

## Consent Agenda Report for 02/05/2015



The following is a preliminary and informal summary of actions the Commission took at its public session on February 05, 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	<u>Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753 – Protection of Underground Facilities</u>
15-G-0013	SUPERIOR SURFACING SYSTEMS, LTD./ CENTRAL HUDSON GAS & ELECTRIC CORPORATION.
15-G-0014	COMPLETE CONCRETE CORPORATION/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
15-G-0015	PALOTTA LANDSCAPING, INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
15-G-0016	DEFIANCE CONTRACTING, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
15-G-0017	FRIENDS IRRIGATION, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
15-G-0018	ABLE PLUMBING COMPANY OF RICHMOND, INC./KEYSPAN GAS EAST CORPORATION D/B/A
15-G-0019	PRO PAVE/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
15-G-0020	ALLIED EXCAVATING, INC. /ORANGE AND ROCKLAND UTILITIES, INC.
15-G-0022	JOGI CONSTRUCTION, INC./ ORANGE AND ROCKLAND UTILITIES, INC.
15-G-0023	CHAMPION CONSTRUCTION CORP./ BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
15-G-0024	MEZZACAPPA CONCRETE CONTRACTING, INC./ BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.

ITEM 161 (Cont'd)

15-G-0025

DODGE ENTERPRISES/ NATIONAL FUEL GAS DISTRIBUTION CORPORATION NATIONAL GRID. The Commission decided to grant Consent Orders in Case 15-G-0014, and 15-G-0025; determined a \$32,500 penalty in Case 15-G-0018; determined a \$10,000 penalty in Case 15-G-0016; determined \$2,500 penalties in Cases 15-G-0020, and 15-G-0023; and determined \$1,000 penalties in Cases 15-G-0013, 15-G-0015, 15-G-0017, 15-G-0019, 15-G-0022, and 15-G-0024.

ITEM 162

12-G-0544,  
06-G-1185 &  
06-G-1186

THE BROOKLYN UNION GAS COMPANY D/B/A KEYSpan ENERGY DELIVERY NEW YORK and KEYSpan GAS EAST CORPORATION D/B/A KEYSpan ENERGY DELIVERY LONG ISLAND - The Commission decided to approve, on a permanent basis, the companies' tariff filings made in compliance with Commission Orders issued December 21, 2007 and November 28, 2012 in Cases 06-G-1185 and 06-G-1186 and June 13, 2013 Order in Case 12-G-0544.

ITEM 163

15-G-0027  
& 15-G-0028

NEW YORK STATE ELECTRIC & GAS CORPORATION and ROCHESTER GAS AND ELECTRIC CORPORATION - The Commission decided to approve the companies' tariff filings of a housekeeping nature.

**General**

ITEM 261

14-M-0508

HALLETTS VENDEE LLC - The Commission decided to issue a declaratory ruling confirming that the petitioner's facility is a qualifying cogeneration facility exempt from provisions of the PSL, other than Article VII, so long as ownership is structured such that building owners act as intermediaries between the petitioner and the residential tenants of the buildings.

ITEM 262  
 14-E-0481 & 14-G-0482 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to approve the company's tariff filings modifying General Rule 17.5 contained in P.S.C. No. 10 - Electricity and General Information Section IV.3(c) contained in P.S.C. No. 9 - Gas - Requests for Aggregated Company Records concerning building's electricity and/or gas usage.

ITEM 263  
 14-E-0418 & 14-G-0419 ORANGE AND ROCKLAND UTILITIES, INC. - The Commission decided to approve the company's cancellation of its tariff filings modifying the late payment charge sections of its electric and gas tariff schedules.

**Power**

ITEM 361  
 14-E-0555 Appeal of Informal Hearing Decision  
 MR. ABDI SHUKRI/NATIONAL GRID-UPSTATE – The Commission decided to uphold the informal hearing decision.

ITEM 362  
 14-E-0358 VILLAGE OF CASTILE - The Commission decided to authorize the Village of Castile to increase its annual electric revenues by \$87,186 or 15.3%.

ITEM 363  
 05-E-1180 The Commission decided to adopt Version 33 of the New York State Reliability Council's Reliability Rules.

**Water**

ITEM 461  
 11-W-0070 & 10-W-0263 NEW YORK WATER SERVICE CORPORATION - The Commission decided to uphold the ALJ's decision to permit the company to defer \$698,500 in account 186 Miscellaneous Deferred Debits related to the 2009-2010 pension settlement losses.

ITEM 462

13-W-0295 UNITED WATER NEW YORK INC. - The Commission decided to deny rehearing of the June 26, 2014 rate order and clarify the order regarding service on parties of reports filed with the Commission and the parties' participation in or commenting on the scope or criteria for the audit and studies that will be performed.

**Communications**

ITEM 561

15-C-0026 IPC NETWORK SERVICES, INC. - The Commission decided to approve the transfer of control of the company from Silver Lake Partners II, LP to Centerbridge Capital Partners II, LP.

**Cable**

ITEM 661

14-V-0461 TIME WARNER CABLE/TOWN OF ALBION,  
ORLEANS COUNTY  
14-V-0465 TIME WARNER CABLE/TOWN OF ROMULUS,  
SENECA COUNTY  
14-V-0469 TIME WARNER CABLE/VILLAGE OF INTERLAKEN,  
SENECA COUNTY  
14-V-0486 TIME WARNER CABLE NORTHEAST LLC/VILLAGE  
OF LIVONIA, LIVINGSTON COUNTY  
14-V-0492 TIME WARNER CABLE/TOWN OF OLEAN,  
CATTARAUGUS COUNTY  
14-V-0502 TIME WARNER CABLE/VILLAGE OF POLAND,  
HERKIMER COUNTY  
14-V-0204 CABLE COMMUNICATIONS OF WILLSBORO,  
INC./TOWN OF WILLSBORO

The Commission decided to approve the certificates for renewals of cable franchises for the listed companies.

ITEM 662

14-V-0567 VERIZON NEW YORK INC - The Commission decided to approve a portion of the company's petitions for certain Orders of Entry for 11 Multiple-Dwelling Unit Buildings in the City of New York.

- ITEM 663            13-V-0144            COMPUTEL CONSULTANTS - The Commission decided to grant the Village's request for a rehearing.
- ITEM 664            14-V-0566            VERIZON NEW YORK INC. - The Commission decided to approve a portion of the company's petitions for certain orders of entry for 20 Multiple-Dwelling Units in the City of New York.
- ITEM 665            14-V-0317            TIME WARNER CABLE NORTHEAST LLC - The Commission decided to approve the company for a Certificate of Confirmation for its franchise with the Town of Carlisle (Schoharie County)