

State of Rhode Island and Providence Plantations

Public Utilities Commission

Minutes of Open Meeting Held September 28, 2006

Attendees: Chairman Germani, Commissioner Robert Holbrook, Commissioner Mary Bray, Steve 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 Meeting held on 9/14/06: After review, Chairman Germani moved to approve the minutes. Commissioner Holbrook seconded the motion and the motion was unanimously passed. **Vote 3-0.**

Competitive Telecommunications Service Providers – The following companies submitted tariff revisions. The Division has reviewed the tariff filings and does not recommend suspension of:

2618 – AT&T Communications of NE, Inc. (tariff filing 9/18/06)

2472 – Sprint Communications (tariff filing 9/14/06)

2262(I20) – Windstream Communications, Inc. (tariff filing 8/31/06)

2262(A6) – SBC Long Distance (tariff filings 9/11 & 9/12/06)

2262(V9) – Phone 1, Inc. (tariff filing 9/14/06)

2262(J20) – Embarq Communications, Inc. (tariff filing 9/8/06)

2262(F16) – Bell Atlantic Communications (tariff filings 9/5 & 9/15/06)

2262(G16) – NYNEX Long Distance Co. (tariff filing 9/15/06)

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

Telecommunications Interconnection Agreements (ICAs) - The following Amendments to ICAs were submitted for approval. The Division has reviewed the Amendments and recommends approval of:

2448 – Amendment No. 6 to ICA between Verizon RI and TCG-RI

2458 – Amendment No. 5 to ICA between Verizon RI and AT&T Communications of NE, Inc.

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

3762 & 3764 – Interstate Navigation Co. – These dockets relate to Interstate's general rate application relating to its conventional ferry operations (Docket No. 3764) and fast ferry rate application seeking to maintain the existing fast ferry rates in effect beyond the expiration date of October 9, 2006 (Docket No. 3762).

In Docket 3764, a Stipulation was entered on September 15, 2006 between Interstate, Division of Public Utilities and Carriers and the Town of New Shoreham seeking that the

PUC defer review of ratemaking treatment and any issues raised concerning the impact of Interstate's fast ferry operations into Docket No. 3762.

In Docket 3762, Interstate also seeks a waiver of hearing that is required under RIGL 39-3-11 and an exemption from the rate filing requirements under Part II of PUC Rules of Practice and Procedure. The Division and the Town of New Shoreham filed comments indicating that it has no objection with the understanding that approval of this filing will not prejudice their rights to review the fast ferry operations in the context of Docket 3762.

After review, the Chairman Germani moved to accept the Stipulation filed in Docket 3764 and to approve Interstate's request to maintain the current fast ferry in effect beyond October 9, 2006 without suspension and hearing and grant exemption from Part II of the PUC Rules. Commissioner Holbrook seconded the motion and the motion was unanimously passed. **Vote 3-0.**

3761 – The George Wiley Center (Petitioner) – In this docket, the PUC reviewed comments in response to the George Wiley's request to implement a summer moratorium. After review of the record, Chairman Germani moved to initiate a rulemaking proceeding to amend the current Rules and Regulations Governing the Termination of Residential Electric, Gas and Water Utility Service and proposed a rule to institute a summer moratorium provision. Commissioner Bray moved to approve the motion and added that such rule language include "a utility subject to these regulations shall not terminate the service of any residential customer for non-payment on those days for which the National Weather Service has issued an excessive heat advisory or excessive heat warning for Rhode Island". Commissioner Holbrook seconded the motion and the motion was unanimously passed. **Vote 3-0.**

The open meeting adjourned at 2:10 P.M.