

STATE OF RHODE ISLAND
PUBLIC UTILITIES COMMISSION

IN RE: THE NARRAGANSETT ELECTRIC : DOCKET NO.: 25-50-EL
COMPANY D/B/A RHODE ISLAND ENERGY'S :
TARIFF ADVICE TO AMEND THE NET :
METERING PROVISION PROPOSAL TO :
INCORPORATE 2025 LEGISLATIVE CHANGES :

MOTION FOR LEAVE
TO FILE SURREBUTTAL

Now comes Intervenor HOLLISTON SAND, Inc. and HEREBY moves the Honorable Commission to permit the filing of the SURREBUTTAL attached hereto:

As stated in the Surrebuttal, the responses to Holliston’s initial filing were almost entirely focused on the 2023 Commission findings regarding changes to the Net Metering Tariff by way of Docket 23-05 EL. As further stated neither Holliston or similarly situated parties received **PROPER NOTICE**. As a result, neither Holliston nor any similarly situated Party/Rate Payers participated in the 2023 process.

The responses argue some type of Quasi “*Res Judicata*” argument. Addressing the dealing of this issue in the Current Rate Case will provide Judicial Economy.

For Holliston and others to proceed immediately to Superior Court or the Rhode Island Supreme Court on a Constitutional Argument might delay the proceedings and be more prejudicial to the other parties.

A *Certiorari Petition* in Rhode Island can be filed in a “Reasonable” period of time. Further, where constitutional issues are involved, even the U.S. Supreme Court extends their stated deadlines.

Holliston and other similarly situated parties only became aware of the outcome of the 2023 proceedings in the last few months. Why? Because they did *not* receive Proper Notice and did not participate in those proceedings. Moreover, “Technically” the current proceedings arise out of a 2025 Legislative Enactment. – “Reasonable” by any interpretation.

In conclusion, even a totally favorable ruling in favor of Holliston, in the current case, would have very minimal impact on the current total proceedings. Revery has indicated to Holliston they have no opposition to this motion.

Respectfully Submitted,
HOLLISTON,
by its attorney,

S. Paul Ryan

/s/ S. Paul Ryan
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