

STATE OF RHODE ISLAND
DIVISION OF PUBLIC UTILITIES AND CARRIERS

89 Jefferson Boulevard
Warwick, Rhode Island 02888

Rules and Regulations Governing Digital Filings and Website
Information Required Under Rhode Island General Laws
Section 39-1-18

Date of Public Notice: May 1, 2003

Date of Public Hearing: June 5, 2003

Effective Date: September 1, 2003

1. INTRODUCTION

In 2002 a new law was enacted requiring that all filings made to the Division of Public Utilities and Carriers (“Division”) or the Public Utilities Commission (“Commission”) be provided digitally in a manner established by the Division (R.I.G.L. §39-1-18(b)).

In order to support the ability of the public and interested parties to stay informed of the activities of the Commission and the Division, this same new law also requires the Division to maintain a site on the Internet through which the public may access the following information:

- (1) notices of public hearings;
- (2) all filings that are available in digital format and that are not subject to protective orders;
- (3) all orders, rules and regulations of the Commission or Administrator;
- (4) announcements of, agendas for, and minutes of open meetings;
- (5) a calendar of all forthcoming open meetings and hearings;
- (6) current tariffs of all public utilities who are subject to assessment pursuant to R.I.G.L. §39-1-23; provided, however, that the Division may require any public utility with extensive tariffs to maintain a website and provide access to those tariffs via a link from the Division’s website;
- (7) a listing of all public utilities and Nonregulated power producers, together with consumer contact information for each;
- (8) consumer information on billing dispute resolution, retail access, conservation, and consumer assistance programs;
- (9) demand side management programs available to residential, commercial and industrial customers;
- (10) other information as the Division deems relevant and useful to the public (R.I.G.L. §39-1-18(c)).

These rules and regulations are designed to facilitate the implementation of the aforementioned directives.

2. DEFINITIONS

- a. "Administrator" means the administrator of the Division as defined in R.I.G.L. §39-1-2(1).
- b. "CATV company" means a Community Antenna Television System as defined in R.I.G.L. §39-19-1.
- c. "Commission" means the Rhode Island Public Utilities Commission as defined in R.I.G.L. §39-1-2(5).
- d. "Division" means the Rhode Island Division of Public Utilities and Carriers as defined in R.I.G.L. §39-1-2(11).
- e. "Filing" means any application, petition or tariff (including related supporting documents), filed by a public utility or a CATV company, with either the Division or the Commission, which seeks (1) approval for a change in its rates, tolls or charges; or (2) authority to reduce existing services; or (3) any other document not specifically identified above, which the Commission or the Division deem to be of significant public interest.
- f. "Nonregulated power producer" means the nonregulated power producer as defined in R.I.G.L. §39-1-2(19).
- g. "Public utility" means a public utility as defined in R.I.G.L. §39-1-2(20).

3. DIGITAL FILING REQUIREMENTS

- a. All public utilities and CATV companies making a filing with the Commission or Division must include along with the "hard" original and "hard" copies required under the Commission's and the Division's respective *Rules of Practice and Procedure*, a digital or electronic copy imprinted on an appropriate "floppy", "zip" or "computer" disk; or on an attachment to an electronic mail directed to the Division or Commission Clerk; or if approved by the Division or Commission Clerk, any other conventional electronic storage system that may currently be in use or may succeed the conventional electronic storage systems that are currently available. Public utilities and CATV companies make seek an exemption from this requirement for extensive non-text type items (e.g., drawings and figures), or for items that predate existing digital processes. Requests for exemptions shall be directed to the Division/ Commission Clerk who will determine if the request for an exemption is reasonable. If the Clerk denies a request, relief may subsequently be requested from the Commission, if a Commission docket, or from the Division's Administrator, if a Division docket.
- b. All digital or electronic copies must be configured in "Word" and/or "PDF" formats or, if approved by the Division or Commission Clerk, other conventional software formats that may currently be in use or may succeed the conventional software formats that are currently available.

- c. Digital or electronic copies shall be submitted contemporaneously with all “hard” originals and “hard” copies, or if approved by the Division or Commission Clerk, within five (5) business days thereafter.

4. INFORMATION AVAILABLE ON OR THROUGH THE DIVISION’S WEBSITE

The following information shall be available on the Division’s website:

- a. Notices of all public hearings to be conducted by the Division or the Commission at least five (5) calendar days prior to the date of the hearing.
- b. All filings that are available in digital or electronic format, and that are not subject to protective orders, while the relevant proceeding is in progress. These filings may be purged from the website at the conclusion of the proceeding and after the issuance of a final report and order on the matter.
- c. All rules and regulations of the Commission and Division. The Rhode Island Secretary of State’s office similarly provides access to the Commission’s and Division’s rules and regulations on its website.
- d. All major decisions (reports and orders) of the Commission and the Division for a period of at least one (1) year from the date of issuance. Access to all other decisions shall be available through a link to a commercial database retrieval service, which will provide “search engine” and database services designed to facilitate access to all Division and Commission decisions issued between 1971 and the present. A fee will be charged for this service. NOTE: Copies of all orders of the Commission and the Division shall also be available at the offices of the Commission and the Division, 89 Jefferson Boulevard, Warwick, Rhode Island, pursuant to the requirements and fee schedule contained in the State’s *Access to Public Records Act* (R.I.G.L. §38-2-1, et seq.).
- e. Unless conducted as an “emergency meeting”, pursuant to R.I.G.L. §42-46-6(c), open meeting notices and agendas shall be posted at least forty-eight (48) hours before every scheduled open meeting. Notices shall contain: (1) the date the notice was posted; (2) the date of the meeting; (3) the time of the meeting; (4) the location of the meeting; and (5) a statement specifying the nature of the business to be discussed. The minutes of all open meetings shall be posted in conformance with R.I.G.L. §42-46-7.

- f. A calendar of all Division and Commission open meetings and hearings, covering a period of seven (7) months. The calendar will provide a brief description, including a docket number, of each matter pending before the Commission or the Division.
- g. Current public utility tariffs, as described in 39-1-18(c)(6). Access shall be achieved either by actual inclusion on the Division's website or by a link to a tariff page on the public utility's website.
- h. A listing of all public utilities, by industry group, and all registered Nonregulated power producers. Telephone numbers and/or links (where available), to each public utility's and Nonregulated power producer's consumer affairs department may also be accessed.
- i. Consumer information on billing dispute resolution procedures will be summarized. For a detailed description of all residential consumer protection rights and related adjudicative procedures a copy of the Commission's *Rules and Regulations Governing the Termination of Residential Electric, Gas and Water Utility Service*, or related successor rules and regulations, will be accessible.
- j. Consumer information regarding access to power supply from Nonregulated power producers will be summarized. Additional information may be provided through links to the websites of electric distribution companies and/or registered Nonregulated power producers.
- k. Consumer information regarding methods of conserving energy and water and also demand side management programs available to residential, commercial and industrial customers. The Division may include links to other websites that contain related information.
- l. Consumer information regarding financial assistance programs that may be available to eligible ratepayers.
- m. Other information that the Division deems relevant and useful to the public.

Adopted as rules and regulations of the Rhode Island Division of Public Utilities and Carriers on August 13, 2003, for effect on September 1, 2003.

John Spirito, Jr., Esquire
Hearing Officer

Thomas F. Ahern, Administrator