

January 30, 2023

**VIA ELECTRONIC MAIL**

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

**RE: Docket No. 22-05-EE – Investigation of Misconduct by  
The Narragansett Electric Company Relating to Past Payments of  
Energy Efficiency Program Shareholder Incentives  
The Narragansett Electric Company - Reply to Division’s Motion to Dismiss**

Dear Ms. Massaro:

The Narragansett Electric Company d/b/a Rhode Island Energy (“Rhode Island Energy”) provides this response to the motion to dismiss filed by the Rhode Island Division of Public Utilities and Carriers (the “Division”) on January 19, 2023, in the above-referenced docket.

Regardless of which regulatory arena is determined to be most appropriate for the continuing inquiry into the matters at issue in this docket, Rhode Island Energy will continue to be responsive to the Public Utilities Commission (“PUC”) and the Division. Rhode Island Energy appreciates National Grid USA’s (“National Grid”) work and cooperation to date. Rhode Island Energy respectfully requests that any additional steps by the PUC or the Division be considered only after National Grid completes ongoing work on its internal investigation report, which is expected to be filed with the PUC on or before March 1, 2023.

Rhode Island Energy is committed to ensuring that customers are made whole. To achieve the goal of making customers whole, it is important that the comprehensive assessment of the impact on customers continues. Given that the relevant conduct occurred prior to PPL’s ownership of The Narragansett Electric Company, Rhode Island Energy is reliant upon the continued cooperation of National Grid. As detailed in the response to Division 9-1 filed in this docket, National Grid is undertaking a more precise assessment of the impact of out-of-period invoicing and will file its internal investigation report with the PUC on or before March 1, 2023. Rhode Island Energy is concerned that a decision on the Division’s motion in advance of the filing of National Grid’s internal investigation report on or before March 1, 2023, may lead to the commencement of parallel or duplicative proceedings and divert resources from the ongoing work to quantify the impact to customers of past conduct. With informative results expected to be presented to the PUC and the Division in the coming weeks, Rhode Island Energy submits that those results should be known before action is taken on the Division’s motion to dismiss.

Luly E. Massaro, Commission Clerk  
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Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact me at 401-784-4263.

Sincerely,

A handwritten signature in blue ink, appearing to read "Andrew S. Marcaccio". The signature is fluid and cursive, with the first name being the most prominent.

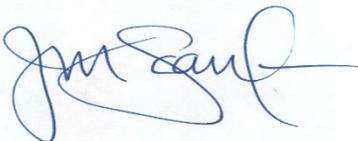
Andrew S. Marcaccio

cc: Docket No. 22-05-EE Service List

Certificate of Service

I hereby certify that a copy of the cover letter and any materials accompanying this certificate was electronically transmitted to the individuals listed below.

The paper copies of this filing are being hand delivered to the Rhode Island Public Utilities Commission and to the Rhode Island Division of Public Utilities and Carriers.



\_\_\_\_\_  
Joanne M. Scanlon

January 30, 2023

Date

**Docket No. 22-05-EE – PUC Investigation of Utility Misconduct or Fraud by The Narragansett Electric Co. Service list updated 11/17/2022**

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