

**State of Rhode Island and Providence Plantations**

**Public Utilities Commission**

**Minutes of Open Meeting Held January 23, 2003**

**Attendees: Chairman Elia Germani, Commissioner Kate Racine, Commissioner Brenda Gaynor, Steve Frias, Cindy Wilson, Thomas Massaro, Alan Nault and Luly Massaro.**

**Chairman Germani called the open meeting to order at 10:00 A.M. in the first-floor hearing room of the Public Utilities Commission. A quorum was present.**

**Competitive Telecommunications Service Providers:**

The following company registered to operate in RI. The Division has reviewed the registration and recommends approval of:

2262(U17) – Via One Technologies, Inc.

After review, Chairman Germani asked for a motion and Commissioner Racine moved to approve the registration. The motion was seconded by Commissioner Gaynor and unanimously passed. **Vote 3-0.**

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

2702 – Verizon Select Services, Inc.

2472 – Sprint Communications

2621 – MCI WorldCom Communications, Inc.

2535 – Cox RI Telcom, LLC

2262(L10) – PaeTec Communications, Inc.

2262(L16) – NUI Telecom, Inc.

2262(X2) – BroadWing Telecommunications, Inc.

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

**3445 – Verizon Rhode Island – Alternative Regulation Plan:** Atty. Steve Frias asked that the Commission make public the proprietary information regarding the total RI market (percentage) share held by the CLECs for August 2002 which was set forth in proprietary Table 1 of Mr. Silvia's rebuttal testimony and was referred to in the Commission's deliberations in this docket.. Making this information public will benefit the ratepaying public by enabling them to better understand the Commission's rationale for permitting Verizon to have additional pricing flexibility for various telecommunications services. Mr. Frias also pointed out that the information in question is similar to public information regarding total CLEC market share in RI set forth in the FCC's report on competition for 2000 and in the Company's Section 271 filing. Chairman Germani asked for a motion and Commissioner Racine moved to make public

the total RI market percentage share held by the CLECs for August 2002 that was set forth in proprietary Table 1 of Mr. Silvia's rebuttal testimony. The motion was seconded by Commissioner Gaynor and unanimously passed. **Vote 3-0.**

**Undocketed Matters:**

Commissioner Gaynor noted that she received a letter from a Verizon Rhode Island customer who contacted Verizon because she was receiving harassing phone calls at home. The customer complained about the manner in which Verizon's customer service representative responded to her concerns and Verizon's timeliness (over one month) in relaying her call trace (\*57) information to the police department. The customer also complained that Verizon did not disclose in advance that she would be charged for using call trace (\*57) service. When the customer called to Verizon to inquire about the call trace charge on her bill, she was apparently told that her call trace information would not be relayed to the police unless she paid the call trace charges. Commissioner Gaynor expressed serious concern that Verizon had apparently insisted on receiving payment in order to provide call trace results to the police when there is a potentially urgent harassment situation involving police investigation. She was also concerned with the issues raised by the customer of timeliness of information and disclosure of call trace charges, noting that the Verizon's RI phone directory does not indicate that there will be a charge for using call trace service. Commissioner Gaynor asked that Verizon be directed to investigate and report back both to the Commission and to the customer regarding this matter. The other Commissioners shared Commissioner Gaynor's concerns that the customer not be "held hostage" for call trace payment in a harassment situation and agreed that Verizon also be directed to respond to the disclosure of call trace charges issue and explain why and how long it actually took Verizon to gather and relay the customer's call trace information to the police.

The open meeting adjourned at 10:15 A.M.