

STATE OF NEW YORK

Public Service Commission

Garry A. Brown, Chairman

Three Empire State Plaza, Albany, NY 12223

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<http://www.dps.state.ny.us>

FOR RELEASE: IMMEDIATELY

08115 Agenda 11/12/08

PSC LISTS AGENDA FOR WEDNESDAY, NOVEMBER 12, 2008

PLEASE NOTE:

MEETING WILL BE BROADCAST ON THE INTERNET

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

Albany, NY –11/7/08 – The New York State Public Service Commission announced today the agenda for its regular meeting starting at **10:30 A.M., Wednesday, November 12, 2008, 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 **1:00 P.M., Wednesday, December 10, 2008, in New York, New York.**

The agenda for the November 12, 2008 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 07-G-1072 VALLEY ENERGY INCORPORATED – Pet. to use the TRACE Automated Meter Reading Transponders of the Types Direct Gas Meter Transponder (DGT) and Standalone Gas Meter Transponder (SGT), Manufactured by Elster Integrated Solutions.
- 162 06-G-1332 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. – Amendments to PSC 9-Gas, eff. 4/1/08 on a temporary basis, to revise its billing and payment processing provisions in Compliance with the Commission’s Order Issued 1/16/08 in this Proceeding.
- 163 08-G-1001 ST. LAWRENCE GAS COMPANY, INC. – Pet. for Approval, Pursuant to Section 68 of the PSL, for an Expedited Proceeding for a Franchise Agreement in the Town of Louisville, St. Lawrence County.
- 08-G-1002 ST. LAWRENCE GAS COMPANY, INC. – Pet. for Approval, Pursuant to Section 68 of the PSL, for an Expedited Proceeding for a Franchise Agreement in the Town of Madrid, St. Lawrence County.
- 164 07-G-0299 ST. LAWRENCE GAS COMPANY, INC. – Req. for Exemption from the Mandatory Capacity Release Program Requirements in the Order on Capacity Release Programs Issued and Effective on 8/30/07.
- 165 08-G-0787 KEYSpan ENERGY OF LONG ISLAND/GUILLO CONTRACTING CORP.
- 08-G-1090 KEYSpan ENERGY OF LONG ISLAND/PEMBROOKE FINE LANDSCAPES CORP.
- 08-G-1205 KEYSpan ENERGY OF LONG ISLAND/NORTH STAR CONCRETE CONSTRUCTION, CORP.
- 08-G-1206 KEYSpan ENERGY OF LONG ISLAND/7 GIRLS CONSULTANTS, LLC
- 08-G-1208 KEYSpan ENERGY OF LONG ISLAND/M.T.M. ELECTRIC, INC.
- 08-G-1212 KEYSpan ENERGY OF LONG ISLAND/LONG ISLAND CONCRETE
- 08-G-1213 NATIONAL FUEL GAS DISTRIBUTION CORPORATION/C. FELDMAN EXCAVATING
- 08-G-1214 NATIONAL FUEL GAS DISTRIBUTION CORPORATION/ ACCADIA SITE CONTRACTING, INC.

- 08-G-1215 NEW YORK STATE ELECTRIC & GAS CORPORATION/
LANDSCAPE DESIGNS
- 08-G-1216 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL
GRID/JW CONSTRUCTION
- 08-G-1217 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL
GRID/WADE ELECTRIC CO. OF N.Y., INC.
- 08-G-1218 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL
GRID/NORTHWAY ESTATES TRAIL PARK
- 08-G-1219 ORANGE AND ROCKLAND UTILITIES, INC./PJS CONCRETE,
INC.
- 08-G-1220 ORANGE AND ROCKLAND UTILITIES, INC./PAUL DE SIMONE
AND SONS INC.
- 08-G-1221 ORANGE AND ROCKLAND UTILITIES, INC./NANNINI &
CALLAHAN EXCAVATING, INC.
- 08-G-1222 ROCHESTER GAS AND ELECTRIC CORPORATION/CUCCHIARA
CONSTRUCTION CO.

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

- 166 08-G-0741 NATIONAL FUEL GAS DISTRIBUTION CORPORATION – Pet. for
Authorization to Issue \$175,000,000 of Promissory Notes and to Assume
the Costs and Benefits of Certain Derivative Instruments for Calendar
Years 2009-2011.

GENERAL

- 261 06-G-1545 KEYSpan ENERGY DELIVERY LONG ISLAND and MERILLON
REALTY, LLC/MR. BARRY STITCH
- 08-E-0602 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC./MRS.
ROSE DEATS and MS. LAVERNE SHEPERD
- 08-G-0776 NATIONAL GRID/MS. SALVATORE COMITO and MR. MICHAEL
DEPASQUALE
- 08-E-0779 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC./MR.
RAHMOUN LOUV and MR. THOMAS MIDOLO
- 08-E-1026 ORANGE & ROCKLAND UTILITIES, INC./MS. MARGARET
ALONSO and MS. BARBARA MARTIN
- 08-G-1177 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC./MS.
JAQUETTA THOMAS and MS. TULAH DAVIS

Appeals of Informal Hearing Decisions.

- 262 08-S-0153 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. – Pro.
to Investigate the Prudence of the Company in Relation to the Steam Pipe
Rupture of 7/18/07 at East 41st Street and Lexington Avenue, New York,
New York.

- 263 08-M-1273 In the Matter of the Rules and Regulations of the Public Service Commission, Contained in 16 NYCRR, Prescribing Interest Rates Applicable to Customer Deposits, filed in Case 25695.
- 264 07-M-1194 ROCHESTER GAS AND ELECTRIC CORPORATION – Pet. Under Section 69 of the PSL for Authority to Issue Long-Term Indebtedness, Preferred Stock and Hybrid Securities, to Enter into and to Borrow Under Revolving Credit Facilities and to Enter into Derivative Instruments Pursuant to a Global Financing Plan.
- 265 08-E-0282 CENTRAL HUDSON GAS & ELECTRIC CORPORATION –
& Amendments to PSC 15-Electricity and PSC 12-Gas, eff. 7/1/08
08-G-0290 (Postponed to 12/1/08), to clarify limitation of liability provisions.
- 266 07-M-0548 NUCOR STEEL AUBURN, INC. – Pet. for Rehearing for Clarification of the June EEPS Order.

POWER

- 361 08-E-0676 PARK HILL HOUSING, LLC F/K/A COLLEGE HILL APARTMENTS – Pet. to Submeter Electricity at 63-34 South Street, Middletown, New York, located in the territory of Orange and Rockland Utilities Inc., filed in C. 26998.
- 362 08-E-0862 QUADLOGIC CONTROLS CORP. – Pet. to Submeter Electricity at 15 Park Row, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc., filed in C. 26998.
- 363 08-E-0836 FRAWLEY PLAZA, LLC – Pet. to Submeter Electricity at 1309 Fifth Avenue and 1660 Madison Avenue, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc., filed in C. 26998.
- 364 08-E-0863 RENAISSANCE CONDOMINIUM PARTNERS II – Pet. to Submeter Electricity at 5 Renaissance Square, White Plains, New York, located in the territory of Consolidated Edison Company of New York, Inc., filed in C. 26998.
- 365 08-E-0907 47 EAST 34 PARTNERS, L.P. – Pet. to Submeter Electricity at 47 East 34th Street, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc., filed in C. 26998.
- 366 08-E-0823 BANNER AVENUE, LLC – Pet. to Submeter Electricity at 2750 East 12th Street, Brooklyn, New York, located in the territory of Consolidated Edison Company of New York, Inc., filed in C. 26998.

- 367 08-E-0858 QUADLOGIC CONTROLS CORP. – Pet. to Submeter Electricity at 184 Kent Avenue, Brooklyn, New York, located in the territory of Consolidated Edison Company of New York, Inc., filed in C. 26998.
- 368 08-E-0778 CASA 74th DEVELOPMENT, LLC – Pet. to Submeter Electricity at 255 East 74th Street, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc., filed in C. 26998.
- 369 08-E-0920 785 PARTNERS, LLC – Pet. to Submeter Electricity at 785 Eighth Avenue, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc., filed in C. 26998.
- 370 08-E-0822 BANNER AVENUE, LLC – Pet. to Submeter Electricity at 1125 Banner Avenue, Brooklyn, New York, located in the territory of Consolidated Edison Company of New York, Inc., filed in C. 26998.
- 371 08-E-0869 QUADLOGIC CONTROLS CORP. – Pet. to Submeter Electricity at 1481 Fifth Avenue, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc., filed in C. 26998.
- 372 08-E-0837 METRO NORTH OWNERS, LLC – Pet. to Submeter Electricity at 1940-1966 First Avenue and 420 East 102nd Street, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc., filed in C. 26998.
- 373 08-E-0838 NORTH TOWN ROOSEVELT, LLC – Pet. to Submeter Electricity at 510-580 Main Street, Roosevelt Island, New York, located in the territory of Consolidated Edison Company of New York, Inc., filed in C. 26998.
- 374 08-E-0839 KNW APARTMENTS, LLC – Pet. to Submeter Electricity at 1890 Lexington Avenue and 1990 Lexington Avenue, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc., filed in C. 26998.
- 375 08-E-0937 NEW YORK STATE ELECTRIC & GAS CORPORATION – Amendments to PSC 120-Electricity, eff. 12/1/08, to revise the list of programs offered to its customers by the New York Power Authority.
- 376 08-E-1227 PLATTSBURGH MUNICIPAL LIGHTING DEPARTMENT – Amendments to PSC 1-Electricity, eff. 11/15/08, to increase revenues of about \$975,577 or 5.44% for the rate year ending 12/31/09.
- 377 08-E-0088 VILLAGE OF AKRON – Amendments to PSC 1-Electricity, eff. 7/1/08 (postponed to 12/1/08), to increase its annual electric revenues by about \$300,000 or 12/4%.
- 378 94-E-0952 In the Matter of Competitive Opportunities Regarding Electric Service, filed in C. 93-M-0229.

- 379 08-E-1147 LS POWER DEVELOPMENT LLC – Pet. for a Declaratory Ruling Regarding the Acquisition of Common Stock of Calpine Corporation, or, in the Alternative, Approval Under Public Service Law Section 70.
- 380 05-E-0565 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. and MR. MICHAEL MULLEN – Appeal of Informal Hearing Decision.
- 05-E-0981 NIAGARA MOHAWK POWER CORPORATION and MS. DIANE SCHENA/MR. WILLIAM SCHWAB – Rehearing Petition of Designees’ Determination.
- 381 03-E-0188 Pro. Regarding a Retail Renewable Portfolio Standard.
- 382 07-E-1303 NEW YORK ASSOCIATION OF PUBLIC POWER – Pet. on Behalf of Members Seeking Approval to Recover the Cost of a New Enhanced Energy Efficiency Program.
- 383 03-E-0188 Pro. Regarding a Retail Renewable Portfolio Standard.

WATER

- 461 07-W-1129 WARWICK WATER CORPORATION – Pro. as to the Rates, Charges, Rules and Regulations for Water Service.
- 462 07-W-0508 LONG ISLAND WATER CORPORATION – Pro. as to the Rates, Charges, Rules and Regulations for Water Service.
- 04-W-0577 LONG ISLAND WATER CORPORATION – Pro. as to the Rates, Charges, Rules and Regulations for Water Service.
- 00-M-1556 In the Matter of Proposed Accounting and Ratemaking for the Tax Law Changes Included in the 2000-2001 New York State Budget.
- 463 There is no Item 463 on this Agenda.
- 464 99-W-1708 SAGAMOR WATER CORP. – Review of Initial Tariff Schedule, PSC 1-Water, Which Sets Forth the Rates, Charges, Rules and Regulations for Water Service, Filed Electronically.
- 465 08-W-0522 BONIVILLE WATER COMPANY INC. – Amendment to PSC 4-Water, eff. 8/1/08, to increase its annual revenues by about \$18,248 or approx. 29.7% (Suspended through 11/28/08).
- 466 08-W-0523 KNOLLS WATER CO., INC. – Amendment to PSC 3-Water, eff. 8/1/08, requesting an increase in annual revenues by about \$17,874 or approximately 30.4% (Suspended through 11/28/08).

- 467 08-W-0527 ARBOR HILLS WATERWORKS, INC. – Amendment to PSC 3-Water, eff. 8/1/08, requesting an increase in annual revenues by about \$18,371 or approximately 20.7% (Suspended through 11/28/08).
- 468 08-W-0317 DAVENPORT WATER COMPANY – Pet. for Approval to Transfer the Water Plant Assets to the Town of Davenport for the Amount of \$1.00.
- 469 06-W-0722 DUTCHESS ESTATES WATER CO., INC. – Pet. to Finance Approximately \$635,000 to Make Improvements and Replacements to its Water Supply System and Institute a Surcharge to Pay for Associated Costs.
- 470 08-W-1141 MINISINK VALLEY UTILITY CORPORATION – Pro. as to the Ownership and Management of the Company.
- 471 08-W-0737 SCOTT A. TOZZI and J.J. GOKEY PROPERTIES, INC. – Joint Pet. for Approval of the Transfer of all of the Water Supply Assets of Roland Properties, Inc. (f/k/a Knollwood Water Company) to J.J. Gokey Properties, Inc.

COMMUNICATIONS

- 561 08-C-1172 VERIZON NEW YORK INC. – Pet. for Approval to Sell an Office Building.
- 562 08-C-0405 In the Matter of Quality of Service Provided by Local Exchange Companies in NYS.
- 00-C-2051 VERIZON NEW YORK INC. – Pro. to Investigate Methods to Improve and Maintain High Quality Special Services Performance.
- 563 08-C-0362 WEBSITE ON DEMAND, LLC, NETOPUS.NET, INC. and GLOBALYP.NET INC. – Complaint against Verizon New York Inc. for Violation of the PSL.
- 564 06-C-1257 NEWPORT TELEPHONE CO., INC. – Joint Proposal of Staff and Newport Telephone Co., Inc.'s Multi Year Rate Plan.
- 565 08-C-1011 VERIZON NEW YORK INC., BELL ATLANTIC COMMUNICATIONS and NYNEX LONG DISTANCE COMPANY – Pet. for Consent to a Plan for Reorganization.

CABLE

- 661 Appns. For Certificates for Renewal.
- 06-V-1333 TIME WARNER ENTERTAINMENT ADVANCE/NEWHOUSE PARTNERSHIP D/B/A TIME WARNER CABLE (ALBANY DIVISION)/T. of New Scotland, Albany Co.
- 06-V-1097 TIME WARNER ENTERTAINMENT ADVANCE/NEWHOUSE PARTNERSHIP D/B/A TIME WARNER CABLE (SYRACUSE DIVISION)/T. of Clayton, Jefferson Co.
- 07-V-1150 TIME WARNER ENTERTAINMENT ADVANCE/NEWHOUSE PARTNERSHIP D/B/A TIMES WARNER CABLE (BINGHAMTON DIVISION)/T. of Nichols, Tioga Co.
- 97-V-0405 CABLEVISION OF ROCKLAND/RAMAPO, LLC D/B/A CABLEVISION/V. of Spring Valley, Rockland Co.
- 07-V-1082 DTC CABLE, INC./T. of Meredith, Delaware Co.
- 08-V-0994 CABLEVISION OF SOUTHERN WESTCHESTER, INC. D/B/A CABLEVISION/T. of North Castle, Westchester Co.
- 08-V-0995 CABLEVISION SYSTEMS WESTCHESTER CORPORATION D/B/A CABLEVISION/T. of North Castle, Westchester Co.
- 662 Temporary Operating Authorities.
- 08-V-0216 CHARTER COMMUNICATIONS/V. of Chatham, Columbia Co.
- 04-V-1229 TIME WARNER-ALBANY DIVISION/V. of Valatie, Columbia Co.; C.
02-V-0262 of Rensselaer, Rensselaer Co.
- 07-V-1146 TIME WARNER-SYRACUSE DIVISION/T. of St. Armand, Essex Co;
08-V-1166 T. of Otisco, Onondaga Co.; T. of Mexico, Oswego Co.
08-V-1190
- 08-V-1189 TIME WARNER-BINGHAMTON DIVISION/V. of Millport, Chemung
08-V-1167 Co.; T. of Montour, Schuyler Co.; V. of Odessa, Schuyler Co.
08-V-1168
- 08-V-1151 TIME WARNER-ROCHESTER DIVISION/V. of Churchville, Monroe
08-V-1152 Co.; T. of Parma, Monroe Co.
- 07-V-1162 SAMSON CABLEVISION CORP./T. of Islip, Suffolk Co.; V. of
08-V-1179 Islandia, Suffolk Co.

- 08-V-0267 CABLEVISION SYSTEMS OF WAPPINGERS FALLS/T. of Lloyd, Ulster Co.
- 08-V-1178 CABLEVISION SYSTEMS LONG ISLAND CORP./C. of Long Beach, Nassau Co.
- 08-V-1180 CABLEVISION SYSTEMS SUFFOLK CORP./V. of Port Jefferson, Suffolk Co.
- 08-V-1072 MID-HUDSON CABLEVISION INC./T. of Athens, Greene Co.; T. of
08-V-1165 Greenville, Greene Co.
- 08-V-0244 HAMILTON COUNTY CABLE/T. of Chester, Warren Co.
- 663 08-V-1271 VERIZON NEW YORK INC. – Pet. for a Certificate of Confirmation for its Franchise with the Village of Cove Neck, Nassau County.
- 664 08-V-1146 VERIZON NEW YORK INC. – Pet. for a Certificate of Confirmation for its Franchise with the Village of New Hempstead, Rockland County.
- 665 08-V-1254 VERIZON NEW YORK INC. – Pet. for a Certificate of Confirmation for its Franchise with the Town of Yorktown, Westchester County.
- 666 08-V-1253 VERIZON NEW YORK INC. – Pet. for a Certificate of Confirmation for its Franchise with the Village of Lindenhurst, Suffolk County.
- 667 08-V-1255 VERIZON NEW YORK INC. – Pet. for a Certificate of Confirmation for its Franchise with the Village of Hewlett Bay Park, Nassau County.
- 668 08-V-1143 VERIZON NEW YORK INC. – Pet. for a Certificate of Confirmation for its Franchise with the Village of Kenmore, Erie County.
- 669 08-V-1199 VERIZON NEW YORK INC. – Pet. for a Certificate of Confirmation for its Franchise with the Village of Brightwaters, Suffolk County.
- 670 08-V-1252 VERIZON NEW YORK INC. – Pet. for a Certificate of Confirmation for its Franchise with the Village of Pomona, Rockland County.
- 671 08-V-1269 VERIZON NEW YORK INC. – Pet. for a Certificate of Confirmation for its Franchise with the Village of Port Washington North, 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 05-E-0934 CENTRAL HUDSON GAS & ELECTRIC CORPORATION – Pro. as to
& the Rates, Charges, Rules and Regulations for Electric and Gas Service.
05-G-0935

POWER

- 301-A 07-S-0984 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. – In
the Matter of the Investigation into the Company’s Steam Pipe Rupture
of July 18, 2007, East 41st Street and Lexington Avenue, New York, New
York.
- 301-B 08-S-0153 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. – Pro.
to Investigate the Prudence of the Company in Relation to the Steam Pipe
Rupture of July 18, 2007 at East 41st Street and Lexington Avenue, New
York.

WATER

No Items Will Be Considered On This Agenda.

COMMUNICATION

- 501-A 08-C-0405 In the Matter of Quality of Service Provided by Local Exchange
Companies in New York State.
- VERIZON NEW YORK INC. – Third Quarter 2008 Service Quality
Report.
- 501-B 08-C-0405 In the Matter of Quality of Service Provided by Local Exchange
Companies in New York State.
- FRONTIER COMMUNICATIONS – Third Quarter 2008 Service
Quality Report.

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