

**State of Rhode Island and Providence Plantations**

**Public Utilities Commission**

**Minutes of Open Meeting Held November 29, 2011**

**Attendees:** Chairman Elia Germani, Commissioner Mary Bray, Commissioner Paul Roberti, Patricia Lucarelli, Cindy Wilson-Frias, Amy D'Alessandro, Alan Nault, Sharon Colby Camara, Dilip Shah, Nick Ucci and Luly Massaro.

**Chairman Germani called the open meeting to order at 10:00 A.M. in the first-floor hearing room of the Public Utilities Commission. A quorum was present.**

**Competitive Telecommunications Service Providers:** The following company filed an application for authority to operate as a telecommunication service supplier in RI. The Division has reviewed the application and recommended approval of:

2262(U21) – Total Access Telcom, Inc.

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

The following companies filed revisions to their existing tariffs. The Division has reviewed the tariff revisions and recommended that they be allowed to go into effect without suspension.

2535 – Cox RI Telcom, LLC (tariff filing 11/14/11)

3381 – DSCI Corp. (tariff filing 11/10/11)

2618 – AT&T Corp. (tariff filing 11/1/11)

2426 – TCG Rhode Island (tariff filings 11/1 & 11/4/11)

3597 – ACN Communication Services (tariff filing 11//4/11)

2262(P15) – Frontier Communications of America, Inc. (tariff filing 11/1/11)

2262(E2) – Teleconnect Long Distance Services (tariff filing 11/1/11)

2262(P7) – MCI Communications Services, Inc. (tariff filing 11/1/11)

2262(L4) – TTI National, Inc. (tariff filing 1/1/11)

2262(A6) – SBC Long Distance LLC (tariff filing 11/15/11)

2262(P4) – Global Tel\*Link Corp. (tariff filing 11/18/11)

2262(L3) – Global Crossing Telecommunications, Inc. (tariff filing 11/15/11)

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

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. The Division filed a memorandum indicating that these companies have failed to make their annual registration payment and recommended that their authority to conduct business in RI be terminated, cancelled and rescinded for non-payment of annual registration fee:

4146 – American Dial Tone, Inc.

4156 – Bellerud Communications

3996 – BLC Management, LLC

3810 – CCG Communications, LLC

4148 – LifeConnex Telecom, LLC  
3698 – Pac-West Telecomm, Inc.  
4161 – Triarch Marketing, Inc.  
2262(P6) – American Telecommunications System  
2262(Q7) – RRV Enterprises, Inc.  
2262(O21) – Worldwide Marketing Solutions, Inc.  
2262(X17) – Yak Communications (America), Inc.

After review, Commissioner Bray moved to rescind the authority of the above carriers.

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

**4289 – Verizon Rhode Island** – Verizon filed on November 16, 2011 a tariff filing to withdraw the Collect and Bill to an Third Number Mechanized Service due to obsolescence of the equipment which makes it unable to continue the service. After review, Commissioner Bray moved to approve Verizon’s tariff filing. Commissioner Roberti seconded the motion and the motion was unanimously passed. **Vote 3-0.**

**3392 – Verizon Rhode Island** – Verizon filed an Interconnection Agreement (ICA) Amendment executed between Verizon RI and RNK, Inc. The Division has reviewed the ICA Amendment and recommended adoption. After review, Commissioner Bray moved to adopt the ICA Amendment. Commissioner Roberti seconded the motion and the motion was unanimously passed. **Vote 3-0.**

**4279 – True Wireless LLC** – True Wireless filed on September 1, 2011 a Petition for Designation as an Eligible Telecommunications Carrier (ETC) in RI in order to receive funding from the federal Universal Service Fund to offer subsidized wireless service to eligible low-income consumers in the state of Rhode Island. The Division submitted comments summarizing its review and recommending approval of True Wireless’ ETC petition. After review, Commissioner Bray moved to approve the petition designating True Wireless as an ETC. Commissioner Roberti seconded the motion and the motion was unanimously passed. **Vote 3-0.**

**4185 – National Grid** – The Commission reviewed the record relating to National Grid’s September 29, 2011 Request for Waiver of the one year condition set forth in Section 8.3 of the Amended Purchase Power Agreement executed between Narragansett Electric d/b/a National Grid and Deepwater Wind Block Island LLC. After review, the Commission ruled on the following outstanding issues:

- Chairman Germani moved that the Commission has jurisdiction under RI General Laws Sections 39-26.1-7 and 39-1-38 to rule on National Grid's September 29, 2011 waiver request. Commissioner Bray seconded the motion and the motion was unanimously passed. **Vote 3-0.**
- Commissioner Bray moved to consider National Grid's request as a new Petition under Rule 1.10 and assigned new Docket No. 4281-A. Commissioner Roberti seconded the motion and the motion was unanimously passed. **Vote 3-0.**

- Commissioner Bray moved to approve National Grid's waiver request. Commissioner Roberti seconded the motion and the motion was unanimously passed. **Vote 3-0.**

**4285 – Toray Plastics (America)** – Toray Plastics filed an application for certification of the Toray Solar #1 generation unit as an eligible New Renewable Energy Resource. After review Commissioner Bray moved to approve the application as filed. Commissioner Roberti seconded the motion and the motion was unanimously passed. **Vote 3-0.**

**4243 – City of Newport Water Division** – The Commission reviewed the record regarding Newport Water's rate application. After review, the Commission rule on the following issues:

- Commissioner Bray moved to approve the September 1, 2011 Settlement Agreement. The motion was seconded by Commissioner Roberti and unanimously passed. **Vote 3-0.** The Settlement would allow Newport Water to collect additional operating revenue in the amount of \$2,222,258 for a total cost of service of \$12,835,200.
- Newport Water is required to provide (1) a reconciliation of each restricted account on a quarterly basis within 30 days of the end of the quarter; (2) a report on the progress of the IFR and Capital Programs on a quarterly basis within 30 days of the end of the quarter; (3) the monthly narrative on a monthly basis within 15 days of the end of the month; and (4) the semi-annual reports required of all water utilities; (4) annual report required of all water utilities. A copy shall be sent electronically to the Service List.
- Commissioner Bray moved to approve the revised compliance tariffs submitted by Newport Water in conformance with the Settlement. The effective date is December 1, 2011. Commissioner Roberti seconded the motion and the motion was unanimously passed. **Vote 3-0.**

**Gas Marketers** – The following companies filed an application for authority to transact as a Gas Marketers in RI. The Division has reviewed the application and recommended approval of:

2379(R2) – Power Management Co. LLC

2379(Q2) – Pope Industries, Inc. d/b/a Pope Energy

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

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