



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

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June 17, 2024

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

Re: Docket No.

Dear Ms. Massaro,

Attached please find the Division's Response to NWD's Miscellaneous Petition.

Very truly yours,

/s/ Leo J. Wold

Leo J. Wold, Esq.
Chief of Legal Services, DPUC

cc: Service List

**STATE OF RHODE ISLAND
PUBLIC UTILITIES COMMISSION**

IN RE:	CITY OF NEWPORT UTILITIES) DEPARTMENT, WATER DIVISION) APPLICATION TO CHANGE RATE) SCHEDULES)	Docket No.
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**DIVISION’S RESPONSE TO NWD’S
MISCELLANEOUS PETITION**

In anticipation of filing a multi-year rate case, the Newport Water Department (“NWD”) requests that the Commission allow the use of FY 2023 (ending June 30, 2023) as its test year. The FY 2023 test year, admittedly, is outside the 9-month filing window in Rule 5.6A. That rule, in pertinent part, provides: “The test year constitutes a historic year of actual data for a period ending within nine (9) months of the filing date.” The 9-month filing window is intended to ensure that the rates which the Commission sets are derived from financial information which accurately portrays the operations of the utility. NWD states that pursuant to the Commission’s rule, “Newport would have had to file its rate case by March 30, 2024 to be within nine months of the end of FY 2023” and that “due to several factors, Newport Water could not make its filing by this date.” NWD does not identify what the “several factors” were that caused the delay of its filing.

NWD’s last rate case was filed on February 13, 2019, using a test year of June 30, 2018; NWD’s rate year commenced on July 1, 2019. As this rate case was filed within the 9-month window, the rates that are in effect were not based on information that may have been stale. The Division, therefore, recommends that NWD be allowed to use FY 2023 as its test year for the anticipated general rate filing on the condition that NWD must comply with the 9-month window in the rate filing that follows that filing.

Respectfully submitted,

DIVISION OF PUBLIC UTILITIES AND
CARRIERS

By its attorneys,

/s/ Leo J. Wold

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CERTIFICATE OF SERVICE

I certify that the within response was forwarded to by e-mail to Joseph A. Keough, Jr., Esq., Keough & Sweeney, Ltd., 41 Mendon Avenue, Pawtucket, RI 02861 on the 17th day of June, 2024.

/s/ Leo J. Wold
