



# Public Service Commission

**For Immediate Release:** 4/13/18

John B. Rhodes, Chair

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## COMMISSION ISSUES PRELIMINARY APRIL 19, 2018 AGENDA

Albany, NY – The Public Service Commission announced today that it will hold its next regular session beginning at **10:30 A.M., Thursday, April 19, 2018, 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 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**

<b>Item</b>	<b>PSC Case</b>	<b>POWER</b>
301	18-E-0138	In the Matter of Electric Vehicle Supply Equipment and Infrastructure.
302	18-E-0018	In the Matter of Proposed Amendments to the New York State Standardized Interconnection Requirements (SIR) for Small Distributed Generators.

- 15-E-0751 In the Matter of the Value of Distributed Energy Resources.
- 15-E-0557 In the Matter of Proposed Amendments to the New York State Standardized Interconnection Requirements (SIR) for Distributed Generators 2 MW or Less.

No items will be considered on the Regular Agenda for **GAS, GENERAL, 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	18-G-0127	KEYSPAN GAS EAST CORP. D/B/A NATIONAL GRID - Tariff filing to Make Revisions of a Housekeeping Nature to its Gas Tariff Schedule, P.S.C. No. 1, to Update Language.
162-A		In the Matter of an Enforcement Proceeding for Alleged Violations of 16 NYCRR Part 753, Protection of Underground Facilities. (Penalty Orders)
	18-G-0169	2M MECHANICAL SUB SURFACE CORP./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
	18-G-0173	RELIABLE SEPTIC PLUMBING CORP./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
	18-G-0170	DAN'S HAULING & DEMO, INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
	18-G-0166	CH DENNIS CESSPOOL SERVICE/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
	18-G-0177	SUFFOLK EXCAVATING AND DRAINAGE INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
	18-G-0172	MAXIMUM CONTRACTING INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
	18-G-0171	GAZEBO CONTRACTING, INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
	18-G-0176	RONY'S HOME IMPROVEMENT INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

- 18-G-0168 ROAD TEK PAVING & EXCAVATING/NEW YORK STATE ELECTRIC & GAS CORPORATION.
- 18-G-0174 SAM'S PLUMBING & HEATING/ROCHESTER GAS AND ELECTRIC CORPORATION.
- 18-G-0175 LONG ISLAND LAWN AND IRRIGATION/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 18-G-0167 ASPLUNDH CONSTRUCTION CORPORATION/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 18-G-0180 RESCUE CESSPOOL & DRAIN, LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 18-G-0181 UPSTATE ASPHALT & LETO PAVING, LLC/NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID.
- 18-G-0182 TOWN OF GREENBURGH HIGHWAY DEPARTMENT/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 18-G-0184 P&T II CONTRACTING CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 162-B In the Matter of an Enforcement Proceeding for Alleged Violations of 16 NYCRR Part 753, Protection of Underground Facilities. (Consent Orders)
- 18-G-0154 TOWN OF POUGHKEEPSIE/CENTRAL HUDSON GAS & ELECTRIC CORPORATION.
- 18-G-0155 NEJAME & SONS, LLC/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 18-G-0156 HIGH RISE INDUSTRIES INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 18-G-0157 RON FOSTER, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 18-G-0158 STONE CREATIONS OF LONG ISLAND INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 18-G-0159 NIAGARA ENVIRONMENTAL & WRECKING INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 18-G-0160 T&K HARRINGTON, LLC/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 18-G-0161 COUNTRY ACRES MOBILE HOME PARK, LLC/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 18-G-0162 ROUTE 84 ENTERPRISES INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.

- 18-G-0163 VILLAGE OF PULASKI/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 18-G-0164 KISHAN PLUMBING & HEATING, INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 162-C 17-G-0259 PLUMB TECH SERVICE SOLUTIONS INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.

### GENERAL

- 261 18-M-0178 CHARTER COMMUNICATIONS, INC. - Proceeding to Investigate Whether Charter Communications, Inc. and its Subsidiaries Providing Service Under the Trade Name "Spectrum" Have Materially Breached Their New York City Franchises.
- 262 15-M-0388 CHARTER COMMUNICATIONS AND TIME WARNER CABLE - Joint Petition for Approval of a Transfer of Control of Subsidiaries and Franchises, Pro Forma Reorganization, and Certain Financing Arrangements.
- 263 18-M-014 NATIONAL GRID USA/KEYSPAN CORPORATION - Joint Petition for a Declaratory Ruling That Section 70 of the Public Service Law Does Not Apply to the Dissolution of KeySpan Corporation and the Incidental Transfer of Equity And/Or Membership Interests in its New York Operating Subsidiaries.
- 264 17-E-0429 BATH ELECTRIC, GAS & WATER SYSTEMS - Minor Rate Filing to Increase its Annual Electric Revenues by about \$625,974 or 14.6%.
- 17-G-0423 BATH ELECTRIC, GAS & WATER SYSTEMS - Minor Rate Filing to Increase its Annual Gas Revenues by About \$304,629 or 14%.
- 15-G-0589 BATH ELECTRIC, GAS & WATER SYSTEMS - Petition for Approval to Implement a System Improvement Plan Mechanism to Allow for Cost Recovery Associated with its At Risk Pipe Replacement Program.
- 265 16-M-0411 In the Matter of Distributed System Implementation Plans.
- 14-M-0101 Proceeding on Motion of the Commission in Regard to Reforming the Energy Vision.
- 266 17-M-0315 In the Matter of the Utility Energy Registry.
- 16-M-0411 In the Matter of Distributed System Implementation Plans.
- 14-M-0224 Proceeding on Motion of the Commission to Enable Community Choice Aggregation Programs.
- 267 18-M-0013 In the Matter of a Focused Operations Audit to Investigate the Income Tax Accounting of Certain New York State Utilities.

**POWER**

- 361 17-E-0431 MIDTOWN TOWER LLC - Notice of Intent to Submeter Electricity at 280 East Broad Street, Rochester, New York, Located in the Territory of Rochester Gas and Electric Corporation.
- 362 17-E-0347 MURRAY HILL MARQUIS LLC - Notice of Intent to Submeter Electricity at 140 and 150 East 34 Street, New York, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 363 17-E-0703 20 BROAD STREET OWNER LLC - Notice of Intent to Submeter Electricity at 20 Broad Street, New York, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 364 18-E-0082 BRENDAN BANNIGAN/NATIONAL GRID - UPSTATE - Appeal of a Denial of an Informal Hearing.
- 365 17-E-0814 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Tariff filing to Modify its Electric Tariff Schedule, P.S.C. No. 10, to Expand the Scope of its Economic Development Business Incentive Rate to Include an Electric Vehicle Quick Charging Station Program.
- 366 15-T-0305 NIAGARA MOHAWK POWER CORPORATION - Application for a Certificate of Environmental Compatibility and Public Need for its Clay-Dewitt Line 3 & Clay-Teall Line 10 Rebuild & Reconductor Project in Onondaga County.
- 367 15-E-0500 INTERGROW GREENHOUSES, INC./LAKEWOOD PRODUCTS, INC - Petitions for Revenue Assurance Calculations.
- 15-E-0700 TIASHOKE FARM - Petition for Revenue Assurance Calculation.
- 368 17-E-0737 NEW YORK STATE ELECTRIC & GAS CORPORATION - Petition for Approval, Pursuant to Public Service Law Section 70, to Transfer to the City of Geneva Street Lighting Facilities Installed Throughout the City of Geneva with an Original Cost of Over \$100,000.
- 369 15-E-0751 In the Matter of the Value of Distributed Energy Resources. Petitions filed by Dairy Farmers of America, Agri-Mark Inc. and Vanguard Renewables.
- 15-E-0082 Proceeding on Motion of the Commission as to the Policies, Requirements and Conditions For Implementing a Community Net Metering Program. Petitions filed by Dairy Farmers of America, Agri-Mark Inc. and Vanguard Renewables.
- 370 17-E-0370 NEW YORK STATE ELECTRIC & GAS CORPORATION - Tariff filing to Revise is Electric Tariff Schedule, P.S.C. No. 120, to Implement Electric Rate Options on a Pilot Basis for the Energy Smart Community Project.
- 371 14-E-0423 Proceeding on Motion of the Commission to Develop Dynamic Load Management Programs.

- 15-E-0186 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Tariff filing to Effectuate Dynamic Load Management Programs.
- 15-E-0188 NEW YORK STATE ELECTRIC & GAS CORPORATION - Tariff filing to Effectuate Dynamic Load Management Programs.
- 15-E-0189 NIAGARA MOHAWK POWER CORPORATION - Tariff filing to Effectuate Dynamic Load Management Programs.
- 15-E-0190 ROCHESTER GAS AND ELECTRIC CORPORATION - Tariff filing to Effectuate Dynamic Load Management Programs.
- 15-E-0191 ORANGE AND ROCKLAND UTILITIES, INC. - Tariff filing to Effectuate Dynamic Load Management Programs.
- 372 18-E-0032 FORTISTAR NORTH TONAWANDA INC. - Petition for Order Approving Financing Pursuant to Sections 69 and 82 of the New York State Public Service Law and Declaratory Ruling Regarding Application of Sections 70 and 83 of the New York State Public Service Law, and, in the Alternative, Sections 70 and 83 Approval.
- 373 17-E-0758 In the Matter of the December 15, 2017 Electric Emergency Plan Review.
- 374 14-E-0423 Proceeding on Motion of the Commission to Develop Dynamic Load Management Programs.
- 15-E-0186 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Tariff filing to Effectuate Dynamic Load Management Programs.
- 15-E-0188 NEW YORK STATE ELECTRIC & GAS CORPORATION - Tariff filing to Effectuate Dynamic Load Management Programs.
- 15-E-0189 NIAGARA MOHAWK POWER CORPORATION - Tariff filing to Effectuate Dynamic Load Management Programs.
- 15-E-0190 ROCHESTER GAS AND ELECTRIC CORPORATION - Tariff filing to Effectuate Dynamic Load Management Programs.
- 15-E-0191 ORANGE AND ROCKLAND UTILITIES, INC. - Tariff filing to Effectuate Dynamic Load Management Programs.
- 375 17-E-0657 305 EAST 24TH OWNERS CORP. - Petition to Submeter Electricity at 305 East 24th Street, New York, NY 10010, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 376 14-E-0151 HUDSON VALLEY CLEAN ENERGY, INC. - Petition for an Increase to the Net Metering Minimum Limitation at Central Hudson Gas & Electric Corporation.
- 14-E-0422 SOLAR ENERGY INDUSTRIES ASSOCIATION, ALLIANCE FOR CLEAN ENERGY NEW YORK, THE VOTE SOLAR INITIATIVE, THE NATIONAL RESOURCES DEFENSE COUNCIL AND THE ALLIANCE FOR SOLAR CHOICE - Petition to Clarify the Process for Utilities to Seek Relief from Net Metering Caps.

- 377 18-E-0023 LOCKPORT ENERGY ASSOCIATES, L.P. AND CASTLETON POWER, LLC - Petition for Order Approving Financing Pursuant to Section 69 of the New York State Public Service Law and Declaratory Ruling Regarding Application of Sections 70 and 83 of the New York State Public Service Law, and, in the Alternative, Sections 70 and 83 Approval.
- 378 17-E-0741 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Petition for Approval of Changes to Commercial Demand Response Programs with Associated Tariff Amendments.
- 379 17-E-0656 DYNAMIC ENERGY SOLUTIONS, LLC - Petition for Extension of Phase One Net Energy Metering Compensation Term.

### **WATER**

- 461 16-W-0130 SUEZ WATER NEW YORK INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Water Service.
- 462 17-W-0616 ARROW PARK, INC. - Minor Rate Filing to Increase its Annual Revenues by about \$11,200 or 62.06%.

### **COMMUNICATIONS**

- 561 17-C-0757 TIME WARNER CABLE INFORMATION SERVICES (NEW YORK), LLC. - Proceeding on Motion of the Commission to Conduct a Management and Operations Audit.
- 562 16-C-0532 NICHOLVILLE TELEPHONE COMPANY, INC., ATLAS CONNECTIVITY, INC., SLIC NETWORK SOLUTIONS, INC., NICHOLVILLE CELLULAR, INC., NICHOLVILLE NETWORK, INC., AND NICHOLVILLE COMMUNICATIONS, INC. - Petition for Approval, Under Sections 99, 100 and 101 of the Public Service Law, of Proposed Restructuring Plan and Related Transactions.
- 563 17-C-0171 In the Matter of the Commission to Review the Targeted Accessibility Fund.

### **CABLE**

- 661 18-V-0008 SUFFOLK CABLE CORPORATION - Petition for Approval of the Renewal of its Franchise with Village of Shoreham, Suffolk County.
- 662 17-V-0447 VERIZON NEW YORK INC. - Petition for Orders of Entry for 40 Multiple-Dwelling Unit Buildings in the City of New York.
- 663 17-V-0448 VERIZON NEW YORK INC. - Petition for Orders of Entry for 40 Multiple-Dwelling Unit Buildings in the City of New York.

- 664 17-V-0660 HILLTOP COMMUNICATIONS, INC. - Petition for a Certificate of Confirmation for its Franchise with the Town of Gallatin, Columbia County.
- 665 17-V-0537 HILLTOP COMMUNICATIONS, INC. - Petition for a Certificate of Confirmation for its Franchise with the Town of Taghkanic, Columbia County.
- 666 18-V-0002 HILLTOP COMMUNICATIONS, INC. - Petition for a Certificate of Confirmation for its Franchise with the Town of Livingston, Columbia County.
- 667 18-V-0020 MID-HUDSON CABLEVISION HOLDINGS, INC., MID-HUDSON CABLEVISION, INC., HOME ENTERTAINMENT COMPANY (ALSO KNOWN AS CATSKILL MOUNTAIN CABLEVISION), THE MID-HUDSON CABLEVISION HOLDINGS, INC. EMPLOYEE STOCK OWNERSHIP TRUST AND THE MID-HUDSON CABLEVISION HOLDINGS, INC. - Joint Petition for Employee Stock Ownership Plan for Approval of a Holding Company Level Transfer of Control of Mid-Hudson Cablevision, Inc. and Home Entertainment Company.

### **Instructions to View Webcast 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 webcasting 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 Webcast of Meeting**

In addition to the webcast of the meeting in the Commission's New York City offices, the meeting will be webcast live on the Internet. The Internet webcast 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** will be posted for public viewing, if feasible, by 6:00 p.m. the day before a Commission meeting. The proposed draft orders will be made available at: [Documents Scheduled for Discussion at Session](#).

The posted draft orders will be removed by 6:00 p.m. on the day of the Commission meeting, or when the final order is issued, whichever is earlier. (Clicking on this link at any other time than that noted above will result in “No Documents found.”) The proposed draft 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, May 17, 2018, 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 webcasting will be for viewing and listening purposes only.

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