

**State of Rhode Island**

**Public Utilities Commission**

**Minutes of Open Meeting Held on March 29, 2021**

An Open Meeting of the Public Utilities Commission (Commission or PUC) was held on Monday, March 29, 2021 at 1:00 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, Cynthia Wilson-Frias, Todd Bianco, Alan Nault, Rudolph Falcone and Luly Massaro. Remotely: Commissioner Marion Gold, Commissioner Abigail Anthony, Patricia Lucarelli and Emma Rodvien.

- I. Chairman Gerwatowski opened the Open Meeting at 1:00 P.M. No quorum was present. The Open meeting was continued to 1:30 P.M.
- II. Charmain Gerwatowski called the Open to order at 1:30 P.M. A quorum was present.
- III. **Docket No. 5116 – Cassadaga Wind, LLC (Company)** - The PUC considered the company’s application for eligibility of the Cassadaga Wind, LLC generation unit, a 126 MW wind energy facility located in Sinclairville, New York as a New Renewable Energy Resource. After review, Chairman Gerwatowski moved to accept the PUC consultant’s recommendation to conditionally approve the application. Commissioner Anthony seconded the motion and the motion was unanimously passed. **Vote 3-0.**
- IV. **Docket No. 5122 – Nautilus Solar Energy, LLC** - Nautilus Solar filed a Petition for Declaratory Judgment on R.I. Gen Laws § 39-26.4, The Net Metering Act. Specifically, the Petitioner seeks a declaration that (1) a single eligible net metering system, as defined in R.I. Gen. Laws §39-26.4-2(5), can be owned and operated by a renewable developer on behalf of more than one public entity, and (2) the term “multi-municipal collaborative” used in the net metering law applies to all public entities such that they can enter into net-metering financing arrangements. After review of the petition and responsive pleadings, the PUC deliberated and voted as follows:
  - (a) Chairman Gerwatowski moved to grant the motion to intervene filed by National Grid and by Green Development, LLC. Commissioner Gold seconded the motion and the motion was unanimously passed. **Vote 3-0.**
  - (b) Chairman Gerwatowski moved to grant the petition in part and denied the petition in part. Approve the second declaration that that municipal housing authorities are eligible to participate in multi-municipal collaboratives for purposes of entering into a net-metering financing arrangement. Deny the first declaration. Commissioner Anthony seconded the motion and the motion was unanimously passed. **Vote 3-0.**

- V. **Docket No. 4686 - The Narragansett Electric Co. d/b/a National Grid** – This docket relates to National Grid’s Storm Fund Replenishment Factor (SFRF) designed to collect funds to replenish the Company’s Storm Contingency Fund. National Grid filed on March 12, 2021 a petition for approval to (i) continue the annual Hurricane Sandy Supplement of \$3.0 million for deposit into the Storm Fund and (ii) continue the SFRF for purposes of continuing to generate annual contributions which are credited to the Storm Fund. The Company maintained that without an extension, the Hurricane Sandy Supplement will expire on March 31, 2021 and the SFRF will expire on June 30, 2021. National Grid requested that both contributions be continued through the end of the current multi-year rate plan (expected to conclude August 31, 2022).

After review of the petition and responsive pleading, Chairman Gerwatowski moved to approve National Grid’s request to continue funding the accounts as referenced in the petition. However, the tariff is approved with modification that National Grid shall delete reference to expiration date contained in the tariff provision and amend language to reflect that “the provisions of the tariff will remain in effect until terminated or revised by the Commission from time to time.” Commissioner Anthony seconded the motion and the motion was unanimously passed. **Vote 3-0.**

The PUC expressed concern with the amount that has built up in the account, rate allowance to pay down the balance and storm activity. The PUC will schedule a technical session with the Company and Division to examine other ways of address this concern.

- VI. **Docket Nos. 4978, 5127 and 5096 - The Narragansett Electric Co. d/b/a National Grid** - The Commission considered exhibit lists identifying confidential exhibits entered in these dockets. Chairman Gerwatowski moved to grant each of the applicable motions for confidentiality that pertain to the confidential exhibit lists provided by National Grid. The motion was seconded by Commissioner Anthony and the motion was unanimously passed. **Vote 3-0.** The Company submitted amended exhibits that were recently filed and motions for confidential treatment. Chairman Gerwatowski moved to accept the amended exhibit list for purposes of those proceedings. Commissioner Gold seconded the motion and the motion was unanimously passed. **Vote 3-0.**

- VII. **Docket No. 5088 - The Narragansett Electric Co. d/b/a National Grid** - This docket relates to National Grid’s 2021 Renewable Energy Growth Program Tariff and Rule Changes. National Grid submitted a compliance filing in accordance with the PUC’s Open Meeting decision on February 18 and February 23, 2021. Chairman Gerwatowski moved to accept the compliance filing. The motion was seconded by Commissioner Anthony and unanimously passed. **Vote 3-0.**

Atty. Wilson-Frias summarized a staff memorandum that was circulated to the parties and the Commissioners. It is a straw proposal related to the development of specific performance standards relative to National Grid’s remuneration in the 2022 REG program. The proposal incorporates comments and discussion raised by the PUC at an Open Meeting and provides ways to achieve an efficient and more cost effective way to enroll of LMI customers, specifically A-60 customers into CRDG. The Commission requested to issue a notice to solicit comments on the straw proposal and to follow up with a workshop.

**VIII. Docket No. 4978 – The Narragansett Electric Co. d/b/a National Grid** – The Commission reviewed National Grid’s January 21, 2021 proposed Last Resort Service (LRS) Rates for the period April 1, 2021 through September 30, 2021 for the Residential and Commercial Groups, and for period April 1, 2021 through June 30, 2021 for the Industrial Group. The rates are submitted pursuant to the Standard Offer Service Procurement Plan approved by the PUC in this docket. After review, Chairman Gerwatowski moved to approve the proposed rates as filed. Commissioner Anthony seconded the motion and the motion was unanimously passed. **Vote 3-0.**

Chairman Gerwatowski moved that to the extent that ISO files amendments to its open access tariffs (with the FERC), National Grid is directed to report to the Commission with an analysis of the potential implications to the LRS and other costs flowing to Rhode Island within 30 days of the ISO filing. Commissioner Anthony seconded the motion and the motion was unanimously passed. **Vote 3-0.**

**IX. Docket No. 5127 - The Narragansett Electric Co. d/b/a National Grid** – This Commission discussed and reviewed the record regarding National Grid’s Annual Retail Rate Filing. The filing proposed rate changes arising out of the Company’s annual reconciliations of Standard Offer/Last Resort Service (SOS/LRS), SOS/LRS administrative costs, the non-bypassable transition charge, transmission service, the transmission-related uncollectible expense, the Net Metering charge, and the Long Term Contracting (LTC) for Renewable Energy Recovery Factor for effect April 1, 2021. After deliberation, the following votes were made:

- (a) Chairman Gerwatowski moved to approve the SOS/LRS reconciling factor as filed. Commissioner Anthony seconded the motion and the motion was unanimously passed. **Vote 3-0.**
- (b) Chairman Gerwatowski moved to approve the LTC factor as filed. Commissioner Anthony seconded the motion and the motion was unanimously passed. **Vote 3-0.**
- (c) Chairman Gerwatowski moved to require National Grid to change the CTC credit factor to \$0.00149 per kWh effective April 1 in order to return the entire \$10.4 million to ratepayers. National Grid is directed to make a compliance tariff to amend the non-bypassable transition tariff to reflect the Commission’s decision. Commissioner Anthony seconded the motion and the motion was unanimously passed. **Vote 3-0.**
- (d) Chairman Gerwatowski moved to approve the proposed Net Metering charge subject to refund and pending an examination of the Company’s administration of the net metering program and charge. Commissioner Anthony supported the Chairman’s motion and seconded. The motion was unanimously passed. **Vote 3-0.**

Commissioner Anthony further moved that National Grid be directed to file a comprehensive evaluation of its net metering customers at end of years 2019 and 2020. The evaluation shall report on 1) net metering customers with negative net kWh at end of each year and 2) the value on the net metering credits paid for the negative kWh. Chairman Gerwatowski seconded the motion and the motion was unanimously passed. **Vote 3-0.**

- (e) Chairman Gerwatowski moved to approve the proposed transmission charges subject to refund pending further examination. Commissioner Anthony seconded the motion and the motion unanimously passed. **Vote 3-0.** At this time, the Commission did not elaborate on the specifics of the examination. The Commission will be requiring the company to make a filing to further evaluate what the apparent inconsistency is with state law and for the company to explain how they were treating the Block Island Transmission Surcharge (BITS) in their earnings report. The specifics of the information sought will be discussed and described at an Open Meeting or in a notice to follow.
  - (f) Chairman Gerwatowski moved to approve all the factors, charges and adjustment in the filing for effect April 1, 2021 as modified by previous votes and noting that the net metering charge and transmission charge are subject to further investigation. Commissioner Anthony seconded the motion and the motion was unanimously passed. **Vote 3-0.**
- X. Docket No. 5096 - The Narragansett Electric Co. d/b/a National Grid** – This docket relates to National Grid’s 2021 Renewable Energy Standard (RES) Procurement Plan. The Commission reviewed the record regarding the Company’s 2021 Renewable Energy Standard Procurement Plan submitted on December 11, 2020. The Company also filed for approval of RES Charge of \$0.00665 per kWh for effect April 1, 2021. After consideration, Chairman Gerwatowski moved to approve the RES Procurement Plan as submitted and the associated RES Charge. Commissioner Anthony seconded the motion and the motion was unanimously passed. **Vote 3-0.**
- XI. Docket No. 5098 – The Narragansett Electric Co. d/b/a National Grid** – The Commission discussed and reviewed the record regarding the National Grid’s FY 2022 Electric Infrastructure, Safety and Reliability (ISR) Plan budget and associated ISR factors. After deliberation of the outstanding issues, the following votes were made:
- (a) Commissioner Anthony moved that National Grid reclassify the COVID budget from customer request to system capacity and performance or explain why this work should not be reclassified. Chairman Gerwatowski seconded the motion and the motion was unanimously passed. **Vote 3-0.**
  - (b) Commissioner Gold moved to adopt the Company’s budget subject to removal of Strategic DER of \$2,050,000. Commissioner Anthony seconded the motion and the motion was unanimously passed. **Vote 3-0.**
  - (c) Chairman Gerwatowski moved to require National Grid to use the Operation and Maintenance factors and Cap Ex factors based on forecast contained in Docket 5127 and that National Grid file a compliance filing on April 1, 2021. Commissioner Gold seconded the motion and the motion was unanimously passed. **Vote 3-0.**
  - (d) Chairman Gerwatowski moved to require National Grid to follow the Division’s recommendation filed in February 11, 2020. Commissioner Gold seconded the motion and the motion was unanimously passed. **Vote 3-0.**
  - (e) Chairman Gerwatowski moved to approve the ISR Plan and associated charge as modified by the Commission in the previous votes. Commissioner Gold

seconded the motion and the motion was unanimously passed. **Vote 3-0.**

**XII. Docket No. 5066 - The Narragansett Electric Co. d/b/a National Grid** – This docket relates to National Grid’s Gas Cost Recovery Charge. In accordance with the tariff provision, the Company filed to calculate the seasonal BTU content based upon the prior six-month experience for the equivalent season, which the Company proposes that it take effect for the applicable May 1 and November 1 period. For the period of May 2021 through October 2021, National Grid proposed to use a BTU content factor of 1.027 to convert volumetric meter readings to therms. After review, Chairman Gerwatowski moved to adopt a National Grid’s proposed BTU factor as filed. Commissioner Anthony seconded the motion and the motion was unanimously passed. **Vote 3-0.**

**XIII. Docket No. 5099 – The Narragansett Electric Co. d/b/a National Grid** – The Commission discussed and reviewed the record regarding the National Grid’s FY 2022 Gas Infrastructure, Safety and Reliability (ISR) Plan budget and associated ISR factors. After deliberation of the outstanding issues, the following votes were made:

- (a) Chairman Gerwatowski moved to require National Grid to calculate the revenue requirement in the same manner as it is calculated in the electric ISR as set forth in PUC 5-1(c). Commissioner Gold seconded the motion and the motion was unanimously passed. **Vote 3-0.**
- (b) Chairman Gerwatowski moved to approve the Company’s first tariff proposal included in their record request response. Commissioner Gold seconded the motion and the motion was unanimously passed. **Vote 3-0.**
- (c) Chairman Gerwatowski moved that National Grid move forward with proposed changes for tracking/reporting on managing their Metering Purchase Program. In addition, the Company should work with the Division to file a more concrete plan on how the Company is going to administer their metering program before the next ISR takes effect. The plan shall be file by June 30, 2021. Commissioner Anthony seconded the motion and the motion was unanimously passed. **Vote 3-0.**
- (d) Chairman Gerwatowski moved to remove from the budget, the Company’s inclusion of \$4.9 million to examine alternative capacity solutions for Aquidneck Island and \$2.0 million for the prospective Cumberland tank replacement project. Commissioner Anthony seconded the motion and the motion was unanimously passed. **Vote 3-0.** The Commission will have a technical session have dialogue on these issues.
- (e) The Commission agreed to schedule a technical session on the System Integrity Report to understand how the Company determines and assesses risk; also, a technical session on capacity solutions for Aquidneck Island.
- (f) Chairman Gerwatowski moved to approve the ISR Plan and proposed budget as modified by previous motions. National Grid shall file a compliance filing calculated consistent with the revenue requirement in PUC 5-1(c) effective for usage on or after April 1, 2021. Commissioner Gold seconded the motion and the motion was unanimously passed. **Vote 3-0.**

XIV. There being no further business to discuss, the Open Meeting adjourned at 3:50 P.M.