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LC000405

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO PUBLIC UTILITIES AND CARRIERS -- PUBLIC UTILITIES COMMISSION

Introduced By: Representatives Hull, O'Brien, Fogarty, Morales, J Lombardi, Bennett,
and Abney

Date Introduced: January 11, 2023

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 39-1-1 of the General Laws in Chapter 39-1 entitled "Public Utilities
2 Commission" is hereby amended to read as follows:

3 **39-1-1. Declaration of policy — Purposes.**

4 (a) The general assembly finds and therefore declares that:

5 (1) The businesses of distributing electrical energy, producing and transporting
6 manufactured and natural gas, operating water works and furnishing supplies of water for domestic,
7 industrial, and commercial use, offering to the public transportation of persons and property,
8 furnishing and servicing telephonic and wireless audio and visual communication systems, and
9 operation of community antenna television systems are affected with a public interest;

10 (2) Supervision and reasonable regulation by the state of the manner in which the
11 businesses construct their systems and carry on their operations within the state are necessary to
12 protect and promote the convenience, health, comfort, safety, accommodation, and welfare of the
13 people, and are a proper exercise of the police power of the state; and

14 (3) Preservation of the state's resources, commerce, and industry requires the assurance of
15 adequate public transportation and communication facilities, water supplies, and an abundance of
16 energy, all supplied to the people with reliability, at economical cost, and with due regard for the
17 preservation and enhancement of the environment, the conservation of natural resources, including
18 scenic, historic, and recreational assets, and the strengthening of long-range, land-use planning.

19 (b) It is hereby declared to be the policy of the state to provide fair regulation of public

1 utilities and carriers in the interest of the public, to promote availability of adequate, efficient, and
2 economical energy, communication, and transportation services and water supplies to the
3 inhabitants of the state, to provide just and reasonable rates and charges for such services and
4 supplies, without unjust discrimination, undue preferences or advantages, or unfair or destructive
5 competitive practices, and to cooperate with other states and agencies of the federal government in
6 promoting and coordinating efforts to achieve realization of this policy.

7 (c) To this end, there is hereby vested in the public utilities commission and the division of
8 public utilities and carriers the exclusive power and authority to supervise, regulate, and make
9 orders governing the conduct of companies offering to the public in intrastate commerce energy,
10 communication, and transportation services and water supplies for the purpose of increasing and
11 maintaining the efficiency of the companies, according desirable safeguards and convenience to
12 their employees and to the public, and protecting them and the public against improper and
13 unreasonable rates, tolls, and charges by providing full, fair, and adequate administrative
14 procedures and remedies, and by securing a judicial review to any party aggrieved by such an
15 administrative proceeding or ruling.

16 (d) The legislature also finds and declares, as of 1996, the following:

17 (1) That lower retail electricity rates would promote the state's economy and the health and
18 general welfare of the citizens of Rhode Island;

19 (2) That current research and experience indicates that greater competition in the electricity
20 industry would result in a decrease in electricity rates over time;

21 (3) That greater competition in the electricity industry would stimulate economic growth;

22 (4) That it is in the public interest to promote competition in the electricity industry and to
23 establish performance-based ratemaking for regulated utilities;

24 (5) That in connection with the transition to a more competitive electric utility industry,
25 public utilities should have a reasonable opportunity to recover transitional costs associated with
26 commitments prudently incurred in the past pursuant to their legal obligations to provide reliable
27 electric service at reasonable costs;

28 (6) That it shall be the policy of the state to encourage, through all feasible means and
29 measures, states where fossil-fueled, electric-generating units producing air emissions affecting
30 Rhode Island air quality are located to reduce such emissions over time to levels that enable cost-
31 effective attainment of environmental standards within Rhode Island; and

32 (7) That in a restructured electrical industry the same protections currently afforded to low-
33 income customers shall continue.

34 (e) The legislature further finds and declares as of 2006:

1 (1) That prices of energy, including especially fossil-fuels and electricity, are rising faster
2 than the cost of living and are subject to sharp fluctuations, which conditions create hardships for
3 many households, institutions, organizations, and businesses in the state;

4 (2) That while utility restructuring has brought some benefits, notably in transmission and
5 distribution costs and more efficient use of generating capacities, it has not resulted in competitive
6 markets for residential and small commercial-industrial customers, lower overall prices, or greater
7 diversification of energy resources used for electrical generation;

8 (3) That the state's economy and the health and general welfare of the people of Rhode
9 Island benefit when energy supplies are reliable and least-cost; and

10 (4) That it is a necessary move beyond basic utility restructuring in order to secure for
11 Rhode Island, to the maximum extent reasonably feasible, the benefits of reasonable and stable
12 rates, least-cost procurement, and system reliability that includes energy resource diversification,
13 distributed generation, and load management; and

14 (f) The legislature further finds and declares that the state benefits most when energy
15 supplies are delivered in a safe and reliable manner; and that attempts to lower costs and increase
16 profits must not take precedence over the need for the residents of the state to have access to
17 customer service representatives physically located and accessible within the state.

18 SECTION 2. Chapter 39-2 of the General Laws entitled "Duties of Utilities and Carriers"
19 is hereby amended by adding thereto the following section:

20 **39-2-29. Duty to maintain customer service operations within the state.**

21 Every public utility operated and licensed to provide services to the residents and
22 businesses within the state under chapter 1 of title 39 shall maintain a customer service operation
23 physically located within the state which is reasonably staffed to meet the expectations of the
24 public. The customer service operation shall be available to answer customer inquiries, meet with
25 customers, accept payment of bills, and perform any other services that the public utilities
26 commission may direct from time to time.

27 SECTION 3. 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 -- PUBLIC UTILITIES COMMISSION

1 This act would require all public utilities to maintain a customer service facility within the
2 state to perform services such as addressing customer inquiries and accepting bill payments.

3 This act would take effect upon passage.

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