



STATE OF RHODE ISLAND

Public Utilities Commission

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Chairman Ronald T. Gerwatowski
Commissioner Abigail Anthony
Commissioner John C. Revens, Jr.

To: Docket Nos. 5189 and 22-05-EE Service List
From: John Harrington
Date: April 5, 2024
Re: **Docket Nos. 5189 and 22-05-EE – In re: Investigation of Utility Misconduct or Fraud by The Narragansett Electric Company Relating to Past Payment of Shareholder Incentive**

PROCEDURAL SCHEDULE

The purpose of this memo is to establish deadlines for the filing of pre-filed testimony on the issues of 1.) the financial harm to ratepayers and 2.) accountability and whether statutory penalties should be assessed against The Narragansett Electric Company (Company) relating to the manipulation of the reporting of invoices affecting the recovery of past shareholder incentives. On April 4, 2024, Commission counsel conducted a procedural conference call with counsel for the parties to discuss the deadlines for the filing of pre-filed testimony and related discovery issues.¹ Based on the recommendations of the parties the Commission sets the following schedule:

- | | |
|---------|--|
| 6/14/24 | National Grid and RI Energy's pre-filed testimony supporting their report ² and responding to the Division's pre-filed testimony. ³ |
| TBD | Division's pre-filed testimony responding to National Grid/RI Energy's testimony. Attorney General's pre-filed testimony, if any, responding to National Grid/RI Energy's testimony. |
| 8/30/24 | Division's pre-filed testimony regarding accountability and potential penalties. Attorney General's pre-filed testimony, if any, regarding accountability and potential penalties. |

¹ Counsel for National Grid USA (National Grid), The Narragansett Electric Company d/b/a Rhode Island Energy (Rhode Island Energy), the Division of Public Utilities and Carriers (Division), and the Rhode Island Attorney General (Attorney General) participated in the conference call.

² National Grid filed its investigatory report on March 10, 2023. The report can be found at: https://ripuc.ri.gov/sites/g/files/xkgbur841/files/2023-03/2205-NGrid-Report-on-Investigation_310-2023.pdf

³ The Division filed pre-filed testimony on November 27, 2023. The filing can be found at: <https://ripuc.ri.gov/sites/g/files/xkgbur841/files/2023-11/2205-DPUC-Testimony-Redacted11-27-23.pdf>

TBD National Grid and RI Energy's pre-filed testimony responding to the Division's pre-filed testimony and the Attorney General's pre-filed testimony, if any.

Commission counsel will convene further procedural conferences approximately one week after the filing of the June 14th and August 30th pre-filed testimony to set deadlines for filing responsive pre-filed testimony.

The above schedule addresses *pre-filed testimony* only. The Commission has not set deadlines regarding the filing of comments or pre-hearing briefs. The Commission will address the potential filing of comments or pre-hearing briefs at a later date.

Discovery remains ongoing. The parties are again informed that the Commission's Rules of Practice and Procedure (Rules) provide that techniques of pre-hearing discovery permitted in state civil actions may be employed by any party.⁴ Upon experiencing any difficulties in obtaining discovery, the parties may seek relief from the Commission by filing a proper motion.⁵ Commission counsel has informed the parties that should discovery disputes arise, the Commission will promptly address those disputes and may alter the above deadlines.

Copy: Linda George, Division Administrator

⁴ Rule 1.19 of the Commission's Rules of Practice and Procedure (810-RICR-00-00-1.19)

⁵ *Id.*