

**STATE OF RHODE ISLAND
PUBLIC UTILITIES COMMISSION**

IN RE: THE NARRAGANSETT ELECTRIC :
COMPANY d/b/a RHODE ISLAND :
ENERGY’S PROPOSED FY 2026 GAS :
INFRASTRUCTURE, SAFETY AND :
RELIABILITY PLAN : **Docket No. 24-55-NG**

**THE ATTORNEY GENERAL OF THE STATE OF RHODE ISLAND’S
MOTION TO INTERVENE**

NOW COMES Peter F. Neronha, Attorney General of the State of Rhode Island (“Attorney General”), and hereby moves to intervene with full-party status in the above-captioned proceeding in accordance with Rule 1.14(B) of the Public Utilities Commission’s (the “Commission”) Rules of Practice and Procedure (the “Commission Rules”).

I. Standard of Review

Commission Rule 1.14(B) states that “any person claiming a right to intervene or an interest of such nature that intervention is necessary or appropriate may intervene in any proceeding before the Commission.” 810-RICR-00-00-1.14(B). Further, such right or interest may be:

- a. A right conferred by statute.
- b. An interest which may be directly affected and which is not adequately represented by existing parties and as to which movants may be bound by the Commission’s action in the proceeding. (The following may have such an interest: consumers served by the applicant, defendant, or respondent; holders of securities of the applicant, defendant, or respondent.)
- c. Any other interest of such a nature that movant’s participation may be in the public interest.

810-RICR-00-00-1.14(B)(1)-(3). As explained below, the Attorney General has a statutory right to intervene and is in a unique position to represent the interests of the State and the public such that intervention is both necessary and appropriate.

II. Basis for Intervention

On December 31, 2024, The Narragansett Electric Company d/b/a Rhode Island Energy (“Rhode Island Energy” or the “Company”) filed its Fiscal Year 2026 Gas Infrastructure, Safety and Reliability (“ISR”) Plan.¹ At the time of filing, the Company had not reached agreement with the Division of Public Utilities and Carriers (“Division”) with respect to its ISR Plan, despite having consulted with the Division about its plan since at least October 23, 2024. *See* Filing Correspondence (December 31, 2024) at Page 2 of 5 (noting that the Division’s review of the budget and plan is ongoing). Pursuant to R.I. Gen. Laws § 39-1-27.7.1(d)(4), “[i]f the company and the division cannot agree on a plan, the [C]ompany shall file a proposed plan with the [C]ommission and the [C]ommission shall review and, if the investments and spending are found to be reasonably needed to maintain safe and reliable distribution service over the short and long term, approve the plan within ninety (90) days.” The ISR Plan addresses the Company’s proposed activities from April 2025 through March 2026 with respect to, *inter alia*: maintaining and proactively upgrading the gas distribution system. The ISR Plan proposes some \$186.62 million in capital investment, and an additional \$22 million in anticipated paving costs. The ISR Plan also addresses the revenue requirement (a proposed \$88,134,152 or \$108,561,885 depending on treatment of paving costs), rate design, and bill impacts (including an expected average annual bill increase of \$17.75 (1%) or \$78.58 (4.4%), again, depending on treatment of paving costs) related to the Company’s proposal.

¹ Rhode Island Energy’s initial filing was made on December 20, 2024; however, that filing was rejected.

In this docket, the Attorney General seeks to represent the interests of the ratepayers and the public as a whole. He is in a unique position to represent these interests and should be permitted to do so. The Attorney General is, pursuant to § 42-9-6 of the General Laws of Rhode Island of 1956, as amended, the “legal advisor of all state boards, divisions, departments, and commissions and the officers thereof...” He is also the public officer charged with representing the State of Rhode Island, the public interest, and the people of the State. This includes representation with respect to environmental, electric or gas industry matters, as well as consumer protection matters. Additionally, the Attorney General ““has a common law duty to protect the public interest.”” *State v. Lead Indus., Ass’n, Inc.*, 951 A.2d 428, 471 (R.I. 2008) (*quoting Newport Realty, Inc. v. Lynch*, 878 A.2d 1021, 1032 (R.I. 2005)).

It should also be noted that the Attorney General has been granted full-party status in prior proceedings before the Commission involving public utility operations and rates. Moreover, the legislature and courts have recognized the role of the Attorney General as an intervenor on behalf of the state or its citizens as customers of the public utility. *See e.g.* R.I. Gen. Laws § 39-1-19(b), *see also Narragansett Elec. Co. v. Harsch*, 117 R.I. 395, 405 n. 6 (1977).

Participation by the Attorney General in the instant proceeding is sanctioned by law and consistent with the public interest. The Attorney General seeks to intervene to ensure that the Company’s Gas ISR Plan is fully vetted and that any potential impacts and/or alternatives are carefully considered. This includes careful consideration of financial impacts, as well as impacts related to significant investments in the State’s gas infrastructure in light of the Act on Climate’s greenhouse gas emission reduction mandates. *See* R.I. Gen. Laws § 42-6.2-9.

III. Conclusion

For the reasons set forth herein, the Attorney General respectfully requests that the Public Utilities Commission grant his Motion to Intervene as a full party in this proceeding.

Respectfully submitted,

PETER F. NERONHA
ATTORNEY GENERAL OF THE
STATE OF RHODE ISLAND

By his Attorney,

/s/ Nicholas M. Vaz
Nicholas M. Vaz (#9501)
Special Assistant Attorney General
Office of the Attorney General
150 South Main Street
Providence, RI 02903
nvaz@riag.ri.gov
(401) 274-4400 x 2297

Dated: January 17, 2025

CERTIFICATE OF SERVICE

I hereby certify that on the 17th day of January 2025, the original and five hard copies of this Motion were sent, via electronic mail and courier, to Stephanie De La Rosa, Clerk of the Public Utilities Commission, 89 Jefferson Boulevard, Warwick, RI 02888. In addition, electronic copies of the Motion were served via electronic mail on the service list for this Docket on this date.

/s/ Nicholas Vaz