

State of Rhode Island and Providence Plantations

Public Utilities Commission

Minutes of Open Meeting Held May 22, 2003

Attendees: Chairman Elia Germani, Commissioner Kate Racine, Commissioner Commissioner Robert Holbrook, Commissioner Brenda Gaynor (participating in Dockets 3452 & 3459), Steve Frias, Cindy Wilson, Thomas Massaro, Alan Nault, Douglas Hartley 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 companies registered to operate in RI. The Division has reviewed the registrations and recommends approval of:

2262(J18) - Telrite Corp.

2262(K18) - Fox Communications Corp.

2262(I18) - Communication Solutions Partners, Inc.

2262(F18) - Buyers United, Inc.

Chairman Germani asked for a motion and Commissioner Racine moved to approve the registrations. The motion was seconded by Commissioner Holbrook 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.

2486 - MCI metro Access Transmission Service LLC

3059 - Broadview Networks, Inc.

2618 - AT&T Communications of New England, Inc.

2472 - Sprint Communications – Filings submitted on 05/09/03 and 05/16/03

2262(R16) - Horizon Telecom, Inc.

2262(A6) - Southwestern Bell Communications Services, Inc.

2262(Y15) - World Communications Satellite Systems, Inc.

2262(E6) - WorldxChange Corp.

2262(X13) - ACN Communications Services, Inc.

2262(P7) - MCI WorldCom Communications, Inc.

3196 – Z-Tel Communications, Inc. – Filing submitted on May 6, 2003

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

3196 - Z-Tel Communications, Inc. – The company submitted a tariff filing on May 15, 2003 for effect May 31 and requested for expedited approval of rate change and waiver from the notice required under 39-3-11. After review, Chairman Germani asked for a motion and the Commissioner Racine move to grant a waiver of the notice required and

grant expedited approval of the tariff filing. The motion was seconded by Commissioner Holbrook and unanimously passed. **Vote 3-0.**

The following companies ceased operations and requested that their authority to operate in RI be recalled and rescinded. The Division supports the requests:

2262(F9) - NXLD Company

2262(W6) - RSL COM USA, Inc.

After review, Chairman Germani asked for a motion and Commissioner Racine moved to rescind and recall the authority to operate of the companies. The motion was seconded by Commissioner Holbrook and unanimously passed. **Vote 3-0.**

3516 – Verizon Rhode Island (“Verizon”): Verizon submitted a tariff filing to introduce enhancements to the Corporate Rewards Optional calling plan by offering two- and three-year service agreements with deeper discounts based on term and monthly usage volumes for effect June 1, 2003. After review, the Commission followed the Division’s recommendation that the tariff filing be allowed to go into effect without suspension.

3517 – Jamestown & Newport Ferry, LLC (“Company”): On May 5, 2003, the Company submitted for approval proposed tariffs and operating schedule for the 2003 season for effect May 24, 2003. The Company also requested that it be exempt from the notice and hearing required under RIGL 39-3-11. The Division submitted a position indicating that it does not oppose the Company’s request for exemption and recommends approval of the proposed tariffs and operating schedule.

After review, Commissioner Racine moved to approve the tariff filing and grant to the Company exemption of the notice requirement on the basis that the Company’s service is seasonal and does not constitute a lifeline service, therefore, cause exists to allow the rate to become effective as requested without a hearing. The motion was seconded by Commissioner Holbrook and unanimously passed. **Vote 3-0.**

3452 – Pawtucket Water Supply Board (“PWSB”): This docket relates to the Commission’s investigation into the adequacy of the PWSB treatment plant to continue to provide safe and potable drinking water to ratepayers. Commissioner Racine summarized the travel of the docket, noting that no action is required since the PWSB has been given the authority to move forward with the DBO process as authorized by the PBA. Commissioner Racine moved to close the docket. The motion was seconded by Commissioner Gaynor and unanimously passed. **Vote 3-0.**

3436 – New England Gas Co. (“NEGas”): In this docket, NEGas was directed to file a “migration” tariff for customers who migrate between transportation and firm sale service. As a result of discussion at pre-hearing conference, NEGas submitted a request noting that it made administrative sense to move the date for filing a “migration” tariff

from May 31 to June 19. The Division is in agreement with this request. After review, Chairman Germani asked for a motion and Commissioner Racine moved to grant the request to extend the filing date to June 19. The motion was seconded by Commissioner Holbrook and unanimously passed. **Vote 3-0.**

3459 – New England Gas Co.: This docket relates to the Commission’s review of the NEGas’ Distribution Adjustment Clause (“DAC”) charge. Energize RI II earnings is a component of the DAC. Discussion will relate to the Commission’s findings regarding its examination of the Company’s Energize RI – II earnings. See transcript

A transcript of the Commission’s March 31, 2003 open meeting discussion in Docket 3459 is available at the office of the Commission Clerk.

The open meeting adjourned at 11:00 A.M.