

State of Rhode Island and Providence Plantations

Public Utilities Commission

Minutes of Open Meeting Held April 11, 2014

Attendees: Chairperson Margaret Curran, Commissioner Paul Roberti, Commissioner Herbert DeSimone, Patricia Lucarelli, Cindy Wilson-Frias, Amy D'Alessandro, Sharon Colby Camara, Alan Nault and Luly Massaro.

Chairperson Curran called the open meeting to order at 10:30 A.M. in the first-floor hearing room of the Public Utilities Commission. A quorum was present.

Minutes of Open Meetings held on March 19, 2014 and March 29, 2014 – Commissioner DeSimone moved to approve the minutes. Commissioner Roberti seconded the motion and the motion was unanimously passed. **Vote 3-0.**

Competitive Telecommunications Service Providers Dockets

The following companies filed revisions to their existing tariffs (on date). The Division reviewed the tariff revisions and recommended that they be allowed to go into effect without suspension:

- 2535 – Cox RI Telcom LLC (tariff filing 3/27/14)
- 2472 – Sprint Rhode Island (tariff filing 3/25/14)
- 2618 – AT&T Corp. (tariff filing 3/14/14)
- 2262(K) - SNET America, Inc. (tariff filing 3/19/14)

After review, the PUC followed the Division's recommendation to allow the tariff filings to go into effect without suspension.

2262(D20) – Telmex USA, LLC (Company) – The Company's authority was rescinded for non-payment of annual dues on October 25, 2013. The company has submitted payment and revenue report and requested that its authority be reinstated. The Division filed a memorandum finding that Telmex USA is compliant and recommended that Telmex USA's authority be reinstated. After review, Commissioner DeSimone moved to reinstate the authority of Company. Commissioner Roberti seconded the motion and the motion was unanimously passed. **Vote 3-0.**

Telecommunications Interconnection Agreements (ICAs) Dockets

The following ICAs were submitted for approval. The ICAs represent wholesale agreements negotiated between Verizon RI and a competitive telecommunications carrier for interconnection, services or network elements. The Division filed a memorandum recommending adoption of:

- 4492 – ICA executed between Verizon New England d/b/a Verizon Rhode Island and Peerless Network of Rhode Island
- 4493 – ICA executed between Verizon New England d/b/a Verizon Rhode Island and Voxbeam Telecommunications

After review, Commissioner Roberti moved to adopt the ICAs. Commissioner DeSimone seconded the motion and the motion was unanimously passed. **Vote 3-0.**

Water Passenger Carriers Dockets

The following water carriers submitted a tariff filing seeking approval of proposed rate schedules to provide ferry service for the 2014 season. The Division filed a position finding the proposed rates reasonable and recommending approval of:

- 4155 – Oldport Marine Services Inc.’s rate schedule for the 2014 season. The
- 4389 – Conanicut Marine Services d/b/a Jamestown & Newport Ferry’s rate schedule for the 2014 season.

After review, Commissioner DeSimone made the motion to 1) waive the public hearing requirement pursuant R.I.G.L. §39-3-12 noting that good cause exists to waive the requirement because the services provide by the companies do not constitute lifeline service; and 2) approve the rates proposed by the companies. Commissioner Roberti seconded the motions and the motions were unanimously passed. **Vote 3-0.**

4480 – Peter Gebbie – Peter Gebbie filed an application seeking certification for the Maplehurst Farm Methane Generation Unit, a 0.150 MW biogas energy generation unit located in Greensboro, Vermont, as an eligible New Renewable Energy Resource. The PUC Consultant memorandum recommended approval the application. After review, Commissioner DeSimone moved to approve the eligibility application. Commissioner Roberti seconded the motion and the motion was unanimously passed. **Vote 3-0.**

1725 – Rules and Regulations Governing the Termination of Residential Electric, Gas and Water Utility Service – The George Wiley Center’s filed on request to extend the winter moratorium until May 1, 2014. There being no objection filed to the Wiley Center’s request, Chairperson Curran moved to grant the request. Commissioner DeSimone seconded the motion and the motion was unanimously passed. **Vote 3-0.**

Issues related to Competitive Electric Supply – Atty. Wilson-Frias summarized the various issues that have been coming up regarding competitive supply, including but not limited to, the market adjustment charge, National Grid’s explanation of charge to customers and how the retail Standard Offer Service rate is set. Specifically, the Division has been receiving phone complaints, mainly from residential customers, regarding the market adjustment charge that is calculated into the customer’s bill when the customer switches supplier. The adjustment charge can result in a charge or credit based upon the time when customer switches supplier. It is not a penalty fee or a switching fee. Staff also updated on status of reviewing the nonregulated power producers rules and creation of customer education materials with the Division.

Issues related to the Federal Communications Commission (FCC) - It is moved that the PUC amend the open meeting agenda for the purpose of receiving information on issue related to the FCC. Commissioner Roberti moved to amend the agenda and Commissioner DeSimone seconded the motion. The motion was unanimously passed. **Vote 3-0.** Atty. Wilson-Frias summarized that she received e-mail correspondence from an attorney at the FCC informing that the Universal Service Administration Company (USAC) sent letters to individuals in Rhode Island who are receiving lifeline service. The letter assigns a default lifeline subscriber to the individual

The open meeting adjourned at 12:00 P.M.