



# STATE OF RHODE ISLAND

## Public Utilities Commission

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Chairman Ronald T. Gerwatowski  
Commissioner Abigail Anthony  
Commissioner John C. Revens, Jr.

### MEMORANDUM

To: Andrew S. Marcaccio, Esq. and Jennifer Brooks Hutchinson, Esq.  
From: Cynthia Wilson-Frias, Esq. and Patricia S. Lucarelli, Esq.  
Date: January 3, 2023  
Re: PUC Docket Nos. 22-53-EL Proposed FY 2024 Electric Infrastructure Safety and Reliability Plan and 22-54-NG Proposed FY 2024 Gas Infrastructure Safety and Reliability Plan

#### Briefing Question

On December 22, 2022, the Narragansett Electric Company d/b/a Rhode Island Energy (Company) filed its FY 2024 Electric Infrastructure Safety and Reliability Plan and Proposed FY 2024 Gas Infrastructure Safety and Reliability Plan with the Public Utilities Commission (Commission). The plans as filed were 21-month plans which the Company represented consist of a 9-month period from April 1, 2023 through December 31, 2023 and a 12-month period from January 1, 2024 through December 31, 2024.

The statute, R.I. Gen. Laws § 39-1-27.7.1(d), requires all gas and electric distribution companies at the beginning of **each fiscal year** to consult with the Division of Public Utilities and Carriers (Division) regarding a spending plan for the following **fiscal year**. It further states that the Company shall submit the plan to the Division and that the Division shall cooperate in good faith to reach an agreement on the proposed costs for the **prospective fiscal year**.

Although there are three separate references to “fiscal year” in the statute, the Company filings are for 21-month plans that extend beyond the FY2024 fiscal year.

Rhode Island Energy and the Division of Public Utilities and Carriers are directed to brief the following question on or before January 17, 2023.

How are the Proposed 21-month plans that span two fiscal years (FY 2023 and FY 2024) filed as the FY 2024 Proposed Electric Infrastructure Safety and Reliability Plan and the Proposed FY 2024 Gas Infrastructure Safety and Reliability Plan made by Rhode Island Energy on December 22, 2022 consistent with the statutory requirement to file a spending plan for the following fiscal year?