

STATE OF NEW YORK

Public Service Commission

Garry A. Brown, Chairman

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COMMISSION TO MEET ON THURSDAY, MAY 16, 2013

Albany, NY – 05/10/13 – The Public Service Commission announced today that it will hold its next regular session beginning at **10:30 a.m., Thursday, May 16, 2013, in the 19th 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 Numbers below, visit:

http://www.dps.ny.gov/New_Search.html

REGULAR AGENDA ITEMS

Items To Be Resolved Through Discussion

Item PSC Case

GAS

- | | | |
|-----|-----------|--|
| 101 | 11-G-0417 | CORNING NATURAL GAS CORPORATION AND MIRABITO HOLDINGS, INC. - Joint Petition for Approval, Pursuant to Section 70 of the Public Service Law, of Stock Acquisition. |
| | 12-G-0141 | CORNING NATURAL GAS CORPORATION - Petition for Authority to Form a Holding Company and for Approval of Certain Related Transactions. |

GENERAL

- 201 08-E-0827 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID'S ELECTRIC BUSINESS - Comprehensive Management Audit. Status Report.
- 08-M-0152 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Comprehensive Management Audit. Status Report.
- 09-M-0764 CENTRAL HUDSON GAS AND ELECTRIC CORPORATION'S ELECTRIC AND GAS BUSINESSES - Comprehensive Management and Operations Audit. Status Report.
- 10-M-0551 IBERDROLA, S.A., IBERDROLA, USA, NEW YORK STATE ELECTRIC AND GAS, AND ROCHESTER GAS AND ELECTRIC - In the Matter of a Comprehensive Management Audit. Status Report.
- 11-G-0580 NATIONAL FUEL GAS DISTRIBUTION CORPORATION - In the Matter of a Comprehensive Management Audit. Status Report.
- 13-G-0009 NATIONAL GRID USA'S NEW YORK GAS COMPANIES - Comprehensive Management and Operations Audit. Status Report.
- 202 13-M-0178 In the Matter of Energy Utility Cyber Security Strategic Planning Review.
- 203 10-M-0551 IBERDROLA, S.A., IBERDROLA, USA, NEW YORK STATE ELECTRIC AND GAS, AND ROCHESTER GAS AND ELECTRIC. - In the Matter of a Comprehensive Management Audit.
- 12-E-0065 IBERDROLA RENEWABLES HOLDINGS, INC. - Petition for a Declaratory Ruling Concerning the Application of Section 70 of the Public Service Law.
- 12-M-0066 NEW YORK STATE ELECTRIC & GAS CORPORATION, ROCHESTER GAS AND ELECTRIC CORPORATION, RGS ENERGY GROUP INC., IBERDROLA USA NETWORKS, IBERDROLA USA, INC., AND IBERDROLA FINANCE UK LIMITED - Petition for Approval of an Internal Reorganization Pursuant to Section 70 of the Public Service Law.

POWER

- 301-A 13-E-0149 In the Matter of Staff's Report on 2013 Electric Summer Preparedness. Bulk Electric System.
- 301-B 13-E-0149 In the Matter of Staff's Report on 2013 Electric Summer Preparedness.

Electric Distribution System.

- 301-C 13-E-0149 In the Matter of Staff's Report on 2013 Electric Summer Preparedness. Utility Storm Hardening Efforts.
- 301-D 13-E-0149 In the Matter of Staff's Report on 2013 Electric Summer Preparedness. Utility Portfolio Price Volatility and Electric Supply Price Outlook.

COMMUNICATIONS

- 501 13-C-0161 In the Matter of Quality of Service provided by Local Exchange Companies in New York State. First Quarter 2013 Service Quality Report for Verizon New York Inc.
- 10-C-0202 VERIZON NEW YORK INC. – Service Quality Improvement Plan.
- 502 13-C-0197 VERIZON NEW YORK INC. – Tariff filing to introduce language under which the company could discontinue its current wireline service offerings in a specified area and instead offer a wireless service as its sole service offering in the area.

No items will be considered on the Regular Agenda for **WATER** 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

- | | | |
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| 161 | 11-G-0036 | SALISBURY POINT COOPERATIVE and ORANGE AND ROCKLAND UTILITIES, INC. - Appeal of Informal Hearing Decision. |
| 162 | | In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities. |
| | 13-G-0170 | AMERICAN PLUMBING AND HEATING CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID. |
| | 13-G-0171 | CASALE CONSTRUCTION SERVICES, INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID. |
| | 13-G-0172 | MEL & JAY MANAGEMENT LLC/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID. |
| | 13-G-0173 | PARK MANAGEMENT CORP./ORANGE AND ROCKLAND UTILITIES, INC. |
| | 13-G-0174 | LAKE CREST CONSTRUCTION/ROCHESTER GAS AND ELECTRIC CORPORATION. |
| | 13-G-0177 | CASALE EXCAVATING, INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID. |
| 163 | 12-G-0539 | THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY – Petition for Approval of a Transfer or Lease of Property with an Original Cost of Over \$100,000. |
| 164 | 12-G-0005 | In the Matter of the Rules and Regulations of the Public Service Commission, Contained in 16 NYCRR, Chapter - Proposed Amendments to Chapter III, Gas Utilities, Subchapter C, Safety, Part 255, Transmission and Distribution of Gas. |
| 165 | 12-G-0363 | CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Petition of Approval of the Romet RM56000 DCID Rotary Meter. |

- 166 13-G-0110 MR. JARED KING and NIAGARA MOHAWK POWER COMPANY D/B/A NATIONAL GRID - Appeal of Informal Hearing Decision.
- 167 13-G-0063 KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID NY - Amendments to PSC 1-Gas, eff. on a temporary basis 6/1/13, to add and clarify provisions related to electric generators that take transportation service under Service Classifications No. 7 - Interruptible Transportation Service and No. 14 - Non-Core Transportation for Electric Service.

GENERAL

- 261 13-E-0115 MR. JOSEPH SARAGO and NIAGARA MOHAWK POWER COMPANY D/B/A NATIONAL GRID - Appeal of Informal Hearing Decision.
- 262 There is no item 262.
- 263 11-M-0598 METRO ELEVEN HOTELS, LLC - Appeal of Informal Decision Rendered in Favor of Just Energy.
- 12-M-0113 METRO ELEVEN HOTELS, LLC - Complaint Regarding Alleged Slamming by Just Energy.
- 264 09-S-0029 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Proceeding on Motion to Consider Steam Resource Plan and East River Re-powering Project Cost Allocation Study, and Steam Energy Efficiency Programs.
- 09-S-0794 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Proceeding on Motion as to the Rates, Charges, Rules and Regulations for Steam Service. Compliance filing and Request for Reconsideration filed by Con Edison.
- 13-S-0032 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Proceeding on Motion as to the Rates, Charges, Rules and Regulations for Steam Service.

POWER

- 361 09-E-0428 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Amendments to PSC 10 - Electricity, eff. 4/1/13 on a temporary basis, to revise its electric rates, charges, rules and regulations for Rate Year 4 in

compliance with Commission Order issued March 26, 2010.

- 362 13-E-0150 CORNELL UNIVERSITY - Petition for a Declaratory Ruling Concerning New York State Electric & Gas Corporation's Remote Net Metering Tariff.
- 363 12-E-0250 MS. DENISHA LEWIS/MR. JOHN CAIN and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Rehearing Petition of Designee Determination.
- 364 13-E-0043 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Amendments to PSC 10 - Electricity, eff. 5/20/13, to modify Rider J - Business Incentive Rate Applicability.
- 365 13-E-0067 PENNSYLVANIA ELECTRIC COMPANY - Amendments to PSC 6- Electricity, eff. 6/1/13, to modify the Default Service Support and Price To Compare Riders.
- 366 13-E-0162 ROCHESTER GAS AND ELECTRIC CORPORATION - Amendment to PSC 19 - Electricity, eff. 5/17/13, to incorporate, onto one tariff leaf, language from two previously approved filings.
- 13-E-0163 NEW YORK STATE ELECTRIC AND GAS CORPORATION - Amendment to PSC 120 - Electricity, eff. 5/17/13, to incorporate, onto one tariff leaf, language from two previously approved filings.
- 367 09-M-0311 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Amendments to PSC 10, 11, 12 - Electricity; PSC 9 - Gas and PSC 4 - Steam, eff. 5/20/13.
- ORANGE AND ROCKLAND UTILITIES, INC. - Amendments to PSC 3, 4 - Electricity, eff. 5/20/13.
- Amendments to implement the Laws of 2009 establishing a temporary annual assessment pursuant to Section 18-a(6).
- 368 04-M-0159 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Proceeding on Motion of the Commission to Examine the Safety of Electric Transmission and Distribution Systems. Petition by Con Edison for an extension of time to Complete the five year inspection cycle.

- 369 11-E-0176 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Amendment to PSC 10-Electricity, eff. 5/20/13, to modify its Allocation Ratio under General Rule 11 - Billing Applicable to Service Under Certain Economic Development Programs.
- 370 09-T-0049 UPSTATE NY POWER CORP. - Application for a Certificate of Environmental Compatibility and Public Need for a 50.6 mile 230kV Transmission Facility From Galloo Island in the Town of Hounsfield, Jefferson County, to the Fitzpatrick-Edic Substation in the Town of Mexico, Oswego County. – Staff’s Motion to Dismiss Application.
- 371 12-E-0482 MR. JOAQUIN BONILLA and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Rehearing of Informal Hearing Decision.
- 372 12-E-0337 KISSLING INTERESTS, LLC - Petition to Submeter Electricity at 175 North Street, Buffalo, New York, Located in the Territory of Niagara Mohawk Power Corporation d/b/a National Grid.
- 373 09-E-0492 42ND AND 10TH ASSOCIATES, LLC - Petition to Modify Prior Order Regarding Submetering Electricity at 440 West 42nd Street, New York, NY, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 374 There is no item 374.
- 375 03-E-0188 Proceeding on Motion of the Commission Regarding a Retail Renewable Portfolio Standard.
Petition of the New York State Energy Research and Development Authority to Reallocate Unencumbered Funds.
- 376 13-E-0146 ORANGE AND ROCKLAND UTILITIES, INC. - Petition for Approval of a Transfer or Lease of Property to the Town of Goshen.
- 377 12-E-0503 Proceeding on Motion of the Commission to Review Generation Retirement Contingency Plans.
- 378 12-E-0136 DUNKIRK POWER LLC and NRG ENERGY, INC. - Petition For

Waiver of Generator Retirement Requirements.

- 379 03-E-0188 Proceeding on Motion of the Commission Regarding a Retail Renewable Portfolio Standard. Petition of the New York State Energy Research and Development Authority for a change to RPS Rules.

WATER

- 461 07-W-0508 LONG ISLAND WATER CORPORATION - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Water Service.
- 11-W-0200 Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of Long Island Water Corporation d/b/a Long Island American Water for Water Service.
- 11-W-0484 LONG ISLAND WATER CORPORATION D/B/A LONG ISLAND AMERICAN WATER - Petition for Approval, Pursuant to Public Service Law, Section 113(2), of a Proposed Allocation of Certain Tax Refunds between and ratepayers.
- 12-W-0051 LONG ISLAND WATER CORPORATION D/B/A LONG ISLAND AMERICAN WATER - Petition for Approval, Pursuant to Public Service Law, Section 113(2), of a Proposed Allocation of Certain Tax Refunds between and Ratepayers.
- 462 12-W-0364 WHITE KNIGHT MANAGEMENT LLC - Petition to Abandon its Water System. Confirming Order.

COMMUNICATIONS

- 561 13-C-0103 In the Matter of Compliance with FCC Report and Order and Further Notice of Proposed Rulemaking, Released November 18, 2011 - Phase II.
- 562 13-C-0160 VERIZON NEW YORK, INC. - Notice of Intent to Transfer Certain Property Interests at 1095 Avenue of the Americas, New York, New York.
- 563 13-C-0107 VERIZON NEW YORK, INC. - Amendments to PSC No. 1 - Communications, eff. 5/18/13, to grandfather the ISDN Basic Service Individual Message Business Service, Virtual Office ISDN, and ISDN Packages for business customers.

- 564 There is no item 564.
- 565 13-C-0145 VERIZON NEW YORK, INC. - Amendments to PSC 1-
Communications, eff. 5/18/13, to add a Municipal Construction
Surcharge.
- 566 13-C-0192 GLOBAL TEL*LINK CORPORATION, VALUE-ADDED
COMMUNICATIONS, INC., DSI-ITI, LLC, AND PUBLIC
COMMUNICATIONS SERVICES, INC. - Joint Petition for Approval of
Issuance of Debt and Related Financing Transactions.
- 567 13-C-0099 VERIZON NEW YORK, INC. - Tariff filing to increase the rate for Non-
Published Service for residential and business customers.

CABLE

- 661 Petitions for Renewal of Cable Television Franchises.
- 12-V-0511 TIME WARNER CABLE NORTHEAST, LLC/TOWN OF LINDLEY,
STEUBEN COUNTY.
- 12-V-0512 TIME WARNER CABLE/TOWN OF MANHEIM, HERKIMER
COUNTY.
- 12-V-0513 TIME WARNER CABLE/VILLAGE OF POTSDAM, ST. LAWRENCE
COUNTY.
- 13-V-0087 TIME WARNER CABLE NORTHEAST LLC/TOWN OF WEST
TURIN, LEWIS COUNTY.
- 13-V-0089 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF
MUNNSVILLE, MADISON COUNTY.
- 13-V-0091 TIME WARNER CABLE NORTHEAST LLC/TOWN OF BURKE,
FRANKLIN COUNTY.
- 13-V-0120 TIME WARNER CABLE NORTHEAST, LLC/TOWN OF ARGYLE IN
WASHINGTON COUNTY.
- 13-V-0147 TIME WARNER CABLE NORTHEAST LLC/CITY OF SARATOGA
SPRINGS, SARATOGA COUNTY.
- 13-V-0151 TIME WARNER CABLE NORTHEAST, LLC/CITY OF
POUGHKEEPSIE, DUTCHESS COUNTY.
- 13-V-0159 TIME WARNER CABLE/VILLAGE OF NEW YORK MILLS,

ONEIDA COUNTY.

- 662 13-V-0143 TIME WARNER CABLE - Complaint of Computel Consultants Regarding for Franchise Fee Payments to the Village of South Glens Falls.
- 663 13-V-0144 TIME WARNER CABLE - Complaint of Computel Consultants Against the Company's Franchise Fee Payments to the Village of Camden.
- 664 13-V-0155 SLIC NETWORK SOLUTIONS - Petition for a Certificate of Confirmation for its Franchise with the Town of Fine, St. Lawrence County.
- 665 13-V-0141 SLIC NETWORK SOLUTIONS - Petition for a Certificate of Confirmation for its Franchise with the Town of Louisville, St. Lawrence County.
- 666 13-V-0142 SLIC NETWORK SOLUTIONS - Petition for a Certificate of Confirmation for its Franchise with the Town of Piercefield, St. Lawrence County.
- 667 13-V-0051 EMPIRE VIDEO SERVICES CORPORATION - Petition for a Certificate of Confirmation for its Franchise with the Town of Ashland, Chemung County.

Instructions to View Videocast 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 4th floor of the Commission's offices at 90 Church Street, New York City. The videocasting 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 Broadcast of Meeting

In addition to the video broadcasting of the meeting in the Commission's New York City offices, the meeting will be broadcast live on the Internet. The Internet broadcast 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** or discussion items will be posted for public viewing, if feasible, by 5:00 p.m. the day before a Commission meeting. The draft orders will be made available at: www.dps.ny.gov/DraftDocuments.html

The posted drafts will be removed by 5:00 p.m. on the day of the Commission meeting. The proposed 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, 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, 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 14th 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, June 13, 2013, in Albany, New York.**

Individuals in Albany wishing to observe the Commission's meeting may do so in the Board Room on the 19th 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 videocasting will be for viewing and listening purposes only.

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