



**STATE OF RHODE ISLAND
DIVISION OF PUBLIC UTILITIES & CARRIERS**

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October 10, 2023

Ms. Luly Massaro, Clerk
Public Utilities Commission
89 Jefferson Blvd.
Warwick, RI 02888

Re: Docket No. 22-56-EL

Dear Ms. Massaro,

The Division has reviewed the Joint Pre-Filed Supplemental Testimony by Rhode Island Energy (“RIE” or “Company”) that has been submitted in the above-entitled docket as well as the initial Company filing itself. In its December 30, 2022 filing, the Company states that its Grid Modernization Plan (“GMP”) is “an informational guidance document”¹ that “will support additional grid modernization investments to be proposed in future electric ISR plans.”² The Company emphasizes, “solutions derived from a grid modernization investment strategy in the upper bound scenario in the GMP Analysis are *not* intended to be an investment plan nor are they intended to be an all-or-nothing investment proposal.”³ The proposed Plan investments, BCAs and timeline reflected in the Plan, then, are hypothetical as filed, and it follows as to why the Company indicates that it “is not requesting approval from the PUC for any specific investments or seeking any cost recovery as part of this GMP”⁴ but rather is merely requesting an Order from the Commission that the Company has “complied with its obligation to file a GMP that meets the requirements of the Amended Settlement Agreement (‘ASA’).”⁵

¹ *Cover Letter to GMP Filing dated December 30, 2023* at 1.

² *Id.*

³ *Joint Pre-filed Supplemental Direct Testimony of Kathy Castro, Ryan Constable and Carrie Gill* at 39 (emphasis added).

⁴ *Cover Letter to GMP Filing dated December 30, 2023* at 1.

⁵ *Id.* See also *Joint Pre-filed Supplemental Direct Testimony of Kathy Castro, Ryan Constable and Carrie Gill* at 16 & 19 (where the Company reiterates it is not requesting approval of “specific investments or their cost recovery”—they will be “right sized and right-timed based on actual electric distribution system issues as they arise”—but rather is only requesting the Commission to “issue an order affirming that the Company has complied with its obligation to file a GMP that meets the requirements of the ASA.”)

Given the narrow scope of RIE's GMP request and the hypothetical character of the GMP filing, the Division does not oppose the Company's request. However, it must be emphasized that the Division's non-opposition to the Company's limited request is subject to the understanding that any Commission Order that may be issued in this docket⁶ does not bar the Division and/or other stakeholders from reviewing and commenting upon and/or opposing particular GMP investments and/or cost recovery proposals in future electric ISR or other proceedings.

The Division and the Commission must have a true investment plan, an accurate investment timeline, legitimate BCAs, *etc.* in order to analyze GMP implementation, as well as adequate time to evaluate the details and comment on these items. The Division assumes, and the Commission should require, that these prerequisites will be presented and/or available with each electric ISR Plan filing. By proceeding in this manner, the Commission and the Division will review specific GMP proposals when they are "right-sized and right-timed,"⁷ thereby avoiding speculative and duplicative efforts that would occur were a comprehensive administrative review of the Company's GMP filing and testimony take place this time.

Thank you for your attention to this correspondence.

Respectfully submitted,

Division of Public Utilities and Carriers

/s/ Leo J. Wold

Leo J. Wold, Esq.

Chief of Legal Services

⁶ In view of the Company's limited filing and request, the Division does not believe that any Commission action is necessarily required on the Company's filing.

⁷ *Joint Pre-filed Supplemental Direct Testimony of Kathy Castro, Ryan Constable and Carrie Gill* at 16.