

PUC Public Utilities Commission

The Public Utilities Commission (PUC) and its predecessor agency, the Rhode Island Railroad Commission, have been regulating public utilities in Rhode Island since 1839. In 1912, the state legislature abolished the Railroad Commission and replaced it with the Public Utilities Commission (Public Law 1912, ch. 795). Headed by a commissioner, the new commission's regulatory responsibilities were expanded to include gas and electric companies, ferry services, waterworks companies, and telegraphic and cable companies as well as railway and street car companies. The 1912 act stipulated that the PUC was to "take over the documents, literature and other materials" of the Railroad Commission. By the 1950s, the commission had become a division within the Department of Business Regulation. In 1969, the Commissioner was also charged with the administration of a newly established Division of Public Utilities and Carriers (Public Law 1969, ch. 240). In 1980, the PUC became a separate agency from the Department of Business Regulation (Public Law 1980, ch. 335). The Utility Restructuring Act of 1996 established the commission and the division¹ as two separate entities, with a chairman presiding over the commission and an administrator heading the division (Public Law 1996, Ch. 316, (39-1-3). This retention schedule covers both entities.

PUC1 Minutes of Meetings – Commission and Division

Retention: Permanent.
GRS1.7 Meeting Minutes.

PUC2 Executive Correspondence

Retention: See GRS1.1 Correspondence and Memoranda.

PUC3 Complaints – Commission and Division

The PUC's regulations provide for a process by which individuals using services, applicants for service, or other persons having business with a public utility can file complaints against the utility with the PUC by informal means and seek an informal resolution of such complaint. Informal complaints filed with the division often consist of communications with the commission or division requesting information, advice, or assistance concerning consumer rights, responsibilities or options as regards the utility. Some complaints may ultimately result in the filing of a formal complaint, which then results in the creation of a docket file. The commission or the division may determine it lacks jurisdiction to hear a complaint or may find the complaint lacks probable cause.

a) Informal Complaints and Formal Complaints – No Jurisdiction/ No Probable Cause

Retention: Retain three (3) years.

b) All other formal complaints

Retention: See PUC4 and PUC5.

¹ Although two separate agencies, hereafter, PUC refers to the commission and the division together. Lower case "division" refers to the Division of Public Utilities and Carriers and lower case "commission" refers to the commission rather than the division.

PUC4 Public Utilities Commission – Dockets

The commission is an impartial, independent, governmental body having the powers of a court of record. The commission is charged with implementing and enforcing standards of conduct, holding hearings, and conducting investigations involving public utilities' rates, tariffs, tolls and charges, and the sufficiency and reasonableness of their facilities and accommodations. This authority encompasses gas distribution, electric distribution, water and telephone utilities. The commission also regulates intrastate water carriers and the Narragansett Bay Commission (wastewater) and continues to have regulatory authority over the location of railroad depots and stations and the control of grade crossings. The commission may also conduct appellate review (RIGL §31-9-30), exercise eminent domain (RIGL §39-1-31) and issue emergency orders (RIGL §39-1-32).

Commission proceedings may be initiated under any one of several scenarios. Utilities may file applications for changes in rates or petitions for approval to deliver new or to withdraw existing services, or to modify conditions and terms of service. The commission may launch *sua sponte* investigations, or investigations may be requested either by the division, the Energy Facility Siting Board (RIGL §42-98-9) or by any party. The commission may initiate a proceeding to comply with legislative mandates. The cases may include, but are not limited to, applications to change utility rates and tariffs, applications to consolidate rates resulting from utility mergers and rate design applications. The cases may also include energy efficiency and conservation proposals, review of purchase power agreements, certification of eligible renewable energy resources, application for authority to transact as a supplier of telecommunication services, applications for authority to transact as a gas marketer, rulemaking proceedings, and petitions for declaratory judgment.

The commission maintains its records in accordance with a docket system. Each docket contains the entire record of proceedings for matters that come before the commission for its consideration. The content of each docket depends on the nature of the proceeding. Records may include, but are not limited to, written applications, rate schedules, pre-filed testimony, records attesting to the financial condition of the utility, petitions, pleadings, protests, motions, briefs, objections, notices, reports, and compliance filings, hearing transcripts, exhibits, public comments, and requests for protective treatment of confidential information. Finally, each docket contains any order(s) issued by the commission in that particular docket.

a) Docket Orders

Retention: Permanent.

b) Landmark Dockets – supporting documentation

Retention: Permanent.

c) All other supporting documentation

Retention: Retain thirty (30) years after Order issued, or seven (7) years after final disposition of litigation, whichever is longer.

Note: RIGL §39-1-18 requires that utilities provide all filings in digital format, save when the Commission grants an exemption.

PUC5 Division of Public Utilities and Carriers – Dockets

The Division of Public Utilities and Carriers' responsibilities are regulatory and investigatory. It is directly responsible for the regulation of those utilities falling outside the commission's purview. These currently include motor carriers and community antenna television systems (CATV). The division also has authority to exercise certain regulatory powers over non-regulated power producers as well as over transactions between public utilities and their affiliates. It also has statutory authority to promulgate rules, regulations, and standards for these utilities as well as those falling within the commission's jurisdiction (electricity and gas). Finally, the division exercises authority over all public utilities' equity and debt issuances.

Division proceedings may be initiated under any one of several scenarios. Utilities and carriers may file applications or petitions for approval to deliver new or withdraw existing services, or to modify conditions and terms of service, and citizens are entitled to lodge complaints against a utility within the commission's jurisdiction.

As part of its responsibilities, the division issues Compliance Order Certificates, Construction Certificates, and Certificates of Authority to Operate (PUC Rules Governing Community Antenna Television Systems, No. 3). Also, the division issues Certificates of Public Convenience and Necessity, which all motor carriers require in order to operate (RIGL §39-12-6.) It has compliance enforcement authority with respect to facilities, equipment, and procedure standards, and rate and tariff structures and terms of service. It can also undertake investigations, determine common carrier rates and charges, issue cab rate cards, inspect utility records of complaints, review utility testing reports, and oversee utility laboratory standards. It also reviews petitions from utilities. The division may also hold hearings for those services within its jurisdiction (motor carriers, CATV). Finally, the division regularly provides the commission with recommendations for approval or denial of utilities' applications that come before it.

The division maintains records of its cases in accordance with a docketing system. Depending on the nature of the proceeding, dockets may include, but are not limited to, letters of complaint, written applications, testimony, hearing transcripts, motions of intervention, comments, rebuttals, petitions, pleadings, protests, motions, briefs, objections, rate schedules, notices, compliance filings, and copies of contracts. The dockets may also include minutes of meetings and reports (including Service Area Citizens' Advisory Committees' Needs Assessment Reports). Finally, each docket contains division decisions and orders.

a) Docket Orders

Retention: Permanent.

b) Landmark Dockets – supporting documentation

Retention: Permanent.

c) All other supporting documentation

Retention: Retain thirty (30) years after Order issued, or seven (7) years after final disposition of litigation, whichever is longer.

PUC6 Docket Index Book

The PUC maintains a book that lists and identifies the dockets assigned to a filing submitted to each agency. The book identifies the date when the filing was submitted, the applicant of the filing, a brief description of the filing and docket number assigned.

Retention: Permanent.

PUC7 Order Index Book

The PUC maintains a book that lists and identifies the orders issued by the agency. The book identifies the order number, issuance date of order, name of applicant and docket number. The original orders are kept in the respective commission or division dockets.

Retention: Permanent.

PUC8 Utility Reports – Division

Public utilities must file periodic reports with the division on forms it provides. These include Interruption of Service reports (monthly), periodic meter test reports (annually), selective meter test reports (annually), utility accident reports (as required). The utilities also submit annual financial reports.

a) Reports of major incidents

Retention: Permanent.

b) Routine reports and reports of minor incidents

Retention: Retain three (3) years.

PUC9 Certificates of Records Destruction

Certification of Records Destruction forms (PRA 003) signed by the authorized agency official and submitted to, and signed by, the State Archivist/Public Records Administrator. Certificates authorize the disposal of records listed in this and other applicable records retention schedules.

RIGL §38-1-10, §38-3-6(j), and §42-8.1.10

Retention: Permanent.