

STATE OF NEW YORK

Public Service Commission

Garry A. Brown, Chairman

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FOR RELEASE: IMMEDIATELY

09002 Agenda 1/15/09

PSC LISTS AGENDA FOR THURSDAY, JANUARY 15, 2009

PLEASE NOTE:

MEETING WILL BE BROADCAST ON THE INTERNET

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

Albany, NY –1/9/09 – The New York State Public Service Commission announced today the agenda for its regular meeting starting at **10:30 A.M., Thursday, January 15, 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.

The next regularly scheduled meeting will begin at **10:30 A.M., Thursday, February 12, 2009, in Albany, New York.**

The agenda for the January 15, 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

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| 161 | 08-G-1144 | ST. LAWRENCE GAS COMPANY, INC. – Pet. for Approval, Pursuant to Section 68 of the PSL to Exercise the Renewal of a Gas Franchise in the Town of Waddington, St. Lawrence County. |
| 162 | 06-G-1185 | THE BROOKLYN UNION GAS COMPANY D/B/A KEYSpan ENERGY DELIVERY NEW YORK – Amendments to PSC 12-Gas, eff. 10/1/08 on a temporary basis, to revise customers’ charges in the manner in which they will appear on the reformatted bill implemented on October 1, 2008. |
| 163 | 06-G-1186 | KEYSPAN GAS EAST CORPORATION D/B/A KEYSpan ENERGY DELIVERY LONG ISLAND – Amendments to PSC 1-Gas, eff. 7/1/08 and 10/1/08 on a temporary basis, to revise customers’ charges in the manner in which they will appear on the reformatted bill implemented on 7/1/08 and to clarify the application of the customer billing charge for firm transportation customers. |
| 164 | 05-G-1494 | ORANGE AND ROCKLAND UTILITIES, INC. – Amendments to PSC 4-Gas, eff. 11/1/08 on a temporary basis, to provide for an increase in delivery rates in compliance with the Commission’s 10/20/06 Order. |
| 165 | 08-G-1224 | CENTRAL HUDSON GAS & ELECTRIC CORPORATION – Amendments to PSC 12-Gas, eff. 2/1/09, to (1) update the references to its Calendar of Gas Transportation Schedule; (2) add tariff provisions to its retail access service classes which are subject to the tax rates as stated in the General Information Section; and (3) remove reference to the Transition Surcharge which is no longer applicable. |
| 166 | 08-G-1392 | ST. LAWRENCE GAS COMPANY, INC. – Amendments to PSC 3-Gas, eff. 3/3/09, to revise its rates and charges to produce an annual increase in gas operating revenues of about \$2.17 million, or 4.3%. |
| 167 | 08-G-1433 | CONSOLIDATED EDISON COMPANY OF NEW YORK, INC./EASTPORT MANOR ROAD BUILDING CORP. |
| | 08-G-1434 | KEYSPAN ENERGY OF LONG ISLAND/REET CONSTRUCTION CORP. |
| | 08-G-1435 | KEYSPAN ENERGY OF LONG ISLAND/B & A DEMOLITION & |

- REMOVAL, INC.
- 08-G-1436 KEYSpan ENERGY OF LONG ISLAND/RFG ELECTRICAL CONTRACTING
- 08-G-1437 KEYSpan ENERGY OF NEW YORK CITY/MIDDLE VILLAGE CONSTRUCTION, INC.
- 08-G-1438 NATIONAL FUEL GAS DISTRIBUTION CORPORATION/OLIVIERI DEVELOPMENT, INC.
- 08-G-1439 NATIONAL FUEL GAS DISTRIBUTION CORPORATION/DIRT WORK EXCAVATING
- 08-G-1440 NEW YORK STATE ELECTRIC & GAS CORPORATION/PAYNE'S CONSTRUCTION, INC.
- 08-G-1441 NIAGARA MOHAWK POWER CORPORATION/OLDCASTLE PRECAST, INC.
- 08-G-1443 ORANGE AND ROCKLAND UTILITIES, INC./REYNOLDS CONSTRUCTION
- 08-G-1444 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC./BRYN MAWR PLUMBING & HEATING INC.

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

GENERAL

- 261 08-M-1301 LOCKPORT ENERGY ASSOCIATES, L.P. – Appn. for a Certificate of Public Convenience and Necessity Pursuant to PSL Section 81 and Pet. for an Order Providing for Lightened Regulation.
- 262 06-M-0159 NEW YORK STATE ELECTRIC & GAS CORPORATION/MR. WILLIAM R. RILEY
- 06-E-0733 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC./MR. ARIEL ANTONMARCHI

Appeals of Informal Hearing Decisions.

POWER

- 361 08-E-0871 UNIQUEST DEVELOPMENT – Pet. to Submeter Electricity at 200 Delaware Avenue, Buffalo, New York, located in the territory of Niagara Mohawk Power Corporation, filed in C. 26998.
- 362 08-E-1073 EAST COAST 5 LLC – Pet. to Submeter Electricity at 46-30 Center Boulevard, Long Island City, New York, located in the territory of Consolidated Edison Company of New York, Inc., filed in C. 26998.
- 363 08-E-1051 NATIONAL GRID, INC. and MR. RICHARD CASALE/MR. WILLIAM F. THEISS – Rehearing petition of designee's determination.

- 364 08-E-0389 RIVERSTONE REALTY NE, LLC – Pet. to Submeter Electricity at One City Place, White Plains, New York, located in the territory of Consolidated Edison Company of New York, Inc., filed in C. 26998.
- 365 08-E-1246 MASSENA ELECTRIC DEPARTMENT – Amendments to PSC 2-Electricity, eff. 1/1/09 (Postponed to 1/16/09) and 1/29/09, to revise the method of computing the monthly Purchased Power Adjustment.
- 366 01-M-0075 NIAGARA MOHAWK HOLDINGS, INC., NIAGARA MOHAWK POWER CORPORATION, NATIONAL GRID GROUP PLC and NATIONAL GRID USA – Joint Petition for Approval of Merger and Stock Acquisition. Economic Development Plan.
- 367 07-E-0479 NEW YORK STATE ELECTRIC & GAS CORPORATION – Tariff Filing to Offer Customers a Single Fixed Supply Service.
- 03-E-0765 ROCHESTER GAS AND ELECTRIC CORPORATION – Pro. as to the Rates, Charges, Rules and Regulations for Electric Service.

WATER

- 461 08-W-1201 HERITAGE HILLS WATER-WORKS CORPORATION – Amendment to PSC 2-Water, eff. 2/1/09, to increase its annual water revenues by about \$300,000 or approximately 22%.
- 462 04-W-1221 UNITED WATER NEW ROCHELLE, INC. – Pro. as to Rates, Charges, Rules and Regulations for Water Service.
- 463 08-W-0775 PHEASANT HILL WATER CORPORATION – Pet. for the Approval of a Loan from the New York State Environmental Facilities Corporation.

COMMUNICATIONS

- 561 08-C-1389 VANCO DIRECT USA, LLC and CAPITAL GROWTH ACQUISITION, INC. – Joint Pet. for Transfer of Control and Approval of Issuance of Debt and Related Financing Transactions.
- 562 05-C-1653 COMCAST PHONE OF NEW YORK, LLC D/B/A COMCAST DIGITAL PHONE – Amendments to PSC 1-Telephone, eff. 12/15/08 (postponed to 1/15/09) to cancel all Residential Network Switched Services in its PSC No. 1 Telephone Tariff.
- 08-C-0727 COMCAST PHONE OF NEW YORK, INC. LLC D/B/A COMCAST DIGITAL PHONE – Exit plan for residential local exchange services.

- 563 08-C-1400 VERIZON NEW YORK INC. – Amendments to PSC 10-Communications, eff. 1/15/09, to add one new Tier 2 Wire Center at Fairview Avenue, Brooklyn, to the List of Wire Centers for Which Certain Loop and Transport Facilities are not Available on an Unbundled Basis.
- 564 08-C-0610 ONEIDA COUNTY RURAL TELEPHONE COMPANY – Amendments to PSC 13-Telephone, eff. 12/1/08 (Postponed to 2/1/09), to Increase its Annual Revenues by About \$227,757.

CABLE

- 661 08-V-1391 VERIZON NEW YORK INC. – Pet. for a Certificate of Confirmation for its Franchise with the Village of Atlantic Beach, Nassau County.
- 662 08-V-0414 HOMETOWN ONLINE, INC. – Pet. for a Certificate of Confirmation and Waiver of Section 895.5 of the Commission Rules for its Franchise with the Town of Goshen, Orange County.
- 663 08-V-1464 VERIZON NEW YORK INC. – Pet. for a Certificate of Confirmation for its Franchise with the Town of Carmel, Putnam County.
- 664 Appns. For Certificates for Renewal.
- 97-V-0929 COMCAST OF NEW YORK, LLC/V. of Pawling, Dutchess Co.
- 06-V-1354 CABLEVISION SYSTEMS LONG ISLAND CORPORATION D/B/A
08-V-0355 CABLEVISION/V. of Port Washington North, Nassau Co.; V. of Hempstead, Nassau Co.
- 07-V-0579 CABLEVISION OF SOUTHERN WESTCHESTER, INC. D/B/A CABLEVISION/V. of Rye Brook, Westchester Co.
- 08-V-0106 CSC ACQUISITION-MA, INC. D/B/A CABLEVISION/V. of Lynbrook, Nassau Co.
- 07-V-1432 TIME WARNER ENTERTAINMENT ADVANCE/NEWHOUSE
06-V-1100 PARTNERSHIP D/B/A TIME WARNER CABLE (SYRACUSE
08-V-0084 Division)/T. of Volney, Oswego Co.; T. of Rutland, Jefferson Co.; T. of
08-V-1168 Vienna, Oneida Co.; V. of Odessa, Schuyler Co.; V. of Groghan, Lewis
06-V-1328 Co.
- 665 Temporary Operating Authorities.
- 08-V-1387 TIME WARNER-BINGHAMTON DIVISION/V. of Hobart, Delaware
07-V-0650 Co.; V. of Watkins Glen, Schuyler Co.; V. of Cassadaga, Chautauqua

08-V-0652 Co.; V. of Walton, Delaware Co.
08-V-0559

08-V-1370 TIME WARNER-BUFFALO DIVISION/V. of Andover, Allegany Co.;
08-V-1371 V. of Belmont, Allegany Co.; T. of Willing, Allegany Co.; V. of
08-V-1372 Springville, Allegany Co.
06-V-1402

03-V-1599 TIME WARNER-ORANGE COUNTY/C. of Middletown, Orange Co.;
08-V-0500 T. of Blooming Grove, Orange Co.; T. of Mount Hope, Orange Co.; V. of
97-V-1090 Walden, Orange Co.
01-V-0836

06-V-1475 TIME WARNER-SYRACUSE DIVISION/V. of Herkimer, Herkimer
05-V-0850 Co.; T. of Champion, Jefferson Co.; T. of Throop, Cayuga Co.; T. of
06-V-0527 Russell, St. Lawrence Co.; T. of Frankfort, Herkimer Co.; T. of Nelson,
05-V-0714 Madison Co.; T. of Harrietstown, Franklin Co.; T. of Trenton, Oneida
04-V-1381 Co.; T. of Salina, Onondaga Co.
07-V-0552
06-V-1326
07-V-1329
08-V-0535

07-V-1433 TIME WARNER-HUDSON VALLEY DIVISION/V. of Ellenville,
08-V-0637 Ulster Co.; T. of Saugerties, Ulster Co.; V. of Liberty, Sullivan Co.
08-V-0506

07-V-1409 TIME WARNER-ALBANY DIVISION/T. of Jewett, Greene Co.; T. of
00-V-2183 Knox, Albany Co.; T. of Berne, Albany Co.; V. of Fultonville,
00-V-2090 Montgomery Co.; T. of Cherry Valley, Otsego Co.; V. of Saugerties,
02-V-1581 Ulster Co.
04-V-1349
08-V-0636

04-V-1588 TIME WARNER-ROCHESTER DIVISION/T. of Stafford, Genesee Co.;
06-V-0736 V. of Livonia, Livingston Co.; V. of Fairport, Monroe Co.; T. of Elba,
07-V-0662 Genesee Co.; V. of Manchester, Ontario Co.
06-V-1403
97-V-0547

06-V-1507 SUFFOLK CABLE OF SMITHTOWN, INC./V. 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.

98-V-0883 HAEFELE TV, INC./T. of Spencer, Tioga Co.

- 07-V-1408 CHARTER COMMUNICATIONS/T. of New Lebanon, Columbia Co.
- 666 08-V-1482 VERIZON NEW YORK INC. – Pet. for a Certificate of Confirmation for its Franchise with the Village of Hewlett Harbor, Nassau County.

REGULAR AGENDA

Items not necessarily to be considered in the order listed:

GAS

No Items Will Be Considered On This Agenda.

GENERAL

- 201 09-S-xxxx CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. – Pro. to Consider Steam Resource Plan and East River Repowering Project Cost Allocation Study, and Steam Energy Efficiency Programs.

POWER

- 301 08-E-1003 ORANGE AND ROCKLAND UTILITIES, INC. – Pet. for Approval of an Energy Efficiency Portfolio Standard (EEPS) “Fast Track” Utility-Administered Electric Energy Efficiency Program.
- 08-E-1007 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Pet. for Approval of an Energy Efficiency Portfolio Standard (EEPS) “Fast Track” Utility-Administered Electric Energy Efficiency Program.
- 08-E-1014 NIAGARA MOHAWK POWER CORPORATION - Pet. for Approval of an Energy Efficiency Portfolio Standard (EEPS) “Fast Track” Utility-Administered Electric Energy Efficiency Program.
- 08-E-1019 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Pet. for Approval of an Energy Efficiency Portfolio Standard (EEPS) “Fast Track” Utility-Administered Electric Energy Efficiency Program.
- 302 03-E-0188 Proceeding on Motion of the Commission Regarding Retail Renewable Portfolio Standard – Status Report.

WATER

No Items Will Be Considered On This Agenda.

COMMUNICATION

No Items Will Be Considered On This Agenda.

CABLE

601 08-V-0835 VERIZON NEW YORK INC. – In the Matter of the Company’s
Network Review Plan.

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