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May 31, 2023

VIA HAND DELIVERY & ELECTRONIC MAIL

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

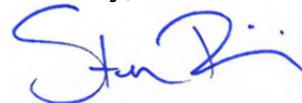
**RE: Docket No. 22-05-EE
Investigation of Misconduct by The Narragansett Electric Company
Relating to Past Payments of Energy Efficiency Program Shareholder Incentives
Responses to Division Data Requests – Set 7 Supplemental**

Dear Ms. Massaro:

On behalf of The Narragansett Electric Company d/b/a Rhode Island Energy (“Rhode Island Energy” or the “Company”), I have enclosed the Company’s supplemental responses to Data Request 7-3 in the Division of Public Utilities and Carriers’ Seventh Set of Data Requests in the above-referenced docket.

Thank you for your attention to this matter. If you have any questions, please contact me at 401-709-3359.

Sincerely,



Steven J. Boyajian

Enclosure

cc: Docket 22-05-EE Service List

Certificate of Service

I hereby certify that a copy of the cover letter and any materials accompanying this certificate were 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.



Elaina M. Weir

May 31, 2023

Date

Docket No. 22-05-EE – PUC Investigation of Utility Misconduct or Fraud by The Narragansett Electric Co. Service list updated 4/6/2023

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Division 7-3 Supplemental

Request:

Div 1-3 (b) and (c) asked:

- (b) Was the email search limited to emails of only specific programmatic level employees or was the search conducted Company-wide, including the highest levels of management?
- (c) If the email search was limited to specific programmatic level employees, and not expanded to upper management layers, why?

The Company answered:

- b) The scope of the email search “was focused” on 33 energy efficiency program managers. However, six of the 33 program managers left National Grid USA. Therefore, The Narragansett Electric Company (“Narragansett”) could not search those particular accounts due to National Grid USA’s email retention policy. (Quotation added)
- c) The purpose of the email search was to identify whether invoices were being intentionally delayed beyond year-end. Because the employees most likely to have engaged in the “out-of-period” invoicing practice were the program managers, the email search “focused” on energy efficiency program managers during this period. (Quotation added)
- a) The question was not what emails the Company “focused” on. The question was whether a search conducted Company-wide, including the highest levels of management. Please answer, yes or no, was the email search conducted Company-wide, including the highest levels of management?
- b) Assuming that the answer to (a) is no and in light of the fact that the Company’s answer to DIV. 1-29 admits that it became evident from the email search that the practice of out of period invoices “was openly discussed and incorrectly viewed as acceptable by program managers within the energy efficiency program”, why was it appropriate to not further expand the email search to higher levels of management?
- c) Has there been any further email searches of those employees above Program Managers since the initial search or since the report was filed on June 7, 2022? If not, why not?

The Narragansett Electric Company
d/b/a National Grid
RIPUC Docket No. 22-05-EE
RIPUC Docket No. 5189
In Re: 2022 Annual Energy Efficiency Plan Responses to
the Division of Public Utilities and Carriers'
Seventh Set of Data Requests
Issued on July 29, 2022

Original Response:

- a) No, an email search was not conducted company-wide for National Grid USA, including the highest levels of management, as part of Phase I and Phase II of the investigation. The reason that a company-wide sweep of emails was not conducted (including the highest levels) for these phases of the investigation is that The Narragansett Electric Company (“Narragansett”) was first engaged in a process of determining whether the allegation had any basis in fact and, once this was validated, whether there was an impact on performance incentives and by how much. It would have been inefficient and inordinately time-consuming to start with a National Grid USA company-wide sweep of emails, including all levels of management. Narragansett was attempting to get to the heart of the matter to identify what was going on as quickly as possible and to identify the potential scope and impact. Narragansett knew that the program managers would be the most direct path for illumination of the questioned practice, if it did exist, as these employees are responsible for all aspects of program management, including sign-off of vendor payments (also, the allegation was aimed at the program management level). Starting at this level did, in fact, enable Narragansett to determine that the allegation was true and required further investigation and improvement of accounting and program controls. As part of this initial effort, approximately 5.2 million pieces of electronic media were reviewed as part of the search, as indicated in response to request PUC Post-Decisional 3-5.
- b) As discussed in the response to subpart (a), above, and in the response to Data Request Division 1-3, subpart (c), Narragansett’s first order of business was identifying whether an improper practice was occurring and, if so, what the impact of that improper practice was for customers. Identifying the full extent of management knowledge was going to take more time and process and, although critical in the end result, was not a priority over identifying whether the practice was occurring, stopping the practice and quantifying the impact on customers. To fulfill this objective, email searches of more mailboxes were not needed to identify the Program Manager behavior alleged and described in the June 7, 2022, “Review of Invoices Within the Energy Efficiency Program” report.
- c) It is important to note that National Grid USA’s investigation of this matter is ongoing. National Grid USA’s further investigation is, at this time, protected by the attorney-client privilege and work product doctrine. National Grid USA will supplement this response at the appropriate time, consistent with its obligations under the Public Utilities Commission’s Rules of Practice and Procedure.

The Narragansett Electric Company
d/b/a National Grid
RIPUC Docket No. 22-05-EE
RIPUC Docket No. 5189
In Re: 2022 Annual Energy Efficiency Plan Responses to
the Division of Public Utilities and Carriers'
Seventh Set of Data Requests
Issued on July 29, 2022

Supplemental Response:

- c) Yes. Please see the Report on Investigation of Out-of-Period Invoicing within the Rhode Island Energy Efficiency Program (2012-2021), filed by National Grid USA (“National Grid”) on March 10, 2023, for information on further email searches of National Grid employees above the Program Manager level since the filing of the June 7, 2022 report in Docket No. 5189. In addition, please see the response to Data Request Division 9-1 Supplemental for responsive emails from the email searches of employees above the Program Manager level since the filing of the June 7, 2022 report.