



# Public Service Commission

**For Immediate Release:** 08/01/17

John B. Rhodes, Chair

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## **COMMISSION ISSUES FINAL AUGUST 2, 2017 AGENDA**

Albany, NY – The Public Service Commission announced today that it will hold its next regular session beginning at **10:30 a.m., Wednesday, August 2, 2017, 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**

**Item      PSC Case**

#### **GENERAL**

201      15-M-0127      In the Matter of Eligibility Criteria for Energy Service Companies.  
ESCO Interlocutory Appeal.

- 12-M-0476 Proceeding on Motion of the Commission to Assess Certain Aspects of the Residential and Small Non-residential Retail Energy Markets in New York State. ESCO Interlocutory Appeal.
- 98-M-1343 In the Matter of Retail Access Business Rules. ESCO Interlocutory Appeal.
- 202 15-M-0127 In the Matter of Eligibility Criteria for Energy Service Companies. Retail Energy Supply Association and Direct Energy Services, LLC Interlocutory Appeal.
- 12-M-0476 Proceeding on Motion of the Commission to Assess Certain Aspects of the Residential and Small Non-residential Retail Energy Markets in New York State. Retail Energy Supply Association and Direct Energy Services, LLC Interlocutory Appeal.
- 98-M-1343 In the Matter of Retail Access Business Rules. Retail Energy Supply Association and Direct Energy Services, LLC Interlocutory Appeal.

### **POWER**

- 301-A 16-E-0622 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Petition for Approval of a Pilot Program for Providing Shared Solar to Low-Income Customers.
- 301-B 14-M-0101 Proceeding on Motion of the Commission in Regard to Reforming the Energy Vision. Petitions for rehearing and/or clarification of the Commission's February 26, 2015 Order.
- 302 17-E-0428 In the Matter of an Investigation Into the April 21, 2017 Metropolitan Transportation Authority Subway Power Outage and Consolidated Edison Company of New York, Inc.'s Restoration Efforts.
- 303 15-E-0250 PARETO ENERGY LTD - Petition to Implement a Microgrid Business Model as a Least-Cost Resource to Meet Reliability Contingencies and Demand Management Objectives at Consolidated Edison Company of New York, Inc.
- 16-M-0411 In the Matter of Distributed System Implementation Plans.

No items will be considered on the Regular Agenda for **GAS, 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 17-G-0256 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Tariff filing to Revise General Information Section 5 - Extension of Mains and Service Lines to Effectuate Amendments to 49 CFR Part 192 Regarding the Installation of Excess Flow Valves Mandated by the Pipeline and Hazardous Materials Safety Administration.
- 162 15-G-0694 SCO FAMILY OF SERVICES/NATIONAL GRID - NEW YORK - Appeal of an Informal Review Decision.
- 163 In the Matter of an Enforcement Proceeding for Alleged Violations of 16 NYCRR Part 753, Protection of Underground Facilities.
- 17-G-0138 PINNACLE CONTRACTING CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 17-G-0264 TOWN OF BABYLON DEPARTMENT OF PUBLIC WORKS /KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 17-G-0371 GENTILE CONSTRUCTION CORP. /CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 17-G-0372 DUN-RITE EXCAVATING OF CARMEL, INC. /CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 17-G-0373 VERIZON COMMUNICATIONS INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 17-G-0374 CABLE COMMUNICATIONS, LLC/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 17-G-0375 YE'S NATIONAL CONSTRUCTION LLC/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 17-G-0376 INDER HOME IMPROVEMENT, INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 17-G-0378 PODIAS INDUSTRY CORP. /KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 17-G-0379 NEW YORK PAVING INC. /KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 17-G-0380 PECONIC CESSPOOL INC. /KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 17-G-0381 TRIPLE J EXCAVATING INC. /KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.

- 17-G-0382 LAFATA CONSTRUCTION INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 17-G-0383 PERCIBALLI INDUSTRIES INC. /KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 17-G-0384 JACK VALLE ASSOCIATES /KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 17-G-0385 STELLAR HOME IMPROVEMENT /KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 17-G-0386 DELUTRI LANDSCAPING INC. /KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 17-G-0387 PAUL MORABITO JR INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 17-G-0389 HANNON SITE DEVELOPMENT LLC /NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 17-G-0390 DOUG RICE EXCAVATING /NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 17-G-0391 MALTA DEVELOPMENT CO., INC. /NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 17-G-0392 MEAD ENTERPRISES, INC. /NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 17-G-0393 FRED BURROWS TRUCKING AND EXCAVATING, LLC/NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID.
- 17-G-0394 AFSCO FENCE SUPPLY COMPANY, INC. /NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID.
- 17-G-0395 JNR CONSTRUCTION & EXCAVATION GROUP, INC./NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID.
- 17-G-0396 JAMES H. MALOY INC. /NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID.
- 17-G-0398 AUGUST BOHL CONTRACTING COMPANY, INC. /NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID.
- 17-G-0399 TITAN INDUSTRIAL SERVICES CORP. /THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 17-G-0400 Z & J MANAGEMENT LLC /THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 17-G-0401 NEW YORK CITY DEPARTMENT OF PARKS AND RECREATION/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.

- 17-G-0402 ALEX & TOM CONSTRUCTION AND RENOVATIONS, INC. /THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 164 14-G-0369 THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID METRO NY/EDWARD KALIKOW - Appeal of an Informal Hearing Decision.
- 165 14-G-0443 KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID/PECONIC LANDING APARTMENTS - Appeal of an Informal Review Decision.
- 166 15-G-0704 HEWLETT ASSOCIATES/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Appeal of an Informal Hearing Decision.
- 167 Appeal of the Denial of Informal Review.
- 16-G-0566 APARTMENT MANAGEMENT ASSOCIATES, LLC/EDGERTON HALL TENANTS ASSOCIATION, INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY - Appeal of the Denial of Informal Review.
- 16-G-0567 APARTMENT MANAGEMENT ASSOCIATES, LLC/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY - Appeal of the Denial of Informal Review.
- 16-G-0568 M & R MANAGEMENT/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY - Appeal of the Denial of Informal Review.
- 16-G-0569 KATZ REALTY/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY - Appeal of the Denial of Informal Review.
- 16-G-0570 NORTH SHORE PLAZA/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY - Appeal of the Denial of Informal Review.
- 16-G-0571 KALED MANAGEMENT/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY - Appeal of the Denial of Informal Review.
- 16-G-0572 6770 REALTY CO., LLC/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY - Appeal of the Denial of Informal Review.
- 168 15-G-0244 Proceeding on Motion of the Commission to Develop Implementation Protocols for Complying with Inspection Requirements Pertaining to Gas Service Lines Inside Buildings.

### **GENERAL**

- 261 15-M-0566 In the Matter of Revisions to Customer Service Performance Indicators Applicable to Gas and Electric Corporations.

- 262 16-M-0501 PUBLIC UTILITY LAW PROJECT OF NEW YORK, INC. - Petition for an Order of the Public Service Commission Commencing a Proceeding to Consider Issues Pertaining to Consolidated Edison Company of New York, Inc.'s Replevin Actions.
- 263 17-M-0302 EXELON GENERATION COMPANY, LLC - Petition for a Limited Declaratory Ruling that Intra-Corporate Restructurings Require No Further Review Under Section 70 of the Public Service Law.

### POWER

- 361 17-E-0403 LATANDRA WILLIAMS/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Appeal of an Informal Hearing Decision.
- 362 17-E-0098 SEAVIEW C DEVELOPMENT, LLC - Notice of Intent to Submeter Electricity at 155-175 Friendship Lane, Staten Island, NY 10314, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 363 17-E-0046 BOSTON TREMONT HOUSING DEVELOPMENT FUND CORPORATION - Petition to Submeter Electricity at 988 East 180th Street, Bronx, New York, 10460, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 364 16-E-0308 VNO 225W 58th St LLC - Notice of Intent to Submeter at 220 Central Park South, New York, New York Located in the Territory of Consolidated Edison Company of New York, Inc.
- 365 17-E-0054 587-91 THIRD OWNER LLC - Petition to Submeter Electricity at 591 Third Avenue, New York, New York 10016, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 366 17-E-0063 BRP RENNY LLC - Notice of Intent to Submeter Electricity at 2351-2359 Adam Clayton Powell Jr. Blvd., New York, New York 10030, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 367 16-E-0226 ORANGE AND ROCKLAND UTILITIES, INC. - Tariff filing to update Service Classification No. 4 - Public Street Lighting - Company Owned to incorporate LED options, P.S.C. No. 3 - Electricity.
- 368 15-E-0314 CIAMPA WHITE POINT LLC/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Rehearing of a Commission Appeal Determination.
- 369 17-E-0243 NEW YORK MUNICIPAL POWER AGENCY - Petition to Determine Pole Attachment Rates for Municipal-Owned Poles.
- 370 16-E-0258 MR. ROY RATTAN/MR. BALWANT SINGH AND CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Appeal of an Informal Hearing Decision.

- 371 16-E-0528 MR. LOUIS RUSSO/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Appeal of an Informal Hearing Decision.
- 372 13-T-0585 CRICKET VALLEY ENERGY CENTER, LLC - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII of the Public Service Law For Approval of a New 345 kV Line From the Pleasant Valley Substation to the Cricket Valley Energy Center, LLC, and the Reconductoring of an Existing 345 kV Line, in the Town of Dover, Dutchess County.
- 373 17-E-0199 WEST STREET APARTMENTS - Petition to Submeter Electricity at 1013 West Street, Utica, NY 13501, Located in the Territory of Niagara Mohawk Power Corporation d/b/a National Grid.
- 374 There is no item 374.
- 375 There is no item 375.
- 376 16-E-0717 HIMROD DEVELOPMENT LLC - Petition to Submeter Electricity at a building located at 336 Himrod Street, Brooklyn, New York 11237, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 377 16-E-0604 SUNLIGHT BEACON LLC AND BQ ENERGY, LLC - Petition for a Declaratory Ruling that Street Lighting and Area Lighting Accounts are Eligible for Designation as Satellite Accounts in Conjunction with Remote Net Metering Under Public Service Law Section 66-j.
- 378 16-E-0560 Joint Petition for Modifications to the New York State Standardized Interconnection Requirements and Application Process For New Distributed Generators 5 MW or Less Connected in Parallel with Utility Distribution Systems.

### WATER

- 461 There is no item 461.
- 462 16-W-0721 SARATOGA WATER SERVICES, INC. AND GLOBALFOUNDRIES U.S. INC. - Joint Petition for a Declaratory Ruling Concerning the Provision of Water Service, and the Approval of Service Classification 3 A - Interruptible Industrial Process Water Service.
- 463 15-W-0632 UNITED WATER/MR. WILLIAM D'AMBROSIO - Appeal of an Informal Hearing Decision.
- 464 16-W-0121 ROLLING MEADOWS WATER CORPORATION - Minor Rate Filing to Increase its Annual Revenues by about \$169,841 or 34.05%.

## COMMUNICATIONS

- 561 17-C-0307 MR. GHEORGHE FILIMON/ VERIZON NEW YORK INC. - Appeal of an Informal Hearing Decision.

## CABLE

- 661  
 17-V-0177 ZITO NEW YORK, LLC/VILLAGE OF MORAVIA, CAYUGA COUNTY.  
 17-V-0287 TIME WARNER CABLE NORTHEAST LLC /TOWN OF COVERT, SENECA COUNTY.  
 17-V-0309 TIME WARNER CABLE NORTHEAST LLC/TOWN OF NEWPORT, HERKIMER COUNTY.  
 17-V-0310 CABLEVISION SYSTEMS LONG ISLAND CORPORATION/VILLAGE OF FLORAL PARK, NASSAU COUNTY.  
 17-V-0314 TIME WARNER CABLE NORTHEAST LLC/TOWN OF NUNDA, LIVINGSTON COUNTY.  
 17-V-0345 CHARTER COMMUNICATIONS ENTERTAINMENT I, LLC /TOWN OF CHATHAM, COLUMBIA COUNTY.  
 17-V-0349 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF DEFERIET, COUNTY OF JEFFERSON.  
 17-V-0351 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF BLACK RIVER, JEFFERSON COUNTY.  
 17-V-0364 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF CELORON, CHAUTAUQUA COUNTY.  
 17-V-0365 TIME WARNER CABLE NORTHEAST LLC/TOWN OF PHARSALIA, CHENANGO COUNTY.
- 662 17-V-0118 VERIZON NEW YORK INC. - Petition for Orders of Entry for 31 Multiple-Dwelling Unit Buildings in the City of New York.
- 663 17-V-0119 VERIZON NEW YORK INC. - Petition for Orders of Entry for 36 Multiple-Dwelling Unit Buildings in the City of New York.

### 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** 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, September 14, 2017, 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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