

State of Rhode Island and Providence Plantations

Public Utilities Commission

Minutes of Open Meeting Held April 13, 2006

Attendees: Chairman Elia Germani, Commissioner Robert Holbrook, Commissioner Mary Bray, Steve Frias, Cindy Wilson-Frias, Thomas Massaro, Alan Nault, Douglas Hartley 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 April 6, 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 for authority to operate in RI. The Division has reviewed the application and recommends approval of:

3741 – PaeTec Communications, Inc.

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

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

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

2535 – Cox Rhode Island Telcom (tariff filing 3/31/06)

2262(B17) – Custom Teleconnect, Inc. (tariff filing 3/21/06)

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

The following companies filed a request to cancel their authority to operate. The Division recommends that their authority be recalled and rescinded:

2262(E) – Acceris Communications Corp.

2262(P19) – Nationwide Professional Teleservices, LLC

After review, Chairman Germani entertained a motion to rescind the authority of the companies. Commissioner Holbrook moved to approve the motion. Commissioner Bray seconded the motion and unanimously passed. **Vote 3-0.**

2618 – AT&T Communications of NE, Inc. – The Commission reviewed the February 16, 2006 AT&T tariff filing to introduce "AT&T Local Connectivity Charge" for all residential customers. The proposed tariff is a recovery fee associated with increased wholesale cost, which resulted from the FCC's decision to eliminate UNE-P pricing for CLECs. The Division filed a memo indicating that it had completed its review and recommended that the suspension be lifted. After review, Chairman Germani entertained a motion to approve the AT&T's tariff effective April 13, 2006. Commissioner Holbrook

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

3666 – UCN, Inc.: The Commission reviewed the March 14, 2006 UCN tariff filing to introduce In-State Connection Fee and In-State Cost Recovery Charge. The proposed tariff is a recovery fee associated with increased wholesale cost, which resulted from the FCC's decision to eliminate UNE-P pricing for CLECs. The Division filed a memo indicating that it has completed its review and recommended that the suspension be lifted. After review, Chairman Germani entertained a motion to approve UCN's tariffs effective April 13, 2006. Commissioner Holbrook moved to approve the filing. Commissioner Bray seconded the motion and the motion was unanimously passed. **Vote 3-0.**

3588 – Verizon Rhode Island: The Commission reviewed Verizon's compliance filing with Order No. 18522 and the Arbitrator's recommendation. After review, Chairman Germani entertained a motion to approve the Interconnection Agreement Amendment entered between Verizon Rhode Island and the Competitive Carrier Group, which comprise of Choice One Communications, Inc., DIECA Communications, Inc. d/b/a Covad Communications Co., and IDT America Corp. Commissioner Holbrook moved to approve the ICA Amendment. Commissioner Bray seconded the motion and the motion was unanimously passed. **Vote 3-0.**

3734 – Verizon Rhode Island: The Commission reviewed Verizon's tariff filing to increase the residence basic exchange rates for unlimited service and measured service, and to increase the recurring reduction to Lifeline Service for effect April 15, 2006. The Division has reviewed the filing and finds it in compliance with Commission's Order No. 18850, in which the Commission approved an Alternate Form of Regulation for Verizon. After review, the Commission followed the Division's recommendation to allow the tariff filing to go into effect without suspension.

3726 – Jamestown & Newport Ferry (JNF): The Commission reviewed JNF's proposed 2006 Summer Season rates. The Division has reviewed the filing and recommends approval. After review, Chairman Germani entertained a motion to approve the tariff filing and that pursuant to R.I.G.L. 39-3-12, no hearing is necessary on the basis that it is a purely discretionary service which does not serve as a lifeline to an isolated population. Commissioner Holbrook moved to approve the filing. Commissioner Bray seconded the motion and the motion unanimously passed. **Vote 3-0.**

3700 – Pascoag Utility District: The Commission reviewed Pascoag's request of April 7, 2005 to revise its 2006 Demand Side Management (DSM) budget from \$194,700 to \$169,293, and to reallocate \$17,360 of DSM funds to provided funds for a new construction project. Mr. Nault summarized the reasons for the request and relayed that the Division has no objection. After review, Commissioner Holbrook moved to approve Pascoag's request. The motion was seconded by Commissioner Bray and the motion was unanimously passed. **Vote 3-0.**

3732 – Advisory Opinion to Energy Facility Siting Board Regarding Narragansett Electric d/b/a National Grid's Proposal to Construct and Alter Major Energy Facilities: The Commission reviewed the Motion to Intervene filed by ISO-New

England. Ms. Wilson-Frias summarized that prior PUC orders require active participation by intervenors. The schedule in this case, does not anticipate briefs in accordance with the preference of the parties. She recommended that intervention be granted on the condition that ISO file a position statement authored by someone who will appear before the Commission to discuss issues contained therein; or in the alternative, ISO can file public comments. After review Commissioner Holbrook moved to grant intervention as recommend by Ms. Wilson-Frias. Commissioner Bray seconded the motion and unanimously passed. **Vote 2-0.** Chairman Germani recused himself from the decision as presides as the Chairman of Energy Facility Siting Board.

The open meeting adjourned at 2:19 A.M.