

Consent Agenda Report for 03/25/2015



The following is a preliminary and informal summary of actions the Commission took at its public session on March 25, 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

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| ITEM 161 | 14-G-0214 | KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID - The Commission decided to approve the company's (KEDLI's) compliance tariff filing, to become effective April 1, 2015, pursuant to Commission Order issued December 15, 2014. |
| ITEM 162 | 13-G-0136 | NATIONAL FUEL GAS DISTRIBUTION CORPORATION – The Commission decided to deny PUSH Buffalo's appeal from an ALJ ruling that denied PUSH Buffalo's request for Intervenor funding in the company's rate case. |
| ITEM 163 | 14-G-0371 | NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - The Commission decided to approve the company's tariff filing to define the incremental cost of gas and to streamline the General Information Section 1 - Definitions and Abbreviations. |

ITEM 164	<u>Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753 – Protection of Underground Facilities</u>
11-G-0683	DAVID'S CONSTRUCTION & HOME IMPROVEMENT CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
12-G-0466	SOUNDVIEW LANDSCAPING & CONTRACTING, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
15-G-0113	A POTTS CONSTRUCTION COMPANY, LLC /NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
11-G-0501	EATON EXCAVATING/NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
15-G-0103	METROTECH DEVELOPMENT CORP./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
15-G-0104	EP MILLING & SWEEPING CO. INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
15-G-0106	LVI DEMOLITION SERVICES INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
15-G-0107	KING ASSOCIATES REALTY CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
15-G-0108	DEBENEDITTIS LANDSCAPING, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
15-G-0109	MASONRY DEVELOPMENT CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
15-G-0110	J & A IRRIGATION, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
15-G-0111	YARUSSI CONSTRUCTION, INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
15-G-0112	OLIN CONTRACTING INC./NEW YORK STATE ELECTRIC & GAS CORPORATION.
15-G-0114	JOHN VAN WORMER SEPTIC SYSTEMS SERVICE, INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
15-G-0115	DE PAVING & SEALCOATING, LLC/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.

ITEM 164 (Cont'd)

- 15-G-0117 CHESTNUT CENTURY CORP./ORANGE AND ROCKLAND UTILITIES, INC.
- 15-G-0118 LECHASE CONSTRUCTION SERVICES, LLC/ROCHESTER GAS AND ELECTRIC CORPORATION.
- 15-G-0119 TOWNHOUSE BUILDERS INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.

The Commission decided to grant Consent Orders in Cases 15-G-0106, 15-G-0110, 15-G-0111, 15-G-0113, 15-G-0115, 15-G-0118, and 15-G-0119, grant Petitions for Rehearing in Cases 11-G-0501 and 11-G-0683, determined \$2,500 penalties in Cases 15-G-0103, 15-G-0107, 15-G-0108, 15-G-0109, 15-G-0112, 15-G-0114, and 15-G-0117, and determined \$1,000 penalties in Cases 12-G-0466 and 15-G-0104.

ITEM 165

- 13-G-0031 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to approve, on a permanent basis, the company's tariff filing, made in compliance with the Commission's order issued February 21, 2014 in Case 13-G-0031 effectuating Rate Year 2.

ITEM 166

- 14-G-0357 The Commission adopted four revisions to 16 NYCRR Part 255, gas safety rules, to mirror the language with their corollary federal rules. The Commission will commence a proceeding to develop an implementation framework.

General

ITEM 261

- 12-M-0350 Rehearing of Appeal Determination
DAVID BUONO/NATIONAL GRID-UPSTATE - The Commission decided to uphold the informal hearing decision.

ITEM 262

There is no Item 262

ITEM 263
14-M-0508 HALLETTS VENDEE LLC - The Commission decided to clarify its prior Ruling to establish with more certainty that the scope of the Public Service Law does not extend to jurisdiction over the provision of thermal energy through a submetered chilled water system.

Power

ITEM 361
15-E-0086 BAYONNE ENERGY CENTER, LLC, PER DEVELOPMENT HOLDINGS, LLC, AND RAGFY HOLDINGS LLC - The Commission decided that no further review of Ragfy's proposed upstream acquisition of the ownership interests in the company is necessary because Ragfy has satisfied the Walkkill presumption by establishing that the transaction does not pose the potential for the exercise of market power or other impacts adverse to the interests of captive ratepayers.

ITEM 362
15-E-0130 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - The Commission decided to approve the company's tariff filing of a housekeeping nature to clarify language and make a typographical correction to existing tariff language contained in P.S.C. No. 15 - Electricity.

ITEM 363
13-T-0469 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - The Commission decided to 1) grant a Certificate of Environmental Compatibility and Public Need to the company to allow for the replacement of approximately 10.85 miles of 115 Kilovolt transmission lines along existing rights of way in the Towns of Pleasant Valley, LaGrange, Wappinger and East Fishkill, Dutchess County and 2) approve the Environmental Management and Construction Plan governing construction of the project.

- ITEM 364 14-E-0410 VILLAGE OF SHERBURNE - The Commission decided to authorize the Village to increase its annual electric revenues by about \$237,292 or 6.4%.
- ITEM 365 14-E-0550 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - The Commission decided to approve the company's tariff filing revising Rule 50 - Reliability Support Services (RSS) Surcharge, contained in P.S.C. No. 220 - Electricity.
- ITEM 366 15-E-0012 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to approve the company's modifications to the Rider L – Direct Load Control Program and the Residential Smart Appliance Program.
- ITEM 367 13-E-0573 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to approve the company's proposed aggregator eligibility standards to be used in Demand Response Programs: Rider S and Rider U with modifications.

Water

- ITEM 461 14-W-0070 WEST VALLEY CRYSTAL WATER COMPANY, INC. - The Commission decided to deny with clarification the petition for rehearing that sought to revisit the amount of the company's authorized rate increase.
- ITEM 462 14-W-0258 UNITED WATER NEW YORK INC., UNITED WATER WESTCHESTER INC./UNITED WATER NEW ROCHELLE INC., UNITED WATER OWEGO-NICHOLS INC., UNITED WATERWORKS INC. and UNITED WATER RESOURCES INC. - The Commission decided to approve the companies' reorganization with certain modifications and conditions.

Communications

- ITEM 561
15-C-0046 VERIZON NEW YORK INC. - The Commission decided to approve the company's petition for approval to sell a garage and work center located at 1960 Old Mill Road, Wantagh, New York.
- ITEM 562
15-C-0096 & 15-C-0138 GREENLIGHT NETWORKS, LLC – The Commission decided to approve the company's petitions for the authority to: 1) issue up to \$300,000 in a subordinated secured loan facility while also amending the terms of financing approved in Case 14-C-0227 to mirror the new terms of this issuance and, 2) issue an additional \$1,000,000 in a senior secured credit facility. These financings support Greenlight Networks, LLC strategic growth initiatives and network expansion projects along with providing additional corporate funding support.
- ITEM 563
14-C-0402, 14-C-0403, 14-C-0405 PORT BYRON TELEPHONE COMPANY, EDWARDS TELEPHONE COMPANY, INC. and TOWNSHIP TELEPHONE COMPANY, INC. - The Commission decided to allow Port Byron Telephone Company and Township Telephone Company to recover a portion of its revenue requirement deficiency annually from increases to certain customer rates and from the State Universal Service Fund and to allow Edwards Telephone Company to recover a portion of its revenue requirement deficiency annually from an accrued 1998 Ice Storm Deferred Liability and to increase certain customer rates.

Cable

ITEM 661

- 14-V-0518 CABLEVISION OF ROCKLAND/RAMAPO, LLC/VILLAGE OF UPPER NYACK, ROCKLAND COUNTY.
- 14-V-0559 COMCAST OF NEW YORK, LLC/TOWN OF SOUTHEAST, PUTNAM COUNTY.
- 14-V-0447 CABLEVISION OF OSSINING, L.P./TOWN OF OSSINING, WESTCHESTER COUNTY.
- 14-V-0464 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF LYNDONVILLE, ORLEANS COUNTY.
- 14-V-0466 TIME WARNER CABLE/TOWN OF SWEDEN, MONROE COUNTY.
- 14-V-0467 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF VICTOR, ONTARIO COUNTY.
- 14-V-0468 TIME WARNER CABLE NORTHEAST LLC/TOWN OF CANEADEA, ALLEGANY COUNTY.
- 14-V-0470 TIME WARNER CABLE/VILLAGE OF WEST CARTHAGE, JEFFERSON COUNTY.
- 14-V-0473 TIME WARNER CABLE NORTHEAST LLC/TOWN OF HUME, ALLEGANY COUNTY.
- 14-V-0487 TIME WARNER CABLE NORTHEAST LLC/TOWN OF SHERIDAN, CHAUTAUQUA COUNTY.

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

ITEM 662

- 14-V-0515 COMMUNITY CABLE CORPORATION D/B/A NORTH PENN VIDEO - The Commission decided to approve the company's petition for a Certificate of Confirmation for its Franchise with the Town of Big Flats, Chemung County.

ITEM 663

- 15-V-0124 VERIZON NEW YORK INC. - The Commission decided to approve a portion of the company's petitions for certain Orders of Entry for 45 Multiple-Dwelling Unit Buildings in the City of New York.

ITEM 664

15-V-0123

VERIZON NEW YORK INC. - The Commission decided to approve a portion of the company's petitions for certain Orders of Entry for 88 Multiple-Dwelling Unit Buildings in the City of New York.

ITEM 665

14-V-0514

EMPIRE VIDEO SERVICES CORPORATION - The Commission decided to approve the company's petition for a certificate of confirmation for its franchise with the Town of Big Flats, Chemung County.