

STATE OF NEW YORK

Public Service Commission

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11015 Agenda

PSC LISTS AGENDA FOR THURSDAY, FEBRUARY 17, 2011

PLEASE NOTE:

MEETING WILL BE BROADCAST ON THE INTERNET

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

Albany, NY – 02/11/11 – The New York State Public Service Commission announced today the agenda for its regular meeting starting at **10:30 A.M., Thursday, February 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, March 17, 2011, in Albany, New York.**

The agenda for the February 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**

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| 161 | 08-G-1392 | St. Lawrence Gas Company, Inc. – Amendments to PSC No. 3-Gas, eff. 1/1/11, on a temporary basis, in compliance with Commission order issued December 18, 2009, to implement Rate Year 2 of a three-year rate plan. |
| 162 | 06-G-1185 | The Brooklyn Union Gas Company d/b/a KeySpan Energy Delivery New York – Amendments to Schedule PSC No. 12-Gas, eff. 1/1/11, on a temporary basis, in compliance with Commission order issued December 21, 2007. |
| | 06-G-1186 | KeySpan Gas East Corporation d/b/a KeySpan Energy Delivery Long Island – Amendments to Schedule PSC No. 1-Gas, eff. 1/1/11, on a temporary basis, in compliance with Commission order issued December 21, 2007. |
| 163 | 08-G-1398 | Orange and Rockland Utilities, Inc. – Amendments to PSC 4-Gas, eff. 11/1/10, on a temporary basis, in compliance with Commission order issued October 16, 2009, to implement Year 2 of a three-year rate plan. |
| 164-A | 10-T-0350 | DMP New York, Inc. and Laser Northeast Gathering Company, LLC – App. for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII to Construct a 16-Inch Natural Gas Gathering Pipeline to the Existing Millennium Pipeline in the Town of Windsor, Broome County, Approximately 51,857 of Steel Coated Pipeline and a Gas Compressor Station. |
| 164-B | 10-G-0462 | DMP New York, Inc. and Laser Northeast Gathering Company, LLC – Joint Petition for Order Granting a Certificate of Public Convenience and Necessity and Establishing a Lightened Regulatory Regime. |
| 165 | 09-G-0716 | New York State Electric & Gas Corporation – Amendments to PSC 87-Gas, eff. 9/26/10, PSC 88-Gas, eff. 9/26/10, 11/1/10 and 12/1/10, on a temporary basis, PSC 90-Gas, eff. 9/26/10 and 11/1/10, on a temporary basis, in compliance with Commission order issued 9/21/10. |

- 09-G-0718 Rochester Gas and Electric Corporation – Amendments to PSC 16-Gas, eff. 9/26/10 and 11/1/10, on a temporary basis, in compliance with Commission order issued 9/21/10.
- 166 10-G-0585 NY Asphalt, Inc./The Brooklyn Union Gas Company d/b/a National Grid NY.
- 11-G-0026 Liberty Water & Sewer, LLC /Consolidated Edison Company of New York, Inc.
- 11-G-0027 Maes Material, Inc./Consolidated Edison Company of New York, Inc.
- 11-G-0028 Tri State New York Construction Corp./Consolidated Edison Company of New York, Inc.
- 11-G-0030 Tuff Kote Asphalt, Inc./National Fuel Gas Distribution Corporation.
- 11-G-0031 Thomas E. Cooper LLC/Orange and Rockland Utilities, Inc.
- 11-G-0032 Diamond Construction/Orange and Rockland Utilities, Inc.
- In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753 – Protection of Underground Facilities.
- 167 10-G-0364 Norse Pipeline, LLC – Pet. for an Order Providing for Lightened Regulation as a Gas Corporation under the New York Public Service Law.
- 168 10-T-0154 St. Lawrence Gas Company, Inc. – App. for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII of the PSL for the Construction, Operation and Maintenance of a New 8, 6 and 4-inch Steel, High Pressure Natural Gas Transmission Line and Related Land and Equipment from the Town of Norfolk, St. Lawrence County to the Town of Chateaugay, Franklin County.
- 10-G-0295 St. Lawrence Gas Company, Inc. – Pet. for an Original Certificate of Public Convenience and Necessity Under Section 68 of the PSL for the Exercise of Gas Franchises of Numerous Municipalities in the Counties of Franklin and St. Lawrence.

GENERAL

- 261 09-S-0794 Consolidated Edison Company of New York, Inc. – Amendments to Schedule PSC 4-Steam, eff. 10/1/10, on a temporary basis, in compliance with Commission order issued September 22, 2010.

- 262 19-E-0372 Niagara Mohawk Power Corporation and Cellco Partnership – Joint Petition Under Public Service Law Section 70 to Authorize Attachment of Wireless Facilities to Niagara Mohawk Electric Transmission Facilities.
- 263 07-M-0858 Ms. Diane Palmer/Niagara Mohawk Power Corporation.
- 07-E-1483 Mr. Mohammed Kayyali/Consolidated Edison Company of New York, Inc.
- In the Matter of the Rules and Regulations of the PSC, Contained in 16 NYCRR, in Relation to Complaint Procedures – Appeals of Informal Hearing Decisions.
- 264 10-M-0451 Proceeding on Motion of the Commission to Investigate National Grid Affiliate Cost Allocations, Policies and Procedures.
- 265 09-M-0544 In the Matter of the Rules and Regulations of the Public Service Commission, Contained in 16 NYCRR, Parts 1-6, 8, and 17 to Incorporate References to Electronic Filing, Distribution and Issuance of Documents.

POWER

- 361 10-E-0155 Proceeding on Motion of the Commission as to New York State’s Electric Utility Transmission Right-of-Way Management Practices.
- 362 11-E-0024 Consolidated Edison Company of New York, Inc. – Amendment to PSC 9-Electricity, eff. 2/18/11, to Correct an inadvertent error contained in its compliance filing pursuant to Direct Load Control Program in Case 10-E-0229.
- 363 09-E-0715 New York State Electric & Gas Corporation – Amendments to PSC Nos. 119, 120, 121 – Electricity, eff. 9/26/10, on a temporary basis, in compliance with Commission order issued September 21, 2010.
- 09-E-0717 Rochester Gas and Electric Corporation – Amendments to PSC Nos. 18, 19 – Electricity, eff. 9/26/10, on a temporary basis, in compliance with Commission order issued September 21, 2010.
- 364 10-E-0605 Orange and Rockland Utilities, Inc. – Amendment to PSC 2-Electricity, eff. 3/1/11, to specify the amount of its no access charge for non-residential meter reading.
- 365 10-E-0418 Village of Richmondville – Amendments to PSC 1-Electricity, eff. 1/1/11, postponed to 3/1/11, to increase its annual revenues by about \$98,923 or 8.3%.

- 366 10-E-0554 Ms. Jessica M. White/Ms. Annjanette Sapp and National Grid-Upstate NY – In the Matter of Commission Designee’s Determination Pursuant to PSL Section 52 – Petition for Rehearing.
- 367 10-E-0593 Mirant Bowline LLC – Petition for Approval of Financing Pursuant to Section 69 of the Public Service Law.
- 368 10-E-0328 Mr. Brian Lobel and Consolidated Edison Company of New York, Inc. – In the Matter of the Rules and Regulations of the PSC, Contained in 16 NYCRR, in Relation to Complaint Procedures – Appeal of Informal Hearing Decision.
- 369 10-E-0559 FC Beekman Associates, LLC – Petition to Submeter Electricity at 8 Spruce Street, New York, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 370 10-E-0460 175 Kent Avenue, LLC – Petition to Submeter Electricity at 53 North 3rd Street, Brooklyn, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 371 10-E-0498 Dickerson Pond Association – Petition for a Waiver regarding Consolidated Edison Company of New York, Inc.’s Bulk Electric Delivery Rate.
- 372 10-E-0497 Consolidated Edison Company of New York, Inc., Orange and Rockland Utilities, Inc., Consolidated Edison Solutions, Inc. and Consolidated Edison Development, Inc. – Joint Petition Regarding the Development of Renewable Energy Projects owned by the CEI Affiliates.
- 373 07-E-0088 In the Matter of the Adoption of an Installed Reserve Margin for the New York Control Area.
- 374 10-E-0564 Niagara Mohawk Power Corporation d/b/a National Grid – Petition for a Waiver of Certain Requirements of the Company’s Tariff with Respect to the Application of Such Requirements to the Fredonia Place Assisted Living Facility.
- 375 10-E-0495 Concern For Independent Living – Petition for a Waiver of the Requirements of 16 NYCRR, Part 96, to Permit the Company to Continue Construction of the Project as Designed.
- 376 10-T-0080 Niagara Mohawk Power Corporation d/b/a National Grid – Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII for the Construction of a New 115 kV Electric Transmission Line from Spier Falls, Saratoga County, to Rotterdam, Schenectady County.

WATER

- 461 10-W-0346 Greentree Vacation Homes Homeowners Association Against Greentree Water Company – Complaint Concerning Rates within the Company’s Tariff.
- 462 10-W-0217 Willsboro Bay Water Company – New Tariff Schedule PSC No. 1-Water, eff. 5/12/10.
- 463 10-W-0461 Fairway Water Corporation – Amendments to PSC No. 1-Water, eff. 1/1/11, postponed to 4/1/11, to increase its annual revenues by about \$8,832 or 32%.
- 464 09-W-0731 United Water New York, Inc. – Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Water Service.
- 465 07-W-0508 Long Island Water Corporation – Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Water Service.
- 09-W-0581 Long Island Water Corporation d/b/a Long Island American Water and Ratepayers – Petition for Approval Pursuant to Public Service Law, Section 113(2), of a Proposed Allocation of Certain Tax Refunds.

COMMUNICATIONS

- 561 10-C-0653 Verizon New York Inc. – Pet. for Approval to Sell a Garage and Work Center Located at 1436 Broadway, Hewlett, New York.
- 562 10-C-0613 Verizon New York Inc. – Pet. Pursuant to Section 99 of the Public Service Law for Approval to Sell a Garage and Work Center Located at 75 East 2nd Street, Mineola, New York.
- 563 07-C-0349 Hancock Telephone Company – Amendments to PSC 5-Telephone, eff. 2/1/11, on a temporary basis, to increase basic local service rates.
- Trumansburg Telephone Company – Amendments to PSC 17-Telephone, eff. 2/15/11, on a temporary basis, to increase basic local service rates.
- 564 11-C-0023 Joint Petition of EarthLink, Inc., One Communications Corp., CTC Communications Corp., Conversent Communications of New York, LLC, Choice One Communications of New York, LLC and Lightship Telecom, LLC for Approval of an Indirect Transfer of Control of CTC Communications Corp., Conversent Communications of New York, LLC, Choice One Communications of New York Inc. and Lightship Telecom, LLC to EarthLink, Inc.

565 10-C-0650 Windstream New York, Inc. – Tariff filing to make a Tariff Clarification.

CABLE

661 10-V-0223 Mid-Tel Cable TV, Inc./Town of Broome, Schoharie County.

10-V-0266 Mid-Tel Cable TV, Inc./Town of Summit, Schoharie County.

10-V-0629 Time Warner Entertainment-Advance/Newhouse Partnership/Town of Greig, Lewis County.

10-V-0630 Time Warner Entertainment-Advance/Newhouse Partnership/Town of Laurens, Otsego County.

10-V-0459 Time Warner Entertainment-Advance/Newhouse Partnership/Village of Evans Mills, Jefferson County.

10-V-0601 Time Warner Cable/Town of Sandy Creek, Oswego County.

10-V-0548 Time Warner Entertainment-Advance/Newhouse Partnership/Town of Pamela, Jefferson County.

10-V-0550 Time Warner Entertainment-Advance/Newhouse Partnership/Town of Edmeston, Otsego County.

10-V-0627 Time Warner Entertainment-Advance/Newhouse Partnership/Village of Cazenovia, Madison County.

10-V-0628 Time Warner Entertainment-Advance/Newhouse Partnership/Village of Parish, Oswego County.

11-V-0007 Time Warner Entertainment-Advance/Newhouse Partnership/Village of Morristown, St. Lawrence County.

Applications for Certificates for Renewals.

662 08-V-1289 In the Matter of Delegation of Authority to the Director of the Office of Telecommunications Concerning Temporary Operating Authority for Cable Franchise Renewals and Requests for Orders of Limited Entry.

663 11-V-0022 Verizon New York Inc. – Pet. for a Certificate of Confirmation for its Franchise with the Town of Bethlehem, Albany County.

REGULAR AGENDA

Items not necessarily to be considered in the order listed:

GAS

- 101 95-T-0248 New York State Electric & Gas Corporation – Appn. for a Certificate of Environmental Compatibility and Public Need for the Construction of the Seneca Lake Storage Project Gas Transmission Facilities, located in the Towns of Reading and Dix, Schuyler County; Catlin and Big Flats, Chemung County; Ithaca, Danby and Caroline, Tompkins County; Candor, Newark Valley and Owego, Tioga County; and Maine and Union, Broome County.
- 10-M-0143 New York State Electric & Gas Corporation, Inergy Midstream, LLC, Arlington Storage Company, LLC and Inergy Pipeline East, LLC – Joint Pet. for Authorization to Transfer the Seneca Lake Storage Facility, Certain Pipeline and Lateral Facilities and the Certificate of Environmental Compatibility and Public Need for the Seneca Lake East Pipeline and the Revocation of the Certificate of Environmental Compatibility and Public Need for the Seneca Lake West Lateral.
- 10-G-0146 Inergy Pipeline East, LLC – Pet. for an Order Providing for Incidental and Lightened Regulation.

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.

POWER

No items will be considered on this agenda.

WATER

No items will be considered on this agenda.

COMMUNICATION

No items will be considered on this agenda.

CABLE

601 08-V-0835 In the Matter of Verizon New York Inc.'s Network Review Plan.

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

-30-