

February 22, 2017

VIA HAND DELIVERY & ELECTRONIC MAIL

Luly E. Massaro, Commission Clerk
Rhode Island Public Utilities Commission
89 Jefferson Boulevard
Warwick, RI 02888

**RE: Docket 4685 - Tariff Advice Filing to Amend Tariff RIPUC No. 2142
Street and Area Lighting – Customer Owned Equipment S-05
Responses to PUC Data Requests – Set 1**

Dear Ms. Massaro:

Enclosed please find 10 copies of National Grid's¹ responses to the first set of data requests issued by the Public Utilities Commission in the above-referenced docket.

Thank you for your attention to this matter. If you have any questions, please contact me at 401-784-7415.

Very truly yours,



Robert J. Humm

Enclosure

cc: Docket 4685 Service List
Leo Wold, Esq.
Steve Scialabba

¹ The Narragansett Electric Company d/b/a National Grid.

Certificate of Service

I hereby certify that a copy of the cover letter and any materials accompanying this certificate was electronically transmitted to the individuals listed below.

The paper copies of this filing are being hand delivered to the Rhode Island Public Utilities Commission and to the Rhode Island Division of Public Utilities and Carriers.



Joanne M. Scanlon

February 22, 2017
Date

Docket No. 4685 - National Grid's Tariff Advice to Amend Street and Area Lighting Customer Owned Equipment, RIPUC 2142 (S-05)

Service List updated 12/29/16

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The Narragansett Electric Company
d/b/a National Grid
RIPUC Docket No. 4685
In Re: Tariff Advice Filing to Amend RIPUC No. 2142
Street and Area Lighting – Customer Owned Equipment S-05
Responses to the Commission’s First Set of Data Requests
Issued on February 1, 2017

PUC 1-1

Request:

Please explain the rationale for including a list of specific entities eligible to take service under the S-05 tariff rather than including a broader classification.

Response:

The Company’s Street and Area Lighting – Customer Owned Equipment S-05 (S-05 Tariff), RIPUC No. 2142, was filed in response to the Municipal Streetlight Investment Act, R.I. Gen. Laws § 39-30-1 *et seq.* and subsequently approved by the Public Utilities Commission (PUC) in Docket No. 4442, to provide unmetered electric delivery service to a city or town that purchased street and area lighting equipment from the Company.

In 2016, the RI Department of Transportation (DOT) requested ownership of the approximately 2,000 unmetered street lights leased by The Narragansett Electric Company to DOT. In order to accommodate this request and to bill for the energy consumption, the street lights would need standard meters installed for service under the Company’s Small C&I Rate (C-06). This option would not be ideal and could be a costly one for DOT given the geographical and logistical situation of the 2,000 lights. Alternatively, the S-05 Tariff does provide for unmetered service of customer owned street lighting. In order to serve the DOT on this rate, the availability provision of the S-05 Tariff requires an amendment from “any municipal city or town” to allow the DOT, a state government entity, to be eligible to take service on the rate.

In response to the DOT’s request, the Company evaluated the options available to the DOT to take over ownership of the 2,000 street lights and to continue to receive delivery service. As a result of its evaluation, and in an effort to be responsive to one of its customer’s service needs, the Company proposed an amendment to the S-05 Tariff availability that would allow the State to receive delivery service on the S-05 Tariff. Additionally, the Company provides service through its Company-owned street and area lighting equipment tariffs to other governmental entities. Some of these entities, such as fire districts, have also shown interest in the purchase of these lighting facilities. However, under the current S-05 Tariff, the fire districts are not able to receive unmetered service for these lights once purchased. Therefore, the Company also proposed to amend the availability of the S-05 Tariff to provide fire districts service on the S-05 Tariff.

After the Company filed the proposed tariff advice filing on December 29, 2016, the Office of Energy Resources (OER) requested a change to include “any instrumentality of the State”. It was suggested that University of Rhode Island and Rhode Island College are instrumentalities of

PUC 1-1, page 2

the State currently leasing Company-owned street lights, and they may opt to purchase the facilities and benefit from the S-05 Tariff. In fact, however, the street and area lights for the University of Rhode Island and Rhode Island College are already served by billing accounts in the name of the State of Rhode Island, and not the individual schools. Moreover, the Company had concerns that the addition of the phrase “any instrumentality of the State” is too vague and may open up the availability to entities that are not in a position to undertake all of the responsibilities that street light ownership and maintenance require. As a result, OER requested that the Company consider adding the following public entities to the S-05 Tariff:

- Water districts and authorities;
- Regional school districts;
- Rhode Island Airport Corporation;
- Municipal housing authorities;
- Narragansett Bay Commission;
- RI Commerce Corporation; and
- Quonset Development Corporation.

After a review of its billing inventory, the Company determined that the municipal purchases to date already include the street and area lighting assets serving the regional school districts and the housing authorities, so there was no need to include those public entities in the S-05 Tariff. The Company also acknowledges that some municipalities may have their water service provided by a private company or water authority. Therefore, on January 23, 2017, the Company, with the agreement of OER, filed an amendment to its tariff advice filing to include the following public entities:

- Municipal water utility boards;
- Kent County Water Authority
- Rhode Island Airport Corporation;
- Narragansett Bay Commission;
- Rhode Island Commerce Corporation; and
- Quonset Development Corporation.

The Company believes that opening the availability of the S-05 Tariff to a larger, broader customer group is not in the best interest of the general public. The ownership of street and area lighting mounted to utility poles in the electrical distribution space and attached to underground structures in manholes raises serious safety concerns, such as requiring the expertise of qualified electrical workers meeting requirements established by OSHA and other industry standards.

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PUC 1-1, page 3

For the same reasons, including the heightened safety concerns, the S-05 Tariff should not be broadened by simply changing the wording of the tariff to “streetlight customer,” as suggested by Prism Streetlights, Inc. (PRISM). This would include any private citizen who is billed for street and area lighting assets on public roads. Such “streetlight customers” could be deemed instrumentalities or agents of the State or a municipality without more specific language in the tariff. The Company strongly disagrees with adding any private customers to the S-05 Tariff, which is intended only for those specific public entities who are, in fact, government entities and currently take unmetered lighting service under the Company’s General Street and Area Lighting Rate S-14 or Decorative Street and Area Lighting Service Rate S-06.

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PUC 1-2

Request:

Does the inclusion of specific entities have the effect of excluding other entities that may otherwise be similarly situated?

Response:

As explained in the Company’s response to data request PUC 1-1, the Company has proposed the addition of specific entities to the availability provision of the S-05 Tariff in coordination with the Office of Energy Resources. Such entities were identified as governmental or quasi-governmental and align with providing service to the State. The Company has reviewed the existing customers taking service on its General Street and Area Lighting Rate S-14 or Decorative Street and Area Lighting Service Rate S-06 tariffs and believes the current proposal sufficiently avails service to the municipal and governmental customers interested in service on Rate S-05.

The Company is always concerned with the additional risk created when additional workers are maintaining street light equipment attached to the Company’s utility poles or within underground structures, and would caution against the potential risk of further opening the availability of the S-05 Tariff beyond what the Company has already proposed.

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PUC 1-3

Request:

Would Bristol County Water Authority be included in the municipal water utility board definition? If not, why is it not listed?

Response:

No, the Bristol County Water Authority (BCWA) would not be included as a municipal water utility board. Pursuant to R.I. Gen. Laws § 45-39.1-2, “‘municipal water supply’ means a department, board, commission, authority, or agency of a city or town, which does not have a separate corporate existence from the city or town, that is a water supplier as defined in subdivision 46-15.3-5.1(a)(2).” BCWA does not fall under that definition. BCWA was created “having a distinct existence from the state or any municipality, and not constituting a department of state government or any municipality which is a public instrumentality of the state.”¹ Moreover, Kent County Water Authority (KCWA) is included in this tariff advice filing because, pursuant to R.I. Gen. Laws § 39-16-2, KCWA is a “political subdivision of the state.” In contrast, BCWA is not described as a public entity and/or a political subdivision of the state.² All other bodies included in the Company’s tariff advice filing in this docket are clearly identified as public entities.

Finally, according to Company billing inventory records, BCWA does not have unmetered lighting service under the Company’s General Street and Area Lighting Rate S-14 or Decorative Street and Area Lighting Service Rate S-06, as required by the S-05 Tariff.

¹ See Bristol County Water Authority Bylaws at An Act in Amendment to “An Act to Create the Bristol County Water Authority and to Provide for Its Powers and Duties”, Section 4.

² See R.I. Gen. Laws § 46-15.5-1 *et seq.*

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PUC 1-4

Request:

Are all quasi-public agencies included in the availability? If not, why not? Why are some listed and others not?

Response:

Please see the Company’s response to data request PUC 1-1. The Company proposed the inclusion of specific entities in coordination with the Office of Energy Resources, and believes that it has included all of the entities that would be considered municipal, governmental or quasi-governmental for the purpose of customer-owned street and area unmetered lighting service on the Company’s S-05 Tariff.

As stated previously in the Company’s responses to data requests PUC 1-1 and PUC 1-2, the Company is concerned about the safety of all working on the street lighting equipment because such equipment is within the electrified space of the distribution system and requires advanced protection equipment, training, and adherence to industry standards above those of a licensed electrician. The Company strongly recommends that the PUC take this serious safety concern into consideration when it decides whether to allow the S-05 Tariff availability to be opened to a broader customer base.