

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

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Petition of the Town of South Kingstown for)  
the Approval of the Proposed Community    )  
Electricity Aggregation Plan Pursuant       )  
to R.I. Gen. Laws § 39-3-1.2                )  
\_\_\_\_\_)

Docket No. 5062

**REQUEST TO RESUME PLAN REVIEW AND SCHEDULE PUBLIC HEARING**

Now comes Petitioner, the Town of South Kingstown, requesting that the Commission resume its proceedings and schedule a public hearing in the above-referenced docket.

On October 26, 2020, the Commission issued a revised procedural schedule at the request of Petitioner to address the concerns raised in the recommendation of the Division of Public Utilities (“Division”) and Carriers that was filed in Dockets 5042 and 5047. This recommendation followed a Division review of aggregation plans that are substantively similar to that which was filed by Petitioner.

The primary issue of concern was the loss of a statutory benefit, the arrearage management plan, for low-income ratepayers who would be auto-enrolled into the aggregation plan upon its launch. While there is no legal prohibition to this action, it is not sound public policy to launch a program and increase financial risk for those that could least afford it. Thus, Petitioner requested that it be allowed additional time to research and determine what program modifications could address this.

As noted in the Division’s recommendation, the implementation of a Purchase of Receivables program is likely to set up a long-term and sustainable resolution to this issue, which is in the process of being developed in Docket 5073.

In the interim, Petitioner is presenting the attached model Electricity Services Agreement (“ESA”) to demonstrate its intention to implement this program in a manner that does not pose additional financial risk to low-income ratepayers. ESA Article 4, “Termination of Supply Service,” creates a contractual obligation on suppliers with the intention of protecting low-income residents of the City.

Suppliers will need to agree to providing a minimum fourteen (14) day notice to accounts that their supply service with the aggregation program will be terminated due to nonpayment. At that point the accounts will be returned to utility supply service or an alternative supplier should it be authorized by the customer. In exchange for the right to remove customers from aggregation supply service to alternative supply due to nonpayment, the supplier will be prohibited from pursuing collections on unpaid bills of those enrolled at the A-60 rate class. The customer will be prohibited from returning to the aggregation program under the current supply contract while there is an outstanding balance on their account.

Petitioner believes that this approach should prevent any financial hardship from accruing to low-income ratepayers within the program. While an A-60 ratepayer participates in the aggregation program, they will be able to avail themselves of all program benefits, including optional supply products, stable electricity rates, and, potentially, a supply rate lower than the National Grid's Last Resort Service. In the event of non-payment, they will be returned to Last Resort Service at the supplier's discretion after notice is provided. Upon returning to Last Resort Service, the customer will carry their distribution arrearage to National Grid from their time participating in the aggregation plan, and then accrue additional costs only from National Grid for both distribution and supply service costs. All these accrued costs will be subject to the arrearage management plan. The costs not eligible to be forgiven via the arrearage management plan, specifically the supply service costs for the period during which they participated in the aggregation plan, will continue to be held by the supplier who is prohibited from initiating independent collections. Thus, low-income customers will not be financially disadvantaged from their participation the in the aggregation program.

This revision to the ESA is not a fundamental change to the program. There is no alteration to who can participate in the program or the operation of the program as a whole. Therefore, the plan itself is not being revised and has not been subject to further City Council review. The final ESA will be a product of future discussion between the Petitioner and the eventual supplier, and subject to state and local laws, ordinances and rules governing the approval of municipal contracts, including authorization by the Council.

THEREFORE, the Petitioner hereby respectfully requests that the Commission convene a pre-hearing conference and establish a procedural schedule that allows for sufficient time for the Division and other parties to respond to this filing and hold a public hearing as required by statute prior to determining whether to approve the plan as filed.

Respectfully submitted,  
TOWN OF SOUTH KINGSTOWN

By Attorney for Good Energy, L.P.

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