

STATE OF NEW YORK

Public Service Commission

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11037 Agenda

PSC LISTS AGENDA FOR THURSDAY, May 19, 2011

PLEASE NOTE:

MEETING WILL BE BROADCAST ON THE INTERNET

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

Albany, NY – 05/13/11 – The New York State Public Service Commission announced today the agenda for its regular meeting starting at **10:30 A.M., Thursday, May 19, 2011, 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, June 16, 2011, in Albany, New York.**

The agenda for the May 19, 2011 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 09-G-0252 CORNING NATURAL GAS CORPORATION - Pet. for a Certificate of Public Convenience and Necessity to Exercise a Gas Franchise in the Town of Virgil, County of Cortland.
- 162 09-G-0289 MS. LAURA JACOBSON and MX ENERGY.
- 163 11-G-0004 APPALACHIAN TRANSMISSION AND MARKETING, LLC and NORSE ENERGY HOLDINGS, INC. - Joint Pet. for Approval of Transfer of Ownership and Control of Norse Pipeline, LLC and Nornew Energy Supply, Inc.
- 164 10-G-0572 Mikelly Construction Corp./National Fuel Gas Distribution Corporation.
- 10-G-0583 VRD Construction Corp./The Brooklyn Union Gas Company d/b/a National Grid NY.
- 11-G-0155 Rose Fence, Inc./KeySpan Gas East Corporation d/b/a National Grid.
- 11-G-0156 Stasi Brothers Asphalt Corp./KeySpan Gas East Corporation d/b/a National Grid.
- 11-G-0157 Rocco Iadevaia Contracting Corp./KeySpan Gas East Corporation d/b/a National Grid.
- 11-G-0148 The Turf Guy LLC/KeySpan Gas East Corporation d/b/a National Grid.
- 11-G-0149 Suffolk Paving Corp./KeySpan Gas East Corporation d/b/a National Grid.
- 11-G-0151 Wasoff Plumbing & Utility Co., Inc./The Brooklyn Union Gas Company d/b/a National Grid NY.
- 11-G-0145 J.T. Magen & Company Inc./The Brooklyn Union Gas Company d/b/a National Grid NY.
- 11-G-0146 Three Star Construction Co., Inc./The Brooklyn Union Gas Company d/b/a National Grid NY.
- 11-G-0147 Frank Liquori Plumbing & Heating Inc./The Brooklyn Union Gas Company d/b/a National Grid NY.

- 11-G-0158 P & T Contracting Corp./The Brooklyn Union Gas Company d/b/a National Grid NY.
- 11-G-0160 Zurla Excavating, Inc./Orange and Rockland Utilities, Inc..
- 11-G-0163 Visone Construction, Inc./National Fuel Gas Distribution Corporation.
- 11-G-0164 JFK Construction, Inc./The Brooklyn Union Gas Company d/b/a National Grid NY.
- 165 08-G-1137 CORNING NATURAL GAS CORPORATION - Pro. as to the Rates, Charges, Rules and Regulations of for Gas Service.
- 166 11-G-0221 In the Matter of Investigating the Acts and Practices Involving the Stalking and Clearing of the Site of a Major Utility Transmission Facility in the Town of Sanford, Broome County Before the Obtaining of a Certificate of Environmental Compatibility and Public Need.

GENERAL

- 261 11-E-0042 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Amendments to PSC 15-Electricity, eff. 6/1/11, to revise dishonored payment fee.
- 11-G-0043 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Amendments to PSC 12-Gas, eff. 6/1/11, to revise dishonored payment fee.
- 262 01-M-0075 NIAGARA MOHAWK HOLDINGS INC., NIAGARA MOHAWK POWER CORPORATION, NATIONAL GRID GROUP PLC and NATIONAL GRID USA - Joint Pet. for Approval of Merger and Stock Acquisition.
- 06-M-0878 NATIONAL GRID PLC and KEYSpan CORPORATION - Joint Pet. for Approval of Stock Acquisition and other Regulatory Authorizations.
- 263 06-E-1084 PARK BELVEDERE/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 07-M-1359 RUSI HOLDING CORP./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 07-E-1496 CAMP RAV TOV/CENTRAL HUDSON GAS & ELECTRIC CORPORATION, INC.
- 264 10-M-0158 NOBLE WETHERSFIELD WINDPARK, LLC and NEW YORK STATE ELECTRIC & GAS CORPORATION - Joint Pet. for Approval of the Partial Transfer of a Certificate of Environmental Compatibility and Public Need and of the Transfer of Specified Facilities from Noble

Wethersfield Windpark, LLC, to New York State Electric & Gas Corporation.

- 265 There is no item 265.
- 266 08-M-0901 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Pet. for Approval to Defer Property Tax Expense Resulting from Increased Property Tax Assessments by The New York State Office of Real Property Services.
- 267 08-E-1129 NEW YORK STATE ELECTRC & GAS CORPORATION - Pet. for Approval of an Energy Efficiency Portfolio Standard (EEPS) Utility-Administered Electric Energy Efficiency.
- 08-E-1130 ROCHESTER GAS AND ELECTRIC CORPORATION - Pet. for Approval of an Energy Efficiency Portfolio Standard (EEPS) Utility-Administered Electric Energy Efficiency Program.
- 07-M-0548 Proceeding on Motion of the Commission Regarding an Energy Efficiency Portfolio Standard.
- 09-G-0363 Petitions for Approval of Energy Efficiency Portfolio Standard (EEPS) Gas Energy Efficiency Programs.
- 268 08-E-1135 Petition of Central Hudson Gas & Electric Corporation for Approval of an Energy Efficiency Portfolio Standard (EEPS) Utility-Administered Electric Energy Efficiency Program.
- 07-M-0548 Proceeding on Motion of the Commission Regarding an Energy Efficiency Portfolio Standard.

POWER

- 361 09-E-0717 ROCHESTER GAS AND ELECTRIC CORPORATION - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for a Plan for Implementation of Expansion of Mandatory Hourly Pricing.
- 362 08-T-0954 SOUTH JAMESTOWN GATHERING SYSTEM, LLC and ENERVEST ENERGY - Joint Application for Approval Pursuant to PSL Section 121(2) of the Transfer of Certificate of Environmental Compatibility and Public Need Issued in Case No. 96-T-1099 for Approximately 1030' of 4" Steel Pipeline, Located in the Town of Busti, Chautauqua County.
- 08-T-0471 NORNEW, INC. and ENERVEST ENERGY - Joint Petition for Approval Pursuant to Public Service Law Section 121 (2) of the Transfer of Certificates of Environmental Compatibility and Public Need Issued in

Case Nos. 96-T-0246 and 96-T-1099 for Gas Pipelines of Various Lengths, Located in the Town of Busti, Chautauqua County.

- 363 10-E-0553 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. and CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Petition Pursuant to Section 70 of the Public Service Law for Approval of the Transfer of Substation Equipment and Notice of Intent to Grant an Easement.
- 364 11-E-0161 NIAGARA MOHAWK POWER CORPORATION - Amendments to PSC 220-Electricity, eff. 5/20/11, to make clarifying housekeeping changes.
- 365 10-E-0645 Proceeding on Motion of the Commission Regarding the Interpretation of the Billing Period and Annual Credit Requirements Applicable to Certain Net Metered Customers.
- 366 11-E-0121 CEC WINDPOWER, LLC - Petition for a Declaratory Ruling Concerning Net Metering of a Wind Facility at Half Dutch Farm.
- 367 11-E-0073 VILLAGE OF SPENCERPORT - Amendments to PSC No. 1-Electricity, Eff. 6/1/11, to increase its annual revenues by about \$289,561 or 10.2%.
- 368 10-E-0423 DRIGGS AVENUE PLACE LLC - Petition to Submeter Electricity at 475 Driggs Ave, Brooklyn, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 369 There is no item 369.
- 370 11-E-0176 In the Matter of the Commission's Implementation of Certain Provisions of the Recharge New York Power Program Act.
- 371 10-E-0308 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Petition for the Notice of Refunds to the Company of Gross Receipts Tax and Excess Dividends Tax, Pursuant to 16 NYCRR Section 89.3 and Request for Commission Approval of the Proposed Disposition of these Refunds.
- 372 09-E-0115 Proceeding on Motion of the Commission to Consider Demand Response Initiatives.
- 373 08-T-0034 Application of Hudson Transmission Partners, LLC for a Certificate of Environmental Compatibility and Public Need for a 345 Kilovolt

Submarine/Underground Electric Transmission Line Between Manhattan and New Jersey.

- 10-E-0339 Petition of Hudson Transmission Partners, LLC for an Original Certificate of Public Convenience and Necessity and for an Order Providing for Lightened Regulation.
- 11-E-0215 Petition of Hudson Transmission Partners, LLC for Approval of Construction and Permanent Financing Pursuant to Public Service Law Section 69 and Request for Emergency Action Pursuant to Section 202(6) of the State Administrative Procedure Act.

WATER

- 461 11-W-0114 SARATOGA WATER SERVICES, INC. - Petition for a Declaratory Ruling Concerning the Provision of Water Service to a Proposed Project in the Town of Malta, Saratoga County.
- 462 11-W-0108 SARATOGA WATER SERVICES, INC. and COLUMBIA MALTA, LLC - Joint Petition for a Declaratory Ruling Concerning the Provision of Water Service to a Proposed Project in the Town of Malta, Saratoga County.
- 463 11-W-0087 HOPEWELL SERVICE CORPORATION - Amendment to PSC No. 2, Water, eff. 6/1/11, to increase its annual revenues by about \$10,500 or 24%.
- 464 11-W-0086 DEVON FARMS WATER WORKS INC. - Amendment to PSC No. 2, Water, eff. 6/1/11, to increase its annual revenues by about \$31,000 or 80.9%.

COMMUNICATIONS

- 561 10-C-0650 WINDSTREAM NEW YORK, INC. - Tariff filing make a clarification.
- 562 07-C-0349 In the Matter of Examining a Framework for Regulatory Relief.
- 11-C-0166 FRONTIER COMMUNICATIONS OF SYLVAN LAKE, INC. - Amendment to PSC No. 11 - Telephone, eff. 5/1/11, to increase the R1 Access Line rates by \$2.00 and to increase the lifeline credit to offset that R1 rate increase.
- 11-C-0167 CITIZENS TELECOMMUNICATIONS COMPANY OF NEW YORK, INC. DBA FRONTIER COMMUNICATIONS OF NEW YORK -

Amendment to PSC No. 2 - Telephone, eff. 5/1/11, to increase the R1 Access Line rates by \$0.75 and to increase the lifeline credit to offset that R1 rate increase.

- 11-C-0168 FRONTIER TELEPHONE OF ROCHESTER, INC. - Amendment to PSC No. 2 - Telephone, eff. 5/1/11, to increase the R1 Access Line rates and to increase the lifeline credit to offset that R1 rate increase.
- 11-C-0169 OGDEN TELEPHONE COMPANY D/B/A FRONTIER OGDEN TELEPHONE COMPANY - Amendment to PSC No. 1 - Telephone, eff. 5/1/11, to increase the R1 Access Line rates by \$2.00 and to increase the lifeline credit to offset that R1 rate increase.
- 11-C-0170 FRONTIER COMMUNICATIONS OF SENECA-GORHAM INC. - Amendment to PSC No. 15 - Telephone, eff. 5/1/11, to increase the R1 Access Line rates by \$2.00 and to increase the lifeline credit to offset that R1 rate increase.
- 11-C-0171 FRONTIER TELEPHONE OF ROCHESTER, INC. - Amendment to PSC No. 2 - Telephone, eff. 5/1/11, to increase the R1 Access Line rates by \$2.00 and to increase the lifeline credit to offset that R1 rate increase.
- 11-C-0172 FRONTIER COMMUNICATIONS OF AUSABLE VALLEY, INC. - Amendment to PSC No. 12 - Telephone, eff. 5/1/11, to increase the R1 Access Line rates by \$2.00 and to increase the lifeline credit to offset that R1 rate increase.

- 563 10-C-0609 VERIZON NEW YORK INC. - Pet. for Waiver of NYCRR, Title 16, Sections 606.4 and 606.5, as modified by July 1, 1992 Settlement Agreement, As Amended, Pertaining to Billing Categories and Partial Payments.

- 564 11-C-0140 VERIZON NEW YORK INC. - Amendment to PSC 1-Communications, eff. 5/20/11, to provide for a rate increase of \$2.00 for the unlimited local usage for business offering.

CABLE

- 661 11-V-0088 CABLEVISION SYSTEMS LONG ISLAND CORPORATION/VILLAGE OF ISLAND PARK, NASSAU COUNTY.
- 11-V-0094 TIME WARNER ENTERTAINMENT-ADVANCE/NEWHOUSE PARTNERSHIP/VILLAGE OF ARGYLE, WASHINGTON COUNTY.
- 11-V-0096 SAMSON CABLEVISION CORP./VILLAGE OF ISLANDIA, NY, SUFFOLK COUNTY.

- 662 11-V-0092 STATE TELEPHONE COMPANY - Pet. for a Certificate of Confirmation for its Franchise with the Village of Ravena, Albany

County.

- 663 11-V-0125 SLIC NETWORK SOLUTIONS, INC. - Pet. for a Certificate of Confirmation for its Franchise with the The Town of Canton, St. Lawrence County.
- 664 11-V-0107 SLIC NETWORK SOLUTIONS, INC. - Pet. for a Certificate of Confirmation for its Franchise with the Town of Lisbon, St. Lawrence County New York.
- 665 11-V-0095 SLIC NETWORK SOLUTIONS, INC. - Pet. for a Certificate of Confirmation for its Franchise with the Town of Madrid, St. Lawrence County.
- 666 11-V-0105 SLIC NETWORK SOLUTIONS, INC. - Pet. for a Certificate of Confirmation for its Franchise with the Hopkinton, St. Lawrence County.
- 667 11-V-0122 SLIC NETWORK SOLUTIONS, INC. - Pet. for a Certificate of Confirmation for its Franchise with the Town of Dickinson, Franklin County.
- 668 11-V-0091 SLIC NETWORK SOLUTIONS, INC. - Pet. for a Certificate of Confirmation for its Franchise with the Town of Pierrepont, St. Lawrence County of New York.

REGULAR AGENDA
Items not necessarily to be considered in the order listed:

GAS

No items will be considered on this agenda.

GENERAL

- 201 08-M-0593 Proceeding on Motion of the Commission to Establish and Develop a Standardized Facility and Equipment Transfer Program.
- 202 09-M-0764 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Comprehensive Management Audit for Electric and Gas Businesses.
- 203 07-M-0548 Proceeding on Motion of the Commission Regarding an Energy Efficiency Portfolio Standard.

POWER

- 301-A 11-E-0162 In the Matter of Staff's Report on 2011 Electric Summer Preparedness.
- 301-B 11-E-0162 In the Matter of Staff's Report on 2011 Electric Summer Preparedness.
- 301-C 11-E-0162 In the Matter of Staff's Report on 2011 Electric Summer Preparedness.
- 302 10-E-0155 Proceeding on Motion of the Commission as to New York State's Electric Utility Transmission Right-of-Way Management Practices.

WATER

No items will be considered on this agenda.

COMMUNICATION

- 501 11-C-0173 In the Matter of Quality of Service provided by Local Exchange Companies in New York State.

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