

State of Rhode Island and Providence Plantations

Public Utilities Commission

Minutes of Open Meeting Held May 27, 2016

**Attendees:** Chairperson Margaret Curran, Commissioner Herbert DeSimone, Cynthia Wilson-Frias, Alan Nault and Todd Bianco.

**Chairperson Curran called the open meeting to order at 10:32 A.M. in the first-floor hearing room of the Public Utilities Commission. A quorum was present.**

**4586 – A & R Marine Corp. d/b/a Prudence & Bay Islands Transport** – The PUC reviewed A&R’s compliance tariffs and schedules and the Division of Public Utilities and Carriers’ (Division) recommendation. Chairperson Curran addressed typographical errors in the tariff filings. The first, in Schedule E, Item 240. 5 12 should be revised to 5 ½. In Rule 9, line four, “Vehicles under 1 ton that are over this length will pay and additional \$3.65 per foot over 18” should be revised to “Vehicles under 1 ton that are over this length will pay an additional \$3.65 per foot over 18”

With those edits, Commissioner DeSimone moved to approve the compliance tariffs and schedules on the basis that they were consistent with the PUC’s open meeting decision on May 20, 2016. Chairperson Curran seconded the motion and the motion was unanimously passed. **Vote 2-0.**

Discussing A&R Marine’s response to PUC Data Request 2-1 relating to the effect of the approved rate changes on tickets purchased in advance, Commissioner DeSimone stated that in its March 25, 2016 data response, the company clearly stated that it would be charging the incremental difference between the advance ticket price and the higher tariffed rate after it was approved. While Commissioner DeSimone questioned the business decision of the company, he noted that the response had been admitted into the Record, it was not challenged, and it would be up to A&R Marine to respond to any customer complaints. He stated that the revenue requirement is based on usage commencing on Memorial Day weekend and without the ability to charge the incremental increase, A&R Marine would not be able to meet the approved revenue requirement during the rate year. Chairperson Curran agreed.

Chairperson Curran expressed her appreciation for the thoughtful public comment in this case. She stated that she was impressed with everything the PUC heard on Prudence Island and in the hearing room. There were a number of written comments, all of which were reviewed. She appreciated the time Prudence Island residents and users of the ferry took to prepare thoughtful and targeted comments. Recognizing that this was a request for a large increase, she looked for any way to meet the concerns. Unfortunately, she found that the evidence supported the level of increase approved by the PUC. She attributed some of this to the peculiarity of the prior operator not seeking a rate increase for many years. Finally, she noted that many public comments contained praise for the current operator.

Commissioner DeSimone was also impressed with the public comment. He thanked all of the parties for their hard work and preparation of the case. He was impressed with the ferry service. He looked at the old dock when the PUC went to Prudence Island for public comment and found it to be in a complete state of disrepair. He thought it was fortunate that Mr. Antaya stepped up to fill a gap in service. He also stated that the record showed that Mr. Antaya suffered a loss of approximately \$287,000 that is not being recovered in rates.

Chairperson Curran added that while it is difficult to approve such a high percentage rate increase, the docket was enjoyable because it was so well done and complete.

**2379(S3) – Global Energy d/b/a NYC Clean Energy** – Global Energy submitted an application for authority to transact as a gas marketer. The Division recommended approval of the application. After consideration of the filings, Commissioner DeSimone moved to approve. Chairperson Curran seconded the motion and the motion was unanimously passed. **Vote 2-0.**

**4163 – Knology Provider Solutions Group, Inc.** – Knology Provider filed notice that it no longer operates in Rhode Island and requested that its authority as a supplier of telecommunications service be rescinded. The Division filed a memorandum recommending rescission. Commissioner DeSimone moved to rescind authority to operate as a telecommunications supplier in Rhode Island. Chairperson Curran seconded the motion and the motion was unanimously passed. **Vote 2-0.**

The open meeting adjourned at 11:10 A.M.