



STATE OF RHODE ISLAND  
OFFICE OF THE ATTORNEY GENERAL

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*Peter F. Neronha*  
*Attorney General*

June 24, 2021

Luly Massaro, Clerk  
Division of Public Utilities and Carriers  
89 Jefferson Blvd.  
Warwick, RI 02888  
[Luly.massaro@puc.ri.gov](mailto:Luly.massaro@puc.ri.gov)

**RE: DPUC Docket No. D-21-09**

Dear Ms. Massaro:

Enclosed please find for filing an original and four (4) copies of the Attorney General's Motion to Intervene in the above-referenced docket.

Thank you for your attention to this matter. Should you have any questions, please do not hesitate to contact me.

Sincerely,

*/s/ Nicholas Vaz*

Special Assistant Attorney General  
[nvaz@riag.ri.gov](mailto:nvaz@riag.ri.gov)

Enclosures

Copy to: Service List

**STATE OF RHODE ISLAND  
DIVISION OF PUBLIC UTILITIES AND CARRIERS**

In Re: Petition of PPL Corporation, PPL Rhode )  
Island Holdings, LLC, National Grid USA, )  
and The Narragansett Electric Company for )  
Authority to Transfer Ownership of The )       Docket No. D-21-09  
Narragansett Electric Company to PPL )  
Rhode Island Holding, LLC and Related )  
Approvals )

**THE ATTORNEY GENERAL OF THE STATE OF RHODE ISLAND’S  
MOTION TO INTERVENE**

Now comes Peter F. Neronha, Attorney General of the State of Rhode Island (“Attorney General”), and hereby moves to intervene with full-party status in the above-captioned proceeding in accordance with Rule 1.17(B) of the Division of Public Utilities and Carrier’s (“Division”) Rules of Practice and Procedure (the “Division Rules”).

**I. Introduction**

On May 4, 2021, the PPL Corporation (“PPL Corp”), PPL Rhode Island Holdings, LLC (“PPL Rhode Island”), National Grid USA, and The Narragansett Electric Company (“Narragansett Electric”) (collectively, the “Petitioners”) filed a joint Petition in the above-captioned matter (the “Petition”). The Petition seeks approval from the Division for PPL Rhode Island’s purchase of 100% of the outstanding shares of common stock in Narragansett Electric from National Grid USA (the “Transaction”).

The Petition was filed pursuant to R.I. Gen. Laws §§ 39-3-24 and 39-3-25 and 815-RICR-00-00-1.13 and requests Division approval for the Transaction. Pursuant to R.I. Gen. Laws § 39-3-25, in order to approve the Petition and the underlying transaction, the Division must determine, *inter alia*, that “the facilities for furnishing service to the public will not thereby be diminished” and that the terms of the Transaction are “consistent with the public interest.”

## **II. Standard of Review**

Division Rule 1.17(B) states that “any person with a right to intervene or an interest of such nature that intervention is necessary or appropriate may intervene in any proceeding before the Division.” 815-RICR-00-00-1.17(B). Further:

Such right or interest may be:

- a. A right conferred by statute.
- b. An interest which may be directly affected and which is not adequately represented by existing parties and as to which movants may be bound by the Division’s action in the proceeding. The following may have such an interest: consumers served by the applicant, defendant, or respondent and holders of securities of the applicant, defendant, or respondent.
- c. Any other interest of such a nature that movant’s participation may be in the public interest.

815-RICR-00-00-1.17(B)(1)(a)-(c). As explained in greater detail below, the Attorney General has a statutory right to intervene and is in a unique position to represent the interests of the State and the public such that intervention is both necessary and appropriate.

## **III. Basis for Intervention**

Narragansett Electric currently serves approximately 780,000 electric customers and 257,000 natural gas customers. Its customers, which include the State of Rhode Island, rely on the company for their energy needs. This market share creates a functional monopoly over the gas and electric market in the State. Accordingly, the Transaction has the potential to have significant impacts on rates, services, and the ability of the State of Rhode Island to meet its mandatory climate goals.

The Attorney General is, pursuant to § 42-9-6 of the General Laws of Rhode Island of 1956, as amended, the “legal advisor of all state boards, divisions, departments, and commissions and the officers thereof....” He is also the public officer charged with representing the State of

Rhode Island, the public interest, and the people of the State. This includes representation with respect to environmental, electric or gas industry matters, as well as consumer protection matters.

Further, the Attorney General, through his designated Environmental Advocate and pursuant to the Environmental Rights Act, R.I. Gen. Laws § 10-20-1, *et seq.*, has a statutory right and obligation to “take all possible action” for “the protection, preservation, and enhancement of air, water, land, and other natural resources located within the state.” *See* R.I. Gen. Laws § 10-20-1 and § 10-20-3(d)(5). Additionally, the Attorney General “has a common law duty to protect the public interest.” State v. Lead Indus., Ass'n, Inc., 951 A.2d 428, 471 (R.I. 2008) (*quoting* Newport Realty, Inc. v. Lynch, 878 A.2d 1021, 1032 (R.I. 2005)).

It should also be noted that the Attorney General has been granted full-party status in prior Division cases involving public utility mergers and acquisitions and has previously intervened in proceedings before the Public Utilities Commission involving the public utility operations of the Petitioners in this proceeding.

Clearly, given that almost the entirety of the State’s energy distribution system will be impacted by the Transaction, the Rhode Island Attorney General must intervene to represent the State’s interest in ensuring that this transaction is in line with the State’s long-term energy and climate change goals.

Participation by the Attorney General in the instant proceeding is sanctioned by law and consistent with the public interest. The Attorney General seeks to intervene to ensure that the proposed transfer of equity ownership does not negatively impact service quality, provides benefits to customers in terms of rates impacts, furthers the climate and renewable energy goals of the state, and does not otherwise conflict with the public interest. He is in a unique position to represent these interests and should be permitted to do so.

#### IV. Conclusion

For the reasons set forth herein, the Attorney General respectfully requests that the Division of Public Utilities and Carriers grant his Motion to Intervene in this proceeding.

Respectfully submitted,

PETER F. NERONHA  
ATTORNEY GENERAL OF THE  
STATE OF RHODE ISLAND

By his Attorney,

/s/ Nicholas M. Vaz  
Nicholas M. Vaz (#9501)  
/s/ Tiffany A. Parenteau  
Tiffany A. Parenteau (#8436)  
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(401) 274-4400 x 2297

Dated: June 24, 2021

**STATE OF RHODE ISLAND  
DIVISION OF PUBLIC UTILITIES AND CARRIERS**

In Re: Petition of PPL Corporation, PPL Rhode )  
Island Holdings, LLC, National Grid USA, )  
and The Narragansett Electric Company for )  
Authority to Transfer Ownership of The )      Docket No. D-21-09  
Narragansett Electric Company to PPL )  
Rhode Island Holding, LLC and Related )  
Approvals )

**NOTICE OF APPEARANCE OF COUNSEL**

Pursuant to Rule 1.5 of the Rhode Island Division of Public Utilities and Carriers' Rules of Practice and Procedure, please enter my appearance on behalf of Peter F. Neronha, Attorney General of the State of Rhode Island, in the above-captioned proceeding.

Respectfully submitted,

*/s/ Nicholas M. Vaz*  
Nicholas M. Vaz (#9501)  
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150 South Main Street  
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Dated: June 24, 2021

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Pursuant to Rule 1.5 of the Rhode Island Division of Public Utilities and Carriers' Rules of Practice and Procedure, please enter my appearance on behalf of Peter F. Neronha, Attorney General of the State of Rhode Island, in the above-captioned proceeding.

Respectfully submitted,

*/s/ Tiffany A. Parenteau*  
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Narragansett Electric Company to PPL )  
Rhode Island Holding, LLC and Related )  
Approvals )

**CERTIFICATE OF SERVICE**

I hereby certify that on the 24<sup>th</sup> day of June 2021, the original and four hard copies of this Motion and Notices of Appearance of Counsel were sent via mail to Luly Massaro, Clerk of the Division of Public Utilities and Carriers at 89 Jefferson Blvd., Warwick, RI 02888. In addition, electronic copies of this Motion and Notices of Appearance of Counsel were served via electronic mail on the attached service list for this Docket on June 24, 2021.

*/s/ Ellen Ullucci*



**Docket No. D-21-09 PPL Corp., PPL RI Holdings, LLC, National Grid USA and The Narragansett Electric Co. – Petition to Transfer Ownership and Related Approvals**

**Service List Updated 6/21/2021**

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