



March 31, 2025

VIA EMAIL (HouseCorporations@rilegislature.gov)

Representative Joseph J. Solomon, Jr.
Chair, House Corporations Committee
Rhode Island State House
Providence, RI 02903
rep-solomon@rilegislature.gov

Re: Opposition to H 5583; An Act Relating to Towns and Cities -- Zoning Ordinances

Dear Representative Solomon:

I write to you in your capacity as the Chair of the House Corporations Committee and with regards to H 5583, a bill pending before your Committee which would prohibit “utiliz[ing]” “undeveloped property” for “utility scale solar projects”, defined as “a project that produces ten megawatts (10 MW) or more of energy, or produces electricity for sale pursuant to the provisions of chapter 26.4 of title 39.” I write in my capacity as Senior Legal Counsel for Revity Energy LLC and its affiliates (“Revity”) and to express **Revity’s strong opposition to H 5583**. Revity is a Rhode Island-based utility-scale solar developer which has successfully developed twenty-six (26) photovoltaic solar energy system (“PSES”) facilities in Rhode Island with total nameplate capacity of 128.6 megawatts, direct current (MW_{DC}) producing approximately 164,566,180 kilowatt hours of electricity per year (enough to service approximately 16,720 Rhode Island households annually). In any given year, Revity employs between 75 and 100 IBEW-99 union electricians to construct its facilities.

H 5583 amends Chapter 24 of Title 45 to provide that “[f]orested land, farmland, undeveloped property consisting of one acre or more and other rural areas of land shall not be utilized for utility scale solar projects.” The legislation does not define “undeveloped land”, “other rural areas” or “utilized.” This legislation contains no exemption for utility scale projects currently operating on “undeveloped property” or in “other rural areas.” While the legislation provides no definition of these key terms, presumably, many of Revity’s currently operating projects would fall within the sponsors’ unwritten definitions. As of the fourth quarter of 2024, \$1.9 billion have been invested in Rhode Island’s solar industry creating 1,195 MW of solar generation capacity which ranks 32nd in the country and is enough to power approximately 222,492 houses across the

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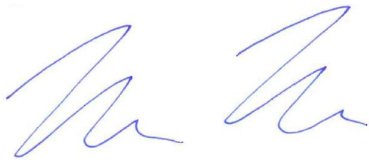
349 Centerville Road
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State.¹ If H 5583 becomes law, it would immediately prohibit continued operation of many of these projects thereby destroying hundreds of millions of dollars of investment in the State. Because H 5583 does not define “undeveloped property” or “other rural areas,” it is entirely unclear in what areas of the State the law is prohibiting an entire industry from operating.

Two years ago, the General Assembly passed H 5853 amending Chapter 26.4 of Title 39 of the Rhode Island General laws prohibiting future renewable energy generation development in “core forests” in the State. H 5853 was a carefully crafted piece of legislation addressing the deforestation caused by renewable energy generation without knee-capping the entire industry. H 5853 is not carefully crafted—it is a chainsaw at a time when the General Assembly should be looking to renewable energy to stabilize the retail price of electricity. As of December of 2024, the top five (5) states in terms of percentage of electricity generated by renewable energy resources were Iowa, New Mexico, South Dakota, Kansas and Maine and those states’ average retail electricity price in January of 2025 was 12.29 cents per kilowatt-hour.² Last year, Rhode Island generated 92.4% of its electricity from natural gas and its retail electricity price in January of 2025 was 27.21 cents per kilowatt-hour. Renewable energy is not just an environmental imperative for Rhode Islanders—it is a financial imperative. H 5583 would shackle Rhode Island ratepayers to a failing model of electricity procurement.

Revity strongly opposes passage of H 5583. If the Committee has any questions regarding the positions taken in this correspondence, please feel free to contact my office.

Regards.



Nicholas L. Nybo
Senior Legal Counsel
REVITY ENERGY LLC AND AFFILIATES

Copy:

Representative William W. O’Brien, First Vice Chair
(via email at rep-obrien@rilegislature.gov)
Representative Justine A. Caldwell, Second Vice Chair
(via email at rep-caldwell@rilegislature.gov)
All Members of the House Corporations Committee
Lou Mansolillo, Clerk, House Municipal Government and Housing Committee
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¹ <https://seia.org/state-solar-policy/rhode-island-solar/>.

² https://www.eia.gov/electricity/monthly/epm_table_grapher.php?t=epmt_5_6_a.