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January 9, 2023

**VIA ELECTRONIC MAIL AND HAND DELIVERY**

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

**Re: The Narragansett Electric Company d/b/a Rhode Island Energy**  
**In Re: Advanced Meter Functionality Business Case – Docket No. 22-49-EL**

Dear Ms. Massaro:

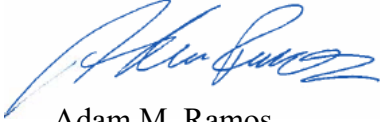
Enclosed please find an original and nine copies of The Narragansett Electric Company d/b/a Rhode Island Energy's (the "Company") Omnibus Response to the following Motions to Intervene for filing in the above-captioned docket:

- Office of Energy Resources
- Rhode Island Attorney General
- Acadia Center
- Conservation Law Foundation
- Mission:data Coalition
- Direct Energy Business, LLC, Direct Energy Business Marketing, LLC, Direct Energy Services, LLC, Reliant Energy Northeast, LLC and XOOM Energy Rhode Island LLC
- George Wiley Center

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Thank you for your attention to this matter. Please do not hesitate to contact me should you have any questions.

Very truly yours,



Adam M. Ramos

AMR:cw  
Enclosures

cc: Service List 22-49-EL (via e-mail only)

**The Narragansett Electric Company d/b/a Rhode Island Energy**  
**Docket No. 22-49-EL Advanced Meter Functionality (AMF)**  
**Service list updated 1/5/2023**

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**STATE OF RHODE ISLAND  
PUBLIC UTILITIES COMMISSION**

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<b>THE NARRAGANSETT ELECTRIC</b>	)	
<b>COMPANY D/B/A RHODE ISLAND</b>	)	Docket No. 22-49-EL
<b>ENERGY'S ADVANCED METERING</b>	)	
<b>FUNCTIONALITY BUSINESS CASE</b>	)	

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**OMNIBUS RESPONSE OF THE NARRAGANSETT ELECTRIC COMPANY D/B/A  
RHODE ISLAND ENERGY TO MOTIONS TO INTERVENE**

On November 18, 2022, The Narragansett Electric Company d/b/a Rhode Island Energy (“Rhode Island Energy” or the “Company”) filed a petition with the Public Utilities Commission (the “Commission”) seeking approval from the Commission of Rhode Island Energy’s Advanced Metering Functionality (“AMF”) Business Case. In the AMF Business Case, Rhode Island Energy seeks approval for full-scale deployment of AMF across its electric service territory to replace existing electric automated metering reading (“AMR”). Through this omnibus response, Rhode Island Energy: (1) objects to the motion filed by the Mission:data Coalition (“Mission:data”); (2) partially objects to the motion filed by the NRG Retail Companies; and (3) addresses the scope of this proceeding and the boundaries the Commission should enforce around the participation of the other parties.

Rhode Island Energy submits this omnibus response to address each of the seven motions to intervene filed in the above docket. Rhode Island Energy does not oppose the interventions of (1) Rhode Island Office of Energy Resources (“OER”), which has a statutory right to intervene under R.I. Gen. Laws § 39-1-27.9, or (2) the Attorney General of the State of Rhode Island (“Attorney General”). These State agencies represent the public and are proper participants in this proceeding. Likewise, Rhode Island Energy does not oppose the intervention of the Acadia Center, Conservation Law Foundation (“CLF”) and

the George Wiley Center.<sup>1</sup> Rather, Rhode Island Energy requests that the Commission appropriately cabin the participation of these parties to the proper scope of this proceeding, which is whether the Commission should approve Rhode Island Energy’s request for full-scale deployment of AMF throughout its electric service territory – *not* dictating how the Company should use AMF technology in its day-to-day operations if the Commission does approve the request.

Rhode Island Energy objects to the motion to intervene of Mission:data because its motion fails to satisfy the standard under the rules and because Mission:data has not demonstrated why the interests it seeks to address are not adequately represented by other parties in the docket. Additionally, Rhode Island Energy objects in part to the motion to intervene of Direct Energy Business, LLC, Direct Energy Business Marketing, LLC, Direct Energy Services, LLC, Reliant Energy Northeast, LLC, and XOOM Energy Rhode Island LLC (the “NRG Retail Companies”). Although Rhode Island Energy recognizes that some of the companies that comprise the NRG Retail Companies were parties to the Amended Settlement Agreement in Docket No. 4770 (the “ASA”) and may have an interest in this proceeding, several of the individual companies were not, and the motion does not establish that all of them have an interest supporting intervention.

For the following reasons, Rhode Island Energy respectfully requests that the Commission: (1) permit the intervention of OER, the Attorney General, Acadia Center, CLF, and the George Wiley Center, subject to the scope identified below; (2) deny

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<sup>1</sup> Many of these entities’ motions to intervene fail to meet the intervention standard under the Commission’s rules because they do not demonstrate a unique interest in these proceedings or demonstrate that the potential interveners’ participation is necessary to advance the public interest. Rhode Island Energy recognizes, however, that these parties have played a significant role in the development of the AMF Business Case and, as such, their participation could be of assistance to the Commission in its review and evaluation. Thus, Rhode Island Energy’s response to these motions is intended only to appropriately define the scope of this proceeding to aid in the timely resolution of this docket.

Mission: data's motion to intervene; and (3) grant in part and deny in part the NRG Retail Companies' motion to intervene. This proceeding must remain focused on whether to approve Rhode Island Energy's request for full-scale AMF deployment, and not on the goals, objectives, or financial interests of developers, corporate interests, or single purpose special interest groups.

## **I. BACKGROUND AND SCOPE**

On November 18, 2022, Rhode Island Energy filed its AMF<sup>2</sup> Business Case with the Commission pursuant to Article II, Section C.16.a of the Amended Settlement Agreement ("ASA") approved by the Commission at its Open Meeting on August 24, 2018, in Docket Nos. 4770 and 4780. The Company proposes full-scale deployment of AMF across its electric service territory. As outlined in the AMF Business Case, the proposal will enable significant customer and electric distribution system benefits in line with the State's Climate Mandates.<sup>3</sup> Specifically, the Company intends the proposal to address three key unmet needs in Rhode Island: (1) replacement of the existing AMR meters, which are reaching the end of their design life and have become obsolete; (2) achievement of the State's ambitious Climate Mandates, which require greater visibility into and operational capability of the electric distribution system to maintain safety and reliability; and (3) evolving customer expectations and desire to make more informed energy choices. Rhode Island Energy considers deployment of this foundational technology a necessary first step to transforming Rhode Island's electric distribution system.

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<sup>2</sup> AMF refers to the functionality provided by advanced meters, also referred to as smart meters. AMF is a broader concept than Advanced Metering Infrastructure ("AMI"), which commonly refers only to the smart meters themselves. By contrast, AMF refers to the functionality that comes from the broader deployment of hardware and software solutions needed to utilize the smart meter data in a timely and efficient manner.

<sup>3</sup> The 2021 Act on Climate set forth enforceable, statewide, economy-wide greenhouse gas emissions mandates that require Rhode Island to reduce greenhouse gas emissions by 45 percent below 1990 levels by 2030, 80 percent by 2040, and to achieve net-zero emissions by 2050. The 2022 amendments to the Renewable Energy Standard further accelerate the shift to renewable energy resources by requiring 100 percent of electricity used in the State be generated by renewable energy resources by 2033. The Company refers to these statutory requirements collectively as the "Climate Mandates."



The question before the Commission is whether to approve Rhode Island Energy's proposal for full-scale deployment of AMF and associated cost recovery as prudent and reasonable. In determining whether the Company's proposed investment in AMF is reasonable, the Commission relies on the framework established in Docket No. 4600. *See Pub. Util. Comm'n's Guidance on Goals, Principles and Values for Matters Involving the Narragansett Elec. Co. d/b/a Nat'l Grid*, Docket 4600-A (Oct. 27, 2017). Accordingly, the Commission's consideration is about whether the AMF Business Case is a reasonable investment to implement AMF technology based on the capabilities of that technology to deliver significant benefits such that delivery of those benefits makes the investment cost effective. This evaluation is informed by the Benefit-Cost Analysis ("BCA") applying the Docket 4600 factors developed by the Commission for the evaluation of these types of investments. Accordingly, this proceeding will evaluate whether the Company has demonstrated that the technology it proposes to implement will be capable of delivering the benefits it has identified, and whether the delivery of those benefits justifies the investment in the technology. Additionally, the scope of this proceeding includes an assessment of whether the Company has appropriately considered and included the specific criteria required by the ASA to be a part of the AMF Business Case.

In contrast, the purpose of this proceeding is not to dictate the precise time and manner that the Company will undertake future actions associated with the technology. Nor is this the place for other interested parties to attempt to insert their own particularized view of how the Company should operate and use the proposed AMF system. That process already has occurred through the many meetings of the AMF/GMP Subcommittee of the PST Advisory Group. And, many of the parties who now seek to intervene participated robustly in that process and contributed to the proposal that is now before the Commission. Thus, while the participation of

those parties is appropriate, and they can provide helpful perspectives on how the AMF Business Case was developed and the input that they provided in its development, this docket is not the forum to re-litigate the decisions the Company made after receiving their input. Rather, the Commission is considering Rhode Island Energy's proposal on its merits.<sup>4</sup> Accordingly, as part of its consideration of the motions to intervene, the Commission should appropriately define the scope of this proceeding to be an evaluation of the Company's AMF Business Case and limit the participation of parties to that scope to avoid expanding this proceeding into a broad, stakeholder-input gathering proceeding that will unnecessarily delay final resolution. As the Company emphasized in its initial filing, the need for the investments in AMF is urgent, and it is therefore important to avoid expanding and therefore delaying the proceeding.

## **II. LEGAL STANDARD**

Commission Rule 1.14(B) provides 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) [hereinafter “Commission Rule 1.14(B)”]. The Rule defines such an interest as:

- 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); or

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<sup>4</sup> There will be other opportunities to address specific issues associated with programs that will be enabled by AMF – if approved. For example, the Acadia Center has articulated a keen interest in the development and implementation of time-varying rates (“TVR”). As the Company demonstrates in the AMF Business Case, it intends to make specific TVR proposals in a later docket, and the shape and scope of those proposals should be litigated in that docket – not here.

- 3) Any other interest of such a nature that movant's participation may be in the public interest.

Commission Rule 1.14(B)(1)-(3).

The Commission has been “cautious in granting intervener status to ensure that a movant actually meets one of the three criteria established in [Commission Rule 1.14(B)].” *In re Narragansett Elec. Co. d/b/a Nat'l Grid Proposed Standard Offer Serv. Rate Reduction*, No. 3739, 2006 WL 4070740 (Dec. 27, 2006). The Commission denies motions to intervene where the movant seeks to intervene but “provide[s] no specifics” about how intervention will serve the public interest.” *Id.*

The Division likewise, under a substantially similar rule, has denied intervention requests that were “unreasonably vague and/or beyond the scope of [the] proceeding” in interpreting its similarly worded rule on intervention. *City of E. Providence v. The Narragansett Elec. Co. d/b/a/ Nat'l Grid*, No. C.A. 06-2888, 2006 WL 1660761, at \*4 (R.I. Sup. Ct. June 15, 2006) (quoting Order, *In re Joint Pet. for Purchase & Sale of Assets by the Narragansett Elec. Co. & So. Union Co.*, Dkt. No. D-06-13 (R.I.D.P.U.C. May 4, 2006)). The Division has explained – and the Superior Court has affirmed – that “deciding whether the ‘public interest’ demands the participation” requires finding “that their individual interests warrant recognition and protection in furtherance of the general welfare of the public.” *Id.* This in turn requires consideration of “whether the [Commission] ultimately has the authority to grant the relief requested, whether the Movants may more effectively pursue their respective interests in other forums, and whether the intervention(s) would unduly delay or prejudice the adjudication of the rights of the Petitioners and other parties.” *Id.*

In addition to meeting the requirements of Commission Rule 1.14(B), the proposed interveners also must satisfy the basic standing requirements. To have standing, movants must have a “legally cognizable and protected interest that is concrete and particularized . . . and . . . actual or imminent, not conjectural or hypothetical.” *Watson v. Fox*, 44 A.3d 130, 135-36 (R.I. 2012); *see also Epic Enters. LLC v. 10 Brown & Howard Wharf Condo. Ass’n*, 253 A.3d 383, 388 (R.I. 2021) (“[The] ‘injury in fact’ requirement has been described as ‘an invasion of a legally protected interest which is . . . concrete and particularized[.]’” (citing *Ahlburn v. Clark*, 728 A.2d 449, 451 (R.I. 1999))). They must demonstrate “a stake in the outcome that distinguishes [their] claims from the claims of the general public.” *See Watson*, 44 A.3d at 136; *In re 38 Studios Grand Jury*, 225 A.3d 224, 232-33 (R.I. 2020).

### **III. ANALYSIS**

As stated above, Rhode Island Energy does not object to the motions to intervene of OER, the Attorney General, Acadia Center, CLF, and the George Wiley Center. Rhode Island Energy objects to the motion to intervene of Mission:data and objects in part to the motion to intervene of the NRG Retail Companies. Additionally, Rhode Island Energy requests that the Commission appropriately circumscribe the participation of any permitted intervenors to ensure that this proceeding remains focused on the appropriate scope so that the Commission can resolve this matter expeditiously for the benefit of all Rhode Island Energy customers.

#### **A. The Commission should deny Mission:data’s motion to intervene.**

Mission:data fails to meet the standard to intervene. Its motion does not demonstrate any particular interest in the development of AMF in Rhode Island. Nor does its motion identify any particular knowledge that would aid the public interest that cannot be provided by other parties to this proceeding. Rather, Mission:data, both through its motion and publicly available

statements, has demonstrated that its participation in this proceeding is likely to be disruptive and unhelpful.

First, Mission:data's motion fails to establish any particular connection to Rhode Island. It describes itself as a "coalition" that "includes approximately 30 supporters who are technology companies delivering consumer-focused energy services." Mission:data Motion to Intervene at 1. Mission:data, however, does not identify who these "supporters" are or how they are connected to or particularly interested in Rhode Island. The only connection Mission:data asserts with Rhode Island is a bald statement that "[m]any of these members are active in Rhode Island and have customers in Rhode Island." *Id.* at 2. Mission:data does not identify who these members are that are active in Rhode Island, nor does it state what customers they have in the State. These unsupported statements do not establish "[a]n interest which may be directly affected" by the outcome of this proceeding.

Second, the interest that Mission:data seeks to protect is not clearly defined by its motion. Mission:data simply states that Rhode Island Energy's AMF Business Case includes technological proposals to share data with third parties through Green Button Connect and Home Area Networks. That is correct, but Mission:data does not identify any concerns about those proposals or how it has an interest that must be protected through its participation. Rather, it simply claims that its member companies will be impacted by the outcomes of this proceeding and avers that its president can "assist the Commission developing a robust record and incorporating lessons learned from other jurisdictions regarding data portability, privacy, fair competition, and access to energy management services." *Id.* at 3. Simply because a proposal will address a technology that an entity has experience in does not create a basis for intervention.

The absence of a particular interest in Rhode Island, and the failure to identify what it needs to protect through this proceeding, means the motion fails to meet the standard.

Third, Mission:data fails to demonstrate why any interest it has will not be adequately represented by other parties to the proceeding. This AMF Business Case is the product of a years-long stakeholder process with robust input from many parties, including the Division, OER, the Acadia Center, CLF and others. Many of these parties also seek to participate in, or already are participants in, this proceeding. Further, the stakeholder process included robust discussion of numerous issues, including data sharing, which Mission:data highlights as its concern. Accordingly, there is no reason to conclude that any interests that Mission:data might have – which are not clearly defined – will not be adequately represented by the parties who will be participating in this proceeding. Further, it is likely that many of the issues Mission:data wishes to address already have been discussed and vetted through the stakeholder process and the parties that participated in it. It would be inappropriate to permit Mission:data to participate for the purpose of re-litigating issues that the Company already has worked through with the other parties.

Finally, Mission:data already has demonstrated that it is likely to be a disruptive rather than constructive presence in this docket. On January 3, 2023, Mission:data made two tweets about the Company's AMF Business Case that took segments of its filing out of context and mischaracterized them in an effort to portray Rhode Island Energy in a bad light. First, Mission:data mischaracterized Rhode Island Energy's statement that AMF is justified because the current AMR metering solution cannot "scale" as an alleged admission of imprudent deployment – complete with a crying, laughing emoji. Second, Mission:data mischaracterized Rhode Island Energy's position regarding the need for cost recovery certainty to make the AMF

investment in a sardonic: “Utilities: Guarantee our return on investment, or you can’t have nice things like AMI.”<sup>5</sup> Although everyone is entitled to their opinion and views, these tweets reflect a disruptive approach that is not conducive to a productive participation in this docket. These actions portend a disruptive rather than constructive presence in this docket. And, in light of the robust participation of other parties who already are attuned to the issues that face Rhode Island as it considers whether to approve the Company’s AMF Business Case, Mission:data’s participation is unwarranted and unnecessary.

For these reasons, the Commission should deny Mission:data’s motion to intervene.

B. The Commission should deny in part the NRG Retail Companies’ motion to intervene.

The Commission should deny the NRG Retail Companies’ motion to intervene in part and limit participation to Direct Energy Business, LLC and Direct Energy Services, LLC. The Commission should deny the intervention of Direct Energy Business Marketing, LLC, Reliant Energy Northeast, LLC, and XOOM Energy Rhode Island LLC.

The NRG Retail Companies have filed a joint motion to intervene, but that motion makes no effort to distinguish the five entities seeking intervention or explain their individual interests in this docket. Rather, the motion says only that the NRG Retail Companies “operate as nonregulated power producers in Rhode Island” and “sell electricity to residential and non-residential customers in the competitive retail market.” NRG Retail Companies’ Motion at 2.

As the NRG Retail Companies themselves highlight in their motion, only two of the five companies have a history of involvement in the Company’s dockets before the Commission. Direct Energy Business, LLC and Direct Energy Services, LLC were parties to the ASA and

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<sup>5</sup> Rhode Island Energy provides copies of these tweets as Exhibit 1 to this omnibus response.

have participated in the PST Advisory Group. Direct Energy Business Marketing, LLC, Reliant Energy Northeast, LLC, and XOOM Energy Rhode Island LLC have no such similar history.

Furthermore, the NRG Retail Companies do not explain why Direct Energy Business, LLC and Direct Energy Services, LLC cannot adequately represent all of their interests. Rule 1.14(B)(2) permits intervention to the extent a potential intervenor has a directly affected interest that “is not adequately represented by existing parties.” Rule 1.14(B)(2). Here, it appears that only two of these entities have a clear interest in “facilitating the development of Rhode Island’s competitive electric retail markets.” There is, therefore, no reason for the Commission to grant intervenor status to the other three – or all five of them collectively.

Finally, the NRG Retail Companies seek to use this proceeding to advance their own profit-motivated interests and not the public interest. They cannot establish a right to intervene under Rule 1.14(B)(3). They note that the Company’s proposal could “directly impact the operations and business interests of the NRG Retail Companies.” Motion 4. They seek to ensure that these proceedings “do not adversely impact the ability of the NRG Retail Companies to effectively operate as [nonregulated power producers] in the Company’s service territory” or “materially impact NRG’s business and customer interests in Rhode Island.” Motion 5. These arguments reveal that the NRG Retail Companies seek to advance their corporate financial interests and belie any attempt to claim the mantle of the public interest. To the extent the State has an overarching public interest in retail competitive electric markets, that interest is adequately represented by the participation of the Division, OER, and the Attorney General. Thus, the role of any intervention by any of the NRG Retail Companies should be limited to addressing the role that they played in the PST Advisory Group and specific ASA requirements



that address the interests of retail electric suppliers that need to be addressed through the AMF Business Case.

For these reasons, the Commission should limit the intervention of the NRG Retail Companies to Direct Energy Business, LLC and Direct Energy Services, LLC and deny intervention to Direct Energy Business Marketing, LLC, Reliant Energy Northeast, LLC, and XOOM Energy Rhode Island LLC.

C. Acadia Center, CLF, and the George Wiley Center have not established standing.<sup>6</sup>

Standing requirements a “concrete and particularized” injury distinguishing a potential intervenor from the general public. *See Epic Enters. LLC*, 253 A.3d at 388; *Watson*, 44 A.3d at 136. “[M]ere ‘interest in a problem,’ no matter how longstanding the interest and no matter how qualified the organization is in evaluating the problem, is not sufficient by itself to render the organization ‘adversely affected’ or ‘aggrieved.’” *Watson*, 44 A.3d at 136 (quoting *Blackstone Valley Chamber of Commerce v. Pub. Utils. Comm’n*, 452 A.2d 931, 933 (R.I. 1982)).

Yet “interest” in the matter is all the Acadia Center, CLF, and the George Wiley Center have identified as the basis for their intervention. For example, Acadia Center defines its interest as ensuring “the alignment of utility programs with state policy requirements” and “advancing policies and decisions that achieve the state’s greenhouse gas (GHG) emissions reduction targets.” Acadia Center Motion at 3. CLF cites to similar “interests,” including its ability “to present information that will be directly relevant to this proceeding, useful to the PUC, and in the interest of the public.” CLF Motion at 4. Neither Acadia Center nor CLF needs party status to provide information to the Commission or seek to advance its policy objectives. *See In re*

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<sup>6</sup> As described above, Rhode Island Energy also asserts that Mission:data and the NRG Companies have not established standing.

*Narragansett Elec. Co. d/b/a Nat'l Grid Proposed Standard Offer Serv. Rate Reduction*, 2006 WL 4070740 (“Being denied intervenor status does not mean an organization cannot participate in a proceeding; any person or organization can give public comment, orally or in writing, to the Commission in any proceeding.”). The stated interests do not satisfy the requirement of a “legally cognizable and protected interest that is concrete and particularized . . . and . . . actual or imminent, not conjectural or hypothetical.” *Watson*, 44 A.3d at 136.

Notwithstanding this failure to establish traditional standing requirements, Rhode Island Energy recognizes that Acadia Center, CLF, the George Wiley Center were granted intervention in Docket Nos. 4770 and 4780, joined the ASA, and have participated in the PST Advisory Group established in connection with the ASA. Based on their past participation in these dockets and the PST Advisory Group, Rhode Island Energy does not object to their intervention here. Their participation, however, should be limited to the appropriate scope, as described above.

Rhode Island Energy respectfully requests that the Commission give careful scrutiny to each potential intervenor’s establishment of the standing requirements. The standing doctrine serves an important function to ensure that entities given full-party status in a given proceeding possess a sufficiently specific and crystalized interest in the matter so as to sharpen the presentation of the issues to the Commission. Entities lacking such an interest nevertheless have opportunities to participate in the Commission’s consideration of a matter through the provision of public comment. Rhode Island Energy, the Commission, and Rhode Island Energy’s customers share an interest in a proceeding that is efficient, focused on the issues presented, and appropriately includes parties possessing a concrete and particularized, and actual or imminent legally cognizable interest in the matter. For these reasons, the Commission must carefully weigh any potential intervenor’s establishment of the basic standing requirements.

Rhode Island Energy respectfully notes that the George Wiley Center’s motion to intervene in this matter is not timely. The Commission held a prehearing conference on December 15, 2022, to establish a procedural schedule. That procedural schedule, issued on December 16, 2022, and made publicly available, established December 30, 2022, as the deadline to file for intervention. The George Wiley Center filed its motion to intervene electronically on January 1, 2023.<sup>7</sup>

Rule 1.14 states that a potential intervener may file a motion to intervene “in no event later than the date fixed for the filing of motions to intervene in any order or notice with respect to the proceedings” “unless, for good cause shown, the Commission authorizes a late filing.” Rule 1.14(D). The George Wiley Center’s cover email transmitting the motion attributes the late filing date to the holiday schedule the prior week. Notably, however, December 30 was not a holiday, and all of the other interveners met the deadline, which the Commission had made publicly known a full two weeks prior.

The procedural deadlines set by the Commission serve an important purpose, and Rhode Island Energy relies on them. They allow for the orderly procession of the case. Furthermore, Rhode Island Energy’s AMF Business Case includes a detailed timetable for the AMF rollout, in the event the Commission approves the filing. In the current economic environment, delays in the regulatory proceeding could lead to increased costs or delay the benefits to Rhode Island customers that Rhode Island Energy anticipates will come from full-scale AMF deployment. Rule 1.14’s “good cause” exception for untimely filings provides an important mechanism to evaluate and balance the Commission’s (along with the public’s, other interveners’, and the Company’s) interest in an orderly and timely proceeding.

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<sup>7</sup> January 1, 2023 was both a holiday and a Sunday. The next business day after the electronic filing was January 3, 2023.

Here, Rhode Island Energy has a significant interest in an expedient decision. Delays in the proceeding will have material impacts on the timing of the rollout of the AMF program – if approved – and may have material impacts on the costs and benefits. Rhode Island Energy does not oppose the George Wiley Center’s motion to intervene on the basis of timeliness, nor does it argue that the delay in this particular filing will have any material impacts. Rather, Rhode Island Energy submits this response to the George Wiley Center’s motion to intervene for the purpose of highlighting the importance of the timing of this proceeding and to indicate that the Company’s acquiescence to this particular motion is not a statement that it will accede to any future late filings from any other potential late interveners.

#### **IV. CONCLUSION**

For the reasons stated, Rhode Island Energy respectfully requests that the Division: (1) deny the motion to intervene by Mission:data; (2) deny in part the NRG Retail Companies’ motion to intervene; (3) confirm and confine the scope of this proceeding to consideration of whether to approve the Company’s AMF Business Case and whether it meets the requirements of the ASA, and not a proceeding designed to set the policy for how AMF will be used if implemented; and (4) limit the scope of participation by all interveners to the defined scope and purpose of this proceeding.

Date: January 9, 2023

Respectfully submitted,

The Narragansett Electric Company d/b/a Rhode  
Island Energy

By its attorneys,

/s/ Adam M. Ramos

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**CERTIFICATE OF SERVICE**

I hereby certify that on January 9, 2023, I sent a copy of the foregoing to the service list  
by electronic mail.

/s/ Adam M. Ramos

# **EXHIBIT 1**



← Tweet



@missiondata@mastodon.energy



@mission\_data

Page 1 of PPL's AMI proposal is looking great -- they already admitted to imprudently deploying their last metering solution (AMR) 🤔

Company's filing consists of a detailed proposal for full-scale deployment of advanced metering infrastructure (AMI) in electric service territory in Rhode Island. The proposal will enable significant cost savings in line with the State's climate mandates. If approved, the program will be evaluated on a net present value ("NPV") basis and provide benefits of \$729.2 million over a 20-year project life, yielding a benefit-cost ratio of 3.9. As explained in more detail in the Case, the Company's AMF proposal is intended to address three key issues: (1) replacement of the existing electric automated meter reading ("AMR") systems, which are reaching the end of their design life, are obsolete, and will not scale; (2) amendments, including the 2021 Act on Climate, that require greater visibility into the capability of the electric grid to maintain safety and reliability; and (3) evolving customer expectations and desire to make more informed energy choices. The Comp

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@mission\_data



Utilities: Guarantee our return on investment, or you can't have nice things like AMI

**here any circumstances that would lead Rhode Island Energy not to im**

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f Rhode Island Energy is not able to obtain approval for timely recovery of  
or the AMF implementation investment, Rhode Island Energy would not be  
ment AMF because the financial investment is too significant for the Comp:  
on its books absent some form of assurance for cost-recovery.

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