

**RHODE ISLAND GOVERNMENT REGISTER
PUBLIC NOTICE OF PROPOSED RULEMAKING**

PUBLIC UTILITIES COMMISSION

Title of Rule: Implementation of a Renewable Energy Standard (810-RICR-40-05-2)

Rule Identifier: 810-RICR-40-05-2

Rulemaking Action: Proposed Amendment

Important Dates:

Date of Public Notice: March 25, 2024

Hearing Date: April 11, 2024

End of Public Comment: April 24, 2024

Rulemaking Authority:

R.I. Gen. Laws § R.I. Gen Laws §39-26-6 and §42-35-1 et seq.

Summary of Rulemaking Action:

The Public Utilities Commission is proposing to amend this regulation to reflect the statutory changes enacted on June 27, 2022 (2022 P.L. Ch. 218). The proposed amendment changes the annual percentages of renewable energy required to achieve a 100% renewable energy standard by 2033. Proposed amendments to the regulation include:

810-RICR-40-05-2.2 – reflects date of new law enacting amendments.

810-RICR-40-05-02.4(A) – updates percentage target changes in subsequent compliance years - R.I. Gen Laws §39-26-4(a)(4)-(14).

810-RICR-40-05-02.4(C) – updates target table to reflect changes made to R.I. Gen Laws §39-26-4(a)(4)-(14).

810-RICR-40-05-02.4(D) – reflects as amended while providing actual percentages - R.I. Gen Laws §39-26-4(c).

810-RICR-40-05-02.4(E) – reflects repeal of provision in R.I. Gen Laws §39-26-6(a)(4) as amended.

810-RICR-40-05-02.4(F) – deleted to reflect change in statutory language from R.I. Gen Laws §39-26-4(a)(4) as amended.

810-RICR-40-05-02.5(E) – repeal to reflect amendment to R.I. Gen Laws §39-26-4(d).

810-RICR-40-05-02.6(H)(1) – updated to reflect effectiveness of R.I. Gen Laws §39-26-4(d).

810-RICR-40-05-02.8(B) – updated to reflect effectiveness of R.I. Gen Laws §39-26-4(d).

810-RICR-40-05-02.8(D)(3) – updated to reflect amendment to R.I. Gen Laws §39-26-6(a)(iii).

810-RICR-40-05-02.8(J)(4) – no longer applicable and reflects amendment in R.I. Gen Laws §39-26-6 of the new law.

810-RICR-40-05-02.8(K) – no longer applicable and reflects amendment in R.I. Gen Laws §39-26-6 of the new law.

Administrative changes to provide clarification and updated to reflect actual practice.

Additional Information and Public Comments:

All interested parties are invited to request additional information or submit written or oral comments concerning the proposed amendment until April 24, 2024 by contacting the appropriate party at the address listed below:

Luly Massaro

Public Utilities Commission

89 Jefferson Blvd.
Hearing Room A
Warwick, RI 02888
luly.massaro@puc.ri.gov

Public Hearing:

A public hearing, in accordance with R.I. Gen. Laws § 42-35-2.5, to consider the proposed amendment shall be held at which time and place all persons interested therein will be heard. This hearing is subject to R.I. Gen. Laws Chapter 42-46, Open Meetings.

Public Hearing Information:

Date: April 11, 2024

Time: 1:00 P.M.

Location: 89 Jefferson Blvd.

Hearing Room A or Zoom meeting
<https://us02web.zoom.us/j/84718369423>
Warwick, RI, 02888

The place of the public hearing is accessible to individuals with disabilities. If communication assistance (readers/interpreters/captioners) is needed, or any other accommodation to ensure equal participation, please call 401-780-2107 or RI Relay 711 at least three (3) business days prior to the meeting so arrangements can be made to provide such assistance at no cost to the person requesting. For questions regarding available parking, please contact the agency staffperson listed above.

Regulatory Analysis Summary and Supporting Documentation:

This regulation affects electric distribution companies and obligated entities (non-regulated power producers) seeking to engage in the retail sale of electricity to Rhode Island customers. The statutory requirement to purchase increasing percentages of renewable energy certificates (RECs) or make alternative compliance payments to achieve a 100% renewable energy standard by 2033 result in environmental benefits. The cost will show up in increased electric bills. RECs trade in a market and are expected to cost up to about \$40 per REC times the total number of MWh used by electric customers in RI (4 cents per kWh). The cost is set by a market. The quantity is set by the law and the total quantity and cost will be dependent on how much electrification grows in Rhode Island.

In the development of the proposed amendment consideration was given to: (1) alternative approaches; (2) overlap or duplication with other statutory and regulatory provisions; and (3) significant economic impact on small business. No alternative approach, duplication or overlap was identified based upon available information. No significant economic impact on small businesses as defined by R.I. Gen. Laws § 42-35.1-4 was identified.

For full regulatory analysis or supporting documentation contact the agency staffperson listed above.