

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
PUBLIC UTILITIES COMMISSION

IN RE: The Narragansett Electric Co.
d/b/a National Grid – Review of
Power Purchase Agreement
Pursuant to R.I. Gen. Laws § 39-31

Docket No. 4929

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) Motion for Intervention in this Docket.

On February 7, 2019, The Narragansett Electric Company d/b/a National Grid made its filing with the Commission seeking the Commission’s approval under the Rhode Island Affordable Clean Energy Security Act, R.I.G.L. § 39-31 of a 20-year Power Purchase Agreement (“PPA”) with DWW Rev I, LLC (“DWW”) for the purchase of energy and renewable energy certificates (“RECs”) from DWW’s 400-megawatt (“MW”) Revolution Wind Farm offshore wind energy facility. In response, the PUC opened this Docket No. 4929.

Pursuant to PUC Rule of Practice and Procedure 1.15(b), CLF contacted National Grid (“Grid”), the Office of Energy Resources (“OER”), and the Division of Public Utilities and Carriers (the “Division”) to determine whether either of these entities has an

objection to CLF's proposed intervention in this Docket. Each replied that they have no objection to CLF's intervention.

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, 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 its 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 Grid, OER, and the Division to determine whether any has an objection to CLF’s proposed intervention in this Docket. All entities responded; none has an objection.

IV. CLF’s Interest in This Proceeding

CLF is a membership organization, and CLF members are involved in multiple aspects of Rhode Island’s and New England’s energy markets, on both the gas and electricity sides. CLF members are owners of a variety of renewable energy resources.

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.

CLF is a full party in the PUC gas and electricity rate case, Docket No. 4470; and in the concurrent Power Sector Transformation case, Docket No. 4480.

In addition, CLF has participated, without objection from any party, in many other previous PUC Dockets. These include Docket No. 3659 (setting Rules pursuant to R.I. Gen. Laws § 39-26-1, et seq., the state's Renewable Energy Standard, or RES); Docket No. 3765 (considering Grid's 2007 RES compliance procurement); Docket No. 3901 (considering Grid's 2008 RES procurement); Docket No. 4012 (considering Grid's 2009 RES procurement); Docket No. 3932 (Grid's Least Cost Procurement Plan pursuant to R.I. Gen. Laws § 39-1-27.7); Docket No. 4111 (first of two dockets concerning Deepwater Wind's proposed Block Island demonstration wind project); and Docket No. 4185 (second of two dockets concerning Deepwater Wind's proposed Block Island demonstration wind project).

CLF has extensive experience with matters related to gas and electricity markets. 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 hereby certify that on February 27, 2019, I sent a copy of the within to all parties set forth on the attached Service List by electronic mail and copies to Luly Massaro, Commission Clerk, by electronic mail and regular mail.

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