

**State of Rhode Island and Providence Plantations**

**Public Utilities Commission**

**Minutes of Open Meeting Held September 8, 2017**

**Attendees:** Chairperson Margaret Curran, Commissioner Marion Gold, Commissioner Abigail Anthony, Cynthia Wilson-Frias, Alan Nault and Luly Massaro.

**Chairperson Curran called the Open Meeting to order at 10:05 A.M. in the first-floor hearing room of the Public Utilities Commission (PUC). A quorum was present.**

**Approval of the Minutes of Open Meeting held on July 27, 2017** – Commissioner Gold moved to accept the minutes. Chairperson Curran seconded the motion and the motion passed. **Vote 2-0.**

**4606 – Block Island Power Company (BIPCo)** – BIPCo filed on August 16, 2017, a Petition Pursuant to R.I. Gen. Laws § 39-1-2(26) for continued exemption until August 1, 2018 from the PUC requirements of filing a full rate filing and cost of service study. The Division filed a position supporting BIPCo's petition and recommended that the PUC grant BIPCo's request for a time-limited extension to complete its costs of service study and a file a full rate case by August 1, 2018. Commissioner Gold moved to approve BIPCo's request. Commissioner Anthony seconded the motion and the motion was unanimously passed. **Vote 3-0.**

**4710 – Tiverton Power LLC** – Tiverton Power LLC's submitted an application for eligibility certification of the Tiverton Power LLC generation unit, 0.200 AC MW solar facility located in Tiverton, Rhode Island, as a New Renewable Energy Resource. PUC Consultant submitted a memorandum finding the facility meets the requirements for eligibility as a New, Solar Renewable Energy Resource and recommended approval. Chairperson Curran moved to certify the facility as an eligible, New, Solar Renewable Energy Resource. Commissioner Gold seconded the motion and the motion was unanimously passed. **Vote 3-0.**

**PUC's Rules and Regulations** – The PUC discussed the repeal of the following Rules and Regulations:

- [Regulations Regarding Perfection of Security Interest in Intangible Transition Property](#), effective since January 1, 1998. The regulations may be repealed because the underlying statutory authorization/mandate related to the subject matter was repealed by Public Laws 2017-18 and 2017-31. Therefore, there is no longer any justification for maintaining the rules. After review, Chairperson Curran moved to repeal the rules and authorize the repeal through a Direct File rulemaking mechanism. Commissioner Gold seconded the motion and the motion was unanimously passed. **Vote 3-0.**
- [Consumer Protection Requirements for Nonregulated Power Producers](#), effective since October 20, 2014. The regulations may be repealed because the Division of

Public Utilities and Carriers has, pursuant to R.I. Gen. Laws Sec. 39-26.7-1 to 6, engaged in rulemaking which will completely supersede the PUC's current rules. R.I. Gen. Laws Sec. 39-26.7-5(g)(11) states: "Upon the division's filing of regulations pursuant to this section, the commission shall initiate a rulemaking proceeding to repeal any rules that overlap with the regulations filed by the division." The Division has completed its rulemaking process through the comment and hearing period and will be finalizing and filing its rules with the Secretary of State soon. After review, Chairperson Curran moved to repeal the rules and authorize the repeal through a Direct File rulemaking mechanism. Commissioner Gold seconded the motion and the motion was unanimously passed. **Vote 3-0.** The PUC directed staff to coordinate its filing of the repeal at the same time as the Division's filing to avoid legal uncertainty caused by an overlap of similar rules by the two agencies.

**Gas Marketers** – The PUC considered the application for authority to transact as a Gas Marketer submitted by the following Companies. The Division has reviewed the applications and recommended approval of:

- 2379-A4 - Infinity Power Partners
- 2379-Z3 - UGI Energy LLC

After review, Chairperson Curran moved to approve the applications as submitted. Commissioner Anthony seconded the motion and the motion was unanimously passed. **Vote 3-0.**

**Telecommunications Carriers** – The following companies submitted notification that it has ceased operations and requested that its authority to operate as a provider of telecommunications service be rescinded:

- 2262(W21) - Conectado, Inc.
- 4304 – Cape Net LLC

Chairperson Curran moved to recall and rescind the authority as requested. Commissioner Anthony seconded the motion and the motion was unanimously passed. **Vote 3-0.**

Meeting adjourned at 10:13 A.M.