

STATE OF NEW YORK

Public Service Commission

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11095 Agenda

PSC LISTS AGENDA FOR THURSDAY, NOVEMBER 17, 2011

PLEASE NOTE:

MEETING WILL BE BROADCAST ON THE INTERNET

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

Albany, NY – 11/10/11 – The New York State Public Service Commission announced today the agenda for its regular meeting starting at **10:30 A.M., Thursday, November 17, 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, December 15, 2011, in Albany, New York.**

The agenda for the November 17, 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 11-G-0054 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Amendments to PSC 9-Gas, eff. 8/20/11, postponed to 11/20/11, to alter and clarify tariff provisions applicable to interruptible customers regarding categories of service within each priority, and to clarify the eligibility provision for Priority D in compliance with Commission order issued June 20, 2011.

- 162 11-G-0413 DMP NEW YORK, INC. and LASER NORTHEAST GATHERING COMPANY LLC - Petition for An Order Approving Financing Pursuant to PSL 69.

- 163 11-G-0361 GATEWAY DELMAR LLC and AMERICAN MIDSTREAM ONSHORE PIPELINES LLC - Joint Petition for a Declaratory Ruling Regarding the Transfer of Certain Property Located in Albany County, New York, or in the Alternative, Approval of the Transfer of Certain Property, and for an Order Providing for Incidental Regulation.

- 164 11-G-0574 Manasa Construction, Inc./Consolidated Edison Company of New York, Inc.
- 11-G-0575 Palumbo Contracting/Consolidated Edison Company of New York, Inc.
- 11-G-0572 Felicioni Development Corp./KeySpan Gas East Corporation d/b/a National Grid.
- 11-G-0576 Soil Mechanics Drilling & Testing Corp./KeySpan Gas East Corporation d/b/a National Grid.
- 11-G-0573 Hudson River Construction Co., Inc./Niagara Mohawk Power Corporation, d/b/a National Grid.
- 11-G-0571 B&T Tree Service/Rochester Gas and Electric Corporation.
- 11-G-0577 Staten Island Lawn Service/The Brooklyn Union Gas Company d/b/a National Grid NY.

- 165 11-G-0340 CORNING NATURAL GAS CORPORATION - Petition for Approval to allow the Mercury Instruments IP Cellular Modem to be used as a Gas Meter Transmitting Device in New York State.
- 166 11-G-0411 THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID - Amendments to PSC 1-Gas, eff. 12/1/11, to amend and clarify the requirements and procedures for customers taking service under Service Classification Numbers 5A, 6C, 6G, 6M and 18.
- 11-G-0412 KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID - Amendments to PSC 1-Gas, eff. 12/1/11, to amend and clarify the requirements and procedures for customers taking service under Service Classification Numbers 4, 7, 12, and 13.
- 167 11-G-0348 NATIONAL FUEL GAS DISTRIBUTION CORPORATION - Amendments to PSC 8-Gas, eff. 12/1/11, to implement a partnership for natural gas vehicles pilot program and to extend the existing distributed generation pilot program.

GENERAL

- 261 11-M-0017 MR. WILBUR MCCLAIN/MS. BEVERLY FURMAN and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 262 10-G-0374 MR. ANTHONY EZUGWU/MS. TANNEKA WISE and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 11-E-0025 DITZA REALTY CORPORATION/MS. YOKASTA BEATO and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 11-G-0214 MR. MATTHEW JOHNSON/MR. ISMAEL RAMIREZ and NATIONAL GRID-METRO NY
- 11-E-0338 MR. LAURENS KUSTERS/327 VAN BRUNT ST. LLC and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 263 11-M-0536 In the Matter of the Rules and Regulations of the Commission, Contained in 16 NYCRR, Prescribing Interest Rates Applicable to Customer Deposits.
- 264 08-G-0013 MS. NICOLE CORRADO and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 08-M-0329 MS. ELEANOR BLACKMAN and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

- 09-G-0577 MR. FRANK SIGNORE and RIVERSTONE RESIDENTIAL GROUP, LLC
- 265 08-E-1132 NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY (NYSERDA) Pet. for Approval of an Energy Efficiency Portfolio Standard (EEPS) NYSEDA-Administered Electric Energy Efficiency Program.
- 07-M-0548 Proceeding on Motion of the Commission Regarding an Energy Efficiency Portfolio Standard.
- 266 98-M-1343 In the Matter of Retail Access Business Rules.
- 267 08-M-1445 THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY - Petition Pursuant to Public Service Law, Section 113(2) for Approval of a Proposed Allocation of Certain Property Tax and Special Franchise Tax Refunds to Ratepayers.
- 09-M-0818 THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY - Petition Pursuant to Public Service Law, Section 113(2) for Approval of a Proposed Allocation of Certain Tax Refunds to Ratepayers.
- 268 11-M-0060 BINGHAMTON UNIVERSITY - Pet. for a Declaratory Ruling Waiving or Modifying the Eligibility Criteria for Economic Development Programs Implemented by New York State Electric & Gas Corporation.
- 269 10-M-0473 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Petition for Commission Approval of a Plan for Deferred Accounting for Future Recovery with Carrying Charges of Three Items and Funding These and Certain Other Deferrals Through Balance Sheet Offsets.

POWER

- 361 11-E-0216 MR. STEVE SULTAN/MS. TERESA WEEKS AND CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 362 11-E-0080 MR. DENNIS DOUGLAS/MS. DATHLYN MATTHEWS and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 363 11-E-0487 MRS. ELISHEVA GERBER/MR. MICHAEL IBHGI and

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

- 364 10-E-0362 ORANGE AND ROCKLAND UTILITIES, INC. - Amendments to PSC No. 2 - Electricity, eff. 7/1/11 and 8/2/11, on a temporary basis, in compliance with Commission order issued June 17, 2011.
- 365 11-E-0390 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Amendments to PSC No. 15 - Electricity, eff. 12/1/11, to modify the Energy Cost Adjustment Mechanism to reflect the expiration of the Purchased Power Agreement, and the commencement of the Revenue Sharing Agreement.
- 366 11-E-0482 CENTRAL VERMONT PUBLIC SERVICE CORPORATION, GAZ METRO L.P. and GREEN MOUNTAIN POWER CORPORATION - Joint Petition for Declaratory Order, or In the Alternative, Approval of the Proposed Transaction Under Section 70 of the New York State PSL.
- 367 11-E-0523 BROOKFIELD RENEWABLE POWER INC., ERIE BOULEVARD HYDROPOWER, L.P. and CARR STREET GENERATING STATION, L.P. - Petition for a Declaratory Ruling Disclaiming Jurisdiction and Alternate Request for Expedited Approval Pursuant to Sections 69 and 70 of the Public Service Law.
- 368 11-E-0465 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Cancellation of Amendments to PSC No. 15 - Electricity, eff. 12/1/11, to establish a new Service Classification No. 4 - Residential Off Peak Charging Service.
- 369 11-E-0121 CEC WINDPOWER, LLC - Petition for a Declaratory Ruling Concerning Net-metering of a Wind Facility at Half Dutch Farm.
- 370 11-E-0245 EXELON CORPORATION, CONSTELLATION ENERGY GROUP, INC., CONSTELLATION ENERGY NUCLEAR GROUP, LLC, NINE MILE POINT NUCLEAR STATION, LLC, and R. E. GINNA NUCLEAR POWER PLANT, LLC - Joint Petition for a Declaratory Ruling Regarding a Stock Transaction or, in the Alternative, an Order Approving the Stock Transaction.
- 371 11-E-0559 NEW YORK STATE ELECTRIC & GAS CORPORATION - Petition for Approval of Certain Economic Development Programs on an Emergency Basis to Allow for Immediate Assistance to Customers

Impacted by Recent Storms.

- 372 09-E-0728 WESTBETH CORP. HFDC, INC. - Petition to Submeter Electricity at 463 West Street, New York, New York Located in the Territory of Consolidated Edison Company of New York, Inc.
- 373 07-M-0906 IBERDROLA S.A., ENERGY EAST CORPORATION, RGS ENERGY GROUP, INC., GREEN ACQUISITION CAPITAL, INC., NEW YORK STATE ELECTRIC & GAS and ROCHESTER GAS AND ELECTRIC - Joint Petition for the Approval of the Acquisition of Energy East Corporation by Iberdrola, S.A.
- 374 11-E-0387 GREEN ISLAND POWER AUTHORITY - Amendments to PSC No. 1 - Electricity, eff. 12/1/11, to increase its annual revenues by about \$300,000. or 6.0%.
- 375 11-E-0318 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Tariff filing to Effectuate Amendments to Public Service Law §66-j and §66-l (Remote Net Metering by Farm and Non-Residential Customer-Generators) and Conforming Changes to Standardized Interconnection Requirements.
- 11-E-0319 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Tariff filing to Effectuate Amendments to Public Service Law §66-j and §66-l (Remote Net Metering by Farm and Non-Residential Customer-Generators) and Conforming Changes to Standardized Interconnection Requirements.
- 11-E-0320 NEW YORK STATE ELECTRIC & GAS CORPORATION - Tariff filing to Effectuate Amendments to Public Service Law §66-j and §66-l (Remote Net Metering by Farm and Non-Residential Customer-Generators) and Conforming Changes to Standardized Interconnection Requirements.
- 11-E-0321 NIAGARA MOHAWK POWER CORPORATION d/b/a NATIONAL GRID - Tariff filing to Effectuate Amendments to Public Service Law §66-j and §66-l (Remote Net Metering by Farm and Non-Residential Customer-Generators) and Conforming Changes to Standardized Interconnection Requirements.
- 11-E-0322 ROCHESTER GAS AND ELECTRIC CORPORATION - Tariff filing to Effectuate Amendments to Public Service Law §66-j and §66-l (Remote Net Metering by Farm and Non-Residential Customer-Generators) and Conforming Changes to Standardized Interconnection Requirements.
- 11-E-0323 ORANGE AND ROCKLAND UTILITIES, INC. - Tariff filing to Effectuate Amendments to Public Service Law §66-j and §66-l (Remote

Net Metering by Farm and Non-Residential Customer-Generators) and
Conforming Changes to Standardized Interconnection Requirements.

- 376 10-E-0362 ORANGE AND ROCKLAND UTILITIES, INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Electric Service
- 377 11-E-0299 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Tariff filing to revise Service Classification No. 14-RA - Standby Service.
- 378 08-T-0034 HUDSON TRANSMISSION PARTNERS, LLC - Application for a Certificate of Environmental Compatibility and Public Need for a 345 Kilovolt Submarine/Underground Electric Transmission Line Between Manhattan and New Jersey.

WATER

- 461 07-W-0753 CASTLEVIEW DEVELOPMENT WATER-WORKS CORPORATION - Amendments to PSC No. 1 - Water, suspended through 11/28/11, setting forth the rates, charges, rules and regulations by which the company will operate.
- 462 11-W-0003 GARROW WATER WORKS COMPANY, INC. - Amendments to PSC No. 1 - Water, eff. 4/1/11, suspended through February 28, 2012, to increase its annual revenues by about \$125,000 or 1509%.
- 463 10-W-0652 AQUA NEW YORK, INC. - Proceeding on Motion of the Commission to the Rates, Charges, Rules and Regulations of Water Service.
- 464 10-W-0262 INDEPENDENT WATER WORKS, INC. - In the Matter of Staff's Investigation for Alleged Discriminatory Practices and Failure to Charge Tariffed Rates.

COMMUNICATIONS

- 561 11-C-0515 VERIZON NEW YORK INC. - Petition for Approval to Sell a Garage and Work Center Located at 100-02 and 100-08 Atlantic Avenue, Jamaica, New York.
- 562 07-C-0349 WARWICK VALLEY TELEPHONE COMPANY - Amendments to PSC 12-Telephone, eff. 11/1/11, in compliance with Commission order

issued March 4, 2008.

- 563 11-C-0561 In the Matter of Compliance with Requirement to have a current Telecommunications Carrier Critical Information form on file at the Department.
- 564 11-C-0592 GLOBAL TEL*LINK CORPORATION, VALUE-ADDED COMMUNICATIONS, INC., PUBLIC COMMUNICATIONS SERVICES, INC. AND ASP GTEL HOLDCO, LLC - Joint Petition for Approval of a Transfer of Control to ASP GTEL Holdco, LLC and for Approval of Issuance of Debt and Related Financing.
- 565 11-C-0425 PAETEC HOLDING CORP., INTELLIFIBER NETWORKS, INC., MCLEODUSA TELECOMMUNICATIONS SERVICES, LLC, US LEC COMMUNICATIONS, LLC, PAETEC COMMUNICATIONS, INC., TALK AMERICA, INC., LDMI TELECOMMUNICATIONS, INC. and WINDSTREAM CORPORATION - Joint Petition for Approval of an Indirect Transfer of Control of Authorized Telecommunications Providers.

CABLE

- 661 11-V-0514 Time Warner Entertainment - Advance/Newhouse Partnership/Town of Boonville, Oneida County.
- 11-V-0370 Time Warner Entertainment - Advance/Newhouse Partnership/Town of Ellington, Chautauqua, New York.
- 11-V-0373 Time Warner Entertainment - Advance/Newhouse Partnership/Town of New Haven, Oswego County.
- 11-V-0392 Time Warner Entertainment - Advance/Newhouse Partnership/Town of Salisbury, Herkimer County.
- 11-V-0393 Time Warner Entertainment - Advance/Newhouse Partnership/Town of Orwell, Oswego County.
- 11-V-0477 Cablevision of Wappingers Falls, Inc./Village of Sleepy Hollow, Westchester County.
- 11-V-0518 Cablevision Systems Long Island Corporation/Village of Roslyn Harbor, Nassau County, NY.
- 11-V-0519 Cablevision Systems Long Island Corporation/Village of Sands Point, Nassau County.
- 11-V-0521 Time Warner Entertainment - Advance/Newhouse Partnership/Town of Manchester, Ontario County.
- 11-V-0522 Cablevision of Brookhaven, Inc./Village of Poquott, Suffolk County.

- 11-V-0525 Time Warner Entertainment - Advance/Newhouse Partnership/Town of Hornellsville, Steuben County.
 - 11-V-0532 Cablevision Systems New York City Corporation/Borough of Brooklyn, Kings County.
 - 11-V-0533 Cablevision Systems New York City Corporation/City of New York, Borough of the Bronx.
 - 11-V-0544 Time Warner Cable/Town of Poughkeepsie, Dutchess County.
 - 11-V-0549 Time Warner Entertainment Company, L.P./Queens Franchise, Queens County.
 - 11-V-0550 Time Warner Entertainment Company, L.P./Staten Island, Richmond County.
 - 11-V-0551 Time Warner Entertainment Company, L.P./Brooklyn Franchise, Kings County.
 - 11-V-0552 Time Warner Entertainment Company, L.P./Southern Manhattan Franchise, New York County.
 - 11-V-0553 Time Warner Entertainment Company, L.P./Northern Manhattan Franchise, New York County.
 - 11-V-0566- Time Warner NY Cable LLC/Town of Goshen, Orange County.
- 662 11-V-0314 TOWN OF HALCOTT - Pet. for a Waiver of the Requirements of 16 NYCRR, Section 894.9(a) to Permit the Heart of the Catskills Communications, Inc. d/b/a MTC Cable in providing cable television service to a portion of the Town of Halcott in Greene County, New York.

REGULAR AGENDA

Items not necessarily to be considered in the order listed:

GAS

- 101 11-G-0380 Report on Outreach and Education Efforts for the 2011-2012 Winter Season.

GENERAL

No items will be considered on this agenda.

POWER

- 301 03-E-0188 Proceeding on Motion of the Commission Regarding a Retail Renewable Portfolio Standard.

WATER

No items will be considered on this agenda.

COMMUNICATION

- 501 11-C-0173 VERIZON NEW YORK INC. – 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