

April 8, 2025

The Honorable Evan P. Shanley
Chairman, House State Government & Elections Committee
Rhode Island State House
Providence, Rhode Island 02908

RE: H-5033 – Relating to State Affairs & Government – Rhode Island Commerce Corporation

Dear Chairman Shanley:

On behalf of Rhode Island Energy, I write in **support** of H-5033 which seeks to amend Rhode Island General Laws pertaining to the approval or denial of construction of nuclear power plants.

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.

To achieve the state’s Act on Climate mandates and support anticipated growth in electric demand from the transportation and heating sectors, Rhode Island and the New England region will require substantial new investments in clean energy infrastructure. This includes growth in intermittent renewable resources, such as solar and wind, as well as other resources capable of ramping production on short notice or otherwise providing clean, baseload generation to meet grid demands when those resources are not available. Nuclear generation provides a unique opportunity to strengthen grid reliability, enhance resource adequacy, improve regional fuel diversity, and contribute to domestic energy independence – *without* expanding the region’s carbon footprint. Continued technological advancements – including small modular reactors – place that future within reach. It is in Rhode Island’s energy, economic, and environmental interest to be prepared to seize emerging investment opportunities in a timely fashion while ensuring that any future electric generation proposals are thoroughly vetted by state experts and stakeholders.

Existing law grants the General Assembly the exclusive jurisdiction over “(t)he final approval or denial of a project plan for the location and construction of...a nuclear plant within the state.” This requirement predates the establishment of the state’s Energy Facility Siting Board (EFSB) in 1986, which consists of expert state officials representing the Public Utilities Commission (PUC), the Department of Environmental Management (DEM), and the Division of Statewide Planning. The EFSB has oversight of proposals for other types of electric generation facilities (40 MW or greater) as well as “facilities for the processing, enrichment, storage, or disposal of nuclear fuels or nuclear byproducts.”¹ Rhode Island Energy supports the consolidation of authority over new electric generation facilities under the EFSB, as governed by the state’s Energy Facility Siting Act.

¹ RIGL §42-98, et. seq., the Energy Facility Siting Act, defines “(m)ajor energy facility” as “facilities for the extraction, production, conversion, and processing of coal; facilities for the generation of electricity designed or capable of operating at a gross capacity of forty megawatts (40 MW) or more; transmission lines of sixty-nine (69) Kv or over; facilities for the conversion, gasification, treatment, transfer, or storage of liquefied natural and liquefied petroleum

Nicholas S. Ucci
Director of Government Affairs
Rhode Island Energy

280 Melrose Street
Providence, Rhode Island 02907
nsucci@rienergy.com



Rhode Island Energy notes that this bill does not affect other nuclear power-related legislation pending before the House this session. More specifically, H-5575, introduced by Chairman Solomon and co-sponsored by Deputy Majority Leader O'Brien, Representative Lima, Speaker Pro Tempore Kennedy, and Representative Santucci, pertains to the procurement of existing nuclear generation and not the siting of new power plants in Rhode Island or elsewhere. Also, pursuant to state law, Rhode Island Energy cannot (and does not) own electric generation assets.

Thank you for your consideration of these comments.

Respectfully,



Nicholas S. Ucci
Director of Government Affairs

CC: The Honorable Members of the House State Government & Elections Committee
The Honorable Brian Patrick Kennedy, Speaker Pro Tempore

gases; facilities for the processing, enrichment, storage, or disposal of nuclear fuels or nuclear byproducts; facilities for the refining of oil, gas, or other petroleum products; facilities of ten megawatts (10 MW) or greater capacity for the generation of electricity by water power, and facilities associated with the transfer of oil, gas, and coal via pipeline; any energy facility project of the Rhode Island commerce corporation; the board may promulgate regulations to further define "major energy facility" to the extent further definition is required to carry out the purpose of this chapter, provided that any waste to energy facility shall not be deemed a major energy facility for the purposes of this chapter."