

April 6, 2026

RI House State Government & Elections Committee  
Rhode Island State House  
82 Smith Street  
Providence, RI 02903

RE: H7998 AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- 2021 ACT ON CLIMATE

Dear Members of the House State Government & Elections Committee:

Our firm writes in support of H7998. This testimony is not filed for any clients.

We represent, among others, many interests in the clean energy economy. Our principal, Seth Handy, was born and raised in Providence, Rhode Island, and he and his wife have raised three children here. Greenhouse gas emissions pose an existential threat to our Ocean State and all of its current and future citizens. Our general assembly acknowledged its constitutional obligation to protect the natural environment of the people of the state when it passed the Act on Climate, mandating steep greenhouse gas emission reductions in 2030 and 2040 and net zero emissions by 2050. Governor McKee signed the Act on Climate into law in 2021.

The EC4 supervised yet another consultant-driven stakeholder process to finalize its climate action strategy for submission to the general assembly before December 31, 2025. That process also engaged stakeholders in many, many meetings and solicited extensive stakeholder comment. The public received the EC4's resulting executive summary of the strategy on November 25, 2025, and was given until December 10, 2025, to produce comments on it. Stakeholders were not allowed any chance to comment on the full content of the proposed final strategy which was considered and approved by the EC4 just eight days after the receipt of public comment on their incomplete executive summary.

The comments from the attorney general and the EC4's own advisory boards indicated many deep concerns with the climate action strategy as proposed. Most substantially, the comments noted that the strategy does not create enforceable greenhouse gas emissions reduction measures needed to comply with the Act's mandates for 2040 and 2050. In fact, the strategy concedes that "additional action will be required to reach the longer-term emissions reduction targets of 80% by 2040 and net zero by 2050. . . in the Current Policy scenario, emissions in Rhode Island reach a 63% reduction by 2040 and a 71% reduction by 2050 (Figure 18), falling short of the mandated targets of 80% below 1990 levels by 2040 and net-zero by 2050." Even the EC4, the entity specifically charged with implementing the Act, admits that it has failed to plan for compliance with the Act.

In direct contravention of the 2025 Climate Action Strategy, which relies on the renewable energy standard as its basis for compliance with the Act, the Governor's 2026 budget proposed to relax Rhode island's renewable energy standard by delaying our achievement of one hundred percent clean electricity from 2033 to 2050. The Governor's 2026 budget would authorize RI

Energy to impose an “access fee” on renewable net metering customers for their use of the distribution system. NEC has proposed such an access fee before (in PUC docket 4568) and when advocates carefully illustrated the lack of supporting evidence for its allegation that renewable energy customers are subsidized by other ratepayers, NEC withdrew its proposal.<sup>1</sup> The Governor’s proposed 2026 budget would reduce the rate for large net metering customers to the wholesale rate as of 2045, rendering many existing and planned projects financially insolvent. In addition to undermining the Act, such reforms send a deadly signal to renewable energy markets that they cannot rely on consistency in RI’s energy programs.

The clearest indication of undue influence and administrative malfeasance is that this Governor, acting through OER and supported by the Division, actually requested that RI Energy find cuts to its 2026 budget for energy efficiency in the name of ratepayer relief. RI Energy (happily) found such cuts and they were supported by the agencies and approved by the PUC. Nothing in Energy 2035 or the recommendations in Transforming the Power Sector or the E3 Report in the Future of Gas could be construed to support any claim that reduced investment in energy efficiency is a means to ratepayer relief. In fact, as addressed above, all of Rhode Island’s consultant and stakeholder supported energy policy planning processes are absolutely 100% plain and clear that our energy systems are already overbuilt and that the best way to reduce costs is to ensure load reduction and load flexibility so that we can respond to peak load in ways other than more, huge system investments that only benefit RI Energy’s shareholders.

Stakeholders are exhausted by the absence of administrative leadership and administrative backpedaling on the mechanics needed to implement Rhode Island’s resolutions. Our administration has repeatedly and regularly violated its statutory duty and obligation to “address the impacts of climate change by exercising their existing authority to serve the purposes set forth in the Act as they pertain to climate change mitigation, adaptation, and resilience in so far as climate change affects their agencies’ mission, duties, responsibilities, projects, or programs.” The administrative failure to implement a transition away from natural gas clearly violates the state guide plan as represented in Energy 2035. Such administrative negligence also amounts to a violation of the separation of powers as the administrative branch continually undermines the achievement of legislative mandates and adjudicated orders.

The administrations’ pretense for its malfeasance and nonfeasance is that compliance will cost Rhode Islanders too much. But, the processes and studies that they have commissioned with taxpayer dollars consistently disprove that. Those expert consultant driven stakeholder processes and studies show us 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, together with many other dedicated stakeholders, spent many hours and resources to participate in those planning processes. RI Energy also invested ratepayer funds to have its experts and staff participate in those studies. But when we raise the resulting reports and recommendations to inform legislative or regulatory proceedings, RI’s administrative branch disregards and neglects the findings of those reports. When we also offer examples of the implementation of cost

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<sup>1</sup> Docket No. 4568 – *NEC Review of Electric Distribution Design Pursuant to R.I. Gen. Laws § 39-26.6-24* <https://ripuc.ri.gov/eventsactions/docket/4568page.html>  
Handy Law represented Green Development LLC in that proceeding and had filed for summary disposition before NEC withdrew its proposal. See <https://ripuc.ri.gov/sites/g/files/xkgbur841/files/eventsactions/docket/4568-WED-SummaryDisposition.pdf>

effective and secure local, clean energy transition strategies across the country and around the world, RI's administrative agencies disregard and neglect that precedent.

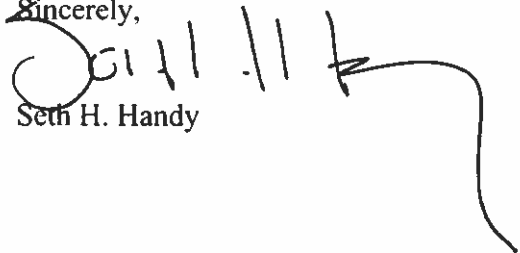
Long ago Cicero wrote in Presidents, Kings, Tyrants, & Despots:

... [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.

RI's Governor and our own administrative agencies fail to lead for the well-being of the citizens entrusted to their care. They refuse to administer Rhode Island's energy plan, laws and policies, regularly siding with our electric and gas utility's profit interests over the public interest in a secure and affordable energy system. There is a chasm between Rhode Island law and the administrative malfeasance and misfeasance that deeply threatens Rhode Island's future.

Please pass H7998.

Sincerely,

A handwritten signature in black ink, appearing to read "Seth H. Handy". The signature is stylized with a large initial "S" and several vertical strokes. A long, curved line extends from the end of the signature to the right.

Seth H. Handy