

**STATE OF RHODE ISLAND  
PUBLIC UTILITIES COMMISSION**

**IN RE: THE NARRAGANSETT ELECTRIC :  
COMPANY d/b/a RHODE ISLAND ENERGY’S :  
BID RESULT FROM OCTOBER 2022 REQUEST :  
FOR PROPOSAL FOR LONG-TERM CONTRACT :  
FOR OFFSHORE WIND ENERGY - FILING : DOCKET NO. 23-32-EL  
TO PUC THAT THE BID WAS UNLIKELY TO :  
LEAD TO CONTRACT THAT MEETS THE :  
REQUIREMENTS OF SECTIONS 6 AND 10 :  
OF R.I. GEN. LAWS § 39-31-10 :**

**ORDER DISMISSING FILING AS MOOT**

On September 27, 2023, The Narragansett Electric Company d/b/a Rhode Island Energy (RI Energy or Company) filed a letter and testimony with the Public Utilities Commission (Commission) in compliance with certain provisions of the Affordable Clean Energy and Security Act (ACES).<sup>1</sup> The filing relates to an offshore wind Request for Proposals arising out of ACES. The ACES statute places a requirement on the utility to make a filing with the Commission if – after the required bidding process is completed – the utility decides that no bids meet the requirements of the procurement law.<sup>2</sup>

The filing asserted that the bidding process was conducted, and the only bid received is unlikely to lead to a contract that meets all of the requirements of ACES.<sup>3</sup> The filing also provided evidentiary support for the conclusion.

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<sup>1</sup> Specifically, R.I. Gen. Laws §§ 39-31-6 and 39-31-10(d); Filings may be accessed on the PUC’s website at: <https://ripuc.ri.gov/Docket-23-32-EL> or reviewed at the PUC’s office, 89 Jefferson Blvd., Warwick, RI 02888.

<sup>2</sup> R.I. Gen. Laws § 39-31-6(d) states: “If the electric distribution company determines that the bids are unlikely to lead to contracts that meet all of the requirements of this section and § 39-31-6, it shall submit a filing to the commission together with testimony to explain why it should not be required to negotiate a contract. The commission shall review and rule on the filing within ninety (90) days, which review shall include soliciting input from the agencies required to provide advisory opinions to the commission, and public comment. If the electric distribution company fails to show that the bids are unlikely to lead to a contract that meets all the requirements of this section and § 39-31-6 the commission may order the utility to proceed with negotiations as set forth in subsection (c) of this section.”

<sup>3</sup> RI Energy Initial Filing (Sept. 27, 2023).

On October 18, 2023, the Commission published a Notice of Filing, Intervention, and Public Comment Hearing. The deadline to file a Motion to Intervene was October 27, 2023.

On October 27, 2023, Baystate Wind, LLC (Baystate), the sole bidder, filed with the Commission a Motion to Intervene. In its motion, Baystate represented that it had withdrawn its bid and would be seeking to have the docket closed. The filing indicated that it had consulted with RI Energy and RI Energy had no objection to the motion. Baystate also provided a copy of its letter that advised Rhode Island Energy of the bid withdrawal.<sup>4</sup>

On November 2, 2023, the Commission conducted an Open Meeting to review Baystate's Motion to Intervene and attached letter. Given the fact that the sole bidder has withdrawn its bid, the Commission finds that there are no bids upon which it could require RI Energy to negotiate a contract. Accordingly, the Commission finds that the case is moot and must be dismissed.

The November 6, 2023 hearing is canceled.

Accordingly, it is hereby,

(24863) ORDERED:

1. The Narragansett Electric Company d/b/a Rhode Island Energy's September 27, 2023 filing under R.I. Gen. Laws § 39-31-10 is hereby dismissed with prejudice as moot.
2. The public hearing previously scheduled on November 6, 2023, is canceled.
3. The docket is closed.

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<sup>4</sup> Baystate Mot. to Intervene (Oct. 27, 2023).

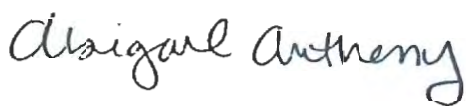
EFFECTIVE AT WARWICK, RHODE ISLAND ON NOVEMBER 2, 2023, PURSUANT  
TO AN OPEN MEETING DECISION. WRITTEN ORDER ISSUED NOVEMBER 2, 2023.

PUBLIC UTILITIES COMMISSION



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Ronald T. Gerwatowski, Chairman



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Abigail Anthony, Commissioner



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John C. Revens, Jr., Commissioner



**NOTICE OF RIGHT OF APPEAL:** Pursuant to R.I. Gen. Laws § 39-5-1, any person aggrieved by a decision or order of the PUC may, within seven (7) days from the date of the order, petition the Supreme Court for a Writ of Certiorari to review the legality and reasonableness of the decision or order.