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RI House Committee on Environment and Natural Resources
Rhode Island State House
82 Smith Street
Providence, RI 02903

March 24, 2026

RE: H7531 AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- 2021 ACT ON CLIMATE

Dear Members of the House Committee on Environment and Natural Resources:

Our firm writes in strong opposition to H7531.

In 1843, the drafters of the Rhode Island state constitution empowered Rhode Islanders to "enjoy and freely exercise all the rights of fishery and privileges to the shore. . ." In 1986, a state constitutional convention broadened Article 1, Section 17 to state:

> The people shall continue to enjoy and freely exercise all the rights of fishery, and the privileges of the shore, to which they have been heretofore entitled under the charter and usages of this state, including but not limited to fishing from the shore, the gathering of seaweed, leaving the shore to swim in the sea and passage along the shore; and they shall be secure in their rights to the use and enjoyment of the natural resources of the state with due regard for the preservation of their values; and it shall be the duty of the general assembly to provide for the conservation of the air, land, water, plant, animal, mineral and other natural resources of the state, and to adopt all means necessary and proper by law to protect the natural environment of the people of the state by providing adequate resource planning for the control and regulation of the use of the natural resources of the state and for the preservation, regeneration and restoration of the natural environment of the state.

RI. CONST., Art. 1, §17 established formidable obligations in our state's bill of rights, together with the freedom of religion, the prohibition of slavery and Habeas corpus. Article 1, section 17 is to be "carried into effect by legislative regulation, such regulation having for its object to secure to the whole people the benefit of the constitutional declaration, and being necessary for that purpose." Windsor et al. v. Coggeshall, 169 A. 326, 327 (R.I. 1933). The Rhode Island Environmental Rights Act encodes Art. I, s.17 of the R.I. Constitution in the general laws declaring that "[t]he general assembly finds and declares that each person is entitled by right to the protection, preservation, and enhancement of air, water, land, and other natural resources located within the state and that each person has the responsibility to contribute to the protection, preservation, and enhancement thereof." R.I. Gen. Laws §10-20-1.

The Act on Climate is an essential Act of this general assembly to honor its constitutional duty to provide "adequate resource planning for the control and regulation of the use of the natural resources of the state and for the preservation, regeneration and restoration of the natural environment of the state."

The opposition claims to believe in climate change and to share the resolve to fix it. They submit that compliance with the Act on Climate costs too much. But, this State has invested our taxpayer dollars to commission plans and studies that have consistently disproven that. Those expert consultant driven stakeholder processes and studies have shown us time and time again that it is business as usual that is most costly for Rhode Island and that a rapid move off of delivered fuels and natural gas to local clean energy strategies promises to make Rhode Island's energy supply more secure and more affordable. Our firm and many other dedicated stakeholders, dedicated many resources to participate in those planning processes. Narragansett Electric (now dba RI Energy) also invested our ratepayer funds to have its experts and staff participate in those studies.

As one example, Rhode Island engaged stakeholders in a long consultant driven process to establish Rhode Island's energy plan, Energy 2035. Energy 2035 Rhode Island State Energy Plan (Oct. 8, 2015)[1] Energy 2035 clearly established that Rhode Island's over-reliance on natural gas is insecure, unaffordable and environmentally unsustainable.

> Rhode Island cannot afford a business-as-usual course of action that increases energy security risks to the state, costs more than viable alternative paths, and fails to meet our obligation to mitigate the worst consequences of global climate change. Because the impact of long-term planning and investment choices will reverberate for decades to come, we must be especially prudent and strategic as we address the weighty energy policy decisions that face us today. (p. 4)
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> Expenditures on energy in Rhode Island have risen significantly in real terms over the past decade. As of 2010, annual expenditures in Rhode Island on electricity, thermal, and transportation fuels total approximately $3.6 billion, up nearly $1 billion from 10 years ago. Much of this increase is due to growing costs in the thermal and transportation sectors, which depend more heavily on high-cost petroleum-based fuels. (p. 20)
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> As detailed in Figure 25, viable demand and supply-side options exist for Rhode Island to increase in-state fuel diversity and increase energy security by shifting away from dependence on fuels like natural gas and gasoline. By far, Rhode Island's greatest available resource is energy efficiency. By maximizing demand reduction in all energy sectors, the state could cut economy-wide energy use by more than one third. Supply-side resources with the most significant potential future contributions are offshore wind, combined heat and power, distributed photovoltaic solar power, and natural gas. (p 41)
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> Rhode Island's primary challenge is to move away from its heavy reliance on natural gas, which today supplies more than 50 percent of Rhode Island's energy needs. Dependence on natural gas exposes the state to a substantial amount of price risk and potentially a supply risk, since Rhode Island sits at the end of a long stretch of pipeline infrastructure. The challenge is underscored by natural gas's important role across multiple sectors: natural gas provides fuel for nearly all in-state generating capacity, and is the dominant heating fuel in the thermal sector. Moreover, natural gas generation accounts for more than 50 percent of regional electric generation, so electricity imports to Rhode Island are also heavily dependent on natural gas. (pp. 43-44)
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> According to the Plan analysis, aggregate capital investments of between $6.8 billion and $7.3 billion in the efficiency, electric, thermal, and transportation sectors could generate between $8.8 billion and $14.5 billion in power and fuel expenditures in net present value terms over the life of the Energy 2035 planning horizon (Figure 30). Total net present value benefits range from $1.6 billion to $7.7 billion, depending on the scenario. This suggests that taking ambitious action to improve Rhode Island's energy security, cost-effectiveness, and sustainability of its energy system is a good investment decision and a powerful economic strategy for generating long-term growth. (p 47)

Energy 2035 is one element of a state guide plan that is meant to serve our citizens' fundamental interest in and need for establishment of a comprehensive, strategic state planning process and the preparation, maintenance, and implementation of plans for the physical, economic, and social development of the state. R.I. Gen. Laws § 42-11-10(a).

In the PUC's pending *Future of Gas* proceeding, RI hired a consultant named E3 to study our thermal transition off gas. Their report says that RI will face $2.6 billion in unrecovered rate base in 2050, unless a managed transition can avoid up to 50% of capital replacements in our gas system. p. 6, 8 It says that through targeted electrification, annual costs of the system could be reduced by up to 35% by 2050, while reducing potentially unrecovered rate base to $1.5 billion.

There are many examples of effective emissions (and cost) reduction strategies for buildings from other jurisdictions. The prominence of district heating in many jurisdictions—reaching 63%, 50%, and 45% market

[1] https://planning.ri.gov/sites/g/files/xkgbur826/files/documents/LU/energy/energy15.pdf

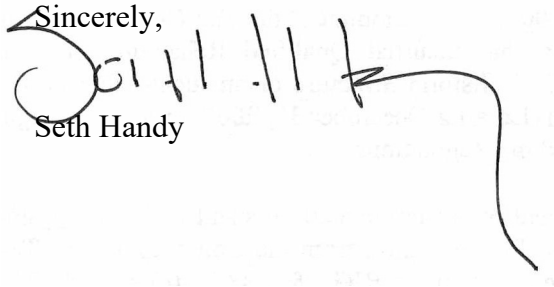
share in Denmark, Sweden, and Finland respectively (Euroheat & Power, 2015; Froning, 2013; Skoldberg & Ryden, 2014; Vainio et al., 2015) - and the ability to utilize centralized, large-scale sources of renewable thermal energy (e.g. biomass CHP, district-scale heat pumps, large-scale solar thermal) in district heating networks has been important to scale up the market in those jurisdictions. *The Rhode Island Renewable Thermal Market Development Strategy,* p. 22. RI Energy engaged EnergyHub on the implementation of its "Connected Solutions" program here in RI (a very small step in the right direction). EnergyHub has worked to implement its virtual power plant strategy (using distributed energy solutions to displace the need for conventional energy supply and infrastructure investment) across the country, including Arizona (see https://www.energyhub.com/resource/arizona-public-service-case-study-download). A quick glance at their website begins to suggest the extent of the opportunities before RI. see https://www.energyhub.com/resources. There are many examples for RI to follow in delivering on the many benefits of the clean energy transition mandated by our Act on Climate.

Long ago Cicero wrote in Presidents, Kings, Tyrants, & Despots:

> … [L]et those who are to preside over the state obey two precepts of Plato, — one, that they so watch for the well-being of their fellow-citizens that they have reference to it in whatever they do, forgetting their own private interests; the other, that they care for the whole body politic, and not, while they watch over a portion of it, neglect other portions. For, as the guardianship of a minor, so the administration of the state is to be conducted for the benefit, not of those to whom it is intrusted, but of those who are intrusted to their care.

Do not let those heavily vested in more business as usual convince you that a sustainable environment is unaffordable. Our Constitution and laws require much better. Reject H7531. Thank you.

Sincerely,



Seth Handy