

April 1, 2025

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

RE: H-5573 – Relating to State Affairs & Government – Energy Facility Siting Act

Dear Chairman Solomon:

On behalf of Rhode Island Energy, I write in **opposition** to H-5573 as proposed, which would amend the state's Energy Facility Siting Act and establish new requirements concerning deployment of advanced conductors, grid-enhancing technologies, and energy storage on the distribution and transmission systems.

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 1,400 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.

Rhode Island Energy appreciates H-5573's focus on enhancing electric grid reliability and security through the deployment of advanced conductors and other grid-enhancing technologies. We welcome the opportunity to discuss recent investment proposals designed "to improve grid performance, reliability and security for the state" (page 5, line 20) with the bill sponsor and stakeholders.

Mechanisms are in place today that allow the electric distribution company to propose these investments, such as through the Infrastructure, Safety, and Reliability (ISR) planning process. These make certain provisions of H-5573, including §39-1-64(a) and (d), redundant of existing processes through which non-wires and non-pipe alternatives are already considered. We note that the quasi-judicial nature of both the Energy Facility Siting Board (EFSB) and Public Utilities Commission (PUC) allow other parties to examine proposed capital investments, issue discovery, provide expert witness testimony, etc.

Respectfully, the state's existing Energy Facility Siting Act and the EFSB's rules (445-RICR-00-00-1) already account for many of the provisions included in this bill including, but not limited to:

- Page 3, lines 11-16: The Energy Facility Siting Board (EFSB), as a state entity, is already required by state law to address impacts on climate change pursuant to RIGL §42-6.2-8. Moreover, at RIGL §42-98-11(b)(3), the EFSB is already required to determine that a proposed energy facility "will not cause unacceptable harm to the environment and will enhance the socio-economic fabric of the state."
- Page 4, lines 7-11: Likewise, pursuant to RIGL §42-98-8(a)(7), applicants are already required to provide a "study of alternatives to the proposed facility, including alternatives as

to energy sources, methods of energy production, and *sites* for the facility, together with reasons for the applicant's rejection of these alternatives." [emphasis added]. Also, this section of H-5573 includes language regarding expedited review for transmission lines. EFSB Rule 1.6 already allows this.

- Page 4, lines 12-19: Rhode Island General Laws already provide for a needs assessment of newly proposed energy facilities. RIGL §42-98-9(d) states, "The public utilities commission shall conduct an investigation in which the division of planning of the department of administration, the governor's office of energy assistance, and the division of public utilities and carriers shall participate and render an advisory opinion as to the *need for the proposed facility*." [emphasis added].
- Page 6, lines 20-21: This proposed amendment is redundant of authority already granted to the EFSB by statute.

Thank you for your consideration of these comments.

Respectfully,



Nicholas S. Ucci
Director of Government Affairs

CC: The Honorable Members of the House Corporations Committee