

RI House Corporations Committee
Rhode Island State House
82 Smith Street
Providence, RI 02903

April 1, 2025

RE: H5822 AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- SOLAR SITING ADVISORY TASK FORCE

Dear Members of the House Corporations Committee:

As attorneys who represent renewable energy developers in Rhode Island and as longtime stakeholders in renewable energy siting policy discussions, our firm writes in support of H5822. Rhode Island must supply much more of its own clean electricity to achieve the electrification of our thermal and transportation systems and the mandates of your Act on Climate while maintaining energy affordability and security.

Rhode Island's renewable energy industry has been stalled, due (in part) to siting opposition, and such opposition must be addressed and resolved to enable the continuation of efforts to clean up our supply of electricity through local generation that will improve the reliability and security of our energy supply, reduce its cost and meet your mandates. The RI Energy Plan (Energy 2035) indicates that business as usual is the most expensive and least secure way to fulfill our growing demand for electricity. See:

- <https://planning.ri.gov/sites/g/files/xkgbur826/files/documents/LU/energy/energy15.pdf>
- https://energy.ri.gov/sites/g/files/xkgbur741/files/documents/energyplan/ENE_RISEP_Business_As_Usual_Forecast.pdf
- https://energy.ri.gov/sites/g/files/xkgbur741/files/documents/energyplan/Navigant_RISEP_Scenario_Modeling_Executive_Summary_Results.pdf

The electricity we consume must come from somewhere. The question is what kind of supply is preferable, all impacts considered. Our current overreliance on natural gas has much more significant siting implications in the places where the gas is sourced (fracking), the way it is moved to our market (across transmission and distribution lines that are inadequate to meet our current needs, extremely damaging to interstate strips of green spaces and which leak methane emissions) and the need to site supporting RI infrastructure (eg, the serious environmental justice concerns at the Port of Providence). Without siting renewable energy, we will continue to experience the siting impacts of our business as usual.

The Act on Climate mandates require us to consider our whole distribution system as the target for distributed generation of clean energy and reduced reliance on high-cost business as usual. We need flexibility to produce where it is best to produce (cost effectiveness, siting concerns, interconnection capacity) and allow crediting to any that need the clean electricity and will pay for it.

Many RI residents do not have the roofs or the capital to build their own renewable energy projects at home. When the general assembly approved a thirty-megawatt program to allow "community solar" projects developed off site but contracted to supply electricity to RI residents

(CNM) it was very quickly oversubscribed. That program was to be reevaluated for expansion in 2018 but has yet to be expanded. Our utility has long tried to convince regulators and legislators that distributed generation is too expensive for ratepayers, but all the experts and studies prove them wrong on that. It's not at all surprising that utilities propound such a myth. As RI's Power Sector Transformation report concluded,

While many industries have become more efficient over the last few decades by leveraging information technologies to more fully utilize capital investment, Rhode Island's peak to average demand ratio is 1.98, meaning that nearly half of the utility's capital investment is not utilized most of the time. (pp. 14-15). . . Over the last decade, Rhode Island did not need more than 1200 MW of capacity during most hours. The electric grid has been built to ensure that those few hours a year that approach 2000 MW of demand can be met. The top 1% of hours cost the state ratepayers around 9% of spending, at around \$23 million, while the top 10% of hours cost 26% of costs at \$67 million, as illustrated in Figure 4. To meet peak demand, our system currently invests in solutions that are more expensive than is necessary. https://ripuc.ri.gov/sites/g/files/xkgbur841/files/utilityinfo/electric/PST-Report_Nov_8.pdf (pp. 14-15)

Our current rates are among the highest in the country because we are over-reliant on restricted gas supply and have been forced to bear utility overcharges for infrastructure investments. The evident opportunity is in cost avoidance – but that is not part of the utility vocabulary or modus operandi. Study after study has concluded that distributed generation is cost effective for our energy future in RI and everywhere.¹ That includes a study the Acadia Center conducted specifically for RI.² Indeed, our own general assembly has had the benefit of a direct expert briefing on why a distributed energy economy is so effective for RI.³ Finally, and maybe most importantly, RI's energy plan, Energy 2035, is extremely well researched and clear in its position that what is unaffordably expensive for RI is our continuation and perpetuation of business as usual.⁴ Our utility and its regulators have had the chance to correct this situation over the many years since it was made apparent, but they have neglected and failed to do so.

Please pass H5822.

Respectfully,


Seth H. Handy

¹ See <https://ripuc.ri.gov/sites/g/files/xkgbur841/files/eventsactions/docket/4568-WED-Ex4-BeyondRewards%2811-23-15%29.pdf>. It is not at all surprising that this collection of studies demonstrates that the only studies showing otherwise are studies that were conducted by or on behalf of utilities.

² See <https://ripuc.ri.gov/sites/g/files/xkgbur841/files/eventsactions/docket/4568-Acadia-Anthony%2811-23-15%29.pdf> at Exh AC-5.

³ <http://ritv.devosvideo.com/show?video=jforobsf&apg=61f109a4>

⁴ When advocates attempted to raise the systemic benefits of distributed generation with the consultants that conducted RI OER's report on achieving 100% by 2030 they were mystifyingly denied access to the consultant and the comments went unrecognized and unincorporated. Access to Public Information Act requests related to that proceeding are still unresolved and in litigation.