



Public Service Commission

For Immediate Release: 09/14/16

Audrey Zibelman, Chair

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COMMISSION ISSUES FINAL SEPTEMBER 15, 2016 AGENDA

Albany, NY – The Public Service Commission announced today that it will hold its next regular session beginning at **10:30 a.m., Thursday, September 15, 2016, in the 19th Floor Board Room of its offices located at Three Empire State Plaza, Albany, New York.**

MEETING WILL BE WEBCAST ON THE INTERNET AT:

<http://www.dps.ny.gov/Webcasts.html>

-WEBCASTING TO PSC'S NYC OFFICES AVAILABLE-

(See instructions on last page of Agenda)

The session agenda is as follows:

To view documents related to PSC Cases Numbers below, visit:

http://www.dps.ny.gov/New_Search.html

REGULAR AGENDA ITEMS

Items To Be Resolved Through Discussion

Item	PSC Case	
		GENERAL
201	16-M-0407	SMART ONE ENERGY, LLC - In the Matter of Consequences Against Smart One Energy, LLC for Violations of the Uniform Business Practices.
202	16-M-0434	MARATHON ENERGY CORPORATION - In the Matter of Consequences Against Marathon Energy Corporation for Violations of the Uniform Business Practices.
203	16-M-0433	ABC ENERGY, LLC - In the Matter of Consequences Against ABC Energy, LLC for Violations of the Uniform Business Practices.

- 204 12-M-0476 Proceeding on Motion of the Commission to Assess Certain Aspects of the Residential and Small Non-Residential Retail Energy Markets in New York State.
- 98-M-1343 In the Matter of Retail Access Business Rules.
- 06-M-0647 In the Matter of Energy Service Company Price Reporting Requirements.
- 98-M-0667 In the Matter of Electronic Data Interchange.

COMMUNICATIONS

- 501 16-C-0297 NORTH AMERICAN NUMBERING PLAN ADMINISTRATOR -
 Petition on Behalf of the New York Telecommunications Industry for
 Relief of the 518 NPA.

No items will be considered on the Regular Agenda for **GAS, POWER, WATER, and CABLE.**

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.

Item PSC Case

GAS

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| 161 | 11-G-0217 | MR. MICHEL SAINT-FLEUR/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID - Appeal of Informal Hearing Decision. |
| 162 | 10-G-0028 | APARTMENT MANAGEMENT ASSOCIATES/LAWRENCE TOWERS/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID - Appeal of Informal Hearing Decision.

In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities. |
| 163 | 15-G-0419 | HOLMGREN ENTERPRISES, INC. D/B/A VIKING LAND CLEARING/ORANGE AND ROCKLAND UTILITIES, INC. |
| | 15-G-0671 | TO THE MAX LANDSCAPING, LLC/ORANGE AND ROCKLAND UTILITIES, INC. |
| | 15-G-0724 | FIRST RATE LANDSCAPING & CONSTRUCTION, INC./ORANGE AND ROCKLAND UTILITIES, INC. |
| | 16-G-0435 | MOUNT PLEASANT HIGHWAY/SANITATION DEPARTMENT/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. |
| | 16-G-0436 | APOLLO CONSTRUCTION & DEVELOPMENT, INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. |
| | 16-G-0437 | C & F PAVING AND CONSTRUCTION CORP./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. |
| | 16-G-0438 | VILLAGE OF SLEEPY HOLLOW-DPW/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. |
| | 16-G-0439 | LANG POOLS INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. |
| | 16-G-0441 | KRAZY KLEAN, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID. |
| | 16-G-0442 | MOTT'S TREE SERVICE & LANDSCAPING, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID. |

- 16-G-0443 NRG MAGIC CONSTRUCTION INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 16-G-0444 SCOTT MILLER LANDSCAPE MAINTENANCE, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 16-G-0445 ADVANCE CONCRETE, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 16-G-0446 D&S ART STONE CONSTRUCTION CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 16-G-0447 ISLANDER CESSPOOL SERVICE/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 16-G-0448 DEA CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
- 16-G-0449 IRWIN CONTRACTING OF LONG ISLAND, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 16-G-0450 J.N. DIAZ CONSTRUCTION, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 16-G-0451 METRO GROUP OF LONG ISLAND INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 16-G-0452 EAST END UNDERGROUND UTILITIES, LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 16-G-0453 UNITED FENCE AND GUARD RAIL CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 16-G-0454 CASOLA WELL DRILLERS, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 16-G-0455 GREALISH TREE SERVICE/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 16-G-0456 MILLENNIUM CONSTRUCTION, INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 16-G-0458 J C MC CASHION CONSTRUCTION LLC/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 16-G-0459 IT'S PARKER'S LANDSCAPE, INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID..
- 16-G-0460 CITY OF UTICA DEPARTMENT OF PUBLIC WORKS/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 16-G-0461 GENERATION ELECTRICAL CORP./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 16-G-0462 JAT CONSTRUCTION CO., INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.

- 16-G-0463 ZURLA EXCAVATING, INC./ORANGE AND ROCKLAND UTILITIES, INC.
- 16-G-0464 AROLDO ROCA LANDSCAPING/ORANGE AND ROCKLAND UTILITIES, INC.
- 16-G-0466 TITAN REALTY & CONSTRUCTION LLC/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 16-G-0467 DYNATEC CONTRACTING INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 164 There is no item 164.
- 165 There is no item 165.
- 166 06-G-1185 THE BROOKLYN UNION GAS COMPANY D/B/A KEYSpan ENERGY DELIVERY NEW YORK - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.
- 06-G-1186 KEYSpan GAS EAST CORPORATION D/B/A KEYSpan ENERGY DELIVERY LONG ISLAND - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.
- 14-G-0330 KEYSpan GAS EAST CORP. D/B/A BROOKLYN UNION OF L.I. - Tariff filing to modify the retail access program under S.C. No. 8 - Sales Service contained in P.S.C. No. 1 - Gas.
- 14-G-0331 THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY - Tariff filing to modify the retail access program under S.C. No. 19 - Seller Transportation Aggregation Service contained in P.S.C. No. 12 - Gas.
- 167 16-G-0325 CORNING NATURAL GAS CORPORATION - Petition for a Waiver of 150 Day Provision of Statement of Policy on Test Periods in Rate Proceedings.
- 168 11-G-0463 MR. SOO JAI LEE/CONSOLIDATED EDISON OF NEW YORK, INC. - Appeal of Informal Hearing Decision.
- 169 11-G-0181 In the Matter of an Investigation into Gas Service Provided by Reserve Gas Company, Northern Gas Well Operators, Inc., New York Gas & Oil, Inc., and/or 1st Medina Gas Properties, LLC in the Town of Alden, New York.

GENERAL

- 261 There is no item 261.
- 262 There is no item 262.

- 263 14-M-0101 Proceeding on Motion of the Commission in Regard to Reforming the Energy Vision.
- 15-M-0501 In the Matter of a Review of Utility Codes of Conduct as Impacted by Reforming the Energy Vision.
- 264 16-M-0176 MR. BIDHAN C. DAS/MS. ROSA CABREARA/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Rehearing of Designee Determination.
- 16-E-0177 MR. JOHN KIBBLER/MR. JORDAN REBER/NIAGARA MOHAWK POWER CORPORATION d/b/a NATIONAL GRID - Rehearing of Designee Determination.
- 16-E-0262 MS. DEBORAH WILTROUT/MS. TIFFANY LOPEZ/NIAGARA MOHAWK POWER CORPORATION d/b/a NATIONAL GRID - Rehearing of Designee Determination.
- 265 There is no item 265.
- 266 There is no item 266.
- 267 15-S-0514 FIFTH AND 67TH ST., INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Rehearing on Designee Determination.
- 268-A 15-E-0516 GREENIDGE GENERATION LLC - Petition for an Original Certificate of Public Convenience and Necessity and Lightened Regulation.
- 15-G-0571 GREENIDGE PIPELINE LLC and GREENIDGE PIPELINE PROPERTIES CORPORATION - Petition for an Expedited Original Certificate of Public Convenience and Necessity and for Incidental or Lightened Regulation.
- 268-B 15-T-0586 GREENIDGE PIPELINE LLC; GREENIDGE PIPELINE PROPERTIES CORPORATION - Application to Construct a Fuel Gas Transmission Line, Containing Approximately 24,318 Feet of 8" Steel Pipeline, Located in the Towns of Milo and Torrey, Yates County.
- 269 There is no item 269.
- 270 15-S-0523 CITY OF NEW YORK AND THE REAL ESTATE BOARD OF NEW YORK - Petition for a Declaratory Ruling Regarding Service Classification No. 4 of Consolidated Edison Company of New York, Inc.'s Schedule for Steam Service.
- 16-S-0134 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Tariff filing to modify provisions related to contract demand in Service Classification No. 4 - Back-Up/Supplementary Service, P.S.C. No. 4 - Steam.

POWER

- 361 16-E-0184 HV HOUSING, LLC - Petition to Submeter Electricity at 45 Vandenburg Avenue, Troy, NY Located in the Territory of National Grid.
- 362 16-E-0136 IGI-GGP RENWICK LLC - Notice of Intent to Submeter Electricity at 15 Renwick Street, New York, NY 10013, Located in the Territory of Consolidated Edison Company, Inc.
- 363 16-E-0011 31 LINCOLN ROAD DEVELOPMENT LLC - Notice of Intent to Submeter Electricity at 31-33 Lincoln Road, Brooklyn, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 364 15-E-0695 910 FIFTH AVENUE CORPORATION - Petition to Submeter Electricity at 910 Fifth Avenue, New York, NY, Located in the Territory of Consolidated Edison Company of New York.
- 365 15-E-0441 20 WEST 53RD STREET, L.L.C. - Notice of Intent to Submeter Electricity at 20 West 53rd Street, New York, NY, Located in the Territory of Consolidated Edison Company of New York.
- 366 16-E-0010 31 LINCOLN ROAD DEVELOPMENT LLC - Notice of Intent to Submeter Electricity at 510 Flatbush Avenue, Brooklyn, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 367 16-E-0266 MKA HOLDINGS INC./MS. TANESSA GREENE/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Rehearing of Designee Determination.
- 368 16-E-0293 MR. ZING GUANG WANG/MR. JORGE FERNANDEZ/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Rehearing of Designee Determination.
- 16-E-0309 MR. ANTHONY FIERRO/MS. EMILY MALLORY/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Rehearing of Designee Determination.
- 16-E-0331 MS. DEANNA GARFINKEL/MS. LINDSAY GARFINKEL/MALCOLM X PROPERTIES LLC/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Rehearing of Designee Determination.
- 369 15-E-0319 47 EAST 34TH STREET (NY), L.P. - Petition to Submeter Electricity at 49 East 34th Street, New York, NY 10016, Located in the Territory of Consolidated Edison Company, Inc.
- 370 15-E-0463 605 WEST 42ND OWNER LLC - Notice of Intent to Submeter Electricity at 605 West 42nd Street, New York, New York 10036, Located in the Territory of Consolidated Edison Company of New York, Inc.

- 371 11-T-0534 ROCHESTER GAS AND ELECTRIC CORPORATION - Application for a Certificate of Environmental Compatibility and Public Need for the Construction of the "Rochester Area Reliability Project," Approximately 23.6 Miles of 115 Kilovolt Transmission Lines and 1.9 Miles of 345 Kilovolt Line in the City of Rochester and the Towns of Chili, Gates and Henrietta in Monroe County.
- 372 16-E-0131 SKYVIEW PARC II LP - Notice of Intent to Submeter Electricity at 131-05 40th Road, 131-03 40th Road, 131-01 40th Road, Flushing, New York 11354, Located in the Territory of Consolidated Edison Company, Inc.
- 373 15-E-0307 MASSENA ELECTRIC DEPARTMENT - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Electric Service.
- 374 16-E-0392 DANSKAMMER ENERGY, LLC - Petition for a Declaratory Ruling or, in the Alternative, Approval, Pursuant to Section 70 of the Public Service Law, of Easement.
- 375 16-E-0401 RIVERSTONE HOLDINGS LLC, TALEN ENERGY SUPPLY, LLC, MACH GEN, LLC, NEW MACH GEN, LLC AND NEW ATHENS GENERATING COMPANY, LLC - Joint Petition for a Declaratory Ruling or, in the Alternative Approval of the Acquisition of Indirect Ownership Interests in New Athens Generating Company, LLC.
- 376 There is no item 376.
- 377 16-E-0397 ALCOA INC., ALCOA POWER GENERATING INC. AND ALCOA CORPORATION - Verified Joint Petition for a Declaratory Ruling Regarding a Corporate Reorganization or, in the Alternative, an Order Approving the Corporate Reorganization.
- 378 12-E-0503 Proceeding on Motion of the Commission to Review Generation Retirement Contingency Plans.
- 379 16-E-0408 CRICKET VALLEY ENERGY CENTER, LLC, CRICKET VALLEY ENERGY HOLDINGS LLC, AP CRICKET VALLEY HOLDINGS II, INC., APNA HOLDINGS GMBH, 730 CRICKET, LLC, BLACKROCK FINANCIAL MANAGEMENT, INC. AND ASG FRONTIER HOLDINGS, LLC - Joint Petition for a Declaratory Ruling Regarding Transfers of Upstream Ownership Interests or, in the Alternative, an Order Approving the Transfers Pursuant to Section 70 of the New York State Public Service Law and for a Declaratory Ruling that 730 Cricket, LLC, BlackRock Financial Management, Inc. and ASG Frontier Holdings, LLC Will Not Become an Electric Corporation.

WATER

- 461 16-W-0415 ARBOR HILL WATERWORKS, INC. - In the Matter to Authorize Use of Escrow Funds for Emergency Repairs.

- 462 16-W-0390 NORTHEAST WATER SERVICES, FOREST PARK WATER COMPANY, INC., HILLTOP MEADOWS WATER-WORKS CORP., AND MISTY HILLS WATER CORPORATION - In the Matter to Appoint a Temporary Operator.
- 463 16-W-0121 ROLLING MEADOWS WATER CORPORATION - Minor Rate Filing to Increase its Annual Revenues by about \$169,841 or 34.05%.

COMMUNICATIONS

- 561 There is no item 561.
- 562 15-M-0742 Proceeding on Motion of the Commission to Review the State Universal Service Fund.
- 563 16-C-0235 In the Matter of Quality of Service provided by Local Exchange Companies in New York State. Verizon New York Inc. - Report on Service Quality for the Second Quarter of 2016.

CABLE

Petitions for Renewal of Cable Television Franchises.

- 661 16-V-0251 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF CHESTER, ORANGE COUNTY.
- 16-V-0253 TIME WARNER CABLE NORTHEAST LLC/TOWN OF LEBANON, MADISON COUNTY.
- 16-V-0287 TIME WARNER CABLE NORTHEAST LLC/TOWN OF CRAWFORD, ORANGE COUNTY.
- 16-V-0313 CSC ACQUISITION-NY, INC./TOWN OF RIVERHEAD, SUFFOLK COUNTY.
- 16-V-0372 TIME WARNER CABLE NORTHEAST LLC/TOWN OF NEW BERLIN, CHENANGO COUNTY.
- 662 16-V-0290 HEART OF THE CATSKILLS COMMUNICATIONS, INC. D/B/A MTC CABLE - Petition for a Certificate of Confirmation for its Franchise with the Town of Jefferson, Schoharie County.
- 663 16-V-0306 VERIZON NEW YORK INC. - Petition for Orders of Entry for 35 Multiple-Dwelling Unit Buildings in the City of New York.
- 664 16-V-0307 VERIZON NEW YORK INC. - Petition for Orders of Entry for 42 Multiple-Dwelling Unit Buildings in the City of New York.

Instructions to View Webcast at PSC's NYC Offices

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 webcasting 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.

Instructions to View Video Webcast of Meeting

In addition to the webcast of the meeting in the Commission's New York City offices, the meeting will be webcast live on the Internet. The Internet webcast can be viewed by accessing <http://www.dps.ny.gov/Webcasts.html>

The viewing quality of a live webcast can be adversely affected by various factors including, but not limited to, Internet bandwidth limitations, Internet network congestion, and the configurations and settings on a computer used to view the webcast. If you experience problems viewing a live webcast, you may view it at a later time by accessing an archived copy of the webcast. Archives are available on the Department Web site within two business days after the meeting.

Explanation of Agenda

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 contained herein is complete at the time of issue, but other items may be added and some agenda items may be removed without further notice.

Proposed draft orders for **Regular Agenda items** or discussion items will be posted for public viewing, if feasible, by 5:00 p.m. the day before a Commission meeting. The draft orders will be made available at: www.dps.ny.gov/DraftDocuments.html

The posted drafts will be removed by 5:00 p.m. on the day of the Commission meeting. The proposed order is not the final Commission action, rather, the final determination is the issued order, posted by the Secretary, and available at www.dps.ny.gov, click on “Search” then search the appropriate PSC case number.

Other Matters

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 may be obtained by accessing the Commission's Web site at www.dps.ny.gov, click on “Search” then search using the appropriate PSC case number, or in the alternative documents may be viewed on monitors provided in the Files Unit on the 14th floor of the Albany offices or obtained by calling (518) 474-2500.

Next Meeting

The next regularly scheduled meeting will begin at **10:30 A.M., Thursday, October 13, 2016, in Albany, New York.**

Individuals in Albany wishing to observe the Commission's meeting may do so in the Board Room on the 19th floor of the Commission's offices at Three Empire State Plaza. **Pursuant to procedures established by the building management, anyone planning to view the meeting in the New York City Office 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.** The webcasting will be for viewing and listening purposes only.

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