

STATE OF NEW YORK

Public Service Commission

Audrey Zibelman, Chair

Three Empire State Plaza, Albany, NY 12223

Further Details: James Denn

James.denn@dps.ny.gov | 518.474.7080

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

<http://twitter.com/NYS DPS>

14002

COMMISSION TO MEET ON THURSDAY, JANUARY 16, 2014

Albany, NY – 01/10/14 – The Public Service Commission announced today that it will hold its next regular session beginning at **10:30 a.m., Thursday, January 16, 2014, 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

GENERAL

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| 201 | 13-M-0449 | In the Matter of Focused Operations Audit of the Internal Staffing Levels and the Use of Contractors of Selected Core Utility Functions at Major New York Energy Utilities. |
| 202 | 08-E-0827 | NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Comprehensive Management Audit of Electric Business. |

- 08-M-0152 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Comprehensive Management Audit.
- 09-M-0764 CENTRAL HUDSON GAS AND ELECTRIC CORPORATION - Comprehensive Management and Operations Audit of Electric and Gas Businesses.
- 11-G-0580 NATIONAL FUEL GAS DISTRIBUTION CORPORATION - In the Matter of a Comprehensive Management Audit.
- 13-G-0009 NATIONAL GRID USA'S NEW YORK - Comprehensive Management and Operations Audit of Gas Companies.
- 13-M-0314 Issue a Request for Proposal for an Independent Third-Party Consultant to Conduct a Review of the Accuracy and Effectiveness of Certain Reliability and Customer Service Systems at all Gas and Combination Gas and Electric Utilities in New York State that Provide Statistics to the Commission on the Services They Provide Customers.
- 13-M-0449 In the Matter of Focused Operations Audit of the Internal Staffing Levels and the Use of Contractors for Selected Core Utility Functions at Major New York Energy Utilities.

COMMUNICATIONS

- 501 09-M-0527 Proceeding to Examine Issues Related to a Universal Service Fund.

No items will be considered on the Regular Agenda for **Gas, Power, 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

- | | | |
|-----|-----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 161 | 13-G-0555 | PAUL TOTH EXCAVATION, INC. - In the Matter of an Enforcement Proceeding Against Paul Toth Excavation, Inc. for Alleged Violations of 16 NYCRR Part 753 - Protection of Underground Facilities, in the Service Territory of KeySpan Gas East Corporation d/b/a National Grid. |
| | 13-G-0556 | ANTONIO IADEVAIA AND SON LANDSCAPING, LLC - In the Matter of an Enforcement Proceeding Against Antonio Iadevaia and Son Landscaping, LLC for Alleged Violations of 16 NYCRR Part 753 - Protection of Underground Facilities, in the Service Territory of KeySpan Gas East Corporation d/b/a National Grid. |
| | 13-G-0557 | N. SAMPOGNA & SON CORP. - In the Matter of an Enforcement Proceeding Against N. Sampogna & Son Corp. for Alleged Violations of 16 NYCRR Part 753 - Protection of Underground Facilities, in the Service Territory of KeySpan Gas East Corporation d/b/a National Grid. |
| | 13-G-0558 | L & G RUGGIERO, INC. - In the Matter of an Enforcement Proceeding Against L & G Ruggiero, Inc. for Alleged Violations of 16 NYCRR Part 753 - Protection of Underground Facilities, in the Service Territory of KeySpan Gas East Corporation d/b/a National Grid. |
| | 13-G-0559 | BAY AGGREGATES CORP. - In the Matter of an Enforcement Proceeding Against Bay Aggregates Corp. for Alleged Violations of 16 NYCRR Part 753 - Protection of Underground Facilities, in the Service Territory of KeySpan Gas East Corporation d/b/a National Grid. |
| | 13-G-0560 | ORCHID SEWER AND WATER CONTRACTING CORP. - In the Matter of an Enforcement Proceeding Against Orchid Sewer And Water Contracting Corp. for Alleged Violations of 16 NYCRR Part 753 - Protection of Underground Facilities, in the Service Territory of KeySpan Gas East Corporation d/b/a National Grid. |
| | 13-G-0561 | FIFTH AVENUE PAVING, INC. - In the Matter of an Enforcement Proceeding Against Fifth Avenue Paving, Inc. for Alleged Violations of 16 NYCRR Part 753 - Protection of Underground Facilities, in the Service Territory of KeySpan Gas East Corporation d/b/a National Grid. |
| | 13-G-0562 | DEVELOPMENT BUILDERS - In the Matter of an Enforcement Proceeding Against Development Builders for Alleged Violations of 16 NYCRR Part 753 - Protection of Underground Facilities, in the Service Territory of The Brooklyn Union Gas Company d/b/a National Grid NY. |

- 13-G-0563 R&H ELECTRIC - In the Matter of an Enforcement Proceeding Against R&H Electric for Alleged Violations of 16 NYCRR Part 753 - Protection of Underground Facilities, in the Service Territory of Niagara Mohawk Power Corporation, d/b/a National Grid.
- 162 13-G-0443 THE ENCLAVE AT MALTA, LLC - In the Matter of a Request for an Extension to the Five Year Limit on a Letter of Credit to National Grid for the Construction of Underground Distribution, National Grid's tariff 220 Section 16.6.3 and 16 NYCRR Section 100.3(b).
- 163 09-G-0864 COMMUNITY HEALTH CARE/NATIONAL GRID, INC. - METRO NY. Appeal of Informal Hearing Decision.
- 164 13-T-0538 WILLIAMS FIELD SERVICES COMPANY, LLC AND DMP NEW YORK, INC. - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII to Construct an Approximately 9.5 Mile Natural Gas Gathering Pipeline in the Town of Windsor, Broome County.

GENERAL

- 261 13-E-0030 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Electric Service. Further Suspension of Major rate filing.
- 13-G-0031 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service. Further Suspension of Major rate filing.
- 13-S-0032 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Steam Service. Further Suspension of Major rate filing.

POWER

- 361 13-E-0544 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Amendments to PSC 220-Electricity, eff. 1/17/14, to make revisions of a "housekeeping" nature.

- 362 09-M-0675 ORANGE AND ROCKLAND UTILITIES, INC. AND T-MOBILE NORTHEAST LLC - Petition for Approval Pursuant to Section 70 of the PSL for Authorization for T-Mobile's Existing Wireless Equipment Attached to Orange & Rocklands Electric Transmission Facilities (Pole B71).
- 09-M-0676 ORANGE AND ROCKLAND UTILITIES, INC. AND T-MOBILE NORTHEAST LLC - Petition for Approval Pursuant to Section 70 of the PSL for Authorization for T-Mobile's Existing Wireless Equipment Attached to Orange & Rocklands Electric Transmission Facilities (Tower 54).
- 363 13-E-0392 CHAMPLAIN HUDSON POWER EXPRESS, INC. and CHPE PROPERTIES, INC. - Petition for a Declaratory Ruling That the Companies Are Subject To a Lightened Regulatory Regime, and a Declaratory Ruling That a Prior Transfer of Ownership Did Not Require Commission Approval or in The Alternative Approving Such Transfer.
- 364 13-E-0093 PARK VIEW FIFTH AVENUE, ASSOCIATES, LLC - Petition to Submeter Electricity at 1280 Fifth Avenue, New York, NY, Located in the Territory of Consolidated Edison Company, Inc.
- 365 13-E-0012 DYNEGY DANSKAMMER, LLC - Petition for Waiver of the Generation Facility Retirement Notice Period and Requesting Other Related Relief.
- 366 13-E-0489 STELLAR 83 COURT, LLC - Petition to Submeter Electricity at 83-87 Court Street, 15-17 Chenango Street, and 16 Commercial Alley, Binghamton, NY, Located in the Territory of New York State Electric & Gas Corporation.
- 367 13-E-0146 ORANGE and ROCKLAND UTILITIES, INC. - Petition for Approval of a Transfer or Lease of Property to the Town of Goshen.
- 368 13-E-0421 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Tariff filing to Effectuate Amendments to Public Service Law §66-j (Net Energy Metering for Residential Farm Photovoltaic and Farm and Non-Residential Fuel Cell Electric Generating Systems) and Conforming Changes to Standardized Interconnection Requirements.
- 13-E-0422 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Tariff filing to Effectuate Amendments to Public Service Law §66-j (Net

Energy Metering for Residential Farm Photovoltaic and Farm and Non-Residential Fuel Cell Electric Generating Systems) and Conforming Changes to Standardized Interconnection Requirements.

- 13-E-0423 NEW YORK STATE ELECTRIC & GAS CORPORATON - Tariff filing to Effectuate Amendments to Public Service Law §66-j (Net Energy Metering for Residential Farm Photovoltaic and Farm and Non-Residential Fuel Cell Electric Generating Systems) and Conforming Changes to Standardized Interconnection Requirements.
- 13-E-0424 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Tariff filing to Effectuate Amendments to Public Service Law §66-j (Net Energy Metering for Residential Farm Photovoltaic and Farm and Non-Residential Fuel Cell Electric Generating Systems) and Conforming Changes to Standardized Interconnection Requirements.
- 13-E-0425 ROCHESTER GAS AND ELECTRIC CORPORATION - Tariff filing to Effectuate Amendments to Public Service Law §66-j (Net Energy Metering for Residential Farm Photovoltaic and Farm and Non-Residential Fuel Cell Electric Generating Systems) and Conforming Changes to Standardized Interconnection Requirements.
- 13-E-0426 ORANGE AND ROCKLAND UTILITIES, INC. - Tariff filing to Effectuate Amendments to Public Service Law §66-j (Net Energy Metering for Residential Farm Photovoltaic and Farm and Non-Residential Fuel Cell Electric Generating Systems) and Conforming Changes to Standardized Interconnection Requirements.
- 369 12-E-0400 CAYUGA OPERATING COMPANY, LLC - Petition to Mothball Generating Units 1 and 2.

WATER

- 461 13-W-0246 UNITED WATER NEW YORK INC. - Verified Petition for Implementation of a Long-Term Water Supply Surcharge, And Related Tariff Amendment.
- 462 11-W-0059 WEST VALLEY CRYSTAL WATER COMPANY, INC. - Petition for Permission to Establish Financing for Capital Improvements. Clarification of prior order.

COMMUNICATIONS

- 561 07-C-0349 CHAZY & WESTPORT TELEPHONE CORPORATION - Amendments to PSC 5-Telephone., eff. 2/1/14.

DEPOSIT TELEPHONE COMPANY, INC. - Amendments to PSC 19-Telephone., eff. 1/22/14.

EDWARDS TELEPHONE COMPANY, INC. - Amendments to PSC 6-Telephone. eff. 1/7/14.

PORT BYRON TELEPHONE COMPANY - Amendments to PSC 16-Telephone. eff. 1/7/14.

TOWNSHIP TELEPHONE COMPANY, INC. - Amendments to PSC 5-Telephone, eff. 1/19/14.

ALTEVA OF WARWICK VALLEY LLC F/K/A WARWICK VALLEY TELEPHONE COMPANY PSC 12-Telephone, eff. 2/1/14.

Tariff filings to increase basic residential local service rates and applicable business local service rates.

CABLE

- 661 Petitions for Renewal of Cable Television Franchises.
- 13-V-0503 CHARTER COMMUNICATIONS/TOWN OF LEWIS, ESSEX COUNTY, NEW YORK.
- 13-V-0518 MID-HUDSON CABLEVISION, INC./TOWN OF COXSACKIE, GREEN COUNTY.
- 662 13-V-0523 VERIZON NEW YORK INC. - Petition for a Certificate of Confirmation for its Franchise with the Village of Camillus, Onondaga 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, February 20, 2014, 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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