

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

08098 Agenda 9/17/08

PSC LISTS AGENDA FOR WEDNESDAY, SEPTEMBER 17, 2008

PLEASE NOTE:

MEETING WILL BE BROADCAST ON THE INTERNET

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

Albany, NY – 9/12/08 – The New York State Public Service Commission announced today the agenda for its regular meeting starting at **10:30 A.M., Wednesday, September 17, 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, October 15, 2008, in Albany, New York.**

The agenda for the September 17, 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-0882	NATIONAL GRID, INC.–METRO NY/MR. CLIFTON LYONS – Appeal of Informal Hearing Decision.
162	08-G-0729	ST. LAWRENCE GAS COMPANY, INC. – Pet. for approval, Pursuant to Section 68 of the PSL, for an Expedited Proceeding for a 30-Year Franchise Agreement Renewal in the Village of Waddington, St. Lawrence County.
163	08-T-0851	CHESAPEAKE APPALACHIA, LLC – NOI to Construct a Fuel Gas Transmission Line, Containing Approx. 8,260 Feet of Six-Inch Coated Steel Pipeline, Located in the Town of Erin, Chemung County.
164	08-T-0821	FORTUNA ENERGY, INC. – NOI to Construct a Fuel Gas Transmission Line, Containing Approx. 13,680 Feet of Four-Inch Coated Steel Pipeline, Located in the Town of Campbell, Steuben County.
165	08-G-0708	CORNING NATURAL GAS CORPORATION – Pet. To Issue Long-Term Indebtedness in the Principal Amount of \$6,000,000 for the purpose of Refunding Existing Obligations and Financing New Construction.
166	08-G-0723 & 08-G-0725	THE BROOKLYN UNION GAS COMPANY D/B/A KEYSpan ENERGY DELIVERY NEW YORK and KEYSpan GAS EAST CORPORATION D/B/A KEYSpan ENERGY DELIVERY LONG ISLAND – Amendments to PSC 12-Gas and PSC 1-Gas, eff. 8/1/08, (Postponed to 10/1/08) to modify its existing capacity release program to accommodate marketers’ needs in non-winter months.
167	08-G-0955 08-G-0956 08-G-0957 08-G-0958 08-G-0959	CENTRAL HUDSON GAS & ELECTRIC CORPORATION/PRECISE LANDSCAPING AND LAWN MAINTENANCE INC. CENTRAL HUDSON GAS & ELECTRIC CORPORATION/ MARQUISE CONSTRUCTION CORP. CONSOLIDATED EDISON COMPANY OF NEW YORK, INC./J.P. PLUMBING WATER MAINS & SEWERS KEYSPAN ENERGY OF LONG ISLAND/K.V. ELECTRIC, INC. KEYSPAN ENERGY LONG ISLAND/PANTANO LANDSCAPING &

CONSTRUCTION CONTRACTORS INC.
08-G-0960 KEYSpan ENERGY OF LONG ISLAND/POST BUILDING &
REALTY CORPORATION
08-G-0961 KEYSpan ENERGY OF LONG ISLAND/THOMAS J. GULDI
ELECTRIC, LTD.
08-G-0962 KEYSpan ENERGY OF LONG ISLAND/NEWBRIDGE ELECTRIC
OF LONG ISLAND CORP.
08-G-0963 KEYSpan ENERGY OF LONG ISLAND/TIM WHITE HOME
IMPROVEMENT INCORPORATED
08-G-0964 KEYSpan ENERGY OF LONG ISLAND/SOIL MECHANICS
DRILLING CORP
08-G-0965 KEYSpan ENERGY OF NEW YORK CITY/7 GIRLS
CONSULTANTS, LLC
08-G-0966 KEYSpan ENERGY OF NEW YORK CITY/INTERCOUNTY
PAVING ASSOCIATES LLC
08-G-0967 KEYSpan ENERGY OF NEW YORK CITY/YELLOW TOP
BUILDERS LLC
08-G-0968 KEYSpan ENERGY OF NEW YORK CITY/DANIEL, LLC
08-G-0969 KEYSpan ENERGY OF NEW YORK CITY/ROCKET CONCRETE,
INC.
08-G-0970 KEYSpan ENERGY OF NEW YORK CITY/SKY MATERIALS
CORP.
08-G-0971 KEYSpan ENERGY OF NEW YORK CITY/JUDLAU
CONTRACTING, INC.
08-G-0972 KEYSpan ENERGY OF NEW YORK CITY/SCHIMENTI
CONSTRUCTION COMPANY, LLC
08-G-0973 KEYSpan ENERGY OF NEW YORK CITY/SUPERIOR GLEN
CONSTRUCTION, INC.
08-G-0974 KEYSpan ENERGY OF NEW YORK CITY/DRAgonETTI
BROTHERS LANDSCAPING
08-G-0976 NATIONAL FUEL GAS DISTRIBUTION CORPORATION/CUSTOM
TOP SOIL, INC.
08-G-0977 NATIONAL FUEL GAS DISTRIBUTION CORPORATION/RJP
EXCAVATING
08-G-0978 NATIONAL FUEL GAS DISTRIBUTION CORPORATION/DIGCO,
INC.
08-G-0979 NATIONAL FUEL GAS DISTRIBUTION CORPORATION/TITAN
WRECKING & ENVIRONMENTAL, LLC
08-G-0980 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL
GRID/JOHN LUCARELLI & SONS, INC.
08-G-0981 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL
GRID/EASY-WAY-OUT LAWN CARE
08-G-0982 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL
GRID/A NORTH COUNTRY CONTRACTORS
08-G-0983 ROCHESTER GAS AND ELECTRIC CORPORATION/GARDEN
GROVE LANDSCAPE & NURSERY
08-G-0984 ROCHESTER GAS AND ELECTRIC CORPORATION/REYNOLDS
HTG/CLG

- 08-G-0985 ROCHESTER GAS AND ELECTRIC CORPORATION/ORCHARD EARTH & PIPE CORP.
- Orders determining penalties and directing payment for violation of 16 NYCRR Part 753 – Protection of Underground Facilities.
- 168 08-G-0621 VALLEY ENERGY, INC. – Pet. to Amend a Certificate of Public
& Convenience and Necessity to Exercise Further a Gas Franchise in the
08-G-0622 Town of Chemung, Chemung County and the Town of Barton, Tioga
County.
- 169 00-T-1264 FORTUNA ENERGY, INC. – Pet. to Amend the Certificate of
Environmental Compatibility and Public Need to Upgrade the Current
Compressor Unit and Construct Approximately 100 Feet of Steel
Pipeline, Located in the Town of Veteran, Chemung County.

GENERAL

- 261 05-G-1590 NATIONAL FUEL GAS DISTRIBUTION CORPORATION/MS.
CLARA PAYNE
06-E-1445 NATIONAL GRID, INC./MR. BILL BEAUCHAMP
08-G-0872 ECONERGY ENERGY COMPANY/PORT WASHINGTON WATER
DISTRICT
- Appeals of Informal Hearing Decisions.
- 262 08-M-0773 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. and
AT&T MOBILITY LLC – Pet. Under Section 70 of the PSL for the
Approval of Wireless Attachments to Con Edison Transmission Facilities
(Tower E-10).
- 263 08-M-0520 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. and
AT&T MOBILITY LLC – Joint Pet. Under Section 70 of the PSL for the
Approval of Wireless Attachments to Con Edison Transmission Facilities
(Tower K-250) in the Town of Carmel, Putnam County.

POWER

- 361 08-E-0908 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. and
MR. CLIFTON LYONS – Rehearing petition of designees'
determination.
- 362 08-E-0848 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. and
MS. RACHEL FELIPES/MS. DIANE POLLACK – Rehearing petition
of designees' determination.

- 363 06-E-1544 ORANGE AND ROCKLAND UTILITIES, INC. and MR. CHRISTOPHER DELO/MR. BOYD BABBITT
 07-E-1265 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. and MS. ANDRINE EDWARDS/MR. KENRICK WHITE
 08-E-0195 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. and MR. SALVADOR ESPINOZA/L & J REAL VALUABLE CORPORATION
- Rehearing petitions of designees' determinations.
- 364 08-E-0410 LS POWER DEVELOPMENT LLC – Pet. for a Declaratory Ruling Regarding the Acquisition of Common Stock, or, in the Alternative, Approval Under Public Service Law Section 70.
- 365 08-E-0850 HARBINGER CAPITAL PARTNERS MASTER FUND I, LTD. and HARBINGER CAPITAL PARTNERS SPECIAL SITUATIONS FUND – Pet. for a Declaratory Ruling Regarding Acquisition of Common Stock and, in the Alternative, Approval Under Public Service Law Section 70.
- 366 08-E-0539 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. – Amendments to PSC 9-Electricity, PSC 2-Retail Access, PASNY No. 4, Economic Development Delivery Service No. 2, eff. 6/1/08, to provide a net increase in electric revenues of \$654.1 million or 5.8% (Suspended through 10/5/08).
- 367 08-E-0656 THE MARK HOTEL LLC – Pet. to Submeter Electricity at 25 East 77th Street, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc., filed in C26998.
- 368 08-E-0617 1240 FIRST AVENUE LLC – Pet. to Submeter Electricity at 400 East 67th Street, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc., filed in C26998.
- 369 08-E-0608 UNITED DEVELOPMENT CORPORATION – Pet. to Submeter Electricity at 370 Route 13, Cortlandville, New York, located in the territory of Niagara Mohawk Power Corporation d/b/a National Grid, filed in C26998.
- 370 08-E-0554 LIVING OPPORTUNITIES OF DEPAUL – Pet. to Submeter Electricity at 67-113 Lindwood Street, Warsaw, New York, located in the territory of New York State Electric & Gas Corporation, filed in C26998.
- 371 03-T-0644 NIAGARA MOHAWK POWER CORPORATION – Appn. for a Certificate of Environmental Compatibility and Public Need for the Construction of a 345 kV Electric Transmission Line, Approximately 8.1 Miles Long, in the City of Rensselaer and the Towns of East and North Greenbush, Rensselaer County.

- 372 99-F-1625 KEYSpan ENERGY – Appn for a Certificate of Environmental Compatibility and Public Need to Construct and Operate a 250 Megawatt Cogeneration, Combustion Turbine Electric Generating Facility to be Developed at the Existing Ravenswood Generating Station in Long Island City, Borough of Queens.

WATER

- 461 07-W-0768 KIAMESHA ARTESIAN SPRING WATER COMPANY – Pet. for Approval to Enter into a Loan Agreement with Provident Bank of Sullivan County in the Amount of About \$71,000 and for Approval of a Surcharge to Repay this Loan Designed to Produce About \$10,200 Per Year for a 10 Year Period.
- 462 07-W-1210 BIRCH HILL WATER SUPPLY CORPORATION – Amendment to PSC 3-Water, eff. 1/1/08 (Suspended through 10/27/08), to continue customer surcharge for four additional billing periods in the amount of \$195 per customer per quarter.
- 463 04-W-1221 UNITED WATER NEW ROCHELLE, INC. – Pet. to defer and recover excess water charges incurred from 1994 through 2008.

COMMUNICATIONS

- 561 08-C-0906 In the Matter of Compliance with Public Service Law Section 92.1 Requiring Telephone Corporations to have Rate Schedules on file with the Commission.
- 562 08-C-0857 GLOBALCOM, INC. and FIRST COMMUNICATIONS, INC. – Joint Pet. for Approval of the Indirect Transfer of Control of Globalcom, Inc. to First Communications, Inc. and Participation in a Financing Arrangement.
- 563 08-C-0830 VERIZON NEW YORK INC. – Pet. Pursuant to Section 99 of the PSL for Approval to Sell a Portion of an Office Building.
- 564 08-C-0860 VERIZON NEW YORK INC. – Pet. Pursuant to Section 99(2) of the PSL for Approval to Sell a Garage.
- 565 07-C-0349 WARWICK VALLEY TELEPHONE COMPANY – Amendments to PSC 12-Telephone, eff. 9/1/08, to increase its business basic local service rates to equal the previously approved residential basic local service rates.

- 566 07-C-0349 MARGARETVILLE TELEPHONE COMPANY, INC. – Amendments to PSC 15-Telephone, eff. 9/1/08, to revise its tariff pursuant to the Commission’s order in Case 07-C-0349, to increase residential basic local service rates.

CABLE

- 661 There is no Item 661 on this Agenda.
- 662 There is no Item 662 on this Agenda.
- 663 There is no Item 663 on this Agenda.
- 664 08-V-0718 TOWN OF TORREY – Pet. for Limited Waiver of Certain Rules in Connection with a Proposed Cable Television Franchise Agreement with Time Warner Cable.
- 665 08-V-0720 TOWN OF BUTLER – Pet. for a Limited Waiver of Certain Rules in Connection with a Proposed Cable Television Franchise Agreement with Time Warner Cable.
- 666 08-V-0840 TIME WARNER ENTERTAINMENT-ADVANCE NEWHOUSE PARTNERSHIP D/B/A TIME WARNER CABLE (BINGHAMTON DIVISION) – Pet. for a Certificate of Confirmation for its Franchise with the Town of French Creek, Chautauqua County.
- 667 Appns. For Certificates for Renewal.
- 06-V-1210 TIME WARNER NY LLC D/B/A TIME WARNER CABLE (ALBANY DIVISION)/T. of Fort Edward, Washington Co.
- 07-V-0664 TIME WARNER ENTERTAINMENT-ADVANCE/NEWHOUSE PARTNERSHIP D/B/A TIME WARNER CABLE (ALBANY DIVISION)/V. of Fort Ann, Washington County.
- 07-V-1320 TIME WARNER ENTERTAINMENT-ADVANCE/NEWHOUSE PARTNERSHIP D/B/A TIME WARNER CABLE (BINGHAMTON DIVISION)/V. of Cherry Creek, Chautauqua Co.
- 08-V-0399 TIME WARNER CABLE (BINGHAMTON DIVISION)/T. of Delhi, Delaware Co.
- 06-V-1350 TIME WARNER CABLE NY LLC/T. of Wallkill, Orange Co.
- 05-V-0901 CABLEVISION OF SOUTHERN WESTCHESTER, INC. D/B/A CABLEVISION/V. of Hastings-on-Hudson, Westchester Co.

- 668 06-V-0305 TIME WARNER-ALBANY DIVISION/C. of Watervliet, Albany Co.; T.
04-V-0962 of Kinderhook, Columbia Co.; T. of Queensbury, Warren Co.; T. of
07-V-0028 Horicon, Warren Co.
08-V-0010
- 07-V-0932 TIME WARNER-BINGHAMTON DIVISION/V. of Endicott, Broome
04-V-0961 Co.; T. of Lisle, Broome Co.
- 05-V-0139 TIME WARNER-SYRACUSE DIVISION/T. of Cortlandville, Cortland
05-V-0140 Co.; T. of Homer, Cortland Co.; V. of Homer, Cortland Co.; V. of
05-V-0141 McGraw, Cortland Co.; C. of Cortland, Cortland Co.; V. of Glen Park,
05-V-0137 Jefferson Co.; T. of Annsville, Oneida Co.; T. of Fowler, St. Lawrence
05-V-0138 Co.; T. of Preble, Cortland Co.; C. of Utica, Oneida Co.; V. of Tully,
06-V-0956 Onondaga Co.
07-V-0935
05-V-0146
08-V-0900
08-V-0867
08-V-0866
- 97-V-0518 TIME WARNER-HUDSON VALLEY DIVISION/V. of Tivoli,
04-V-1018 Dutchess Co.; T. of Ulster, Ulster Co.; T. of Hurley, Ulster Co.; T. of
08-V-0169 Esopus, Ulster Co.
08-V-0170
- 08-V-0101 TIME WARNER-BUFFALO DIVISION/V. of Barker, Niagara Co.
- 03-V-1075 TIME WARNER-ROCHESTER DIVISION/C. of Batavia, Genesee Co.;
04-V-1586 V. of Leroy, Genesee Co.; C. of Rochester, Monroe Co.; V. of
99-V-0576 Spencerport, Monroe Co.; T. of Penfield, Monroe Co.; T. of Gaines,
07-V-0739 Monroe Co.; T. of Waterloo, Seneca Co.
03-V-1076
04-V-0135
98-V-1008
- 08-V-0105 TIME WARNER-ORANGE COUNTY/V. of Unionville, Orange Co.; V.
05-V-1023 of New Paltz, Ulster Co.; T. of New Paltz, Ulster Co.
05-V-1022
- 08-V-0090 TIME WARNER-SULLIVAN COUNTY/T. of Rockland, Sullivan Co.
- 02-V-1065 TIME WARNER-MOUNT VERNON/C. of Mount Vernon, Westchester
Co.
- 08-V-0098 FAIRPOINT COMMUNICATIONS, INC./V. of Valatie, Columbia Co.;
08-V-0096 T. of Kinderhook, Columbia Co.; T. of Stuyvesant, Columbia Co.; V. of
08-V-0095 Kinderhook, Columbia Co.
08-V-0097

- 97-V-0336 CABLEVISION SYSTEMS GREAT NECK CORP./V. of Kensington,
97-V-0353 Nassau Co.; V. of Russell Gardens, Nassau Co.; V. of Great Neck Plaza,
97-V-0335 Nassau Co.
- 08-V-0106 CSC ACQUISITION-NY, INC./V. of Lynbrook, Nassau Co.
- 07-V-0100 CABLEVISION SYSTEMS LONG ISLAND CORP./V. of Rockville
Centre, Nassau Co.
- 05-V-1008 CABLEVISION SYSTEMS OF OSSINING/V. of Ossining, Westchester
05-V-1007 Co.; T. of Mount Pleasant, Westchester Co.
- 05-V-0172 CABLEVISION SYSTEMS WESTCHESTER CORP./V. of Bronxville,
Westchester Co.
- 03-V-1732 COMCAST CABLE OF NEW YORK, INC./V. of Brewster, Putnam Co.

REGULAR AGENDA

Items not necessarily to be considered in the order listed:

GAS

- 101 08-G-0609 NIAGARA MOHAWK POWER CORPORATION – Pro. as to the Rates, Charges, Rules and Regulations for Gas Service.
- 102 06-G-1332 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. – Pro. as to the Rates, Charges, Rules and Regulations for Gas Service.

GENERAL

- 201 07-M-0868 In the Matter of Energy Utility Customer Service Quality.

POWER

- 301-A Electric Reliability Performance for 2007. Staff's Assessment.
- 301-B 04-E-0572 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. – Pro. as to the Rates, Charges, Rules and Regulations for Electric Service.
- 302 07-S-1315 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. – Pro. as to the Rates, Charges, Rules and Regulations for Steam Service.

WATER

No Items Will Be Considered On This Agenda.

COMMUNICATION

No Items Will Be Considered On This Agenda.

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