

State of Rhode Island and Providence Plantations

Public Utilities Commission

Minutes of Open Meeting Held December 21, 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 11:00 A.M. in the first-floor hearing room of the Public Utilities Commission. A quorum was present.

Open Meeting Minutes held on October 31, 2011, November 29, 2011 and November 30, 2011: Commissioner Bray moved to approve the minutes. Commissioner Roberti seconded the motion and the motion was unanimously passed. **Vote 3-0.**

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(V21) – 1 800 Collect, 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.

3059 – Broadview Networks, Inc. (tariff filing 12/9/11)

2486 – MCImetro Access Transmission Services (tariff filing 12/5/11)

2426 – TCG Rhode Island (tariff filing 12/1/11)

2618 – AT&T Corp. (tariff filings 11/29 & 11/30/11)

3807 – Matrix Telecom, Inc. (tariff filing 11/25/11)

2262(F16) – Verizon Long Distance LLC (tariff filing 12/1/11)

2262(K) – SNET America, Inc. (tariff filing 12/1/11)

2262(A6) – SBC Long Distance, LLC (tariff filing 12/7/11)

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

3810 – CCG Communications, LLC - After review, Chairman Germani moved to grant CCG Communications' request to reinstate certificate of authority of the Company. Commissioner Bray seconded the motion and the motion was unanimously passed. **Vote 3-0.**

2262(O21) - Worldwide Marketing Solutions - After review, Chairman Germani moved to approve Worldwide Marketing Solution's request to reinstate certificate of authority. Reinstatement is conditional upon the company submission of a certificate of good standing from the RI Secretary of State. Commissioner Bray seconded the motion and the motion was unanimously passed. **Vote 3-0.**

4301 – Verizon Rhode Island – Verizon filed on December 2, 2011 a tariff filing to implement inter-carrier compensation regime for certain VoIP-PSTN traffic that was mandated by the FCC. The Division has reviewed the tariff filing and recommends that it be allowed to go into effect without suspension. 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.**

4302 – Verizon Rhode Island – Verizon filed on December 2, 2011 a tariff filing to clarify remainder of tariffs following the withdrawal of the Company's business services from RI PUC No. 15. The removal of Verizon’s business services is pursuant to R.I.G.L. 39-1-10(b). The Division has reviewed the tariff filing and finds that the filing is in compliance with the statute. 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.**

4294 - Budget PrePay, Inc. – The Commission reviewed the record regarding Budget PrePay’s October 14, 2011 Petition for Designation as an Eligible Telecommunications Carrier (ETC). After review, Commissioner Bray for moved to approve Budget PrePay’s Petition for ETC designation. Commissioner Roberti seconded the motion and the motion was unanimously passed. **Vote 3-0.**

4293 - Telrite Corp. – The Commission reviewed the record regarding Telrite’s October 13, 2011 Petition for Designation as an Eligible Telecommunications Carrier (ETC). After review, Commissioner Bray for moved to approve Telrite’s Petition for ETC designation. Commissioner Roberti seconded the motion and the motion was unanimously passed. **Vote 3-0.**

3762 - Interstate Navigation Co. – The Commission reviewed the record regarding Interstate Navigation’s October 31, 2011 request for an automatic rate increase based on the Consumer Price Index (“CPI-U Northeast”) for its traditional ferry service effective January 1, 2012. After review, Commissioner Bray moved to approve Interstate’s October 31, 2011 request as filed. Commissioner Roberti seconded the motion and the motion was unanimously passed. **Vote 3-0.** The Commission directed Ms. Wilson-Frias to communicate to Mr. Christopher Warfel’s of the Commission’s decision in this matter and to his comments concerning Interstate’s rate for transporting solar panels.

4300 - Pawtucket Water Supply (PWSB) – The Commission reviewed the record relating to PWSB’s December 2, 2011 proposed Fire Protection Service Charge applicable to all customers who reside in City of Pawtucket. After review, Commissioner Bray moved to approve PWSB’s proposed Fire Protection Service Charge effective January 1, 2012. Commissioner Roberti seconded the motion and the motion was unanimously passed. **Vote 3-0.**

4297 - Pascoag Utility District – There was no discussion of this docket because the Commission rendered a bench decision at the December 20, 2011 hearing regarding Pascoag’s 2012 Demand Side Management Filing and associated budget.

4298 - Pascoag Utility District – There was no discussion of this docket because the Commission rendered a bench decision at the December 20, 2011 hearing regarding Pascoag’s proposed Standard Offer Service Rate, Transmission Factor and Transition Factor.

4268 - National Grid – The Commission reviewed the record regarding National Grid’s July 25, 2011 proposed Net Metering Provision and request to Amend R.I.P.U.C. No. 2035, QF Power Purchase Rate. The outstanding issues were deliberated as follows:

- (1) The proposed Tariff:
 - a. Chairman Germani moved to find that the defined “avoided cost” set forth in R.I. Gen. Laws § 39-26.2-2(4) is consistent with standards set forth in PURPA and FERC law and regulations. Commissioner Bray seconded the motion and the motion was unanimously passed. **Vote 3-0.**
 - b. Chairman Germani moved to find that in a situation where an eligible net metering system is not physically connected to an end-user, the issuance of checks versus credits for the incremental portion of energy up to 100% of the net metering customer’s own consumption does not create a wholesale transaction under federal law. Commissioner Roberti seconded the motion and the motion was unanimously passed. **Vote 3-0.**
 - c. Chairman Germani moved to find that the tariff language allowing National Grid to choose whether or not to issue checks to net metering customers in lieu of credits is consistent with all provisions of the statute and federal law. Commissioner Roberti seconded the motion and the motion was unanimously passed. **Vote 3-0.**

(2) Chairman Germani moved to find that it is appropriate to pay the Standard Offer Service rate to all renewable QFs which do not qualify for net metering. Commissioner Bray seconded the motion and the motion was unanimously passed. **Vote 3-0.**

(3) Chairman Germani moved to accept National Grid’s analysis to determine whether a facility can qualify for the net metering credits which are set at the full retail rate where the facility may be larger than necessary to produce up to 100% of the renewable self-generator’s usage at the eligible net metering site. Commissioner Bray seconded the motion and the motion was unanimously passed. **Vote 3-0.**

4295 - National Grid – The Commission reviewed the record regarding a Settlement of the Parties supporting approval of National Grid’s 2012 Energy Efficiency Program Plan, associated budget and EEP Charge for gas and electric for effect January 1, 2012. After review, Commissioner Bray moved to approve Settlement. Chairman Germani seconded the motion. Commissioner Roberti supported approval of the 2012 EEPP but dissented because he opined that National Grid should not be allowed to receive the 10% incentive (for securing outside funding) without appropriate review the Commission. **Vote 2-1.**

4284 - National Grid – The Commission reviewed the record regarding National Grid’s September 7, 2011 proposed 2012 – 2014 Energy Efficiency Program Plan (EE) and System Reliability Plan (SRP) setting long-term goals for achieving Electric & Gas EEPP and SRP Reports consistent with Least Cost Procurement Plan. After review, Commissioner Bray moved to approve National Grid’s 2012 -2014 EE and SRP Plan. Chairman Germani seconded the motion. Commissioner Roberti opposed. **Vote 2-1.**

4296 - National Grid – National Grid filed on November 1, 2011 proposed 2012 System Reliability Plan (SRP) Report seeking approval to implement a non-wireless alternative pilot program and proposed an incremental increase to the electric EPP Charge to fund the program. Commissioner Bray moved to suspend the proposed increase to the EPP Charge for SRP for purpose of conducting review and hearing on the proposal. Commissioner Roberti seconded the motion and the motion was unanimously passed. **Vote 3-0.**

2379(S2) – Sprague Energy Solutions, Inc. – Sprague Energy filed an application for authority to transact as a Gas Marketers in RI. The Division has reviewed the application and recommends approval. 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 11:35 A.M.