

**STATE OF RHODE ISLAND
ENERGY FACILITY SITING BOARD**

IN RE: THE NARRAGANSETT ELECTRIC COMPANY’S	:	
APPLICATION FOR THE WOONSOCKET	:	
SUBSTATION– NASONVILLE SUBSTATION	:	SB-2025-01
REBUILD AND ALTERATION PROJECT FOR	:	
NORTH SMITHFIELD AND BURRILLVILLE,	:	
RHODE ISLAND	:	

PRELIMINARY DECISION AND ORDER

I. INTRODUCTION

On March 25, 2025, the Narragansett Electric Company dba Rhode Island Energy (“RIERIE” or “Company”) filed an application with the Energy Facility Siting Board (EFSB or Board) to construct and alter major energy facilities within the State of Rhode Island in accordance with R.I. Gen. Laws § 42-98-4. RIE specifically seeks to rebuild the existing B23 115 kV transmission line (“B23 Line”) between the Nasonville Substation and West Farnum Substation, construct a new 115 kilovolt (“kV”) transmission line (the “U-170 Line”) between the Woonsocket Substation in North Smithfield and the Nasonville Substation in Burrillville, and to expand the Woonsocket Substation in North Smithfield to accommodate the new U-170 Line. RIE reports that the proposed construction and alteration is to prevent overloads in the event of an outage, bring the system into conformance with distribution planning criteria, and improve overall system reliability and resilience. Because the proposed Project constitutes transmission lines greater than 69 kV, the application qualifies as a major energy facility, as defined by R.I. Gen. Laws § 42-98-3(e).

On that same day, RIE also filed a Motion for Expedited Hearing on the Application in accordance with Rule 1.9(H) of the EFSB’s Rules Practice and Procedure based on the position that the Project is limited to the construction and modification of electric transmission lines.

II. THE PROJECT

RIE's Project encompasses three (3) specific tasks – the construction of the new U-170 Line, the rebuild of the existing B23 Line, and the expansion of the Woonsocket Substation. As explained by RIE, the 2022 Northwest Rhode Island Study ("NWRI Study") performed by the Company's Distribution Planning identified violations of the distribution planning criteria and reliability issues connected with the line in part because the Nasonville Substation is sourced from a single transmission line that terminates at the substation. The NWRI Study thus concluded that the loss of either the B23 Line or the single Nasonville transformer results in over 17 MVA of unserved load at peak. "The loss would impact about 4,670 of the Company's customers, including about 440 commercial customers. Additionally, this condition would impact the supply to the Pascoag Utility District, which serves approximately 5,000 customers." *Siting Report* at 5. By way of example, RIE reported that it experienced such a reliability issue on August 22, 2022, when lightning triggered a B23 Line outage and Nasonville Substation 13.8 kV bus failure. Thus, RIE proposes addressing the existing violations of the distribution planning criteria and improving the overall electrical system reliability and resilience by the rebuild and expansion project.

The B23 Line identified for rebuild was originally constructed in 1982. It consists primarily of wood monopole structures. According to the Company's breakdown, 75% of the wood structures are over 33 years old, with 22% of the same being over 43 years old. Thus, because the typical lifespan of a wood pole is 40-50 years, nearly 75% of the existing B23 Line will approach the end-of-life timeframe within the next decade. In addition to the age of the line, an inspection of B23 Line by RIE in 2023 also uncovered 24 defects including "pole top rot, pole top cracking, woodpecker holes, loose guy wires, flashed and scaling insulators, and missing Pal nuts." *Siting*

Report, at 6. As such, RIE expects that the B23 Line will nevertheless require a rebuild within the next decade.

RIE's Siting Reports also states that the B23 Line currently has the original 336 ACSR conductor, which has an expected life of 65 years. RIE reports that seventy-five percent of the wood structures have experienced six operations in the past four (4) years, five of which have resulted in permanent outages affecting nearly 5,000 customers momentarily and nearly 14,000 customers permanently. RIE thus concludes that by replacing the aging conductor at the same time as the aging structures it can limit disruption to the surrounding area as well as optimize the constructability and costs by reducing the need to mobilize crews multiple times.

The new 115 kV transmission line (U-170 line) proposed is between the West Farnum Substation and the Nasonville Substation in the existing right-of-way ("ROW") on the B-23 Line double circuit structures. The configuration being proposed has the line located in a new (2) breaker bay and installed on the same double-circuit structures for the majority of the Project. The proposal identifies use of the same double-circuit structures for the majority of the Project route, with an approximate 930-foot section outside of the West Farnum Substation being supported on separate structures. However, the Company reports that this configuration could not occur with the existing wood structures. Thus, the proposal also encompasses the rebuild of the B23 Line.

In addition to the B23 Line's failing structures, there is a ROW width constraint associated with the new proposed U-170 Line. That is, the new U-170 Line is only feasible if it is double-circuited with the B23 Line. The current B23 Line's wood structures, however, were not designed to bear the load of multiple circuits. Therefore, RIE concludes that it will limit the disruption to the surrounding area and optimize the constructability and costs by replacing both the failing and aging structures and conductor at the same time. The proposed Project is thus intended to address

potential system overload risks and system reliability issues at the Nasonville Substation. The total length of the Project is 4.7 miles.

A new 115 kV bay is also needed to accommodate the U-170 Line. Thus, the final aspect of the Project identified in the application involves the expansion of the existing 115 kV yard at the Woonsocket Substation to the north to accommodate the new 115 kV bay. RIE represents that permitting is not required for the proposed expansion of the substation and thus, RIE is not seeking a license for the expansion of the Woonsocket Substation. However, because the Substation's expansion is required if the Project is approved, the Board considers expansion of the Substation jurisdictional and part of the Project that requires a license.¹

If expedited status is granted by the Board on this application, RIE proposes commencing construction in the fourth quarter of 2025, with the completion of the construction and the facilities in service in the fourth quarter of 2026.

III. TRAVEL OF THE CASE

The application was docketed on April 22, 2025. As noted, RIE also filed a Motion to Expedite along with the instant application in accordance with Rule 1.9(H) of the EFSB's Rules Practice and Procedure. RIE asked the Board to shorten the time for advisory opinions to be submitted from six months to four months, schedule public comment hearings prior to the deadline for advisory opinions and schedule the final hearings within 30 days of the deadline for advisory opinions.

¹ During the June 18, 2025, hearing, the Project Manager, Mr. Spagnoletti represented that RIE is pausing the distribution underbuild or relocation project pending receipt of Rhode Island DEM permitting as well as on the advice of counsel. This advice was made after the receipt of the EFSB First Set of Data Requests. Similar to the Woonsocket Substation, since relocation is required to complete the transmission project, the Board considers the distribution underbuild relocation part of the Project that requires a license. Hr'g Tr. at 52-53 (June 18, 2025).

Simultaneously with the filing of its application, RIE hand-delivered a copy of the application to the Town Councils of the Towns of North Smithfield and Burrillville in accordance with R.I. Gen. Laws § 42-98-9.1(a).

On April 25, 2025, the EFSB served the First Set of Data Requests on RIE. The Company provided its response to the First Set of Data Requests on May 23, 2025. RIE supplemented this Response on June 25, 2025. Meanwhile, on June 5, 2025, the EFSB served its Second Set of Data Requests on RIE seeking further information in support of the application. RIE filed its response to the Second Set of Data Requests on July 1, 2025.

On May 2, RIE published a Notice of Preliminary Hearing in the Providence Journal. The notice indicated that Motions to Intervene were to be filed by May 29, 2025. The deadline for Motions to Intervene were subsequently extended to July 19, 2025. To date, there have been no Notices to Intervene filed pursuant to Rule 1.10 of the EFSB Rules of Practice and Procedure.

On June 18, 2025, RIE appeared before the EFSB and offered a presentation on the proposed Project. This presentation was streamed live and recorded. Counsel for RIE first represented that individual meetings had previously been held with the Town Administrator and Planning Director for the Town of North Smithfield.² RIE Counsel also met with the Town Manager for the Town of Burrillville, Burrillville's Director of Planning and Building Official. In addition to providing full copies of the RIE's application³, Counsel went through the proposal, identifying what was unique about the Project, any zoning relief that would be requested, as well as informing the Towns that RIE was asking to expedite the EFSB's proceedings.⁴ Counsel also

Id. at 9.

³ *Id.* at 10.

⁴ Copies of RIE's applications were also provided to both municipalities' Town Solicitors, Town Clerks and members of the respective Town Councils. *Id.*

confirmed that individual Notices of the June 18, 2025 hearing had also been provided to all abutters located within 200 feet of the Project's ROW.⁵

Nicholas Spagnoletti was then introduced as the current Project Manager for RIE.⁶ As the Project Manager, Mr. Spagnoletti has the responsibility of ensuring the project execution, coordination of the construction activities, outages, materials, and environmental considerations.⁷ In providing an overview of the Project, Mr. Spagnoletti introduced a slideshow presentation that first depicted the transmission and distribution lines currently in use along the Nasonville to Woonsocket, and Woonsocket to West Farnum substations.⁸ The line sought to be relocated is on the southern portion of the ROW coming out of Nasonville.⁹ It is currently an underbuild project; that is, located under the transmission line. According to Mr. Spagnoletti, the proposal includes rebuilding the existing B-23 115 kV line, as well as adding the new U-170 Line. The current proposal includes replacing all the structures along the current B-23 Line with steel poles. Mr. Spagnoletti represented that this will allow the addition of the new U-170 to these same structures and allow them to be double circuited, with the B-23 Line on one side and the U-180 line on the other side.¹⁰

Mr. Spagnoletti further explained that the Nasonville substation consisted of a small metal-clad building with a single line (B-123) and one transformer. Considered a very small substation, this means that if there is a line failure or other issue with the substation, there is no other line to keep the customers online.¹¹ This was the case when there was a failure on the line in August of

⁵ *Id.*

⁶ In addition to being Project Manager for the expansion and rebuild of the Nasonville substation, Mr. Spagnoletti is also managing other projects on behalf of RIE including the eventual expansion of the Woonsocket Substation which includes the installation of an additional bay and connection of lines from Woonsocket to Nasonville. *Id.* at 51.

⁷ *Id.* at 14.

⁸ RIE Exhibit #4 for Identification.

⁹ Hr'g Tr. at 17-18 (June 18, 2025).

¹⁰ *Id.* at 19.

¹¹ *Id.* at 21.

2022. At that time, the potential purchase and construction of another metal-clad building was explored but, due to supply chain issues, the decision was made to expand the substation at that time by using an open-air design.¹² The current proposed Project would expand the substation with two lines and two transformers to the substation.¹³ Mr. Spagnoletti confirmed that the current configuration of the B-23 Line includes not only the structures holding the 115 kV line, but also underbuild crossarms, with traditional distribution poles between the 115 kV line structures which are needed because of the span.¹⁴

Mr. Spagnoletti also offered a rendering depicting the proposed Project, with the B-23 distribution line relocated on one side, and a new, double circuited, U-70 transmission line on the other side.¹⁵ Upon further questioning, Mr. Spagnoletti also clarified that the current lines are configured in an existing 50-foot easement. The proposed Project depicts the added lines being constructed in an “existing 75-foot easement.”¹⁶ Mr. Spagnoletti explained that the Easement itself (attached Appendix E to Siting Report) grants RIE a 50-foot easement, but also provides that if RIE adds another pole, the easement could be increased from 50 to 75 feet.¹⁷

Mr. Spagnoletti also explained that the need and purpose of the project is primarily based on reliability as well as the asset conditions.¹⁸ By way of example, Mr. Spagnoletti identified an outage at the Nasonville Substation that occurred on May 15, 2025, as a result of a lightning strike.¹⁹ Significant smoke and burn marks on the poles were evident from the pictures provided

¹² *Id.* at 20-21

¹³ *Id.* at 21.

¹⁴ *Id.* at 24.

¹⁵ RIE Exhibit #4 for Identification #4.

¹⁶ Hr’g Tr. at 27 (June 18, 2025).

¹⁷ *Siting Report, Appendix E* (“... and if at any future time a second pole line is constructed, payment being therefor before its construction at the amount per pole hereinafter specified, the width of said strip may then or thereafter be increased by no more than 25 feet; the exact location of each line to become determined by and upon the erection and operation of each line, both lines erected hereunder to be within said strip”).

¹⁸ Hr’g Tr. at 30 (June 18, 2025).

¹⁹ *Id.*

in support of the presentation.²⁰ Mr. Spagnoletti shared strong confidence in the ability to prevent such an outage in the future with the addition of second line (U-170) and new glass insulators.²¹

The potential alternatives considered but discarded by RIE were also reviewed by Mr. Spagnoletti. After recognizing that “no action” was not an option, Mr. Spagnoletti first explained that one option explored, a 34.5 TAP line along the road raised a lot of issues. In addition to failing to account for the refurbishing of the wooden structures of the B-23 Line, the 34.5 TAP line running from West Farnum station to Woonsocket involved space and expansion issues with the West Farnum Substation. Underground options were considered but rejected in part because of the extreme expense involved. Mr. Spagnoletti was questioned about a March 2024 “Proposed Plan Application (PPA) Study for Nasonville Transformer Addition Project” (“2024 PPA Study”) provided by RIE in response to the EFSB’s First Set of Data Requests and submitted in March 2024 to the Committee at NEPOOL.²² The Chairman noted that the 2024 PPA Study, as reported to NEPOOL, did not appear to reflect a decision by RIE, as of 2024, to replace the B-23 Line as being requested in the instant application. Rather, the documents appear to demonstrate that the existing B-23 line would continue to feed the transformer at Nasonville and a new 115 kV line would be located in the ROW and feed the new transformer.²³ Mr. Spagnoletti represented that he had been the project manager on the Nasonville Substation expansion, as well as the current project, and to his knowledge there had been plans for replacing the B-23 line prior to the current application. In support, Mr. Spagnoletti referred to the Northwest Regional Rhode Island Study in September 2022.²⁴ However, Mr. Spagnoletti represented that although he disagreed with the

²⁰ *Id.*

²¹ *Id.*

²² *Id.* at 31-33 citing RIE Exhibit #5A for Identification (consisting of Response to First Set of Data Requests at EFSB 1-6-2 (page 5 of 27)).

²³ *Id.* at 38.

²⁴ *Id.* at 38-39. *See also* RIE Exhibit #5A for Identification (consisting of Response to First Set of Data Requests at EFSB 1-7-1).

NEPOOL submission referenced by the Chairman, he did not have any immediate involvement with the submission to NEPOOL.²⁵ Therefore, a Record Request was made to RIE to specifically identify when the company decided to replace the B-23 line.²⁶

Mr. Spagnoletti then outlined the proposed construction sequence of the Project. The plan is to first relocate the distribution underbuild line. Next, RIE will start installing foundations, and steel structures, and install the conductor and the OPGW. Afterward, the old poles and scrap wire will be removed and disposed. The final step will be the restoration of the ROW by regrading, seeding and restoring.²⁷ Currently, engineering has been completed and RIE is in the process of obtaining necessary permits and licenses. RIE is awaiting a response from Rhode Island DEM and, with an expedited licensing through the EFSB, anticipates starting construction in fall of 2025.²⁸

Mr. Spagnoletti confirmed the prior representation that there had been complete reviews of this Project with officials from the Towns of Burrillville and North Smithfield. An open house was also hosted by RIE in Burrillville and North Smithfield where some neighbors appeared and expressed interest in tree clearing and screening plans. Community outreach has also included mailings and surveys. RIE also has a user-friendly interactive website and project hotline to keep abutters informed about the project.²⁹ The Chairman requested the link for the interactive website as a Record Request.

In reviewing the photographs provided by Mr. Spagnoletti in support of this presentation, Mr. Spagnoletti was questioned about whether the two H-frames that currently support two 345 kV lines as depicted in Figure 3-2 (page 2) were wood or steel. RIE proposes leaving these two H-

²⁵ *Id.* at 36.

²⁶ *Id.* at 38.

²⁷ *Id.* at 42.

²⁸ *Id.* at 47. Mr. Spagnoletti also noted an error in the Siting Report. Planning Engineering started in Q1 of 2023, rather than Q4 of 2023 as reflected at page 16 of the Siting Report. *Id.* The Chairman agreed to allow the correction to be made without the submission of a new replacement page. *Id.* at 49

²⁹ *Id.* at 49-50.

frames and installing a new structure to hold the B-23 plus the U-170 line.³⁰ Counsel for RIE represented that one of the H-frames was steel because it is part of the interstate reliability project that had been permitted in 2013. Nevertheless, a third Record Request was submitted seeking to confirm whether both H-frames are wood or steel.³¹

Mr. Spagnoletti was questioned about the prior investigation that was conducted by RIE as to the condition of the existing poles.³² Mr. Spagnoletti confirmed that personnel physically inspected the line, including conducting soil boring activities at each structure and identifying where to locate any new structure. The Chairman asked if there was any drone or other video footage of the line, checking the asset conditions performed or available for review. Mr. Spagnoletti was unsure if there had been any video footage obtained and therefore a fourth request for records was made for any aerial video footage taken in support of the project.³³

Further questioning of Mr. Spagnoletti was also conducted by Matt Nelson, APEX and Economic Advisor to the EFSB. Mr. Spagnoletti reported that the decision to expand the right of way for the second line was part of the design element performed by contractor, Sargent & Lundy.³⁴ Mr. Nelson asked Mr. Spagnoletti whether any review or consideration was given as to whether the 25-foot expansion in accordance with the Easement provisions would require the relocation of any private property. That is, whether there were any privately owned structures within the full 75-foot easement that would need to be relocated.³⁵ Because that information was left to the real estate personnel and Mr. Spagnoletti was unable to answer this question, a Record

³⁰ *Id.* at 43.

³¹ *Id.* at 44.

³² *Id.* at 45.

³³ *Id.*

³⁴ *Id.* at 53-54.

³⁵ *Id.* at 55.

Request was thus submitted for any instances that RIE uncovered where individual's private property was within or encroached upon the proposed expanded 75-foot easement.

In summary, at the June 18, 2025, hearing the following **Record Requests** were made on the record to RIE:

1. Record Request for RIE to specifically identify when the company decided to replace the B-23 line, and if it was before the 2024 filing with NEPOOL, why it wasn't included in the materials submitted to NEPOOL.³⁶
2. Record Request for the link for the user-friendly interactive website.³⁷
3. Record Request seeking to confirm whether H-frames depicted in Figure 3-2 are wood or steel.³⁸
4. Record Request for a report and description of any aerial video footage in support of the project for the Board's determination as to whether it would be relevant for the Board's review.³⁹
5. Record Request for any instances that RIE uncovered where individual's private property is within or encroaches upon the proposed expanded 75-foot easement.⁴⁰
6. Record Request as to steps RIE took with regard to this particular line in making the determination as to replacement of the wooden poles?⁴¹

³⁶ *Id.* at 38.

³⁷ *Id.* at 50.

³⁸ *Id.* at 44.

³⁹ *Id.* at 45-46.

⁴⁰ *Id.* at 58.

⁴¹ *Id.* at 59-61.

Open Meeting on July 3, 2025

After public notice, an Open Meeting before the entire Board was convened on July 3, 2025.⁴² The purpose of the preliminary hearing was “to determine the issues to be considered by the Board in evaluating the application, and to designate those agencies of state government and of political subdivisions of the state which shall act at the direction of the board for the purpose of rendering advisory opinions on these issues, and to determine petitions for intervention.”⁴³

Motion to Expedite:

At the July 3, 2025 Open Meeting, the Board first considered RIE’s Motion for Expedited Hearing. As noted, RIE specifically asked the Board:

1. Reduce the deadline for Advisory Opinions from six (6) to (4) months;
2. Schedule a Public Comment Hearing prior to the deadline within which Advisory Opinions must be submitted; and
3. Schedule the Final Hearing be scheduled within 30 days of the deadline for the submission of Advisory Opinions.

RIE’s justification for the Motion is that the project is limited to the construction and modification of electrical transmission lines and Rule 1.36 provides the Board with the ability to expedite the licensing process for such transmission lines. The Company also asserts that an expedited process is needed to coordinate construction with permitted outage windows.

In reviewing the instant motion, the Board recognized the importance of the advisory opinions and the failure by RIE to identify the urgency behind moving the rebuild and construction forward such to reduce the timeframe for the respective review and considerations of the advisory entities.

⁴² Notice of this Open Meeting was sent directly to the service list; posted on the Public Utilities Commission and Secretary of State websites; and posted in the Public Utilities Commission office buildings.

⁴³ R.I. Gen. Laws § 42-98-9(a).

By unanimous vote, the Motion to Expedite motion was therefore **DENIED**.

IV. THE ENERGY FACILITY SITING ACT

The Energy Facility Siting Act (Siting Act), R.I. Gen. Laws §§ 42-98-1 *et seq.*, consolidates in the Board, with two exceptions, all state and local governmental regulatory authority for the siting, construction, operation, and alteration of transmission lines of 69 kV or greater, which are included in the definition of “major energy facility.”⁴⁴ Thus, the Board is the “licensing and permitting authority for all licenses, permits, assents or variances which, under any statute of the state or ordinance of any political subdivision of the state, would be required for siting, construction or alteration of a major energy facility in the State of Rhode Island.”⁴⁵ A Board decision in favor of an application to site a major energy facility in Rhode Island “shall constitute a granting of all permits, licenses, variances, or assents, which under any law, rule, regulation or ordinance of the state or of a political subdivision thereof which would, absent this chapter, be required for the proposed facility.”⁴⁶

Although the Board does consider and act upon each of such permits, licenses, variances, and assents, the Board does so in a comprehensive manner that is distinct in nature from the review that would be performed by the several agencies absent the Siting Act. Whereas each such agency would review its respective permitting, licensing, variance, or assent issues according to its own particular mandates and concerns, the Board will evaluate all of such issues in a single and comprehensive decision based upon the “overall impact of the facilities upon the public health and safety, the environment, and the economy of the state.”⁴⁷

⁴⁴ R.I. Gen. Laws § 42-98-3(d).

⁴⁵ *Id.* § 7(a)(1).

⁴⁶ *Id.* § 11(c).

⁴⁷ *Id.* § 1(a).

While the Siting Act makes the Board the final licensing authority, an applicant for a Board license must still apply to all state and local governmental bodies for permits and license that would, absent the Siting Act, be required. Instead of issuing a permit or license, however, the state or local governmental body must act at the direction of the Board and issue an advisory opinion to the Board regarding such permit or license. The Board has authority to designate “those agencies of state government and political subdivisions of the state which shall act at the direction of the board for the purpose of rendering advisory opinions.”⁴⁸ Each agency must follow its statutory procedures for determining “the license, assent, or variance [and] shall forward its findings from the proceeding, together with the record supporting the findings and a recommendation for final action, to the siting board”.⁴⁹ Typically, such advisory opinions must be submitted to the Board not more than six months following Board designation of the agency that will render the advisory opinion. Such advisory opinions will be considered by the Board before it renders its final decision. A state or local governmental body that renders an advisory opinion to the Board as a designated agency may also intervene as a matter of right and participate in Board hearings.⁵⁰

In addition to those advisory opinions, specifically authorized under the Siting Act from agencies that, in the absence of the Siting Act, would have permit, license, assent, or variance authority, the Board may require further advice from other or additional state and local agencies to assist it in assessing the overall impact of a facility. Due to the comprehensive nature of the ultimate issues facing the Board, the Board will often require expertise beyond the scope of those issues raised in the particular permit and license reviews at the agency level. The Siting Act provides broad discretion in this regard for the Board to summon further information and advice

⁴⁸ *Id.* § 9(a).

⁴⁹ *Id.* § 7(a)(2).

⁵⁰ Rule 1.10(A)(1).

deemed necessary for the discharge of its duty,⁵¹ and also provides that its provisions shall be construed liberally to effectuate its purposes.⁵² Further, the Siting Act clearly envisions that the Board shall have the benefit of the full range of technical expertise available within other existing agencies in making its decisions.⁵³ Accordingly, the Board may request the opinion of various agencies on matters in addition to those issues covered by the specific permits, licenses, assents, or variances that would be required in the absence of the Siting Act.

The primary discussion of issues to be considered in the review of a major energy facility alteration application, and the designation of agencies to act at the Board's discretion, occur at the Board's preliminary hearing. Following the preliminary hearing, the Board issues a preliminary order establishing the agenda of issues for the Board's final hearing and designates agencies to act at the Board's discretion. Such agenda may be modified, and additional agencies and issues may be designated and determined as needed at any time before the final hearing.⁵⁴ The advisory opinions directed by the preliminary order must be submitted to the Board within six months of this Order. Final Board hearings must begin no later than forty-five days after the date for submission of advisory opinions, whether or not such opinions are submitted. Final hearings regarding the instant application have not yet been scheduled.⁵⁵

The purpose of the final hearing is not to rehear evidence presented in hearings before designated agencies providing advisory opinions, but rather to provide the parties the opportunity to address -- in a single forum and from a consolidated, statewide perspective -- the issues reviewed

⁵¹ R.I. Gen. Laws § 42-98-7(b).

⁵² *Id.* § 18.

⁵³ *Id.* § 1(d).

⁵⁴ Rule 1.9(f).

⁵⁵ At times, it is not possible to conduct hearings within the statutory timeframe due to the complexity of some applications as well as Board members' schedules. There are numerous cases supporting that these time periods are directory rather than mandatory. *See West v. McDonald*, 18 A.3d 526 (R.I. 2011); *New England Development, LLC v. Berg*, 913 A.2d 363 (R.I. 2007).

and the recommendations made by such agencies.⁵⁶ The final hearing must be concluded not more than sixty days after its initiation, and the Board must issue its final decision within sixty days after conclusion of the final hearing. A final decision that favors the applicant shall constitute a granting of all required and jurisdictional permits, licenses, variances, and assents; and such final decision may be issued on any condition or conditions the Board deems warranted by the record.⁵⁷

V. ISSUES TO BE CONSIDERED AT FINAL HEARING

The statutory standards by which the application must be judged at final hearing are set forth in the Siting Act.⁵⁸ The standards governing the applications are likewise identified within the Siting Act. At the July 3, 2025, hearing the Chairman moved, and the Board approved, that at the Final Hearing the Board consider each of these issues:

ISSUE 1: Are the proposed Facilities necessary to meet the needs of the state and/or region for energy of the type to be transmitted⁵⁹ by the proposed Facilities?⁶⁰

As part of determining whether the proposed Facility meets the needs standard, the Board will ask the Public Utilities Commission (PUC) to provide an advisory opinion on the need for the Project, whether the Project is cost-justified, consistent with the objective of ensuring that the construction and operation of the Facility will be in compliance with all applicable laws, rules, and regulations including the Act on Climate and the State Energy Plan— Energy 2035. PUC is further being asked to provide an advisory opinion as to whether the Facility in its proposed configuration is expected to transmit energy at the lowest reasonable cost to the consumer, compared to other reasonable alternatives.

⁵⁶ R.I. Gen. Laws § 42-98-11(a).

⁵⁷ *Id.* §§ 11(b), 11(c).

⁵⁸ *Id.* §§ 11(b), 9(e).

⁵⁹ The statute uses the word “produced”; however, here the facilities will not be *producing* energy but *transmitting* it.

⁶⁰ *Id.* § 11(b)(1).

The Division of Statewide Planning also will be asked to assist with this first issue by submitting an advisory opinion as to the socio-economic impact of the proposed Facility in its proposed configuration, including its construction and operation.

ISSUE 2: Are the proposed Facilities (A) cost-justified and can it be expected to produce (or transmit) energy at the lowest reasonable cost to the consumer; (B) capable of remaining consistent with the objective of ensuring that its construction and operation will comply with all applicable laws, rules, regulations, and ordinances under which, absent the Act, a permit, license, variance, or assent would be required; or (C) does consideration of public health, safety, welfare, security, and the need for the proposed alteration justify a waiver of some requirement where compliance therewith cannot otherwise be assured?⁶¹

The foregoing broad and far-reaching statement may be broken down into the component issues of cost-justification for the Facility in its proposed configuration; compliance with all applicable legal requirements; and if such total compliance is not possible, whether some aspect of the applicable requirements should be waived. The Board recognized that in reviewing this issue, it is not just the need for the facility, but also the need for the proposed configuration that will be taken into consideration.

ISSUE 3: Will the proposed Facilities cause unacceptable harm to the environment?⁶²

In the Board's consideration of this issue, it construes the term "environment" broadly, including individual and cumulative environmental impacts such as, but not limited to, the impacts on public health, air quality, water quality, water supply, groundwater, wetlands, traffic, wastewater disposal, fish, wildlife, and soil.

⁶¹ *Id.* § 11(b)(2).

⁶² *Id.* § 11(b)(3).

ISSUE 4: Will the proposed Facilities enhance the socio-economic fabric of the state?⁶³

The Division of Statewide Planning, within the Department of Administration, must conduct an investigation and render for the Board's consideration an opinion as to the impact of the Facility's operation and construction on the socio-economic fabric of the state.⁶⁴ In addressing the issue of socio-economic impact, consideration must be given to economic and reliability benefits and visual impacts; and the proposed Facility's consistency and compliance with the State Guide Plan.

ISSUE 5: Is the proposed Facility consistent with the Act on Climate?⁶⁵

Pursuant to R.I. Gen. Laws 42-6.2-8, the Board is obligated to address the impacts of climate change when exercising its authority.

VI. ADVISORY OPINIONS⁶⁶

A. Jurisdictional Agencies

The following agencies and subdivisions of state and local government that, absent the Siting Act, would have the authority to act upon permits, licenses, assents, or variances required for the proposed Facility are required by the Act to issue advisory opinions as directed by the Board and shall act at the direction of the Board in issuing the advisory opinions designated below. An agency so designated should, to the extent possible, render its advisory opinion pursuant to procedures that would be followed absent the Siting Act, and such advisory opinion should conform to the provisions of the Rhode Island Administrative Procedures Act (APA), R.I. Gen. Laws §§ 42-35-1 *et seq.*, regarding Decisions and Orders.⁶⁷ The agency must, however, render an advisory opinion

⁶³ *Id.*

⁶⁴ *Id.* § 9(e).

⁶⁵ R.I. Gen. Laws § 42-6.2-1 *et seq.*

⁶⁶ The designation letters are attached to this Order as Appendix A.

⁶⁷ Rule 1.11(A).

to the Board regarding the issuance of the license or permit, rather than a final decision. Unless otherwise provided, if the agency does not issue its advisory opinion within four months after its designation by the Board, its right to render an opinion shall be forfeited.⁶⁸

Upon Motion by the Chairman, the Board designated the following agencies of state government and political subdivisions of the State to provide advisory opinions to the Board on the proposed Project:

1. **The Town of North Smithfield Building and Zoning Officials** are directed to render an advisory opinion as to:
 - (i) Whether the work proposed in the municipality as part of the Facility's Construction and operation is subject to the municipality's Soil Erosion Sediment Control Ordinance, and if so, whether RIE's Soil Erosion and Sediment Control Plan would conform to the Ordinance,
 - (ii) Whether the Project would meet the requirements of other municipal ordinances, including the noise and zoning ordinances, and
 - (iii) Whether a variance of any ordinance is required.
2. **The Town of Burrillville Building and Zoning Officials** is directed to render an advisory opinion as to:
 - (i) Whether the work proposed in the municipality as part of the Facility's construction and operation is subject to the municipality's Soil Erosion Sediment Control Ordinance, and if so, whether INEC' s Soil Erosion and Sediment Control Plan would conform to the Ordinance,

⁶⁸ R.I. Gen. Laws § 42-98-10(a).

- (ii) Whether the Project would meet the requirements of zoning, noise, and other municipal ordinances, and
 - (iii) Whether a variance of any ordinance is required.
- 3. **The Rhode Island Historical Preservation & Heritage Commission** is directed to render an advisory opinion as to:
 - (i) whether the Facility would be subject to its jurisdiction and, if so, whether the Facility would conform with requirements relevant thereto, and
 - (ii) whether any required approval or exception should be granted.
- 4. **The Town of North Smithfield Department of Public Works Director** is directed to render an advisory opinion as to the potential impacts upon traffic and road conditions associated with the construction and operation of the Facility on Town roads.
- 5. **The Town of Burrillville Department of Public Works Director** is directed to render an advisory opinion as to the potential impacts upon traffic and road conditions associated with the construction and operation of the Facility on Town roads.
- 6. **The Rhode Island Department of Environmental Management** is directed to render an advisory opinion as to (i) the impact on vegetative community, fish and wildlife that will be caused by disruption of the habitat and (ii) whether the Facilities will present an unacceptable harm to the environment.
- 7. **The Town of Burrillville Planning Department Director** is directed to render an advisory opinion as to whether RIE will be able to comply with the Town of Burrillville Comprehensive Plan.

8. **The Town of North Smithfield Planning Department Director** is directed to render an advisory opinion as to whether RIE will be able to comply with the Town of North Smithfield Comprehensive Plan.
9. **The Town of North Smithfield Town Council** is directed to render an advisory opinion as to whether the Project will meet the Town noise ordinance limits and, if not, whether an exemption from the Noise Ordinance should be granted.

B. Non-Jurisdictional Agencies

The Board has both the obligation and authority to request further advisory opinions from agencies other than those that, absent the Siting Act, would have some specific authority over the proposed Facility. In addition to the mandatory opinions required from the Jurisdictional Agencies by the Siting Act, the Board in its discretion may and hereby does request informational advisory opinions from the agencies listed below for which there are no applicable license, permit, assent, or variance proceedings required for the Facility.

In the absence of a proceeding conducted in accordance with the APA, the Board requests that each such agency named below prepare to have a representative appear at the final hearing of the Board to sponsor the informational advisory opinion, as well as to sponsor and enter into evidence any information outside of the record of this docket that is relied upon in the advisory opinion. At such time, the Applicant, the Board, and other parties will have the opportunity to cross-examine the sponsoring agency representative.

For each non-jurisdictional advisory opinion, the subject agency may request, and the Applicant shall provide, any information or evidence deemed necessary to support the subject opinion. The Applicant shall provide information in a timely manner. The Applicant shall remain

responsible for ensuring that the information provided to the Board and the various agencies remains consistent and up-to-date.

Upon Motion by the Chairman, the Board designated the following non-jurisdictional agencies of state government and political subdivisions of the State to provide advisory opinions to the Board on the proposed Project:

1. **The Rhode Island Public Utilities Commission (PUC)** is directed to render an advisory opinion on several related issues. The Division of Public Utilities and Carriers shall participate in the PUC proceeding as a party. The Chairman of the Siting Board may be present during the evidentiary hearings at the PUC to be able to ask questions of the witnesses but shall not participate in the advisory opinion deliberations of the PUC nor vote on the advisory opinion.

The Board requests the PUC's advisory opinion to address:

- (i) The need for the proposed Facility and the need for the proposed configuration of the transmission as proposed,
- (ii) Whether the Facility in its proposed configuration is cost-justified;
- (iii) Whether the Facility in its proposed configuration is expected to transmit energy at the lowest reasonable cost to the consumer, compared to other reasonable alternatives, consistent with the objective of ensuring that the construction and operation of the proposed Facility will be accomplished in compliance with all of the requirements of the laws, rules, and regulations, including without limitation the obligation to maintain safe and reliable service.
- (iv) Whether construction and operation of the Facility in its proposed configuration is consistent with the Act on Climate; and

(v) Whether the construction and operation of the Facility in its proposed configuration is consistent with the State Energy Plan — Energy 2035.

2. **The Division of Statewide Planning** is directed to render an advisory opinion as to:

(i) The socio-economic impact of the proposed Facility in its proposed configuration, including its construction and operation. In addressing the issue of socio-economic impact, consideration must be given to economic and reliability benefits and visual impacts; and

(ii) The proposed Facility's consistency and compliance with the State Guide Plan. In addressing consistency with the State Guide Plan, the Division of Statewide Planning may defer to the PUC providing an advisory opinion as to consistency with the State Energy Plan — Energy 2035. Participation of the Office of Energy Resources in review of the State Guide Plan is not required but is optional to that agency.

3. **The Rhode Island Department of Health** is directed to render an informational advisory opinion on:

(i) The potential public health concerns relating to the proposed Facilities, including but not limited to biological responses to power frequency, electric, and magnetic fields associated with the operation of the Facilities and

(ii) The potential impacts on the quality of drinking water associated with the construction and operation of the proposed Facilities. In particular, the Department of Health should review and comment on Section 7.16 and Appendix A of the application.

Accordingly, it is hereby

(171) ORDERED

1. The following State of Rhode Island and local agencies and political subdivisions of the state shall act at the direction of the Energy Facility Siting Board for the purpose of rendering advisory opinions on the issues determined by the Preliminary Decision of the Energy Facility Siting Board:
 - a. The Rhode Island Public Utilities Commission (PUC)
 - b. The Division of Statewide Planning
 - c. The Department of Health
 - d. The Town of North Smithfield Building and Zoning Officials
 - e. The Town of Burrillville Building and Zoning Officials
 - f. The Rhode Island Historical Preservation & Heritage Commission
 - g. The Town of North Smithfield Department of Public Works Director
 - h. The Town of Burrillville Department of Public Works Director
 - i. The Rhode Island Department of Environmental Management
 - j. The Town of Burrillville Planning Department Director
 - k. The Town of North Smithfield Planning Department Director
 - l. The Town of North Smithfield Town Council
2. The Coordinator of the Energy Facility Siting Board shall prepare and forward to all agencies designated above a certified copy of this Preliminary Decision and Order and a separate written notice of designation.

DATED AND EFFECTIVE AT WARWICK, RHODE ISLAND THIS 2nd DAY OF OCTOBER
2025.

ENERGY FACILITY SITING BOARD

A handwritten signature in black ink, reading "Ronald T. Gerwatowski".

Ronald T. Gerwatowski, Chairman

A handwritten signature in blue ink, reading "Meredith E. Brady".

Meredith E. Brady, Member

A handwritten signature in black ink, reading "Terrence Gray".

Terrence Gray, Member

APPENDIX A

**STATE OF RHODE ISLAND
ENERGY FACILITY SITING BOARD**

IN RE: THE NARRAGANSETT ELECTRIC COMPANY'S APPLICATION FOR THE
WOONSOCKET SUBSTATION- NASONVILLE SUBSTATION REBUILD AND ALTERATION
PROJECT FOR NORTH SMITHFIELD AND BURRILLVILLE, RHODE ISLAND – Docket No.
SB-2025-01

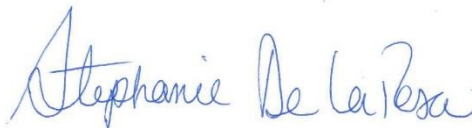
**NOTICE OF DESIGNATION TO THE TOWN OF NORTH SMITHFIELD TOWN
COUNCIL TO RENDER AN ADVISORY OPINION**

By Order No. 171 of the Energy Facility Siting Board, pursuant to the Energy Facility Siting Act R.I. Gen. Laws § 42-98 (Act), in particular § 42-98-9, the Town of North Smithfield Town Council has been designated as a political subdivision of the state that shall act at the direction of the Rhode Island Energy Facility Siting Board (Board) for the purpose of rendering an advisory opinion on certain issues to be considered in evaluating the Narragansett Electric Company's (RIE) application for the Woonsocket Substation- Nasonville Substation rebuild and alteration project for North Smithfield and Burrillville, Rhode Island – Docket No. SB-2025-01. A description of the required advisory opinion is set forth in the enclosed Preliminary Decision and Order.

Pursuant to R.I. Gen. Laws § 42-98-10, a designated agency shall proceed to consider the issue or issues consigned to it for review. By Order No. 171 of the Board, the designated agency shall conclude its consideration and issue its advisory opinion on or before April 2, 2026 or the right to exercise the function shall be forfeited to the Board. Advisory opinions should be submitted to the Coordinator of the Energy Facility Siting Board, 89 Jefferson Boulevard, Warwick, Rhode Island 02888.

In accordance with Rule 1.11(A) of the Board's Rules of Practice and Procedure (Rules), the designated agency shall render its advisory opinion, to the extent possible, pursuant to the procedures that would be followed absent Board designation of the agency. Where necessary, an agency shall modify its procedures to conform to the requirements of the Act, the Rules, and the Preliminary Decision. In accordance with Rule 1.11(C) the advisory opinion shall conform with the Rhode Island Administrative Procedures Act R.I. Gen. Laws § 42-35 requirements regarding Decisions and Orders and shall be clearly identified as an advisory opinion issued to the Board for consideration at the Board's final hearing. A designated agency lacking a process compliant with the Administrative Procedures Act may, and shall at the direction of the Board's Chairperson, make a witness available to sponsor and be examined on its advisory opinion at the final hearing to be scheduled and held following the advisory opinion deadline.

If you have any questions or require any assistance from Board staff, please contact me by phone at 401-780-2107, or by email at Stephanie.DeLaRosa@puc.ri.gov.



Stephanie De La Rosa, Coordinator
Energy Facility Siting Board
October 2, 2025

**STATE OF RHODE ISLAND
ENERGY FACILITY SITING BOARD**

IN RE: THE NARRAGANSETT ELECTRIC COMPANY'S APPLICATION FOR THE
WOONSOCKET SUBSTATION- NASONVILLE SUBSTATION REBUILD AND ALTERATION
PROJECT FOR NORTH SMITHFIELD AND BURRILLVILLE, RHODE ISLAND – Docket No.
SB-2025-01

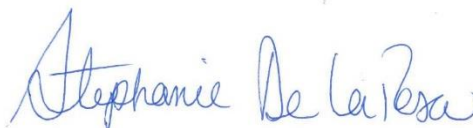
**NOTICE OF DESIGNATION TO THE RHODE ISLAND HISTORICAL PRESERVATION
AND HERITAGE COMMISSION TO RENDER AN ADVISORY OPINION**

By Order No. 171 of the Energy Facility Siting Board, pursuant to the Energy Facility Siting Act R.I. Gen. Laws § 42-98 (Act), in particular § 42-98-9, the Rhode Island Historical Preservation and Heritage Commission has been designated as an agency of state government that shall act at the direction of the Rhode Island Energy Facility Siting Board (Board) for the purpose of rendering an advisory opinion on certain issues to be considered in evaluating Narragansett Electric Company's (RIE) application for the Woonsocket Substation- Nasonville Substation rebuild and alteration project for North Smithfield and Burrillville, Rhode Island – Docket No. SB-2025-01. A description of the required advisory opinion is set forth in the enclosed Preliminary Decision and Order.

Pursuant to R.I. Gen. Laws § 42-98-10, a designated agency shall proceed to consider the issue or issues consigned to it for review. By Order No. 171 of the Board, the designated agency shall conclude its consideration and issue its advisory opinion on or before April 2, 2026 or the right to exercise the function shall be forfeited to the Board. Advisory opinions should be submitted to the Coordinator of the Energy Facility Siting Board, 89 Jefferson Boulevard, Warwick, Rhode Island 02888.

In accordance with Rule 1.11(A) of the Board's Rules of Practice and Procedure (Rules), the designated agency shall render its advisory opinion, to the extent possible, pursuant to the procedures that would be followed absent Board designation of the agency. Where necessary, an agency shall modify its procedures to conform to the requirements of the Act, the Rules, and the Preliminary Decision. In accordance with Rule 1.11(C) the advisory opinion shall conform with the Rhode Island Administrative Procedures Act R.I. Gen. Laws § 42-35 requirements regarding Decisions and Orders and shall be clearly identified as an advisory opinion issued to the Board for consideration at the Board's final hearing. A designated agency lacking a process compliant with the Administrative Procedures Act may, and shall at the direction of the Board's Chairperson, make a witness available to sponsor and be examined on its advisory opinion at the final hearing to be scheduled and held following the advisory opinion deadline.

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Stephanie De La Rosa, Coordinator
Energy Facility Siting Board
October 2, 2025

**STATE OF RHODE ISLAND
ENERGY FACILITY SITING BOARD**

IN RE: THE NARRAGANSETT ELECTRIC COMPANY'S APPLICATION FOR THE
WOONSOCKET SUBSTATION- NASONVILLE SUBSTATION REBUILD AND ALTERATION
PROJECT FOR NORTH SMITHFIELD AND BURRILLVILLE, RHODE ISLAND – Docket No.
SB-2025-01


**NOTICE OF DESIGNATION TO THE TOWN OF NORTH SMITHFIELD, DEPT. OF
PUBLIC WORKS DIRECTOR TO RENDER AN ADVISORY OPINION**

By Order No. 171 of the Energy Facility Siting Board, pursuant to the Energy Facility Siting Act R.I. Gen. Laws § 42-98 (Act), in particular § 42-98-9, the Town of North Smithfield, Dept. of Public Works Director has been designated as a political subdivision of the state that shall act at the direction of the Rhode Island Energy Facility Siting Board (Board) for the purpose of rendering an advisory opinion on certain issues to be considered in evaluating Narragansett Electric Company's (RIE) application for the Woonsocket Substation- Nasonville Substation rebuild and alteration project for North Smithfield and Burrillville, Rhode Island – Docket No. SB-2025-01. A description of the required advisory opinion is set forth in the enclosed Preliminary Decision and Order.

Pursuant to R.I. Gen. Laws § 42-98-10, a designated agency shall proceed to consider the issue or issues consigned to it for review. By Order No. 171 of the Board, the designated agency shall conclude its consideration and issue its advisory opinion on or before April 2, 2026 or the right to exercise the function shall be forfeited to the Board. Advisory opinions should be submitted to the Coordinator of the Energy Facility Siting Board, 89 Jefferson Boulevard, Warwick, Rhode Island 02888.

In accordance with Rule 1.11(A) of the Board's Rules of Practice and Procedure (Rules), the designated agency shall render its advisory opinion, to the extent possible, pursuant to the procedures that would be followed absent Board designation of the agency. Where necessary, an agency shall modify its procedures to conform to the requirements of the Act, the Rules, and the Preliminary Decision. In accordance with Rule 1.11(C) the advisory opinion shall conform with the Rhode Island Administrative Procedures Act R.I. Gen. Laws § 42-35 requirements regarding Decisions and Orders and shall be clearly identified as an advisory opinion issued to the Board for consideration at the Board's final hearing. A designated agency lacking a process compliant with the Administrative Procedures Act may, and shall at the direction of the Board's Chairperson, make a witness available to sponsor and be examined on its advisory opinion at the final hearing to be scheduled and held following the advisory opinion deadline.

If you have any questions or require any assistance from Board staff, please contact me by phone at 401-780-2107, or by email at Stephanie.DeLaRosa@puc.ri.gov.

A handwritten signature in blue ink that reads "Stephanie De La Rosa". The signature is fluid and cursive, with the first name being more prominent.

Stephanie De La Rosa, Coordinator
Energy Facility Siting Board
October 2, 2025

**STATE OF RHODE ISLAND
ENERGY FACILITY SITING BOARD**

IN RE: THE NARRAGANSETT ELECTRIC COMPANY'S APPLICATION FOR THE
WOONSOCKET SUBSTATION- NASONVILLE SUBSTATION REBUILD AND ALTERATION
PROJECT FOR NORTH SMITHFIELD AND BURRILLVILLE, RHODE ISLAND – Docket No.
SB-2025-01

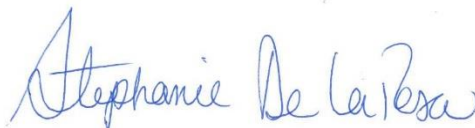
**NOTICE OF DESIGNATION TO THE RHODE ISLAND DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT TO RENDER AN ADVISORY OPINION**

By Order No. 171 of the Energy Facility Siting Board, pursuant to the Energy Facility Siting Act R.I. Gen. Laws § 42-98 (Act), in particular § 42-98-9, the Rhode Island Department of Environmental Management has been designated as an agency of state government that shall act at the direction of the Rhode Island Energy Facility Siting Board (Board) for the purpose of rendering an advisory opinion on certain issues to be considered in evaluating Narragansett Electric Company's (RIE) application for the Woonsocket Substation- Nasonville Substation rebuild and alteration project for North Smithfield and Burrillville, Rhode Island – Docket No. SB-2025-01. A description of the required advisory opinion is set forth in the enclosed Preliminary Decision and Order.

Pursuant to R.I. Gen. Laws § 42-98-10, a designated agency shall proceed to consider the issue or issues consigned to it for review. By Order No. 171 of the Board, the designated agency shall conclude its consideration and issue its advisory opinion on or before April 2, 2026 or the right to exercise the function shall be forfeited to the Board. Advisory opinions should be submitted to the Coordinator of the Energy Facility Siting Board, 89 Jefferson Boulevard, Warwick, Rhode Island 02888.

In accordance with Rule 1.11(A) of the Board's Rules of Practice and Procedure (Rules), the designated agency shall render its advisory opinion, to the extent possible, pursuant to the procedures that would be followed absent Board designation of the agency. Where necessary, an agency shall modify its procedures to conform to the requirements of the Act, the Rules, and the Preliminary Decision. In accordance with Rule 1.11(C) the advisory opinion shall conform with the Rhode Island Administrative Procedures Act R.I. Gen. Laws § 42-35 requirements regarding Decisions and Orders and shall be clearly identified as an advisory opinion issued to the Board for consideration at the Board's final hearing. A designated agency lacking a process compliant with the Administrative Procedures Act may, and shall at the direction of the Board's Chairperson, make a witness available to sponsor and be examined on its advisory opinion at the final hearing to be scheduled and held following the advisory opinion deadline.

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Stephanie De La Rosa, Coordinator
Energy Facility Siting Board
October 2, 2025

**STATE OF RHODE ISLAND
ENERGY FACILITY SITING BOARD**

IN RE: THE NARRAGANSETT ELECTRIC COMPANY'S APPLICATION FOR THE
WOONSOCKET SUBSTATION– NASONVILLE SUBSTATION REBUILD AND ALTERATION
PROJECT FOR NORTH SMITHFIELD AND BURRILLVILLE, RHODE ISLAND – Docket No.
SB-2025-01


**NOTICE OF DESIGNATION TO THE TOWN OF NORTH SMITHFIELD BUILDING AND
ZONING OFFICIAL TO RENDER AN ADVISORY OPINION**

By Order No. 171 of the Energy Facility Siting Board, pursuant to the Energy Facility Siting Act R.I. Gen. Laws § 42-98 (Act), in particular § 42-98-9, the Town of North Smithfield Building and Zoning Official have been designated as a political subdivision of the state has been designated as an agency of state government that shall act at the direction of the Rhode Island Energy Facility Siting Board (Board) for the purpose of rendering an advisory opinion on certain issues to be considered in evaluating Narragansett Electric Company's (RIE) application for the Woonsocket Substation–Nasonville Substation rebuild and alteration project for North Smithfield and Burrillville, Rhode Island – Docket No. SB-2025-01. A description of the required advisory opinion is set forth in the enclosed Preliminary Decision and Order.

Pursuant to R.I. Gen. Laws § 42-98-10, a designated agency shall proceed to consider the issue or issues consigned to it for review. By Order No. 171 of the Board, the designated agency shall conclude its consideration and issue its advisory opinion on or before April 2, 2026 or the right to exercise the function shall be forfeited to the Board. Advisory opinions should be submitted to the Coordinator of the Energy Facility Siting Board, 89 Jefferson Boulevard, Warwick, Rhode Island 02888.

In accordance with Rule 1.11(A) of the Board's Rules of Practice and Procedure (Rules), the designated agency shall render its advisory opinion, to the extent possible, pursuant to the procedures that would be followed absent Board designation of the agency. Where necessary, an agency shall modify its procedures to conform to the requirements of the Act, the Rules, and the Preliminary Decision. In accordance with Rule 1.11(C) the advisory opinion shall conform with the Rhode Island Administrative Procedures Act R.I. Gen. Laws § 42-35 requirements regarding Decisions and Orders and shall be clearly identified as an advisory opinion issued to the Board for consideration at the Board's final hearing. A designated agency lacking a process compliant with the Administrative Procedures Act may, and shall at the direction of the Board's Chairperson, make a witness available to sponsor and be examined on its advisory opinion at the final hearing to be scheduled and held following the advisory opinion deadline.

If you have any questions or require any assistance from Board staff, please contact me by phone at 401-780-2107, or by email at Stephanie.DeLaRosa@puc.ri.gov.

A handwritten signature in blue ink that reads "Stephanie De La Rosa". The signature is fluid and cursive, with the first name being the most prominent.

Stephanie De La Rosa, Coordinator
Energy Facility Siting Board
October 2, 2025

**STATE OF RHODE ISLAND
ENERGY FACILITY SITING BOARD**

IN RE: THE NARRAGANSETT ELECTRIC COMPANY'S APPLICATION FOR THE
WOONSOCKET SUBSTATION- NASONVILLE SUBSTATION REBUILD AND ALTERATION
PROJECT FOR NORTH SMITHFIELD AND BURRILLVILLE, RHODE ISLAND – Docket No.
SB-2025-01


**NOTICE OF DESIGNATION TO THE TOWN OF BURRILLVILLE BUILDING AND
ZONING OFFICIAL TO RENDER AN ADVISORY OPINION**

By Order No. 171 of the Energy Facility Siting Board, pursuant to the Energy Facility Siting Act R.I. Gen. Laws § 42-98 (Act), in particular § 42-98-9, the Town of Burrillville Building and Zoning Official has been designated as a political subdivision of the state has been designated as an agency of state government that shall act at the direction of the Rhode Island Energy Facility Siting Board (Board) for the purpose of rendering an advisory opinion on certain issues to be considered in evaluating Narragansett Electric Company's (RIE) application for the Woonsocket Substation- Nasonville Substation rebuild and alteration project for North Smithfield and Burrillville, Rhode Island – Docket No. SB-2025-01. A description of the required advisory opinion is set forth in the enclosed Preliminary Decision and Order.

Pursuant to R.I. Gen. Laws § 42-98-10, a designated agency shall proceed to consider the issue or issues consigned to it for review. By Order No. 171 of the Board, the designated agency shall conclude its consideration and issue its advisory opinion on or before April 2, 2026 or the right to exercise the function shall be forfeited to the Board. Advisory opinions should be submitted to the Coordinator of the Energy Facility Siting Board, 89 Jefferson Boulevard, Warwick, Rhode Island 02888.

In accordance with Rule 1.11(A) of the Board's Rules of Practice and Procedure (Rules), the designated agency shall render its advisory opinion, to the extent possible, pursuant to the procedures that would be followed absent Board designation of the agency. Where necessary, an agency shall modify its procedures to conform to the requirements of the Act, the Rules, and the Preliminary Decision. In accordance with Rule 1.11(C) the advisory opinion shall conform with the Rhode Island Administrative Procedures Act R.I. Gen. Laws § 42-35 requirements regarding Decisions and Orders and shall be clearly identified as an advisory opinion issued to the Board for consideration at the Board's final hearing. A designated agency lacking a process compliant with the Administrative Procedures Act may, and shall at the direction of the Board's Chairperson, make a witness available to sponsor and be examined on its advisory opinion at the final hearing to be scheduled and held following the advisory opinion deadline.

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A handwritten signature in blue ink that reads "Stephanie De La Rosa". The signature is written in a cursive, flowing style.

Stephanie De La Rosa, Coordinator
Energy Facility Siting Board
October 2, 2025

**STATE OF RHODE ISLAND
ENERGY FACILITY SITING BOARD**

IN RE: THE NARRAGANSETT ELECTRIC COMPANY'S APPLICATION FOR THE
WOONSOCKET SUBSTATION– NASONVILLE SUBSTATION REBUILD AND ALTERATION
PROJECT FOR NORTH SMITHFIELD AND BURRILLVILLE, RHODE ISLAND – Docket No.
SB-2025-01

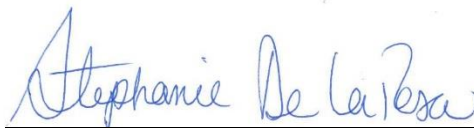
**NOTICE OF DESIGNATION TO THE TOWN OF BURRILLVILLE PLANNING
DEPARTMENT DIRECTOR TO RENDER AN ADVISORY OPINION**

By Order No. 171 of the Energy Facility Siting Board, pursuant to the Energy Facility Siting Act R.I. Gen. Laws § 42-98 (Act), in particular § 42-98-9, the Town of Burrillville Planning Department has been designated as a political subdivision of the state that shall act at the direction of the Rhode Island Energy Facility Siting Board (Board) for the purpose of rendering an advisory opinion on certain issues to be considered in evaluating Narragansett Electric Company's (RIE) application for the Woonsocket Substation– Nasonville Substation rebuild and alteration project for North Smithfield and Burrillville, Rhode Island – Docket No. SB-2025-01. A description of the required advisory opinion is set forth in the enclosed Preliminary Decision and Order.

Pursuant to R.I. Gen. Laws § 42-98-10, a designated agency shall proceed to consider the issue or issues consigned to it for review. By Order No. 171 of the Board, the designated agency shall conclude its consideration and issue its advisory opinion on or before April 2, 2026 or the right to exercise the function shall be forfeited to the Board. Advisory opinions should be submitted to the Coordinator of the Energy Facility Siting Board, 89 Jefferson Boulevard, Warwick, Rhode Island 02888.

In accordance with Rule 1.11(A) of the Board's Rules of Practice and Procedure (Rules), the designated agency shall render its advisory opinion, to the extent possible, pursuant to the procedures that would be followed absent Board designation of the agency. Where necessary, an agency shall modify its procedures to conform to the requirements of the Act, the Rules, and the Preliminary Decision. In accordance with Rule 1.11(C) the advisory opinion shall conform with the Rhode Island Administrative Procedures Act R.I. Gen. Laws § 42-35 requirements regarding Decisions and Orders and shall be clearly identified as an advisory opinion issued to the Board for consideration at the Board's final hearing. A designated agency lacking a process compliant with the Administrative Procedures Act may, and shall at the direction of the Board's Chairperson, make a witness available to sponsor and be examined on its advisory opinion at the final hearing to be scheduled and held following the advisory opinion deadline.

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A handwritten signature in blue ink that reads "Stephanie De La Rosa". The signature is fluid and cursive, with the first name and last name clearly legible.

Stephanie De La Rosa, Coordinator
Energy Facility Siting Board
October 2, 2025

**STATE OF RHODE ISLAND
ENERGY FACILITY SITING BOARD**

IN RE: THE NARRAGANSETT ELECTRIC COMPANY'S APPLICATION FOR THE
WOONSOCKET SUBSTATION- NASONVILLE SUBSTATION REBUILD AND ALTERATION
PROJECT FOR NORTH SMITHFIELD AND BURRILLVILLE, RHODE ISLAND – Docket No.
SB-2025-01

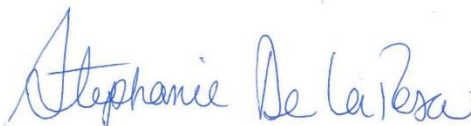
**NOTICE OF DESIGNATION TO THE RHODE ISLAND PUBLIC UTILITIES
COMMISSION TO RENDER AN ADVISORY OPINION**

By Order No. 171 of the Energy Facility Siting Board, pursuant to the Energy Facility Siting Act R.I. Gen. Laws § 42-98 (Act), in particular § 42-98-9, the Rhode Island Public Utilities Commission has been designated as an agency of state government that shall act at the direction of the Rhode Island Energy Facility Siting Board (Board) for the purpose of rendering an advisory opinion on certain issues to be considered in evaluating Narragansett Electric Company's (RIE) application for the Woonsocket Substation- Nasonville Substation rebuild and alteration project for North Smithfield and Burrillville, Rhode Island – Docket No. SB-2025-01. A description of the required advisory opinion is set forth in the enclosed Preliminary Decision and Order.

Pursuant to R.I. Gen. Laws § 42-98-10, a designated agency shall proceed to consider the issue or issues consigned to it for review. By Order No. 171 of the Board, the designated agency shall conclude its consideration and issue its advisory opinion on or before April 2, 2026 or the right to exercise the function shall be forfeited to the Board. Advisory opinions should be submitted to the Coordinator of the Energy Facility Siting Board, 89 Jefferson Boulevard, Warwick, Rhode Island 02888.

In accordance with Rule 1.11(A) of the Board's Rules of Practice and Procedure (Rules), the designated agency shall render its advisory opinion, to the extent possible, pursuant to the procedures that would be followed absent Board designation of the agency. Where necessary, an agency shall modify its procedures to conform to the requirements of the Act, the Rules, and the Preliminary Decision. In accordance with Rule 1.11(C) the advisory opinion shall conform with the Rhode Island Administrative Procedures Act R.I. Gen. Laws § 42-35 requirements regarding Decisions and Orders and shall be clearly identified as an advisory opinion issued to the Board for consideration at the Board's final hearing. A designated agency lacking a process compliant with the Administrative Procedures Act may, and shall at the direction of the Board's Chairperson, make a witness available to sponsor and be examined on its advisory opinion at the final hearing to be scheduled and held following the advisory opinion deadline.

If you have any questions or require any assistance from Board staff, please contact me by phone at 401-780-2107, or by email at Stephanie.DeLaRosa@puc.ri.gov.



Stephanie De La Rosa, Coordinator
Energy Facility Siting Board
October 2, 2025

**STATE OF RHODE ISLAND
ENERGY FACILITY SITING BOARD**

IN RE: THE NARRAGANSETT ELECTRIC COMPANY'S APPLICATION FOR THE
WOONSOCKET SUBSTATION– NASONVILLE SUBSTATION REBUILD AND ALTERATION
PROJECT FOR NORTH SMITHFIELD AND BURRILLVILLE, RHODE ISLAND – Docket No.
SB-2025-01

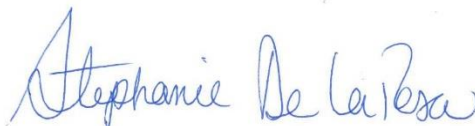
**NOTICE OF DESIGNATION TO THE RHODE ISLAND DIVISION OF STATEWIDE
PLANNING TO RENDER AN ADVISORY OPINION**

By Order No. 171 of the Energy Facility Siting Board, pursuant to the Energy Facility Siting Act R.I. Gen. Laws § 42-98 (Act), in particular § 42-98-9, the Division of Statewide Planning has been designated as an agency of state government that shall act at the direction of the Rhode Island Energy Facility Siting Board (Board) for the purpose of rendering an advisory opinion on certain issues to be considered in evaluating Narragansett Electric Company's (RIE) application for the Woonsocket Substation– Nasonville Substation rebuild and alteration project for North Smithfield and Burrillville, Rhode Island – Docket No. SB-2025-01. A description of the required advisory opinion is set forth in the enclosed Preliminary Decision and Order.

Pursuant to R.I. Gen. Laws § 42-98-10, a designated agency shall proceed to consider the issue or issues consigned to it for review. By Order No. 171 of the Board, the designated agency shall conclude its consideration and issue its advisory opinion on or before April 2, 2026 or the right to exercise the function shall be forfeited to the Board. Advisory opinions should be submitted to the Coordinator of the Energy Facility Siting Board, 89 Jefferson Boulevard, Warwick, Rhode Island 02888.

In accordance with Rule 1.11(A) of the Board's Rules of Practice and Procedure (Rules), the designated agency shall render its advisory opinion, to the extent possible, pursuant to the procedures that would be followed absent Board designation of the agency. Where necessary, an agency shall modify its procedures to conform to the requirements of the Act, the Rules, and the Preliminary Decision. In accordance with Rule 1.11(C) the advisory opinion shall conform with the Rhode Island Administrative Procedures Act R.I. Gen. Laws § 42-35 requirements regarding Decisions and Orders and shall be clearly identified as an advisory opinion issued to the Board for consideration at the Board's final hearing. A designated agency lacking a process compliant with the Administrative Procedures Act may, and shall at the direction of the Board's Chairperson, make a witness available to sponsor and be examined on its advisory opinion at the final hearing to be scheduled and held following the advisory opinion deadline.

If you have any questions or require any assistance from Board staff, please contact me by phone at 401-780-2107, or by email at Stephanie.DeLaRosa@puc.ri.gov.



Stephanie De La Rosa, Coordinator
Energy Facility Siting Board
October 2, 2025

**STATE OF RHODE ISLAND
ENERGY FACILITY SITING BOARD**

IN RE: THE NARRAGANSETT ELECTRIC COMPANY'S APPLICATION FOR THE
WOONSOCKET SUBSTATION– NASONVILLE SUBSTATION REBUILD AND ALTERATION
PROJECT FOR NORTH SMITHFIELD AND BURRILLVILLE, RHODE ISLAND – Docket No.
SB-2025-01

**NOTICE OF DESIGNATION TO THE RHODE ISLAND DEPARTMENT OF HEALTH TO
RENDER AN ADVISORY OPINION**

By Order No. 171 of the Energy Facility Siting Board, pursuant to the Energy Facility Siting Act R.I. Gen. Laws § 42-98 (Act), in particular § 42-98-9, the Rhode Island Department of Health has been designated as an agency of state government that shall act at the direction of the Rhode Island Energy Facility Siting Board (Board) for the purpose of rendering an advisory opinion on certain issues to be considered in evaluating Narragansett Electric Company's (RIE) application for the Woonsocket Substation– Nasonville Substation rebuild and alteration project for North Smithfield and Burrillville, Rhode Island – Docket No. SB-2025-01. A description of the required advisory opinion is set forth in the enclosed Preliminary Decision and Order.

Pursuant to R.I. Gen. Laws § 42-98-10, a designated agency shall proceed to consider the issue or issues consigned to it for review. By Order No. 171 of the Board, the designated agency shall conclude its consideration and issue its advisory opinion on or before April 2, 2026 or the right to exercise the function shall be forfeited to the Board. Advisory opinions should be submitted to the Coordinator of the Energy Facility Siting Board, 89 Jefferson Boulevard, Warwick, Rhode Island 02888.

In accordance with Rule 1.11(A) of the Board's Rules of Practice and Procedure (Rules), the designated agency shall render its advisory opinion, to the extent possible, pursuant to the procedures that would be followed absent Board designation of the agency. Where necessary, an agency shall modify its procedures to conform to the requirements of the Act, the Rules, and the Preliminary Decision. In accordance with Rule 1.11(C) the advisory opinion shall conform with the Rhode Island Administrative Procedures Act R.I. Gen. Laws § 42-35 requirements regarding Decisions and Orders and shall be clearly identified as an advisory opinion issued to the Board for consideration at the Board's final hearing. A designated agency lacking a process compliant with the Administrative Procedures Act may, and shall at the direction of the Board's Chairperson, make a witness available to sponsor and be examined on its advisory opinion at the final hearing to be scheduled and held following the advisory opinion deadline.

If you have any questions or require any assistance from Board staff, please contact me by phone at 401-780-2107, or by email at Stephanie.DeLaRosa@puc.ri.gov.

A handwritten signature in blue ink that reads "Stephanie De La Rosa". The signature is fluid and cursive, with the first name and last name clearly legible.

Stephanie De La Rosa, Coordinator
Energy Facility Siting Board
October 2, 2025

**STATE OF RHODE ISLAND
ENERGY FACILITY SITING BOARD**

IN RE: THE NARRAGANSETT ELECTRIC COMPANY'S APPLICATION FOR THE
WOONSOCKET SUBSTATION- NASONVILLE SUBSTATION REBUILD AND ALTERATION
PROJECT FOR NORTH SMITHFIELD AND BURRILLVILLE, RHODE ISLAND – Docket No.
SB-2025-01

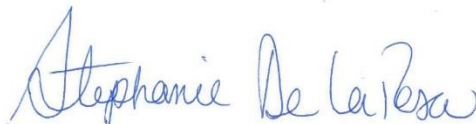
**NOTICE OF DESIGNATION TO THE TOWN OF NORTH SMITHFIELD PLANNING
DEPARTMENT DIRECTOR TO RENDER AN ADVISORY OPINION**

By Order No. 171 of the Energy Facility Siting Board, pursuant to the Energy Facility Siting Act R.I. Gen. Laws § 42-98 (Act), in particular § 42-98-9, the Town of North Smithfield Planning Department Director has been designated as a political subdivision of the state that shall act at the direction of the Rhode Island Energy Facility Siting Board (Board) for the purpose of rendering an advisory opinion on certain issues to be considered in evaluating the Narragansett Electric Company's (RIE) application for the Woonsocket Substation- Nasonville Substation rebuild and alteration project for North Smithfield and Burrillville, Rhode Island – Docket No. SB-2025-01. A description of the required advisory opinion is set forth in the enclosed Preliminary Decision and Order.

Pursuant to R.I. Gen. Laws § 42-98-10, a designated agency shall proceed to consider the issue or issues consigned to it for review. By Order No. 171 of the Board, the designated agency shall conclude its consideration and issue its advisory opinion on or before April 2, 2026 or the right to exercise the function shall be forfeited to the Board. Advisory opinions should be submitted to the Coordinator of the Energy Facility Siting Board, 89 Jefferson Boulevard, Warwick, Rhode Island 02888.

In accordance with Rule 1.11(A) of the Board's Rules of Practice and Procedure (Rules), the designated agency shall render its advisory opinion, to the extent possible, pursuant to the procedures that would be followed absent Board designation of the agency. Where necessary, an agency shall modify its procedures to conform to the requirements of the Act, the Rules, and the Preliminary Decision. In accordance with Rule 1.11(C) the advisory opinion shall conform with the Rhode Island Administrative Procedures Act R.I. Gen. Laws § 42-35 requirements regarding Decisions and Orders and shall be clearly identified as an advisory opinion issued to the Board for consideration at the Board's final hearing. A designated agency lacking a process compliant with the Administrative Procedures Act may, and shall at the direction of the Board's Chairperson, make a witness available to sponsor and be examined on its advisory opinion at the final hearing to be scheduled and held following the advisory opinion deadline.

If you have any questions or require any assistance from Board staff, please contact me by phone at 401-780-2107, or by email at Stephanie.DeLaRosa@puc.ri.gov.

A handwritten signature in blue ink that reads "Stephanie De La Rosa". The signature is fluid and cursive, with the first name and last name clearly legible.

Stephanie De La Rosa, Coordinator
Energy Facility Siting Board
October 2, 2025

**STATE OF RHODE ISLAND
ENERGY FACILITY SITING BOARD**

IN RE: THE NARRAGANSETT ELECTRIC COMPANY'S APPLICATION FOR THE
WOONSOCKET SUBSTATION- NASONVILLE SUBSTATION REBUILD AND ALTERATION
PROJECT FOR NORTH SMITHFIELD AND BURRILLVILLE, RHODE ISLAND – Docket No.
SB-2025-01

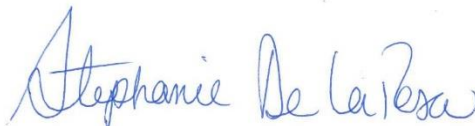
**NOTICE OF DESIGNATION TO THE TOWN OF BURRILLVILLE DEPARTMENT OF
PUBLIC WORKS DIRECTOR TO RENDER AN ADVISORY OPINION**

By Order No. 171 of the Energy Facility Siting Board, pursuant to the Energy Facility Siting Act R.I. Gen. Laws § 42-98 (Act), in particular § 42-98-9, the Town of Burrillville Department of Public Works Director has been designated as a political subdivision of the state that shall act at the direction of the Rhode Island Energy Facility Siting Board (Board) for the purpose of rendering an advisory opinion on certain issues to be considered in evaluating the Narragansett Electric Company's (RIE) application for the Woonsocket Substation- Nasonville Substation rebuild and alteration project for North Smithfield and Burrillville, Rhode Island – Docket No. SB-2025-01. A description of the required advisory opinion is set forth in the enclosed Preliminary Decision and Order.

Pursuant to R.I. Gen. Laws § 42-98-10, a designated agency shall proceed to consider the issue or issues consigned to it for review. By Order No. 171 of the Board, the designated agency shall conclude its consideration and issue its advisory opinion on or before April 2, 2026, or the right to exercise the function shall be forfeited to the Board. Advisory opinions should be submitted to the Coordinator of the Energy Facility Siting Board, 89 Jefferson Boulevard, Warwick, Rhode Island 02888.

In accordance with Rule 1.11(A) of the Board's Rules of Practice and Procedure (Rules), the designated agency shall render its advisory opinion, to the extent possible, pursuant to the procedures that would be followed absent Board designation of the agency. Where necessary, an agency shall modify its procedures to conform to the requirements of the Act, the Rules, and the Preliminary Decision. In accordance with Rule 1.11(C) the advisory opinion shall conform with the Rhode Island Administrative Procedures Act R.I. Gen. Laws § 42-35 requirements regarding Decisions and Orders and shall be clearly identified as an advisory opinion issued to the Board for consideration at the Board's final hearing. A designated agency lacking a process compliant with the Administrative Procedures Act may, and shall at the direction of the Board's Chairperson, make a witness available to sponsor and be examined on its advisory opinion at the final hearing to be scheduled and held following the advisory opinion deadline.

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Stephanie De La Rosa, Coordinator
Energy Facility Siting Board
October 2, 2025