

State of Rhode Island and Providence Plantations

Public Utilities Commission

Minutes of Open Meeting Held September 30, 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 P.M. in the first-floor hearing room of the Public Utilities Commission. A quorum was present.

Approval Minutes of Open Meeting held on September 17, 2008:

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

Competitive Telecommunications Service Providers

The following company filed a registration application for authority to operate as Competitive Switchless Reseller. The Division has reviewed the filing and recommends that application be approved.

2262(F21) – Network Innovations, Inc.

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

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

3741 – Paetec Communications (tariff filing 9/30/08)

2535 – Cox RI Telcom (tariff filing 9/5/08)

2618 – AT&T Communications of NE (tariff filing 9/22/08)

2262(P2) – NOSVA Limited Partnership (tariff filing 9/15/08)

2262(O2) – NOS Communications, Inc. (tariff filing 9/15/08)

2262(Q2) – Affinity Network Inc. (tariff filing 9/15/08)

2262(J20) – Embarq Communications, Inc. (tariff filing 9/2/08)

2262(C8) – CTC Communications Corp. (tariff filing 9/12/ & 9/15/08)

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

3981 – Verizon Rhode Island – The Commission reviewed Verizon's August 26, 2008 tariff filing to change the renewal of Corporate Rewards Service Agreements and the response to the Commission's data request regarding the Company's early termination liability to the customer. After review, Chairman Germani moved to approve the tariff filing as proposed. Commissioner Bray seconded the motion and the motion was unanimously passed. **Vote 3-0.**

3983 – Verizon Rhode Island – The Commission reviewed Verizon's September 5, 2008 tariff filing to discount rate for the regional essentials 12-month FiOS Bundle Discount for new subscribers to FiOS Internet. 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, Chairman Germani moved to approve the tariff filing. Commissioner Bray seconded the motion and the motion was

unanimously passed. **Vote 3-0.**

3945 – Pawtucket Water Supply Board (PWSB) – The Commission reviewed the record and the Settlement Agreement entered between PWSB and the Division of Public Utilities. The Settlement will allow for a revenue increase of \$1,992,810 or 11.1% to PWSB. The Settlement incorporates an operating reserve allowance of 1.5% of the rate revenues and authorizes funding for 54 full-time positions. Chairman Germani moved to approve the Settlement. Commissioner Holbrook seconded the motion to approve the Settlement. Commissioner Bray abstained because she is on the City Council of Pawtucket. **Vote 2-0.**

3969 – National Grid – The commission reviewed the record and the Settlement Agreement executed between NGrid, Constellation Energy Commodities Group and the Division of Public Utilities and Carriers in connection with wholesale power supply agreements between National Grid and Constellation. The Settlement provides a resolution to a liability dispute between National Grid and Constellation. The Settlement will allow NGrid to establish a cost recovery mechanism through rates to provide to Constellation, upfront payments of \$20 million and \$2.25 million over a 12-month period. The recovery method will be determined when National Grid makes its annual reconciliation filing in December. After review, Chairman Germani moved to approve the Settlement. Commissioner Bray seconded the motion to approve the Settlement and the motion was unanimously passed. **Vote 3-0.**

3975 – The George Wiley Center – The Chairman noted that the Commission is not ready to make a decision because it just received data responses from National Grid that will require review. The Commission will make a decision in this docket on Monday, October 6 open meeting. At this open meeting, the Commission took public comments. A transcript of the public comments will be put in the docket.

A transcript of the Commission's September 30, 2008 open meeting discussion relating to Docket Nos. 3945, 3969 and 3975 is available at the office of the Commission Clerk.

The open meeting adjourned at 4:00 P.M.