

**State of Rhode Island and Providence Plantations**

**Public Utilities Commission**

**Minutes of Open Meeting Held October 31, 2016**

**Attendees:** Chairperson Margaret Curran, Commissioner Herbert DeSimone, Commissioner Gold, Cynthia Wilson-Frias, Sharon Colby Camara, Alan Nault, Todd Bianco and Luly Massaro.

**Chairperson Curran called the Open Meeting to order at 1:30 P.M. in the first-floor hearing room of the Public Utilities Commission. A quorum was present.**

**1725 – Rules and Regulations Governing the Termination of Residential Electric, Gas and Water Utility Service** – The PUC reviewed and considered the requests submitted 1) by the George Wiley’s “to institute a year-round emergency regulation allowing utility consumers to have service restored after termination, with 10% down payment of the total amount owed” and 2) from Senate President Paiva Weed and Speaker Mattiello “to take action, as the commission has for several years, by modifying the existing termination/restoration rules to provide the most-vulnerable consumers an achievable accommodation in order to ensure continued or renewed utility service heading into the winter months.” National Grid and the Division filed comments. After consideration, the following motions were made:

1) In light of the impending winter season with more cold weather, energy insecurities and stagnant economic conditions, the PUC discussed whether such conditions pose an imminent peril to the public’s health, safety and welfare. Chairperson Curran moved that based on the conditions noted above, emergency conditions exist to adopt emergency termination regulations. Commissioner DeSimone seconded the motion and the motion passed. **Vote 3-0.**

2) The PUC considered the Wiley Center’s request to change the down payment required by the Henry Shelton Act to enter the arrearage management plan. The required down payment for customers who do not have service is 25% while for those who still have service, there is no down payment. The Wiley Center requested the PUC reduce the down payment for customers without service to 10% and further, to apply it year-round. Chairperson Curran moved to retain the 25% down payment, which percentage figure is consistent with the new Henry Shelton Act (Act), enacted in June 2016. The Act, recently amended, requires the PUC to perform a cost benefit analysis and to evaluate and determine the extent to which it is effective. That being the case, the PUC will not take any action to change the 25% down payment requirement and will monitor closely the performance of the plan. Commissioner DeSimone seconded the motion and the motion passed. **Vote 3-0.**

3) The PUC considered the General Assembly’s request to modify the existing termination rules leading into the winter. In the past, the PUC has enacted short-term emergency regulations to allow customers an opportunity to have service restored for a lower down payment than would have normally been required and with a longer time to repay the

remaining balance. After a review of the comments, the PUC accepted the Division's position to require customers to pay 10% of the balance owed to have service restored. All other terms of payments and tiers will remain the same as approved last year. The emergency regulations provide a balance to assist customers in restoring service, but not causing the arrearages to grow more unmanageable than they already are. The emergency regulations will be in effect until December 4, 2016. Participation in these emergency regulations does not prohibit a customer from entering the arrearage management plan prior to losing utility service at the end of the winter moratorium. **Vote 3-0.**

**4595 – City of Newport Water Division** – The PUC considered Newport Water's Motion to Reopen pursuant to Rule 1.26 of the Rules of Practice and Procedure. Newport Water seeks reconsideration of an issue decided by the PUC at its September 20, 2016 Open Meeting related to revenue offsets. There being no objection received to Newport Water's motion, Commissioner DeSimone moved to grant the Motion to Reopen and grant relief as requested in this motion by Newport Water. Chairperson Curran seconded the motion. **Vote 2-0.** Commissioner Gold recused.

**2379(V3) – Choose Energy Inc. (Company)** – The Company submitted an application for registration to conduct business as gas marketer. The Division recommended approval of the application. Chairperson Curran moved to approve the application. Commissioner DeSimone seconded the motion and the motion unanimously passed. **Vote 3-0.**

The Open Meeting adjourned at 1:53 P.M.