

STATE OF NEW YORK

# Public Service Commission

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11024 Agenda

## PSC LISTS AGENDA FOR THURSDAY, MARCH 17, 2011

PLEASE NOTE:

MEETING WILL BE BROADCAST ON THE INTERNET

- VIDEOCASTING TO COMMISSION'S NEW YORK CITY OFFICES ALSO AVAILABLE -

Albany, NY – 03/11/11 – The New York State Public Service Commission announced today the agenda for its regular meeting starting at **10:30 A.M., Thursday, March 17, 2011, in the 19th Floor Board Room of its offices located at Three Empire State Plaza, Albany, New York.**

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 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.

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://nydps.onlinevideoservice.com>.

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.

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 attached to this announcement is complete at the time of issue, but other items may be added and some agenda items may be removed without further notice.

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 are available for inspection in the Files Unit on the 14<sup>th</sup> floor of the Albany offices, or by faxing a request for copies to (518) 474-9842 using a Billing Information Form, available in that office or by calling (518) 474-2500. Copies of notices or other material relating to pending Commission actions may be obtained by calling the Department's Operations Section at (518) 474-2500. Copies may be obtained from Central Files when they become available by calling (518) 474-2500.

The next regularly scheduled meeting will begin at **10:30 A.M., Thursday, April 14, 2011, in Albany, New York.**

The agenda for the March 17, 2011 meeting is attached.

**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.**

**All items will be considered together at the start of the session.**

**Item PSC Case**

**GAS**

- 161 11-G-0016 Ms. Aldena Kennedy/Ms. Ann Brown and Consolidated Edison Company of New York, Inc. – In the Matter of Commission Designee’s Determination Pursuant to PSL Section 52 – Petition for Rehearing.
- 162 03-G-0743 Ciampa Organization, et al. and Consolidated Edison Company of New York, Inc.
- 11-G-0054 Consolidated Edison Company of New York, Inc. – In the Matter of the Company’s Gas Tariff Regarding Base Rate 1 Interruptible Customers.  
  
In the Matter of the Rules and Regulations of the PSC, Contained in 16 NYCRR, in Relation to Complaint Procedures – Appeals of Informal Hearing Decision.
- 163 11-G-0063 Lucio Masonry, Inc./Consolidated Edison Company of New York, Inc.
- 11-G-0065 Lechase Construction Services, LLC/New York State Electric & Gas Corporation.
- 11-G-0066 Keeler Construction, Inc./New York State Electric & Gas Corporation.
- 11-G-0067 M.L. Caccamise Electric Corp./Rochester Gas and Electric Corporation.  
  
In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753 – Protection of Underground Facilities.
- 164 10-G-0485 Central Hudson Gas & Electric Corporation – Amendments to PSC 12-Gas, eff. 4/1/11, to revise Monthly Balancing and Semi-Annual Settlement provisions contained in company’s retail access program.
- 165 10-M-0365 KeySpan Gas East Corporation d/b/a National Grid – Petition for Authority to Issue Securities.
- 166 10-G-0647 Corning Natural Gas Corporation – Pet. for Authority, Pursuant to Public Service Law Section 69, to Issue Dividends to Shareholders in the Form of One Share of Stock for Each Two Shares Currently Owned.

- 167 10-G-0146 Inergy Pipeline East, LLC - Petition for an Order Providing for Incidental and Lightened Regulation.
- 10-M-0143 New York State Electric & Gas Corporation, Inergy Midstream, LLC, Arlington Storage Company, LLC, and Inergy Pipeline East, LLC – Joint Petition for Authorization to Transfer the Seneca Lake Storage Facility, Certain Pipeline and Lateral Facilities and the Certificate of Environmental Compatibility and Public Need for the Seneca Lake East Pipeline and the Revocation of the Certificate of Environmental Compatibility and Public Need for the Seneca Lake West Lateral.
- 95-T-0248 New York State Electric & Gas Corporation – Application for a Certificate of Environmental Compatibility and Public Need for the Construction of the Seneca Lake Storage Project Gas Transmission Facilities, located in the Towns of Reading and Dix, Schuyler County; Catlin and Big Flats, Chemung County; Ithaca, Danby and Caroline, Tompkins County; Candor, Newark Valley and Owego, Tioga County; and Maine and Union, Broome County.

#### **GENERAL**

- 261 07-M-1054 Ms. Hatice Nieves/Consolidated Edison Company of New York, Inc.
- 07-E-1429 Ms. Junia Hissa Neiva/Consolidated Edison Company of New York, Inc.
- In the Matter of the Rules and Regulations of the PSC, Contained in 16 NYCRR, in Relation to Complaint Procedures – Appeals so Informal Hearing Decisions.
- 262 10-S-0060 Parkchester South Condominium, Inc. – Pet. for a Ruling that it is not Subject to Steam Corporation Regulations, or, in the Alternative, for a Certificate of Public Convenience and Necessity Authorizing the Provision of Steam Service Subject to Lightened Regulation.
- 263 10-M-0551 In the Matter of a Comprehensive Management Audit of Iberdrola, S.A., Iberdrola, USA, New York State Electric and Gas, and Rochester Gas and Electric.

#### **POWER**

- 361 11-E-0044 Mr. Edwin Pelaez/Ms. Acela Hernandez and Consolidated Edison Company of New York, Inc. – In the Matter of Commission Designee’s Determination Pursuant to PSL Section 52 – Petition for Rehearing.

- 362 11-E-0019 Mr. Juan Ortega/Ms. Yolanda Reyes and Consolidated Edison Company of New York, Inc. – In the Matter of Commission Designee’s Determination Pursuant to PSL Section 52 – Petition for Rehearing.
- 363 10-E-0412 Ms. Marie J. Park/Ms. Ibon Muhammad and Consolidated Edison Company of New York, Inc. – In the Matter of Commission Designee’s Determination Pursuant to PSL Section 52 – Petition for Rehearing.
- 364 10-E-0614 Central Hudson Gas & Electric Corporation – Amendments to PSC 15-Electricity, eff. 4/1/11, to make “housekeeping” changes to its electric tariff schedule to remove references no longer applicable and to correct typographical errors.
- 365 10-E-0532 Bath Electric, Gas and Water Systems – Amendments to PSC 1-Electricity, Supplement 10, eff. 4/1/11, to cancel rate filing to increase its annual electric revenues by about \$272,965 or 6.3%.
- 366 11-E-0045 New York State Electric & Gas Corporation – Amendments to PSC 119-Electricity, eff. 4/1/11, to update the rates used in determining contributions required from applicants for underground extensions.
- 367 There is no Item 367.
- 368 01-T-1679 Long Island Power Authority – Appn. for a Certificate of Environmental Compatibility and Public Need Regarding the Replacement of the 138 kV Submarine Electric Transmission Line Between Northport, New York and Norwalk, Connecticut.

### **WATER**

- 461 07-W-0169 Saratoga Water Services, Inc. and Albany Partners, LLC – Joint Petition for a Declaratory Ruling Concerning the Provision of Water Service to a Proposed Development in the Town of Malta, Saratoga County.
- 462 10-W-0500 Aqua New York of Sea Cliff, Inc. – Petition for Approval of Allocation of Settlement Proceeds and Accounting Treatment.

### **COMMUNICATIONS**

- 561 04-C-1002 Crown Point Telephone Corporation – Ordinary tariff filing to revise its tariffs pursuant to the Commission’s Order in this case.
- 562 10-C-0649 Targeted Accessibility Fund of New York Inc. – In the Matter of the Request for a Two-Year Extension of Relay Service.

- 563 10-C-0017 In the Matter of Quality of Service provided by Local Exchange Companies in New York State. Commendations of Local Telephone Companies for Excellent Service Quality During 2010, and 2010 Annual Service Quality Report for Independents, including Frontier Communications.
- 564 07-C-1541 Complaint of XChange Telecom, Inc. Against Sprint Nextel Corporation for Refusal to Pay Terminating Compensation.

**CABLE**

- 661 10-V-0557 Cablevision Systems Westchester Corporation/Village of Pelham Manor, Westchester County.
- 10-V-0620 Suffolk Cable Corporation/Village of Port Jefferson, Suffolk County.
- 11-V-0005 Cablevision of Warwick, Inc./Town of Greenville, Orange County.
- Applications for Certificates for Renewals.
- 662 10-V-0386 Time Warner Entertainment-Advance/Newhouse Partnership – Petition for a Certificate of Confirmation for its Franchise with the Town of Jefferson, Schoharie County.
- 663 10-V-0385 Time Warner Entertainment-Advance/Newhouse Partnership – Petition for a Certificate of Confirmation for its Franchise with the Town of Summit, Schoharie County.

**REGULAR AGENDA**

**Items not necessarily to be considered in the order listed:**

**GAS**

- 101 11-G-0077 In the Matter of the Review of the Natural Gas Explosion on July 25, 2008, at 147-25 Sanford Avenue, Queens.

**GENERAL**

- 201-A 07-M-0548 Proceeding on Motion of the Commission Regarding an Energy Efficiency Portfolio Standard.
- 09-G-0363 Petitions for Approval of Energy Efficiency Portfolio Standard (EEPS) Gas Energy Efficiency Programs.
- 201-B 07-M-0548 Proceeding on Motion of the Commission Regarding an Energy Efficiency Portfolio Standard.

**POWER**

- 301 10-E-0366 Henry Phipps Plaza North, Inc, - Petition to Submeter Electricity at 331 East 29<sup>th</sup> Street, New York, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.

**WATER**

No items will be considered on this agenda.

**COMMUNICATION**

No items will be considered on this agenda.

**CABLE**

No items will be considered on this agenda.

**KEY TO ABBREVIATIONS:**

\* – Item was on calendar of previous meeting

+ – Notice required by State Administrative Procedure Act (SAPA)

A – Special Permit Order (spo) to be issued

16NYCRR – Commission regulation published in Vol. 16, NYS Codes, Rules and Regulations

ALJ – Administrative Law Judge

NOI – Notice of Intention

EM&CP – Environmental Management & Construction Plan

V – Village    T – Town    C – City    Co – County