

Bond Case Briefs

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PUBLIC UTILITIES - RHODE ISLAND

In re Block Island Power Company

Supreme Court of Rhode Island - February 10, 2023 - A.3d - 2023 WL 1872317

Electric utility provider for town located on island filed petition for writ of certiorari, seeking review of order of the Public Utilities Commission (PUC) denying provider's petition for judgment declaring that statute, which authorized construction of five-turbine wind farm off the coast of island, required the costs for provider's interconnection facilities and backup transformer to be socialized across all electric ratepayers in the State, not just those in the town.

The Supreme Court held that phrase "related facilities" in statute excluded costs of provider's interconnection facilities and backup transformer, such that costs were not required to be socialized across all ratepayers in the State.

Phrase "related facilities" in section of statute, governing cost allocation associated with transmission cable that transferred wind-generated power, unused by customers of electric utility provider for town located on island, from island to the mainland, excluded costs of provider's interconnection facilities and backup transformer, such that costs were not required to be socialized across all electric ratepayers in the State; legislature coupled the phrase with conjunctive connector "and" along with "the transmission cable," indicating that "related facilities" referred only to those facilities directly involved with transmission cable project, and statute section covered transmission cable project only and was not required to advance general policy goals for wind farm project.