

State of Rhode Island and Providence Plantations

Public Utilities Commission

Minutes of Open Meeting Held February 21, 2006

Attendees: Chairman Elia Germani, Commissioner Robert Holbrook, Commissioner Mary Bray, Steve Frias, Cindy Wilson-Frias, Thomas Massaro, Alan Nault and Luly Massaro.

Chairman Germani called the open meeting to order at 2:00 P.M. in the first-floor hearing room of the Public Utilities Commission.

Minutes of Open Meetings held on January 31, 2006 - After review, Chairman Germani moved to approve the minutes. The motion was seconded by Commissioner Holbrook and unanimously passed. **Vote 3-0.**

Competitive Telecommunications Service Providers

The following company filed an application to operate in RI. The Division has reviewed the application and recommended approval of:

2262(J20) – Sprint Long Distance, Inc.

After review, Chairman Germani entertained a motion to approve the registration.

Commissioner Bray moved to approve the registration. Commissioner Holbrook seconded the motion. Motion to approve the registration passed. **Vote 3-0.**

The following companies submitted tariff revisions. The Division has reviewed the tariff filings and did not recommend suspension of:

2472 – Sprint Communications (tariff filings 2/8 & 2/10/06)

2426 – TCG-Rhode Island (tariff filings 1/23 & 2/8/06)

2618 – AT&T Communications (tariff filings 1/23, 1/24, 2/2, 2/8, 2/9 & 2/10/06)

3691 – Navigator Telecommunications, LLC (tariff filing 2/6/06)

2486 – MCImetro Access Transmission Service LLC (tariff filing 2/3/06)

2621 – MCI Communications Services d/b/a Verizon Business Services (tariff filing 1/24/06)

2262(G16) – NYNEX Long Distance Co. d/b/a Verizon Enterprise Solutions (tariff filing 2/3/06)

2262(L10) – PAETEC Communications (tariff filing 1/24/06)

2262(P7) - MCI Communications Services d/b/a Verizon Business Services (tariff filings 1/24 & 2/3/06)

After review, the Commission followed the Division's recommendation that the tariff filings be allowed to go into effect without suspension.

3336 – United Systems Access Telecom, Inc. (USAT) – USAT submitted a tariff filing on 1/23/06 to increase its retail rates for residential and business customers for effect 2/14/06. The increase sought is the result of a FCC decision to eliminate UNE-P pricing for CLECs, and that USAT negotiated and reached a Wholesale Agreement for interconnection at higher costs on 2/1/06. It was noted that USAT has shown good cause to implement the rate change as soon as possible. After review, Chairman Germani entertained a motion to grant the request and approved the tariff filing as submitted.

Commissioner Bray moved to approve the motion. Commissioner Holbrook seconded the motion and unanimously passed. **Vote 3-0.**

3721 – Verizon Rhode Island – The Commission reviewed Verizon’s tariff filing to revise RIPUC Tariff No. 18 to include the list of wire centers that no longer qualify for Unbundled Network Elements (UNE) for effect February 21, 2006. The Commission also reviewed the Division’s memorandum recommending that the Commission delete Verizon’s proposed language to eliminate the disconnection option contained in paragraphs 2.1.1D.1 and 5.3.1.D.1 and noting that it is not in compliance with the Order No. 18310. Mr. Frias summarized that Verizon’s “patchwork” construction of its tariffs can be confusing and hard to interpret, however, he finds that Verizon’s tariff (also filed in the same manner as in the State of New York) is sufficient, and finds that Verizon’s filing is in compliance with the Commission’s order and recommended approval. Furthermore, CLECs can notify the Commission if Verizon is not complying with the Commission’s requirements. After review, Chairman Germani entertained a motion to approve Verizon’s filing. Commissioner Holbrook moved to approve the filing. Commissioner Bray seconded the motion. Motion to approve Verizon’s tariff filing was unanimously approved effective February 21, 2006. **Vote 3-0.**

3722 – Verizon Rhode Island – Verizon submitted a tariff filing to introduce an optional feature, Premier Permanent Virtual Circuit Service (Premiere PVC), as an enhancement to Frame Relay Service for effect February 23, 2006. After review, Chairman Germani entertained a motion to follow the Division’s recommendation that the tariff filing be allowed to into effect without suspension. Commissioner Bray moved to approve the motion. Commissioner Holbrook seconded the motion. **Vote 3-0.**

3725 – Verizon Rhode Island – Verizon submitted a tariff filing to reduce the termination liability charge for FlexGrow customers who discontinue the service prior to the completion of a term commitment or minimum service period for effect March 5, 2006. The Division has reviewed the filing and does not recommend suspension. After review, Chairman Germani entertained a motion to follow the Division’s recommendation that the tariff filing be allowed to into effect without suspension. Commissioner Bray moved to approve the motion. Commissioner Holbrook seconded the motion. **Vote 3-0.**

3716 – Narragansett Electric Co. d/b/a National Grid – The Commission reviewed National Grid’s compliance filing on Line Extension Policies filed on February 3, 2006. After review it was found that the filing complies with the Commission’s requirements and Chairman Germani entertained a motion to approve the filing. Commissioner Holbrook moved to approve the filing. Commissioner Bray seconded the motion. Motion to approve National Grid’s compliance filing was unanimously passed. **Vote 3-0.**

3573 – Interstate Navigation Co. – Interstate Navigation and the Town of New Shoreham filed a Joint Petition seeking approval to change the eligibility requirement to allow students between ages of 12 and 16, who reside in and attend schools in the town and provide resident photo identification, to qualify for discount commuter rates. The Division filed a memo indicating that it finds the petition reasonable and recommended approval. After review, Chairman Germani entertained a motion to approve the joint

petition. Commissioner Bray moved to approve the petition. Commissioner Holbrook seconded the motion. Motion to approve the joint petition was unanimously passed.
Vote 3-0.

Motion to Amend Open Meeting Agenda - It is moved that the open meeting agenda be amended to discuss the status of pending draft Rules Establishing Minimum Efficiency Standards for Certain New Products Sold in the State of RI. The Commission unanimously agreed to modify the agenda for discussion only. **Vote 3-0.** Discussion centered on how the statute allocated various responsibilities to three state agencies. The proposed Rules are scheduled to be issued at the Commission's next open meeting.

The open meeting adjourned at 2:17 P.M.