

February 27, 2024

The Honorable Joseph J. Solomon, Jr.
Chairman, House Corporations Committee
Rhode Island State House
Providence, Rhode Island 02908

RE: H-7427 – Relating to Public Utilities & Carriers – Excavation Near Underground Utility Facilities

Dear Chairman Solomon:

On behalf of Rhode Island Energy, I write regarding H-7427, which pertains to the conditions in which first responders are notified in the event of a release of natural or other gas or hazardous liquid from underground utility facilities. We thank Representative DeSimone for his leadership in bringing this bill forward. While Rhode Island Energy does not oppose this bill, we respectfully request amendments be made to clarify that such a requirement does not apply when the utility or its contractors are conducting repairs or replacement.

Rhode Island Energy provides essential energy services to more than 770,000 customers across the Ocean State through the delivery of electricity and natural gas. Our team of 1,300 union and non-union employees is dedicated to helping Rhode Island customers and communities thrive, while supporting the transition to a cleaner energy future – in a safe, reliable, and affordable manner.

As the state’s natural gas utility, our work necessitates that gas mains and other service lines are regularly maintained and safely placed into operation to meet customer demands. However, absent further amendment, the proposed bill can be read to apply to the utility even when conducting day-to-day operations on the distribution system, such as the repair of a gas main or completion of a replacement project, and in events when our personnel or contractors are on site safely conducting work.

To address this concern, **Rhode Island Energy respectfully requests that H-7427 be amended to clarify that the requirement to call first responders does not apply in instances when the utility and its contractors are on site to safely conduct work on the gas distribution system:**

- The following language should be added to the end of §39-1.2-1(5): “Notwithstanding the foregoing, damage shall not include an intentional penetration or severance of a utility line by a public utility or its contractor(s) for the purpose of effectuating a repair or replacement of the utility line.”
- The following language should be added to §39-1.2-11(a), page 3, line 11: “...the release to first responders by calling 9-1-1, except for when the public utility or its contractors are on site to conduct repair and replacement of the utility line and there exists no immediate danger to life and health of employees or pedestrians in the surrounding area.”

Nicholas S. Ucci
Director of Government Affairs
Rhode Island Energy

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Rhode Island Energy has shared its concerns with the Division of Public Utilities & Carriers and looks forward to working with our regulators, Rep. DeSimone, and the Committee on this bill.

Thank you for your consideration and leadership.

Respectfully,

A handwritten signature in blue ink, appearing to read "NSU", written over a light blue circular scribble.

Nicholas S. Ucci
Director of Government Affairs

CC: The Honorable Members of the House Corporations Committee