

State of Rhode Island and Providence Plantations

Public Utilities Commission

Minutes of Open Meeting Held November 9, 2004

Attendees: Chairman Elia Germani, Commissioner Kate Racine, 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 PM in the first-floor hearing room of the Public Utilities Commission. A quorum was present.

Minutes of Open Meetings held on October 28, 2004: Commissioner Racine moved to approve the minutes. The motion was seconded by Commissioner Holbrook and unanimously passed. Vote 2-0. Chairman Germani abstained because he was not present at this open meeting.

Competitive Telecommunications Service Providers:

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

2486 – MCImetro Access Transmission Service (tariffs filed 11/1/04)

2708 – Verizon Select Services Inc. (tariffs filed 10/19/04)

2618 - AT&T Communications of NE, Inc. (tariffs filed 10/29, 11/1/04)

2621 - MCI WorldCom Communications, Inc. (tariff filed 11/1/04)

2262(P7) – MCI World Communications Inc. (tariffs filed 11/1/04)

2262(Z) – Intelicall Operator Services, Inc. (tariffs filed 11/1/04)

2262(O12) – Network Communications International Corp. (tariffs filed 11/1/04)

2262(O2) – NOS Communications, Inc. (tariffs filed 10/29/04)

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The following company ceased operations in RI and request that the authority to operate be rescinded:

2262((T15) – USLD Communications, Inc.

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

3195 – Verizon Rhode Island: The Commission reviewed and discussed Verizon's propose changes to the RI Carrier-to-Carrier (C2C) Guidelines reflecting the consensus changes to the NY Guidelines. The Division filed a memorandum indicating that it had reviewed the changes and recommended approval. After review, Chairman Germani asked for a motion and Commissioner Racine moved to approve Verizon's October 8, 2004 filing proposing changes to the RI's C2C Guidelines as submitted. The motion was seconded by Commissioner Holbrook and unanimously passed. Vote 3-0.

3588 – Verizon Rhode Island: After review of the Arbitrator’s Second Procedural Decision Order No.17960 and pleadings submitted in response, Commissioner Racine moved to affirm the Arbitrator’s Second Procedural Decision on the basis that Conversent Communications has not been harmed by Verizon and is not precluded petitioning the Commission in the event, Verizon takes action which would harm Conversent. The motion was seconded by Commissioner Holbrook and unanimously passed. Vote 3-0.

3642 - Regulations Regarding the Disclosure of Energy Source by Electric Utilities Required Under R.I.G.L. Section 39-26-9: After review, Chairman Germani moved to propose Rules Governing Energy Source Disclosure for public comments and hearing on December 15, 2004. The motion was seconded by Commissioner Holbrook and passed. Vote 2-0. Commissioner Racine abstained noting that she will not be present for this proceeding, as she will retire from state service on December 10, 2004.

The open meeting adjourned at 2:20 P.M.