

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

PETITION TO ACCELERATE DUE TO DG  
PROJECTS – WEST GREENWICH  
PROJECTS

Docket No. 23-38-EL

**MOTION TO INTERVENE BY  
GREEN DEVELOPMENT, LLC**

By its attorneys, Green Development, LLC (“Green”) moves to intervene in the above-captioned proceeding pursuant to Rule 1.14 of the Rhode Island Public Utilities Commission (“PUC”) Rules of Practice and Procedure (“Rules”), 810-RICR-00-00-1. In support of this motion, Green states:

1. Green is a developer of renewable energy projects across Rhode Island.
2. Rule 1.14(B) states any person claiming an interest of such nature that intervention is necessary or appropriate may intervene in any proceeding before the PUC.
3. It is necessary and appropriate that Green intervene in this proceeding as Green has an interest that will be directly affected, which is not adequately represented by existing parties, and will be bound by the Commission’s action in the proceeding. Rule 1.14(B)(2).
4. R.I. Gen. Laws §39-26.3-4.1(a) provides that “The electric distribution company may only charge an interconnecting, renewable energy customer for any system modifications to its electric power system specifically necessary for and directly related to the interconnection.” R.I. Gen. Laws §39-26.3-4.1(b) requires that “[a]ny system modifications benefiting other customers shall be included in rates as determined by the public utilities commission.” The interconnection tariff incorporates that statutory language and adds:

5.4 Separation of Costs

a. The Company may combine the installation of System Modifications with System Improvements to the Company's EDS to serve the Interconnecting Customer or other customers, but shall not include the costs of such System Improvements in the amounts billed to the Interconnecting Customer for the System Modifications required pursuant to this Interconnection Tariff. Interconnecting Customers shall be directly responsible to any Affected System operator for the costs of any System Modifications necessary to the Affected Systems.

5. The statute's provision on cost sharing, RI Gen. Laws Section 39-26.3-4.1(b),

provides:

(b) If the public utilities commission determines that a specific system modification benefiting other customers has been accelerated due to an interconnection request, it may order the interconnecting customer to fund the modification subject to repayment of the depreciated value of the modification as of the time the modification would have been necessary as determined by the public utilities commission. Any system modifications benefiting other customers shall be included in rates as determined by the public utilities commission.

6. In reliance on these laws, Green has entered into agreements with Narragansett Electric dba Rhode Island Energy (RIE) to self-construct upgrades to the electric distribution system (system improvements) that will benefit other customers and will, therefore, be directly and significantly impacted by the decision issued in this docket.

7. As described in the petition itself, Green chose to, and RIE approved that Green, self-perform design and construction of the civil duct bank work for the interconnection of its West Greenwich project. More specifically,

The System Modifications include the installation of a manhole and duct system and extension of the 3310, a portion of which will provide benefits to the Company's distribution customers. The portion of the manhole and duct system that will benefit the Company's distribution customers meets the definition of a "System Improvement" provided in the Company's Interconnection Tariff. The Company's Petition seeks findings relating to the up-front payment of costs by Green Development, Revity, and EDP for the System Improvement, and the repayment to Green Development, Revity, and EDP by the Company of such costs, subject to the terms of the Interconnection Statute and Interconnection Tariff.

*Pre-Filed Joint Direct Testimony of Erica J. Russell Salk and Stephanie A. Briggs, at p. 17-18.*

8. This work will benefit other customers. Id. “A portion of the manhole and duct system that was constructed by Green Development has been identified as a System Improvement. This portion is just over three miles, from the intersection of Hopkins Hill Road and Division Street to the intersection of Nooseneck Hill Road and Weaver Hill Road in West Greenwich. This stretch consists of 25 manholes of varying type, depending on the engineering design (e.g. 2-way, 3-way, etc.) and three phase conductor 1000 kcmil EPR insulated CU cable.” Id. at pp. 20-21.

9. “The installation of a new modular substation at Weaver Hill Road is in the FY2023 Proposal, Docket No. 5209, filed on December 20, 2021.” Id.

10. RIE proposes to cost share for this work in order to accommodate additional customers. “The recommended approach would be that the Company would pay the developers for the specific system improvements that benefitted distribution customers, less the estimated depreciated value, at the time that the project is placed in service, the third party audit and verification is complete, and the project is fully reconciled.” Id. at p. 24.

11. Green supports the Petition as filed. Green will advocate (if/as necessary) for positions that are consistent with the purpose of 39-26.4-1 and its implementing tariff. Green will comment on how the Tariff is unambiguous and the purpose of the Act can be achieved as currently stated.

12. Green has currently unrepresented interests in this proceeding that will be represented by this intervenor.

Please direct service of any correspondence or pleadings in connection with this proceeding to:

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Green respectfully asks that the PUC grant its Motion to Intervene.

Respectfully submitted,

GREEN DEVELOPMENT, LLC

By their attorneys,



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CERTIFICATE OF SERVICE

I hereby certify that on December 8, 2023, I sent a true copy of the document by electronic mail to the Commission and the attached service list and mailed the original pleading and 9 photocopies to the Commission.

