

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
PUBLIC UTILITIES COMMISSION

IN RE:
RENEWABLE ENERGY GROWTH
PROGRAM:
NATIONAL GRID'S
TARIFF/SOLICITATION and
ENROLLMENT

Docket No. 4536 A

UNOPPOSED MOTION FOR INTERVENTION
OF CONSERVATION LAW FOUNDATION

I. Introduction

The Conservation Law Foundation (CLF), pursuant to Public Utility Commission (PUC or the Commission) Rules of Practice and Procedure 1.13(a) and (b), respectfully files its Motion for Intervention in this Dockets.

On November 14, 2014, the PUC opened Docket 4536. On January 6, 2015, PUC counsel circulated a proposed schedule for the bifurcated portions A and B of Docket 4536, including proposed deadlines for intervention motions.

Pursuant to PUC Rule of Practice and Procedure 1.15(b), CLF contacted National Grid (Grid), the Office of Energy Resources (OER), the Attorney General's office, and the Division of Public Utilities and Carriers (the Division) to determine whether any of these has an objection to CLF's proposed intervention in this Docket. All replied that they have no objection.

II. The Intervenor

CLF is New England's leading environmental advocacy organization. Since 1966, CLF has worked to protect New England's people, natural resources and communities. CLF is a nonprofit, member-supported organization with offices throughout New England. The Rhode Island CLF office is located at 55 Dorrance Street, Providence.

CLF promotes clean, renewable and efficient energy production throughout New England and has an unparalleled record of advocacy on behalf of the region's environmental resources. As part of its 40-year legacy, CLF was a party in the landmark case in which the U.S. Supreme Court ruled that the U.S. Environmental Protection Agency has an obligation under the Clean Air Act to consider regulating tailpipe emissions that contribute to global warming, Massachusetts v. E.P.A., 127 S. Ct. 1438 (2007); CLF obtained an injunction to stop drilling for oil and gas on the environmentally sensitive Georges Bank, Conservation Law Foundation v. Sec'y of the Interior, 790 F.2d 965 (1st Cir. 1986); litigated to ensure enforcement of an earlier settlement agreement in a case stemming from the Big Dig, which settlement agreement required 20 public transit projects in and around Boston including construction of additional subway and rail lines, Conservation Law Foundation v. Romney, 421 F. Supp.2d 344 (D. Mass. 2006); and successfully advanced legal strategies to restore groundfish to the Gulf of Maine and southern New England waters. Conservation Law Foundation v. Evans, 211 F. Supp.2d 55 (D.D.C. 2002).

III. The Standard Governing this Motion

Intervention in PUC proceedings is governed by PUC Rule of Practice and Procedure 1.13.

PUC Rule of Practice and Procedure 1.13(b) states, in relevant part, that “any person claiming . . . an interest of such a nature that intervention is . . . appropriate may intervene in any proceeding before the Commission.”

PUC Rule of Practice and Procedure 1.13(e) states, in relevant part, that “all timely motions to intervene not objected to by any party within ten (10) days of service of the motion for leave to intervene shall be deemed allowed”

As noted above, CLF has contacted Grid, the OER, the Attorney General’s office, and the Division to determine whether any of these has an objection to CLF’s proposed intervention in this Docket. All replied that they have no objection.

IV. CLF’s Interest in This Proceeding

CLF is a membership organization, and CLF members are involved in developing and owning distributed-generation renewable energy facilities in Rhode Island. Accordingly, these CLF members have a keen interest in the outcome of this proceeding and in rulings made by the Commission in this proceeding.

In addition, CLF is New England’s leading environmental organization, and has a long and widely respected history of working on issues related to both renewable energy and distributed generation. More specifically, a CLF staff attorney was one of the principal authors of the Renewable Energy Growth Program statute, R. I. Gen. Laws § 39-

26.6-1, et seq., that forms the statutory basis of this docket. That is, part of CLF's interest in this particular docket is in part to help assure proper implementation of the Renewable Energy Growth Program statute that CLF was instrumental in drafting.

CLF has participated, without objection from any party, in many previous PUC Dockets. These include Docket # 3659 (setting Rules pursuant to R. I. Gen. Laws § 39-26-1, et seq., the state's Renewable Energy Standard, or RES); Docket # 3765 (considering Grid's 2007 RES compliance procurement); Docket # 3901 (considering Grid's 2008 RES procurement); Docket # 4012 (considering Grid's 2009 RES procurement); Docket # 3932 (Grid's Least Cost Procurement Plan pursuant to R. I. Gen. Laws § 39-1-27.7); Docket # 3943 (gas distribution rate case); Docket # 4065 (electricity distribution rate case); Docket # 4111 (first of two dockets concerning Deepwater Wind's proposed Block Island demonstration wind project); and Docket # 4185 (second of two dockets concerning Deepwater Wind's proposed Block Island demonstration wind project).

CLF has extensive experience with matters related to renewable energy in general and, more specifically, related to implementation of renewable energy laws in Rhode Island.

As a result of this history, both in Rhode Island and in the rest of New England, CLF can play a constructive and helpful role in this Docket.

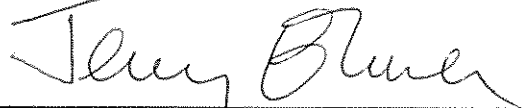
Moreover, the participation in this proceeding of a public interest organization such as CLF will serve the public interest. See, generally, John E. Bonine, Public Interest Environmental Lawyers: Global Examples and Personal Reflections, 10 Widener L. Rev.

451 (2004) (emphasizing the constructive and salutary role of public-interest environmental lawyers in a wide range of legislative, judicial, and regulatory fora).

V. Conclusion

WHEREFORE, for the foregoing reasons, CLF respectfully requests that its unopposed motion to intervene in this Docket be granted.

CONSERVATION LAW FOUNDATION,
by its Attorney,



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CERTIFICATE OF SERVICE

I certify that the original and nine photocopies of this Motion were filed in person with the Clerk of the Public Utilities Commission, 99 Jefferson Blvd., Warwick, RI 02888. In addition, electronic copies of this Motion were served via e-mail on the service list for this Docket, as that list was transmitted by the PUC staff attorney on January 6, 2015. I certify that all of the foregoing was done on January 8, 2015.

