

State of Rhode Island and Providence Plantations

Public Utilities Commission

Minutes of Open Meeting Held November 17, 2016

Attendees: Chairperson Margaret Curran, Commissioner Herbert DeSimone, Commissioner Marion Gold, Cynthia Wilson-Frias, Linda George, Alan Nault, Todd Bianco and Luly Massaro.

Chairperson Curran called the Open Meeting to order at 2:30 P.M. in the first-floor hearing room of the Public Utilities Commission. A quorum was present.

Approval of the Minutes of Open Meeting held on September 20, 2016 – Commissioner DeSimone moved to approve the minutes. Chairperson Curran seconded the motion. **Vote 2-0.**

4661 – Verizon New England d/b/a Verizon Rhode Island – Verizon submitted an Interconnection Agreement and Amendment (ICA) executed between Onvoy, LLC and Verizon New England Inc., d/b/a Verizon Rhode Island. The Division recommended adoption of the ICA. After review, Commissioner DeSimone moved to adopt the ICA as submitted. Chairperson Curran seconded the motion and the motion was unanimously passed. **Vote 3-0.**

Rules and Regulations – Commission Counsel summarized the rulemaking process and the background and history of the following rules. The PUC discussed and considered whether to repeal the Rules and Regulations.

Rules Governing the Acceptance of Credit Cards by Utility Companies, effective since August 1, 2004. –These rules were promulgated at a time when the cost of processing credit card was clearly more costly than other forms of payment. At the time, the state was charging a convenience fee for the use of a credit card. Utilities who wished to accept credit cards needed to file tariffs with credit card fees and terms & conditions that needed to be followed. Over the last 12 years the rules were in effect, a number of utilities have sought a waiver from the rules and the PUC has granted all the waiver requests. As a result, some utilities pass the cost of accepting credit cards through in rates and some utilities pass it on to the credit card user. Currently, only three utilities that follow the rules.

The purpose of the rules is to provide a consistent approach to a practice. If there is no consistent approach or practice being followed, it seems that these rules might not be doing what they were intended to do. The effect of repealing the rules is to neither require nor prohibit the charge of a convenience fee by the utility. Rather, the utility will follow tariffs it has on file. The effect would not be to make a decision as to whether all utilities could pass the cost through rates or charge a convenience fee. Commission Counsel suggested that in each rate case, the PUC could look at the utility's credit card processing costs or costs associated with payments as part of a rate case and, at that time, decide what makes sense for ratepayers.

Commissioner Gold moved to issue a notice to repeal the rules. Commissioner DeSimone seconded the motion and the motion passed. **Vote 3-0.**

New England Telephone Collections Procedure, effective since November 2, 1992 - These rules applied to POTS service (plain old telephone service) delivered over copper wire without bells or whistles. It applied to when New England Telephone (presently known as Verizon Rhode Island) was "the" telephone company. Verizon is no longer the only telephone company and choice in Rhode Island. Rhode Island has some really strong competition in the telecommunications market and these rules no longer apply. These rules, however, address collection, payments plans, and arrears and there are customers in RI who do have this service. Other telecommunications companies have terms and conditions in their tariffs that address collection procedures/payment plans. If the rules are repealed, the PUC would order Verizon to include some basic terms and conditions regarding collections in their tariff. Where the PUC can address this through tariff, it does not make sense to have these rules in place.

Commissioner DeSimone moved to issue a notice to repeal the rules. If the rules are repealed, Verizon will be required to file a tariff with collection procedures. Commissioner Gold seconded the motion and the motion passed. **Vote 3-0.**

The Open Meeting adjourned at 2:49 P.M.