



May 28, 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 6202; An Act Relating to Public Utilities and Carriers -- Net Metering -- Long-Term Contracts for Renewable Energy – Moratorium

Opposition to H 6203; An Act Relating to Public Utilities and Carriers -- The Renewable Energy Growth Program

Dear Representative Solomon:

I write to you in your capacity as the Chair of the House Corporations Committee and with respect to H 6202 and H 6203, two bills pending before your Committee. H 6202 would enact a permanent moratorium on the renewal or execution of new “net metering contracts” and further prohibits the State of Rhode Island “from entering into any long-term contracts for the purchasing of solar or wind energy with any energy provider.” H 6203 proposes a complete repeal of the entire Renewable Energy Growth (REG) program (R.I. Gen. Laws §§ 39-26.6-1, *et seq.*). I write in my capacity as Senior Legal Counsel for Revity Energy LLC and its affiliates (“Revity”) and to express **Revity’s opposition to H 6202 and H 6203**. Revity is a Rhode Island-based utility-scale solar developer which has successfully developed twenty-six 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 24,752 Rhode Island households annually). In any given year, Revity employs between 75 and 100 IBEW-99 union electricians to construct its facilities. In 2024, Revity paid over \$800,000 in taxes, permitting and other fees to the eleven (11) Rhode Island municipalities in which Revity operates.

Nick Nybo

Senior Legal Counsel

☎ (508) 269-6433

@ nick@revityenergy.com

📍 349 Centerville Rd | Warwick, RI 02886

🌐 revityenergy.com

As of March 2025, Rhode Island was ranked 32nd in the country for solar development with \$201 million invested in 2024 and 1,396 solar jobs statewide, according to the Solar Energy Industries Association.¹ There are currently 545.21 megawatts of future solar systems at various stages of development pending in the interconnection queue. In Rhode Island, there are two statutory compensation programs that permit remuneration for renewable energy generation: (1) the net-metering program pursuant to R.I. Gen. Laws §§ 39-26.4-1, *et seq.* and (2) the REG program pursuant to R.I. Gen. Laws §§ 39-26.6-1 *et seq.* The net-metering program allows customers with eligible renewable energy systems to receive credits on their electricity bills (instead of cash) for all power generation up to 125% of the customers' consumption during a billing period. The virtual net-metering program allows a developer to install a utility-scale solar facility and enter into a contract with an "offtaker" to sell the net-metering credits generated by that installation to that offtaker at a substantial discount compared to the standard per-kilowatt price of electricity sold by Rhode Island Energy. That offtaker then, instead of paying Rhode Island Energy for its electricity usage, redeems the net-metering credits that it purchased from the developer thereby achieving substantial savings on the offtaker's electricity bill. To date, the net metering program has produced 412.92 megawatts (MW) of renewable electricity generating 547,119,000 kilowatt hours (enough to service approximately 82,298 Rhode Island households annually). H 6202 would permanently prohibit "any right to renew or enter into any net metering contracts that are regulated by state law" and further provides that "no customer sited and/or grid-connected power generated energy contracts shall be permitted under any provision of the general laws." H 6202 also provides that "the State of Rhode Island is hereby prohibited from entering into any long-term contracts for the purchasing of solar or wind energy with any energy provider."

H 6202 is even more troubling when viewed in conjunction with H 6203, which is also pending in your Committee, and proposes to repeal the entire REG program. The REG program is administered by Rhode Island Energy and compensates the development of distributed generation projects under long-term tariffs at fixed prices. Unlike the net metering program, the REG program pays renewable energy generators cash for their electricity production. The program updates the ceiling prices, megawatt allocation plan, and recommendations from the quality assurance program on an annual basis. To date, the REG program has produced 136.29 megawatts (MW) of renewable electricity generating 180,584,250 kilowatt hours (enough to service approximately 27,163 Rhode Island households annually).

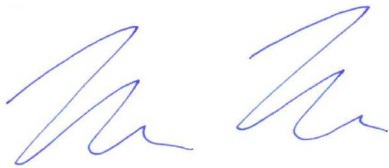
If both H 6203 and H 6202 were enacted, there would be no program left in the State to provide renewable energy systems with financial remuneration for electricity generation. Obviously, with no statutory program in the State to compensate private renewable energy development, it will be virtually impossible for the State to reach its Act on Climate goals. Two sessions ago, the General Assembly amended both the net-metering program and the Renewable Energy Growth program. H 5853 Sub A/S 0684 Sub A enacted a 275 MW cap on all future virtual net metering development and reduced the value of the virtual net metering credit for future systems by twenty percent (20%). H 5853 Sub A/S 0684 Sub A also revised the annual bidding requirements and changed the zonal and other incentive payments under the REG program. On June 12, 2023, this Committee recommended passage of H 5853 Sub A and the House passed the

¹ <https://seia.org/state-solar-policy/rhode-island-solar/>.

legislation (Y: 57; N: 13; NV: 3; Abs: 2) on June 14, 2023.² H 6202 and H 6203 nullify all those legislative efforts and reforms.

Revity strongly opposes H 6202 and H 6203. 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 Corporations Committee
Stephen Alves, Capitol Strategies Group
(via email at stephenalves12@yahoo.com)

² The Senate companion (S 0684 Sub A) was passed on June 14, 2023 (Y: 30; N: 5; NV: 3; Abs: 0).