

STATE OF NEW YORK

# Public Service Commission

Garry A. Brown, Chairman

Three Empire State Plaza, Albany, NY 12223

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<http://www.dps.state.ny.us>

FOR RELEASE: IMMEDIATELY

08076 Agenda 7/16/08

## PSC LISTS AGENDA FOR WEDNESDAY, JULY 16, 2008

### PLEASE NOTE:

### MEETING WILL BE BROADCAST ON THE INTERNET

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

Albany, NY – 7/11/08 – The Public Service Commission announced today the agenda for its regular meeting starting at **10:30 A.M., Wednesday, July 16, 2008, 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 through NewYorkAdmin by accessing <http://www.NewYorkAdmin.com> from a computer capable of using RealPlayer. RealPlayer can be downloaded from the NewYorkAdmin Web site. The Commission has no financial interest in the Web site, its management, maintenance or administration.

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., Wednesday, August 20, 2008, in Albany, New York.**

The agenda for the July 16, 2008 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 | 08-T-0246 | KEYSPAN GAS EAST CORPORATION D/B/A KEYSPAN ENERGY – Appn. for a Certificate of Environmental Compatibility and Public Need for the Construction of and Operation of Gas System Reinforcements and Lateral for Caithness Generating Station Pursuant to Article VII of the Public Service Law. |
| 162 | 08-G-0310 | KEYSPAN ENERGY OF NEW YORK CITY/L & C BUILDERS CORP.                                                                                                                                                                                                                                          |
|     | 08-G-0677 | CENTRAL HUDSON GAS & ELECTRIC CORPORATION/IRON TOWN ENTERPRISES                                                                                                                                                                                                                               |
|     | 08-G-0678 | CONSOLIDATED EDISON COMPANY OF NEW YORK, INC./M. ZONZINI PIPELINE SERVICES, INC.                                                                                                                                                                                                              |
|     | 08-G-0679 | CONSOLIDATED EDISON COMPANY OF NEW YORK, INC./VERA CONSTRUCTION INC.                                                                                                                                                                                                                          |
|     | 08-G-0680 | KEYSPAN ENERGY OF LONG ISLAND/DUAL COUNTY UNDERGROUND, INC.                                                                                                                                                                                                                                   |
|     | 08-G-0681 | KEYSPAN ENERGY OF LONG ISLAND/A.R.J.A.M. CONTRACTING CORP.                                                                                                                                                                                                                                    |
|     | 08-G-0682 | KEYSPAN ENERGY OF LONG ISLAND/JALT CONCRETE CORP.                                                                                                                                                                                                                                             |
|     | 08-G-0683 | KEYSPAN ENERGY OF LONG ISLAND/PRO TEST ENVIRONMENTAL                                                                                                                                                                                                                                          |
|     | 08-G-0684 | KEYSPAN ENERGY OF LONG ISLAND/PEDRA EARTH MOVERS INCORPORATED                                                                                                                                                                                                                                 |
|     | 08-G-0685 | KEYSPAN ENERGY OF LONG ISLAND/A. TOMASSI CONTRACTING CORP.                                                                                                                                                                                                                                    |
|     | 08-G-0686 | KEYSPAN ENERGY OF LONG ISLAND/VAN TASSELL ENTERPRISES, INC.                                                                                                                                                                                                                                   |
|     | 08-G-0687 | KEYSPAN ENERGY OF NEW YORK CITY/APB CONSULTING & CONSTRUCTION, INC.                                                                                                                                                                                                                           |
|     | 08-G-0688 | KEYSPAN ENERGY OF NEW YORK CITY/BILTMORE GENERAL CONTRACTING, INC.                                                                                                                                                                                                                            |
|     | 08-G-0689 | KEYSPAN ENERGY OF NEW YORK CITY/BOUDIN’S MASONARY                                                                                                                                                                                                                                             |
|     | 08-G-0690 | KEYSPAN ENERGY OF NEW YORK CITY/DRAONETTI BROTHERS LANDSCAPING NURSERY & FLORIST INC.                                                                                                                                                                                                         |

- 08-G-0692 KEYSpan ENERGY OF NEW YORK CITY/ACHILLE & SON INC.
- 08-G-0693 KEYSpan ENERGY OF NEW YORK CITY/MANORVILLE LANDSCAPING, INC.
- 08-G-0694 KEYSpan ENERGY OF NEW YORK CITY/J.C. CONTRACTING CORPORATION
- 08-G-0696 KEYSpan ENERGY OF NEW YORK CITY/BAXTER'S LANDSCAPING, INC.
- 08-G-0697 KEYSpan ENERGY OF NEW YORK CITY/CARLO LIZZA & SONS, INC.
- 08-G-0699 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID/PREMIER BUILDING SYSTEM, INC.

Orders determining penalties and directing payment for violation of 16 NYCRR Part 753 – Protection of Underground Facilities.

- 163 07-G-0378 SENECA RESOURCES CORPORATION – Petition for Approval, Pursuant to Section 70 of the PSL, of the Transfer of Facilities to National Fuel Gas Supply Corporation.
- 164 08-G-0175 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. – Petition for Approval, of the Itron 100G Series Gas ERT Module Automatic Meter Reading Device.
- 165 08-T-0213 CORNELL UNIVERSITY – Appn. for a Certificate of Environmental Compatibility and Public Need for the Construction of a Natural Gas Pipeline Containing Approximately 17,400 Feet of Eight-Inch Steel Coated Pipeline, Located in the Towns of Dryden and Ithaca, Tompkins County.
- 166 07-G-1263 ORANGE AND ROCKLAND UTILITIES, INC. – Cancellation of tariff filing, PSC 4-Gas, eff. 2/1/08 (postponed to 8/1/08), to establish a provision informing oil and propane heating customers, who convert to gas service, of the availability of customer incentive programs.
- 167 08-T-0488 KEYSpan GAS EAST CORPORATION D/B/A KEYSpan ENERGY – Appn. for a Certificate of Environmental Compatibility and Public Need for the Construction of and Operation of the Commack to Brentwood Gas Transmission Main Pursuant to Article VII of the PSL.
- 168 08-G-0467 NATIONAL FUEL GAS DISTRIBUTION CORPORATION and MS. DENISE MUNIR/MR. HARRISON WINN – Rehearing petition of designees' determination.

**GENERAL**

- 261 05-E-1212 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC./MR. NELSON YAN
- 06-C-0575 BRIDGECOM INTERNATIONAL, INC./DEER PARK FIRE DISTRICT
- 06-E-0967 NEW YORK STATE ELECTRIC & GAS CORPORATION/LEFKOWITZ SUMMER HOMES
- 07-C-0099 BRIDGECOM INTERNATIONAL, INC./PORT WASHINGTON WATER DISTRICT
- 08-C-0603 BRIDGECOM INTERNATIONAL, INC./SOUTH FARMINGDALE FIRE DISTRICT

Appeals of Informal Hearing Decisions.

- 262 07-M-0906 IBERDROLA, S.A., ENERGY EAST CORPORATION, et al. – Joint Pet. for Approval of the Acquisition of Energy East Corporation by Iberdrola, S.A. – Interlocutory Appeal.
- 263 07-M-1139 CENTRAL HUDSON GAS & ELECTRIC CORPORATION – Pet. for Expedited Approval of Interim Energy Efficiency Programs, Deferral Accounting, Interim Revenue Decoupling Mechanisms and an Interim Economic Incentive.

**POWER**

- 361 06-E-1543 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID – Pet. to Amend a Certificate of Public Convenience and Necessity to Permit the Further Exercise of an Electric Franchise in the Town of Malta, Saratoga County, Filed in C2249.
- 362 08-E-0070 BAY CITY METERING COMPANY, INC. on behalf of THE O’CONNOR CAPITAL PARTNERS – Pet. to Submeter Electricity at 200 East 66<sup>th</sup> Street, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc., filed in C26998.
- 363 07-E-0523 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. – Pro. as to the Rates, Charges, Rules and Regulations for Electric Service – Rehearing.
- 364 01-E-0147 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. – Pet. to Recover on an Accelerated Basis the cost of Restoration of Hudson Avenue 10/100 Steam-Electric Generating Unit.
- 365 06-E-0894 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. – Pro. to Investigate the Electric Power Outage of the Company’s Long Island City Electric Network.

- 06-E-1158 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. – In the Matter of Staff’s Investigation of Performance During and Following the July and September Electric Utility Outages.
- 06-M-1108 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. – Pet. of Certain Members of the New York State Legislature Regarding Electric Service Outages.
- 366 06-E-0838 CENTRAL HUDSON GAS & ELECTRIC CORPORATION and MR. MERTHERN POTTER/MR. BENIGNO REYES
- 07-E-1540 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. and MR. PEDRO BARONA/MR. GEORGIOS VLAHOS
- Rehearing petitions of designees’ determinations.
- 367 08-E-0653 NOBLE ENVIRONMENTAL POWER, LLC – Pet. for a Declaratory Ruling Regarding Conversion of Current Passive Ownership Interest.
- 368 99-F-1625 KEYSpan ENERGY – Appn. For a Certificate of Environmental Compatibility and Public Need to Construct and Operate a 250 Megawatt Cogeneration, Combustion Turbine Electric Generating Facility to be Developed at the existing Ravenswood Generating Station in Long Island City, Borough of Queens.
- 369 08-E-0751 Proceeding on the Motion of the Commission to Identify the Sources of Electric System Losses and the Means of Reducing Them.

**WATER**

- 461 07-W-1210 BIRCH HILL WATER SUPPLY CORPORATION – Pro. on Motion as to the Rates, Charges, Rules and Regulations for Water Service.
- 462 08-W-0522 BONIVILLE WATER COMPANY, INC. – Amendment to PSC 4-Water, eff. 8/1/08, to Increase its Annual Water Revenues by about \$18,248 or approximately 29.7%.
- 463 08-W-0523 KNOLLS WATER CO., INC. – Amendments to PSC 3-Water, eff. 8/1/08, to Increase its Annual Water Revenues by about \$17,874 or approximately 30.4%.
- 464 08-W-0527 ARBOR HILLS WATERWORKS, INC. – Amendments to PSC 3-Water, eff. 8/1/08, to Increase its Annual Water Revenues by about \$18,371 or approximately 20.7%.

- 465 07-W-1129 WARWICK WATER CORPORATION – Amendment to PSC 2-Water, eff. 1/1/08 (Suspended through 10/29/08), to Increase its Annual Water Revenues by about \$31,353 or approximately 13.2%.
- 466 05-W-0617 EMERALD GREEN LAKE LOUISE MARIE WATER COMPANY, INC. – Pet. for the Approval of Two Loan Agreements with an Aggregate Total Amount of \$723,000.
- 467 07-W-1327 CPC RESOURCES – Appn. for Staff waiver permitting the installation of separate water meters in connection with the development of an urban project in the Village of Spring Valley.

### COMMUNICATIONS

- 561 08-C-0724 EMPIRE STATE INDEPENDENT NETWORK, LLC and ION HOLDCO, LLC – Joint Pet. for Authorization to Transfer the Assets of Empire State Independent Network, LLC to ION HoldCo, LLC.
- 562 08-C-0644 VERIZON NEW YORK INC. – Amendments to PSC 1-Communications, eff. 7/17/08, to increase rates for its Local Directory Assistance.
- 563 08-C-0363 LIGHT TOWER FIBER LLC and KEYSpan COMMUNICATIONS CORP. – Joint Pet. for Approval of the Acquisition of Membership Interests and Related Transactions.
- 564 07-C-0349 ARMSTRONG TELEPHONE COMPANY – Amendments to PSC 2-Telephone, eff. 7/1/08.

FRONTIER COMMUNICATIONS OF AUSABLE VALLEY, INC. – Amendments to PSC 12-Telephone, eff. 7/1/08.

CITIZENS TELECOMMUNICATIONS COMPANY OF NEW YORK, INC. D/B/A FRONTIER COMMUNICATIONS OF NEW YORK – Amendments to PSC 2-Telephone, eff. 7/1/08 and 7/8/08.

OGDEN TELEPHONE COMPANY D/B/A FRONTIER OGDEN TELEPHONE COMPANY – Amendments to PSC 1-Telephone, eff. 7/15/08 and 7/8/08.

FRONTIER COMMUNICATIONS OF SENECA GORHAM, INC. – Amendments to PSC 15-Telephone, eff. 7/1/08.

FRONTIER COMMUNICATIONS OF SYLVAN LAKE, INC. – Amendments to PSC 11-Telephone, eff. 7/1/08.

Tariff revisions to increase residential basic local service rates for the next two years.

- 565 07-C-0349 WARWICK VALLEY TELEPHONE COMPANY – Amendments to PSC 12-Telephone, eff. 6/1/08.
- 566 08-C-0568 VERIZON NEW YORK INC. – Pet. Pursuant to Section 99(2) of the PSL for Approval to Sell an Office/Garage Building.

### CABLE

- 661 08-V-0627 VERIZON NEW YORK INC. – Pet. for a Certificate of Confirmation for its Franchise with the Village of Manorhaven, Nassau County.
- 662 There is no Item 662 on this Agenda.
- 663 08-V-0714 VERIZON NEW YORK INC. – Pet. for a Certificate of Confirmation for its Franchise with the Village of Lawrence, Nassau County.
- 664 08-V-0721 VERIZON NEW YORK INC. – Pet. for a Certificate of Confirmation for its Franchise with the Village of Northport, Suffolk County.
- 665 08-V-0658 VERIZON NEW YORK INC. – Pet. for a Certificate of Confirmation for its Franchise with the Town of Hamburg, Erie County.
- 666 08-V-0722 VERIZON NEW YORK INC. – Pet. for a Certificate of Confirmation for its Franchise with the Town of Amherst, Erie County.
- 667 08-V-0626 VERIZON NEW YORK INC. – Pet. for a Certificate of Confirmation for its Franchise with the Village of Roslyn, Nassau County.
- 668 Appns. for Certificates for Renewal.
- 04-V-1705 TIME WARNER ENTERTAINMENT-ADVANCE/NEWHOUSE  
07-V-0440 PARTNERSHIP D/B/A TIME WARNER CABLE-ALBANY  
06-V-0998 DIVISION/T. of Stuyvesant, Columbia Co.; T. of Root, Montgomery Co.; T. of Kingsbury, Washington Co.
- 07-V-0803 TIME WARNER ENTERTAINMENT-ADVANCE/NEWHOUSE  
06-V-1474 PARTNERSHIP D/B/A TIME WARNER CABLE-SYRACUSE  
DIVISION/V. of Champlain, Clinton Co.; T. of Champlain, Clinton Co.
- 03-V-1287 CAP EXCHANGE I, LLC D/B/A TIME WARNER CABLE-BUFFALO  
07-V-0438 DIVISION/T. of Sherman, Chautauqua Co.; T. of Perrysburg,  
05-V-1317 Cattaraugus Co.; V. of Youngstown, Niagara Co.

- 08-V-0524 TIME WARNER NY CABLE, LLC D/B/A TIME WARNER CABLE-BUFFALO DIVISION/T. of Willing, Allegany Co.
- 05-V-0798 TIME WARNER ENTERTAINMENT-ADVANCE/NEWHOUSE PARTNERSHIP D/B/A TIME WARNER CABLE-ROCHESTER DIVISION/T. of Leicester, Livingston Co.
- 08-V-0469 TIME WARNER CABLE-BINGHAMTON DIVISION/V. of Port Dickinson, Broome Co.
- 07-V-0755 CABLEVISION OF SOUTHERN WESTCHESTER, INC. D/B/A CABLEVISION/C. of New Rochelle, Westchester Co.
- 08-V-0352 CABLEVISION SYSTEMS OF WAPPINGERS FALLS, INC./T. of Kent, Putnam Co.
  
- 669 Temporary Operating Authorities.
  
- 00-V-2183 TIME WARNER-ALBANY DIVISION/T. of Knox, Albany Co.; T. of
- 00-V-2090 Berne, Albany Co.; T. of Jewett, Greene Co.; T. of Amsterdam,
- 07-V-1409 Montgomery Co.; V. of Fultonville, Montgomery Co.; T. of Schroon,
- 02-V-1583 Essex Co.
- 02-V-1581
- 08-V-0625
  
- 05-V-0676 TIME WARNER-BINGHAMTON DIVISION/T. of Big Flats, Chemung
- 07-V-0650 Co.; V. of Watkins Glen, Schuyler Co.; V. of Cassadaga, Chautauqua Co.
- 08-V-0652
  
- 06-V-0527 TIME WARNER-SYRACUSE DIVISION/T. of Throop, Cayuga Co.; V.
- 06-V-1475 of Herkimer, Herkimer Co.; T. of Champion, Jefferson Co.; V. of
- 05-V-0850 Clayton, Jefferson Co.; V. of Jordan, Onondaga Co.; V. of Elbridge,
- 06-V-0681 Onondaga Co.; T. of Volney, Oswego Co.; T. of Russell, St. Lawrence
- 05-V-0709 Co.; T. of Danby, Tompkins Co.; V. of Groton, Tompkins Co.
- 05-V-0710
- 07-V-1432
- 05-V-0714
- 97-V-0210
- 98-V-0382
  
- 04-V-1404 TIME WARNER-BUFFALO DIVISION/V. of Williamsville, Erie Co.
  
- 06-V-1294 TIME WARNER-ROCHESTER DIVISION/T. of Alexander, Genesee
- 04-V-1588 Co.; T. of Stafford, Genesee Co.; V. of Manchester, Ontario Co.; V. of
- 97-V-0547 Livonia, Livingston Co.; V. of Fairport, Monroe Co.
- 06-V-0736
- 07-V-0662

- 03-V-1599 TIME WARNER-ORANGE COUNTY/C. of Middletown, Orange Co.;  
07-V-1433 V. of Ellenville, Ulster Co.; T. of Minisink, Orange Co.  
08-V-0660
- 08-V-0636 TIME WARNER-HUDSON VALLEY DIVISION/V. of Saugerties,  
08-V-0637 Ulster Co.; T. of Saugerties, Ulster Co.
- 07-V-1408 CHARTER COMMUNICATIONS/T. of New Lebanon, Columbia Co.
- 98-V-0883 HAEFELE TV, INC./T. of Spencer, Tioga Co.
- 99-V-1175 CABLE COMM. OF WILLSBORO, INC./T. of Essex, Essex Co.
- 06-V-1507 SUFFOLK CABLE OF SMITHTOWN/V. of Village of the Branch,  
Suffolk Co.
- 05-V-1580 CABLEVISION SYSTEMS OF OSSINING/V. of Buchanan,  
05-V-0757 Westchester Co.; T. of New Castle, Westchester Co.; V. of Pleasantville,  
05-V-0756 Westchester Co.
- 05-V-1430 CABLEVISION SYSTEMS WESTCHESTER CORP./C. of Rye,  
05-V-1579 Westchester Co.; V. of Scarsdale, Westchester Co.
- 06-V-1505 CABLEVISION SYSTEMS DUTCHESS CORP./T. of Clinton, Dutchess  
Co.
- 670 08-V-0748 VERIZON NEW YORK INC. – Pet. for a Certificate of Confirmation for  
its Franchise with the Village of Rockville Centre, Nassau County.

**REGULAR AGENDA**

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

**GAS**

No Items Will Be Considered On This Agenda.

**GENERAL**

No Items Will Be Considered On This Agenda.

**POWER**

- 301 08-E-xxxx NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID – Comprehensive Management Audit.
- 302 07-E-0949 ORANGE AND ROCKLAND UTILITIES, INC. – Pro. as to the Rates, Charges, Rules and Regulations for Electric Service.
- 303 06-E-0894 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. – Pro. to Investigate the Electric Power Outage of the Company’s Long Island City Electric Network.
- 06-M-1108 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. – Pet. of Certain Members of the New York State Legislature Regarding Electric Service Outages.
- 304-A 06-M-0878 NATIONAL GRID PLC and KEYSpan CORPORATION – Joint Pet. for Approval of Stock Acquisition and Other Regulatory Authorizations.
- 304-B 07-E-1533 NIAGARA MOHAWK POWER CORPORATION – Pet. for Authorization to Defer Electric Transmission and Distribution Investment Costs.

**WATER**

No Items Will Be Considered On This Agenda.

**COMMUNICATION**

No Items Will Be Considered On This Agenda.

**CABLE**

- 601    08-V-0624    VERIZON NEW YORK INC. – Pet. for a Certificate of Confirmation for its Franchise with the City of New York (New York, Bronx, Queens, Kings and Richmond Counties).
- 602    08-V-0497    VERIZON NEW YORK INC. – Pet. for Limited Waivers of Certain Rules in Connection with a Proposed Cable Television Franchise Agreement with the City of New York.

**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