

## Consent Agenda Report for 06/17/2015



The following is a preliminary and informal summary of actions the Commission took at its public session on June 17, 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

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|-----------|--|
| 14-G-0335 | PRISMATIC DEVELOPMENT CORP./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.          |
| 14-G-0530 | VALENTE CONTRACTING CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.        |
| 14-G-0536 | CASTER DRILLING ENTERPRISES, LLC/NATIONAL FUEL GAS DISTRIBUTION CORPORATION.       |
| 14-G-0541 | METRA INDUSTRIES, INC./ORANGE AND ROCKLAND UTILITIES, INC.                         |
| 15-G-0056 | DANSON HEIGHTS DEVELOPMENT CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID. |
| 15-G-0070 | LEWIS PAVING CO. INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.       |
| 15-G-0216 | J. J. LANE CONSTRUCTION INC./NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID. |
| 15-G-0274 | BLUE JAY COMMUNICATIONS/CORNING NATURAL GAS CORPORATION.                           |
| 15-G-0275 | MJ JANSEN HOME IMPROVEMENT, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID. |
| 15-G-0276 | PERSI CONTRACTING CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.          |
| 15-G-0277 | BRANON CONSTRUCTION CO., INC./NEW YORK STATE ELECTRIC & GAS CORPORATION.           |

Item 161 (Cont'd)

- 15-G-0278 PALLADINO LAWN CARE LANDSCAPE/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 15-G-0279 TONY MONACO LANDSCAPING, INC./ORANGE AND ROCKLAND UTILITIES, INC.
- 15-G-0280 GREEN NY CORP./BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 15-G-0281 J. E. RUMINO LLC/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

The Commission decided to grant Consent Orders in Cases 14-G-0536, 15-G-0056, 15-G-0070, 15-G-0216, 15-G-0276, 15-G-0277, 15-G-0278, 15-G-0279, and 15-G-0280, determined \$2,500 penalties in Cases 15-G-0274, 15-G-0275, and 15-G-0281, and approved Petitions for Rehearing in Cases 14-G-0335, 14-G-0530 and 14-G-0541.

ITEM 162

- 12-G-0202 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - The Commission decided to approve, on a permanent basis, the company's rate year three compliance filing pursuant to Commission order issued March 15, 2013, which increases gas delivery service revenues by approximately \$6.268 million or 4.9%.

ITEM 163

- 13-G-0092 NEW YORK STATE ELECTRIC & GAS CORPORATION - The Commission decided to approve amendments to the company's Certificates of Public Convenience and Necessity to exercise gas franchises in the Towns of Dannemora, Peru, Saranac and Champlain, the Villages of Dannemora and Champlain, and the City of Plattsburgh, Clinton County, New York, and to order NYSEG to expand service to certain areas within the approved CPCNs upon an established construction schedule.

- ITEM 164  
 13-G-0336 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - The Commission decided to postpone the company's filing requirements contained in Appendix A, conditioned that it file an amended Full Environmental Assessment Form within 30 days of the issue of the Order.
- ITEM 165  
 14-G-0197 NEW YORK STATE ELECTRIC & GAS CORPORATION - The Commission decided to approve the company's inspection and remediation plan subject to conditions, and addressed its request for waivers of 16 NYCRR Part 255.

**General**

- ITEM 261  
 15-M-0261 NATIONAL POWER & GAS, INC. - The Commission decided to issue an order to show cause against the company for violation of the Uniform Business Practices for failure to submit required filings to the Secretary to maintain ESCO eligibility status.
- ITEM 262  
 15-S-0150 EAST RIVER HOUSING CORPORATION - The Commission decided to approve the company's request for refinancing up to \$23.5 million and the request to obtain a line of credit up to \$5 million.
- ITEM 263  
 15-M-0259 LIGHT POWER & GAS, LLC - The Commission decided to issue an order to show cause against the company for violations of the Uniform Business Practices, which include failure to submit required filings to the Secretary to maintain ESCO eligibility status.
- ITEM 264  
 15-M-0262 IPSUM SOLUTIONS, INC. - The Commission decided to issue an order to show cause against the company for violation of the Uniform Business Practices for failure to submit required filings to the Secretary to maintain ESCO eligibility status.

- ITEM 265  
 15-M-0263 ENGINEERED ENERGY SOLUTIONS, LLC - The Commission decided to issue an order to show cause against the company for violation of the Uniform Business Practices for failure to submit required filings to the Secretary to maintain ESCO eligibility status.
- ITEM 266  
 15-M-0247 ENERGY YOUR WAY, LLC - The Commission decided to issue an order to show cause against the company for violations of the Uniform Business Practices, which include failure to submit required filings to the Secretary to maintain ESCO eligibility status.
- ITEM 267  
 15-M-0260 SPECTRUM GAS & ELECTRIC, LLC - The Commission decided to issue an order to show cause against the company for violations of the Uniform Business Practices, which include failure to submit required filings to the Secretary to maintain ESCO eligibility status.
- ITEM 268  
 10-M-0651 Appeal of Informal Hearing Decision  
 MARIA RICE/ROCHESTER GAS & ELECTRIC CORPORATION - The Commission decided to uphold the informal hearing decision regarding a transferred balance.
- ITEM 269  
 15-E-0092 & 15-G-0093 ORANGE AND ROCKLAND UTILITIES, INC. - The Commission decided to authorize the company to revise the Late Payment Charge Sections of its electric and gas tariff schedules to designate a specific time for when the payment is due.
- ITEM 270  
 07-M-0548 & 15-M-0252 Commissioner Diane X. Burman abstained  
 The Commission decided to establish a new framework for gas energy efficiency programs beginning in 2016 and to authorize 2016 budgets and targets for utility run gas energy efficiency programs at the current 2015 levels.

ITEM 271                      07-M-0548                      Commissioner Diane X. Burman abstained  
 The Commission decided to approve NYSERDA's request to reallocate \$11 million of uncommitted SBC3 funds. The reallocated funds will provide services to approximately 3,140 low-income households and fully satisfy the budgets previously authorized in the Commission's order.

**Power**

ITEM 361                      11-T-0068                      NIAGARA MOHAWK POWER CORPORATION  
 D/B/A NATIONAL GRID - The Commission decided to approve with conditions the EM&CP by the company to reconstruct approximately 14 Miles of 115 kV Double-Circuit Electric Transmission Facilities from the Mohican Substation in Saratoga County to the Battenkill Substation in Washington County, in New York.

ITEM 362                      13-T-0077                      NIAGARA MOHAWK POWER CORPORATION -  
 The Commission decided to approve the company's Noise Study Supplement to its Environmental Management and Construction Plan to ensure appropriate mitigation measures to minimize noise impacts to ensure appropriate mitigation measures to minimize noise impacts of a new substation in connection with its Homer City to Stolle Road Transmission Facility.

ITEM 363                      15-E-0125                      QUADLOGIC CONTROLS CORP. - The Commission decided to approve and allow the use of the company S-10T meter for submetering residential apartment buildings.

ITEM 364                      03-E-0889                      QUEENS FRESH MEADOWS, LLC - The Commission decided to approve a modification of its March 22, 2004 submetering order to allow for the termination of submetered electric service for nonpayment of electric charges at 188-02 64th Avenue, Flushing, New York, after all of the notifications and protections of the Home Energy Fair Practices Act (HEFPA) have been complied with.

ITEM 365  
 14-E-0452      CB FRONTIER LLC - The Commission decided to approve the company to submeter electricity at 200 East 39th Street, New York, New York, located in the territory of Con Edison.

ITEM 366  
 14-E-0217      RENAISSANCE CORPORATION OF ALBANY - The Commission decided to approve of the company's request to submeter electricity at 100 Union Drive, Albany, New York.

**Communications**

ITEM 561  
 09-C-0088      This item was put over at the session.

ITEM 562  
 15-C-0264      BARR TELL USA, INC. - The Commission decided approve to the petition of the company to designate it as an eligible telecommunications carrier for the purposes of participating in federal universal service support for low income programs, with its serving area limited to the voice telephony exchanges in Verizon New York Inc.'s service area.

ITEM 563  
 15-C-0202      FISHERS ISLAND TELEPHONE CORPORATION - The Commission decided to approve the company's request for authority to issue \$900,000 of long-term debt for the construction, expansion and improvement of their network facilities.

ITEM 564      There is no item 564.

ITEM 565  
 14-C-0248      VERIZON NEW YORK INC. - The Commission decided to deny the petition for rehearing in its entirety.

**Cable**

ITEM 661

15-V-0196 VERIZON NEW YORK INC. - The Commission decided to approve a portion of the company's petition for orders of entry for 64 Multiple-Dwelling Unit Buildings in the City of New York.

ITEM 662

15-V-0140 TIME WARNER CABLE NORTHEAST LLC/TOWN OF NEWSTEAD, ERIE COUNTY.  
 15-V-0135 CABLEVISION OF WAPPINGERS FALLS, INC./VILLAGE OF POMONA, ROCKLAND COUNTY.  
 15-V-0147 TIME WARNER CABLE NORTHEAST LLC/TOWN OF INLET, HAMILTON COUNTY.  
 15-V-0148 TIME WARNER CABLE NORTHEAST LLC/TOWN OF PERTH, FULTON COUNTY.

The Commission decided to approve the applications for Certificates for Renewal of Franchises with the listed companies.

ITEM 663

15-V-0245 TIME WARNER NY CABLE LLC - The Commission decided to approve the company's petition for an amendment for its franchise with the City of Oneonta (Otsego County).

ITEM 664

15-V-0273 VERIZON NEW YORK INC. - The Commission decided to approve a portion of the 54 petitions for Orders of Entry for certain Multiple-Dwelling Unit Buildings in the City of New York because certain building owners/representatives failed to answer the petitions despite numerous attempts to obtain a response and therefore are in default.