



STATE OF RHODE ISLAND  
OFFICE OF THE ATTORNEY GENERAL

150 South Main Street • Providence, RI 02903  
(401) 274-4400 • [www.riag.ri.gov](http://www.riag.ri.gov)

*Peter F. Neronha*  
*Attorney General*

September 11, 2023

Luly Massaro, Clerk  
Division of Public Utilities and Carriers  
89 Jefferson Blvd.  
Warwick, RI 02888  
[Luly.massaro@puc.ri.gov](mailto:Luly.massaro@puc.ri.gov)

**RE: IN RE: THE NARRAGANSETT ELECTRIC COMPANY D/B/A RHODE ISLAND  
ENERGY 2023 GAS COST RECOVERY CHARGE (GCR) FILING AND 2023  
DISTRIBUTION ADJUSTMENT CHARGE (DAC) FILING**

*Docket No: 23-23-NG*

Dear Ms. Massaro:

Enclosed please find for filing an original and nine (9) copies of the Attorney General's Motion to Intervene in the above-referenced docket.

Thank you for your attention to this matter. Should you have any questions, please do not hesitate to contact me.

Sincerely,

*/s/ Nicholas Vaz*

Special Assistant Attorney General  
[nvaz@riag.ri.gov](mailto:nvaz@riag.ri.gov)

Enclosures

Copy to: Service List

**STATE OF RHODE ISLAND  
PUBLIC UTILITIES COMMISSION**

**IN RE: THE NARRAGANSETT ELECTRIC**                         :  
**COMPANY D/B/A RHODE ISLAND ENERGY**                 : **DOCKET NO. 23-23-NG**  
**2023 GAS COST RECOVERY CHARGE (GCR)**                 :  
**FILING AND 2023 DISTRIBUTION ADJUSTMENT**             :  
**CHARGE (DAC) FILING**   :

**THE ATTORNEY GENERAL OF THE STATE OF RHODE ISLAND'S  
MOTION TO INTERVENE**

NOW COMES Peter F. Neronha, Attorney General of the State of Rhode Island (“Attorney General”), and hereby moves to intervene with full-party status in the above-captioned proceeding in accordance with Rule 1.14(B) of the Public Utilities Commission’s (the “Commission”) Rules of Practice and Procedure (the “Commission Rules”).

**I. Standard of Review**

Commission Rule 1.14(B) states that “any person claiming a right to intervene or an interest of such nature that intervention is necessary or appropriate may intervene in any proceeding before the Commission.” 810-RICR-00-00-1.14(B). Further, such right or interest may be:

- a. A right conferred by statute.
- b. An interest which may be directly affected and which is not adequately represented by existing parties and as to which movants may be bound by the Commission’s action in the proceeding. (The following may have such an interest: consumers served by the applicant, defendant, or respondent; holders of securities of the applicant, defendant, or respondent.)
- c. Any other interest of such a nature that movant’s participation may be in the public interest.

810-RICR-00-00-1.14(B)(1)-(3). As explained below, the Attorney General has a statutory right to intervene and is in a unique position to represent the interests of the State and the public such that intervention is both necessary and appropriate.

## **II. Basis for Intervention**

In this docket, The Narragansett Electric Company d/b/a Rhode Island Energy (“Rhode Island Energy” or the “Company”), has petitioned the Commission for approval of its 2023 Distribution Adjustment Charge and Gas Cost Recovery Charge filings.

The Attorney General seeks to represent the interests of the ratepayers and the public as a whole. He is in a unique position to represent these interests and should be permitted to do so. Several of the issues to be considered in this docket relate to the approved FY 2023 Gas Infrastructure, Safety and Reliability (“ISR”) Plan and the related FY 2023 Gas ISR Plan Reconciliation recently filed in Docket 5210. The Attorney General intervened as a full party in the dockets that considered the FY 2022 Distribution Adjustment Charge and Gas Cost Recovery Charge, and he has an interest in these proceedings as well. He also intervened as a full party in the docket before the Commission that considered the FY 2024 Gas ISR Plan. Additionally, this docket could potentially raise issues impacting the settlement agreement dated May 19, 2022 by and among PPL Corporation, PPL Rhode Island Holdings, LLC (collectively, “PPL”), and the Attorney General (the “Settlement Agreement”). For example, pursuant to the Settlement Agreement, the Company is committed to “forgo potential recovery of any and all transition costs” related to the sale of The Narragansett Electric Company to PPL. Questions have already been raised in this docket asking whether certain cost recoveries may actually seek to recover transition costs related to the purchase of The Narragansett Electric Company. *See e.g.* PUC 3-1 (asking why certain costs for equipment should not be treated as unrecoverable transition costs). Thus,

participation by the Attorney General in the instant proceeding is sanctioned by law and consistent with the public interest.

The Attorney General is the public officer charged with representing the State of Rhode Island, the public interest, and the people of the State. This includes representation with respect to environmental, electric or gas industry matters, as well as consumer protection matters.

Additionally, the Attorney General “has a common law duty to protect the public interest.” State v. Lead Indus., Ass'n, Inc., 951 A.2d 428, 471 (R.I. 2008) (*quoting* Newport Realty, Inc. v. Lynch, 878 A.2d 1021, 1032 (R.I. 2005)).

It should also be noted that the Attorney General has been granted full-party status in prior proceedings before the Public Utilities Commission involving public utility operations and rates. Moreover, the legislature and courts have recognized role of the Attorney General as an intervenor on behalf of the state or its citizens as customers of the public utility. *See e.g.* R.I. Gen. Laws § 39-1-19(b), *see also* Narragansett Elec. Co. v. Harsch, 117 R.I. 395, 405 n. 6 (1977).

The Attorney General seeks to intervene to ensure that the proposed rates and underlying expenditures are fully vetted. This includes careful consideration of financial impacts, consistency with the previous approval of the Gas ISR Plan, as well as impacts related to significant investments in the State’s gas infrastructure in light of the Act on Climate’s greenhouse gas emission reduction mandates. *See* R.I. Gen. Laws § 42-6.2-9.

### **III. Conclusion**

For the reasons set forth herein, the Attorney General respectfully requests that the Public Utilities Commission grant his Motion to Intervene in this proceeding.

Respectfully submitted,

PETER F. NERONHA  
ATTORNEY GENERAL OF THE  
STATE OF RHODE ISLAND

By his Attorney,

/s/ Nicholas M. Vaz  
Nicholas M. Vaz (#9501)  
Special Assistant Attorney General  
Office of the Attorney General  
150 South Main Street  
Providence, RI 02903  
[nvaz@riag.ri.gov](mailto:nvaz@riag.ri.gov)  
(401) 274-4400 x 2297

Dated: September 11, 2023

CERTIFICATE OF SERVICE

I hereby certify that on the 11<sup>th</sup> day of September 2023, the original and nine hard copies of this Motion were sent via in hand-delivery to Luly Massaro, Clerk of the Division of Public Utilities and Carriers, 89 Jefferson Boulevard, Warwick, RI 02888. In addition, electronic copies of the Motion were served via electronic mail on the service list for this Docket on this date.

/s/ Nicholas M. Vaz