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December 1, 2022

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

RE: P.U.C. Docket #22-42-NG – In re: Issuance of Advisory Opinion to Energy Facility Siting Board (EFSB) Application to Construct LNG Vaporization Facility on Old Mill Lane, Portsmouth, R.I.

Dear Luly,

Enclosed for filing in the above-referenced Docket please find an original and five copies of the Town of Portsmouth's Motion to Intervene, and Entries of Appearances of counsel.

Please contact me if you have any questions. Thank you for your assistance.

Very truly yours,

*/s/ Terence J. Tierney*

TERENCE J. TIERNEY  
Attorney at Law

cc: Service List

**STATE OF RHODE ISLAND  
PUBLIC UTILITIES COMMISSION**

**Docket #22-04 NG**

**In re: Advisory Opinion to Energy Facility Siting Board (EFSB)  
Application to Construct LNG Vaporization Facility on Old Mill  
Lane, Portsmouth, R.I.**

**ENTRY OF APPEARANCE**

Pursuant to Rule 1.5(A) (1) of the Rhode Island Public Utilities Commission Rules of Practice and Procedure, I hereby enter my appearance in this Docket for the Town of Portsmouth, Rhode Island.

/s/ Kevin P. Gavin, Esq  
Kevin P. Gavin, Esq. (Bar #2969)  
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**CERTIFICATE OF SERVICE**

I certify that on December 1, 2022, a copy of this Notice of Appearance was served electronically on the Service List in this Docket that was provided by the P.U.C. on November 18, 2022.

/s/ Terence J. Tierney Esq.

Terence J. Tierney, Esq.

**STATE OF RHODE ISLAND  
PUBLIC UTILITIES COMMISSION**

**Docket # 22-42 NG**

**In re: Advisory Opinion to Energy Facility Siting Board (EFSB)  
Application to Construct LNG Vaporization Facility on Old Mill  
Lane Portsmouth, R.I.**

**ENTRY OF APPEARANCE**

Pursuant to Rule 1.5 (A) (1) of the Rhode Island Public Utilities Commission Rules of Practice and Procedure, I hereby Enter my Appearance on behalf of the Town of Portsmouth, R.I.

*/s/ Terence J. Tierney, Esq.*

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**CERTIFICATE OF SERVICE**

I certify that on December 1, 2022, I sent a copy of this Entry of Appearance to the Service List.

*/s/ Terence J. Tierney, Esq.*

Terence J. Tierney, Esq.

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
PUBLIC UTILITIES COMMISSION**

**Docket # 22-42-NG**

**In re: Issuance of Advisory Opinion to Energy Facility Siting Board  
(EFSB) Application to Construct Vaporization Facility on Old Mill  
Lane, Portsmouth, R.I.**

**MOTION TO INTERVENE OF THE TOWN OF PORTSMOUTH, RHODE ISLAND**

Now comes the Town of Portsmouth, Rhode Island, and moves, pursuant to Rule 1.14 of the Public Utilities Commission Rules of Practice and Procedure, to intervene in this proceeding. In accordance with Rule 16 (B), Portsmouth represents that there is no objection to this motion based on the matters reviewed at the Preliminary Hearing on November 17, 2022.

**STANDARD FOR INTERVENTION AT THE PUBLIC UTILITIES COMMISSION**

The standard for intervention in PUC proceedings is set forth in Rule 1.14 of the Rules of Practice and Procedure. Under this Rule, Intervention may be allowed by the Commission for several reasons, including whenever a party has an interest in the proceeding which may be directly affected and which is not adequately represented by existing parties, and whenever the movant's participation may be in the public interest.

**PORTSMOUTH IS A PROPER PARTY TO SEEK INTERVENTION**

The proposed Liquefied Natural Gas (LNG) facility is located in the Town of Portsmouth. As recognized by the Applicant in the "Siting Report" filed with the EFSB, the Town of Portsmouth has unique interests that will be directly (and potentially adversely) affected by the construction and operation of the proposed LNG vaporization if the application is approved. Such interests are not adequately represented by the other existing or proposed parties to this proceeding, and only the Town of Portsmouth may properly protect such unique interests

The Town of Portsmouth, as the proposed host community, intervened as a matter of statutory right in the related Energy Facility Siting Board proceedings which included the instant request for an Advisory Opinion from the Public Utilities Commission. The EFSB recognized that Portsmouth is uniquely impacted by the proposed facility, and the Public Utilities Commission should concur. Portsmouth is an important stakeholder, and the project's public safety and health concerns that have been identified in the Applicant's "Siting Report" are directly relevant to the matters to be covered by the PUC's Advisory Opinion.

Intervention by the Town of Portsmouth would also advance the public interest by permitting the citizens of the host community to raise concerns about the project, and present evidence and position statements, to assist the PUC in its deliberations.

### **CONCLUSION**

The Town of Portsmouth has an interest in this proceeding that warrants the grant of its Motion to Intervene, and it respectfully requests that the motion be granted in furtherance of the public interests at stake in this proceeding.

TOWN OF PORTSMOUTH

By its Attorneys,

*/s/ Kevin P. Gavin, Esq.*

Kevin P. Gavin, Esq. (Bar #2969)

Portsmouth Town Solicitor

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/s/ Terence J. Tierney

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**CERTIFICATE OF SERVICE**

I certify that a copy of this Motion to Intervene was sent electronically to the Service List in this Docket on December 1, 2022.

/s/ Terence J. Tierney, Esq.