

STATE OF NEW YORK

Public Service Commission

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100xx Agenda

PSC LISTS AGENDA FOR THURSDAY, JULY 15, 2010

PLEASE NOTE:

MEETING WILL BE BROADCAST ON THE INTERNET

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

Albany, NY – 07/09/10 – The New York State Public Service Commission announced today the agenda for its regular meeting starting at **10:30 A.M., Thursday, July 15, 2010, 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 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, August 19, 2010, in Albany, New York.**

The agenda for the July 15, 2010 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 10-G-0183 CORNING NATURAL GAS CORPORATION – Amendment to PSC 4, 5 and 6-Gas, eff. 7/20/10, to modify its Delivery Rate Adjustment in order to use an alternate method to pass back to its customers pipeline supplier refunds received from the Tennessee Gas Pipeline Company.
- 162 10-G-0121 MEAD ENTERPRISES INC./NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID.
- 10-G-0233 E. STANLEY PAVINGS/CORNING NATURAL GAS CORPORATION.
- 10-G-0288 COUNTRY LANE LANDSCAPES, INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 10-G-0289 POWELL PAVING & MASONRY, INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 10-G-0290 ALL ISLAND PLUMBING, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 10-G-0291 ZGN DEVELOPERS LLC/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 10-G-0292 EUROPA CONSTRUCTION CORP./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 10-G-0293 D BLAKELY CONSTRUCTION CO., INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 10-G-0294 TROCOM CONSTRUCTION CORP./NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID.

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

- 163 10-T-0154 ST. LAWRENCE GAS COMPANY, INC. – Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII

of the PSL for the Construction, Operation and Maintenance of a New 8, 6 and 4-inch Steel, High Pressure Natural Gas Transmission Line and Related Land and Equipment from the Town of Norfolk, St. Lawrence County to the Town of Chateaugay, Franklin County.

- 164 10-G-0090 NATIONAL GRID – Pet. for Approval of the Mercury TCI Electronic Temperature Compensator for use in the State of New York.
- 165 08-G-1137 CORNING NATURAL GAS CORPORATION – Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.
- 166 10-G-0035 CORNING NATURAL GAS CORPORATION - Cancellation of Amendments to PSC 4-Gas to establish a new service classification for transport of third party gas into the interstate pipeline system.

GENERAL

- 261 09-E-0715 NEW YORK STATE ELECTRIC & GAS CORPORATION – Pro. as to the Rates, Charges, Rules and Regulations for Electric Service.
- 09-G-0716 NEW YORK STATE ELECTRIC & GAS CORPORATION – Pro. as to the Rates, Charges, Rules and Regulations for Gas Service.
- 262 09-E-0717 ROCHESTER GAS AND ELECTRIC CORPORATION – Pro. as to the Rates, Charges, Rules and Regulations for Electric Service.
- 09-G-0718 ROCHESTER GAS AND ELECTRIC CORPORATION – Pro. as to the Rates, Charges, Rules and Regulations for Gas Service.
- 263 10-M-0182 NEW YORK STATE ELECTRIC & GAS CORPORATION – Pet. for Authority to Issue Long-Term Debt.
- 264 07-S-1074 AG-ENERGY, L.P. – Pet. for Permission to Relinquish a Certificate of Public Convenience and Necessity for Steam Service and Authorization to Cease Providing Steam Service.
- 09-G-0320 AG-ENERGY, L.P. – Complaint and Petition Against St. Lawrence Gas Company, Inc. Concerning Rates, Terms and Conditions for Gas Transportations.
- 09-G-0872 ST. LAWRENCE GAS COMPANY – Pet. to Terminate Service to AG-Energy, L.P.
- 10-M-0186 ALLIANCE ENERGY RENEWABLES, LLC, AER NY-GEN, LLC, AG-ENERGY L.P., ALLIANCE ENERGY, NEW YORK LLC, EAGLE CREEK HYDRO-POWER, LLC, EAGLE CREEK WATER RESOURCES, LLC, EAGLE CREEK LAND RESOURCES, LLC,

EAGLE CREEK OGDENSBURG, LLC – Joint Pet. for an Order Approving Transfer Pursuant to PSL Sections 70 and 83 and Approving a Limited Lightened Regulatory Regime.

- 265 10-E-0193 MIRANT CORPORATION, RRI ENERGY HOLDINGS, INC., and RRI ENERGY, INC. – Pet. for a Declaratory Ruling Invoking the Wallkill Presumption or, in the Alternative, Requesting Expedited Approval Pursuant to Section 70 of the PSL.
- 266 09-C-0052 LINDENHURST PUBLIC SCHOOLS/BROADVIEW NETWORKS
- 06-E-0609 1906 RESTAURANT CORP., ET AL./NEW YORK STATE ELECTRIC & GAS CORPORATION
- 08-E-0249 HICKORY SHADOW INC./CENTRAL HUDSON GAS & ELECTRIC CORPORATION, INC.
- 07-E-0644 MR. PETER HOFFMAN/NIAGARA MOHAWK POWER CORPORATION

In the Matter of the Rules and Regulations of the PSC, Contained in 16 NYCRR, in Relation to Complaint Procedures – Appeals of Informal Hearing Decisions.

- 267 98-M-1343 In the Matter of Retail Access Business Rules.
- 268 01-M-0075 NIAGARA MOHAWK HOLDINGS, INC., NIAGARA MOHAWK POWER CORPORATION, NATIONAL GRID PLC and NATIONAL GRID USA – Joint Pet. for Approval of Merger Stock Acquisition
- 06-M-0878 NATIONAL GRID PLC and KEYSpan CORPORATION – Joint Pet. for Approval of Stock Acquisition and Other Regulatory Authorizations.
- 269 08-M-0407 NIAGARA MOHAWK POWER CORPORATION - Pet. for the Proposed Transfer of Real Property with an Original Cost of Less than One Hundred Thousand Dollars.

POWER

- 361 10-E-0220 MR. GARY RANIERI/MS. TIFFANY JENNINGS and ROCHESTER GAS & ELECTRIC CORPORATION – In the Matter of Commission Designee’s Determination Pursuant to PSL Section 52 – Petition for Rehearing.
- 362 07-E-0523 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. – Amendments to PSC 9-Electricity, eff. February 1, 2010 on a temporary basis, to reflect changes to its Market Supply Charge mechanism.

- 363 10-E-0191 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID – Amendments to PSC 220-Electricity, eff. 8/1/10, to revise Rule 21 – Service Laterals below 15,000 volts to implement the National Grid Connects Program.
- 364 10-E-0160 THE NEW YORK INDEPENDENT SYSTEM OPERATOR, INC. – Petition Under Public Service Law Section 69 for Authority to Incur Indebtedness for a Term in Excess of Twelve Months.
- 365 10-E-0203 ORANGE AND ROCKLAND UTILITIES, INC. – Amendments to PSC 2-Electricity, eff. 6/1/10, postponed to 8/1/10, to revise the contribution by and credit to the applicant for underground residential distribution installations.
- 366 10-E-0133 CENTRAL HUDSON GAS & ELECTRIC CORPORATION – Amendments PSC 15-Electricity, 7/23/10, to Effectuate Amendments to Public Service Law §66-j and §66-l (Net Energy Metering for Non-Residential Photovoltaic and Non-Residential and Farm Service Wind Electric Generating Systems) and Conforming Changes to Standardized Interconnection Requirements.
- 10-E-0134 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Amendments PSC 9-Electricity, 7/23/10, to Effectuate Amendments to Public Service Law §66-j and §66-l (Net Energy Metering for Non-Residential Photovoltaic and Non-Residential and Farm Service Wind Electric Generating Systems) and Conforming Changes to Standardized Interconnection Requirements.
- 10-E-0135 NEW YORK STATE ELECTRIC & GAS CORPORATION - Amendments PSC 120-Electricity, 7/23/10, to Effectuate Amendments to Public Service Law §66-j and §66-l (Net Energy Metering for Non-Residential Photovoltaic and Non-Residential and Farm Service Wind Electric Generating Systems) and Conforming Changes to Standardized Interconnection Requirements.
- 10-E-0136 NIAGARA MOHAWK POWER CORPORATION d/b/a NATIONAL GRID - Amendments PSC 220-Electricity, 7/23/10, to Effectuate Amendments to Public Service Law §66-j and §66-l (Net Energy Metering for Non-Residential Photovoltaic and Non-Residential and Farm Service Wind Electric Generating Systems) and Conforming Changes to Standardized Interconnection Requirements.
- 10-E-0137 ROCHESTER GAS AND ELECTRIC CORPORATION - Amendments PSC 19-Electricity, 7/23/10, to Effectuate Amendments to Public Service Law §66-j and §66-l (Net Energy Metering for Non-Residential Photovoltaic and Non-Residential and Farm Service Wind Electric Generating Systems) and Conforming Changes to Standardized

Interconnection Requirements.

- 10-E-0138 ORANGE AND ROCKLAND UTILITIES, INC. - Amendments PSC 2-Electricity, 7/23/10, to Effectuate Amendments to Public Service Law §66-j and §66-l (Net Energy Metering for Non-Residential Photovoltaic and Non-Residential and Farm Service Wind Electric Generating Systems) and Conforming Changes to Standardized Interconnection Requirements.
- 367 10-E-0163 CATALYST RENEWABLES, LLC, BLACK RIVER ENERGY, LLC, EIF HAMAKUA, LLC, USPF HOLDINGS, LLC, UNITED STATES POWER FUND, LP, and BLACK RIVER GENERATION, LLC - Joint Petition for an Order Approving Transfer Pursuant to PSL Section 70 and Approving a Limited Lightened Regulatory Regime.
- 368 09-E-0768 ROCHESTER GAS AND ELECTRIC CORPORATION – Petition for Approval of a Transfer or Lease of Property with an Original Cost of Over \$100,000.
- 369 10-E-0260 STEEL WINDS LLC, NIAGARA WIND POWER LLC and ERIE WIND LLC – Petition for a Declaratory Ruling Regarding Transfer of Substation and Electric Corporation Status.
- 370 00-F-2057 BESICORP-EMPIRE DEVELOPMENT COMPANY, LLC – Application for a Certificate of Environmental Compatibility and Public Need to Construct and Operate a 505 Megawatt, Combined Cycle Cogeneration Plant in the City of Rensselaer, Rensselaer County.
- 371 08-T-1245 BAYONNE ENERGY CENTER, LLC – Application for a Certificate of Environmental Compatibility and Public Need for the Construction of the New York State Portion (Kings County) of a 6.6 Mile, 345 kV AC, 3 Phase Circuit Submarine Electric Transmission Facility Pursuant to Article VII of the PSL.
- 372 09-E-0694 WEST 147TH STREET ASSOCIATES, LLC – Petition to Submeter Electricity at 220 West 148th Street (PS90 Condominium), New York, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 373 09-E-0831 LANDIS+GYR INC. – Petition for Approval of the FOCUS AX Family of Solid-State Residential Meters.
- 374 10-E-0195 CATALYST RENEWABLES, LLC - Petition for a modification to the Renewable Portfolio Standard (RPS) Main Tier Eligibility Rules to allow Behind-the-Meter Bilateral Contracts to qualify on a Case-Specific Basis; and for a determination that its Onondaga Project is eligible to receive RPS funding on that basis in an RPS Main Tier Solicitation that pre-dated

the proposed rule change.

- 375 09-E-0862 CITY OF JAMESTOWN BOARD OF PUBLIC UTILITIES - Amendments to PSC 6-Electricity, eff. 5/1/10, postponed to 8/1/10, to increase its annual electric revenues by about \$947,297 or 2.5%.

WATER

- 461 09-W-0775 GARROW WATER-WORKS COMPANY, INC. – Withdrawal of financing petition for a loan in the amount of \$150,000 to be used for capital improvements, and cancellation of its tariff filing to increase annual revenues by \$17,279 or 200%.
- 462 09-W-0543 NATIONAL AQUEOUS CORPORATION – Amendments to PSC 1-Water, eff. 10/1/09, postponed to 9/1/10, to establish a one-time surcharge of \$588.81 to make water system improvements.
- 463 09-W-0579 NATIONAL AQUEOUS CORPORATION – Amendments to PSC 1-Water, eff. 11/1/09, postponed to 8/1/10, to increase its annual revenues by about \$38,523 or 125%.
- 464 10-W-0045 BETHEL WATER COMPANY, INC. – Amendments to PSC 1-Water, eff. 5/1/10, postponed to 8/1/10, to increase its annual revenues by about \$7,792 or 33%.
- 465 09-W-0537 EMERALD GREEN LAKE LOUISE MARIE WATER COMPANY, INC. – Amendments to PSC 1-Water, eff. August 1, 2010, to Increase its Annual Revenues by about \$148,565 or 38.7%.

COMMUNICATIONS

- 561 10-C-0303 SLIC NETWORK SOLUTIONS, INC. – Pet. for Authority to Issue Long Term Debt.

CABLE

- 661 09-V-0798 CHARTER COMMUNICATIONS – Pet. for a Certificate of Confirmation for its Franchise with the Town of Petersburg, Rensselaer County.
- 662 10-V-0099 CABLEVISION SYSTEMS LONG ISLAND CORPORATION/
VILLAGE OF MILL NECK, NASSAU COUNTY.
- 10-V-0126 CABLEVISION SYSTEMS LONG ISLAND CORPORATION/
VILLAGE OF WILLISTON PARK, NASSAU COUNTY.
- 10-V-0165 TIME WARNER ENTERTAIN-ADVANCE/NEWHOUSE

PARTNERSHIP/TOWN OF STAMFORD, DELAWARE COUNTY.

Applications for Certificates for Renewals.

- 663 10-V-0302 VERIZON NEW YORK INC. – Pet. for a Certificate of Confirmation for its Franchise with the Village of Liverpool, Onondaga County.
- 664 10-V-0275 VERIZON NEW YORK INC. - Pet. for Certificate of Confirmation for its Cable Franchise with the Village of Hastings-on-Hudson, Westchester County.

REGULAR AGENDA

Items not necessarily to be considered in the order listed:

GAS

- 101-A 10-G-0100 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. – Proceeding to Investigate Whether a Penalty Should be Imposed for Violations of the Public Service Law or an Order or Regulation Adopted Under the Authority of the Public Service Law, Causing or Contributing to the Death of a Queens Resident in the Natural Gas Explosion That Occurred on April 24, 2009 in Floral Park, New York.
- 101-B 09-G-0380 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. – In the Matter of a Natural Gas Explosion at 80-50 260th Street, Queens, New York, on April 24, 2009.

GENERAL

No items will be considered on this agenda.

POWER

- 301 09-M-0074 In the Matter of Advanced Metering Infrastructure.
- 10-E-0285 Proceeding on Motion of the Commission to Consider Regulatory Policies Regarding Smart Grid Systems and the Modernization of the Electric Grid.

WATER

- 401 09-W-0731 UNITED WATER NEW YORK INC. – Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Water Service.

COMMUNICATION

- 501 09-M-0527 Proceeding to Examine Issues Related to a Universal Service Fund.

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