

**State of Rhode Island and Providence Plantations**

**Public Utilities Commission**

**Minutes of Open Meeting Held December 6, 2013**

**Attendees:** Chairperson Margaret Curran, Commissioner Paul Roberti, Commissioner Herbert DeSimone, Patricia Lucarelli, Cindy Wilson-Frias, Alan Nault, Dilip Shah and Luly Massaro. Staff Amy D'Alessandro and Sharon Colby Camara were not present.

Chairperson Curran 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.

**Minutes of Open Meetings held on November 14, 2013, November 22, 2013 & November 29, 2013** - Commissioner Roberti moved to approve the minutes. Commissioner DeSimone seconded the motion and the motion was unanimously passed. **Vote 3-0.**

**Competitive Telecommunications Service Providers Dockets**

The following companies filed tariff revision to their existing tariffs (on date). The Division has reviewed the tariff filings and recommends that they be allowed to go into effect without suspension:

- 3647 – XO Communications Services, Inc. (tariff filing 11/22/13)
- 2618 – AT&T Corp. (tariff filing 11/20,11/25 &11/27)
- 2426 – Teleport Communications America LLC (tariff filings 11/20 & 11/25/13)

After review, the PUC followed the Division's recommendation to allow the tariffs to go into effect without suspension.

**Designation as an Eligible Telecommunications Carrier (ETC) Dockets**

The PUC reviewed applications for ETC designation as submitted by the following companies. These companies seek ETC designation for the purpose of providing lifeline services to qualifying Rhode Island households. The Division submitted a position summarizing its review and recommending approval of:

- 4446 - Global Connection Inc. of America d/b/a STAND UP WIRELESS (filed 9/30/13)
- 4449 - Q LINK WIRELESS, LLC – Q LINK WIRELESS (filed 10/17/13)

After review, Commissioner DeSimone moved to approve the applications for ETC designation. Commissioner Roberti seconded the motion and the motion was unanimously passed. **Vote 3-0.**

**4406 – Providence Water Supply Board (PWSB)** – The PUC considered the November 23, 2013 Second Revised Settlement Agreement executed amongst the PWSB, Division of Public Utilities and Carriers, Kent County Water Authority, Bristol County Water Authority, City of Warwick and City of East Providence. The Settlement included new rates designed to provide PWSB with additional revenues of \$7,494,513 or 12.74% to provide total pro forma revenues of \$67,525,343. After review, Commissioner DeSimone moved to approve the agreement. Commissioner Roberti seconded the motion and the motion was unanimously passed. **Voter 3-0.**

**4450 – Rules and Regulations Governing the Termination of Residential Electric and Natural Gas** - The PUC reviewed the comments received on the proposed rules and did **not** make any changes after discussing the following comments:

1. Weekend termination: to add a limitation on termination before a weekend or holiday.
2. A summer moratorium period: the PUC opined that there is no statutory requirement.
3. Whether to add a definition of "disabled" to Section 3.0. The PUC opined adding a definition will make it more restrictive and narrow the number of individuals who would be able to benefit.
4. Add a reference to reasonable methods of debt collection in Section 4(e).
5. Include additional language to Section 5.0(B)(2) requiring additional documentation for proof of where the child resides.
6. Add financial hardship for elderly to qualify for protection and add additional notice provision for elderly who do not qualify for protection so that any person 65+, notwithstanding financial hardship, the company should provide further notice of termination.
7. Add a provision for life support customers under Section 4.

The PUC **did** make changes to adopt the following:

1. Strike out definition under Section 3(G) which adds specific reference to National Grid and replace it with statutory language.
2. Add definition in Section 3.0(J) to require written notice of termination with the option for customers to choose to also receive electronic notification of termination notice.

Further discussion of this docket was postponed to next open meeting.

### **Renewable Energy Resources Eligibility Generation Units Dockets**

The PUC reviewed the renewable energy resources applications and a retirement notification of a generation facility as submitted in the following dockets:

- 4457 – WR-TGC Solar Generation VI, LLC – Application seeking certification for the West Davisville Solar Generation Unit, a 2.0 MW solar energy generation unit located in North Kingstown, Rhode Island, as an eligible New Renewable Energy Resource. PUC Consultant filed a recommendation to approve the application. After review, Commissioner Roberti moved to approve the application. Commissioner DeSimone seconded the motion and the motion was unanimously approved. **Vote 3-0.**
- 4441– Town of Hardwick Electric Dept. - Application seeking certification for the Wolcott Hydro #1 Generation Unit, a 0.815 MW small hydro energy generation unit located in Wolcott, Vermont, as an eligible Existing Renewable Energy Resource. PUC Consultant filed a recommendation to approve the application. After review, Commissioner Roberti moved to approve the application. Commissioner DeSimone seconded the motion and the motion was unanimously approved. **Vote 3-0.**

- 4433 – Northbrook Lyons Falls, LLC - Application seeking certification for the Gouldtown Development Generation Unit, a 2.0 MW small hydro energy generation unit located in Lyonsdale, New York, as an eligible New Renewable Energy Resource. PUC Consultant filed a recommendation to approve the application. After review, Commissioner Roberti moved to approve the application and grant the company's request for confidential treatment of privileged information. Commissioner DeSimone seconded the motion and the motion was unanimously approved. **Vote 3-0.**
- 3817 - Rhode Island LFG Genco, LLC – Applicant filed on September 26, 2013 a notice of eligibility status informing that the Johnston Landfill Expansion Phase I facility was retired on January 17, 2013 and will no longer file quarterly eligibility fuel reports. After review, Commissioner Roberti moved to adopt the PUC Consultant’s recommendation to withdraw the Johnston Landfill Expansion Phase I facility from eligibility as renewable energy resource in accordance with Section 6.3(i) of the RES rules and regulations. Commissioner DeSimone seconded the motion and the motion was unanimously passed. **Vote 3-0.**

The open meeting adjourned at 4:05 P.M.