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July 13, 2023

VIA ELECTRONIC MAIL

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

**RE: Docket No. 22-49-EL-The Narragansett Electric Company d/b/a Rhode Island Energy
Advanced Metering Functionality (“AMF”) Business Case
Statement of Alternative or Additional Positions**

Dear Ms. Massaro:

On behalf of The Narragansett Electric Company d/b/a Rhode Island Energy (“Rhode Island Energy” or the “Company”), attached is the electronic version of Rhode Island Energy’s Statement of Alternative or Additional Positions (“Statement”) for the Rhode Island Public Utilities Commission’s (the “Commission”) consideration in its review of the Company’s AMF Business Case in the above-referenced docket.¹ Rhode Island Energy is filing this Statement in lieu of a Settlement to reflect its consideration of the issues and concerns it has heard, both directly and indirectly, from the Commission and from the other parties to this docket.

Thank you for your time and attention to this matter. If you have any questions, please contact Jennifer Brooks Hutchinson at 401-316-7429.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Jennifer Brooks Hutchinson", with a long horizontal line extending to the right.

Jennifer Brooks Hutchinson


Attachment

cc: Docket No. 22-49-EL Service List
John Bell, Division
Leo Wold, Esq.

¹ Per communication from Commission counsel on October 4, 2021, the Company is submitting an electronic version of this filing followed by hard copies filed with the Clerk within 24 hours of the electronic filing.

CERTIFICATE OF SERVICE

I certify that a copy of the within documents was forwarded by e-mail to the Service List in the above docket on the 13th day of July, 2023.



Adam M. Ramos, Esq.

The Narragansett Electric Company d/b/a Rhode Island Energy
Docket No. 22-49-EL Advanced Meter Functionality (AMF)
Service list updated 4/6/2023

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Luly E. Massaro, Commission Clerk
Docket No. 22-49-EL – AMF Business Case
July 13, 2023
Page 5 of 5

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STATE OF RHODE ISLAND

RHODE ISLAND PUBLIC UTILITIES COMMISSION

In re: The Narragansett Electric Company)
d/b/a Rhode Island Energy’s Advanced) Docket No. 22-49-EL
Metering Functionality Business Case)

THE NARRAGANSETT ELECTRIC COMPANY D/B/A RHODE ISLAND ENERGY’S STATEMENT OF ALTERNATIVE OR ADDITIONAL POSITIONS

The Narragansett Electric Company d/b/a Rhode Island Energy (“Rhode Island Energy” or the “Company”) respectfully submits this Statement of Alternative or Additional Positions (“Statement”) for the Rhode Island Public Utilities Commission’s (the “Commission”) consideration in its review of the Company’s Advanced Metering Functionality (“AMF”) Business Case.

Introduction

The positions set forth below reflect the Company’s review, evaluation, and consideration of many of the issues and concerns it has heard, both directly and indirectly, from the Commission and from the other parties to this docket. After that review, evaluation, and consideration, the Company presents these positions in this filing to: (a) indicate that the Company is not opposed to the adoption of these positions as part of any order in this docket, if the Commission elects to adopt them, and (b) in some cases, explain the Company’s view of the implications of these positions.

The Company’s submission of this Statement does not reflect that the Company is abandoning any aspect of its request. Rather the Company has identified these alternative or

additional positions as reasonable and a modification to the existing proposal that the Company is willing to support.

Alternative and Additional Positions

1. Cost Recovery. The Company maintains that its proposed AMF Factor cost recovery proposal is a reasonable and appropriate mechanism to recover costs for this type of incremental investment in electric distribution system technology. Nevertheless, the Company recognizes that there are alternate reasonable mechanisms for cost recovery and has evaluated and determined that it also is supportive of a cost recovery mechanism pursuant to which:
 - a. The Company can recover the cost of all capital investment for AMF implementation through the infrastructure, safety, and reliability (“ISR”) plan and reconciliation mechanism. The Company can include in the revenue requirement any capital that has been placed into service and that is used and useful on the system for each ISR plan filing or ISR reconciliation filing, as appropriate.
 - b. The approval of AMF implementation in this docket constitutes preauthorization of the implementation of the AMF project, and the Company is not required to re-establish the need for the transition from AMR meters to AMF meters in each ISR filing or the appropriate pace of implementation.
 - c. The review of the Company’s AMF capital investment and associated revenue requirement in each ISR filing would be: (i) a review of the reasonableness and prudence of the timing and pace of the Company’s capital investments in AMF as compared to the AMF implementation schedule, and (ii) a review of whether the

capital included in the revenue requirement has been placed into service and is used and useful.

- d. The Company is allowed to create a regulatory asset for all operations and maintenance (“O&M”) costs incurred for the implementation of AMF up until the new base distribution rates go into effect after the Company’s next base distribution rate case (the “O&M Regulatory Asset”). The O&M Regulatory Asset shall accrue a carrying charge at the pre-tax weighted average cost of capital (“WACC”) established in the Company’s last base distribution rate case, which is 6.97 percent. The value of the O&M Regulatory Asset shall be reduced by 100 percent of the actual Non-Outage Management System (“Non-OMS”) Avoided O&M Costs benefits (the benefits from O&M savings not related to outage management) realized during the time period in which the O&M Regulatory Asset is accrued.
- e. The Company is permitted to recover the regulatory asset amortized over three years through base distribution rates as part of the next base distribution rate case, subject to the conditions set forth in paragraph 2(f), below.
- f. The Company’s O&M Regulatory Asset shall be subject to reduction or elimination based on an annual earnings test as set forth in this paragraph. During each calendar year of AMF implementation prior to the implementation of new base distribution rates after the Company’s next base distribution rate case, to the extent that the Company’s electric business earns a return that exceeds its allowed return on equity (“ROE”) of 9.275 percent, as reported in its calendar year electric earnings report, the amount of the Company’s regulatory asset accrual for that year shall be reduced on a dollar-for-dollar basis for every dollar in excess of the allowed ROE. As an

illustration, if the Company incurs \$1 million in AMF implementation O&M costs in 2024, and the Company's electric earnings for 2024 exceed its allowed ROE by \$250,000, then the O&M Regulatory Asset for calendar year 2024 would be \$750,000 (equal to \$1 million in O&M AMF implementation costs minus \$250,000 in excess earnings). This earnings test mechanism would be independent of and have no impact on the Company's earnings sharing mechanism established in Docket No. 4770.

2. The Company recognizes that time varying rates ("TVR") are important to a number of the parties in this docket. Accordingly, the Company has determined that it is willing to accelerate the development of its TVR proposal as set forth in the AMF Business Case and to include certain elements within that proposal, as follows:
 - a. Within one year of approval of the AMF Business Case, the Company would submit a proposal to the Commission for TVR in a separate docket that addresses the availability of basic time-of-use ("TOU") rates, critical peak pricing ("CPP"), peak time rebate ("PTR") and/or variable peak pricing ("VPP") rates, including identification of modifications to the Company's billing systems (and any associated costs that may need to be recovered to implement those modifications) that may be necessary to permit the implementation of TOU, CPP, PTR, and VPP rates.
 - b. The submission described in subparagraph 2(a) would:
 - i. propose implementation of some form of TVR no later than one year following the completion of electric meter deployment, subject to regulatory approval;
 - ii. include a campaign to inform and educate customers about TVR, to begin prior to the completion of AMF deployment, emphasizing outreach to

low-to-moderate income customers and customers in multi-family housing, and

- iii. consider a staggered rollout of TVR to allow customers who have received an AMF meter to begin benefitting from TVR before all AMF meters have been installed.

3. AMF Working Group. The Company agrees it would support the creation of a working group (the “AMF Working Group”), which the Company would establish, and which all parties to this docket may participate in if they so choose. This proposal is a further refinement of the working group proposed by the Office of Energy Resources in its Position Statement submitted in this docket and endorsed by the Company in the Joint Pre-Filed Rebuttal Testimony of Philip J. Walnock and Wanda E. Reder. The following subparagraphs further define the conduct and role of the AMF Working Group:

- a. The purpose of the AMF Working Group would be to address technological and practical procedures and protocols related to Green Button Connect, the Home Area Network, and Distributed Intelligence capabilities associated with AMF meters, as well as terms and conditions involving customers and third parties interfacing with AMF meters.
- b. The AMF Working Group will meet monthly starting with the first month after approval of the AMF Business Case
- c. The AMF Working Group will develop the procedures, protocols and terms and conditions, including those necessary to ensure physical and cyber security, data governance, and the necessary communications tools and materials customers and third parties will use to interface with the meters.

- d. The AMF Working Group will file a report, including consensus or non-consensus items with Parties' positions, with the Commission within 18 months of the approval of the AMF Business Case.
- e. To the extent the AMF Working Group makes recommendations in this report that would require incurring additional costs to implement, have the effect of modifying the AMF Business Case, as approved by the Commission, or otherwise fall within the Commission's jurisdiction, then the Company will file any such recommendations, following review by the AMF Working Group, with the Commission for review and approval.
- f. The issues to be addressed by the AMF Working Group would include:
 - i. Technological specifications for customers to provide access to data from the meter over their WiFi network and/or Green Button Connect ("GBC"), including mechanisms for customers to authorize such third parties to receive the data;
 - ii. The development of criteria for authorizing third parties to receive data with customer consent from customer meters or via GBC;
 - iii. Terms and conditions for developing and installing third-party applications on the AMF meters on an open and non-discriminatory basis for selection by customers;
 - iv. The possibility of participating in a regional data sharing hub to provide a uniform technological interface for third parties to receive customer data via Green Button Connect, some of which is generated by AMF capabilities;

- v. Technological specifications and protocols for GBC and the Home Area Network (“HAN”), including the communications protocol to be used, the data to be made available, and any certification processes; and
 - vi. Potential disclosure of fees charged and terms and conditions for developing, installing or deploying applications on the AMF meters.
4. Third-Party Application Development. The Company understands that some parties have a concern about technological and/or financial restrictions on the ability of third parties to develop applications to be installed on the proposed meters. The Company is willing to commit that it will use commercially reasonable efforts to include terms in its agreements with its meter vendor that require open and non-discriminatory terms for developing and installing third-party applications on the AMF meters.
5. GBC and HAN. With respect to the Company’s proposals related to GBC and HAN, the Company understands that there are certain parties that have concerns about potential technological and cost restrictions on the ability to access and use these functionalities. The Company is willing to commit to the following as a clarification of its position on this issue:
- a. The Company will offer Green Button Connect to customers or third parties in conformity with version 3.3, or a later version, tested and certified by the Green Button Alliance to meet minimum requirements as determined by the AMF Working Group.
 - b. The Company will provide the HAN functionality such that customers can connect an advanced meter to the customer’s WiFi network and connect or “pair” a local device to receive real-time, read-only information from the advanced meter. The

specifications for the data available over the HAN and communications protocols will be addressed by the AMF Working Group.

c. The Company will not charge customers or third parties for use of Green Button Connect or Home Area Network.

6. Accountability Plan. As the Company explained in its response to data request PUC 8-2(d), the Company does not believe that it should be subject to any penalties if benefits are not realized, and the Company reaffirms that position for the reasons set forth in that response. The Company recognizes that there is concern about risk sharing. Accordingly, the Company would support a requirement that it work with Division to develop an appropriate accountability plan to be submitted to the Commission for review within 6 months following approval of AMF implementation.

7. Customer Due Process. The Company affirmatively states that all existing protections and due process shall remain in place for customers before any service shut-offs occur with the remote capabilities provided by AMF. These protections include, but are not limited to, all notices that are provided in advance of shut-offs and any and all limitations placed on shut-offs to specific categories or classes of customers in accordance with the Commission's Rules and Regulations Governing the Termination of Residential Electric, Gas and Water Utility Service, 810-RICR-10-00-1, as may from time to time be amended, or any other statutes or regulations regarding such termination that may be adopted or enacted.

Conclusion

The Company respectfully requests that the Commission consider this Statement as part of its review and evaluation of the AMF Business Case. The Company intends that its witnesses

will introduce the substance of this Statement in direct testimony at the hearing in this docket and will be prepared to respond to questions regarding this Statement during cross examination.

Respectfully submitted,

**THE NARRAGANSETT ELECTRIC
COMPANY d/b/a RHODE ISLAND ENERGY**

By its attorneys,



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Dated: July 13, 2023

CERTIFICATE OF SERVICE

I hereby certify that on July 13, 2023, I sent a copy of the foregoing to the service list by electronic mail.

/s/ Adam M. Ramos _____