

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
PUBLIC UTILITIES COMMISSION**

_____)
RE: THE NARRAGANSETT ELECTRIC)
COMPANY D/B/A RHODE ISLAND ENERGY)
TARIFF ADVICE TO AMEND THE NET)
METERING PROVISION - PROPOSAL FOR)
ADMINISTRATION OF EXCESS NET)
METERING CREDITS)
_____)

DOCKET NO. 23-05-EL

**MASSAMERICAN ENERGY LLC dba GRIDWEALTH DEVELOPMENT’S
MOTION FOR EXTENSION OF TIME
TO FILE PREFILED TESTIMONY**

By its attorneys, MassAmerican Energy LLC dba Gridwealth Development (Gridwealth), hereby moves for a thirty day extension of time to file its prefiled testimony in response to the Commission’s memo issued on August 23, 2023, requiring this motion be filed by noon today.

PROCEDURAL HISTORY

The procedural history is as set out in the August 23, 2023, memo:

The Commission issued a Procedural Schedule on April 28, 2023, setting a deadline for intervention of May 5, 2023, and a deadline for objecting to intervention of May 10, 2023. The Office of Energy Resources (OER) filed a Notice of Intervention on May 3, 2023, and MassAmerican Energy LLC d/b/a Gridwealth Development (MAE) filed a Motion to Intervene on May 5, 2023. Revity Energy LLC (Revity) filed an Unopposed Motion for Leave to File an Untimely Motion to Intervene on May 9, 2023.¹ No parties filed objections to intervention. The Division served data requests on the Company on April 12, 2023. The Company responded on May 3, 2023. The Commission served its first set of data requests on the Company on June 21, 2023. The Company responded on July 7, 2023.

On July 7, 2023, the Commission issued a Revised Procedural Schedule setting forth the date for a technical session (August 16, 2023), the date for parties to file pre-filed testimony, if any (August 25, 2023), and the date for the Company to file reply testimony, if any (September 1, 2023). The Hearing was set for September 21, 2023.

Thereafter, MAE served its first set of data requests on the Company on July 21, 2023. The Company responded on August 11, 2023. Revity and OER did not serve any data requests in this docket.

The Commission convened the staff-led technical session to examine, *inter alia*, the Company’s responses to data requests on August 16, 2023. Immediately following the technical session, the Commission issued a second set of data requests to the Company, with a response date of August 23, 2023.

On August 22, 2023, MAE issued its second set of data requests to the Company. On August 23, 2023, counsel for MAE emailed Commission counsel requesting an extension of “at least 30 days” to file its pre-filed

testimony. Later that morning, counsel for Revity emailed Commission counsel stating that Revity “seconds” MAE’s counsel’s request.

GRIDWEALTH’S REQUEST

1) Scope of Proceeding

The PUC memo observes that:

The Company proposed the tariff advice in response to the Commission’s directive to address the specific issue of its administration of excess net metering credits on a go-forward basis. This matter has been pending since February 15, 2023. MAE and Revity intervened in the docket on May 5 and May 9, respectively. The Revised Procedural Schedule, issued on July 7, 2023, provided that, if parties intended to submit pre-filed testimony, it was due by August 23, 2023, and the hearing was scheduled for September 21, 2023.

Given that the upcoming hearing is less than 30 days from now, MAE and Revity’s request for a 30-day extension to file pre-filed testimony would, if granted, necessitate a rescheduling of the hearing date.

The technical session, which was just held on August 16, raised significant substantive issues with RIE’s proposal for the “administration of excess net metering credits on a go-forward basis” that were not addressed in the proposal or in RIE’s responses to prior data requests, but became clear upon questioning. Just one of those issues is Gridwealth’s concern that the proposal to reconcile account charges (by averaging the Last Resort Service rate) over an annual period is inequitable if not matched with a matching annual reconciliation of crediting (also based on an averaging of the Last Resort Service rate). Gridwealth’s first set of data requests asked RIE for its analysis of the impact of that issue (see e.g., MAE 1-8 and 1-9) but the responses (that were just issued on August 11) did not provide the requested analysis. Gridwealth issued supplemental data requests for such analysis but RIE has not responded yet.

Additionally, the technical session explored RIE’s analysis of the cost of net metering for distribution customers (page 9 of its tariff filing) and how the accuracy of that response has integral implications for the net crediting of net metering customers going forward. Gridwealth’s second set of data requests asks for a better accounting of the “cost” of net metering to distribution customers as required by the RIPUC’s resolution in docket 4600.

The significant substantive implications of this proposal, as surfaced in the technical session just held on August 16, led both the Commission and Gridwealth to issue follow up data requests. Gridwealth submits that while the Commission’s instructions to RIE may have been simple, the implications of RIE’s proposed response are complex and warrant more time for Gridwealth’s discovery, analysis, understanding and preparation of responsive testimony.

2) *Discovery*

Beyond the concern about risk of underestimating the scope and rushing the content of this proceeding, the discovery itself indicates a need for extension. The Commission only got full responses to its second set of data requests yesterday. Gridwealth has not yet had time to read those responses, nor engage with its witnesses to analyze and provide testimony about their implications. Likewise, it took time for Gridwealth to develop its supplemental data requests based on the results of the technical session held on August 16 and to get them approved for issuance. Commission Rule 1.9 provides that “The Commission favors prompt and complete disclosure and exchange of information and encourages informal arrangements amongst the parties for this exchange. It is further the Commission's policy to encourage the timely use of discovery as a means toward effective presentations at hearing and avoidance of the use of cross-examination at hearing for discovery purposes.” Gridwealth understands and appreciates the Commission’s interest in prompt and timely discovery but submits that rushing discovery and testimony threatens to leave intervening participants incomplete as to their facts and analytical capacity.

In addition to the substantive issues raised in section 1 above, the supplemental discovery goes into very substantive policy questions that require full development and consideration in any testimony presented to the Commission in this docket. Those questions include, but are not limited to: 1) whether/how RIE allows for modification of schedule B to allocate credits during project operation (PUC 2-1)? 2) how RIE will apply capacity factors to calculate electrical generation under this policy (PUC 2-2; MAE 2-2)? 3) which rate class(es) RIE will use to conduct its annual reconciliation (PUC 2-3)? 4) what equation RIE will use to calculate excess renewable net metering credits (PUC 2-8; MAE 2-3)? 5) the implications of applying an average annual Last Resort Service rate for the assessment of charges without also doing so for the apportionment of credits (MAE 2-4, 2-5)? Gridwealth needs answers to these kinds of inquiries to ensure that it fully understands the implications of the material addressed at the technical session and of RIE’s proposal so that it can fully respond to the proposal.

3) *Procedural Schedule*

Gridwealth understands the Commission’s position that this schedule was established at the outset and was, therefore, to be expected. But, Gridwealth has raised concerns with the procedural schedule in response to the proposed schedules and throughout this proceeding. It is just not possible

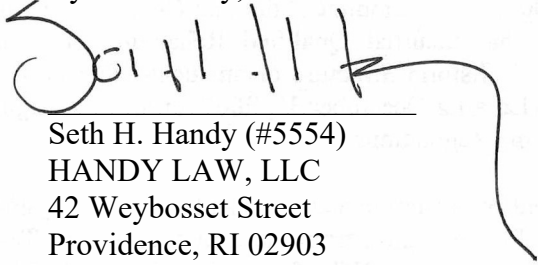
for an intervening participant to generate comprehensive witness and expert testimony in response to a tech session that occurred less than ten days ago and discovery that is either just produced or yet to be produced.

WHEREFORE, Gridwealth respectfully asks that the PUC grant its motion to extend the deadline for intervenors to file pre-filed testimony thirty days.

Respectfully submitted,

**MASSAMERICAN ENERGY LLC dba
GRIDWEALTH DEVELOPMENT,**

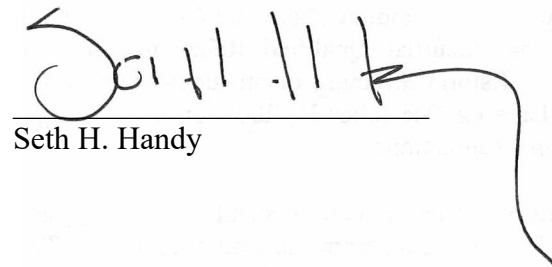
By its attorney,



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CERTIFICATE OF SERVICE

I hereby certify that on August 25, 2023, I sent a true copy of the document by electronic mail to the PUC and the service list.



Seth H. Handy