

State of Rhode Island and Providence Plantations

Public Utilities Commission

Minutes of Open Meeting Held September 11, 2003

Attendees: Chairman Elia Germani, Commissioner Kate Racine, Commissioner Robert Holbrook, Steve Frias, Thomas Massaro, Alan Nault. Douglas Hartley and Luly Massaro.

Chairman Germani called the open meeting to order at 2:30 P.M. in the first-floor hearing room of the Public Utilities Commission. A quorum was present.

Minutes of Open Meeting held September 3, 2003: Chairman Germani asked for a motion to approve the draft minutes of open meeting held on September 3, 2003. Commissioner Racine moved to approve the draft minutes. The motion was seconded by Commissioner Holbrook and unanimously passed. **Vote 3-0.**

Competitive Telecommunications Service Providers:

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

3196 - Z-Tel Communications, Inc. (filing submitted on 08/28/03 and 09/04/03)

2472 - Sprint Communications Inc.

2486 - MCI metro Access Transmission Service LLC

2535 - Cox Rhode Island Telcom

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

2262(B17) - Custom Teleconnect, Inc.

2262(P7) - MCI WorldCom Communications, Inc.

2262(F16) - Bell Atlantic Communications Inc. d/b/a Verizon Long Distance

2262(Q2) - Affinity Network Inc.

2262(P2) - NOSVA Limited Partnership

2262(O2) - NOS Communications, Inc.

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

3543 – Verizon Rhode Island: Verizon submitted a tariff filing to enhance Verizon's current offering of Frame Relay Service by standardizing the structure, policies and pricing of FRS across the entire Verizon footprint for effect September 17, 2003. After review, the Commission followed the Division's recommendation that the tariff filing be allowed to go into effect without suspension.

3544 – Verizon Rhode Island: Verizon filed for approval an Interconnection Agreement (ICA) between Verizon RI and DIECA Communications, Inc., d/b/a Covad. The Division has reviewed the ICA and recommends approval. After review, Chairman Germani asked for a motion and Commissioner Racine moved to approve the ICA. The motion was seconded by Commission Holbrook and unanimously passed. **Vote 3-0.**

3495 – Island Hi-Speed Ferry LLC (IHSF): This docket relates to the form of regulation for IHSF. After review, Commissioner Racine moved that the form of regulation for IHSF would be based on a price floor. The price floor would be the current passenger rates that were originally based on the IHSF business plan. There will be no revenue or profit cap. IHSF may retain any funds that may have been collected in excess of the previously set revenue cap. The motion was seconded by Commissioner Holbrook and unanimously passed. **Vote 3-0.**

Petition of Mount St. Charles Academy for relief from egregious and illegal action taken by Select Energy Inc.: This petition was concurrently filed with the Public Utilities Commission and the Division of Public Utilities and Carriers on August 8, 2003. The Commission discussed jurisdiction over the petition. After review, Commissioner Racine moved to delegate the petition to the Division to adjudicate the entire case. The Division should make findings on all issues. The request by Mount St. Charles to be allowed back on Standard Offer is a Commission issue. Therefore, the Commission requests the Division to provide with a recommendation on this requested relief for Commission determination at the conclusion of the Division proceeding. Parties would then have the opportunity to appeal to the Commission on other issues within Commission's jurisdiction. The motion was seconded by Commissioner Holbrook and unanimously passed. **Vote 3-0.**

There being not further business to discuss, the open meeting adjourned at 2:25 A.M.