

State of Rhode Island and Providence Plantations

Public Utilities Commission

Minutes of Open Meeting Held December 4, 2003

Attendees: Chairman Elia Germani, Commissioner Robert Holbrook, Steve Frias, Cindy Wilson, Thomas Massaro, Alan Nault, Douglas Hartley and Luly Massaro.

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

Competitive Telecommunications Service Providers:

The following companies registered to provide telecommunication service in RI. The Division has reviewed the registrations and recommends approval of:

3561 – Computer Network Technology Corp.

After review, Chairman Germani asked for a motion and Commissioner Racine moved to approve the registration. The motion was seconded by Commissioner Holbrook and unanimously passed. **Vote 3-0.**

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

2618 – AT&T Communications, Inc.

2472 – Sprint Communications

2486 – MCImetro Access Transmission Services, LLC

2262(O) – VarTec Telecom, Inc.

2262(O2) – NOS Communications, Inc.

2262(Q2) – Affinity Network Inc.

2262(P1) – NOSVA Limited Partnership

2262(I18) – X2Comm, Inc. d/b/a DC Communications

2262(L10) – Paetec Communications

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

The following companies ceased operations in RI and requested that their authority to operate be rescinded:

2649 – Easton Telecom Services, Inc.

2449 – Brooks Fiber Communications of RI, Inc.

After review, Chairman Germani asked for a motion and Commissioner Racine moved to rescind the authority of the companies. The motion was seconded by Commissioner Holbrook and unanimously passed. **Vote 3-0.**

3570 – Verizon Rhode Island: Verizon submitted a tariff filing to introduce month-to-month payment plan for Centrex Plan and reduce the way termination charge is calculated for effect December 17, 2003. After review, the Commission followed the

Division's recommendation that the tariff filing be allowed to go into effect without suspension.

3485, 2641 & 2624 – Utilities' Petitions For Review Pursuant to RIGL 39-1-30:

These dockets relate to petitions filed by several utilities seeking relief from certain street opening and restoration standard ordinances and regulations adopted by the City of Providence. The parties submitted a Settlement Stipulation and Consent Order ("Settlement") which if approved, would allow the Commission to invalidate the ordinances, sketches and ordinance without further proceedings and dismissed the appeals. After review, Chairman Germani moved to approve the Settlement. The motion was seconded by Commissioner Holbrook and unanimously passed. **Vote 3-0.**

3497 – Pawtucket Water Supply Board: This docket relates to the PWSB's recent rate increase that was approved on October 4, 2003, Order No. 17574. Discussion related to the Division's Motion to Clarify/Modify Order No. 17574, specifically requesting that the Commission restrict authorized funds allowed for Treatment Plant in the amount of \$778,000 per year. The PWSB filed an objection to the motion. After review, Commissioner Racine moved to restrict the funds in question that were allowed for Treatment Plant Expenses to be deposited in a separate interest bearing account. Commissioner Racine further defined treatment plant expense as an expense necessary to operate and maintain the existing facility until a new facility is in place. The motion was seconded by Commissioner Holbrook and unanimously passed. **Vote 3-0.**

3474 – Pascoag Utility District: The Commission reviewed Pascoag's 2004 Demand Side Management programs and budget in the amount of \$149,500 and the Division's memorandum supporting approval of the filing. After review, Commissioner Racine moved to approve Pascoag's 2004 Demand Side Management programs and budget. The motion was seconded by Commissioner Holbrook and unanimously passed. **Vote 3-0.**

There being no further business to discuss, the open meeting adjourned at 2:18 P.M.