

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

<p>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 )</p>	<p>DOCKET NO. 23-05-EL</p>
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**MASSAMERICAN ENERGY LLC dba GRIDWEALTH DEVELOPMENT'S  
MOTION TO REQUIRE SUPPLEMENTATION OF DISCOVERY**

By its attorneys, MassAmerican Energy LLC dba Gridwealth Development (Gridwealth), hereby moves to require Rhode Island Energy to supplement its responses to data requests MAE 2-1, 2-7, 2-8 and 2-9 pursuant to PUC Rule 1.19(D) and 1.19(C)(4). RIE's unresponsiveness to these data requests puts Gridwealth at a significant disadvantage in presenting its advocacy in this docket and should warrant the sanctions provided in Rule 1.19(c)(4) if not corrected in sufficient time to allow adequate preparation for the hearing (in one week).

**MAE 2-1**

RIE's tariff advice filing claimed that net metering cost customers and explained the cost through the net metering fee it collects. The subject of that testimony is important because whether net metering costs or benefits other customers is the underpinning to RIE's rationale and approach to assessing added charges to net metering customers while refusing to credit net metering customers equitably.

At the tech session and in MAE 2-1, Gridwealth asked RIE to properly analyze net metering's cost to customers by conducting the net cost benefit analysis required by PUC docket 4600 and the guiding principles therein and by Rhode Island energy policy. In the response generated on September 11, two days before intervenors' pre-filed testimony was due, and one week before the scheduled hearing, RIE did not do so. Instead, it responded:

The cost benefit analysis framework adopted by the Public Utilities Commission in Docket No. 4600 is a societal benefit-cost assessment that considers value to the power system, customers, and society. Rhode Island Energy

respectfully notes prior work conducted by state agencies to understand the benefits and costs of various net metering policies, including but not limited to the most recent analysis conducted by Sustainable Energy Advantage on behalf of the Rhode Island Office of Energy Resources, available [here](#). Specifically, the benefit-cost assessment results presented on slide 45 suggest the costs outweigh the benefits for both net metering and virtual net metering.

The reply is unresponsive and the referral to another source for its answer, OER's study, is both inadequate and inaccurate.

The cross reference is inadequate because the parties to this proceeding do not have the opportunity to cross examine OER or its consultant on the analysis it conducted to reach its conclusions. In fact, the OER process did not even allow its own (purported) stakeholders transparency into its data or analyses as required for proper evaluation of costs and benefits of net metering per docket 4600 (goal to create visibility required to measure costs and benefits and to be transparent and understandable to all customers, Docket 4600 Stakeholder Report at pp. 6, 12). By one pertinent example, the OER process did not allow stakeholders any opportunity to review or critique the data or analysis supporting the conclusion reached on slide 45. All the evaluations of cost benefit was rushed and generated without transparency, stakeholder review or input.

The cross reference is inaccurate for many reasons. The analysis shown on slide 45 did not incorporate the mandates of the act on climate (see slide 46 - "Given RI's climate and GHG requirements, BC ratio above or below 1 may be less relevant than comparisons across programs"). Slide 46 did not integrate Rhode Island's intent to integrate storage (see slide 60), electrification, demand side management (time of use rates), or Rhode Island's other energy strategies that are rapidly moving in parallel. Moreover, as the OER study notes on slide 46, "there are hypothetical benefits to pursuing multiple strategies (e.g., portfolio diversification benefit – benefit of not having all your eggs in one policy basket) that are not captured in the BCA." Most significantly, the cross reference is inaccurate because the OER study failed to incorporate the much more substantial, comprehensive and better substantiated (with extensive stakeholder input) cost benefit analyses conducted and the resulting policies established in the state energy plan (Energy 2035).

Gridwealth asks the PUC to order RIE to conduct its own reevaluation of its poorly reasoned conclusion that net metering costs customers in its tariff advice filing, so that analysis can then be subject to cross examination and provides proper policy foundation for the proposal under consideration. In the absence of that correction, Rule 1.19(c)(4) sanctions are warranted because intervenors will be kept at an inappropriate disadvantage in advocating on RIE's proposed new policy to assess added net metering charges on a faulty premise that net metering costs customers.

### **MAE 2-7, 2-8 and 2-9**

In MAE 1-8 and in each of these supplemental requests, Gridwealth simply asked RIE to calculate the impact of applying an annual average LRS rate on a representative net metering customer and contrast that to the current monthly LRS valuation method. RIE has repeatedly refused to produce any such analysis. Instead it responded with non-responsive information and analysis it evidently preferred to present. Rhode Island's distribution company owes its customers better than that. In the context of RIE's proposal to establish an annual billing program as a basis for assessing an annual charge to overproducing net metering customers Gridwealth is entitled to the requested analysis of the impact of also averaging the LSR rate over a year on the value of the credit (as opposed to the current, monthly fluctuating seasonal LSR rate). When RIE refuses to be forthright in producing such information, its customers cannot properly evaluate and advocate on the impact of the proposed new policy or the equity of its mechanics.

Instead of being forthcoming about the implications of its proposal to average the LSR over an annual billing period for assessment of the annual charging proposal without also averaging the LSR rate for the value of the credit, RIE now introduces a new proposal to use a "weighted billing rate" to assess its charge. It claims to have introduced that concept at the technical session conducted on August 16 (6 months after its tariff advice filing, made on February 15, and about 1 month before the hearing). Gridwealth participated in that tech session and does not recall any discussion of any such "weighted billing rate" approach. The response to Gridwealth's second set of data requests on August 11, 2023, is the first time Gridwealth learned of this new approach.

RIE claims to have explained this newly proposed "weighted billing rate" approach in response to MAE 2-7, 2-8 and 2-9, but Gridwealth sees no such explanation. Intervenors cannot evaluate the implications of a new approach to the assessment of an annual net metering charge if they have not received an explanation of that approach.<sup>1</sup> Nor can intervenors be expected to advocate on the merits of such a changed approach introduced just two days before the due date for intervenors' pre-filed testimony and ten days before the hearing.

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<sup>1</sup> At this eleventh hour, in response to concerns about the capacity factor it proposed to apply to its calculation, RIE has also elected to change its approach to assessing production by a net metering customer to use three-year averages rather than relying on their proposed calculation that had included an exaggerated capacity factor. That change also leaves intervenors with inadequate time to understand advocate on RIE's proposal.

Gridwealth asks the PUC to order responses to MAE 2-7, 2-8 and 2-9 subject to the sanctions provided in Rule 1.19(c)(4), including striking testimony related to annual crediting and the introduction of a changed methodology for annual charging.

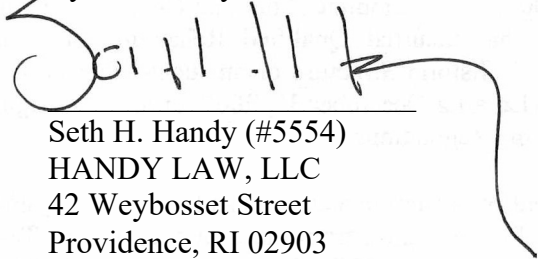
Conclusion

Gridwealth respectfully asks that the PUC grant its motion to order supplemental responses to these data requests, subject to appropriate sanctions.

Respectfully submitted,

**MASSAMERICAN ENERGY LLC dba  
GRIDWEALTH DEVELOPMENT,**

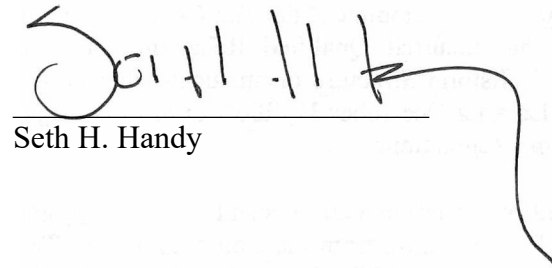
By its attorney,

A handwritten signature in black ink, appearing to read 'Seth H. Handy', is written over a horizontal line. A long, thin, curved line extends from the right side of the signature downwards and to the right.

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CERTIFICATE OF SERVICE

I hereby certify that on September 14, 2023, I sent a true copy of the document by electronic mail to the PUC and the service list.

A handwritten signature in black ink, appearing to read 'Seth H. Handy', is written over a horizontal line. A long, thin, curved line extends from the right side of the signature downwards and to the right.

Seth H. Handy