

STATE OF NEW YORK

# Public Service Commission

Audrey Zibelman, Chair

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## COMMISSION TO MEET ON THURSDAY, OCTOBER 23, 2014

Albany, NY – 10/17/14 – The Public Service Commission announced today that it will hold its next regular session beginning at **10:30 a.m., Thursday, October 23, 2014, in the 19<sup>th</sup> 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](http://www.dps.ny.gov/New_Search.html)

### **REGULAR AGENDA ITEMS**

#### **Items To Be Resolved Through Discussion**

**Item    PSC Case**

#### **GAS**

- |     |           |   |
|-----|-----------|---|
| 101 | 13-G-0484 | Review of Gas Emergency Preparedness.   |
| 102 | 14-G-0185 | Report on New York State Natural Gas Supply Readiness for the 2014-2015 Winter. |
| 103 | 06-G-1185 | THE BROOKLYN UNION GAS COMPANY D/B/A KEYSpan                                    |

- ENERGY DELIVERY NEW YORK - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.
- 06-G-1186 KEYSpan GAS EAST CORPORATION D/B/A KEYSpan ENERGY DELIVERY LONG ISLAND - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.
- 14-G-0330 KEYSpan GAS EAST CORP. D/B/A BROOKLYN UNION OF L.I. - Tariff filing to modify the retail access program under S.C. No. 8 - Sales Service contained in P.S.C. No. 1 - Gas.
- 14-G-0331 THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY - Tariff filing to modify the retail access program under S.C. No. 19 - Seller Transportation Aggregation Service contained in P.S.C. No. 12 - Gas.
- 104 14-G-0037 XPRESS NATURAL GAS, LLC. - Petition for a Declaratory Ruling Regarding Regulation of a Compressed Natural Gas Filling Station and Related Facilities.
- 105 14-G-0091 BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY AND KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID - In the Matter of the Acts and Practices Regarding Billing of Each Company's SC No. 2 Customers from March 2008 to March 2014.

### GENERAL

- 201 14-M-0425 In the Matter of 2014 Winter Season Outreach and Education.
- 202 03-E-0188 Proceeding on Motion of the Commission Regarding a Retail Renewable Portfolio Standard.
- 07-M-0548 Proceeding on Motion of the Commission Regarding an Energy Efficiency Portfolio Standard.
- 10-M-0457 In the Matter of the System Benefits Charge IV.
- 13-M-0412 Petition of New York State Energy Research and Development Authority to Provide Initial Capitalization for the New York Green Bank
- 14-M-0094 Proceeding on Motion of the Commission to Consider a Clean Energy Fund.
- 14-M-0101 Proceeding on Motion of the Commission in Regard to Reforming the

Energy Vision.

- 203 13-M-0505 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Petition for Approval, Pursuant to Public Service Law, Section 113(2), of a Proposed Allocation of Certain Tax Refunds between Central Hudson Gas & Electric Corporation and Ratepayers.

### **POWER**

- 301 14-E-0436 In the Matter of Staff's Report on Bulk Electric System Winter Preparedness for the 2014-2015 Winter Season.
- 302 14-E-0435 In the Matter of Staff's Report on Electric Utilities Winter Supply Portfolio Composition and Market Price Outlook for the 2014 - 2015 Winter Season.
- 303 14-E-0423 In the Matter of Developing Demand Response Tariffs for Electric Distribution Utilities.
- 304 14-E-0180 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Amendment to PSC 220-Electricity, eff. 8/28/14, postponed to 10/29/14, to revise Rule 46 - Supply Service Charges regarding commodity rate mechanisms.
- 305 14-E-0088 SHOREHAM ENERGY, LLC. - Petition for Approval of an Amendment of its Certificate of Public Convenience and Necessity and Order Confirming Lightened Regulation.
- 306 11-E-0639 MR. JUAN ALMONTE and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Appeal of Informal Hearing Decision.
- 307 14-E-0152 ZBIGNIEW W. SOLARZ - Petition to Submeter Electricity at 715 41st Street, Brooklyn, NY, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 308 14-E-0251 NEW YORK POWER AUTHORITY - Petition for a Declaratory Ruling Concerning that the Replacement of a Segment of the Plattsburgh-Vermont Transmission Line Does Not Result in a Major Transmission

Facility Subject to Article VII of the Public Service Law.

No items will be considered on the Regular Agenda for **WATER, COMMUNICATIONS, 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

- |     |           |   |
|-----|-----------|---|
| 161 | 11-G-0280 | CORNING NATURAL GAS CORPORATION - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of Gas Service. Customer Satisfaction Survey Targets.  |
| 162 |           | There is no item 162.   |
| 163 |           | There is no item 163.   |
| 164 | 13-G-0584 | VILLAGE OF HAMILTON MUNICIPAL UTILITIES COMMISSION - Amendments to PSC 1-Gas, eff. 9/1, 9/10, 9/16 and 10/1/14, on a temporary basis, in compliance with Commission Order Granting Certificate of Public Convenience and Necessity, issued 4/24/14. |
| 165 |           | There is no item 165.   |
| 166 |           | In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities.   |
|     | 14-G-0426 | R.L. BAXTER BUILDING CORP./CENTRAL HUDSON GAS & ELECTRIC CORPORATION.   |
|     | 14-G-0427 | SQUIRES, PIERSON & SONS, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.   |
|     | 14-G-0428 | DISTINCTIVE LANDSCAPING BY: JOSEPH P. COSTANZA, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.  |
|     | 14-G-0429 | DIAMOND DESIGN MASONRY CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.  |
|     | 14-G-0431 | TERRY GALLAGHER, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.   |
|     | 14-G-0432 | HAMPTON RUSTIC, LLC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.  |

- 14-G-0433 OGDEN CENTER DEVELOPMENT CORP./ROCHESTER GAS AND ELECTRIC CORPORATION.
- 14-G-0434 FSI GENERAL CONTRACTORS, LLC./ROCHESTER GAS AND ELECTRIC CORPORATION.

### GENERAL

- 261 There is no item 261.
- 262 10-E-0152 CHRISTOPHER MURPHY/NEW YORK STATE ELECTRIC & GAS CORP. – Appeal of Informal Hearing Decision.
- 11-G-0051 SHELTON BUILDING CORP./NATIONAL GRID METRO NY. – Appeal of Informal Hearing Decision.
- 14-C-0300 DAVID JACOBS/VERIZON NEW YORK, INC. – Appeal of Informal Hearing Decision.

### POWER

- 361 12-E-0413 MS. LEARNA PHILLIPS/MS. LISETTE JORGE and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Rehearing of Appeal Determination.
- 362 14-E-0188 MS. ELIZABETH STATHAM/MR. CHARLES SLATER and NATIONAL GRID - UPSTATE - Rehearing of Appeal Determination.
- 363 12-E-0385 MS. RAHELA WAZIULLAH/MR. ELIASAR PECORRAL CASTILLO and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Rehearing of Appeal Determination.
- 364 14-E-0158 MR. JERMAINE FILMORE/MS. KIMBERLY A. HICKSON/MS. LUSMAIA DIAZ and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Rehearing of Appeal Determination.
- 365 14-E-0417 NEW YORK STATE ELECTRIC & GAS CORPORATION - Amendments to PSC 120-Electricity, eff. 11/1/14, to incorporate the effective tariff language from two previously approved tariff filings.
- 366 There is no item 366.

- 367                    There is no item 367.
- 368                    There is no item 368.
- 369                    There is no item 369.
- 370                    There is no item 370.
- 371    12-E-0577    Proceeding on Motion of the Commission to Examine Repowering Alternatives to Utility Transmission Reinforcements. Earthjustice and Sierra Club Petition for Rehearing.
- 372    13-T-0586    CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Petition for Approval of Environmental Management and Construction Plan for Sugarloaf to Rock Tavern Segment of Second Ramapo to Rock Tavern 345 kV Transmission Line (Feeder 76).
- 373    14-E-0140    BATH ELECTRIC, GAS AND WATER SYSTEMS - Amendments to PSC 1-Electricity, eff. 9/1/14, postponed to 11/1/14, to increase its annual revenues by about \$300,000 or 7.0%.
- 374    14-E-0223    QUADLOGIC CONTROLS CORPORATION - Petition for Approval of the MiniCloset-5N Multi-Tenant Smart Meter.
- 375                    There is no item 375.
- 376    14-E-0126    EBNB 70 PINE OWNER, LLC. - Petition to Submeter Electricity at 70 Pine Street, New York, NY, Located in the Territory of Consolidated Edison Company, Inc.
- 377    14-E-0052    PLAZA ATHENEE HOTEL COMPANY LIMITED - Petition to Submeter Electricity at 35 East 64th Street New York Located in the Territory of Consolidated Edison of New York, Inc.
- 378    13-T-0515    NEW YORK POWER AUTHORITY - Petitions Relating to its

Certificate of Environmental Compatibility and Public Need for the  
Marcy South 345 kV Transmission Facilities.

379 There is no item 379.

380 There is no item 380.

381 14-E-0267 VILLAGE OF FAIRPORT - Minor Rate Filing to Increase its Annual  
Electric Base Revenues by about \$293,425 or 1.4%.

**WATER**

461 13-W-0539 UNITED WATER NEW ROCHELLE INC. - Proceeding on Motion of  
the Commission as to the Rates, Charges, Rules and Regulations for  
Water Service.

462 14-W-0220 SARATOGA WATER SERVICES, INC./SARATOGA BLVD,  
APARTMENTS, INC. - Joint Petition for a Declaratory Ruling  
Concerning the Provision of Water Service to a Proposed Project in the  
Town of Malta, Saratoga County.

**COMMUNICATIONS**

561 14-C-0380 TELECONNECT LONG DISTANCE SERVICES & SYSTEMS  
COMPANY D/B/A TELECOM\*USA - Petition Pursuant to Section 99  
of the Public Service Law for Approval to Transfer Customers.

562 14-C-0383 VERIZON NEW YORK INC. - Petition Pursuant to Section 99 of the  
Public Service Law for Approval to Sell Two Units at the Condominium  
Located at 140 West Street, New York, New York.

**CABLE**

661 14-V-0259 HEART OF THE CATSKILLS COMMUNICATIONS INC. (MTC  
CABLE) - Petition for a Certificate of Confirmation for its Franchise  
with the Town of Hardenburgh, Ulster County.

662 Petitions for Renewal of Cable Television Franchises.

- 14-V-0323 TIME WARNER CABLE NORTHEAST LLC/TOWN OF PARIS,  
ONEIDA COUNTY.
- 14-V-0327 CABLEVISION SYSTEMS WESTCHESTER CORPORATION/TOWN  
OF NORTH SALEM, WESTCHESTER COUNTY.
- 14-V-0329 CABLEVISION SYSTEMS DUTCHESS CORPORATION/TOWN OF  
CLINTON, DUTCHESS COUNTY.
- 14-V-0355 TIME WARNER CABLE NORTHEAST LLC/CITY OF SHERILL,  
ONEIDA COUNTY.
- 663 14-V-0254 VERIZON NEW YORK INC. - Petition of Verizon New York Inc. for  
Orders of Entry for 40 Multiple-Dwelling Unit Buildings in the City of  
New York

#### **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 4<sup>th</sup> 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](http://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](http://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](http://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 14<sup>th</sup> 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 13, 2014, in Albany, New York.**

Individuals in Albany wishing to observe the Commission's meeting may do so in the Board Room on the 19<sup>th</sup> 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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