

STATE OF NEW YORK

Public Service Commission

Garry A. Brown, Chairman

Three Empire State Plaza, Albany, NY 12223

Further Details: James Denn

james.denn@dps.ny.gov | 518.474.7080

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

<http://twitter.com/NYS DPS>

12003 Agenda

PSC LISTS AGENDA FOR THURSDAY, JANUARY 19, 2012

PLEASE NOTE:

MEETING WILL BE BROADCAST ON THE INTERNET

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

Albany, NY – 01/13/12 – The New York State Public Service Commission announced today the agenda for its regular meeting starting at **10:30 A.M., Thursday, January 19, 2012, 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 by accessing <http://nydps.onlinevideoservice.com>.

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.

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 16, 2012, in Albany, New York.**

The agenda for the January 19, 2012 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 11-G-0676 J L PAVERS/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 11-G-0677 NY ASPHALT PROPERTIES LLC/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 11-G-0678 A. GAUDIOSO, LANDSCAPE CONTRACTOR, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 11-G-0679 MARCELLO MASONRY OF LI INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 11-G-0680 SUN IRRIGATION, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 11-G-0681 QUEENS CONCRETE CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 11-G-0682 HARMONIA, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 11-G-0683 DAVID'S CONSTRUCTION & HOME IMPROVEMENT CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 11-G-0684 JIMS TRUCKING & PAVING/NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 11-G-0685 F AND P BUILDERS, LLC/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 11-G-0686 REDMAN CONSTRUCTION INC./ROCHESTER GAS AND ELECTRIC CORPORATION.
- 11-G-0687 POOLER ENTERPRISES, INC. /ROCHESTER GAS AND ELECTRIC CORPORATION.
- 11-G-0688 RANDSCO PIPELINE, INC./ROCHESTER GAS AND ELECTRIC CORPORATION.
- 11-G-0689 VICTOR EXCAVATING, INC./ROCHESTER GAS AND ELECTRIC CORPORATION.
- 11-G-0690 BASSET GROUP, INC./ROCHESTER GAS AND ELECTRIC

CORPORATION.

- 11-G-0692 FELIKS & SON STORAGE TANK CORPORATION/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 162 08-G-0013 MS. NICOLE CORRADO and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 163 08-G-1398 ORANGE AND ROCKLAND UTILITIES, INC. - Amendments to PSC 4-Gas, eff. 11/1/11, on a temporary basis, to implement Rate Year 3 of a three-year rate plan adopted by the Commission in its Order issued October 16, 2009 in this proceeding.
- 164 11-G-0580 NATIONAL FUEL GAS DISTRIBUTION CORPORATION'S NEW YORK BUSINESS - Request for Proposal for an independent third-Party consultant to conduct a comprehensive management audit focusing on its construction program planning and operational efficiency, pursuant to PSL Section 66(19).
- 165 11-G-0662 NATIONAL FUEL GAS DISTRIBUTION CORPORATION - Amendments to PSC 8-Gas, eff. 2/1/12, to make revisions to streamline, remove and relocate provisions within its gas tariff.
- 166 11-G-0411 BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID - Tariff filing to amend and clarify the requirements for customers taking service under S.C. 5A, 6C, 6G, 6M and 18.
- 11-G-0412 KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID - Tariff filing to amend and clarify the requirements for customers taking service under S.C. 4, 7, 12 & 13.

GENERAL

- 261 11-M-0414 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. and AT&T MOBILITY LLC - Joint Pet. for Approval of Authorizing Installation of AT&T Mobility LLC Facilities on Consolidated Edison Property (Tower K-236).
- 262 08-M-0329 MS. ELEANOR BLACKMAN and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 263 08-M-0521 MR. EDWIN RIVERA and CONSOLIDATED EDISON COMPANY

OF NEW YORK, INC.

- 08-E-1169 MR. MICHAEL R. WEHR/MR. RIAD KHASHOGGI and CENTRAL HUDSON GAS & ELECTRIC CORPORATION, INC.
- 10-E-0309 MS. EVA ROHAN and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 264 08-M-1244 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Amended Petition Under Section 69 of the Public Service Law for Authority to Issue Securities Having a Maturity of More Than One Year.

POWER

- 361 11-E-0123 Mr. Fredy Cabello/Mr. Oscar Herberth and Consolidated Edison Company of New York, Inc.
- 362 11-E-0649 Mr. Charles Cherry/Ms. Delores Maddicks and Consolidated Edison Company of New York, Inc.
- 363 11-E-0672 Mr. Antonio Carlucci/Mr. Robert Lanfrit and Consolidated Edison Company of New York, Inc.
- 364 11-E-0660 Ms. Siranush K. Cholakian/Ms. Sayaka Miyawaki and Consolidated Edison Company of New York, Inc.
- 365 10-E-0547 126 Madison LLC/Mr. Leor Herzfeld and Consolidated Edison Company of New York, Inc.
- 11-E-0035 Ms. Monica Cajamarca/Mr. Pablo Rivera and Consolidated Edison Company of New York, Inc.
- 11-E-0547 Mr. Daniel F. Gibson/Ms. Sabriana Williams and National Grid-Upstate
- 11-E-0589 Mr. Lawrence Karabaic/Ms. Dawn Clarizio and New York State Electric & Gas Corporation
- 366 11-E-0513 MITSUBISHI ELECTRIC & ELECTRONICS USA, INC. - Petition for a Declaratory Ruling Concerning whether use of its split-ductless VRF Technology in residential applications would constitute electric submetering and require approval pursuant to Part 96.
- 367 11-E-0529 LANE TOWERS, INC. - Petition to Submeter Electricity at 107-40

Queens Blvd., Forest Hills New York, Located in the Territory of Consolidated Edison Company of New York Inc.

- 368 11-E-0239 PARK TOWERS SOUTH CO., LLC. - Petition to Submeter Electricity at 315/330 West 58th Street, New York Located in the Territory of Consolidated Edison Company of New York.
- 369 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.
- 370 11-E-0176 CENTRAL HUDSON GAS & ELECTRIC CORPORATION,
Amendments to PSC 15-Electricity, eff. 11/1/11, on a temporary basis;
CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.,
Amendments to PSC 9-Electricity, PSC 2-Retail Access, eff. 11/1/11, on a temporary basis;
NEW YORK STATE ELECTRIC & GAS CORPORATION,
Amendments to PSC 19-Electricity, PSC 120-Electricity, eff. 11/1/11, on a temporary basis;
NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID, Amendments to PSC 220-Electricity, eff. 11/1/11, on a temporary basis;
ORANGE AND ROCKLAND UTILITIES, INC., Amendments to PSC 2-Electricity, eff. 11/1/11, on a temporary basis;
ROCHESTER GAS AND ELECTRIC CORPORATION, Amendments to PSC 19-Electricity, PSC 120-Electricity, eff. 11/1/11, on a temporary basis;
- Tariff filings to implement discounted delivery rates for the delivery of Recharge New York Power allocations pursuant to Commission Order issued September 19, 2011.
- 371 11-E-0583 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Amendments to PSC No. 15 - Electricity, eff. 2/1/12, to modify the Time-Of-Use Residential Delivery Rate.
- 372 07-M-0906 IBERDROLA S.A., ENERGY EAST CORPORATION, RGS ENERGY

GROUP, INC., GREEN ACQUISITION CAPITAL, INC., NEW YORK STATE ELECTRIC & GAS CORPORATION and ROCHESTER GAS AND ELECTRIC - Petition for Approval of the Acquisition of ENERGY EAST CORPORATION by IBERDROLA, S.A. WIND CONDITION COMPLIANCE.

- 373 07-E-0949 ORANGE AND ROCKLAND UTILITIES, INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations Electric Service.
- 374 11-E-0424 48-52 FRANKLIN, LLC - Petition to Submeter Electricity at 50 Franklin Street, New York, NY Located in the Territory of Consolidated Edison Company, Inc.
- 375 10-E-0050 NIAGARA MOHAWK POWER CORPORATION d/b/a NATIONAL GRID - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Electric Service.
- 376 08-T-0034 HUDSON TRANSMISSION PARTNERS, LLC – Application for a Certificate of Environmental Compatibility and Public Need for a 345 Kilovolt Submarine/Underground Electric Transmission Line Between Manhattan and New Jersey.
- 377 11-E-0559 NEW YORK STATE ELECTRIC & GAS CORPORATION - Petition for Approval of Certain Economic Development Programs on an Emergency Basis to Allow for Immediate Assistance to Customers Impacted by Recent Storms.
- 378 09-E-0717 ROCHESTER GAS AND ELECTRIC CORPORATION - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Electric Service.
- 379 10-E-0050 NIAGARA MOHAWK POWER CORPORATION - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Electric Service.

WATER

- 461 11-W-0333 WOODBURY HEIGHTS ESTATES WATER CO., INC. - Amendments for PSC No. 1 - Water, eff. 10/1/11, suspended through 1/28/12, to increase its annual revenues by about \$43,103 or 43%.

- 462 11-W-0640 PAINTED APRON WATER COMPANY, INC. - In the Matter of the Acts, Practices and Adequacy of Service Provided.
- 463 11-W-0082 UNITED WATER OWEGO-NICHOLS INC. - Amendments to PSC 1-Water, suspended through January 25, 2012, to increase annual revenues by about \$642,000 or 45.90%.

COMMUNICATIONS

- 561 11-C-0602 VERIZON NEW YORK INC. - Petition for Approval to Sell a Portion of an Office Building Located at 1775 Grand Concourse, Bronx, New York.

562 There is no item 562.

- 563 11-C-0652 VERIZON NEW YORK INC. - Amendments to PSC NY No. 1 - Communications, eff. 2/1/12, to provide for increasing the rate for Local Directory Assistance by \$0.49, from \$1.50 to \$1.99, for directory inquiries from residential and business customers.

- 564 07-C-0349 PORT BYRON TELEPHONE COMPANY - Amendments to PSC No. 16 - Telephone, eff. 1/7/12;
- ORISKANY FALLS TELEPHONE CORPORATION - Amendments to PSC No. 5 - Telephone, eff. 1/7/12;
- DEPOSIT TELEPHONE COMPANY - Amendments to PSC No. 9 - Telephone, eff. 1/22/12;
- CHAZY & WESTPORT TELEPHONE CORPORATION - Amendments PSC 5 - Telephone, eff. 1/1/12;
- EDWARDS TELEPHONE COMPANY - Amendments to PSC No. 6 - Telephone, eff. 1/7/12;
- TOWNSHIP TELEPHONE COMPANY - Amendments to PSC No. 5 - Telephone, eff. 1/19/12;
- VERNON TELEPHONE COMPANY - Amendments to PSC No. 18 - Telephone, eff. 1/7/12;
- EMPIRE TELEPHONE CORPORATION - Amendment to PSC No.7 - Telephone, eff. 2/1/12;
- HANCOCK TELEPHONE COMPANY - Amendment to PSC No. 5 - Telephone, eff. 2/1/12;
- CHAMPLAIN TELEPHONE COMPANY - Amendment to PSC No. 8 - Telephone, eff. 2/1/12;
- NICHOLVILLE TELEPHONE COMPANY - Amendments to PSC No.

7 - Telephone, eff. 2/1/12; - Tariff filings to increase residential basic service rates.

- 565 11-C-0586 CITIZENS TELEPHONE COMPANY OF NEW YORK, INC. d/b/a FRONTIER COMMUNICATIONS OF NEW YORK - Amendment to PSC No. 2 Telephone, eff. 2/2/12;
- FRONTIER COMMUNICATIONS OF AUSABLE VALLEY, INC. - Amendments to PSC No. 12 - Telephone, eff. 2/1/12;
- FRONTIER COMMUNICATIONS OF SENECA GORHAM, INC. - Amendments to PSC No. 15 - Telephone, eff. 2/1/12;
- FRONTIER COMMUNICATIONS OF SYLVAN LAKE, INC. - Amendments to PSC No. 11 - Telephone, eff. 2/1/12;
- FRONTIER TELEPHONE OF ROCHESTER, INC. - Amendments to PSC Nos. 1 & 2 - Telephone, eff. 2/1/12;
- OGDEN TELEPHONE COMPANY d/b/a FRONTIER OGDEN TELEPHONE COMPANY - Amendments to PSC No. 1 - Telephone, eff. 2/1/12; - Tariff revisions to increase single line business rates.

CABLE

- 661 11-V-0569 TIME WARNER ENTERTAINMENT-ADVANCE NEWHOUSE/TOWN OF DERUYTER, MADISON COUNTY.
- 11-V-0608 CABLEVISION OF BROOKHAVEN, INC./VILLAGE OF PATCHOGUE, SUFFOLK COUNTY, NEW YORK.
- 11-V-0609 SUFFOLK CABLE OF SMITHTOWN, INC./VILLAGE OF HEAD OF THE HARBOR, SUFFOLK COUNTY, NEW YORK.
- 11-V-0612 TIME WARNER ENTERTAINMENT-ADVANCE NEWHOUSE PARTNERSHIP/VILLAGE OF DERUYTER, MADISON COUNTY.
- 11-V-0616 TIME WARNER ENTERTAINMENT-ADVANCE NEWHOUSE PARTNERSHIP/TOWN OF GUILDERLAND, ALBANY COUNTY.
- 11-V-0617 CABLEVISION SYSTEMS DUTCHESS CORPORATION/TOWN OF WASHINGTON, DUTCHESS COUNTY.
- 11-V-0618 CABLEVISION SYSTEMS DUTCHESS CORPORATION/TOWN OF PINE PLAINS, DUTCHESS COUNTY.
- 11-V-0653 TIME WARNER ENTERTAINMENT-ADVANCE NEWHOUSE PARTNERSHIP/VILLAGE OF GREEN ISLAND, ALBANY COUNTY.
- 11-V-0657 TIME WARNER NY CABLE LLC/TOWN OF ELLICOTTVILLE, CATTARAUGUS COUNTY.
- 11-V-0658 TIME WARNER NY CABLE LLC/VILLAGE OF ELLICOTTVILLE,

CATTARAUGUS COUNTY.

- 662 11-V-0311 TOWN OF GILBOA/SCHOHARIE COUNTY - Petition for a Waiver of the Requirements of 16 NYCRR, Section 894.1-4,9 to Permit the The Heart of the Catskill Communication, Inc. d/b/a MTC Cable to provide cable television service to a portion.
- 663 11-V-0562 TIME WARNER ENTERTAINMENT-ADVANCE/NEWHOUSE PARTNERSHIP/TOWN OF JUNIUS, SENECA COUNTY - Petition for a Certificate of Confirmation for its Franchise.

REGULAR AGENDA

Items not necessarily to be considered in the order listed:

GAS

No items will be considered on this agenda.

GENERAL

Status Report on Utility Security.

POWER

Status Report on Recent Generator Retirements and Bankruptcies.

- 301 11-M-0710 In the Matter of Reviewing and Amending the Electric Submetering Regulations, 16NYCRR Part 96.

WATER

No items will be considered on this agenda.

COMMUNICATION

No items will be considered on this agenda.

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