

State of Rhode Island and Providence Plantations

Public Utilities Commission

Minutes of Open Meeting Held October 25, 2013

Attendees: Chairperson Margaret Curran, Commissioner Paul Roberti, Commissioner Herbert DeSimone, Patricia Lucarelli, Cindy Wilson-Frias, Amy D'Alessandro, Sharon Colby Camara, Alan Nault and Luly Massaro. Staff Nick Ucci and Dilip Shah were not present.

Chairperson Curran called the open meeting to order at 9:20 A.M. in the first-floor hearing room of the Public Utilities Commission (PUC). A quorum was present.

Minutes of Open Meeting held on September 24 and September 30, 2013 - After review, Commissioner Herbert moved to accept the minutes. Commissioner Roberti seconded the motion and the motion was unanimously passed. **Vote 3-0.**

Competitive Telecommunications Service Providers Dockets

The following companies filed an application for authority to transact as a supplier of telecommunications service. The Division filed a memo recommending approval of the applications:

- 4445 – Global Connection, Inc. of America
- 4447 – Q LINK WIRELESS LLC

After review, Commissioner DeSimone moved to approve the applications. Commissioner Roberti seconded the motion and the motion was unanimously passed. **Vote 3-0.**

The following companies filed tariff revisions to their existing tariffs (on date). The Division has reviewed the tariff filings and recommends that they be allowed to go into effect without suspension:

- 3059 – Broadview Networks, Inc. (tariff filing 9/23/13)
- 4386 – Birch Communications of the Northeast (tariff filing 9/25/13)
- 2532 – Cox RI Telecom LLC (two tariff filings 10/1 & 10/7/13)
- 3686 – BellSouth Long Distance, Inc. (tariff filing 9/30/13)
- 2262(A6) – SBC Long Distance, LLC (tariff filing 10/10/13)
- 2262(K) – SNET America, Inc. (tariff filing 10/9/13)
- 2262(Q2) – Affinity Network, Inc. (tariff filing 10/15/13)
- 2262(O2) – NOS Communications, Inc. (tariff filing 10/15/13)
- 2262((P2) – NOSVA Limited Partnership (tariff filing 10/15/13)

After review, Commissioner Roberti moved to follow the Division's recommendation that the tariff filings be allowed to go into effect without suspension. Commissioner DeSimone seconded the motion and they motion was unanimously passed. **Vote 3-0.**

The Division's rules entitled "*Regulations and Fee Schedules for Telecommunications Providers*" set forth annual assessment fees for telecommunications providers for costs incurred by the Commission and Division in docketing, investigation, and decision-making. These annual fees are due each July 1. The Division filed a memorandum indicating that these companies failed to make their annual assessment payment and

recommended that their authority to conduct business in Rhode Island be terminated, cancelled, and rescinded for non-payment of annual registration fee. The companies are:

- 3810 – CCG Communications, LLC
- 3831 – Mobilitie, LLC
- 3010 – RNK, Inc.
- 3598 – Spectrotel of New England, LLC
- 2262(R6) – Associate Administrators, Inc.
- 2262(Z18) – Go Solo Technologies, Inc.
- 2262(M21) – Pay Tel Communications, Inc.
- 2262(D20) – Telmex USA, LLC
- 2262(D13) – Trans National Communications International

After review, Commissioner DeSimone moved that the authority of the companies be rescinded unless payment has been received before this date. Commissioner Roberti seconded the motion and the motion was unanimously passed **Vote 3-0**.

Gas Marketer Dockets

The following companies filed registration application for authority to transact as a gas marketer. The Division has reviewed the applications and recommends approval of:

- 2379(B3) – US Grid Energy, LLC
- 2379(C3) – L5E, LLC
- 2379(D) – Summit Energy Services d/b/a Schneider Electric

After review, Commissioner Roberti moved to approve the applications. Commissioner DeSimone seconded the motion and the motion was unanimously passed. **Vote 3-0**.

Renewable Energy Resources Eligibility Generation Units Dockets

Review and rule on renewable energy resources application submitted by the following companies:

- 4394 – Verso Bucksport, LLC - Application seeking certification for its Verso Bucksport LLC - TG5 Generation Unit, a 24 MW biomass energy generation unit located in Bucksport, Maine, as an eligible New Renewable Energy Resource. Commissioner DeSimone moved to 1) approve the application with condition that the Company files fuel eligibility reporting requirements recommended by the PUC Consultant, and 2) grant the company's request for confidential treatment of privileged information. Commissioner Roberti seconded the motion and the motion was unanimously passed. **Vote 3-0**.
- 4428 – CoxCom, LLC - Application seeking certification for its CCI New England 500 KW (DC) Solar PV Generation Unit, a 0.498 MW solar energy generation unit located in Portsmouth, Rhode Island, as an eligible New Renewable Energy Resource. After review, Commissioner DeSimone moved to approve the company's application. Commissioner Roberti seconded the motion and the motion was unanimously passed. **Vote 3-0**.

4368 - Pascoag Utility District – Pascoag filed on August 29, 2013 the final results of its LED street light pilot program, and requested approval to use 2013 Demand Side Management (DSM) funds of \$13,732.60 to finance proposed LED Streetlight Incentive Program. The Division filed a memo recommending approval of the requested

incentive. After review, Commissioner Roberti moved to approve Pascoag's request. Commissioner DeSimone seconded the motion and the motion was unanimously passed. **Vote 3-0.**

4431 – National Grid - The PUC reviewed the record relating to National Grid's Annual Distribution Adjustment Clause (DAC). Atty. Lucarelli summarized the components and associated factors of the DAC. After review, Commission DeSimone moved to approve the DAC rates for effect November 1, 2013. Commissioner Roberti seconded the motion and the motion was unanimously passed. **Vote 3-0.** The approved DAC rates on a per therm cost basis for each rate class are: \$0.0197 for Residential Non-Heating; \$0.0425 for Residential Heating; \$0.0442 for Small C&I; \$0.0429 for Medium C&I; \$0.0107 for Large Low Load Factor; \$0.0131 for Large High Load Factor; \$0.0083 for Extra Large Low Load Factor; and \$0.0095 for Extra Large High Load Factor.

Commissioner Roberti requested that National Grid provide with its initial DAC filing, supporting and backup information such as electronic version of spreadsheets that is necessary for review by the PUC and Division.

4436 – National Grid – The PUC reviewed the record relating to National Grid's Annual Gas Cost Recovery (GCR) filing, discussed, and deliberated on the following outstanding issues:

- 1) Proposed GCR factors - Commissioner Roberti moved to accept National Grid's proposed GCR factors for effect November 1, 2013. Commissioner DeSimone seconded the motion and the motion was unanimously passed. **Vote 3-0.**
- 2) Continuation of the Natural Gas Portfolio Management Plan (NGPMP) - Commissioner Roberti moved to conditionally approve the continuation of the NGPMP for an additional four years subject to an explanation whether four years is logistically reasonable. Commissioner DeSimone seconded the motion and the motion was unanimously passed. **Vote 3-0.**
- 3) Gas Procurement Incentive Plan (GPIP) incentive – Commissioner DeSimone moved to approve a GPIP incentive of \$453,345. Commissioner Roberti seconded the motion and the motion was unanimously passed. **Vote 3-0.**
- 4) NGPMP incentive of \$1,482,571 which includes \$46,325 attributed to Third Party Asset Management Agreements – Commissioner DeSimone moved to approve the NGPMP incentive with the exception of any portion attributed to the Third Party Asset Management Agreements. Commission Roberti seconded the motion and the motion was unanimously passed. **Vote 3-0.**
- 5) Proposed BTU Factor - Commissioner Roberti moved to approve National Grid's proposed BTU conversion factor of 1.034. Commissioner DeSimone seconded the motion and the motion was unanimously passed. **Vote 3-0.**
- 6) Filing of Company's Long Range Gas Supply Plans (LRGS) – Commissioner Roberti moved to require that the LRGS be filed every two years. Commissioner DeSimone seconded the motion and the motion was unanimously passed. **Vote 3-0.**
- 7) Submission of electronic version of spreadsheets with initial GCR filing – Commissioner Roberti moved to require that National Grid include electronic version of spreadsheets at the time of its initial GCR filing. Commissioner

DeSimone seconded the motion and the motion was unanimously passed. **Vote 3-0.**

4437 – National Grid – The PUC reviewed the record regarding National Grid's September 3, 2013 filing for review and approval of the Power Purchase Agreement (PPA) executed between National Grid and Champlain Wind LLC. After review, Commissioner DeSimone moved to approve the PPA between National Grid and Champlain Wind. Commissioner Roberti seconded the motion and the motion was unanimously passed. **Vote 3-0.**

4442 – National Grid – National Grid filed on September 16, 2013 a proposed Customer-Owned Street and Area Lighting Proposal tariff for effect November 15, 2013. Commissioner Roberti moved to suspend the tariff for the purpose of conducting discovery and hearing on the proposal. The hearing will be held December 3, 2013.

4450 - Rules and Regulations Governing the Termination of Residential Electric and Natural Gas Service – Chairperson Curran summarized that the existing termination rules are overly complicated, unwieldy and open to multiple, potentially conflicting interpretations. The rules should be simple and as straightforward in accordance with the statutes. Chairperson Curran supports opening a new docket to propose new rules and repeal the current rules. The proposed termination rules include a winter moratorium, provisions related to termination of service for elderly and/or handicapped customers, limitation on terminations by National Grid relative to low income customers, limitations on terminations to household with a seriously ill resident, an infant protection provision, and an Arrearage Forgiveness Program.

After discussion, Commissioner DeSimone moved to open a docket to propose new Rules and Regulations Governing the Termination of Residential Electric and Natural Gas Service and to repeal the existing Rules and Regulations Governing the Termination of Residential Electric, Gas and Water Utility Service. The proposed rules reflect the limited statutory authority that was granted to the PUC related to the termination of electric and natural gas service to residential customers in Rhode Island. Commissioner Roberti seconded the motion and the motion was unanimously passed. **Vote 3-0.**

Pursuant to the existing rules, the winter moratorium is set November 1 - April 15. Chairperson Curran moved to set the winter moratorium November 1 - March 31. Commissioner DeSimone seconded the motion and the motion was unanimously passed. **Vote 3-0.**

Commissioner DeSimone moved to issue proposed new termination rules and solicit public comments. Commissioner Roberti seconded the motion and the motion was unanimously passed. **Vote 3-0.** A public comment hearing will be held November 21, 2013, and written comments will be due November 25, 2013.

There being no further business to discuss, Chairperson Curran adjourned the meeting at 10:35 A.M.