

# Consent Agenda Report for 01/08/2015



The following is a preliminary and informal summary of actions the Commission took at its public session on January 08, 2015. This summary does not itself constitute final Commission action, and does not waive any privilege or exemption from disclosure for deliberative or other intra-agency materials. Final Commission action will take the form of an order.

## Gas

ITEM 161

- Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753 – Protection of Underground Facilities
- 14-G-0397 HAMPTON DRAINAGE & PAVING CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
  - 14-G-0525 VANTAGE CONSTRUCTION INC./CENTRAL HUDSON GAS & ELECTRIC CORPORATION.
  - 14-G-0526 GENERAL CONTRACTING/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
  - 14-G-0528 THOMAS NOVELLI CONTRACTING CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
  - 14-G-0530 VALENTE CONTRACTING CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
  - 14-G-0531 PROGRESSIVE ELECTRICAL CONTRACTING, CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
  - 14-G-0532 DIAMOND BUILDERS, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
  - 14-G-0533 PATSY VENDETTI & SON, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
  - 14-G-0534 NORTH EAST COMMUNICATIONS CONTRACTING II, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
  - 14-G-0535 REITMAN SEALCOATING INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
  - 14-G-0536 THIS CASE WAS REMOVED FROM THE AGENDA.
  - 14-G-0537 BURKE MANUFACTURED HOMES, INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION.

ITEM 161 (Cont'd)

- 14-G-0538 EMPIRE BRICK & STONE/NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 14-G-0539 T.P.O. CORP./NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 14-G-0540 D.C. RAUSCHER, INC./NEW YORK STATE ELECTRIC & GAS CORPORATION.
- 14-G-0541 METRA INDUSTRIES, INC./ORANGE AND ROCKLAND UTILITIES, INC.
- 14-G-0542 JAVIS CONSTRUCTION LLC/ORANGE AND ROCKLAND UTILITIES, INC.
- 14-G-0543 MASTRO ENTERPRISES INC./ROCHESTER GAS AND ELECTRIC CORPORATION.
- 14-G-0544 CHAMP CONSTRUCTION CORP./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 14-G-0545 ALCO STORE DEVELOPMENT CORP./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.

The Commission decided to grant Consent Orders in Cases 14-G-0531, 14-G-0532, 14-G-0533, 14-G-0534, 14-G-0535, 14-G-0537, 14-G-0539, 14-G-0540, and 14-G-0545, determined a \$10,000 penalty in Case 14-G-0530, and determined \$2,500 penalties in Cases 14-G-0397, 14-G-0525, 14-G-0526, 14-G-0528, 14-G-0538, 14-G-0541, 14-G-0542, 14-G-0543, and 14-G-0544.

ITEM 162

- 14-G-0453 ORANGE AND ROCKLAND UTILITIES, INC. - The Commission decided to approve the company's cancellation of its tariff filing to modify Service Classification No. 11 of P.S.C. No. 4 - Gas regarding the Winter Bundled Sales Service Option.

ITEM 163

- 14-G-0138 MARATHON ENERGY COALITION - The Commission decided to adopt the Joint Proposal resolving the dispute between the Marathon Energy Coalition and Consolidated Edison Company of New York, Inc.

## ITEM 164

14-G-0376 & 14-G-0377 NEW YORK STATE ELECTRIC & GAS CORPORATION and ROCHESTER GAS AND ELECTRIC CORPORATION - The Commission decided to approve the companies' tariff amendments allowing the installation of alternative communication devices used for daily meter reading, but rejected tariff provisions updating the notification requirements of customer enrollment in conformance with the Uniform Business Practices.

**General**

## ITEM 261

14-M-0512 NEW YORK STATE ELECTRIC & GAS CORPORATION and ROCHESTER GAS AND ELECTRIC CORPORATION - The Commission decided to approve the companies' tariff filings making modifications of a housekeeping nature to its electric and gas tariff schedules.

## ITEM 262

14-M-0516 LAKESIDE ENERGY LLC, LAKESIDE GENERATION LLC, LAKESIDE NEW YORK LLC, LAKESIDE BEAVER FALLS LLC, LAKESIDE SYRACUSE LLC, AND NEP HOLDCO 1, LLC - The Commission decided to find and declare that no further review need be conducted of NEP's proposed upstream acquisition of the ownership interests in the Beaver Falls electric and steam generation facility and the Syracuse generation facility.

## ITEM 263

14-M-0491 EIF MANAGEMENT, LLC, BROOKLYN NAVY YARD COGENERATION PARTNERS, L.P., AND ARES HOLDINGS L.P. - The Commission decided to find that the transfer of ownership interests upstream from the owner of the Brooklyn Navy Yard Generation facility located in Brooklyn, NY need not be further reviewed.

Power

- ITEM 361  
13-E-0573 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission approved the additional tariff revisions related to Aggregator Network Resource allocations, the number of allowed test events, and meter installation provisions.
- ITEM 362  
14-E-0504 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - The Commission decided to approve the company's tariff filing making modifications of a housekeeping nature in P.S.C. No. 220 - Electricity.
- ITEM 363  
11-E-0607 Appeal of Informal Hearing Decision  
MR. DALTON BURKE/MS. ALTER KHAN/CONSOLIDATED EDISON OF NEW YORK, INC. - The Commission decided to uphold the informal hearing decision.
- ITEM 364  
03-E-0188, 10-M-0457 & 07-M-0548 Commissioner Diane X. Burman concurring.  
GLOBAL STRUCTURED FINANCE ADVISORS AND GP RENEWABLES & TRADING, LLC - The Commission decided to deny the petition to create a voluntary "SBC/RPS Opt-In" mechanism for all NYPA municipal customers.
- ITEM 365  
14-E-0509 FIRST WIND HOLDINGS, LLC, ET AL., - The Commission decided to find that the transfer of ownership interests upstream from the owner of the Cohocton and Dutch Hill facilities located in Cohocton, NY need not be further reviewed.
- ITEM 366  
14-E-0223 QUADLOGIC CONTROLS CORPORATION - The Commission decided to approve the company's MiniCloset-5N Multi-Tenant Smart Meter for use New York State.
- ITEM 367  
14-E-0510 CITY OF JAMESTOWN - The Commission decided to approve the City's tariff filing making modifications of a housekeeping nature in P.S.C. No. 7 Electricity.

- ITEM 368  
14-E-0052 PLAZA ATHENEE HOTEL COMPANY LIMITED -  
The Commission decided to approve the company to  
Submeter Electricity at 35 East 64th Street, New  
York, New York.
- ITEM 369  
04-M-0159 CONSOLIDATED EDISON COMPANY OF NEW  
YORK, INC. - The Commission decided to approve  
revisions to the Electric Safety Standards. The  
revisions streamline the reporting requirements for  
Summary of Shock Reports from the Public and  
Summary of Deficiencies and Repair Activities  
Resulting from the Inspection Process. The  
Commission also decided to approve revisions to  
Event Notification Requirements.
- ITEM 370  
14-E-0096 KIMBALL BROOKLANDS CORPORATION - The  
Commission decided to approve the company to  
submeter electricity at 1000 Palmer Road, Bronxville,  
New York.
- ITEM 371  
14-E-0126 EBNB 70 PINE OWNER, LLC. - The Commission  
decided to approve the company to submeter  
electricity at 70 Pine Street, New York, New York.
- ITEM 372  
14-E-0333 18 GRAMERCY PARK CONDOMINIUM - The  
Commission decided to approve of the 18 Gramercy  
Park Condominium to submeter electricity at 18  
Gramercy Park, New York, New York.
- ITEM 373  
14-E-0422 et al. This item was moved to the Regular Agenda.
- ITEM 374  
13-E-0030 et al. This item was removed from the agenda.

ITEM 375  
 12-E-0543 HEGEMAN AVENUE HOUSING L.P. - The Commission decided to grant the waiver of the individual residential living unit metering requirements for the facility located at 39 Hegeman Avenue, Brooklyn, New York.

**Water**

ITEM 461  
 13-W-0295 UNITED WATER NEW YORK INC. - The Commission decided to approve, on a permanent basis, the company's Rate Year 1 compliance filings pursuant to Commission Order issued June 26, 2014 which increases total revenues by \$7.4 million or 10% in Rate Year 1.

ITEM 462  
 12-W-0148 SARATOGA WATER SERVICES, INC./THOMAS P. DEVENO/THOMAS J. FARONE - The Commission decided to grant the requested wavier of its regulations on water main extensions and the company's tariff provisions. Granting the waiver will allow SWS to provide water service to specific customers outside its service territory at negotiated terms.

ITEM 463  
 14-W-0072 NEW YORK AMERICAN WATER COMPANY, INC. - The Commission decided to authorize the company to use proceeds from the sale of its former headquarters to offset the surcharge resulting from its annual Revenue, Production Costs and Property Tax Reconciliation Mechanism (RPCRC) filing.

ITEM 464  
 14-W-0459 BEAVER DAM LAKE WATER CORP. - The Commission decided to approve the company's request to increase the amount of its loan with the Environmental Facilities Corporation and extend the zero-percent loan agreement by seven years.

**Communications**

ITEM 561

14-C-0248

VERIZON NEW YORK INC. - The Commission decided to approve the company's petition to retain the intrastate portion, amounting to \$13.5 million of the total tax refund of \$22.1 million received from the City for the tax years of 2012-2013 and 2013-2014.

ITEM 562

09-M-0527

Commissioner Gregg C. Sayre recused.

The Commission decided to allow the tariff revisions to increase the basic residential and business local service rates of Township Telephone Company, Inc., Port Byron Telephone, Deposit Telephone Company, Inc. and Edwards Telephone Company, Inc. to go into effect. The Commission also decided to allow the basic residential and business local service rates of Trumansburg Telephone Company, Dunkirk & Fredonia Telephone Company, Middleburgh Telephone Company, Margaretville Telephone Company, Inc., Delhi Telephone Company, Chazy & Westport Telephone Corporation to remain in effect. The Commission also decided to authorize the additional State Universal Service Fund disbursements requested by Vernon Telephone Company, Inc., Oriskany Falls Telephone Corporation and Newport Telephone Company, Inc.

Cable

ITEM 661

- 14-V-0424 TIME WARNER CABLE/TOWN OF MIDDLESEX, YATES COUNTY.
- 14-V-0438 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF CORFU, GENESEE COUNTY.
- 14-V-0439 CSC ACQUISITION-MA, INC./VILLAGE OF PORT CHESTER, WESTCHESTER COUNTY.
- 14-V-0440 TIME WARNER CABLE NORTHEAST LLC/TOWN OF WESTVILLE, FRANKLIN COUNTY.
- 14-V-0444 THIS CASE WAS REMOVED FROM THE AGENDA.
- 14-V-0445 THIS CASE WAS REMOVED FROM THE AGENDA.
- 14-V-0456 CABLEVISION OF WAPPINGERS FALLS, INC./TOWN OF MONROE, ORANGE COUNTY.
- 14-V-0471 TIME WARNER CABLE/TOWN OF PERRY, WYOMING COUNTY.

The Commission decided to approve the application for approval of certificates of confirmation for renewal of franchises.

ITEM 662

- 14-V-0408 EMPIRE VIDEO SERVICES CORPORATION - The Commission decided to approve the company's petition of a Certificate of Confirmation for its franchise with the Village of Montour Falls, Schuyler County.

ITEM 663

- 14-V-0521 VERIZON NEW YORK INC. - The Commission decided to approve a portion of the company's petitions for certain Orders of Entry for 53 Multiple-Dwelling Unit Buildings in the City of New York.

ITEM 664

There is no Item 664

ITEM 665

- 14-V-0520 VERIZON NEW YORK INC. - The Commission decided to approve a portion of the company's petitions for certain Orders of Entry for 5 Multiple-Dwelling Unit Buildings in the City of New York.