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Testimony of Jerry Elmer, Esq.,
On Behalf of Conservation Law Foundation
In Support of H-5079 – January 27, 2015
Before the House Committee on Corporations

My name is Jerry Elmer. I am a Senior Staff Attorney for the Conservation Law Foundation (CLF). CLF supports H-5079, and urges passage of this bill. H-5079 is designed to extend the life of Rhode Island's highly successful Renewable Energy Standard (RES) that the General Assembly enacted over a decade ago.

In June 2004, when this General Assembly enacted Rhode Island's Renewable Energy Standard (RES) – Chapter 26 of Title 39 of the General Laws – Rhode Island was a pioneer. We were one of the first states to enact such a renewable energy mandate. The statute that this legislature enacted then was correctly seen as an experiment. The new statute obligated Rhode Island's electricity utility to buy some of its electricity from renewable energy sources. As you know, the obligation started quite small, 3% of load in 2007, and it was to ramp up to 16% of load in 2019.

Not every statute this General Assembly enacts is successful; and not every law works as the legislature intends for it to work. But the RES Statute that you enacted in 2004 has been extremely successful; and it has worked pretty much the way you intended it to work.

I know this to be true from first-hand experience. Since you enacted the RES in 2004, CLF has been a party in every proceeding at the Public Utilities Commission that has enforced the statute, including the Docket No. 3659 in 2005 (in which the PUC wrote the rules for applying the program); Docket # 3765 (addressing Grid's 2007 renewable energy procurement); Docket # 3901 (addressing Grid's 2008 renewable energy procurement); and Docket # 4012 (addressing Grid's 2009 renewable energy procurement).

When Rhode Island adopted its RES mandate in 2004, we were a true pioneer. Today, 29 states have mandatory renewable energy laws, including five of the six New England states (all except Vermont), as well as New York, Pennsylvania, Texas, Ohio, Illinois, Arizona, and New Mexico.

Some, like California's, are more aggressive than Rhode Island's; but none has worked more according to plan than Rhode Island's.



Of course, the RES Statute you designed in 2004 ends its annual ramp-up in 2019. Thus, now is the time to extend the RES Statute until 2035. Eleven years ago, you enacted a new experimental statute; your idea was to re-visit the statute after a decade in order to determine whether or not it worked, and whether or not it was worth extending. Today, we have the answers to those two questions. Yes, the statute has been extremely successful. Yes, the RES should be extended.

This bill, H-5079, accomplished that purpose. CLF strongly urges passage.

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