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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

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A N A C T

RELATING TO PUBLIC UTILITIES AND CARRIERS -- AFFORDABLE CLEAN ENERGY  
SECURITY ACT

Introduced By: Representative Brandon T. Voas

Date Introduced: March 01, 2024

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 39-31 of the General Laws entitled "Affordable Clean Energy  
2 Security Act" is hereby amended by adding thereto the following section:

3 **39-31-13. Consideration of agreements associated with United States Department of**  
4 **Energy competitively selected transmission projects.**

5 (a) For any New England transmission project which has been awarded a grant from, or  
6 selected for the award of a transmission capacity contract with, the United States Department of  
7 Energy, including as a result of that department's competitive RFP under its Transmission  
8 Facilitation Program, the electric distribution company, in consultation with the Rhode Island office  
9 of energy resources and the Rhode Island division of public utilities and carriers, is hereby  
10 authorized and required to consider and determine if long-term transmission service agreements  
11 with the project, with or without associated long-term agreements for energy purchases or energy  
12 storage services, appear commercially reasonable for Rhode Island and its electricity customers.  
13 Such consideration and determination shall be completed within three (3) months of receiving a  
14 proposal from any transmission project developer of such a project.

15 (b) If such a positive determination is made, the distribution companies shall negotiate and  
16 enter into long-term transmission service agreements with the transmission developer, and any  
17 associated agreements, to support the financing of the project and the realization of the associated  
18 benefits for Rhode Island and its electricity customers. Negotiations shall proceed in good faith to

1 achieve a commercially reasonable contract within five (5) months of the electric distribution  
2 company receiving the United States Department of Energy competitively selected project for  
3 consideration.

4 (c) No later than one month after entering into such an agreement pursuant to this section,  
5 the distribution companies shall petition the Rhode Island public utilities commission for  
6 authorization to recover the related costs through retail rates. The electric distribution company  
7 shall recover any prudently incurred costs related to the review and negotiation of such agreements  
8 through retail rates. Costs associated with the administration of any agreements shall be recovered  
9 if the commission finds such agreements to be just and reasonable and in the public interest. The  
10 Rhode Island public utilities commission shall review and render a decision on any proposed  
11 agreement no later than six (6) months after submission of the agreement to the commission.

12 (d) Any contracts for transmission capacity, or other agreements subject to the jurisdiction  
13 of the Federal Energy Regulatory Commission (FERC), entered into pursuant to this section shall  
14 be filed with or reported to FERC, consistent with FERC regulations and Section 205 of the Federal  
15 Power Act, 16 U.S.C. § 824d.

16 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO PUBLIC UTILITIES AND CARRIERS -- AFFORDABLE CLEAN ENERGY  
SECURITY ACT

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1           This act would require a New England transmission project which has been awarded a  
2 grant contract with, the United States Department of Energy to authorize and be required to consider  
3 and determine if long-term transmission service agreements with the project, appear commercially  
4 reasonable for Rhode Island and its electricity customers.

5           This act would take effect upon passage.

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