

Bond Case Briefs

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PUBLIC UTILITIES - RHODE ISLAND

Laprocina v. Lourie

Supreme Court of Rhode Island - May 26, 2021 - A.3d - 2021 WL 2131725

Pedestrian, who had incurred permanent brain damage after he was hit by car while crossing intersection, for whom administratrix of estate was substituted following death, brought negligence action against electric company, alleging that area where collision occurred was not properly illuminated because electric company allowed rolling blackout to occur or failed to repair, replace, and maintain streetlights in area.

Following denial of electric company's first summary judgment motion, the Superior Court entered summary judgment in favor of electric company. Administratrix appealed.

The Supreme Court held that:

- Law of the case doctrine did not preclude trial court judge from considering summary judgment motion;
- Streetlight tariff and city ordinances did not establish duty of company to individual members of public to repair and maintain streetlights;
- Company owed no common law duty to pedestrian; and
- As issue of first impression, public utility generally owes no common-law duty to individual third parties who are allegedly injured, at least in part, as result of inoperable streetlights.