

STATE OF NEW YORK

Public Service Commission

Garry A. Brown, Chairman

Three Empire State Plaza, Albany, NY 12223

Further Details: James Denn

james.denn@dps.ny.gov | 518.474.7080

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

<http://twitter.com/NYSDPS>

12081 Agenda
11/23/12

PSC LISTS AGENDA FOR TUESDAY, NOVEMBER 27, 2012

Meeting Time and Location: 10:30 AM

19th Floor Board Room

Three Empire State Plaza, Albany, NY

MEETING WILL BE BROADCAST ON THE INTERNET AT:

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

**-VIDEOCASTING TO PSC'S NYC OFFICES AVAILABLE-
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REGULAR AGENDA ITEMS

Items To Be Resolved Through Discussion

Item PSC Case

GAS

- | | | |
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| 101 | 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. Deferred site investigation and remediation expenses. |
| | 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. Deferred site investigation and remediation expenses. |

GENERAL

- 201 11-M-0034 Proceeding on Motion of the Commission to Commence a Review and Evaluation of the Treatment of the State's Regulated Utilities' Site Investigation and Remediation (SIR) Costs.
- 202 07-M-0548 NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY – Proceeding on Motion of the Commission Regarding an Energy Efficiency Portfolio Standard – Petitions Concerning Budgets and Targets.
- 10-M-0457 In the Matter of the System Benefits Charge IV – Petitions Concerning Budgets and Targets.
- 203-A 12-T-0502 In the Matter of Alternating Current Transmission Upgrades.
- 203-B 12-E-0503 In the Matter of the Review of Generation Retirement Contingency Plans.
- 203-C 12-G-0297 In the Matter of Expansion of Natural Gas Service.

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 In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities.
- 12-G-0463 D. M. E. ELECTRICAL CONTRACTING, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 12-G-0464 CHEAP CHARLIE'S TREE SERVICE/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 12-G-0468 MISSION HILLS CONSTRUCTION LLC/NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 12-G-0470 AMBERJACK CORP./NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID.
- 12-G-0471 ADIRONDACK INDUSTRIES CONSTRUCTION CO. INC./NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID.
- 12-G-0472 MAKAN LAND DEVELOPMENT-ONE, LLC/ORANGE AND ROCKLAND UTILITIES, INC.
- 12-G-0473 BELLAVISTA CONSTRUCTION CORP./ORANGE AND ROCKLAND UTILITIES, INC.
- 12-G-0474 J.B. CONTRACTING/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 12-G-0475 SOUTH SHORE CONCRETE & EXCAVATION/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 162 11-G-0280 CORNING NATURAL GAS CORPORATION - Amendments to PSC 7-Gas, eff 9/1/12, postponed to 12/1/12, to consolidate its tariff schedules, PSC 4, 5, and 6 into one tariff schedule.
- 163 12-T-0254 CHESAPEAKE APPALACHIA, L.L.C. and MINARD RUN OIL COMPANY - Joint Petition to Transfer 19 Article VII Certificates.

- 164 12-G-0500 In the Matter of a Temporary Waiver of 16 NYCRR Section 261.53 to Facilitate Restoration of Gas Service Related to Confirming Order.
- 165 12-G-0504 In the Matter of the Commission's Waiver of Certain Requirements of 16 NYCRR Section 655.204 Concerning "Operator Qualification" – Confirming Order.
- 166 12-G-0504 In the Matter of the Commission's Waiver of Certain Requirements of 16 NYCRR Section 655.204 Concerning "Operator Qualification" – Confirming Order.
- 167 12-G-0500 In the Matter of a Temporary Waiver of 16 NYCRR Section 261.53 to Facilitate Restoration of Gas Service Related to Disruption – Confirming Order.

GENERAL

- 261 12-M-0353 NEW YORK STATE ELECTRIC AND GAS CORPORATION - Amendments to PSC 88, 90-Gas, eff. 12/1/12, and PSC 119, 120-Electricity, eff. 12/1/12, to make tariff language consistent where both Companies processes are the same.
ROCHESTER GAS AND ELECTRIC CORPORATION - Amendments to PSC 16-Gas, eff. 12/1/12, and PSC 18-Electricity (Street Lighting), 19-Electricity, eff. 12/1/12, to make tariff language consistent where both Companies processes are the same.
- 262 12-M-0433 In the Matter of the Rules and Regulations of the Public Service Commission, Contained in 16 NYCRR, Prescribing Interest Rates Applicable to Customer Deposits.
- 263 12-M-0501 In the Matter of a Temporary Waiver and Suspension of Late Payment Charges Due to Payment Barriers.

POWER

- 361 11-E-0408 ORANGE AND ROCKLAND UTILITIES, INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Electric Service – Filing on Deferral Limitation Provision.

- 362 12-E-0408 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Petition for a Declaratory Ruling Regarding Interconnections Studies Undertaken Pursuant to PSL Sections 66-J and 66-L.
- 363 11-E-0316 92 EQUITIES LLC - Petition to Submeter Electricity at 201 West 92nd St and 200 West 93rd St, Located in the Territory of Consolidated Edison Company of New York Inc.
- 364 12-E-0043 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Tariff filing to revise its billing provisions applicable to customers that are both net metered and subject to hourly pricing provisions.
- 365 12-T-0431 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Petition for Amendments to Certificate of Environmental Compatibility and Public Need Formerly Case 26573.

WATER

- 461 06-W-1455 ARBOR HILLS WATERWORKS, INC. - Amendments to P.S.C. No. 3-Water, eff. 3/1/07, postponed to 1/1/13, to establish a surcharge for capital improvements.
- 462 11-W-0059 WEST VALLEY CRYSTAL WATER COMPANY, INC. - Petition for Permission to Establish Financing for Capital Improvements.
- 463 12-W-0210 MT. EBO WATERWORKS - Amendments to PSC No. - Water, eff. to Increase its Annual Revenues by approximately \$109,105 or 50%.

COMMUNICATIONS

- 561 07-C-0349 ARMSTRONG TELEPHONE COMPANY - Amendments to PSC 2-Telephone, eff 12/1/12, to increase basic residential local service rates.
DELHI TELEPHONE COMPANY - Amendments to PSC 13-Telephone, eff. 12/1/12, to increase basic residential local service rates.
MARGARETVILLE TELEPHONE COMPANY, INC. - Amendments to PSC 15-Telephone; eff. 12/1/12, to increase basic residential local service rates.

- 562 12-C-0461 VERIZON NEW YORK, INC. - Petition Pursuant to Section 99 of the Public Service Law for Approval to Sell a Garage and Work Center Located at 120 Watervliet Avenue, Albany, New York.
- 563 12-C-0370 INTEGRATED PATH COMMUNICATIONS, LLC - Complaint Against Verizon New York Inc. for Improper Billing.
- 564 11-C-0048 VERIZON NEW YORK INC. - Tariff filing to require customers to support claims for overbilling on a disconnected line.
- 565 10-C-0202 Verizon Service Quality Improvement Plan.
12-C-0190 VERIZON NEW YORK INC. - In the Matter of Quality of Service provided by Local Exchange Companies in New York State.

CABLE

- 661 12-V-0360 TIME WARNER ENTERTAINMENT-ADVANCE/NEWHOUSE PARTNERSHIP - Petition for Approval of the Renewal of its Franchise with the Town of Seneca, Ontario County.
- 662 12-V-0292 TOWN OF RATHBONE, STEUBEN COUNTY - Petition for a Waiver of the Requirements of 16 NYCRR, Sections 894.1 through 894.4 for an initial cable television franchise with Time Warner Cable. (SAPA)
- 663 12-V-0288 TOWN OF CAMERON - Petition for a Waiver of the Requirements of 16 NYCRR, Section 894.1, 894.2, 894.3, 894.4 for an initial cable television franchise with Time Warner Cable. (SAPA)
- 664 12-V-0368 ATLANTIC BROADBAND (PENN), LLC AND ACQUISITIONS COGECO CABLE II INC. - Joint Petition for Approval of Transfer of Control of Cable Television System Franchises, Certificates, and Facilities in Cattaraugus County, New York, Pursuant to Public Service Law §222

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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.

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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

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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, December 13, 2012, in Albany, New York.**