

STATE OF RHODE ISLAND

DIVISION OF PUBLIC UTILITIES AND CARRIERS

THE PROCEEDING IN RE: Proposed Rulemaking Adoption

Title of Rule: Standards of Acceptable Performance for
Emergency Preparation and Restoration of Electric
Distribution and Gas Distribution Companies

Rule Identifier: 815-RICR-00-00-5

TRANSCRIPT OF PROCEEDINGS

May 16, 2024

10:01 a.m.

89 Jefferson Boulevard, Hearing Room B

Warwick, Rhode Island

Nancy S. Caron, CSR

BEFORE:
Thomas Kogut, Hearing Officer

ALSO PRESENT:
Mark Simpkins, Counsel for Division of Public Utilities
and Carriers

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WITNESS

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(No exhibits marked at this hearing.)

1 THE HEARING OFFICER: It's actually 10:01, so
2 why don't we convene this public comment session. This
3 is in Division Docket 24-06; it is a regulatory docket.
4 It's been initiated by the Division of Public Utilities
5 and Carriers to enact regulations relating to the
6 acceptable standards of performance for emergency
7 preparation and restoration of electric distribution
8 and gas distribution companies. This is Rule, as
9 proposed, the proposed adoption of Rule 815-RICR-
10 00-00-5. Public notice was published on Secretary of
11 State's website on the 19th of April. We are now
12 convening the public comment hearing. The end of
13 written public comment (All public comment in written
14 form), will be accepted through May 24 of this year;
15 and I have checked with the Secretary of State's Office
16 as of this morning, and we have yet to have any comment
17 that's been registered in this Docket.

18 Seeing no one else in the room right now, I think
19 it would probably be great to have on the record the
20 travel of this proceeding. I invite Mark Simpkins, an
21 attorney with the Division, to discuss where we have
22 been and where we are going.

23 MR. SIMPKINS: Thank you, Hearing Officer Kogut.
24 Just to begin the travel, on July 7, 2021, Governor
25 Daniel McKee signed into law House Bill H-6122 Sub A,

1 as amended, providing for appropriations for the
2 support of the state for the fiscal year ending
3 June 30, 2022. Article 8 of that appropriations bill
4 added Sections 39-2-26 and 39-2-27 to the General Laws
5 of the State of Rhode Island. The proposed rule before
6 us today is a memorialization of a statutory directive
7 provided for under Rhode Island General Laws 39-2-27,
8 which requires the Division of Public Utilities and
9 Carriers to promulgate rules and regulations concerning
10 standards of acceptable performance for emergency
11 preparation and restoration of service for investor-
12 owned electric and gas distribution companies doing
13 business in the State of Rhode Island. This six-page
14 rule is the product of months of collaboration and
15 communication with industry stakeholders to ensure that
16 the regulation encompasses the industry best practices
17 and standards.

18 We believe the proposed rule provides the Division
19 with greater oversight and investigatory authority to
20 ensure that electric and gas utilities are adequately
21 and sufficiently prepared to restore service to
22 customers in a safe and reasonably prompt manner during
23 and after an emergency event.

24 We also believe that the proposed regulation
25 allows the Division to hold electric and gas utilities

1 accountable for any failure to comply with the proposed
2 standards while, at the same time, balancing the
3 interest of Rhode Island's ratepayers by imposing no
4 undue cost related or regulatory burdens on gas or
5 electric utilities.

6 THE HEARING OFFICER: I would also like to note,
7 too, that under the Administrative Procedures Act,
8 specifically Rhode Island General Laws 42-35-2.9, the
9 Division has produced a concise summary, as well as a
10 regulatory analysis and, in addition, benefit/cost
11 analysis related to this rule making proceeding. All
12 of the documentation is available on the Division's
13 Docket page, which can be accessed on Division Docket
14 at D24-06.

15 Noting that there is no one, aside from
16 Mr. Simpkins and myself, in the room at the moment, and
17 noting also that we have had rather inclement weather,
18 it is right now 10:05, and I would like to just
19 basically keep the agenda open for another 10, 15
20 minutes to see if anyone stops by. So if we can just
21 stand at ease in recess until then, and then we will
22 reconvene and take it from there.

23 (A break was taken from 10:05 to 10:17 a.m.)

24 THE HEARING OFFICER: If we can very briefly go
25 back on the record. It is 10:17, and we have waited I

1 think a sufficient amount of time. Noting that there
2 is no one else in the room that would like to offer
3 public comment, I would like to also reiterate for the
4 record that we will be accepting written public comment
5 through the end of next week, that will be through the
6 24th, and all of those comments can be directed to the
7 Commission's Division Clerk, or can be submitted
8 through the Secretary of State's web portal for this
9 particular rulemaking.

10 Seeing no one else in the room, I think that
11 concludes this public hearing. Thank you.

12 (The Hearing adjourned at 10:20 a.m.)
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C E R T I F I C A T E

I hereby certify that the foregoing is a true,
accurate, and complete transcription of my notes as
taken at the above-entitled hearing.

Nancy S. Caron

Nancy S. Caron
NOTARY PUBLIC
STATE OF RHODE ISLAND

NANCY S. CARON, C.S.R., NOTARY PUBLIC

MY COMMISSION EXPIRES 07/30/2025