

State of Rhode Island and Providence Plantations

Public Utilities Commission

Minutes of Open Meeting Held December 10, 2009

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

Chairman Germani 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.

Minutes of Open Meetings held on November 19, 2009: Commissioner Bray moved to approve the minutes. Commissioner Roberti seconded the motion and motion unanimously passed. **Vote 3-0.**

Competitive Telecommunications Service Providers

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

3182 – Metropolitan Telecommunications, Inc. (tariff filing 11/19/09)

2618 – AT&T Corp. (tariff filings 11/20 & 12/1/09)

3686 – BellSouth Long Distance, Inc. (tariff filing 12/2/09)

2262(C19) – Inmate Calling Solutions, Inc. (tariff filing 11/12/09)

2262(L14) – Globalcom, Inc. (tariff filing 11/20/09)

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

3735 – Ymax Communications Corp. – Ymax filed on November 2, 2009 a tariff filing to introduce Direct Inward Dial (DID) and Direct Inward Dial/direct Outward Dial (DID/DOD) Service. Verizon RI filed an objection requesting that it be suspended and be investigated by the Commission because Ymax' proposed language is unclear as to how it would be applied to customers that might desire DID/DOD services from Ymax. On November 23, Ymax filed an amended the tariff that address Verizon's concern and requested approval. Verizon filed a reply letter indicating that it has no objection to Ymax's tariff amendment. After review, Commissioner Bray moved to approve Ymax's tariff as amended on November 23. Commissioner Roberti 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:

3217 – Nees Communications, Inc.

2262(Q11) – Airnex Communications

2262(V4) – Business Discount Plan, Inc.

2262(U19) – Dial-Around Telecom, Inc.

2262(G17) – Global telecom & Technology Americas

2262(I13) – NetLojix Telecom, Inc.

2262(J2) – Norstan Network Services, Inc.

2262(W20) – United American Technologies, Inc.

After review, Commissioner Bray moved to recall and rescind the authority of the above companies. Commissioner Roberti seconded the motion and the motion was unanimously passed. **Vote 3-0.**

4131 – Verizon Rhode Island – Verizon filed on November 16, 2009 a tariff filing to grandfather the Verizon Client Advantage Program for Regulated Services. The Division has reviewed the filing and recommends that it be allowed to go into effect without suspension. After review, Commissioner Bray moved to approve Verizon’s filing. Commissioner Roberti seconded the motion and the motion was unanimously passed. **Vote 3-0.**

4132 – Verizon Rhode Island – Verizon filed on November 19, 2009 a tariff filing to increase the monthly rate of optional features packages associated with Unlimited Local and Toll Usage Package for Business. The Division has reviewed the filing and recommends that it be allowed to go into effect without suspension. After review, Commissioner Bray moved to approve the filing. Commissioner Roberti seconded the motion and the motion was unanimously passed. **Vote 3-0.**

3195 – Verizon Rhode Island – Verizon filed on November 13, 2009 proposed amendments to the Rhode Island performance metrics. The filing reports changes that were adopted by the NYPSC. The Division has reviewed Verizon’s filing and recommends that the Commission adopt the proposed metrics modification. After review, Commissioner Bray moved to approve the filing. Commissioner Roberti seconded the motion and the motion was unanimously passed. **Vote 3-0.**

3162 – Narragansett Bay Commission (NBC) – NBC filed on October 20, 2009 a request to eliminate the compliance reporting requirement of capital projects in connection with the construction of the CSO Phase I facility. NBC proposes an alternative reporting format that would provide information of budget vs. actual costs along with percentage complete for current and upcoming projects. The information would be consistent with the reporting format that is readily available that is produced from the financial software used by NBC. The Division has no objection to NBC’s request. After review, Commissioner Bray moved to approve NBC’s request to eliminate the compliance reporting requirement of capital projects in connection with the construction of the CSO Phase I facility. The Commission accepted the alternative financial reporting format proposed by NBC. Commissioner Roberti seconded the motion and the motion was unanimously passed. **Vote 3-0.**

4111 – National Grid – The RI Building & Construction Trades Council’s (RIBCTC) filed a motion to intervene in the docket. National Grid filed a reply requesting that the Commission deny the RIBCTC’s motion to intervene. After review, Commissioner Germani moved to approve RIBCTC’s motion to intervene. Commissioner Bray seconded the motion and the motion was unanimously passed. **Vote 3-0.**

Renewable Energy Resource Generation Unit (GU)

FPL Energy Maine Hydro, LLC filed an application seeking certification of the following Small Hydro Generation Units as eligible Renewable Energy Resource.

4082 – FPL Energy Maine Hydro, LLC for the Bonny Eagle Project GU

4083 – FPL Energy Maine Hydro, LLC for the Deer Rips Project GU

4091 – FPL Energy Maine Hydro, LLC for the West Buxton Project GU

4094 – FPL Energy Maine Hydro, LLC for the Gulf Island Project GU

4096 - FPL Energy Maine Hydro, LLC for the Androscoggin No. 3 Project GU

After review, Commissioner Bray moved to approve the applications for certification of the above Generation Units. Commissioner Roberti seconded the motion and the motion was unanimously passed. **Vote 3-0.**

4104 – Seaman Energy LLC filed an application seeking certification for the Seaman Energy GU as an eligible new Biomass Renewable Energy Resource. After review, Chairman Germani moved to approve the application with conditional requirement that the Company provide written documentation verifying Commercial Operation and provide the Generation Unit’s NEPOOL-GIS Asset Identification Number when assigned by NEPOOL following achievement of Commercial Operation. Commissioner Bray seconded the motion and motion was unanimously passed. **Vote 3-0.**

The meeting adjourned at 9:42 A.M.