

State of Rhode Island and Providence Plantations

Public Utilities Commission

Minutes of Open Meeting Held July 8, 2003

Attendees: Chairman Elia Germani, Commissioner Kate Racine, 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. 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:

3531 – CAT Communications International, Inc.

2262(M18) – Colorado Communications Network, 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:

2618 – AT&T Communications of NE, Inc. (filings submitted on 06/19, 06/20, 06/27, 06/30 & 07/01)

2702 – Verizon Select Services, Inc.

3059 – Broadview Networks, Inc.

3028 – Qwest Communications

3315 – T-Netix Communications

2262(P7) – MCI WorldCom

2262(G16) – NYNEX Long Distance Co.

2262(R11) – GTC Telecom

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The following companies ceased operations and requested that their authority to provide telecommunications service be rescinded:

2262(O11) – CenturyTel Long Distance Inc.

2262(X4) – Trescom USA Inc.

2262(C13) – essential.com, Inc.

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

3529 – Verizon Rhode Island: Verizon submitted a tariff filing to introduce a new optional calling plan called *Verizon Five Cents Plan*. The Plan is designed to provide residence *Local Package* and *Local Package Standard* customers with a 5-cent per minute rate on directly dialed regional toll calls for effect July 20, 2003. After review, the Commission followed the Division's recommendation that the tariff filing be allowed to go into effect without suspension.

3256 – Verizon Rhode Island: The Commission held a hearing in this docket to consider the propriety of Verizon's March 17, 2003 Petition For Waiver of Certain Service Results Measured Under the Performance Assurance Plan as a result an internet computer attack called "Slammer Worm". On June 6, 2003, Verizon filed a request for permission to withdraw its petition. After review, Commissioner Racine moved to grant the petition. The motion was seconded by Commissioner Holbrook and unanimously passed. **Vote 3-0.**

3530 – Narragansett Bay Commission (NBC): NBC submitted a tariff filing to increase the water termination and water restoration charges. The Division has reviewed the tariff filing and recommended that it be approved. After review, Commissioner Racine moved to approve the tariff filing as filed. The motion was seconded by Commissioner Holbrook and unanimously passed. **Vote 3-0.**

2861 – Pascoag Utility District (Pascoag): After review of the record, the Commission approved Pascoag's proposed transition charge of \$0.01345 per kWh and transmission charge of \$0.00453 per kWh for effect July 9, 2003. Pascoag is ordered to retain the \$50,000 refund received from MMWEC and apply the funds towards power related expenses. This results in a Standard Offer rate of \$0.05619 per kWh. The combined effect of the approved rates will represent an increase of \$6.97 from \$50.23 to \$57.20 or 13.9% to a residential bill with consumption level of 500 kWh per month. Pascoag is also ordered to address in its next reconciliation filing, the \$25,000 refund that was used for debt service payment. **Vote 3-0.**

3485, 2641 & 2624 – Petitions For Review Pursuant to RIGL 39-1-30: This relates to the Commission's review of petitions filed by Providence Water Supply and New England Gas seeking that the Commission nullify regulation enforced by the City of Providence dealing with changes in street opening and restoration standards for newly paved roads of five years or less.

After review, Chairman Germani moved to approve the Division's Motion for Stay of the Applicable Ordinance, Regulations and "Diagram" Requirements (approved by the City Ordinance in November 1997) as it relates to Mr. Edward Lee's permit for new utility services (gas and water) on Italy St. The motion was seconded by Commissioner Holbrook and unanimously passed. **Vote 3-0.**

The Commission requested Mr. Frias to send correspondence to Asst. City Solicitor Adrienne Southgate and request the city stay the effect of its new regulations regarding street openings and notify applicants of the increased fees for street opening permits. Also, that the applicant be informed that it can also seek assistance from the Division.

Atty. Frias noted that a Partial Settlement Agreement was submitted whereby the City agreed not to continue to charge the additional fees until the Commission resolves the pending docket. The Commission will moved forward and schedule a hearing to consider the agreement and take evidence on the remaining issues.

There being not further business to discuss, the open meeting adjourned at 2:20 P.M.