



STATE OF RHODE ISLAND
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Attorney General

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New England Energy Vision
[via email to transmission@newenglandenergyvision.com]

**Re: Comments on Changes and Upgrades to the Regional Electric
Transmission System Needed to Integrate Renewable Energy Resources
and Draft Modular Offshore Wind Integration Plan (MOWIP)**

Dear Participating States of Connecticut, Maine, Massachusetts, New Hampshire, and Rhode Island,

Thank you for the opportunity to submit comments regarding the Notice (Notice) of Request for Information (RFI) issued by the states of Connecticut, Maine, Massachusetts, New Hampshire, and Rhode Island (the States) on September 1, 2022, regarding the Draft MOWIP. The Office of Attorney General would like to express overall support for the effort, particularly the goals of designing infrastructure “in a manner that future transmission lines can connect in a meshed manner and share the landing points” and maximizing “operational flexibility, reliability, resiliency, and system efficiency.” RFI at p. 9.

Rhode Island’s Act on Climate mandates a reduction of statewide greenhouse gas emissions to 45% below 1990 levels by 2030, 80% below 1990 levels by 2040, with a final mandate of net-zero emissions by 2050. Rhode Island Gen. L. § 42-6.2-9. The Attorney General is charged with enforcing this mandate. *Id.* § 42-6.2-10(e). In addition, new legislation effective this spring includes a mandate for retail electric sales to be satisfied by 100% renewable energy by 2033. *Id.* § 39-26-4 (a)(14). Offshore wind projects that supply renewable energy to Rhode Island are crucial in meeting these mandates, which are similar to those of our sister states. The entire region will benefit from timely investment in the transmission infrastructure that is needed to support the region’s aggressive but necessary greenhouse gas reduction mandates. *See* United Nations Framework Convention on Climate Change, *Nationally determined contributions under the Paris Agreement* 7 (Oct. 26, 2022), <https://unfccc.int/documents/619180> (even if all current nations’ emissions reductions are met,

global peak temperature rise is in the range of 2.1-2.9° C). Given the need for immediate and large-scale action, it is imperative to remove barriers to building renewable generation capable of serving the region. There is a finite area for these renewable projects, and coordinating landfall sites and paths for cables to travel; increasing transmission capacity across the region at least cost; and streamlining the assessment of siting to avoid, where possible, sensitive areas, are essential to achieving Rhode Island's, and the region's, emissions reduction targets on time and at least cost.

Rhode Island pioneered offshore wind along the northeastern seaboard. Our early experience with installing and maintaining transmission lines demonstrate the utility of approving projects that minimize landfall sites. Infrastructure for these projects must be placed in areas that have the potential to impact oceanic and shoreline ecosystems, navigability of the waters, use of the shore and traditional fishing routes and grounds. Rhode Island's robust fishing and tourism industries can be affected and adverse impacts to these important economic sectors should be avoided when possible. Ensuring these impacts are temporary is a large part of the approval of these projects, but the initial installation is not always the only impact. For example, Block Island Wind has struggled with cables resurfacing. *ecoRI News, National Grid Pauses effort to Rebury Block Island Wind Farm Cable* (May 4, 2021), <https://ecori.org/2021-5-4-national-grid-pauses-effort-to-rebury-block-island-wind-farm-cable/>. Coordinating and integrating transmission infrastructure with limited planned landfalls will minimize the number of cables and the likelihood of incidents that would require disruption.

Moreover, achieving the correct landfall points is also crucial. As the States have noted, equity should be a paramount consideration because landfall infrastructure can have disparate benefits and burdens depending on uses that are already present. For example, in Rhode Island, a proposed route for Mayflower Wind's cables runs through Rhode Island land and waters via the Mount Hope Bay and the Sakonnet River, sensitive areas without pre-existing industrial activity, factors that must be given careful consideration. In addition, siting concerns should be carefully balanced with cost and ability to complete necessary projects on time. Fewer landfall points will require fewer difficult decisions of this type. Therefore, the States should include a requirement to minimize landfall sites in further solicitations related to this project.

The States also should require, in any future solicitations, that proposals maximize federal grant and loan support while minimizing long-term rates of return or other profit mechanisms. The transition to a clean energy future on the aggressive schedule demanded by current conditions and regional states' laws present a unique challenge. When determining any cost or incentive structure, the States should factor in the externalities faced by communities that are burdened with transmission lines and other equipment, especially when those communities will not realize any direct benefit immediately. Eligibility for the new Department of Energy revolving fund and grants should be highly weighted when considering any proposal. Moreover, the existence of these programs and the extent to which they are leveraged should be factored into the evaluation of any proposed incentive structure for transmission builders. The States should also make these decisions mindful that the Federal Energy Regulatory Commission has recently rejected tariff revisions sought by transmission owners in New York and the Midcontinent

Independent System Operator on the grounds that the parties did not demonstrate sufficient lack of access to capital or uncompensated risk to justify increased tariffs. *Midcontinent Independent System Operator, Inc.* 179 FERC ¶ 61,074 (2022); *Central Hudson Gas & Electric Corporation et al. v. New York Independent System Operator, Inc.* 176 FERC ¶ 61,149 (2021). There is no reason to believe that even ambitious and innovative projects like this one need financing incentives to help get them over the line, given access to federal funding mechanisms, aggressive state mandates which guarantee customers transition to clean electric energy, and transforming investment goals of energy companies, pension funds, and venture capital, e.g., International Energy Agency, *Record clean energy spending is set to help global energy investment grow by 8% in 2022* (June 22, 2022), <https://www.iea.org/news/record-clean-energy-spending-is-set-to-help-global-energy-investment-grow-by-8-in-2022>. Profits should not be funneled to the energy sector at a time when ratepayers are strained by the costs of new infrastructure and the high supply-side energy costs triggered by global market conditions.

Successful offshore wind projects will provide clean electricity and help to combat climate change, and the success of these projects should also be measured by the extent impacts from these projects to the environment, economy, and recreation are successfully mitigated. Strategic, forward-looking, and collaborative plans are crucial to the success of offshore wind projects that will benefit communities in the Northeast through flexibility, reliability, resiliency, and system efficiency. The States should carefully consider all public comments received on this matter.

Respectfully submitted,

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