

Consent Agenda Report for 10/19/2017

The following is a preliminary and informal summary of actions the Commission took at its public session on October 19, 2017. 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

17-G-0078 Appeal of an Informal Hearing Decision
FIFTY-FIRST BEEKMAN CORP./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to deny complainant's appeal and uphold the informal review decision.

ITEM 162

In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities.

17-G-0040 WIENER BROTHERS INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION.

17-G-0136 TDL CONSTRUCTION INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.

17-G-0206 BARTELLINO CONSTRUCTION CORP./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

17-G-0224 JAKE BURNETT EXCAVATING CO., INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.

17-G-0397 CITY OF AMSTERDAM DEPARTMENT OF PUBLIC WORKS/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.

17-G-0557 KDA CONTRACTING CORP./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

17-G-0558 MM HOMES LAND DEVELOPMENT OF PA, LLC/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

17-G-0559 FCR BUILDERS GROUP LLC/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

17-G-0560 LUNA LANDSCAPE CORP./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

ITEM 162 (Cont'd)

- 17-G-0561 WTC CONSTRUCTION LLC/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 17-G-0562 QUACKENBUSH CESSPOOLS, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 17-G-0563 SJ HAUCK HOUSEMOVERS LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 17-G-0564 NYD&E GROUP INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 17-G-0565 GALARZA CONSTRUCTION INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 17-G-0566 LAINEZ HOME IMPROVEMENT/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 17-G-0567 METRO INDUSTRIAL WRECKING & ENVIRONMENTAL CONTRACTORS, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 17-G-0568 CONDOS BROTHERS CONSTRUCTION CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 17-G-0569 T SILVA INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 17-G-0570 SUBURBAN ASPHALT & CONCRETE CO./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 17-G-0571 WYOMING COUNTY HIGHWAY DEPARTMENT/NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 17-G-0572 J DUNN GROUP, LLC/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 17-G-0573 PLUMBING TODAY INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 17-G-0575 MORGAN PAVING & EXCAVATING INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 17-G-0576 ZIELINSKI'S ASPAHLT, INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 17-G-0577 MORGAN CONSTRUCTION SERVICES/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.

ITEM 162 (Cont'd)

- 17-G-0578 JERSEN CONSTRUCTION GROUP, LLC/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 17-G-0579 BRADMANZ LANDSCAPING, LLC/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 17-G-0580 ULTIMATE PAVERS CORP./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 17-G-0581 GALAXY DEVELOPERS LLC/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 17-G-0582 SHINE CONSTRUCTION CORP./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 17-G-0584 ASF CONSTRUCTION & EXCAVATION CORP./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 17-G-0585 PERCIBALLI INDUSTRIES INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 17-G-0586 DVIR MOG 18 INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 17-G-0587 PERFETTO CONTRACTING CO. INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 17-G-0588 NADKOS, INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.

The Commission decided to grant Consent Orders in Cases 17-G-0206, 17-G-0397, 17-G-0570, 17-G-0571, 17-G-0578, and 17-G-0579, determined \$12,500 penalties in Cases 17-G-0224, and 17-G-0588, determined a \$10,000 penalty in Case 17-G-0567, determined \$2,500 penalties in Cases 17-G-0557, 17-G-0558, 17-G-0559, 17-G-0560, 17-G-0561, 17-G-0562, 17-G-0563, 17-G-0564, 17-G-0565, 17-G-0566, 17-G-0568, 17-G-0569, 17-G-0572, 17-G-0573, 17-G-0575, 17-G-0576, 17-G-0577, 17-G-0580, 17-G-0581, 17-G-0582, 17-G-0584, 17-G-0585, 17-G-0586, and 17-G-0587, denied a Petition for Rehearing in Case 17-G-0136, and granted a Petition for Rehearing in Case 17-G-0040.

- ITEM 163
17-G-0591
CENTRAL HUDSON GAS & ELECTRIC CORPORATION - The Commission decided to approve the company's revisions of a housekeeping nature updating language regarding index pricing points in its gas tariff schedule, P.S.C. No. 12 - Gas.
- ITEM 164
There is no item 164
- ITEM 165
10-G-0299
Appeal for a Rehearing of Determination
PARKLINE APARTMENTS, INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY - The Commission decided to grant in part and deny in part rehearing of the commission determination.
- ITEM 166
16-G-0066
Rehearing of Shared Meter Determination
MR. MARTIN GAYLE/MS. LEKEISHA HAZEL AND CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to Modify the designee determination.
- ITEM 167
15-G-0382
ST. LAWRENCE GAS COMPANY, INC. - The Commission decided to approve, on a permanent basis, the company's compliance tariff filing effectuating the terms of Rate Year 2 pursuant to Commission Order issued July 15, 2016 in this proceeding.
- ITEM 168
17-G-0421
Rehearing of Shared Meter Determination
BUFFALO RECLAIMED, LLC/MR. CHARLES WHITE AND NATIONAL FUEL GAS DISTRIBUTION CORPORATION - The Commission decided to deny the request for rehearing.
- ITEM 169
17-G-0405
CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to approve the company's revisions to its gas tariff schedule, P.S.C. No. 9, modifying the Daily Delivery Service Program and the treatment of certain non-firm revenues.

ITEM 170
 16-G-0181 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 –
 The Commission decided to confirm a one commissioner order by John B. Rhodes, Chair, that directed Northern Gas Well Operators, Inc., New York Gas & Oil Company, Inc., and/or 1st Medina Gas Properties, LLC and Michael and Christa Schlegel to show cause by October 16, 2017, why Reserve Gas Company, Inc. should not be made temporary operator of the gas facilities owned and/or operated by Northern Gas Well Operators, Inc., New York Gas & Oil Company, Inc., and/or 1st Medina Gas properties, LLC and Michael and Christa Schlegel.

ITEM 171
 16-G-0181 RESERVE GAS COMPANY - The Commission decided to grant the petition of the company to become the temporary operator of the gas system of Northern Gas Well Operators, Inc., New York Gas & Oil Company, Inc., and/or 1st Medina Gas Properties, LLC (NGO). NGO's owners, Michael and Christa Schlegel, have abandoned the gas system.

ITEM 172
 17-G-0455 RESERVE GAS COMPANY, INC. - The Commission decided to grant the petition filed by the company for a Certificate of Public Convenience and Necessity to exercise a franchise granted to it by the Town of Bennington.

ITEM 173
 17-G-0274 SKANSKA USA BUILDING INC. – The Commission decided to deny the company's petition for rehearing regarding violations of 16 NYCRR Part 753 – Protection of Underground Facilities, in the Service Territory of The Brooklyn Union Gas Company d/b/a National Grid NY.

General

ITEM 261
 17-M-0466 Rehearing of Shared Meter Determination
 MS. NICOLE ALIEV/MR. MICHAEL ALLEN AND CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to deny the request for rehearing.

- ITEM 262
14-M-0196
CENTRAL HUDSON GAS & ELECTRIC CORPORATION - The Commission decided to approve in part and deny in part the petitions for rehearing filed by the Town of Woodstock, et al., of a September 8, 2014 Order of the Commission that established tariffs to allow customers of the company to opt-out of using automated meter reading or advanced metering infrastructure meters.
- ITEM 263
17-M-0552
MPOWER ENERGY LLC - The Commission decided to require the company to show cause, within seven days, why MPower should not be precluded from enrolling new customers until the Commission orders otherwise. Further, the Commission decided to require MPower Energy LLC to show cause, within 30 days, why its eligibility to act as an energy services company should not be revoked or why other consequences, as set forth in the Commission's Uniform Business Practices (UBP) Section 2.D.6 should not be imposed.
- ITEM 264
16-M-0001
CENTRAL HUDSON GAS & ELECTRIC CORPORATION - The Commission decided to accept and publicly release Overland Consulting's Final Report of the Comprehensive Management and Operations Audits of the company. Consistent with Public Service Law §66(19)(b), the Company shall file an implementation plan within 30 days of the public release of the audit report.
- Power**
- ITEM 361
15-E-0560
GLENWYCK DEVELOPMENT, LLC/NIAGARA MOHAWK POWER CORPORATION - The Commission decided that Niagara Mohawk is not required to pay interest on the \$11,309.10 payment ordered in this proceeding.

- ITEM 362
15-E-0249 COMMUNITY COUNSELING AND MEDIATION - The Commission decided to approve the company's petition to submeter electricity at 226 Linden Boulevard, Brooklyn, New York, located in the territory of Consolidated Edison Company of New York Inc. and for certain units, grant the request for waiver of the individual metering requirements of 16 NYCRR Part 96.
- ITEM 363
17-E-0052 8TH AND C HDFC - The Commission decided to approve the company's petition to submeter electricity at 334 East 8th Street, New York, New York, located in the territory of Consolidated Edison Company of New York Inc.
- ITEM 364
16-E-0549 LANDIS+GYR INC. - The Commission decided to approve the company's petition for approval of Landis+Gyr Focus AXe and RXRe electric meters in meter wiring Forms 1S, 2S, 2Se, 3S, 4S, 12S, and 25S with Gridstream 5 wireless mesh radio frequency communications for use in revenue based applications in New York State.
- ITEM 365
17-E-0107 125 METROPOLITAN OWNER LLC AND 125 METROPOLITAN LI LLC - The Commission decided to approve the companies' petition to submeter electricity at 94 North 3rd Street, Brooklyn, New York located in the territory of Consolidated Edison Company of New York, Inc.
- ITEM 366
17-E-0155 606 WEST 57 LLC - The Commission decided to approve the company's petition to submeter electricity at 606 West 57th Street, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc.
- ITEM 367
16-E-0082 FRANKLIN PLACE CONDOMINIUM - The Commission decided to approve the company's petition to submeter electricity at 5 Franklin Place, New York, New York, located in the territory of Consolidated Edison Company of New York Inc.

- ITEM 368
 17-E-0538 NIAGARA MOHAWK POWER CORPORATION
 D/B/A NATIONAL GRID - The Commission decided
 to approve the company's tariff revisions of a
 housekeeping nature updating language that was
 inadvertently removed from Service Classification No.
 7 - Standby Service, P.S.C. No. 220 - Electricity.
- ITEM 369
 17-E-0201 OUR LADY OF LOURDES APARTMENTS, LLC -
 The Commission decided to approve the company's
 petition to submeter electricity at 11 De Sales Place,
 21 De Sales Place and 1875 Broadway, Brooklyn,
 New York, located in the territory of Consolidated
 Edison Company of New York Inc.
- ITEM 370
 17-E-0516 Rehearing of Shared Meter Determination
 MS. LINDA CAUGHEL/MR. HENRY CHOWANIEC
 AND NIAGARA MOHAWK POWER CORPORATION
 D/B/A NATIONAL GRID - The Commission decided to
 deny the request for rehearing.
- ITEM 371
 There is no Item 371
- ITEM 372
 17-E-0235 522-528 LLC - The Commission decided to approve
 the company's petition to submeter electricity at 509
 Pacific Street, Brooklyn, New York, located in the
 territory of Consolidated Edison Company of New
 York Inc.
- ITEM 373
 17-E-0195 Appeal of an Informal Hearing Decision
 MS. MONIQUE THOMAS/NIAGARA MOHAWK
 POWER CORPORATION D/B/A NATIONAL GRID -
 The Commission decided to deny the appeal for an
 informal hearing decision.
- ITEM 374
 15-E-0432 Rehearing of Commission's Appeal Determination
 MR. EDDIE TIBBATTS/CONSOLIDATED EDISON
 COMPANY OF NEW YORK, INC. - The Commission
 decided to deny the rehearing of the Commission's
 June 21, 2017 determination.

- ITEM 375 17-E-0530 Rehearing of Shared Meter Determination
MS. MONICA BOOTH/MS. DORA HAEFELE AND
NIAGARA MOHAWK POWER CORPORATION
D/B/A NATIONAL GRID - The Commission decided to
deny the request for rehearing.
- ITEM 376 15-E-0082 & 15-E-0751 MS. JANET HANDAL - The Commission
decided to deny Janet Handal's petition for
rehearing and/or clarification and directed Staff to
identify barriers to participation as well as ways to
expand opportunities to participate in Community
Distributed Generation.
- ITEM 377 14-E-0151 & 14-E-0422 - ALBANY BROADCASTING COMPANY - The
Commission decided to permit Albany Broadcasting
Company to retain grandfathered status so long as it
achieves mechanical completion by November 30,
2017, set in the Order Modifying Transition Plan.
- ITEM 378 17-E-0231 VILLAGE OF AKRON - The Commission decided to
authorize the Village Electric Department to increase
its annual electric revenues by \$289,005, or 24.7% of
base revenue, which equates to 11.81% of total
annual revenues.
- ITEM 379 17-E-0428 CONSOLIDATED EDISON COMPANY OF NEW
YORK, INC./METROPOLITAN TRANSPORTATION
AUTHORITY - The Commission decided to adopt as
a permanent rule, an order that directed Consolidated
Edison Company of New York, Inc. to take specific
actions to safeguard and maintain adequate utility
service to the subway system operated by the
Metropolitan Transportation Authority.

Water

- ITEM 461 17-W-0090 NEW YORK AMERICAN WATER COMPANY, INC. -
The Commission decided to approve the company's
petition for the Itron 100W+ for use in water metering
applications in New York State.

ITEM 462
 17-W-0300 NEW YORK AMERICAN WATER COMPANY, INC. -
 The Commission decided to approve the company's
 proposal to offset the annual revenue adjustment
 clause and property tax reconciliation surcharge for
 its Sea Cliff customers.

Communications

ITEM 561
 17-C-0110 Appeal of an Informal Hearing Decision
 WANTAGH UNION FREE SCHOOL
 DISTRICT/VERIZON COMMUNICATIONS - The
 Commission decided to uphold the informal review
 decision.

ITEM 562
 17-C-0050 HILLSDALE BROADBAND COMMITTEE and
 VILLAGE OF EAST NASSAU, RENSSELAER
 COUNTY – The Commission decided to
 deny the petition for rehearing and clarification of the
 Commission’s Order of June 15, 2017 Approving
 Merger Transaction.

ITEM 563
 17-C-0589 VERIZON NEW YORK INC. - The Commission
 decided to approve the company's petition to sell a
 portion of a commercial building located at 622-628
 West 153rd Street, New York, NY and to authorize
 the company to retain the intrastate portion of the Net
 Gain from the sale.

Cable

ITEM 661
 17-V-0123 VERIZON NEW YORK INC. - The Commission
 decided to approve a portion of the company's
 petition for Orders of Entry for 39 multiple-dwelling
 unit buildings in the City of New York.

ITEM 662
 17-V-0122 VERIZON NEW YORK INC. - The Commission
 decided to approve a portion of the company's
 petition for Orders of Entry for 17 multiple-dwelling
 unit buildings in the City of New York.

ITEM 663

- 17-V-0359 CABLEVISION OF WARWICK, LLC/VILLAGE OF CHESTER, ORANGE COUNTY.
- 17-V-0420 VERIZON NEW YORK INC./VILLAGE OF WILLISTON PARK, NASSAU COUNTY.
- 17-V-0425 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF WATERLOO, SENECA COUNTY.
- 17-V-0426 TIME WARNER CABLE NORTHEAST LLC/TOWN OF ROYALTON, NIAGARA COUNTY.
- 17-V-0427 ZITO NEW YORK, LLC/TOWN OF GENOA, CAYUGA COUNTY
- 17-V-0450 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF LIMA, LIVINGSTON COUNTY.
- 17-V-0461 VERIZON NEW YORK INC./VILLAGE OF AIRMONT, ROCKLAND COUNTY
- 17-V-0462 VERIZON NEW YORK INC./VILLAGE OF BAYVILLE, NASSAU COUNTY
- 17-V-0470 TIME WARNER CABLE NORTHEAST LLC/TOWN OF WATERTOWN, JEFFERSON COUNTY.
- 17-V-0471 TIME WARNER CABLE NORTHEAST LLC/TOWN OF STAFFORD, GENESEE COUNTY

The Commission decided to approve the cable franchise renewals listed above.