

State of Rhode Island

Public Utilities Commission

Minutes of Open Meeting Held on June 10, 2021

An Open Meeting of the Public Utilities Commission (Commission or PUC) was held on Thursday, June 10, 2021 at 2:00 P.M. in Hearing Room A, 89 Jefferson Boulevard, Warwick, Rhode Island to discuss, deliberate, and/or vote on the following dockets.

In attendance: Chairman Ronald Gerwatowski, Commissioner Abigail Anthony, Commissioner John Revens, Patricia Lucarelli, John Harrington, Todd Bianco, Alan Nault, and Luly Massaro.

- I. Charmain Gerwatowski called the Open to order at 2:00 P.M. A quorum was present.
- II. **Docket No. 4933 – City of Newport Water Division (Newport Water)** – This docket relates to Newport Water’s compliance filing under the Multi-Year Rate Plan approved by the Commission (in Order No. 23855) and required pursuant to R.I.G.L. § 39-15.1-4. The Commission considered Newport Water’s March 30, 2021 Petition to Amend Multi-Year Rate Plan to delay implementation of Step Two increase from July 1, 2021 to July 1, 2022. The Division of Public Utilities and Carriers submitted a memorandum in support of Newport Water’s petition. No objection to Newport Water’s petition was received.

After review, Chairman Gerwatowski moved to grant Newport Water’s petition to amend its Multi-Year Rate Plan pursuant to R.I.G.L. § 39-15.1-4(d) to delay Step Two of its Multi-Year Rate Plan rate increase until FY 2023 to implement a lower than anticipated debt service increase funding of \$584,917 per month for a total of \$7,019,004 per year, beginning in FY 2023. Commissioner Anthony seconded the motion and the motion was unanimously passed. **Vote 3-0.**

- III. **Docket No. 4981 – Episcopal Diocese of Rhode Island (Petitioner)** – This docket relates to a case that is on remand from the Rhode Island Supreme Court, in which the Court directed the PUC to consider new evidence that was submitted to the Court by the Petitioner after an appeal had been taken from an Order issued by the Commission in Docket 4981 on April 14, 2020, Order No. 23811. The Commission considered the record, summarized the Petitioner’s Petition, all the evidence in the affidavit and administrative matters. After review, the following motions were made:

Chairman Gerwatowski moved to deny the Petitioner’s request that the Commission take administrative notice of the petitions submitted in Dockets 5090, 5103, 5128, and 5149, and the complaint filed with the Federal Energy Regulatory Commission in its Docket EL21-47. The Chairman noted that all these dockets occurred after the appeal started. Commissioner Revens seconded the motion and the motion was unanimously passed. **Vote 3-0.**

Chairman Gerwatowski moved that the Commission finds that the affidavit of new evidence has no effect on the Commission's decision in Order and conclusions of law and the Commission confirms Order 23811 based on the agreed facts that were before the Commission at the time of issuance of that Order. Commissioner Revens seconded the motion and the motion was unanimously passed. **Vote 3-0.**

Commissioner Revens stated for the record, like the Chairman, he was not present at the time this matter was initially decided by the Commission nor was he present when the Commission reviewed the new evidence and sent a letter to the Supreme Court. But since arriving as a member of the Commission, he has reviewed the entire record and prior hearing transcripts, read all briefs and memos and reviewed the appropriate case that were cited. He listened to the oral arguments, asked questions and reviewed the transcript of the June 2 hearing. He agreed with the Chairman's motion and seconded the motion.

- IV. There being no further business to discuss, the Open Meeting adjourned at 3:04 P.M.