

State of Rhode Island and Providence Plantations

Public Utilities Commission

Minutes of Open Meeting Held November 29 2007

Attendees: Chairman Elia Germani, Commissioner Robert Holbrook, Commissioner Mary Bray, Patricia Lucarelli, Cindy Wilson-Frias, Thomas Massaro, Alan Nault, Douglas Hartley and Luly Massaro.

Chairman Germani called the open meeting to order at 2:00 PM. in the first-floor hearing room of the Public Utilities Commission. A quorum was present.

Competitive Telecommunications Service Providers

The following companies submitted tariff revisions. The Division has reviewed the tariff filings and does not recommend suspension of:

2618 – AT&T Communications of NE, Inc. (tariff filing 11/15/07)

2426 – TCG Rhode Island (tariff filing 11/19/07)

3853 – Global Capacity Group, Inc. (tariff filing 11/19/07)

2702 – Verizon Select Services Inc. (tariff filing 11/16/07)

2472 – Sprint Communications (tariff filing 10/31 & 11/8/07)

3741 – PAETEC Communications (tariff filing 11/2/07)

3442 – BullsEye Telecom, Inc. (tariff filing 11/1/07)

3028 – Qwest Communications (tariff filing 10/30/07)

2535 – Cox RI Telcom (tariff filing 10/30/07)

2262(F16) – Bell Atlantic Communications (tariff filing 11/1/07)

2262(G16) – NYNEX Long Distance Co. (tariff filing 11/1/07)

2262(P7) – Verizon Business Services (tariff filing 11/8/07)

2262(P4) – Global Tel Link Corp. (tariff filing 11/9/07)

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

The following company ceased operations and requested to have its authority to operate be cancelled:

3649 – OnFiber Carrier Services, Inc.

After review, Chairman Germani moved to rescind the authority of OnFiber Carrier Services. Commissioner Bray seconded the motion and the motion was unanimously passed. **Vote 3-0.**

The following companies are not in compliance with the "Regulations and Fee Schedules for Telecommunications Providers". The regulations 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. Failure to comply with the regulations results in the cancellation of authority to operate in this state. The Division filed a memorandum indicating that these companies have failed to make their annual registration payment and recommends that their authority to conduct business in RI be terminated, cancelled and rescinded for non-payment of annual registration fee:

2262(U16) – ACCXX Communications, LLC

2262(R18) – MMG Holding, Inc.
2262(D) – Operator Service Co.
2262(M3) – Preferred Carrier Services, Inc.
2262(U) – Touch 1 Communications, Inc.
2262(F20) – V-Global Communications, LLC
2262(O20) – Yestel USA, Inc.

After review, Chairman Germani entertained a motion to rescind and recalled the authority of the above companies for non-payment of annual fees. Commissioner Bray seconded the motion and the motion was unanimously passed. **Vote 3-0.**

3899 – Verizon Rhode Island – The Commission reviewed Verizon’s tariff filing to introduce additional local loop access options which customers may choose to obtain Transparent LAN Service for effect December 9, 2007. The Division filed a memo indicating that it has reviewed the filing and recommends that it be allowed to go into effect without suspension. After review, the Commission followed the Division’s recommendation that the tariff filing be allowed to go into effect without suspension.

3895 – Verizon Rhode Island – The Commission reviewed Verizon’s tariff filing to increase certain Frame Relay Service (FRS) and Asynchronous Transfer Mode Cell Relay Service (ATM CRS) rates for effect December 1, 2007. The Division filed a memo indicating that it has reviewed Verizon’s tariff filing and finds that it conforms to the requirements of Verizon’s Successor Alternative Regulation Plan and Order No. 18550. After review, Chairman Germani moved to approve Verizon’s tariff filing as submitted. Commissioner Holbrook seconded the motion and the motion was unanimously passed. **Vote 3-0.**

3894 – Verizon Rhode Island – The Commission reviewed Verizon’s tariff filing to grandfather the post-paid calling card product and to amend procedure by which disabled customer may reach directory assistance without incurring a charge for effect November 30, 2007. The Division filed a memo indicating that it has reviewed the filing and recommends that it be allowed to go into effect without suspension. After review, the Commission followed the Division’s recommendation that the tariff filing be allowed to go into effect without suspension.

3893 – Verizon Rhode Island – The Commission reviewed Verizon’s tariff filing to amend existing Access Service Tariff for effect November 30, 2007. The Division filed a memo indicating that it has reviewed the filing and recommends that it be allowed to go into effect without suspension. After review, the Commission followed the Division’s recommendation that the tariff filing be allowed to go into effect without suspension.

3900 – Block Island Power Co. (BIPCo) – BIPCo filed new rates designed to collect additional revenues requirements in the amount \$400,027 or 8.91% for effect December 9, 2007. After review, Chairman Germani moved to suspend BIPCo’s proposed rates beyond the effective date of December 9, 2007 to hold discovery and hearing. Commissioner Bray seconded the motion and the motion was unanimously passed. **Vote 3-0.**

3876 - Rules and Regulations Governing the Termination of Residential Electric, Gas and Water Service – Ms. Wilson-Frias summarized the written comments received

on proposed amended rules. Based on the comments received, the Commission unanimously agreed to restore existing and add new provisions to the termination rules. The Commission will issue a supplemental notice of rulemaking to solicit comments on the additional proposed amendments to the termination rules. **Vote 3-0.** The rules incorporate the following additional amendments:

- (1) adds “infant protection” to Protected Status Customer definition and adds verification of “very low income customer” by the Office of Energy Resources and extend the timeframe to notify customers of the termination of the infant protection.
- (2) adds infant protection to Termination Notice Requirements.
- (3) includes language allowing customers to have “legal counsel or another person in accordance with Rhode Island state law” at Division hearings.
- (4) restores a provision which allows utility companies to offer more lenient payment plans than those allowed by the Termination Rules.
- (5) restores a provision allowing the Commission to order immediate restoration of service but only if the Division of Public Utilities and Carriers is unavailable to consider the request and reinserting the requirement that an immediate order be issued and includes factors the Commission will consider in reaching its decision.
- (6) adds new language to clarify that customers may only enter into one payment plan with no down payment and clarifying when a customer can re-enroll in the same payment plan from which he or she became disenrolled or when a customer must advance to the next step.

3904 -National Grid – After review, Chairman Germani moved to initiate this docket to implement the distributed generation requirements set forth in R.I.G.L. 39-26-6(g)-(h) [2007 R.I. Pub. Laws 159] and to require National Grid to file a proposed tariff revisions to R.I.P.U.C 1078-A and any other tariffs National Grid deems necessary no later than December 1, 2007. Commissioner Bray seconded the motion and the motion was unanimously passed. **Vote 3-0.**

Renewable Energy Resources Generation Units – The Commission reviewed the Renewable Energy Resource certification applications for the following generation units:
3871 – Boltonville Hydro Associates, Essex Hydro Associates, LLC for Generation Unit: Wells River Hydroelectric

3872 – Briar Hydro Associates, Essex Hydro Associates, LLC for Generation Unit: Penacook Upper Falls

After review, Chairman Germani moved that the Wells River Hydroelectric and Penacook Upper Falls Generation Units meet the eligibility requirement as Existing, Small Hydro Renewable Energy Resources and hereby approve the certification applications filed the entities. Commissioner Holbrook seconded the motion and the motion was unanimously passed. **Vote 3-0.**

The open meeting adjourned at 3:30 P.M.