

STEVEN J. BOYAJIAN

One Financial Plaza, 14th Floor
Providence, RI 02903-2485
Main (401) 709-3300
Fax (401) 709-3399
sboyajian@rc.com
Direct (401) 709-3359

Also admitted in Massachusetts

April 18, 2025

VIA HAND DELIVERY AND ELECTRONIC MAIL

Stephanie De La Rosa, Commission Clerk
Rhode Island Public Utilities Commission
89 Jefferson Boulevard
Warwick, RI 02888

**RE: Docket No. 24-50-REG – RI Distributed Generation Board
2025 Renewable Energy Growth Program
Responses to the Public Utilities Commission’s
Second Set of Data Requests - Compliance**

Dear Ms. De La Rosa:

On behalf of The Narragansett Electric Company d/b/a Rhode Island Energy (the “Company”), I have enclosed the Company’s responses to the Public Utilities Commission’s Second Set of Data Requests – Compliance in the above-referenced docket.

Thank you for your attention to this matter. If you have any questions, please contact me at (401) 709-3359.

Sincerely,



Steven J. Boyajian

Enclosure

cc: Docket 24-50-REG Service List

Certificate of Service

I hereby certify that a copy of the cover letter and any materials accompanying this certificate were electronically transmitted to the individuals listed below.

The paper copies of this filing are being hand delivered to the Rhode Island Public Utilities Commission and to the Rhode Island Division of Public Utilities and Carriers.

Heidi J. Seddon

April 18, 2025

Date

**Docket No. 24-50-REG – Renewable Energy Growth Program for Year 2025
The Narragansett Electric Company & RI Distributed Generation Board
Service List updated 12/18/2024**

Parties' Name/Address	E-Mail	Phone
The Narragansett Electric Company d/b/a Rhode Island Energy Andrew S. Marcaccio, Esq. Celia B. O'Brien, Esq. 280 Melrose Street Providence, RI 02907	AMarcaccio@pplweb.com ;	401-784-4263
	COBrien@pplweb.com ;	
	JScanlon@pplweb.com ;	
	CAGill@RIEnergy.com ;	
	KRCastro@rienergy.com ;	
	ERussellSalk@RIEnergy.com ;	
	RConstable@rienergy.com ;	
	KMCampbell@pplweb.com ;	
	HDGonsalves@pplweb.com ;	
	LKurdgelashvili@pplweb.com ;	
Steven J. Boyajian, Esq. Leticia C. Pimentel, Esq. Robinson & Cole LLP One Financial Plaza, 14th Floor Providence, RI 02903	sboyajian@rc.com ;	401-709-3359
	lpimentel@rc.com ;	
	hseddon@rc.com ;	
DG Board / Office of Energy Resources Adam Fague, Esq. Albert Vitali, Esq. Division of Legal Services One Capitol Hill, 4 th Floor Providence, RI 02908	adam.fague@doa.ri.gov ;	401-222-8880
	Albert.Vitali@doa.ri.gov ;	
	Nancy.Russolino@doa.ri.gov ;	
	Christopher.Kearns@energy.ri.gov ;	
	Shauna.Beland@energy.ri.gov ;	
	Abigail.Hasenfus@energy.ri.gov ;	
	Karen.Bradbury@energy.ri.gov ;	
William.Owen@energy.ri.gov ;		

	Karen.Stewart@commerceri.com ;	
	angela.tuoni@TNC.ORG ;	
	h.oakley@osjl.com ;	
	hkenyon@rihousing.com ;	
	john@jhmccannlaw.com ;	
	lchbartsch@gmail.com ;	
	mark.kravatz@gmail.com ;	
	meagans@naturalpower.com ;	
	sbradner@peregrinegrp.com ;	
	beschuster@rienergy.com ;	
	alexandriad@naturalpower.com ;	
Jim Kennerly	jkennerly@seadvantage.com ;	
	jgifford@seadvantage.com ;	
	Tarmstrong@seadvantage.com ;	
Division of Public Utilities and Carriers Margaret L. Hogan, Esq.	Margaret.L.Hogan@dpuc.ri.gov ;	401-780-2120
	christy.hetherington@dpuc.ri.gov ;	
	John.bell@dpuc.ri.gov ;	
	mark.a.simpkins@dpuc.ri.gov ;	
	leo.wold@dpuc.ri.gov ;	
	kyle.j.lynch@dpuc.ri.gov ;	
	Joel.munoz@dpuc.ri.gov ;	
	Ellen.Golde@dpuc.ri.gov ;	
Mike Brennan 500 North Boundary St. Raleigh, NC 27604	mikebrennan099@gmail.com ;	919-219-2957
Gridwealth Development Seth H. Handy, Esq. Handy Law, LLC 42 Weybosset Street Providence, RI 02903	seth@handylawllc.com ;	401-626-4839
	ispringsteel@gridwealth.com ;	
A. Quincy Vale, Esq. MassAmerican Energy LLC dba Gridwealth 33 Union Avenue Sudbury, MA 01776	qvale@gridwealth.com ;	617-694-5181
File an original & 9 copies w/ Stephanie De La Rosa, Commission Clerk Cynthia Wilson-Frias, Commission Counsel Public Utilities Commission 89 Jefferson Blvd. Warwick, RI 02888	Stephanie.DeLaRosa@puc.ri.gov ;	401-780-2107
	Alan.nault@puc.ri.gov ;	
	Todd.bianco@puc.ri.gov ;	
	Cynthia.WilsonFrias@puc.ri.gov ;	
	Christopher.Caramello@puc.ri.gov ;	
Interested Parties:		

Paul Rhodes	PRhodes@gridwealth.com ;	
Matt Sullivan, Green Development	ms@green-ri.com ;	
Hannah Morini, Green Development	hm@green-ri.com ;	
Fred Unger	unger@hrtwd.com ;	
Charlie Grant, Essex Capital Partners	cgrant@essexcapitalpartners.com ;	
Stuart Flanagan, NP TRE-Newport Renewables	sflanagan@nptre.com ;	
Seth Handy, Esq.	seth@handylawllc.com ;	
Ameresco	mgibbs@ameresco.com ;	
Maya Gibbs	praducha@ameresco.com ;	
Paul Raducha	rfahey@ameresco.com ;	
Ryan Fahey	npollis@ameresco.com ;	
Nikkie Pollis		
Brian Smith, Orsted	brsmi@orsted.com ;	
Jamie Rhode, Conservation Law Foundation (CLF)	jrhodes@clf.org ;	

PUC 2-1

Request:

Section 2.1.4 of the Enrollment Rules for projects greater than 25kW sets forth requirements for Application Completeness and Timelines. There appears to be overlap in the proposed section titled Brownfield Remediation Incentive Pilot for Large-Scale Solar I and II Projects. In addition, the requirements appear to go beyond the requirements of the PUC's February 20, 2025 decision. In addition, some of the language appears internally redundant, potentially vague, and the required information potentially unreliable. Finally, the language appears to put the burden on the developer to conduct the analysis required of RI Energy, OER, and/or the Division following the end of the pilot.

Please submit for review, proposed language that would only include the following requirements for incremental information to be included in the Application:

- a. Verification from RI DEM that the project is located on a brownfield in need of remediation;
- b. Map of the property with the brownfield outlined with an overlay of all solar panels and a calculation of the percentage of capacity on the brownfield requiring remediation compared to the total capacity of the project;
- c. Detailed site remediation quote;
- d. Remediation report and actual costs.

Response:

Please see the revised Section 2.1.4 of the Enrollment Rules for projects greater than 25 kW below:

Large-Scale Solar I and II projects sited on a brownfield that requires remediation may be eligible to receive a Brownfield Remediation Incentive. The Brownfield Remediation Incentive is a one-time payment of \$140/kW DC of nameplate capacity and is offered for the portion of a project that is sited on a brownfield requiring remediation, based on the nameplate capacity of the solar panels sited on the brownfield requiring remediation compared to the overall project's nameplate capacity. The purpose of the Brownfield Remediation Incentive is to incentivize the remediation of brownfields, and subsequent siting of solar projects on them. The Brownfield

PUC 2-1, Page 2

Remediation Incentive program will remain in effect until \$2.5 million has been allocated, subject to an interim review by the Commission.

To apply for the Brownfield Remediation Incentive, the Applicant must receive verification from RI DEM that the project will be sited on a brownfield requiring remediation, and which will still require remediation by the end of the calendar year the Applicant plans to apply in. The Applicant must follow the process and requirements of RI DEM including but not limited to providing a map of the property with the brownfield outlined with an overlay of all solar panels and a calculation of the percentage of capacity on the brownfield requiring remediation compared to the total capacity of the project. To meet the eligibility and minimum threshold requirements of the RE Growth Brownfield Remediation Incentive, the Applicant must provide the RI DEM letter, or other form of verification issued by RI DEM, as well as the approved brownfield map and a detailed site remediation quote. Nothing herein modifies or obviates the need for compliance with RI DEM's remediation regulations.

Awards will be based on the price per kilowatt-hour bid in the open enrollment, with the lowest bid prices being awarded first. To receive the Final Certificate of Eligibility, which includes the Brownfield Remediation Incentive, the Applicant must provide a letter, or other form of verification, from RI DEM that confirms that the brownfield has been remediated such as an Interim Letter of Compliance, Letter of Compliance, or No Further Action Letter. The Applicant must provide the Company with an RI DEM approved *updated* map of the property with the brownfield outlined which includes an overlay of all *as-built* solar panels, as well as an *updated* calculation of the percentage of capacity on the remediated brownfield compared to the total capacity of the project. Finally, the Applicant must provide a remediation report with actual costs.

The Company will verify the Brownfield Remediation Incentive amount; however, the Brownfield Remediation Incentive can only be adjusted downwards. Projects that are awarded the Brownfield Remediation Incentive will be paid within ten days after the Final Certificate of Eligibility is provided, assuming that all of the necessary information required for payment and verification of banking is completed within five days after the Final Certificate of Eligibility is provided.

PUC 2-2

Request:

What is the purpose of the developer calculating the percentage of capacity on the brownfield requiring remediation compared to the total capacity of the project? Will the Company be requiring information on actual data to verify the calculation?

Response:

The purpose of the developer calculating the percentage of capacity on the brownfield requiring remediation compared to the total capacity of the project is so that the developer is aware of the Brownfield Remediation Incentive calculation methodology in developing their solar project and in determining where to site their panels relative to the brownfield. Rhode Island Energy will be verifying the calculation as part of the Open Enrollment process. An estimation of this calculation pre-construction is essential to ensure that the Company does not award more than the \$2.5 million cap of Brownfield Remediation Incentive Pilot Program funding.

The Company will be requiring information on actual data to verify the calculation. The Company's Compliance Filing submitted on March 21, 2025, in Schedule RIE-2 (Clean), Section 2.1.4, page 9 of 21, states, "To receive the Final Certificate of Eligibility, which includes the Brownfield Remediation Incentive, the Applicant must complete two additional steps. First, the Applicant must provide a letter, or other form of approval, from RI DEM that confirms that the brownfield has been remediated. The Applicant must follow the RI DEM's process and requirements, including providing an updated map of the property with the brownfield outlined, an overlay of all solar panels as-built, and an updated calculation of the percentage of capacity on the remediated brownfield compared to the total capacity of the project." (emphasis added). The as-built drawing with the remediated brownfield outlined and the developer-provided calculation would be verified by Rhode Island Energy before finalizing the Brownfield Remediation Incentive that the developer would receive to ensure that any changes to the solar panel siting have been reflected in the incentive payment.

PUC 2-3

Request:

Where other projects are only required to provide estimated project costs, why is it proposed that projects on a brownfield be required to provide actual project costs (separate from remediation costs as listed above)? How will this assist in the post-pilot assessments?

Response:

The Company proposed that projects on a brownfield be required to provide actual project costs in order to include this information in the post-pilot assessment, to better inform potential future brownfield incentives. The sample size of solar projects on a brownfield that require remediation is relatively low compared to the sample size of solar projects used to derive the standard Performance-Based Incentives and ceiling prices of the various renewable energy classes. The Company believes that requesting an updated cost breakdown could be informative and provide more accurate inputs for future incentive analyses. The cost data requested in items #2-5 of the Company's Compliance Filing submitted on March 21, 2025, in Schedule RIE-2 (Clean), Section 2.1.4, on page 8 of 21 was drafted in alignment with the Distributed Generation Board and Office of Energy Resources' ("OER") SEA Schedule 1, slide 15, and was reviewed with OER and Sustainable Energy Advantage, LLC ("SEA") prior to filing. This was generally consistent with the approach recommended by the Pre-filed Direct Testimony of Mr. Brennan submitted on January 22, 2025, on page 19 of 24, lines 6-22. The Company would use the actual project cost data, in combination with the benefits provided by the Brownfield Remediation Incentive Pilot Program, to assist in the evaluation of a similar future program.

The Narragansett Electric Company
d/b/a Rhode Island Energy
RIPUC Docket No. 24-50-REG
In Re: RI Distributed Generation Board
2025 Renewable Energy Growth Program
Responses to Commission's Second Set of Data Requests – Compliance
Issued April 4, 2025

PUC 2-4

Request:

Why is the last paragraph of the new proposed section appropriate to include in the Enrollment Rules? Was this put in for PUC consideration in its written order?

Response:

The intent was to explain how the Company would comply with the Rhode Island Public Utilities Commission (“PUC”) Open Meeting Decisions from February 20, 2025 regarding the involvement of the Division and the Solar Brownfield pilot reporting requirements.

The Company would like the PUC to consider the process described in the last paragraph of the Enrollment Rules for inclusion in its written order in lieu of being included in the Enrollment Rules.