



## Public Service Commission

**For Immediate Release:** 3/14/18

John B. Rhodes, Chair

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### COMMISSION ISSUES FINAL MARCH 15, 2018 AGENDA

Albany, NY – The Public Service Commission announced today that it will hold its next regular session beginning at **10:30 A.M., Thursday, March 15, 2018, in the 19<sup>th</sup> Floor Board Room of its offices located at Three Empire State Plaza, Albany, New York.**

**MEETING WILL BE BROADCAST ON THE INTERNET AT:**

<http://www.dps.ny.gov/Webcasts.html>

**-VIDEOCASTING TO PSC'S NYC OFFICES AVAILABLE-**

**(See instructions on last page of Agenda)**

The session agenda is as follows:

**To view documents related to PSC Cases below, visit:**

[http://www.dps.ny.gov/New\\_Search.html](http://www.dps.ny.gov/New_Search.html)

#### **REGULAR AGENDA ITEMS Items To Be Resolved Through Discussion**

<b>Item</b>	<b>PSC Case</b>	
		<b>GENERAL</b>
201	17-E-0238	NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Electric Service.

- 17-G-0239 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.
- 14-M-0042 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Petition for a Waiver of 60 Day Filing Requirement Regarding Pension Settlement Loss.
- 12-G-0202 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.
- 202 14-M-0224 Proceeding on Motion of the Commission to Enable Community Choice Aggregation Programs.
- 15-E-0082 Proceeding on Motion of the Commission as to the Policies, Requirements and Conditions For Implementing a Community Net Metering Program.
- 203 15-M-0252 In the Matter of Utility Energy Efficiency Programs.

### **POWER**

- 301 There is no item 301.
- 302 18-E-0126 NEW YORK MUNICIPAL POWER AGENCY - Tariff filing to Implement a New Rider A - Rates and Charges for High Density Load Service.

No items will be considered on the Regular Agenda for **GAS, WATER, COMMUNICATIONS, and CABLE.**

### **CONSENT AGENDA**

**This agenda consists of items that, by their nature, can be decided by the Commission on the basis of written reviews and analyses previously made available to the Commissioners and do not require discussion at the Session.**

**Item      PSC Case**

#### **GAS**

- 161      17-G-0166      THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY - Petition for Approval for the Use of the Romet AdEM-T to be Used on All Compatible Rotary Meters.

- 162 17-G-0165 THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY - Petition for Approval of the Use of the Romet AdEM-PTZ to be Used On All Compatible Rotary Meters.
- 163 18-G-0076 MR. ZHANG WEN/MR. PAUL WYNKOOP AND NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID (549570) - Rehearing Request.
- 164 15-G-0101 SMALL CUSTOMER MARKETER COALITION - Petition to Examine and Revise the Mechanism for the Annual Reconciliation of Gas Expenses and Gas Cost Recoveries.
- 165 14-M-0565 Proceeding on Motion of the Commission to Examine Programs to Address Energy Affordability for Low Income Utility Customers.
- 16-G-0058 KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.
- 16-G-0059 THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.
- 166-A In the Matter of an Enforcement Proceeding for Alleged Violations of 16 NYCRR Part 753, Protection of Underground Facilities. (Penalty Orders)
- 18-G-0114 DWT SERVICES, LLC/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 18-G-0121 P.M. LEARY, LLC/NEW YORK STATE ELECTRIC & GAS CORPORATION.
- 18-G-0113 ROCK HARD INDUSTRIES/CENTRAL HUDSON GAS & ELECTRIC CORPORATION.
- 18-G-0115 IMPERIAL RESTORATION, LLC/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 18-G-0120 TBC CONSTRUCTION INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 18-G-0116 DOMUS DEVELOPMENT, LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 18-G-0118 CELA CONSTRUCTION CORPORATION/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 18-G-0117 CROSS ISLAND IRRIGATION LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 18-G-0119 BARBIERI FENCE CORP./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 18-G-0105 ELH MGMT. LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.

- 18-G-0106 J & V HOME IMPROVEMENT CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 18-G-0107 KEITH GRIMES, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 18-G-0108 LIBERTY LANDSCAPING & DESIGN CO, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 18-G-0109 PARK CONSTRUCTION CORP./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 18-G-0110 CALEL'S LANDSCAPING INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 18-G-0111 R. STANLEY PAVING LLC/CENTRAL HUDSON GAS & ELECTRIC CORPORATION.
- 18-G-0112 RAMON LOPEZ CONSTRUCTION CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 18-G-0122 TURNER INTERNATIONAL/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 18-G-0123 TODD CABLE CONSTRUCTION, LLC/MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 18-G-0124 K274 CONSTRUCTION LLC/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 166-B In the Matter of an Enforcement Proceeding for Alleged Violations of 16 NYCRR Part 753, Protection of Underground Facilities. (Consent Orders)
- 17-G-0215 GRIFFIN'S LANDSCAPING CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 18-G-0096 VALLEY CONTRACTING INC./CENTRAL HUDSON GAS & ELECTRIC CORPORATION.
- 18-G-0097 EAST END EXCAVATING CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 18-G-0098 BILTMORE CONTRACTING CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 18-G-0099 C & C CONTRACTING CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 18-G-0100 R.C. STRUCTURES INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 18-G-0101 SOLAR LIBERTY, INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 18-G-0102 CITY OF GLENS FALLS SEWER & WATER/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.

- 18-G-0103 PETER LUIZZI & BROS. CONTRACTING, INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 18-G-0104 EVANS EXCAVATING/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 166-C In the Matter of an Enforcement Proceeding for Alleged Violations of 16 NYCRR Part 753, Protection of Underground Facilities. (Petitions for Rehearing)
- 17-G-0321 PETER J. LANDI, INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 17-G-0500 MFS MASONRY/ORANGE AND ROCKLAND UTILITIES, INC.
- 167 17-G-0745 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Tariff filing to Revise its Gas Tariff Schedule, P.S.C. No. 9, to Modify its Daily Delivery Service Program and to Eliminate Two Expired Programs, Winter Bundled Sales Service and Managed Supply Service.
- 168 17-G-0414 NATIONAL FUEL GAS DISTRIBUTION CORPORATION - Petition for Authority to Issue and Sell Promissory Notes.

#### **GENERAL**

- 261 12-M-0476 Proceeding on Motion of the Commission to Assess Certain Aspects of the Residential and Small Non-Residential Retail Energy Markets in New York State. Petition of New Wave Energy Corporation.
- 98-M-1343 In the Matter of Retail Access Business Rules. Petition of New Wave Energy Corporation.
- 06-M-0647 In the Matter of Energy Service Company Price Reporting Requirements. Petition of New Wave Energy Corporation.
- 98-M-0667 In the Matter of Electronic Data Interchange. Petition of New Wave Energy Corporation.
- 262 12-M-0476 Proceeding on Motion of the Commission to Assess Certain Aspects of the Residential and Small Non-Residential Retail Energy Markets in New York State. Petition of Drift Marketplace Inc.
- 98-M-1343 In the Matter of Retail Access Business Rules. Petition of Drift Marketplace Inc.
- 06-M-0647 In the Matter of Energy Service Company Price Reporting Requirements. Petition of Drift Marketplace Inc.
- 98-M-0667 In the Matter of Electronic Data Interchange. Petition of Drift Marketplace Inc.
- 263 12-M-0476 Proceeding on Motion of the Commission to Assess Certain Aspects of the Residential and Small Non-Residential Retail Energy Markets in New York State. Petition of M&R Energy Resources Corp.

- 98-M-1343 In the Matter of Retail Access Business Rules. Petition of M&R Energy Resources Corp.
- 06-M-0647 In the Matter of Energy Service Company Price Reporting Requirements. Petition of M&R Energy Resources Corp.
- 98-M-0667 In the Matter of Electronic Data Interchange. Petition of M&R Energy Resources Corp.
- 264 17-M-0659 NEW YORK STATE ELECTRIC & GAS CORPORATION - Petition for Authority to Issue Long-Term Indebtedness, Preferred Stock and Hybrid Securities and to Enter into Derivative Instruments Pursuant to a Global Financing Plan.
- 265 There is no item 265.
- 266 17-M-0415 FLANDERS ENERGY LLC - Proceeding on Motion of the Commission to Seek Consequences Against for Violations of the Uniform Business Practices.

### POWER

- 361 18-E-0012 MR. XHEVAT GOCAJ/MR. FRANCHI MUNIZ AND CONSOLIDATED EDISON COMPANY OF NEW YORK INC. (713331) - Rehearing Request.
- 362 18-E-0033 MS. JOSEPHINE CALDERONE/MS. MARIA MARTINEZ AND CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. (811638, 717991) - Rehearing Request.
- 363 17-E-0809 MR. ANTHONY LOMENZO/MS. DANIELA SPATOLA AND CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. (716829) - Request for Shared Meter Rehearing.
- 364 17-E-0548 RISING DEVELOPMENT YONKERS - MILL/MAIN, LLC - Petition to Submeter Electricity at 2 Mill Street, Yonkers, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 365 17-T-0752 PSEG LONG ISLAND LLC - Application on Behalf of and as Agent for the Long Island Lighting Company d/b/a LIPA for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII of the Public Service Law for the Western Nassau Transmission Project.
- 366 17-E-0670 CP V TS FULTON OWNER LLC - Notice of Intent to Submeter Electricity at 118 Fulton Street, New York City, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 367 There is no item 367.
- 368 There is no item 368.
- 369 17-E-0666 NEW YORK STATE ELECTRIC & GAS CORPORATION - Petition for Authority, Pursuant to Public Service Law Section 70, to Transfer to

- the Town of Owego Street Lighting Facilities Installed Throughout the Town of Owego with an Original Value over \$100,000.
- 370 17-E-0658 NEW YORK STATE ELECTRIC & GAS CORPORATION - Petition for Approval to Sell Certain Street Lighting Facilities to the Town of Bedford, Pursuant to Public Service Law Section 70 with an Original Cost of Over \$100,000.
- 371 17-E-0603 In the Matter of Maintenance Tier Applications. Petitions filed by Ampersand Chasm Falls and Ampersand Kayuta Lake.
- 372 10-T-0080 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII for the Construction of a New 115kV Electric Transmission Line from Spier Falls, Saratoga County to Rotterdam, Schenectady County.
- 373 10-T-0080 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII for the Construction of a New 115kV Electric Transmission Line from Spier Falls, Saratoga County to Rotterdam, Schenectady County. (Phase 1)
- 374 15-E-0302 Proceeding on Motion of the Commission to Implement a Large-Scale Renewable Program and a Clean Energy Standard.
- 375 15-E-0302 Proceeding on Motion of the Commission to Implement a Large-Scale Renewable Program and a Clean Energy Standard. Petition filed by the New York State Energy Research and Development Authority.
- 376 17-E-0812 HISTORIC KINGSTON MARINA LLC/MR. PATRICK MASSA, MR. LIAM DOYLE, AND CENTRAL HUDSON GAS & ELECTRIC CORP. (631655) - Rehearing Request.
- 377 16-E-0558 NEW YORK INDEPENDENT SYSTEM OPERATOR - In the Matter of New York Independent System Operator, Inc.'s Proposed Public Policy Transmission Needs for Consideration for 2016.
- 378 There is no item 378.
- 379 05-E-1180 In the Matter of the Reliability Rules of the New York State Reliability Council and the Criteria of the Northeast Power Coordinating Council.

### **WATER**

- 461 17-W-0293 BRISTOL WATER WORKS CORPORATION - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Water Service.

## COMMUNICATIONS

561 17-C-0795 MR. MATTHEW SIEGEL/VERIZON (726831) - Appeal of an Informal Hearing Decision.

## CABLE

661 There is no item 661.  
 662 17-V-0445 VERIZON NEW YORK INC. - Petition for Orders of Entry for 55 Multiple-Dwelling Unit Buildings in the City of New York.  
 663 17-V-0446 VERIZON NEW YORK INC. - Petition for Orders of Entry for 33 Multiple-Dwelling Unit Buildings in the City of New York.

### **Instructions to View Webcast at PSC's NYC Offices**

Individuals in New York City wishing to view the Commission's meeting may do so in the Board Room on the 4<sup>th</sup> floor of the Commission's offices at 90 Church Street, New York City. The webcasting will be for viewing and listening purposes only. Pursuant to procedures established by the building management, anyone planning to observe the meeting in the New York City Board Room must notify Jan Goorsky at 212-417-2378, 48 hours in advance of the meeting, and must be prepared to show valid photo identification upon arrival at 90 Church Street.

### **Instructions to View Video Webcast of Meeting**

In addition to the webcast of the meeting in the Commission's New York City offices, the meeting will be webcast live on the Internet. The Internet webcast can be viewed by accessing <http://www.dps.ny.gov/Webcasts.html>

The viewing quality of a live webcast can be adversely affected by various factors including, but not limited to, Internet bandwidth limitations, Internet network congestion, and the configurations and settings on a computer used to view the webcast. If you experience problems viewing a live webcast, you may view it at a later time by accessing an archived copy of the webcast. Archives are available on the Department Web site within two business days after the meeting.



## Explanation of Agenda

The agenda is divided into two sections. The **Consent Agenda** consists of items that because of their nature, can be decided by the Commission on the basis of written reviews and analyses previously made available to the Commission and do not require discussion. Any item on the Consent Agenda can be transferred to the Regular Agenda if discussion is required.

The **Regular Agenda** consists of items that, by their nature, appear to be best resolved through discussion of matters covered by written reviews and analyses, also available to the Commissioners in advance of the meeting. All Commission meetings are open to the public. However, since adequate forums are available for public participation in cases before the Commission there will be no opportunity for the public to address the Commission. The agenda contained herein is complete at the time of issue, but other items may be added and some agenda items may be removed without further notice.

Proposed draft orders for **Regular Agenda items** will be posted for public viewing, if feasible, by 6:00 p.m. the day before a Commission meeting. The proposed draft orders will be made available at: [Documents Scheduled for Discussion at Session](#).

The posted draft orders will be removed by 6:00 p.m. on the day of the Commission meeting, or when the final order is issued, whichever is earlier. (Clicking on this link at any other time than that noted above will result in “No Documents found.”) The proposed draft order is not the final Commission action, rather, the final determination is the issued order, posted by the Secretary, and available at [www.dps.ny.gov](http://www.dps.ny.gov), click on “Search” then search the appropriate PSC case number.

## Other Matters

Persons with disabilities who require a sign language interpreter or other special accommodations should call the Department of Public Service's Human Resources Management office at 518 - 474-2520. TTD users may call this number through the New York Relay Service at 1-800-662-1220 or have a representative call directly to the office.

All public documents that have been filed or issued before today's date may be obtained by accessing the Commission's Web site at [www.dps.ny.gov](http://www.dps.ny.gov), click on “Search” then search using the appropriate PSC case number, or in the alternative documents may be viewed on monitors

provided in the Files Unit on the 14<sup>th</sup> floor of the Albany offices or obtained by calling (518)-474-2500.

### Next Meeting

The next regularly scheduled meeting will begin at **10:30 A.M., Thursday, April 19, 2018, in Albany, New York.**

Individuals in Albany wishing to observe the Commission's meeting may do so in the Board Room on the 19<sup>th</sup> floor of the Commission's offices at Three Empire State Plaza. **Pursuant to procedures established by the building management, anyone planning to view the meeting in the New York City Office must notify Jan Goorsky at 212-417-2378, 48 hours in advance of the meeting, and must be prepared to show valid photo identification upon arrival at 90 Church Street.** The webcasting will be for viewing and listening purposes only.

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