

State of Rhode Island and Providence Plantations

Public Utilities Commission

Minutes of Open Meeting Held May 25, 2017

Attendees: Chairperson Margaret Curran, Commissioner Herbert DeSimone, Commissioner Marion Gold, Patricia Lucarelli, Linda George, Maggie Hogan, Alan Nault, Todd Bianco and Luly Massaro.

Chairperson Curran called the Open Meeting to order at 10:15 A.M. in the first-floor hearing room of the Public Utilities Commission (PUC). A quorum was present.

Minutes of Open Meeting held on May 4, 2017 – Chairperson Curran moved to approve the minutes and Commissioner Gold seconded the motion. Motion to approve the minutes unanimously passed. **Vote 3-0.**

4690 – Block Island Power Co. (BIPCo) – BIPCo filed on April 26, 2017, a Motion for Protective Treatment of Confidential Information from public disclosure pursuant to PUC's Rules of Practice and Procedure Rule 1.2 and R.I. Gen. Laws §38-2-2(4)(B). BIPCo seeks confidential treatment of the Master Power Purchase and Sale Agreement with Shell Energy North America, LP for the purchase of wholesale power. No objection was received. After review, Chairperson Curran moved to grant BIPCo's motion as requested. Commissioner Gold seconded the motion and the motion unanimously passed. **Vote 3-0.**

4483 - Wind Energy Development, LLC & ACP Land, LLC (Petitioners) – This docket relates to the Petitioners' Dispute for Resolution Relating to Interconnection with National Grid. The PUC reviewed and discussed the pleadings submitted by National Grid and the Petitioners in connection with an outstanding tax issue, as to whether National Grid's assessment of a contribution in aid of construction tax on qualifying facilities that transfer interties to National Grid in connection with the sale of electricity by the qualifying facility to National Grid is a reasonable charge pursuant to the record in this proceeding. After deliberation, Chairperson Curran found that National Grid's assessment of a contribution in aid construction tax is reasonable understanding that it will be recovered from the Petitioner. Commissioner Gold seconded the motion. Commissioner DeSimone disagreed with the majority and dissented. **Vote 2-1.** Based on the IRS notice, Commissioner DeSimone did not believe that the Petitioner should be obligated to reimburse National Grid if National Grid decides to pay the tax. The decision whether to pay the tax is up to National Grid. Whether or not National Grid is entitled to get reimbursement is a different issue based on the IRS notice. Commissioner DeSimone does not believe reimbursement is in order in light of the IRS notice.

4636 – ISM Solar Development, LLC and the Pascoag Utility District - This docket relates to the PUC's review of ISM Solar and the Pascoag Utility District's petition relating to an interconnection matter. ISM Solar (Project) is pursuing service for a solar system project in Burrillville, Rhode Island. Both Pascoag Utility and National Grid cover certain service areas in Burrillville. Both Pascoag Utility and National Grid agreed to allow

National Grid to service ISM's property and the Project. Both Pascoag Utility and National Grid agreed to allow ISM to participate in National Grid's Programs available in National Grid's service territory and load zone, so long as National Grid is assured cost recovery for ISM's participation in these Programs. On May 15, 2017, National Grid filed a Motion to Waive Certain Requirements in its Renewable Energy Growth Tariff and request that National Grid receive fully recovery for any related costs in connection with ISM's participation in the Company's Programs. After review, Commissioner DeSimone moved to grant National Grid's waiver request. Chairperson Curran seconded the motion and requested to include language to indicate that this decision should not be viewed to have any precedential authority, the concern relating to the load zone that is addressed by the waiver can be taken care of with legislation, and there is no guaranteed certificate of eligibility. Commissioner Gold seconded the revised motion and the motion passed. **Vote 3-0.**

4605 – The Narragansett Electric Co. d/b/a National Grid – National Grid filed on April 13, 2017 proposed Standard Offer Service rates for the Industrial Group for the months of July through September 2017. The filing was submitted pursuant to the 2016 Standard Offer Service Procurement Plan approved by the PUC on June 27, 2016 in this docket. The Division filed a memorandum summarizing its review and finding the proposed SOS rates to be in compliance with PUC's directives in this docket. After review, Chairperson Curran moved to approve National Grid's proposed SOS rates for the Industrial Group as submitted. Commissioner DeSimone seconded the motion and the motion unanimously passed. **Vote 3-0.**

4685 – National Grid – National Grid submitted a tariff filing to amend Tariff RIPUC No. 2142 from RIPUC No. 2179, Street and Area Lighting, Customer Owned Equipment (S-05) on December 29, 2016. The tariff was subsequently modified on January 23, 2017 and May 4, 2017. Comments were submitted by the Office of Energy Resources, the Division and PRISM Streetlights, Inc. As amended, the proposed tariff amendments will enable any municipal city or town, any fire district, any regional school district, any municipal water utility board, Kent County Water Authority, Rhode Island Commerce Corporation, Quonset Development Corporation, Rhode Island Airport Corporation, Narragansett Bay Commission, and the State of Rhode Island to receive service under the Tariff, for the purchase of street and area lighting facilities. After review, Chairperson Curran moved to approve the amended tariff as requested by National Grid. Commissioner Gold seconded the motion and the motion unanimously passed. **Vote 3-0.**

Renewable Energy Resource Eligibility Applications Dockets – The PUC reviewed and ruled on the eligibility applications submitted in the following dockets:

- **4695 – Orbit Energy Rhode Island, LLC** – Application for certification of the Orbit Energy Rhode Island LLC facility, a 3.2 MW biomass generation unit located in Johnston, Rhode Island as a New Renewable Energy Resource. PUC's Consultant submitted a memorandum summarizing his review and recommending that eligibility be granted with a conditional requirement that the Company provide the PUC with confirmation of the NEPOOL-GIS Asset Identification Number and written documentation verifying Commercial Operation.

- 4696 – RI Solar 1, LLC - Application for certification of the Petersen Farm Solar facility, a 0.2496 MW solar generation unit located in Glocester, Rhode Island as a New Renewable Energy. PUC's Consultant submitted a memorandum summarizing his review and recommending that eligibility be granted with a conditional requirement that the Company provide the PUC with confirmation of the NEPOOL-GIS Asset Identification Number and written documentation verifying Commercial Operation.

After review, Chairperson Curran moved to approve the Renewable Energy Resource applications with the conditional requirement that the Companies provide the PUC with confirmation of the NEPOOL-GIS Asset Identification Number and written documentation verifying Commercial Operation. Commissioner Gold seconded the motion and the motion unanimously passed. **Vote 3-0.**

2262(V21) – 1 800 Collect, Inc. d/b/a Simple Billing Solutions (Company) – The Company filed a request to cancel its authority as a provider of telecommunications service in the State of Rhode Island. The Company asserts that it has no customers whose service would be impacted by this request. Chairperson Curran moved to rescind the authority of the company as requested. Commissioner Gold seconded the motion and the motion unanimously passed. **Vote 3-0.**

The Open Meeting adjourned at 11:00 A.M.