

State of Rhode Island

Public Utilities Commission

Minutes of Open Meeting Held on May 19, 2022

An Open Meeting of the Public Utilities Commission (Commission or PUC) was held Thursday, May 19, 2022, at 1:00 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, Emma Rodvien and Christopher Smith.

- I. Chairman Gerwatowski called the Open Meeting to order at 1:00 P.M. A quorum was present.

- II. **Docket No. 4853 – Cersosimo Lumber Co. - VEPP**, the third party verifier for Cersosimo Lumber, an eligible biomass generation unit located in Rutland, Vermont filed with the Commission, a request for relief to allow 86 Renewable Energy Certificates (RECs) generated in the 3Q 2021 to be compliant with Renewable Energy Standard (RES) eligibility requirements.

Staff Todd Bianco summarized that Cersosimo Lumber is in compliance with the fuel reporting requirement for the 3Q 2021. VEPP, Cersosimo Lumber’s third party verified, missed the deadline to report to the NEPOOL GIS, emissions data generated in July, August and September 2021. Because of this, 86 RECs were not listed as RI-eligible certificates in the NEPOOL-GIS. Default emissions were a little higher than what would have been recorded if VEPP had entered the emissions data.

Chairman Gerwatowski noted that because the number of RECs in play were small, only 86, would not affect emissions all that much. Had it been a project with a large number of RECs at question, he would not necessarily be comfortable approving, particularly without considering the impact on the Act on Climate. Chairman Gerwatowski moved that:

- The Commission find that GIS Certificates associated with the full July, August, and September 2021 output of Cersosimo Lumber Co. are deemed eligible as New Renewable Energy Resource Certificates. Commissioner Anthony seconded the motion and the motion was unanimously passed. **Vote 3-0.**

- That the Commission Clerk transmit this decision to APX for immediate correction of the necessary Certificate fields so that the Certificates may be traded in the 2021 Compliance Year trading period.

- The Commission include the following language in the order: “This Order is limited to the specific facts and expected emissions impacts described in this

Order and may not be used as precedent for staff or Commission consultants to administratively grant such a waiver in the future.” Commissioner Anthony seconded the motion and the motion was unanimously passed. **Vote 3-0.**

III. **Approval of Minutes of Open Meetings** – Chairman Gerwatowski moved to approve the Minutes of Open Meetings held on held March 23, 2022, March 29, 2022 and May 5, 2022. Commissioner Anthony seconded the motion and the motion was unanimously passed. **Vote 3-0.**

IV. **Docket No. 4621 – SeaStreak, LLC (Company)** – The Company submitted proposed tariff filing for the 2022 ferry season commencing June 17, 2022 through October 10, 2022. The Division submitted a position finding SeaStreak’s proposal to be reasonable and recommended approval of proposed rates as filed without need for further investigation or public hearing. After review, Chairman Gerwatowski moved that:

- The Commission moved to find that good cause exists to rule on the petition without a hearing because the ferry provides discretionary non-lifeline service. Commissioner Anthony seconded the motion and the motion was unanimously passed. **Vote 3-0.**
- The Commission moved to approve the proposed rates for the period commencing June 17, 2022. Commissioner Anthony seconded the motion and the motion was unanimously passed. **Vote 3-0.**

V. **Docket No. 5243 – AirVoice Wireless, LLC d/b/a Airtalk Wireless** – AirVoice Wireless filed a Petition for Designation as an Eligible Telecommunications Carrier (ETC) in the State of Rhode. AirVoice Wireless seeks ETC designation solely to provide Lifeline service to qualifying Rhode Island consumers. The Division filed a position finding AirVoice’s application satisfies the threshold regulatory criteria and recommended that the Commission grant the wireless ETC designation.

The Commission reviewed the record to find the Company has met the statutory and regulatory requirements to be designated as an ETC to receive funding from the available federal universal support mechanism and has complied with PUC’s Rules Governing the Certification and Verification Procedures for Telecommunications Carriers Eligible to Receive Payments From the Federal Universal Service Fund. Chairman Gerwatowski moved to approve AirVoice Wireless’ Petition. Commissioner Anthony seconded the motion and the motion was unanimously passed. **Vote 3-0.**

VI. **Docket No. 5245 – Block Island Utility District (BIUD)** – In this docket, the Block Island Utility District submitted proposed procurement plan to obtain competitively priced power supply to meet its Last Resort Service (LRS) requirements. The utility also proposed rate changes arising out of the twelve-month reconciliation period of Company’s tariff adjustment provisions for the Last Resort and Transmission Rate. The requested effective date for the new rates is June 1, 2022.

Chairman Gerwatowski summarized BIUD's rate proposal. The proposed LRS rate of 8.79¢ per kWh is a net decrease. The LRS increased slightly but it is offset by revised transmission rate reduction resulting from BITS which was reflected in the supplemental filing. After review, Chairman Gerwatowski moved to approve BIUD's supplemental rate filing made on April 19, 2022. Commissioner Anthony seconded the motion and the motion was unanimously passed. **Vote 3-0.**

- VII. **Docket No. 5244 – Block Island Utility District** - In this docket, the Block Island Utility District submitted proposed Demand Side Management Plan (DSM Plan) and associated budget to implement energy efficiency program and system reliability for its customers. BIUD seeks approval of the Plan with an overall budget of \$119,540 for calendar year 2022 and associated Efficiency Surcharge for effect June 1, 2022.

The Commission reviewed the record. Commissioner Anthony suggested that the Commission move to set the DSM rate at zero for Block Island in this filing and approve the implementation of the DSM plan with the use of the carryover funds from the previous year and RGGI funds because they have shown they have sufficient carryover funding between both funds to implement the full filing without assessing a charge this year. She summarized that the Revised Schedule 2 showed the forecasted expenditure for DSM 21/22 program year will be approximately \$19k, RR-8 showed the actual expenditures for program year 21/22 is about \$21,435; so not sure which number is correct but it is safe to say that Block Island's expenditure on DSM program is approximately \$20k. They have approximately \$50k in carryover funds to take into the 22/23 program year, see Revised Schedules 1 and 2. That means that in this coming program year 22/23, they could more than double the size of their program spending and have enough carryover. Even more than that, most of the program spending that they proposed is eligible to be paid for by RGGI funds. RR-7 which is the amendment to the MOU makes it clear they have \$180k available for Block Island to use for eligible expenses without any 50/50 cost share. Block Island is seeking \$29,940 for consultants, inspections, and advertising – not eligible to recover for under the RGGI funds but the remainder of their budget is eligible to be paid for by RGGI. They are seeking \$30k – they have \$50k in carryover. In conclusion there is sufficient funding without an additional charge on customers. If something really unexpected happens, they could come in for a mid-year filing to seek funding.

Chairman Gerwatowski agreed that Block Island has a current surplus of \$50k which covers the \$20k expenditure. Even setting the rate at zero charge, they will still have a surplus to cover program costs next year.

Commissioner Revens noted that for COVID and other reasons, the utility had trouble getting enough participation from ratepayers with the plan. The plan may not be connected enough to what the real needs on the island are and what is realistic to what people are willing to do to participate. The utility would be well served to get more community participation into the development of the DSM plan. It's important that the plan is effective, it works and it achieves the climate goals we are trying to achieve. He is skeptical that we won't be sitting here next year and

finding out that the participation again, is low and they did not spend all the money they wanted to because there is not enough ratepayer participation. The utility has routinely explained that they are different from other places, that they need people at the state to appreciate the uniqueness of Block Island. They need to take that back this season and try to figure out some tweaks to the plan that are more appropriate that will be better received by the ratepayer on the island and will accomplish the goals that we want to achieve with a DSM Plan.

After review, the following motions were made:

- Commissioner Anthony moved to approve a DSM charge of zero cents. . Commissioner Revens seconded the motion and the motion was unanimously passed. **Vote 3-0.**
- Commissioner Anthony moved to approve the Amended DSM Plan with the rate as modified by the Commission. Commissioner Revens seconded the motion and the motion was unanimously passed. **Vote 3-0.**
- Commissioner Anthony moved to require the Annual Report described in the 2021/2022 Program Plan to be filed by July 31, 2022. Commissioner Revens seconded the motion and the motion was unanimously passed. **Vote 3-0.**

VIII. There being no further business to discuss, the Chairman adjourned the Open Meeting at 1:20 P.M. A web video of the Open Meeting discussion can be accessed at <https://video.ibm.com/recorded/131781700>.