

**STATE OF RHODE ISLAND
PUBLIC UTILITIES COMMISSION**

**THE NARRAGANSETT ELECTRIC
COMPANY D/B/A RHODE ISLAND
ENERGY’S PROPOSED GREEN BUTTON
CONNECT, HOME AREA NETWORK,
AND GRID EDGE COMPUTING PLANS**

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) Docket No. 25-19-EL
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**OMNIBUS RESPONSE OF THE NARRAGANSETT ELECTRIC COMPANY D/B/A
RHODE ISLAND ENERGY TO MOTIONS TO INTERVENE**

On May 12, 2025, The Narragansett Electric Company d/b/a Rhode Island Energy (the “Company”) made a compliance filing with the Public Utilities Commission (the “Commission”) to provide its Green Button Connect (“GBC”), Home Area Network (“HAN”), and Grid-Edge Computing plans (collectively, the “Plans”). The Company made this filing in accordance with Motion 13 issued by the Commission in Docket 22-49-EL, Advanced Metering Functionality (“AMF”) Business Case. The Commission subsequently opened the above-referenced new docket to review the Company’s proposed Plans. The Commission established August 8, 2025, as the deadline for any motions to intervene. Through this omnibus response, the Company (1) states that it has no objection to the intervention of the Rhode Island Office of Energy Resources (“OER”), which has a statutory right to intervene under R.I. Gen. Laws § 39-1-27.9, or the George Wiley Center; (2) objects to the motions to intervene filed by the Mission:data Coalition (“Mission:data”), Conservation Law Foundation (“CLF”), and Good Energy, L.P. (“Good Energy”); and (3) addresses the scope of this proceeding and the boundaries the Commission should enforce around the participation of the other parties.

For the reasons stated below, the Company respectfully requests that the Commission (1) permit the intervention of OER and the George Wiley Center, subject to the scope identified below, and (2) deny the motions to intervene of Mission:data, CLF, and Good Energy.

I. BACKGROUND AND SCOPE

The Commission's review of the Company's Plans arises from the AMF Business Case. The Company filed its AMF Business Case with the Commission on November 18, 2022. Following an approximately ten-month review, on September 27, 2023, the Commission voted at an open meeting to authorize the Company to deploy an AMF-metering system for the electric distribution system subject to several conditions. The Commission issued a written Report and Order on May 20, 2025. *See* Report and Order, No. 25353, *In re Rhode Island Energy Advanced Metering Functionality Business Case and Cost Recovery Proposal*, Dkt. No. 22-49-EL (Pub. Utils. Comm'n May 20, 2025) [hereinafter the "AMF Order"].

As part of the AMF Order, the Commission required metrics relating to "Planning and Transparency for Customer-Facing Technologies." *See* AMF Order 21. Specifically, the Commission required that, "The Company's proposals, consistent with Ordering paragraph 16, shall be filed within two months of the start of meter installation and will be considered in a contested case. It will be important to understand the technical issues around data governance and customer access to data." *Id.* at 22. Paragraph 16 of the AMF Order identified specific elements that the Company's GBC, HAN, and grid-edge computing plans must address. *Id.* at 27.

Consistent with the AMF Order, the Company filed the Plans with the Commission on May 12, 2025. Per the Commission's AMF Order, the purpose of the current docket is "to understand the technical issues around data governance and customer access to data" as set forth

in the Plans. *Id.* at 22. The relevant considerations in this docket are (1) whether the Plans provide appropriate safeguards for the privacy and security of customer data and (2) how and when customers will have access to their data and the ability to share it with third parties of their choosing.

In short, the scope of this docket is narrow. The purpose of this proceeding is not to dictate the precise time and manner that the Company will undertake future actions associated with the technology. Nor is this the place for other interested parties to insert their own view of when the Company should adopt certain rate structures or how rapidly data will be available. The Commission already addressed many of these issues in the AMF Business Case. Other issues are subject to their own conditions pursuant to the AMF Order. The Commission rejected the intervenors' attempts in the AMF Business Case to create an unconstrained, limitless scope of review, and the Company similarly asks the Commission to adopt a consistent position and appropriately circumscribed scope of review here.

II. LEGAL STANDARD

Commission Rule 1.14(B) provides 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) [hereinafter “Commission Rule 1.14(B)”]. The Rule defines such an interest as:

- 1) A right conferred by statute;
- 2) 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); or
- 3) Any other interest of such nature that movant's participation may be in the public interest.

Commission Rule 1.14(B)(1)-(3).

The Commission has been “cautious in granting intervener status to ensure that a movant actually meets one of the three criteria established in [Commission Rule 1.14(B)].” *In re Narragansett Elec. Co. d/b/a Nat'l Grid Proposed Standard Offer Serv. Rate Reduction*, No. 3739, 2006 WL 4070740 (R.I. Pub. Utils. Comm'n Dec. 27, 2006). The Commission denies motions to intervene where the movant seeks to intervene but “provide[s] no specifics” about how intervention will serve the public interest.” *Id.*

The Division likewise, under a substantially similar rule, has denied intervention requests that were “unreasonably vague and/or beyond the scope of [the] proceeding” in interpreting its similarly worded rule on intervention. *City of E. Providence v. The Narragansett Elec. Co. d/b/a/ Nat'l Grid*, No. C.A. 06-2888, 2006 WL 1660761, at *4 (R.I. Sup. Ct. June 15, 2006) (quoting Order, *In re Joint Pet. for Purchase & Sale of Assets by the Narragansett Elec. Co. & So. Union Co.*, Dkt. No. D-06-13 (R.I.D.P.U.C. May 4, 2006)). The Division has explained – and the Superior Court has affirmed – that “deciding whether the ‘public interest’ demands the participation” of particular parties requires finding “that their individual interests warrant recognition and protection in furtherance of the general welfare of the public.” *Id.* This in turn requires consideration of “whether the [Commission] ultimately has the authority to grant the relief requested, whether the Movants may more effectively pursue their respective interests in

other forums, and whether the intervention(s) would unduly delay or prejudice the adjudication of the rights of the Petitioners and other parties.” *Id.*

In addition to meeting the requirements of Commission Rule 1.14(B), the proposed interveners also must satisfy the basic standing requirements. To have standing, movants must have a “legally cognizable and protected interest that is concrete and particularized . . . and . . . actual or imminent, not conjectural or hypothetical.” *Watson v. Fox*, 44 A.3d 130, 135-36 (R.I. 2012); *see also Epic Enters. LLC v. 10 Brown & Howard Wharf Condo. Ass’n*, 253 A.3d 383, 388 (R.I. 2021) (“[The] ‘injury in fact’ requirement has been described as ‘an invasion of a legally protected interest which is . . . concrete and particularized[.]’” (citing *Ahlburn v. Clark*, 728 A.2d 449, 451 (R.I. 1999))). They must demonstrate “a stake in the outcome that distinguishes [their] claims from the claims of the general public.” *See Watson*, 44 A.3d at 136; *In re 38 Studios Grand Jury*, 225 A.3d 224, 232-33 (R.I. 2020).

III. ANALYSIS

As stated above, the Company does not object to the intervention of OER or the George Wiley Center. The Company objects to the motions to intervene of Mission:data, CLF, and Good Energy. Additionally, the Company requests that the Commission appropriately circumscribe the participation of any permitted intervenors to the scope described above to ensure that this proceeding remains focused on the issues identified by the Commission in the AMF Order and can be resolved expeditiously for the benefit of all Rhode Island Energy customers and the Company.

A. The Commission Should Deny Mission:data's Motion To Intervene.

Mission:data fails to meet the standard to intervene. Its motion does not demonstrate any particular interest in the development of the Plans in Rhode Island. Further, Mission:data's stated concerns exceed the scope of this proceeding.

First, Mission:data's motion fails to establish any particular connection to Rhode Island. It describes itself as a "social welfare organization" comprised of "members and supporters that work in the field of energy management or distributed energy resources ('DERs') more broadly." Mission:data Mot. 1. Mission:data, however, does not identify who these "members and supporters" are or how they are connected to or particularly interested in Rhode Island. The only connection Mission:data asserts with Rhode Island is a bald statement that, "Many of Mission:data's members are active in Rhode Island and have customers in Rhode Island." *Id.* at 5. Mission:data does not identify who these members are that are active in Rhode Island, nor does it state what customers they have in the State. Further, while Mission:data seems to rely on these members' connections to Rhode Island to establish its own, otherwise absent, connection to Rhode Island, Mission:data also states that it "does not claim to represent its supporters or their direct interests." *Id.* at 2. These irreconcilable and unsupported statements do not establish "[a]n interest which may be directly affected" by the outcome of this proceeding or that Mission:data has an "interest of such a nature that movant's participation may be in the public interest." Commission Rule 1.14(B)(2)-(3).

Second, the interests that Mission:data purportedly seeks to protect fall outside the scope of this proceeding. Mission:data asserts that the Commission will "examine numerous technical and policy matters," including "the latency of meter readings being available to consumers and the Customer Portal," and "the sufficiency of the energy data provided by RI Energy for demand

response aggregators to participate in wholesale markets operated by ISO New England.”

Mission:data Mot. 6. Not only are these considerations well beyond the scope of this docket, but these issues were already discussed and addressed at length by the Commission in the AMF Business Case. The docket should not provide intervenors with a second bite at the apple to reconsider issues they already fully raised in the prior proceeding. Mission:data’s intervention is likely to “unduly delay or prejudice the adjudication of the rights” of the Company and delay the ability of customers to access the benefits created by the proposed Plans. *See City of E.*

Providence, 2006 WL 1660761, at *4.

Third, Mission:data fails entirely to meet the standing requirements. It has not identified any “concrete and particularized . . . and . . . actual or imminent, not conjectural or hypothetical” interest that separates it from the general public. *Watson*, 44 A.3d at 135-36. Plainly, Mission:data has a long-standing interest in topics relevant to this data. But “mere ‘interest in a problem,’ no matter how longstanding the interest and no matter how qualified the organization is in evaluating the problem, is not sufficient by itself to render the organization ‘adversely affected’ or ‘aggrieved.’” *Watson*, 44 A.3d at 136 (quoting *Blackstone Valley Chamber of Commerce v. Pub. Utils. Comm’n*, 452 A.2d 931, 933 (R.I 1982)).

The fact that the AMF Order requires the Company to address certain issues raised by Mission:data in its grid-edge computing plan does not alter the standing analysis. *See* AMF Order 27. Seeming to recognize this, Mission:data does not even mention this component of the AMF Order in its motion. Mission:data brought certain issues to the Commission’s attention in the AMF Business Case, and the Commission required the Company to address them in its grid-edge computing plan. The fact that Mission:data first raised them, however, does not confer on Mission:data any sort of right of assessment or enforcement with respect to these issues. At

bottom, Mission:data still has nothing more than a “mere interest” in the issue. *Watson*, 44 A.3d at 136. Further, Mission:data has other mechanisms for providing its assessment of the Company’s effort to implement these considerations. *See In re Narragansett Elec. Co. d/b/a Nat’l Grid Proposed Standard Offer Serv. Rate Reduction*, 2006 WL 4070740 (“Being denied intervenor status does not mean an organization cannot participate in a proceeding; any person or organization can give public comment, orally or in writing, to the Commission in any proceeding.”). Mission:data lacks standing to intervene in this docket.

For all these reasons, the Company respectfully requests that the Commission deny Mission:data’s motion to intervene.

B. The Commission Should Deny CLF’s Motion To Intervene.

CLF requests intervention based solely on the public interest prong of Commission Rule 1.14(B). *See* CLF Mot. 1. The Commission, however, has required a movant to provide specifics about how its intervention will benefit the public interest. *See In re Narragansett Elec. Co. d/b/a Nat’l Grid Proposed Standard Offer Serv. Rate Reduction*, 2006 WL 4070740. Claimed interests that are “unreasonably vague and/or beyond the scope of [the] proceeding” do not suffice. *City of E. Providence*, 2006 WL 1660761, at *4. Yet that is all CLF offers here.

It is not sufficient that in *some* instances CLF’s participation may serve the public interest. CLF must demonstrate that its participation in *this* instance would serve the public interest. CLF’s motion, however, makes plain that it does not have any specialized knowledge with respect to GBC, HAN, or grid-edge computing that it can offer the Commission in this docket. To the contrary, CLF’s motion indicates that, “Through its participation in [the AMF Business Case], CLF became acutely aware of the importance of the intersection of data and climate action.” CLF Mot. 4. It states further that, “The testimony offered by Mission:data

Coalition regarding the impact of different data access policies associated with meter installation was informative and compelling.” *Id.* In other words, CLF learned from the Company and other parties in the AMF Business Case about matters relating to GBC, HAN, and grid-edge computing; it did not have its own expertise to offer the Commission on these particular topics. As CLF itself acknowledges, “The primary purpose of CLF’s previous engagement [in the AMF Business Case] was the enablement of time-of-use rates through the functionality offered by the installation of advanced meter infrastructure in Rhode Island” – not GBC, HAN, or grid-edge computing. *Id.* at 4. Tellingly, in support of its claim that its participation in this docket will serve the public interest, CLF cites only a twenty-year-old law review article “emphasizing the constructive and salutary role of public interest environmental lawyers in a wide range of legislative, judicial, and regulatory fora.” *Id.* at 4-5. This type of vague, nonspecific assertion of a purported public interest does not suffice to justify intervention. *See City of E. Providence*, 2006 WL 1660761, at *4; *In re Narragansett Elec. Co. d/b/a Nat’l Grid Proposed Standard Offer Serv. Rate Reduction*, 2006 WL 4070740.

Additionally, CLF’s requested intervention fails because the interests CLF seeks to advance are not relevant to this proceeding. *City of E. Providence*, 2006 WL 1660761, at *4. CLF relies on its “belief” that “the Commission’s decision in this docket will have a direct impact on systemic policy, including time-of-use rates, and consumer behavior with respect to climate action.” CLF Mot. 4. CLF states further that it intends “to offer expert testimony on the intersection of meter data policy and climate action.” *Id.* These considerations fall outside the scope of this docket.

First, time-varying rates are irrelevant to this docket. The Commission heard extensive evidence and testimony relating to time-varying rates in the AMF Business Case, including

requests from several intervenors that the Company adopt time-varying rates. The Commission declined to adopt any such proposal or incorporate any requirements relating to time-varying rates in the AMF Order. This proceeding is not a backdoor opportunity for CLF or others to urge the Commission to reconsider its prior decision on this topic.

Second, CLF's contention that this docket will have "direct impact on systemic policy" or "impact Rhode Island's ability to meet its statutory obligations under the Act on Climate" grossly misconceives this docket's scope. *Id.* at 4. The Commission considered the Act on Climate at length in the AMF Business Case. Multiple parties, including CLF, emphasized the importance of AMF technology to aid the State in achieving its decarbonization goals. The AMF Order and the Commission's authorization of the Company to proceed with AMF implementation reflected the Commission's consideration of the Act on Climate.

The purpose of this docket, however, is merely to implement the proposals already approved by the Commission. As stated by the Commission, the purpose is "to understand the technical issues around data governance and customer access to data" as set forth in the Plans advanced by the Company. AMF Order 22. The questions before the Commission are narrowly focused on customers' ability to access their data, share it with third parties of their choosing, and maintain the data's privacy. The Commission need not reassess Act on Climate issues in this docket because those considerations were fully accounted for in the AMF Order. CLF has had, and will continue to have, opportunities in other, appropriate dockets to provide the Commission with its positions on "systemic policy" and the State's "ability to meet its statutory obligations under the Act on Climate." CLF Mot. 4.

Finally, CLF's stated goals and interests do not suffice to establish standing. Again, "mere 'interest in a problem,' no matter how longstanding the interest and no matter how

qualified the organization is in evaluating the problem, is not sufficient by itself to render the organization ‘adversely affected’ or ‘aggrieved.’” *Watson*, 44 A.3d at 136 (quoting *Blackstone Valley Chamber of Commerce*, 452 A.2d at 933). CLF does not need party status to provide information to the Commission or seek to advance its policy objectives. *See In re Narragansett Elec. Co. d/b/a Nat’l Grid Proposed Standard Offer Serv. Rate Reduction*, 2006 WL 4070740 (“Being denied intervenor status does not mean an organization cannot participate in a proceeding; any person or organization can give public comment, orally or in writing, to the Commission in any proceeding.”). The stated interests do not satisfy the requirement of a “legally cognizable and protected interest that is concrete and particularized . . . and . . . actual or imminent, not conjectural or hypothetical.” *Watson*, 44 A.3d at 136.

For these reasons, the Company respectfully requests that the Commission deny CLF’s motion to intervene.

C. The Commission Should Deny Good Energy’s Motion To Intervene.

Good Energy claims to have an interest under Commission Rule 1.14(B)(2) that “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,” and also asserts that its participation will be in the public interest. Good Energy Mot. 2-3; *see also* Commission Rule 1.14(B)(2)-(3). Neither contention passes muster.

First, Good Energy does not have an interest directly affected by this proceeding. *See* Commission Rule 1.14(B)(2). Good Energy is a “municipal aggregation consultant.” Good Energy Mot. 1. It seeks intervention “given that the municipalities identified above, and the competitive electricity suppliers it works with, are directly affected and bound by the Commission’s action regarding Rhode Island Energy’s GBC, HAN and edge computing

proposals.” *Id.* at 2. While it may or may not be correct that the entities with which Good Energy works are directly affected by this proceeding, Good Energy cannot bootstrap their purported interest to obtain party status for itself. Good Energy seeks to intervene on its own behalf, not that of the municipalities. *Id.* at 1. In any event, the municipalities’ interests, and the general interests of customers within those municipalities, are adequately represented by OER and the Division of Public Utilities and Carriers (the “Division”).

Further, aggregation for wholesale supply purposes has no relevance to GBC, HAN, or grid-edge computing. *See* R.I. Gen. Laws § 39-3-1.2. The Company’s Plans will have no impact on supply sourcing or aggregation; they address how customers can view, use, and interact with their *usage* data. Good Energy’s asserted interest in “ensur[ing] that the municipal-aggregation communities and electricity suppliers can work with the proposed technology and programs,” *id.* at 2-3, is no different than that of any member of the public with an interest in these topics. Good Energy lacks an interest “directly affected” by this docket. Commission Rule 1.14(B)(2).

Second, Good Energy lacks standing for these same reasons. Standing requires a “concrete and particularized” injury distinguishing a potential intervenor from the general public. *See Epic Enters. LLC*, 253 A.3d at 388; *Watson*, 44 A.3d at 136. For the same reasons that Good Energy lacks an interest directly affected by this proceeding, Good Energy also lacks a “concrete and particularized” injury that distinguishes it from the general public.

Third, Good Energy makes passing reference to its participation furthering “the public interest.” Good Energy Mot. 3. Good Energy seeks to advance its own profit-motivated interests, not the public interest. Good Energy states that, “[i]t is important that suppliers for the municipal aggregation programs and other appropriate third-party vendors will have access to such data in order to provide services to the aggregation participants.” *Id.* at 2. As noted above, it also states

that it seeks to intervene “to ensure that the municipal-aggregation communities *and electricity suppliers* can work with the proposed technology and programs.” *Id.* at 2-3 (emphasis added). These arguments reveal that Good Energy seeks to advance its corporate financial interest and belies its attempt to claim the mantle of the public interest. To the extent the State has an overarching public interest in municipal aggregation, that interest is adequately represented by the participation of the Division and OER.

For these reasons, the Company respectfully requests that the Commission deny Good Energy’s motion to intervene.

IV. CONCLUSION

For the reasons stated, the Company respectfully requests that the Commission (1) allow the intervention of OER and the George Wiley Center; (2) deny the motions to intervene of Mission:data, Conservation Law Foundation, and Good Energy; and (3) limit the scope of participation by all interveners to the defined scope and purpose of this proceeding.

Date: August 18, 2025

Respectfully submitted,

The Narragansett Electric Company d/b/a Rhode
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By its attorney,



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CERTIFICATE OF SERVICE

I hereby certify that on August 18, 2025, I sent a copy of the foregoing to the service list
by electronic mail.

/s/ Christine E. Dieter