

STATE OF NEW YORK

Public Service Commission

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COMMISSION TO MEET ON THURSDAY, OCTOBER 17, 2013

Albany, NY – 10/11/13 – The Public Service Commission announced today that it will hold its next regular session beginning at **10:30 a.m., Thursday, October 17, 2013, in the 19th Floor Board Room of its offices located at Three Empire State Plaza, Albany, New York.**

MEETING WILL BE BROADCAST ON THE INTERNET AT:

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

**-VIDEOCASTING TO PSC'S NYC OFFICES AVAILABLE-
(See instructions on last page of Agenda)**

The session agenda is as follows:

To view documents related to PSC Cases Numbers below, visit:

http://www.dps.ny.gov/New_Search.html

REGULAR AGENDA ITEMS

Items To Be Resolved Through Discussion

Item PSC Case

GAS

101 13-G-0206 Report on New York State Natural Gas Supply Readiness for the 2013-2014 Winter Season.

GENERAL

201 12-M-0066 NEW YORK STATE ELECTRIC & GAS CORPORATION,
ROCHESTER GAS AND ELECTRIC CORPORATION, RGS

ENERGY GROUP, INC., IBERDROLA USA NETWORKS,
IBERDROLA USA, INC., and IBERDROLA FINANCE UK LIMITED-
Petition for Approval of an Internal Reorganization Pursuant to Section
70 of the Public Service Law.

POWER

- 301 12-E-0503 Proceeding on Motion of the Commission to Review Generation
Retirement Contingency Plans.

COMMUNICATIONS

- 501 13-C-0197 VERIZON NEW YORK INC. - Tariff filing to introduce language under
which Verizon could discontinue its current wireline service offerings in
a specified area and instead offer a wireless service as its sole service
offering in the area.

No items will be considered on the Regular Agenda for **WATER** and **CABLE**.

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.

Item PSC Case

GAS

- | | | |
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| 161 | | In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities. |
| | 13-G-0430 | POPULAR PLUMBING & HEATING CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID. |
| | 13-G-0431 | PAVILION DRAINAGE SUPPLY CO., INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION. |
| | 13-G-0432 | M.N.C. GENERAL CONTRACTORS CORP./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY. |
| | 13-G-0433 | P.B.S. CONSTRUCTION CORP./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY. |
| 162 | 13-G-0394 | Joint Petition of Emkey Energy, LLC, for a Declaratory Ruling Regarding a Transfer of Membership Interests or, in the Alternative, an Approval Pursuant to Public Service Law Section 70. |
| 163 | | There is no item 163. |
| 164 | 12-G-0544 | THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY - Amendments to P.S.C. No. 12-Gas, eff. 7/1/12, on a temporary basis, to revise customer charges and rates in compliance with the Commission's June 13, 2013 order. |
| 165 | 13-G-0336 | CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Petition for an Original Certificate of Public Convenience and Necessity Pursuant to Section 68 of the Public Service Law for the Consent and Approval of the Public Service Commission to Construct Gas Plant and Exercise Gas Distribution Franchises in the Town & Village of Athens, Greene County, New York. |
| 166 | 13-G-0001 | THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL |

GRID NY AND KEYSpan GAS EAST CORP. D/B/A NATIONAL
GRID - Petition for Approval of Certain Economic Development
Programs.

GENERAL

- 261 13-S-0248 MONROE COMMUNITY COLLEGE - Petition for Authority, Pursuant to Public Service Law Section 81, to Construct and Operate Steam Plant and for Lightened and Incidental Regulation of Steam Operations, and Motion for Expedited Consideration.
- 262 13-M-0305 SITHE/INDEPENDENCE POWER PARTNERS, L.P. - Verified Petition for Approval of a Financing Pursuant to Lightened Regulation.
- 263 12-E-0201 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Amendment to PSC No. 214 and PSC No. 220, filed in compliance with Commission order issued March 15, 2013.
- 12-G-0202 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Amendment to PSC No. 219, filed in compliance with Commission order issued March 15, 2013.
- 264 10-E-0093 MS. NORA CHUMBES/MR. SIMON SALID/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Appeal of Informal Hearing Decision.
- 10-E-0254 LEAS REALTY LLC/MR. THOMAS DAVIS/CONSOLIDATED EDISON OF NEW YORK, INC. - Appeal of Informal Hearing Decision.
- 13-E-0388 MS. BRIGID OKU/MS. KARISMA ALEXANDER/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Appeal of Informal Hearing Decision.
- 265 12-M-0352 MR. LUIS O. DIAZ/MR. ALBERTO REYES/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Rehearing of Designee Determination.
- 266 13-M-0331 BUY ENERGY DIRECT, LLC. - In the Matter of an Investigation.
- 267 07-M-0548 Proceeding on Motion of the Commission Regarding an Energy Efficiency Portfolio Standard. Petitions by Niagara Mohawk d/b/a National Grid, KeySpan Gas East Corporation d/b/a National Grid

(KEDLI) and Brooklyn Union Gas Company d/b/a National Grid NY (KEDNY).

- 268 13-M-0307 In the Matter of A Temporary Waiver and Suspension of Late Payment Charges Due to Payment Barriers Caused By Flooding in the Mohawk Valley Region. Confirming Order.

POWER

- 361 12-E-0255 250 NORTH 10TH STREET, LLC - Petition to Submeter Electricity at 250 North 10th Street, Brooklyn, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 362 13-E-0340 SUEZ ENERGY ASTORIA, LLC, ASTORIA PROJECT PARTNERS LLC, ASTORIA ENERGY LLC and MYPOWER CORP.- Joint Petition for a Expedited Declaratory Ruling Concerning Invoking the Wallkill Presumption or for Expedited Approval Pursuant to Section 70 of the Public Service Law.
- 363 13-E-0291 ATLAS CAPITAL GROUP, LLC - Petition to Submeter Electricity at 222 East 39th Street NY, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 364 07-M-0906 IBERDROLA S.A., ENERGY EAST CORPORATION, RGS ENERGY GROUP INC. and GREEN ACQUISITION CAPITAL, INC., New York State Electric and Gas Corporation and Rochester Gas and Electric Corporation - Petition for Approval of the Acquisition of Energy East Corporation by Iberdrola, S.A. Request by Rochester Gas and Electric Corporation to transfer its 62 MW Allegany facility.
- 365 13-M-0418 NEW YORK STATE ELECTRIC & GAS CORPORATION - Petition for a Declaratory Ruling that the Proposed Reconductoring of the Fraser-Coopers Corners 345 kV Line Portion of the Marcy South Series Compensation Project is a "Like Kind Replacement" Not Subject to the Reporting Requirements of 16 NYCRR Part 102 or the Certification Requirements of Public Service Law Article VII.
- 366 13-E-0289 84-86 WHITE STREET, LLC - Petition to Submeter Electricity at 84 White Street, Located in the Territory of Consolidated Edison Company of New York, Inc.

- 367 13-E-0337 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Amendments to PSC 220-Electricity, eff. 10/21/13, to revise the applicability provisions of Rule No. 34.3 - Empire Zone Rider, Rule No. 34.7 - Excelsior Jobs Program and Service Classification No. 4 - Untransformed Service to Certain Customers Taking Power from Projects of the New York Power Authority.
- 368 13-E-0100 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Cancellation of amendments to PSC 220-Electricity, eff. 10/26/13, to add clarifying language to the underground residential distribution provisions.
- 369 10-E-0084 MR. JOEL B. WATERMAN and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Appeal of Informal Decision.
- 370 10-E-0253 MR. GERARD LEONARD and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Rehearing of Designee Determination.
- 371 There is no item 371.
- 372 13-E-0321 NEW YORK STATE ELECTRIC & GAS CORPORATION - Amendments to PSC No. 119 - Electricity, Eff. 11/1/13 - to reflect new pole attachment rates.
- 373 There is no item 373.
- 374 There is no item 374.
- 375 13-T-0306 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Petition for an Addendum to its Environmental Management & Construction Plan for the Kerhonkson Substation.
- 376 13-E-0097 PENN YAN MUNICIPAL UTILITIES BOARD - Amendments to PSC 1-Electricity, eff. 7/1/13, postponed to 11/1/13, to increase its annual base revenues by about \$194,309 or 5.1%.

WATER

461 13-W-0167 FLORADAN ESTATES, INC. - Petition to Revise Service Termination Hours.

COMMUNICATIONS

561 13-C-0417 EXTENET SYSTEMS, INC. - Petition for Approval of Planned Financing.

562 13-C-0381 WINDSTREAM NEW YORK, INC. - Amendments to PSC No. 1-Telephone, eff. 9/21/13, to add the New York State Universal Service Fee Surcharge.

563 13-C-0193 TIME WARNER CABLE INFORMATION SERVICES (NEW YORK), LLC - Petition for Waivers of Certain Commission Regulations Pertaining to Partial Payments, Directory Distribution, Timing for Suspension or Termination of Service, and a Partial Waiver of Service Quality Reporting Requirements.

CABLE

661 Petitions for Renewal of Cable Television Franchises.

13-V-0343 CABLEVISION SYSTEMS LONG ISLAND CORPORATION/VILLAGE OF EAST HILLS IN NASSAU COUNTY.

13-V-0359 CHARTER COMMUNICATIONS/TOWN OF JAY, ESSEX COUNTY.

13-V-0416 CABLEVISION OF WAPPINGERS FALLS, INC./VILLAGE OF MONROE, NEW YORK, COUNTY OF ORANGE.

662 13-V-0273 TIME WARNER CABLE - Petition of the Village of Lacona, Oswego County for Approval of an Amendment of their Franchise.

663 13-V-0277 VILLAGE OF SANDY CREEK, OSWEGO COUNTY - Petition for Approval of an Amendment of their Franchise with Time Warner Cable.

664 13-V-0351 TIME WARNER CABLE NORTHEAST LLC - Petition for a

Certificate of Confirmation for its Franchise with the Town of Cameron in Steuben County.

- 665 13-V-0301 TOWN OF GRAFTON - Petition for a Waiver of the Requirements of 16 NYCRR, Part 894.1 - 894.4 to Permit the Installation of Cable Services by Time Warner Cable.
- 666 There is no item 666.
- 667 13-V-0352 TIME WARNER CABLE NORTHEAST LLC - Petition for a Certificate of Confirmation for its Franchise with the Town of Rathbone, Steuben County.

Instructions to View Videocast at PSC's NYC Offices

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.

Instructions to View Video Broadcast of Meeting

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://www.dps.ny.gov/Webcasts.html>

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.

Explanation of Agenda

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 contained herein is complete at the time of issue, but other items may be added and some agenda items may be removed without further notice.

Proposed draft orders for **Regular Agenda items** or discussion items will be posted for public viewing, if feasible, by 5:00 p.m. the day before a Commission meeting. The draft orders will be made available at: www.dps.ny.gov/DraftDocuments.html

The posted drafts will be removed by 5:00 p.m. on the day of the Commission meeting. The proposed order is not the final Commission action, rather, the final determination is the issued order, posted by the Secretary, and available at www.dps.ny.gov, click on “Search” then search the appropriate PSC case number.

Other Matters

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 may be obtained by accessing the Commission's Web site at www.dps.ny.gov, click on “Search” then search using the appropriate PSC case number, or in the alternative documents may be viewed on monitors provided in the Files Unit on the 14th floor of the Albany offices or obtained by calling (518) 474- 2500.

Next Meeting

The next regularly scheduled meeting will begin at **10:30 A.M., Thursday, November 14, 2013, in Albany, New York.**

Individuals in Albany wishing to observe the Commission's meeting may do so in the Board Room on the 19th floor of the Commission's offices at Three Empire State Plaza. **Pursuant to procedures established by the building management, anyone planning to view the meeting in the New York City Office 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.** The videocasting will be for viewing and listening purposes only.

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