

Ms. Luly Massaro, Clerk
RI Public Utilities Commission
89 Jefferson Blvd.
Warwick, RI 02888

April 27, 2021

RE: Docket 4981 Episcopal Diocese Petition for Declaratory Judgment on Transmission System Costs

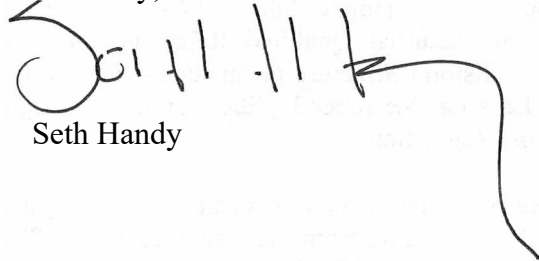
Dear Ms. Massaro:

I have attached Ms. Lucarelli's email issued today, for the record of this docket. The Episcopal Diocese has procedural questions about it.

- 1) Is it the Commission's order pursuant to Rule 1.28 in response to the Episcopal Diocese's objection, without any hearing? If so, will the email be docketed?
- 2) Do this email and Ms. Lucarelli's email of April 15 (also attached) represent the Commission's prehearing procedure contemplated by its Rule 1.17?
- 3) Ms. Lucarelli's email from today states, "To be clear, as indicated in the April 15 procedural schedule, a hearing will be scheduled after all the briefs are received, in order to hear oral arguments regarding the affidavit of new evidence filed by the Petitioner with the Supreme Court." Are we to assume then that it is the Commission's position that the proposed hearing of oral argument is adequate to satisfy the Supreme Court's remand for hearing under Commission Rule 1.21?

The Diocese will provide its brief this Friday, as ordered, under its objection. Meanwhile, thank you for the Commission's consideration of these procedural questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Seth Handy", with a long, sweeping underline that extends to the right.

Seth Handy

From: Lucarelli, Patricia (PUC) Patricia.lucarelli@puc.ri.gov

Subject: Docket No. 4981

Date: April 15, 2021 at 1:18 PM



To: seth@handylawllc.com, helen@handylawllc.com, jkurtz@reenergygroup.com, dennis@episcopalri.org, jhabib@keeganwerlin.com, Mstern@keeganwerlin.com, Raquel.webster@nationalgrid.com, Joanne.Scanlon@nationalgrid.com, Brooke.Skulley@nationalgrid.com, Nancy.Israel@nationalgrid.com, John.Kennedy@nationalgrid.com, Hagopian, Jon (DPUC) Jon.Hagopian@dpuc.ri.gov, George, Linda (DPUC) Linda.George@dpuc.ri.gov, TParenteau@riag.ri.gov, dmacrae@riag.ri.gov, Hetherington, Christy (DPUC) Christy.Hetherington@dpuc.ri.gov, Hogan, Margaret (DPUC) Margaret.L.Hogan@dpuc.ri.gov, Massaro, Luly (PUC) Luly.Massaro@puc.ri.gov, Lucarelli, Patricia (PUC) Patricia.Lucarelli@puc.ri.gov, Bianco, Todd (PUC) Todd.Bianco@puc.ri.gov, Nault, Alan (PUC) Alan.Nault@puc.ri.gov, Majcher, Daniel (DOA) Daniel.Majcher@doa.ri.gov, Russolino, Nancy (DOA) Nancy.Russolino@doa.ri.gov, Kearns, Christopher (DOA) Christopher.Kearns@energy.ri.gov, Beland, Shauna (DOA) Shauna.Beland@energy.ri.gov, Ucci, Nicholas (DOA) Nicholas.Ucci@energy.ri.gov, Gill, Carrie (DOA) Carrie.Gill@energy.ri.gov, nalferzly@seadvantage.com, jkennerly@seadvantage.com, hm@green-ri.com, smilnes@econoxgroup.com, rjreybitz@pplweb.com, skbreininger@pplweb.com

Good afternoon all:

This communication relates to the Supreme Court's recent remand of Docket No. 4981 to the Commission.

The Commission is requesting briefs from the parties addressing specific questions described below, which will be followed by a hearing for oral arguments.

Below is the procedural schedule;

1. Petitioner's Initial Brief is due April 30, 2021 by 4:00pm.
2. The Division's and National Grid's Response Briefs are due May 14, 2021 by 4:00pm.
3. Petitioner's Reply Brief is due May 26, 2021 by 4:00pm.

Petitioner's Initial Brief must address the following issues, to which the Division and National Grid shall respond:

1. Among the information contained in the "affidavit of new evidence" referenced by the Supreme Court in its order of January 12, 2021, please identify what the Petitioner believes constitutes new evidence (i.e., evidence that was not before the Commission when it made its decision).
2. Of the new evidence identified, please explain the relevancy of that evidence to the Commission's decision.

3. Of the new evidence identified, please indicate with specificity the extent to which there are any facts (within the new evidence) which the Petitioner believes are now in dispute.
4. Referencing the “Agreed Facts” signed by the Petitioner and National Grid that was used by the Commission in its original decision, please indicate whether the Petitioner believes the facts upon which the Commission based its decision now need to be amended to include facts from the new evidence. If so, please indicate how the Petitioner recommends the new facts would be written in a stipulation.
5. Describe in detail if and why the Petitioner believes the new evidence should either affect or change the Commission’s original decision, including any inferences the Petitioner maintains should be drawn from the new evidence, if any.

The Commission is considering having the hearing for oral argument in person, as opposed to remotely. Attorneys will be notified if the hearing is remote or in person prior to the hearing date which will likely be scheduled for the first or second week in June.

Also attached is an updated exhibit list. Please use this going forward to ensure receipt of anything you file. Should you have any questions, please do not hesitate to email me.

Best,
Patti

Patricia S. Lucarelli, Esq.
Administrative and Legal Support Services Administrator
Rhode Island Public Utilities Commission
89 Jefferson Blvd.
Warwick, Rhode Island 02888

(401)780-2104
Patricia.lucarelli@puc.ri.gov



Episcopal
Dioces...ist.doc

From: Lucarelli, Patricia (PUC) Patricia.Lucarelli@puc.ri.gov

Subject: Docket No. 4981

Date: April 27, 2021 at 12:55 PM



To: seth@handylawllc.com, helen@handylawllc.com, jkurtz@reenergygroup.com, dennis@episcopalri.org, jhabib@keeganwerlin.com, Mstern@keeganwerlin.com, aramos@hinckleyallen.com, cwhaley@hinckleyallen.com, Raquel.webster@nationalgrid.com, Joanne.Scanlon@nationalgrid.com, Brooke.Skulley@nationalgrid.com, Nancy.Israel@nationalgrid.com, John.Kennedy@nationalgrid.com, Hagopian, Jon (DPUC) Jon.Hagopian@dpuc.ri.gov, George, Linda (DPUC) Linda.George@dpuc.ri.gov, TParenteau@riag.ri.gov, gschultz@riag.ri.gov, dmacrae@riag.ri.gov, Hetherington, Christy (DPUC) Christy.Hetherington@dpuc.ri.gov, Hogan, Margaret (DPUC) Margaret.L.Hogan@dpuc.ri.gov, Massaro, Luly (PUC) Luly.Massaro@puc.ri.gov, Lucarelli, Patricia (PUC) Patricia.Lucarelli@puc.ri.gov, Bianco, Todd (PUC) Todd.Bianco@puc.ri.gov, Nault, Alan (PUC) Alan.Nault@puc.ri.gov, Vitali, Albert (DOA) Albert.Vitali@doa.ri.gov, Russolino, Nancy (DOA) Nancy.Russolino@doa.ri.gov, Kearns, Christopher (DOA) Christopher.Kearns@energy.ri.gov, Beland, Shauna (DOA) Shauna.Beland@energy.ri.gov, Ucci, Nicholas (DOA) Nicholas.Ucci@energy.ri.gov, Gill, Carrie (DOA) Carrie.Gill@energy.ri.gov, nalferzly@seadvantage.com, jkennerly@seadvantage.com, hm@green-ri.com, smilnes@econoxgroup.com, skbreining@pplweb.com

Good afternoon:

The Commission is in receipt of the Petitioner's "Objection" filed on April 21. It is not entirely clear what the Petitioner is requesting from the Commission with this filing. No specific relief was requested. Nevertheless, the briefing schedule that was circulated on April 15 remains in effect and the Petitioner's initial brief is due on April 30.

To be clear, as indicated in the April 15 procedural schedule, a hearing will be scheduled after all the briefs are received, in order to hear oral arguments regarding the affidavit of new evidence filed by the Petitioner with the Supreme Court. After reviewing the briefs and holding this hearing, the Commission will consider the new evidence in the affidavit and determine whether any further hearings are necessary to appropriately respond to the Supreme Court's Order of March 24.

Best,
Patti

Patricia S. Lucarelli, Esq.
Administrative and Legal Support Services Administrator
Rhode Island Public Utilities Commission
89 Jefferson Blvd.
Warwick, Rhode Island 02888
(401)780-2104
Patricia.lucarelli@puc.ri.gov

