

February 27, 2025

The Honorable David A. Bennett  
Chairman, House Environment & Natural Resources Committee  
Rhode Island State House  
Providence, Rhode Island 02908

**RE: H-5424 – Relating to State Affairs & Government – Rhode Island Climate Superfund Act**

Dear Chairman Bennett:

On behalf of Rhode Island Energy, I write in **opposition** to H-5424, which would make companies engaged in the extraction or refining of fossil fuels liable for historic climate change emissions, as determined by the state's Department of Environmental Management (DEM).

Rhode Island Energy provides essential energy services to more than 770,000 customers across the state through the delivery of electricity and natural gas. Our team of ≈1,400 union and non-union employees is dedicated to helping Rhode Island customers and communities thrive, while supporting the transition to a cleaner energy future in a safe, reliable, and affordable manner.

Respectfully, Rhode Island Energy notes the following:

- **The financial cost of this newly-proposed mandate – including its potential to increase fuel and energy prices for Ocean State homes and businesses – is unknown.** At a time when energy affordability is front and center across Rhode Island, a policy of this magnitude should be grounded by transparent, data-driven analysis.
- **The state's energy customers already pay for a suite of public policies and programs designed to "avoid, prepare for, [and] moderate...the negative effects of climate change."** These charges, which now account for more than one-fifth of the typical residential electric bill, largely support the mitigation of greenhouse gas emissions into the atmosphere through investments in renewable generating resources, energy efficiency, etc. Moreover, the region's fossil fuel-based power plants are already subject to a cap on their emissions through the Regional Greenhouse Gas Initiative (RGGI). If not carefully designed, the proposed Act may charge local energy consumers twice over for the same reduction in emissions.
- The bill defines a "responsible party" as an entity "engaged in the trade or business of extracting or refining fossil fuels." Respectfully, **this definition should be amended to clarify that companies engaged in the distribution and/or transfer of fossil fuels, including the state's public utilities, are not subject to the requirements of the proposed Act.**
- **The proposed Act may violate the U.S. Constitution and other federal laws.** Similar legislation is now being challenged in other jurisdictions.

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In closing, Rhode Island Energy respectfully urges the Committee to oppose H-5424.

Thank you for your consideration of these comments.

Respectfully,



Nicholas S. Ucci  
Director of Government Affairs

CC: The Honorable Members of the House Environment & Natural Resources Committee  
The Honorable Jennifer Boylan, Rhode Island House of Representative