

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
PUBLIC UTILITIES COMMISSION

IN RE: Review to Determine
Adequacy of Renewable Energy
Supplies, Pursuant to RIGL 39-26-6(d)

Docket # 4903

**UNOPPOSED MOTION FOR INTERVENTION
OF CONSERVATION LAW FOUNDATION**

I. Introduction

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

This Docket was opened in order to determine the adequacy of renewable energy supplies, pursuant to R. I. Gen. Laws § 39-26-6(d).

Pursuant to PUC Rule of Practice and Procedure 1.15(b), CLF has contacted counsel for National Grid and the Division of Public Utilities and Carriers to determine whether there is any objection to CLF's motion. National Grid responded that it has no objection. The Division did not respond nor suggest that it objected.

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 235 Promenade Street, Mailbox 28, Suite 560, Providence, RI 02908.

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 almost 50-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 National Grid and the Division. Grid responded that it has no objection to CLF’s intervention; the Division did not respond or object.

IV. CLF’s Interest in This Proceeding

CLF is New England’s leading environmental organization, and has a long and widely respected history of working on issues related to clean energy programs.

CLF has participated, without objection from any party, in many previous PUC Dockets, including many pertaining directly or indirectly to clean energy. 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,



Jerry Elmer (# 4394)
CONSERVATION LAW FOUNDATION
235 Promenade Street
Mailbox 28, Suite 560
Providence, RI 02908
Telephone: (401) 228-1904 (Direct dial)
E-Mail: JElmer@CLF.org

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 RES Adequacy Docket service list circulated by the PUC attorney on December 7, 2018. I certify that all of the foregoing was done on December 10, 2018.

