

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
PUBLIC UTILITIES COMMISSION**

IN RE: PETITION OF THE EPISCOPAL :
DIOCESE OF RHODE ISLAND FOR :
DECLARATORY JUDGMENT ON : **DOCKET NO. 4981**
TRANSMISSION SYSTEM COSTS AND :
RELATED “AFFECTED SYSTEM OPERATOR” :
STUDIES :

SECOND NOTICE TO SOLICIT COMMENTS

On October 11, 2019, the Episcopal Diocese of Rhode Island (Petitioner) submitted a Petition to the Public Utilities Commission (PUC) for a Declaratory Judgment pursuant to R.I. Gen. Laws § 42-35-8(c) and 810-RICR-00-00-1.11C (PUC Rules of Practice and Procedure). Petitioner, a customer of The Narragansett Electric Company d/b/a/ National Grid (Narragansett or TNEC), has submitted two distributed generation projects to Narragansett for interconnection studies. Narragansett has advised Petitioner that the projects are subject to additional Affected System Operator studies. Narragansett has further advised Petitioner that there are additional costs associated with the studies. Additionally, Narragansett has advised Petitioner that Petitioner may be responsible for additional costs for Affected System modifications and distribution system modifications that result from the Affected System Operator studies.

Petitioner seeks eight declarations by the PUC:

- (1) That transmission system impact study costs may not be assessed to interconnecting distributed generation customers under R.I. Gen. Laws § 39-26.3-4 and 18 CFR § 292.306;
- (2) That transmission system impact studies may not delay the issuance of an interconnection impact study which must issue within ninety days, without excuse, under R.I. Gen. Laws § 39-26.3-3;
- (3) That costs of transmission system upgrades are solely the subject of federal jurisdiction and may not be imposed under Narragansett’s Standards for Connecting Distributed Generation;
- (4) That Narragansett may not impose the cost of any required upgrades to New England Power Company’s transmission system under Narragansett’s Standards for Connecting Distributed Generation per R.I. Gen. Laws § 39-26.3-4.1(a);
- (5) That Narragansett must apply the Standards for Connecting Distributed Generation in effect at the time of an interconnection application and the tariff in effect when Petitioner applied for interconnection did not authorize transmission system impact studies or the assessment of costs for transmission system upgrades to respond to impacts (a comparison between the current and most recent prior tariff can be accessed here: [http://www.ripuc.org/eventsactions/docket/4763-NGrid-Compliance%20Tariff%20No.%202180%20\(Redlined\)%20\(PUC%2011-1-18\).pdf](http://www.ripuc.org/eventsactions/docket/4763-NGrid-Compliance%20Tariff%20No.%202180%20(Redlined)%20(PUC%2011-1-18).pdf));
- (6) That even if the PUC had jurisdiction to authorize New England Power Company to impose the costs of transmission system upgrades on interconnecting customers under the Standards for Connecting Distributed Generation, neither ISO-NE tariff I.3.9 nor ISO-NE OP5-1 nor any other ISO Operating Procedure authorize Narragansett or New England

Power Company to impose transmission system upgrade costs on local distributed generation projects through the Standards for Connecting Distributed Generation;

- (7) That neither ISO-NE tariff I.3.9 nor ISO OP5-1 authorize Narragansett or New England Power Company to require transmission studies of interconnecting distributed generation customers proposing less than 5 mega-watts (MW) of capacity unless and until ISO-NE first finds potential for significant impact to the transmission system and requires a Proposed Plan Application within sixty days of Narragansett's filing of Generator Notification Forms; and
- (8) That Narragansett may not delay the issuance of an interconnection services agreement or delay the statutory timeline for interconnection due to its own decision to impose transmission studies on customers proposing to interconnect less than 5 MW of generating capacity so that it can then, ultimately, assess unauthorized costs of any required transmission upgrades needed to address those costs on those customers.

The PUC issued an initial Notice to Solicit Comments on November 2, 2019. Following a review of comments and reply comments, the PUC considered the matter on December 17, 2019. The PUC voted to schedule matter for further consideration. The PUC invited another round of public comment and will schedule a hearing for oral argument and oral public comment. The PUC will accept comments or legal memoranda from interested persons or entities on the Petition for Declaratory Judgment until **January 23, 2020 at 4:00 p.m.**

All filings shall be made electronically to luly.massaro@puc.ri.gov and an original and nine (9) hard copies shall be provided to Luly Massaro, Public Utilities Commission, 89 Jefferson Boulevard, Warwick, RI 02888.

The filing may be examined at the PUC's office. The filing can also be accessed at <http://www.ripuc.org/eventsactions/docket/4981page.html>.

Luly E. Massaro, Commission Clerk
January 2, 2020