STATE OF RHODE ISLAND PUBLIC UTILITIES COMMISSION

IN RE: THE NARRAGANSETT ELECTRIC	:
COMPANY D/B/A RHODE ISLAND ENERGY	: DOCKET NO. 22-07-GE
TARIFF ADVICE BILL CREDITS FOR	:
ELECTRIC AND GAS CUSTOMERS	:

<u>THE ATTORNEY GENERAL OF THE STATE OF RHODE ISLAND'S</u> <u>MOTION TO INTERVENE</u>

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

Through this docket, The Narragansett Electric Company d/b/a Rhode Island Energy

("Rhode Island Energy" or the "Company"), submitted a tariff advice pursuant to 810-RICR-00-

00-1.10(c) seeking to establish new temporary tariffs to provide a bill credit to all of the

Company's electric and gas distribution customers as agreed upon in a settlement agreement

dated May 19, 2022 by and among PPL Corporation, PPL Rhode Island Holdings, LLC

(collectively, "PPL"), and the Attorney General (the "Settlement Agreement"). As part of the

Settlement Agreement, PPL committed to the following:

Within 60 days of closing [on PPL's purchase of the Company], PPL shall provide a credit to all of [the Company's] electric and gas distribution customers in the total amount of \$50 million. Based on the relative number of electric distribution customers and gas distribution customers, PPL will credit \$32.5 million to electric customers and \$17.5 million to gas customers. Each electric customer will receive the same credit, and each gas customer will receive the same credit.

See <u>Settlement Agreement</u> at Exhibit C, (1)(a). Accordingly, PPL-owned Rhode Island Energy has sought Commission approval for "(1) a temporary tariff providing a one-time bill credit of \$63.72 to be applied to each electric distribution customer account in all rate classes on the first bill after the effective date of the tariff, and (2) a revision to the gas tariff that creates a temporary section providing a one-time bill credit of \$64.15 to be applied to each gas distribution customer account in all rate classes on the first bill after the effective date of the tariff. *See* <u>Tariff Advice</u> Filing Transmittal (June 24, 2022), Commission Docket 22-07-GE.

The Rhode Island Attorney General intervenes to represent its own interest in ensuring that the \$50 million secured in the Settlement Agreement are received by the ratepayers as intended by the Attorney General at the time the agreement with PPL was made. Additionally, 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. 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." <u>State v.</u> 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 bill credits that the Company seeks to provide in accordance with the Settlement Agreement represent monies secured for ratepayers to compensate for certain potential costs of the transition of the Company's ownership from National Grid USA to PPL. The Attorney General seeks to intervene to ensure that the bill credits from the Settlement Agreement are received by ratepayers and that the value of those bill credits is preserved through whatever mechanism the Commission may deem appropriate. Additionally, the Attorney General wishes to represent his general interests as a party to the Settlement Agreement.

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,

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

Dated: July 18, 2022

CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of July 2022, the original and four 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 July 18, 2022.

/s/ Ellen Golde