

STATE OF NEW YORK

Public Service Commission

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09106 Agenda

PSC LISTS AGENDA FOR THURSDAY, NOVEMBER 12, 2009

PLEASE NOTE:

MEETING WILL BE BROADCAST ON THE INTERNET

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

Albany, NY – 11/06/09 – The New York State Public Service Commission announced today the agenda for its regular meeting starting at **10:30 A.M., Thursday, November 12, 2009, 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 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.

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 14th 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.

In addition, the Commission will continue its October 28, 2009 Technical Conference to explore issues associated with the Renewable Portfolio Program following the conclusion of the Commission's regularly scheduled November 12, 2009 meeting.

The next regularly scheduled meeting will begin at **10:30 A.M., Wednesday, December 16, 2009, in Albany, New York.**

The agenda for the November 12, 2009 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 09-G-0133 Adirondack Development Group, LLC/Niagara Mohawk Power Corporation d/b/a National Grid.
- 09-G-0556 Vales Contracting Corp./Consolidated Edison Company of New York, Inc.
- 09-G-0757 Morano Brothers Corp./Central Hudson Gas & Electric Corporation.
- 09-G-0758 G A Builders Inc./Consolidated Edison Company of New York, Inc.
- 09-G-0759 Renner Landscaping, Inc./Niagara Mohawk Corporation d/b/a National Grid.
- 09-G-0760 Deco-Crete Inc./Niagara Mohawk Power Corporation d/b/a National Grid.
- 09-G-0761 PJS Concrete/Orange and Rockland Utilities, Inc.
- 09-G-0762 CCI Companies, Inc./St. Lawrence.

- 162 09-G-0638 Orange and Rockland Utilities, Inc. – Amendment to PSC 4-Gas, eff. 12/1/09, to revise provisions related to alternate fuel reserve requirements for interruptible sales and transportation customers served under S.C. Nos. 3 and 8.

- 163 08-G-0609 Niagara Mohawk Power Corporation d/b/a National Grid – Amendments to PSC 219-Gas, eff. 11/1/09, to revise its System Benefits Charge.

- 164-A 09-G-0490 Alliance Energy Transmissions, LLC and Seneca Power Partners, L.P. – Joint Petition for A Declaratory Ruling Regarding the Transfer of Pipeline Under Section 70, and Related Relief.

- 164-B 09-T-0489 Alliance Energy Transmissions, LLC and Seneca Power Partners, L.P. – Joint Petition for Approval of an Amendment to and Transfer of the Certificate of Environmental Compatibility and Public Need Granted to Seneca Power Partners.

GENERAL

- 261 09-M-0727 In the Matter of the Rules and Regulations of the Public Service Commission, Contained in 16 NYCRR, Prescribing Interest Rates Applicable to Customer Deposits.

- 262 09-M-0648 Mr. Andrew Minniefield/Ms. Lindsay Carter and Orange & Rockland Utilities, Inc.
- 263 09-M-0405 Mr. Robert De Sadow/Ms. Mary Riddle and Consolidated Edison Company of New York, Inc.
- 09-E-0421 Ms. Delores Wiskotzil/Mr. Elias Robles and Consolidated Edison Company of New York, Inc.
- 264 09-M-0764 Central Hudson Gas & Electric Corporation – Request for Proposal for an Independent Third-Party Consultant to Conduct a Comprehensive Management Audit.
- 265 08-M-1244 Consolidated Edison Company of New York, Inc. – Amended Petition Under Section 69 of the PSL for Authority to Issue Securities Having a Maturity of More Than One Year.
- 266 06-E-0371 The Trump Organization/Consolidated Edison Company of New York, Inc.
- 07-E-0124 Ms. Jewell Staley/Consolidated Edison Company of New York, Inc.
- 07-S-0493 Tower West Inc./Consolidated Edison Company of New York, Inc.
- 267 09-M-0114 Consolidated Edison Company of New York, Inc. – Amendments to PSC 9-Gas and PSC 4-Steam, eff. 7/1/09, on a temporary basis, to establish gas and steam rate adjustment clause mechanisms which assign a portion of revenues which may be subject to refund following Commission’s audit and review.
- 268 07-M-0906 Iberdrola, S.A., Energy East Corporation, RGS Energy Group, Inc., Green Acquisition Capital, Inc., New York State Electric & Gas Corporation and Rochester Gas and Electric Corporation – Joint Petition for Approval of the Acquisition of Energy East Corporation by Iberdrola, S.A.
- 269 09-E-0548 Niagara Mohawk Power Corporation – Amendments to PSC 220-Electricity, eff. 11/1/09 (Postponed to 12/1/09), to recover Municipal and Village Gross receipt taxes from customers purchasing electric supply from an energy marketer.
- 09-G-0549 Niagara Mohawk Power Corporation – Amendments to PSC 219-Gas, eff. 11/1/09 (Postponed to 12/1/09), to recover Municipal and Village Gross receipt taxes from customers purchasing gas supply from an energy marketer.

- 270 09-M-0311 Niagara Mohawk Power Corporation d/b/a National Grid – Amendments to PSC 220-Electricity, eff. 7/1/09, on a temporary basis, to recover the Temporary State Energy and Utility Service Conservation Assessment pursuant to Commission order issued 6/19/09 in this proceeding.

POWER

- 361 09-E-0633 Niagara Mohawk Power Corporation d/b/a National Grid – Amendments to PSC 214, eff. 11/16/09, to make formatting modifications to its electric street lighting tariff schedule.
- 362 09-E-0539 PPL Generation, LLC and J-Power USA Generation, L.P. – Joint Petition For Authority Pursuant to PSL Section 70 to Transfer Certain Generating Assets and Pursuant to PSL Section 69 With Respect to the Related Financing and For Related Relief.
- 363 09-M-0739 Central Hudson Gas & Electric Corporation – Petition for Expedited Approval Pursuant to Section 70 of the Public Service Law of a Grant to Dutchess County of an Easement Located in LaGrange, New York in Connection with the Dutchess Rail Trail Project and Request for Emergency Action.
- 364 07-M-0906 Iberdrola, S.A., Energy East Corporation, RGS Energy Group, Inc., Green Acquisition Capital, Inc., New York State Electric & Gas Corporation and Rochester Gas and Electric Corporation – Joint Petition for Approval of the Acquisition of Energy East Corporation by Iberdrola, S.A.

WATER

- 461 09-W-0383 Friedlander Water Supply – Amendments to PSC No. 1-Water, eff. 8/1/09, postponed to 11/28/09, to increase its annual water revenues by about \$3,600 or 125%, and to increase its restoration of service charge from a flat fee of \$10 at all times, to \$50 during normal business hours, \$75 outside of normal business hours, and to \$100 on weekends and public holidays.
- 462 09-W-0598 Saratoga Water Service, Inc. and Ko-Ho Realty, LLC – Joint Petition for a Declaratory Ruling Concerning the Provision of Water Service to a Proposed Project in the Town of Malta, Saratoga County.
- 463 08-W-1201 Heritage Hills Water-Works Corporation – Proceeding as to the Rates, Charges, Rules and Regulations for Water Service.

- 464 09-W-0596 Long Island Water Corporation d/b/a Long Island American Water – Petition for Authority to Issue and Sell Up to \$20,000,000 Aggregate Principal Amount of Long-Term Debt Under Section 89-f of the PSL.

COMMUNICATIONS

- 561 07-C-0349 State Telephone Company – Amendments to PSC 11-Telephone, eff. 11/1/09, to increase its residential basic local service rates.
- 562 09-C-0719 Verizon New York Inc. – Pet. for Approval of the Sale of a Garage and Work Center Located at 1101 Zerega Avenue, Bronx, Bronx County.
- 563 09-C-0729 Verizon New York Inc. – Pet. for Approval to Sell a Portion of an Office Building Located at 210 West 18th Street, New York, New York.
- 564 06-C-1257 Public Service Commission Staff and Newport Telephone Company, Inc. – Joint Proposal for a Multi-Year Rate Plan.

CABLE

- 661 09-V-0658 Time Warner Entertainment-Advance/Newhouse Partnership – Petition for a Certificate of Confirmation for its Franchise with the Town of Sempronius, Cayuga County.
- 662 09-V-0752 Verizon New York Inc. – Petition for a Certificate of Confirmation for its Franchise with the Town of Owasco, Cayuga County.
- 663 09-V-0583 Charter Communications – Petition to Transfer its Franchise Agreement with, and Certificate of Confirmation for the Town of Long Lake, Hamilton County, to CH Communications, LLC.
- 664 09-V-0168 Petition of CAP Exchange I, LLC, d/b/a Time Warner Cable for Approval of the Renewal of its Franchise with the Town of Collins, Erie County.
- 09-V-0273 Petition of Cablevision of Wappingers Falls, Inc. for Approval of the Renewal of its Franchise with the Town of Lloyd, Ulster County.
- 09-V-0291 Petition of Time Warner Entertainment-Advance/Newhouse Partnership for an Order Approving the Renewal of its Franchise with the Village of Churchville, Monroe County.
- 09-V-0357 Petition of Time Warner Cable for Approval of the Renewal of its Franchise with the Town of Kortright, Delaware County.

- 09-V-0358 Petition of Time Warner Cable for Approval of the Renewal of its Franchise with the Town of Erin, Chemung County.
- 09-V-0591 Petition of Mid-Hudson Cablevision, Inc. for Approval of the Renewal of its Franchise with the Town of Cairo, Greene County.
- 09-V-0601 Petition of Time Warner Entertainment-Advance/Newhouse Partnership for Approval of the Renewal of its Franchise with the Village of Fairport, Monroe County.
- 09-V-0665 Petition of Time Warner Entertainment-Advance/Newhouse Partnership for Approval of the Renewal of its Franchise with the Village of Arkport, Steuben County.
- 665 09-V-0542 Town of Junius, Seneca County – Petition for a Waiver of the Requirements of 16 NYCRR, Section 894 to Permit the Company to Expedite the Franchising Process.
- 666 09-V-0763 Time Warner Entertainment Advance/Newhouse Partnership – Petition for a Certificate of Confirmation for its Franchise with the Town of Niles, Cayuga County.

REGULAR AGENDA

Items not necessarily to be considered in the order listed:

GAS

- 09-G-0380 Presentation: Status Report on a Natural Gas Explosion at 80-50 260th Street, Queens, New York, on April 24, 2009, Within the Natural Gas Service Territory of Consolidated Edison Company of New York, Inc.

GENERAL

- 201 08-E-1127 Petition of Consolidated Edison Company of New York, Inc. for Approval of an Energy Efficiency Portfolio Standard (EEPS) Utility-Administered Electric Energy Efficiency Program.
- 08-E-1129 Petition of New York State Electric and Gas Corporation for Approval of an Energy Efficiency Portfolio Standard (EEPS) Utility-Administered Electric Energy Efficiency Program.
- 08-E-1130 Petition of Rochester Gas and Electric Corporation for Approval of an Energy Efficiency Portfolio Standard (EEPS) Utility-Administered Electric Energy Efficiency Program.
- 08-E-1132 Petition of New York State Energy Research and Development Authority (NYSERDA) for Approval of an Energy Efficiency Portfolio Standard (EEPS) NYSERDA-Administered Electric Energy Efficiency Program.
- 08-E-1133 Petition of Niagara Mohawk Power Company for Approval of an Energy Efficiency Portfolio Standard (EEPS) Utility-Administered Electric Energy Efficiency Program.
- 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.

POWER

- 301 08-T-1245 Bayonne Energy Center, LLC – Petition for a Certificate of Environmental Compatibility and Public Need for the Construction of the New York State Portion (Kings County) of a 6.6 Mile, 345 kV AC, 3 Phase Circuit Submarine Electric Transmission Facility Pursuant to Article VII of the PSL.

WATER

No Items Will Be Considered On This Agenda.

COMMUNICATION

501 09-C-0361 In the Matter of Quality of Service provided by Local Exchange Companies in New York State.

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