

**State of Rhode Island and Providence Plantations**

**Public Utilities Commission**

**Minutes of Open Meeting Held June 12, 2008**

**Attendees: Chairman Elia Germani, Commissioner Robert Holbrook, Commissioner Mary Bray, Patricia Lucarelli, Alan Nault and Luly Massaro.**

**Chairman Germani called the open meeting to order at 2:00 PM. in the first-floor hearing room of the Public Utilities Commission. A quorum was present.**

**Approval of Open Meeting Minutes held on 5/29/08** – After review, Commissioner Holbrook moved to approve the minutes. Commissioner Bray seconded the motion and the motion was unanimously passed. **Vote 3-0.**

**Competitive Telecommunications Service Providers**

The following company filed to provide telecommunications service in Rhode Island.

The Division has reviewed the application and recommends approval of:

3954 – Momentum Telecom, Inc.

After review, Commissioner Bray moved to approve the application. Commissioner Holbrook seconded the motion and the motion was unanimously passed. **Vote 3-0.**

The following companies submitted tariff revisions. The Division has reviewed the tariff revisions and recommends that it be allowed to go into effect without suspension:

2535 – Cox RI Telcom (tariff filing 6/4/08)

2618 – AT&T Communications of NE (tariff filings 5/19, 5/27 & 5/30/08)

2426 – TCG Rhode Island (tariff filings 5/18 & 5/27/08)

3686 – BellSouth Long Distance, Inc. (tariff filing 6/3/08)

3036 – CTC Communications Corp. (rescission)

3597 – ACN Communications Services, Inc. (tariff filing 5/30/08)

3010 – RNK, Inc. (tariff filing 5/28/08)

3713 – Comtel Telcom Assets (tariff filing 5/19/08)

2486 – Verizon Access Transmission Services, Inc. (tariff filing 5/30/08)

2262(P7) – MCI Communications Services, Inc. (tariff filings 5/30/08)

2262(F16) – Bell Atlantic Communications (tariff filing 5/22/08)

2262(G16) – NYNEX Long Distance Co. (tariff filing 5/22/08)

2262(G1) – Business Telecom, Inc. (tariff filing 5/22/08)

2262(D5) – DeltaCom Inc. (tariff filing 5/22/08)

After review, the Commission followed the Division's recommendation to allow the proposed tariff filings to go into effect without suspension.

**3958 – Verizon Rhode Island** – The Commission reviewed Verizon's May 16, 2008 tariff filing to remove the one-time bill credit in the amount of \$25.00 that is offered to residence customers who are disconnecting Verizon service and agree to retain the service or are switching to Verizon from another local service provider for effect June 15, 2008. The Division filed a memo indicating that it has reviewed Verizon's tariff filing and finds that the filing conforms to the alternative regulation plan and Order No. 18550.

After review, Commissioner Bray moved to approve Verizon's tariff filing. Commissioner Holbrook seconded the motion and the motion was unanimously passed. **Vote 3-0.**

**3957 – Verizon Rhode Island** – The Commission reviewed Verizon's May 16, 2008 tariff filing to introduce a waiver for the applicable ILP PIC NRC associated with the business end user's selection of Verizon Telephone Company for intra-LATA toll service for effect June 15, 2008. The Division filed a memo indicating that it has reviewed Verizon's tariff filing and finds that the filing conforms to the alternative regulation plan and Order No. 18550. After review, Commissioner Bray moved to approve Verizon's tariff filing. Commissioner Holbrook seconded the motion and the motion was unanimously passed. **Vote 3-0.**

**3956 - Verizon Rhode Island** – The Commission reviewed Verizon's May 15, 2008 tariff filing to introduce a monthly late payment charge of 1.5% (18% annually) for residential customers for effect June 14, 2008. The Division filed a memo indicating that it does not support Verizon's filing and recommended that the charge not exceed the rate of customer deposits of 12%. After review, Chairman Germani moved to deny Verizon's proposed monthly late payment charge of 1.5% and approve a monthly late charge of 1%. Commissioner Holbrook seconded the motion. Commissioner Bray opposed. **Vote 2-1.**

**3955 – Verizon Rhode Island** – The Commission reviewed Verizon's May 15, 2008 tariff filing to increase Returned Check charge from \$15.00 to \$25.00 for all customers for effect June 14, 2008. The Division filed a memo indicating that it has reviewed the filing and recommends that it be allowed to go into effect without suspension. After review, Commissioner Holbrook sought information regarding the costs to the company of processing a return check and moved to suspend the tariff pending further examination. Chairman Germani seconded the motion and the motion to suspend was unanimously passed. **Vote 3-0.**

**3962 – Town of Johnston** – The Commission reviewed the Town of Johnston Water Department's petition for declaratory ruling seeking for de minimus exception to regulation for the purpose of servicing ten residential dwellings located adjacent to the Town's water system in the City of Cranston. The Division filed a memo summarizing its review and recommending approval of the petition. After review, Commissioner Bray moved to approve the petition. Commissioner Holbrook seconded the motion and the motion was unanimously passed. **Vote 3-0.**

**3818 – Newport Water Division** – The Commission reviewed Newport Water's Petition for Miscellaneous Relief seeking approval to make its final installment payment of \$500,000 owed to the City of Newport. In support of the petition, the utility also filed its Compliance Filing summarizing that the utility has complied with the Commission's periodic reporting requirements. After review, Commissioner Bray moved to approve the petition. Commissioner Holbrook seconded the motion and the motion was unanimously passed. **Vote 3-0.**

**Renewable Energy Resources Generation Units** – The Commission reviewed the following Renewable Energy Resource certification applications:

3925 – WM Renewable Energy, LLC for Generation Unit: Mill Seat Landfill

3924 – WM Renewable Energy, LLC for Generation Unit: Chaffee Landfill

After review, Commissioner Holbrook moved that the Mill Seat Landfill and Chaffee Landfill Generation Units meet the eligibility requirement as New, Eligible Biomass Renewable Energy Resources and hereby approve the certification applications as filed by WM Renewable Energy, LLC. Commissioner Bray seconded the motion and the motion unanimously passed. **Vote 3-0**

**3960 – National Grid Electric** – National Grid filed on May 23, 2008 request to change to the Standard Offer Service rate for effect July 1. Chairman Germani moved to suspend the rate for the purpose of conducting hearings and discovery. Commissioner Bray seconded the motion to suspend and the motion was unanimously passed. **Vote 3-0.**

**3961 – National Grid Gas** - National Grid filed on May 23, 2008 request to change to the Cost of Gas Recovery factors for effect July 1. Chairman Germani moved to suspend the factors for the purpose of conducting hearings and discovery. Commissioner Bray seconded the motion to suspend and the motion was unanimously passed. **Vote 3-0.**

**3931 – RI Energy Efficiency and Resource Management Council (EERMC)** – The Commission reviewed the record relating to the proposed standards of the EERMC. After review, the Commissioners unanimously agreed to amend the proposed standards for energy efficiency and conservation procurement and system reliability. **Vote 3-0.** The final standards incorporate edits and language clarification to specific sections of the proposed standards.

**3905 – Narragansett Bay Commission (NBC)** – Discussion of this docket was postponed.

The open meeting adjourned at 2:40 P.M.