

STATE OF NEW YORK

Public Service Commission

Garry A. Brown, Chairman

Three Empire State Plaza, Albany, NY 12223

Further Details: James Denn, (518) 474-7080

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

FOR RELEASE: IMMEDIATELY

08105 Agenda 10/15/08

PSC LISTS AGENDA FOR WEDNESDAY, OCTOBER 15, 2008

PLEASE NOTE:

MEETING WILL BE BROADCAST ON THE INTERNET

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

Albany, NY –10/10/08 – The New York State Public Service Commission announced today the agenda for its regular meeting starting at **10:30 A.M., Wednesday, October 15, 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 **10:30 A.M., Wednesday, November 12, 2008, in Albany, New York.**

The agenda for the October 15, 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 08-G-0609 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID – Amendments to PSC 219-Gas, eff. 6/23/08, to increase its gas revenues by about \$95.3 million. (Susp. Through 10/20/08)
- 162 08-G-0889 ROCHESTER GAS AND ELECTRIC CORPORATION – Amendments to PSC 16-Gas, eff. 11/1/08, to revise its Transition Cost Surcharge to exclude associated costs with ANR Pipeline Company and Great Lakes pipeline storage assets.
- 163 08-G-1137 CORNING NATURAL GAS CORPORATION – Amendments to PSC 4-Gas, PSC 5-Gas (Hammondspport), PSC 6-Gas (Bath), eff. 10/24/08, to revise its rates and charges to produce an annual increase in gas operating revenues of about \$1,689,911 or 7.02%.
- 164 08-G-0997 ORANGE AND ROCKLAND UTILITIES, INC./MR. PATRICK CARNEY – Appeal of Informal Hearing Decision.
- 165 07-G-1411 CENTRAL HUDSON GAS & ELECTRIC CORPORATION – Pet. for Authority to Defer Certain Gas Expenses that are Beyond the Company’s Ability to Control for the Rate Year Ended June 30, 2007.
- 166 08-G-1088 CENTRAL HUDSON GAS & ELECTRIC CORPORATION/OSCAR VIDAL MARTINEZ D/B/A VIDAL MASONRY
- 08-G-1089 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC./PINEBROOK CONSTRUCTION CORP.
- 08-G-1091 KEYSpan ENERGY OF LONG ISLAND/JOHN FORGIONE SEWER & DRAIN, INC.
- 08-G-1092 KEYSpan ENERGY OF LONG ISLAND/ELEMCO ELECTRICAL CONSTRUCTION CO., INC.
- 08-G-1094 KEYSpan ENERGY OF NEW YORK CITY/JFM CONCRETE CORP.
- 08-G-1095 KEYSpan ENERGY OF NEW YORK CITY/J. ANTHONY ENTERPRISES, INC.
- 08-G-1096 KEYSpan ENERGY OF NEW YORK CITY/H.L.D. ELECTRIC CORP.

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

- 167 08-T-1023 FORTUNA ENERGY, INC. – NOI to Construct a Fuel Gas Transmission Line, Containing Approx. 16,125 Feet of Four-Inch Coated Steel Pipeline, Located in the Towns of Bath and Bradford, Steuben Co.

GENERAL

- 261 05-G-0777 NATIONAL FUEL GAS DISTRIBUTION CORPORATION/MR. ROBERT SHEEHY and MRS. SANDRA SHEEHY
07-G-0409 KEYSpan OF NEW YORK/COASTAL MANAGEMENT et al. and
& KEYSpan ENERGY DELIVERY NEW YORK/CROSS COUNTY
07-G-0480 FEDERAL SAVINGS BANK
08-M-0934 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC./TROPICALE CORP. D/B/A BASKIN ROBBINS
06-C-0575 BRIDGECOM INTERNATIONAL, INC./DEER PARK FIRE DISTRICT

Appeals of Informal Hearing Decisions.

- 262 08-M-0930 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. and VILLAGE ACADEMIES NETWORK INC. – Joint Pet. Under Section 70 of the PSL to Transfer Certain Real Property Located at 32-42 West 125th Street and 35-39 West 124th Street, New York, New York.

POWER

- 361 08-E-1098 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID – Amendments to PSC 207-Electric, eff. 10/20/08, to make various “housekeeping” changes to its electric tariff schedule.
- 362 08-E-0870 CENTRAL HUDSON GAS & ELECTRIC CORPORATION – Amendments to PSC 15-Electricity, eff. 11/1/08, to update the lighting fixtures available for public street and highway lighting.
- 363 05-E-1426 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. and MR. MICHAEL JAKUBOWICZ/MS. GRACE QUARTARARO
08-E-1022 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. and MS. MARIA ROLDAN/MS. ANTOINETTE MELFI

Rehearing petitions of designees’ determinations.

- 364 08-E-0589 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. and MR. JORGE MANGUAL – Rehearing petition of designee’s determination.

- 365 08-E-0594 KUHLMAN ELECTRIC CORPORATION – Pet. for Approval of Kuhlman Type KA Current/Voltage Transformers from 62 kV to 230 kV Intended for Use in Revenue Metering by National Grid.
- 366 08-E-0738 IPP ENERGY LLC/STANDARD BINGHAMTON LLC – Joint Pet. for Approval of Transfer of Assets to PSL Section 70 and Approving a Lightened Regulatory Regime.
- 367 01-T-1679 LONG ISLAND POWER AUTHORITY – Appn. for a Certificate of Environmental Compatibility and Public Need Regarding the Replacement of the 138 kV Submarine Electric Transmission Line Between Northport, New York and Norwalk, Connecticut – Petition for Certificate Amendment.
- 368 07-E-0949 ORANGE AND ROCKLAND UTILITIES, INC. – Amendments to PSC 2-Electricity, and PSC 4-Gas, eff. 8/1/08 in compliance with the Commission Order Issued July 23, 2008 in Case 07-E-0949.
- 369 06-T-1298 NEW YORK STATE ELECTRIC & GAS CORPORATION – Appn. for a Certificate of Environmental Compatibility and Public Need Under Article VII of the PSL for the Construction and Operation of Approximately 30 Miles of New or Rebuilt 115 kV Electric Transmission Line and the Construction of a New 345 kV/115 kV Substation Located in Tompkins and Cortland Counties.

WATER

- 461 04-W-0665 NEW YORK WATER SERVICE CORPORATION – Pro. on Motion as to the Rates, Charges, Rules and Regulations for Water Service.

COMMUNICATIONS

- 561 08-C-1083 GLOBAL TEL*LINK CORPORATION and GTEL HOLDINGS, INC. – Joint Pet. for Approval of Merger and Transfer of Control to GTEL Acquisition Corporation and Approval of Issuance of Debt and Related Financing Transactions.
- 562 08-C-0989 ACCESS INTEGRATED NETWORKS, INC. D/B/A BIRCH COMMUNICATIONS – Pet. for Approval of the Transfer of Certain Local and Long Distance Subscribers from Navigator Telecommunications, LLC to Access Integrated Networks, LLC d/b/a Birch Communications.

- 563 08-C-1046 LIGHT TOWER WIRELESS LLC and SBA TOWERS II – Joint Pet. for Approval of the Acquisition of Membership Interests and Related Transactions.
- 564 08-C-0749 VERIZON NEW YORK INC. – Pet. for Approval Pursuant to PSL Section 113(2), of a Proposed Allocation and Disposition of Certain Tax Refunds from the City of White Plains.
- 565 08-C-0017 NICHOLVILLE TELEPHONE COMPANY – Amendments to PSC 7-Telephone, eff. 11/1/08, to increase its annual revenues by about \$204,906.
- 566 08-C-0716 TIME WARNER RESCOM OF NY, LLC – Pet. for Approval of a Pro Forma Transfer of Control from Time Warner, Inc. to Time Warner Cable, Inc.
- 08-V-0717 TIME WARNER CABLE – Pet. for Approval of the Internal Restructuring and Complete Separation of Time Warner Cable, Inc. and Time Warner, Inc.

CABLE

- 661 08-V-0941 CABLEVISION OF WAPPINGERS FALLS, INC. D/B/A CABLEVISION – Appn. for a Certificate of Confirmation for its Franchise with the Town of Milan, Dutchess County.
- 662 Appns. For Certificates for Renewal.
- 05-V-0863 TIME WARNER ENTERTAINMENT ADVANCE/NEWHOUSE PARTNERSHIP D/B/A TIME WARNER CABLE (BINGHAMTON DIVISION)/C. of Hornell, Steuben Co.
- 04-V-0262 ATLANTIC BROADBAND (PENN) LLC D/B/A ATLANTIC
04-V-0123 BROADBAND/T. of Salamanca, Cattaraugus Co.; C. of Salamanca,
04-V-0121 Cattaraugus Co.; T. of Little Valley, Cattaraugus Co.; V. of Little Valley,
04-V-0120 Cattaraugus Co.; T. of Great Valley, Cattaraugus Co.
04-V-0122
- 08-V-0268 TIME WARNER CABLE (SYRACUSE DIVISION)/T. of Brownsville,
06-V-0681 Jefferson Co.; V. of Clayton, Jefferson Co.
- 07-V-0813 TIME WARNER CABLE (BINGHAMTON DIVISION)/V. of Cooperstown, Otsego Co.
- 05-V-0033 TIME WARNER CABLE NY LLC/T. of Marlborough, Ulster Co.

- 07-V-0934 MID-HUDSON CABLEVISION, INC./T. of Windham, Greene Co.
- 07-V-0549 TIME WARNER ENTERTAINMENT – ADVANCE/NEWHOUSE PARTNERSHIP D/B/A TIME WARNER (SYRACUSE DIVISION)/V. of Lowville, Lewis Co.
- 663 Temporary Operating Authorities.
- 08-V-0215 TIME WARNER-BINGHAMTON DIVISION/T. of Triangle, Broome,
01-V-1305 Co.; T. of Portland, Chautauqua Co.; T. of Horseheads, Chemung Co.; T.
06-V-1091 of Meredith, Chemung Co.
07-V-1083
- 07-V-0294 TIME WARNER-BUFFALO DIVISION/T. of Ashford, Cattaraugus Co.;
04-V-0425 T. of Amherst, Erie Co.; T. of Cheektowaga, Erie Co.
06-V-1092
- 04-V-0361 TIME WARNER-HUDSON VALLEY DIVISION/T. of Roxbury,
Delaware Co.
- 99-V-1238 TIME WARNER-SYRACUSE DIVISION/V. of Lake Placid, Essex Co.;
06-V-1100 T. of Rutland, Jefferson Co.; T. of Pamela, Jefferson Co.; T. of Leray,
06-V-1099 Jefferson Co.; T. of Vienna, Oneida Co.
06-V-1098
08-V-0084
- 97-V-2119 TIME WARNER-ROCHESTER DIVISION/T. of Geneva, Ontario Co.
- 06-V-0518 TIME WARNER NY CABLE, LLC/T. of Newburgh, Orange Co.; T. of
97-V-1405 Newburgh, Orange Co.
- 06-V-1207 TIME WARNER-ALBANY DIVISION/T. of Moreau, Saratoga Co.; C.
05-V-0289 of Schenectady, Schenectady Co.; T. of Glenville, Schenectady Co.
03-V-0114
- 07-V-0270 TIME WARNER-OSWEGO DIVISION/T. of Richland, Oswego Co.
- 01-V-0390 TIME WARNER-KINGSTON DIVISION/T. of Kingston, Ulster Co.
- 08-V-1071 TIME WARNER-NEW YORK CITY DIVISION/NYC-Staten Island,
Richmond Co.
- 05-V-1130 CHARTER COMMUNICATIONS/C. of Plattsburgh, Clinton Co.; T. of
08-V-0217 Chatham, Columbia Co.; T. of Long Lake, Hamilton Co.
97-V-0853
- 08-V-0219 MID-HUDSON CABLEVISION, INC./T. of Cairo, Greene Co.

- 05-V-0269 CH COMMUNICATIONS/T. of Summit, Schoharie Co.
- 07-V-1144 CABLEVISION SYSTEMS OF SUFFOLK CORP./T. of Islip, Suffolk Co.
- 97-V-0394 CABLEVISION SYSTEMS WESTCHESTER CORP./C. of Yonkers, Westchester Co.
- 04-V-1101 CABLEVISION SYSTEMS OF OSSINING/T. of Ossining, Westchester Co.;
05-V-0308 V. of Briar Cliff Manor, Westchester Co.
- 664 07-V-1253 CSC ACQUISITION – NY, INC. – Pet. for a Certificate of Confirmation for its Franchise with the Village of Sagaponack, Suffolk County.
- 665 08-V-0936 VERIZON NEW YORK INC. – Pet. for a Certificate of Confirmation for its Franchise with the City of Newburgh, Orange County.
- 666 08-V-1087 VERIZON NEW YORK INC. – Pet. for a Certificate of Confirmation for its Franchise with the Village of Lake Grove, Suffolk County.
- 667 07-V-1524 VERIZON NEW YORK INC. – Pet. for a Certificate of Confirmation for its Franchise with the Village of Briarcliff Manor, Westchester County.
- 668 08-V-0875 VERIZON NEW YORK INC. – Pet. for a Certificate of Confirmation for its Franchise with the Town of Kent, Putnam County.
- 669 08-V-1052 VERIZON NEW YORK INC. – Pet. for a Certificate of Confirmation for its Franchise with the Village of Hempstead, Nassau County.
- 670 08-V-1025 VERIZON NEW YORK INC. – Pet. for a Certificate of Confirmation for its Franchise with the Village of Fishkill, Dutchess County.
- 671 08-V-0876 VERIZON NEW YORK INC. – Pet. for a Certificate of Confirmation for its Franchise with the Village of Amityville, Suffolk County
- 672 07-V-1523 VERIZON NEW YORK INC. – Pet. for a Certificate of Confirmation
et al. with the Town of Ossining, Westchester County.
- 05-V-1430 CABLEVISION OF SOUTHERN WESTCHESTER, INC. – Pet. for Renewal of its Certificate of Confirmation of its Cable Television Franchise with the City of Rye, Westchester County.

REGULAR AGENDA

Items not necessarily to be considered in the order listed:

GAS

- 101-A 08-G-0935 Report on New York State Natural Gas Supply Readiness for the 2008-09 Winter Season.
- 101-B 08-G-0935 Report on New York State Natural Gas Supply Readiness for the 2008-09 Winter Season.
- 102 07-M-1139 CENTRAL HUDSON GAS & ELECTRIC CORPORATION – Pet. for Expedited Approval of Interim Energy Efficiency Programs, Deferral Accounting, Interim Revenue Decoupling Mechanisms and an Interim Economic Incentive.

GENERAL

- 201 98-M-1343 In the Matter of Retail Access Business Rules.
- 07-M-1514 NYS CONSUMER PROTECTION BOARD/NYC DEPT. OF CONSUMER AFFAIRS – Pet. Regarding the Marketing Practices of Energy Service Companies.
- 08-G-0078 NATIONAL FUEL GAS DISTRIBUTION CORPORATION – Amendments to PSC 8-Gas, eff. 4/25/08 (Postponed to 10/30/08), to establish a set of commercially reasonable standards for door-to-door sales of natural gas by ESCOs.
- 202 07-M-0458 Pro. to Review Policies and Practices Intended to Foster the Development of Competitive Retail Energy Markets.

POWER

- 301 08-E-0827 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID – Comprehensive Management Audit of the Company's Electric Business.
- 302 03-E-0188 Pro. Regarding a Retail Renewable Portfolio Standard.

WATER

No Items Will Be Considered On This Agenda.

COMMUNICATION

- 501 07-C-1486 Pro. Pursuant to Section 97(2) of the PSL, to institute a Proceeding to Investigate and Evaluate Options for Making Additional Central Office Codes Available in the 315 Area Code Region.
- 502 08-C-1140 FRONTIER TELEPHONE OF ROCHESTER, INC. – In the Matter of Pet. seeking Termination of Remaining Open Market Plan Provisions.

CABLE

- 601-A 08-V-0835 VERIZON NEW YORK INC. – In the Matter of the Company’s Network Review Plan.
- 601-B 08-V-0835 VERIZON NEW YORK INC. – In the Matter of the Company’s Network Review Plan.

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