

State of Rhode Island and Providence Plantations

Public Utilities Commission

Minutes of Open Meeting Held November 22, 2013

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

Chairperson Curran called the open meeting to order at 9:30 A.M. in the first-floor hearing room of the Public Utilities Commission. A quorum was present.

Approval of the Minutes of Open Meetings held on October 25, 2013: Chairperson Curran moved to approve the minutes with edits. Commissioner DeSimone accepted the minutes. Commissioner Roberti seconded the motion. **Vote 3-0.**

4456 – Teleport Communications America, LLC (TCA) – TCA's filed on October 29, 2013 a Request for Waiver of NANPA's Denial of Request for a Block of numbers in the Newport Rate Center. After review, Commissioner DeSimone moved to approve TCA's request. Commissioner Roberti seconded the motion and the motion was unanimously passed. **Vote 3-0.**

4405 - National Grid – The PUC review the record regarding National Grid's April 11, 2013 filing to modify the General Terms and Condition of its current gas tariff relating to the Discontinuation of Service. The Company seeks to add a provision that addresses situations in which customers fail to grant the Company access to its gas meter to terminate service. The modification will allow the Company to assign the full cost of installing a street or curb valve to the account of the customer whose gas service is being terminated for nonpayment and who has refused to give National Grid access to the customer's gas meter in order to effect the service termination. The cost of installing the curb valve will be accounted in the utility's plant in service (which will be credited when the Company receives the payments from the customers).

Commissioner Roberti expressed concern that the tariff imposes additional costs on delinquent customers. Commissioner DeSimone understood the Division's position, however, he opined that the tariff would result in an increase to the customer's arrearage which ultimately would become part of the company's uncollectible. He was also concerned with the effect on customers in multi-unit dwellings. Chairperson Curran appreciates the work from the Division but recognizes that in some circumstance, it may be not be reasonable in all possible circumstance. After review, Commissioner Roberti moved to deny National Grid's tariff filing. Commissioner DeSimone seconded the motion and the motion was unanimously passed. **Vote 3-0.**

4406 – Providence Water Supply Board (PWSB) – The PUC discussed the record relating to the November 8, 2013 Revised Settlement Agreement executed between the PWSB, the Division of Public Utilities and Carriers, the Kent County Water Authority, the Bristol County Water Authority, the City of Warwick and the City of East Providence. As filed, the Settlement will provide PWSB with additional revenues of \$9,942,513 or 16.9% to provide total pro forma revenues of \$69,974,756.

Commissioner DeSimone expressed concern with \$2.4 million funding for the new Central Operating Facility. The testimony does not support funding of \$2.4 for the facility. He opined that the new facility project did not constitute a known and measurable expense and suggested that the revenue requirement could be reduced by \$2.4 million. Commissioner DeSimone moved to propose a modification to the Settlement Agreement by reducing the funding amount in capital improvement by \$2.4 million. The benefit of the modification shall be allocated to retail customers. Commissioner Roberti concurred and seconded the motion. The motion was unanimously passed. **Vote 3-0.** The parties have until November 26 to notify whether it accepts or rejects the PUC's settlement modification.

Commissioner DeSimone also expressed his concern with the percentage of expense associated with police detail at 9% of replacement costs. He would like to see the utility and the police departments maintain dialogue in an effort to reach a reasonable and necessary consensus in having police detail. He cautioned that the PUC will be looking at this issue closely in future cases. Commissioner Roberti agreed with Commissioner DeSimone, referencing RI law regarding police jurisdiction, but not cost. Commissioner Roberti agreed with further addressing this issue in future rate cases. Chairperson Curran opined that there may be excessive police details and cost, but expressed concern that the PUC may not have all the information.

The open meeting adjourned at 10:35 A.M.