

State of Rhode Island and Providence Plantations

Public Utilities Commission

Minutes of Open Meeting Held March 24, 2005

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.

Approval of Minutes of Open Meeting held March 8, 2005. After review, Chairman Germani moved to approve the minutes. The motion was seconded by Commissioner Holbrook and passed. Vote 2-0.

Competitive Telecommunications Service Providers:

The following companies registered to provide telecommunications service in RI. The Division reviewed the registrations and recommended approval of:

3663 – Budget Phone, Inc.

3666 – UCN, Inc.

After review, Chairman Germani moved to approve the registrations. The motion was seconded by Commissioner Holbrook and unanimously passed. Vote 2-0.

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

2472 – Sprint Communications (tariff filing 3/2/05)

2486 – MCImetro Access Transmission Services LLC (tariff filings 3/3 & 3/4/05)

2621 – MCI WorldCom Communications, Inc. (tariff filing 3/3/05)

3059 – Broadview Networks (tariff filing 3/10/05)

3028 – Qwest Communications Corp. (tariff filings 3/7 & 3/8/05)

2736 – Conversent Communications of RI (tariff filing 3/4/05)

2426 – TCG Rhode Island (tariff filing 2/25/05)

2618 – AT&T Communications of NE, Inc. (tariffs filings 2/25/05)

3315 – T-NETIX Telecommunications Services, Inc. (tariff filing 3/14/05)

3647 – XO Communications Services, Inc. (tariff filing 3/2/05 amend IXC Tariff No. 2)

2262(K) – SNET America, Inc. d/b/a SBC Long Distance (tariff filing 3/14/05)

2262(V5) – BellSouth Long Distance, Inc. (tariff filing 3/2/05)

2262(L10) – PAETEC Communications (tariff filing 3/14/05)

2262(P7) – MCI WorldCom Communications (tariff filings 3/3 & 3/4/05)

2262(E2) – Teleconnect Long Distance Services (tariff filing 3/1/05)

2262(F16) – Bell Atlantic Communications, Inc. (tariff filing 3/2/05)

2262(C8) – CTC Communications Corp. (tariff filing 2/28/05)

2262(A6) – SBC Long Distance, Inc. (tariff filings 2/25/05)

2262(Q2) – Affinity Network, Inc. (tariff filing 2/28/05)

2262(P2) – NOSVA Limited Partnership (tariff filing 2/28/05)

2262(O2) – NOS Communications, Inc. (tariff filings 2/28 & 3/14/05)

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 and requested that their authority to operate be rescinded:

2262(U4) – Transcommunications, Inc.

2262(N12) – Adelphia Telecommunications, Inc.

After review, Chairman Germani moved to rescind the authority of the companies. The motion was seconded by Commissioner Holbrook and unanimously passed. Vote 2-0.

3647 – XO Communications Services, Inc.: On March 2, XO filed to add "Access Recovery Charge" to its Local Exchange Tariff No. 1 to recover FCC unbundling obligations (Triennial Review Remand Order). The Division filed a memorandum objecting to XO's method to recover the cost as a surcharge and recommended that the filing be rejected. After review, Chairman Germani moved to suspend the tariff for further investigation. The motion was seconded by Commissioner Holbrook and passed. Vote 2-0.

2379(U1) – Coral Energy Resources LP: The Company filed an application for authority to operate as a gas marketer. The Division reviewed the application and recommended approval. After review,

Chairman Germani moved to approve the registration. The motion was seconded by Commissioner Holbrook and unanimously passed. Vote 2-0.

3665 – Verizon Rhode Island – Verizon submitted a tariff filing proposing the following rate increases to Verizon's Directory Listing Services and Directory Assistance Service for effect April 1, 2005:

- The rate for an Additional Listing for business is increased from \$3.05 to \$3.50, and the rate for an Additional Listing or Additional Dual Name Listing for residence is increased from \$2.08 to \$2.35**
- The rate for Non-published Service is increased from \$3.05 to \$3.50 and the rate for Non-directory listed Service is increased from \$1.93 to \$2.20**
- The rate for Directory Assistance calls in excess of the allowance, if applicable, is increased from 55¢ to 63¢ for residence and from 55¢ to \$1.25 for business**

The Division filed a memo indicating that it had reviewed the filing and does not recommend suspension. After review, Chairman Germani moved to not suspend and allowed the proposed tariff filing to go into effect as filed. The motion was seconded Commissioner Holbrook and passed. Vote 2-0.

3664 – Verizon Rhode Island – Verizon submitted a tariff filing proposing price increases to the following Verizon Value Added

Services (VAS) for business customers for effect April 1, 2005:

- Caller ID is increased from \$7.50 to \$8.75**
- Call Waiting ID Deluxe is increased from \$7.50 to \$8.75**
- Call Waiting ID with Name is increased from \$7.50 to \$8.75**

The Division filed a memo indicating that it has reviewed the filing and does not recommend suspension. After review, Chairman Germani moved to not suspend and allowed the proposed tariff filing to go into effect as filed. The motion was seconded Commissioner Holbrook and passed. Vote 2-0.

3363 – Verizon Rhode Island – Verizon submitted a tariff filing to update the Unbundled TC Reciprocal Compensation Charge for effect April 1, 2005. The unbundled TC reciprocal compensation composite rates are recalculated on a quarterly basis to reflect the average rate per minute paid to CLECs by Verizon over the previous three-month period. After review, the Commission followed the Division’s recommendation to allow the tariff filing to go into effect without suspension.

3667 – MCI Corporation – MCI filed a Request for a Waiver from the denial by the North American Number Pooling Administrator (“NANPA”) of MCI’s request to assign additional numbering resources in the Pawtucket Rate Center for a customer, TEKNOR APEX Company. After review, Chairman Germani moved to grant

MCI's Request For a Waiver so that it may meet TEKNOR APEX's request for additional 900 consecutive Direct Inward Dial telephone numbers. The motion was seconded by Commissioner Holbrook and unanimously passed. Vote 2-0.

3668 – CLECs Petition for Emergency Declaratory Relief by Competitive: The Commission reviewed the CLECs A.R.C. Networks, Inc., Broadview Networks, Broadview NP Acquisition Corp., DSCI Corp. petition seeking emergency declaratory relief to prevent Verizon RI from breaching its interconnection agreements and Verizon's opposition to the petition. After discussion, Chairman Germani moved to deny the CLECs petition because the ICAs cannot be interpreted to conflict with the FCC's Triennial Review Remand Order (TRRO). The Commission finds that there is no irreparable harm and therefore, it would not attempt to define Verizon's obligations under Section 271 at this time or require Verizon RI to provide UNEs contrary to the FCC's TRRO. The motion was seconded by Commissioner Holbrook and unanimously passed. Vote 2-0.

The open meeting adjourned at 2:18 P.M.