

HB-5813

PUC



# STATE OF RHODE ISLAND

## Public Utilities Commission

89 Jefferson Boulevard  
Warwick, Rhode Island 02888  
(401) 941-4500

Chairman Ronald T. Gerwatowski  
Commissioner Abigail Anthony

March 20, 2025

The Honorable Joseph J. Solomon, Jr.  
Chair, House Corporations Committee  
State House  
Providence, RI 02903

Re: House Bill 5813 – Cap on energy distribution fees

Dear Chair Solomon:

I am submitting the following comments on behalf of the Public Utilities Commission (PUC) on House Bill 5813 – imposing a pause on distribution and transmission fees on utility bills. This bill, while well intentioned to protect ratepayers, is problematic for several reasons. Generally, the bill would likely have the unintended consequences of ultimately costing ratepayers more over the long term for the same product or service by creating cost deferrals. Cost deferrals beyond a one-year period result in carrying costs which ultimately raise rates to customers. The following are more specific comments.

The title of a statutory section is not controlling. Therefore, this bill would likely apply to electric, gas, and water utilities, each of whom charge for transmission and distribution of their product on the consumer's bills.

The electric transmission charge that appears as a line item on customers' electric bills is based on a rate approved by the Federal Energy Regulatory Commission and while the PUC could defer increases to the resulting retail rate, the effect would be to ultimately increase the transmission cost to customers in the long term.

While the bill purports to grant an escape valve if the utility could achieve General Assembly approval, the PUC is concerned this would violate separation of powers. The legislature has delegated regulation of public utilities to the Executive Branch. Infringement on the executive branch duties would violate separation of powers. The bill may also implicate other significant constitutional issues.

Please feel free to contact me with any questions at 401-780-2147 or [cynthia.wilsonfrias@puc.ri.gov](mailto:cynthia.wilsonfrias@puc.ri.gov).

Sincerely,

A handwritten signature in blue ink, reading "Cynthia G. Wilson-Frias". The signature is fluid and cursive, with the first name "Cynthia" and last name "Wilson-Frias" clearly legible.

Cynthia G. Wilson-Frias  
Chief of Legal Services

cc: Representative Caldwell