on behalf of any additional affected *Bennett* plaintiffs, to ensure that their interests are properly considered in Docket 22-08-GE.

WHEREFORE, the George Wiley Center, through its counsel the R.I. Center for Justice, requests that the Commission grant its Motion to Intervene in Dockets 22-07 and 22-08, that it be granted status as a party in these two proceedings, and that the Commission grant all other relief it deems meet and just.

Respectfully submitted,



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Dated: July 18, 2022

CERTIFICATE OF SERVICE

I hereby certify that on July 18, 2022, I sent a true copy of this document by electronic mail to the parties in the Docket 22-07-GE and Docket 22-08-GE Service Lists as of July 18, 2022.