

July 22, 2021

Emma Rodvien
Coordinator
Energy Facility Siting Board
89 Jefferson Boulevard
Warwick, RI 02888

Re: EFSB Docket No. SB-21-04

Dear Ms. Rodvien:

Enclosed please find Acadia Center's Motion to Intervene in the above docketed matter, along with the requisite 7 hard copies, certificate of service, and notice of appearance.

Thank you for your attention to these matters.

Sincerely,



Henry (Hank) Webster (RI #9540)
Rhode Island Director & Staff Attorney
Acadia Center
144 Westminster St., Suite 203
401.276.0600 ext. 402
401.239.8500 (c)
hwebster@acadiacenter.org

STATE OF RHODE ISLAND
ENERGY FACILITY SITING BOARD

IN RE: THE NARRAGANSETT ELECTRIC COMPANY d/b/a
NATIONAL GRID APPLICATION FOR A LICENSE TO
MOBILIZE AND OPERATE A LIQUIFIED NATURAL GAS
VAPORIZATION FACILITY AT OLD MILL LANE
(PORTSMOUTH, RI)

Docket No. SB-2021-04

MOTION TO INTERVENE OF ACADIA CENTER

By its attorney, Acadia Center hereby moves pursuant to Rule 1.10 of the Rhode Island Energy Facility Siting Board's ("Board") Rules of Practice and Procedure ("Rules") to intervene in the above-captioned proceeding. Acadia Center is a non-profit data and research organization that has been working in the public interest for over 20 years with a long history working on energy and environment issues on behalf of Rhode Islanders, consistent with the meaning of Rule 1.10 (B)(3). Further, Acadia Center will be directly affected by the outcome of this proceeding, and its interests are not adequately represented by existing parties, consistent with the meaning of Rule 1.10(B)(2). Accordingly, Acadia Center respectfully asks the Board to grant this petition to intervene, and in support of its motion, states:

1. On January 8, 2020, the Board granted petitioner Narragansett Electric Company (Narragansett) d/b/a National Grid a temporary two-year emergency waiver from the licensing requirements of the Energy Facility Siting Act to mobilize and operate a Liquified Natural Gas (LNG) facility at a property located on Old Mill Lane in Portsmouth, RI.

2. On May 19, 2021, petitioner National Grid filed an application with the Board seeking approval to mobilize and operate the above-referenced LNG facility without further need for subsequent waivers.
3. Petitioner National Grid concurrently filed a petition for a one-year extension of the previous emergency waiver granted by the Board on January 8, 2020.
4. In response, the Board opened this Docket No. SB-2021-04.
5. Acadia Center is a non-profit research and advocacy organization committed to advancing the clean energy future through data-driven research, innovative policies, and market-based solutions. Acadia Center has become a central public interest voice in Rhode Island energy issues, on topics including, but not limited to, energy efficiency, natural gas infrastructure, climate planning, electric vehicles, energy storage, distributed generation, grid modernization, advanced metering functionality, and system reliability procurement.
6. Acadia Center has been active in Rhode Island and other Northeastern states in researching and promoting consumer-friendly and climate-conscious energy policies that help advance clean energy production and end uses that improve public health, the environment, and the economy. This expertise will be of considerable benefit to the EFSB and the people of Rhode Island in this docket.
7. Rule 1.10(B) of the Board Rules of Practice and Procedure states “subject to the provisions of this part, 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 Board.”
8. Further, Rule 1.10(B)(2) goes on to state that such a right or interest may be an “interest which may be directly affected, and which is not adequately represented by existing parties and as to which the movants may be bound by the Board’s action in the proceeding.”

9. Acadia Center's interests are directly affected by the issues in this proceeding and cannot be adequately represented by any other party. Acadia Center's status as a settling party to the ongoing implementation of the settlement in Dockets 4770 and 4780, our efforts regarding the 2021-2023 Three-Year Energy Efficiency (EE) and System Reliability Procurement (SRP) plans, our participation in Docket 5099, the FY 2022 Gas Infrastructure, Safety, and Reliability Plan, our intervention in Division Docket D-21-09, our extensive engagement on Aquidneck Island's energy future, and our commitment to building environmentally-friendly and consumer-friendly energy systems and ensuring the alignment of utility programs with state policy goals may all be directly impacted by this proceeding, binding Acadia Center with the decision.
10. Acadia Center has a substantial interest in advancing policies and decisions that achieve the state's greenhouse gas emissions reduction targets required by the 2021 Act on Climate law—specifically a 45% reduction below 1990 levels by 2030, 80% below 1990 levels by 2040, and net-zero emissions by 2050. As Rhode Island's utilities will necessarily play a significant role in reducing carbon emissions from energy distribution networks, this docket represents a critical opportunity to evaluate whether petitioners' plans to maintain and expand long-lived fossil fuel infrastructure meets public health and safety goals, as well as the state's carbon reduction requirements under Rhode Island General Law §42-6.2. This proceeding also presents a critical opportunity to evaluate whether viable, alternative approaches could reduce and/or ultimately eliminate the need to operate the Old Mill Lane LNG facility.
11. Acadia Center has considerable experience and expertise in matters relating to Rhode Island energy efficiency, demand response, and beneficial electrification policy—all of which are critical components to avoiding the construction and/or continued operations of ultimately unnecessary

gas infrastructure, including the Old Mill Lane LNG facility. Acadia Center, previously known as Environment Northeast, has participated in the formulation of these policies since prior to the formation of the Energy Efficiency and Resources Management Council (EERMC), and until 2017 had a staff member who represented environmental interests on the EERMC. Acadia Center remains an active participant of the Energy Efficiency (EE) Technical Working Group and System Reliability Procurement (SRP) Technical Working Group and has participated in numerous dockets for each program, including the most recent Public Utilities Commission (PUC) Docket 5076, the 2021-2023 Energy Efficiency Plan, and PUC Docket 5080, the 2021 SRP Plan. Acadia Center continues to work with Narragansett to advance the 2022 EE Plan and 2022 SRP Plan and is involved in ongoing discussions with National Grid and Aquidneck Island policymakers and stakeholders regarding the communities' preference to reduce gas dependency on Aquidneck Island. Acadia Center's interests in those proceedings, and the efforts and money spent through our involvement to encourage and obtain National Grid commitments to develop non-pipeline alternatives to gas infrastructure expansions could be damaged by exclusion from this docket.

12. The Board's Rules of Practice and Procedure 1.10(B)(3) also states that such a right or interest to intervene may also include "any other interest of such a nature that movant's participation may be in the public interest." Acadia Center's staff has a combined several decades of experience on the design and implementation of consumer-friendly and climate conscious policies, energy efficiency, utility innovation, and clean energy technologies. Acadia Center has the capacity and organizational commitment to advance climate and energy policy in Rhode Island that will further a clean environment and protect ratepayers from incurring unnecessary risk and costs.

13. Acadia Center experts have researched and written about utility policy reforms and investments for a distributed energy future vital to reducing fossil fuel dependency, including its 2015 resource, "UtilityVision."¹ UtilityVision is a resource for regulators providing a framework for how reforms in five interdependent categories can be aligned to modernize utility distribution systems in a way that advances climate, economic and consumer goals. Acadia Center is also preparing a forthcoming publication that addresses many of the issues likely to be raised in this proceeding, including: reforms to utility business model; integration of gas and electric system planning to achieve climate targets; and greater incorporation of equity considerations into utility planning, program delivery, and energy end uses. Acadia Center's breadth of experience in regulatory proceedings across the Northeast is a valuable resource for the public interest of all Rhode Islanders.
14. Acadia Center has also invested significant resources in developing and publicizing an Alternatives Analysis for Aquidneck Island's long-term energy needs that demonstrates the facility in question in this matter, as well as other new gas infrastructure proposed by National Grid, are not in the public interest and are unnecessary to meet energy needs of the future. The Board's approval of petitioner's application, particularly the request for leave of additional future permits, would commit the people of Rhode Island to prolonged fossil fuel dependency, greater danger from gas infrastructure, additional ratepayer risks, and failure to achieve greenhouse gas reductions required under state law.
15. Acadia Center has also studied the operational procedures of the Old Mill Lane facility and believes alterations to National Grid's practices could mitigate near-term impacts on the host and adjacent communities while the Company pursues a demand reduction and electrification pathway that ultimately eliminates the need for routine operation of Old Mill Lane.

¹ <https://acadiacenter.org/resource/utilityvision/>

16. Accordingly, Acadia Center's intervention is necessary and appropriate under Rule 1.10(B)(2) and Rule 1.10(B)(3) of the Board's Rules of Practice and Procedure. Acadia Center respectfully requests the Energy Facility Siting Board to approve its motion to intervene in the above referenced matter.

Service of any correspondence or pleadings in connection with these matters should be directed to:

Henry (Hank) Webster (RI #9540)
Rhode Island Director & Staff Attorney
Acadia Center
144 Westminster St., Suite 203
Providence, RI 02903
401.276.0600 ext. 402
401.239.8500 (c)
hwebster@acadiacenter.org

WHEREFORE, based on the foregoing reasons, ACADIA CENTER asks that the Board grant its Motion to Intervene.

Respectfully submitted,

ACADIA CENTER

By its attorney,



Henry (Hank) Webster (RI # 9540)
Rhode Island Director & Staff Attorney
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NOTICE OF APPEARANCE OF COUNSEL

Pursuant to Rule 1.4 of the Rhode Island Energy Facility Siting Board's Rules of Practice and Procedure, please enter my appearance on behalf of Acadia Center, in the above-captioned proceeding.

Respectfully submitted,



Henry (Hank) Webster (RI # 9540)
Rhode Island Director & Staff Attorney
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Providence, RI 02903
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CERTIFICATE OF SERVICE

I certify that on July 22, 2021, the original and seven hard photocopies of this Motion and Notice of Appearance of Counsel were hand-delivered to the Clerk of the Energy Facility Siting Board at 89 Jefferson Blvd., Warwick, RI 02888. In addition, electronic copies of this Motion and Notices of Appearances of Counsel were served, via electronic mail, to all parties on the service list for this Docket on July 22, 2021.

Respectfully submitted,



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