

State of Rhode Island and Providence Plantations

Public Utilities Commission

Minutes of Open Meeting Held March 31, 2009

Attendees: Chairman Elia Germani, Commissioner Mary Bray, Patricia Lucarelli, Cindy Wilson-Frias, Alan Nault, Nick Ucci and Luly Massaro. Commissioner Robert Holbrook and staff member Sharon Colby Camara were not present.

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.

Competitive Telecommunications Service Providers

The following company filed an application for authority to provide telecommunications service in Rhode Island. The Division has reviewed the application and recommends approval of:

4048 – Entelegent Solutions, Inc.

After review, Commissioner Bray moved to approve the application. Chairman Germani seconded the motion and the motion unanimously passed. **Vote 2-0.**

The following companies filed tariff revisions. The Division has reviewed the tariff filings and recommends that they be allowed to go into effect without suspension:

3741 – Paetec Communications (tariff filing 3/20/09)

2618 – AT&T Corp. (tariff filing 3/20/09)

3647 – XO Communications Services, Inc. (tariff filing 3/18/09)

3713 – Comtel Telcom Assets LP (tariff filing 3/13/09)

2262(P2) – NOSVA Limited Partnership (tariff filing 3/16/09)

2262(Q2) – Affinity Network Inc. (tariff filing 3/16/09)

2262(O2) – NOS Communications, Inc. (tariff filing 3/16/09)

2262(P7) – MCI Communications Services, Inc. (tariff filing 3/9/09)

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

4047 – Verizon Rhode Island – Verizon filed on March 12, 2009 a tariff filing to update language associated with Centrex Services in compliance with FCC mandate. The Division filed a memo indicating that it has reviewed the tariff filing and recommends that it be allowed to go into effect without suspension. After review, Commissioner Bray moved to adopt the Division's recommendation that the tariff be allowed to go into effect without suspension. Chairman Germani seconded the motion and the motion unanimously passed. **Vote 2-0.**

4046 – Verizon Rhode Island – Verizon filed on March 11, 2009 a tariff filing to increase the monthly rate to the three tiers of the Corporate Rewards Volume Discount Plan. The Division has reviewed the tariff filing and finds that it conforms to the requirements of the Successor Alternative Regulation Plan and Order No. 18550. After

review, Commissioner Bray moved to approve Verizon's tariff filing. Chairman Germani seconded the motion and the motion unanimously passed. **Vote 2-0.**

4040 – Verizon Rhode Island – Verizon filed on March 2, 2009 a tariff filing to increase rates to selected Private Line and Data Service. The Division has reviewed the tariff filing and finds that it conforms to the requirements of the Successor Alternative Regulation Plan and Order No. 18550. After review, Commissioner Bray moved to approve Verizon's tariff filing. Chairman Germani seconded the motion and the motion unanimously passed. **Vote 2-0.**

4022 – Providence Water Supply Board (PWSB) – The Commission discussed and reviewed the record regarding PWSB's request for approval to use a \$5 million property tax refund from Scituate to establish a Watershed Protection Restricted Fund. After review, Commissioner Bray moved approved PWSB's proposal to establish a Water Protection Restricted Fund with the property refund with the requirement that PWSB provide annual reporting on the properties acquired. Chairman Germani seconded the motion and the motion unanimously passed. **Vote 2-0.**

3569 - Pascoag Utility District – Pascoag filed on March 22, 2009 a request to waive the credit card processing fee of \$3.25 per transaction that is borne by the customer when making a utility payment. After review, Commissioner Bray moved to grant a temporary waiver to Pascoag until such time Pascoag files a rate application which at that time such costs will be examined by the Commission. Chairman Germani seconded the motion and the motion unanimously passed. **Vote 2-0.**

4042 – Clariant Corporation – The Commission reviewed the docket regarding Clariant's request to transfer from National Grid's Service Rate G-62 to Rate G-32. After review, Commissioner Bray moved to direct National Grid file an amended tariff that would allow Clariant to transfer to the Rate G-32 for further review by the Commission. Chairman Germani seconded the motion and the motion unanimously passed. **Vote 2-0.**

3931 – National Grid Electric (NGrid) – The Commission reviewed the record regarding the Company's proposed System Reliability Plan. After review, Commissioner Bray moved to approve the Company's Least Cost Procurement Plan, Energy Efficiency Plan (EEP) and System Reliability Plan (SRP). Also, that the Commission defers decision on the SRP until it is determined whether excess funds have been collected for EEP in light of the RGGI proceeds. Funding of EEP for 2010 & 2011 is conditioned on Commission's approving DSM plans. Chairman Germani seconded the motion and the motion unanimously passed. **Vote 2-0.**

4041 – National Grid Electric – The Commission discussed and reviewed NGrid's Motion for Clarification of Order No. 19602 in connection with the Standard Offer and Renewable Energy Supply Procurement Plans. After review, Chairman Germani stated that Order No. 19602 does not require NGrid to enter into any contracts at this time. Order No. 19602 does require NGrid to include solicitation of long-term contracts for renewable energy certificates as part of its RES Procurement Plan, all aspects of which

will be subject to Commission review and approval. Commissioner Bray concurred with the Chairman's motion. **Vote 2-0.**

4034 – National Grid Gas – The Commission discussed and reviewed NGrid's February 17, 2009 proposed Accelerated Replacement Program (ARP). After review, Commissioner Bray moved to approve the Company's proposed ARP with the condition that NGrid does not engage in any activities that are the subject of Docket No. 4028. Chairman Germani seconded the motion and the motion unanimously passed. **Vote 2-0.**

4038 – National Grid Gas – The Commission reviewed the record regarding NGrid's February 24, 2009 Natural Gas Portfolio Management Plan (NGPMP). After review, Commissioner Bray moved to approve the Company's proposed NGPMP. Chairman Germani seconded the motion and the motion unanimously passed. **Vote 2-0.**

3982 – National Grid Gas – NGrid filed on March 10, 2009 BTU Factor filing to change the current 1.024 BTU conversion factor to 1.023 for the period May – October. After review, Commissioner Bray moved to approve the Company's BTU Factor filing as filed. Chairman Germani seconded the motion and the motion was unanimously passed. **Vote 2-0.**

4050 – Investigation Into the Adequacy of Renewable Energy Supply - The Chairman stated that the Commission will open this docket to initiate an investigation pursuant to R.I.G.L. Sec. 39-26-6(d) into the adequacy, or potential adequacy, of renewable energy supplies to meet the increase in the percentage requirement of energy from renewable resources to go into effect in 2011.

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