

STATE OF NEW YORK

Public Service Commission

Garry A. Brown, Chairman

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12029 Agenda

PSC LISTS AGENDA FOR THURSDAY, APRIL 19, 2012

PLEASE NOTE:

MEETING WILL BE BROADCAST ON THE INTERNET

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

Albany, NY – 04/13/12 – The New York State Public Service Commission announced today the agenda for its regular meeting starting at **10:30 A.M., Thursday, April 19, 2012, 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, May 17, 2012, in Albany, New York.**

The agenda for the April 19, 2012 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 12-G-0106 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Amendment to PSC 219-Gas, eff. 5/1/12, to make a housekeeping change.

- 162 11-G-0503 Daniel Cusack Landscaping/Orange and Rockland Utilities, Inc.
- 12-G-0115 Scaping Land Development Corp./Consolidated Edison Company of New York, Inc.
- 12-G-0116 Tony Bettino & Sons/Consolidated Edison Company of New York, Inc.
- 12-G-0117 BE Bronx Builders, LLC/Consolidated Edison Company of New York, Inc.
- 12-G-0118 ECC Construction Corp./KeySpan Gas East Corporation d/b/a National Grid.
- 12-G-0119 Tor A. Bono Estate Management, Inc./KeySpan Gas East Corporation d/b/a National Grid.
- 12-G-0120 Wainscott Sand & Gravel Corp./KeySpan Gas East Corporation d/b/a National Grid.
- 12-G-0121 Mike DeMartino Landscaping Inc./KeySpan Gas East Corporation d/b/a National Grid.
- 12-G-0122 The Engel Group, Inc./KeySpan Gas East Corporation d/b/a National Grid.
- 12-G-0123 Building Solutions/National Fuel Gas Distribution Corporation.
- 12-G-0124 Union Concrete and Construction Corp./National Fuel Gas Distribution Corporation.
- 12-G-0125 T. J. Fisk Construction/New York State Electric & Gas Corporation.
- 12-G-0126 Douglas R. Dyer & Sons Contracting, Inc./Niagara Mohawk Power Corporation, d/b/a National Grid.
- 12-G-0127 NY Finest Enterprises, Inc./The Brooklyn Union Gas Company d/b/a National Grid NY.
- 12-G-0128 Able Plumbing Company of Richmond, Inc./The Brooklyn Union Gas Company d/b/a National Grid NY.

- 12-G-0129 A&A Bello Landscaping Corp./The Brooklyn Union Gas Company d/b/a National Grid NY.
- 12-G-0130 On The Level Concrete and Brick Inc./The Brooklyn Union Gas Company d/b/a National Grid NY.
- 12-G-0131 Levittown Plumbing & Heating Corp./The Brooklyn Union Gas Company d/b/a National Grid NY.
- 12-G-0133 Dileo Landscaping, LTD./KeySpan Gas East Corporation d/b/a National Grid.
- 163 09-G-0288 MS. MICHELLE WEBB and NATIONAL GRID, INC., - METRO NY
- 11-G-0296 MR. HAIM JAVAHERI and KEYSpan EAST CORPORATION D/B/A BROOKLYN UNION OF LONG ISLAND D/B/A NATIONAL GRID
- 164 08-G-1137 CORNING NATURAL GAS CORPORATION - Proceeding on Motion as to the Rates, Charges, Rules and Regulations for Gas Service.
- 165 09-G-0790 CORNING NATURAL GAS CORPORATION - Petition for Authority to Transfer Utility Assets.
- 166 11-G-0142 CHAUTAUQUA UTILITIES, INC. - Amendments to PSC 1-Gas, eff. 9/1/11, suspended through 5/1/12, to increase annual revenues by \$105,353 or 76.3%
- 167 04-G-1047 NATIONAL FUEL GAS DISTRIBUTION CORPORATION - Proceeding on Motion as to the Rates, Charges, Rules and Regulations for Gas Service.
- 168 11-G-0221 TOWN OF SANFORD, BROOME COUNTY - Proceeding on Motion to Investigate the Acts and Practices Involving the Staking and Clearing of the Site of a Major Utility Transmission Facility in the Town of Sanford, Broome County Before the Obtaining of a Certificate of Environmental Compatibility and Public Need.

GENERAL

- 261 09-G-0106 MR. MARC GRIFFITH and CENTRAL HUDSON GAS & ELECTRIC CORPORATION
- 09-C-0290 MS. YEVETTE B. FREEMAN and VERIZON NEW YORK INC.
- 09-C-0360 AMERIVEST PARTNERS, LLC and VERIZON NEW YORK INC.
- 10-E-0140 NEW YORK STATE DEPARTMENT OF TRANSPORTATION and

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

- 262 08-E-1132 New York State Energy Research and Development Authority (NYSERDA) Petition 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.
- 263 12-M-0007 In the Matter of Reporting Requirements Related to the On-Bill Recovery Program.
- 264 07-M-0906 IBERDROLA S.A., ENERGY EAST CORPORATION, RGS ENERGY, GROUP, INC, GREEN ACQUISITION CAPITAL, INC., NEW YORK STATE ELECTRIC & GAS CORPORATION and ROCHESTER GAS AND ELECTRIC CORPORATION - Joint Petition for Approval of the Acquisition of ENERGY EAST CORPORATION by IBERDROLA, S.A.
- 265 08-E-0827 Comprehensive Management Audit of Niagara Mohawk Power Corporation d/b/a National Grid's Electric Business.
- 08-M-0152 Comprehensive Management Audit of Consolidated Edison Company of New York, Inc.
- 09-M-0764 Comprehensive Management and Operations Audit of Central Hudson Gas and Electric Corporation's Electric and Gas Businesses.
- 10-M-0551 In the Matter of a Comprehensive Management Audit of Iberdrola, S.A., Iberdrola, USA, New York State Electric and Gas, and Rochester Gas and Electric.
- 11-G-0580 In the Matter of a Comprehensive Management Audit of National Fuel Gas Distribution Corporation.
- 266 11-E-0450 ORANGE AND ROCKLAND UTILITIES, INC. - Amendments to PSC 2-Electricity, eff., 5/1/12, and PSC 3-Electricity, eff. 5/2/12, to Effectuate Amendments to Public Service Law Concerning Green Jobs-Green New York On-Bill Recovery.
- 11-G-0451 ORANGE AND ROCKLAND UTILITIES, INC. - Amendments to PSC 4-Gas, eff. 5/2/12, to Effectuate Amendments to Public Service Law Concerning Green Jobs-Green New York On-Bill Recovery.
- 11-E-0452 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Amendments to PSC 9 and PSC 10 - Electricity, eff. 5/1/12, to Effectuate

Amendments to Public Service Law Concerning Green Jobs-Green New York On-Bill Recovery.

- 11-G-0453 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Amendments to PSC 9-Gas, eff. 5/2/12, to Effectuate Amendments to Public Service Law Concerning Green Jobs-Green New York On-Bill Recovery.
- 11-E-0454 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Amendments to PSC 15- Electricity, eff. 5/1/12, to Effectuate Amendments to Public Service Law Concerning Green Jobs-Green New York On-Bill Recovery.
- 11-G-0455 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Amendments to PSC 12-Gas, eff. 5/1/12, to Effectuate Amendments to Public Service Law Concerning Green Jobs-Green New York On-Bill Recovery.
- 11-E-0456 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Amendments to PSC 220-Electricity, eff. 5/1/12, to Effectuate Amendments to Public Service Law Concerning Green Jobs-Green New York On-Bill Recovery.
- 11-G-0457 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Amendments to PSC 219-Gas, eff. 5/1/12, to Effectuate Amendments to Public Service Law Concerning Green Jobs-Green New York On-Bill Recovery.
- 11-E-0458 ROCHESTER GAS AND ELECTRIC CORPORATION - Amendments to PSC 19-Electricity, eff. 5/1/12, to Effectuate Amendments to Public Service Law Concerning Green Jobs-Green New York On-Bill Recovery.
- 11-G-0459 ROCHESTER GAS AND ELECTRIC CORPORATION - Amendments to PSC 16-Gas, eff. 5/1/12, to Effectuate Amendments to Public Service Law Concerning Green Jobs-Green New York On-Bill Recovery.
- 11-E-0460 NEW YORK STATE ELECTRIC & GAS CORPORATION - Amendments to PSC 90-Gas, eff. 5/1/12, to Effectuate Amendments to Public Service Law Concerning Green Jobs-Green New York On-Bill Recovery.
- 11-G-0461 NEW YORK STATE ELECTRIC & GAS CORPORATION - Amendments to PSC 119-Electricity, eff. 5/1/12, to Effectuate Amendments to Public Service Law Concerning Green Jobs-Green New York On-Bill Recovery.

POWER

- 361 12-E-0080 Palmer's Dock, LLC/Mr. Jeffrey Wilson and Consolidated Edison Company of New York, Inc.

- 362 12-E-0077 Ms. Saleha R. Daisy/Ms. Hilda Perez and Consolidated Edison Company of New York, Inc.
- 363 12-E-0074 Mr. Juan C. Ramirez/Ms. Teolinda Navarro, Ms. Forentina Perez and Consolidated Edison Company of New York, Inc.
- 364 12-E-0082 Ms. Jeanette Fessler/Ms. Lisa Levi and Consolidated Edison Company of New York, Inc.
- 365 11-E-0711 Mr. Thomas Chacko/Ms. Nancy Shepard and Consolidated Edison Company of New York, Inc.
- 366 12-E-0006 NIAGARA MOHAWK POWER CORPORATION d/b/a NATIONAL GRID and CELLCO PARTNERSHIP, A DELAWARE GENERAL PARTNERSHIP, d/b/a VERIZON WIRELESS - Joint Petition Under Public Service Law Section 70 to Authorize Attachment of Wireless Facilities to Niagara Mohawk Electric Transmission Facilities.
- 367 11-E-0310 Mr. Mohammed Hoque/Ms. Karla Forbes and Consolidated Edison Company of New York, Inc.
- 11-E-0325 Mr. Rick VanDevere and L. J. Associates/L. J. Associates and Consolidated Edison Company of New York, Inc.
- 11-E-0336 Ms. Gale G. Degener/Mr. Thomas H. VanVorst and National Grid--Upstate
- 368 12-E-0035 Mr. Paul Farinella and Consolidated Edison of New York, Inc.
- 369 12-E-0108 MS. ELENI DIMITRIADIS/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 370 03-E-0188 Proceeding on Motion of the Commission Regarding a Retail Renewable Portfolio Standard.
- 371 11-E-0578 SCHNEIDER ELECTRIC - Petition for Approval of the ION8650 Meter.
- 372 09-E-0561 119 THIRD AVENUE ASSOCIATES LLP - Petition to Submeter Electricity at 181 East 119th Street, Located in the Territory of Consolidated Edison Company.

- 373 07-E-0523 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Electric Service.
- 374 03-E-0188 Proceeding on Motion of the Commission Regarding a Retail Renewable Portfolio Standard.
11-E-0706 BORALEX NEW YORK LP - Petition for Modification of the RPS Maintenance Tier Contract.
- 375A 03-E-0188 Proceeding on Motion of the Commission Regarding a Retail Renewable Portfolio Standard.
- 375B 03-E-0188 Proceeding on Motion of the Commission Regarding a Retail Renewable Portfolio Standard.

WATER

- 461 07-W-0753 CASTLEVIEW DEVELOPMENT WATER-WORKS CORPORATION - Initial Tariff Schedule PSC No.1, eff. 11/1/07, Suspended Through 5/28/12, setting forth its rates, charges, rules and regulations for water service.
- 462 11-W-0357 WEST VALLEY CRYSTAL WATER COMPANY INC. - Petition for Emergency Funding Approval.

COMMUNICATIONS

- 561 07-C-0349 TACONIC TELEPHONE CORPORATION - Amendments to PSC No. 3-Telephone, eff. 4/1/12, to increase basic local service rates.
CHAUTAUQUA & ERIE TELEPHOHE CORPORATION - Amendments to PSC No. 20-Telephone, eff. 4/7/12, to increase basic local service rates.
BERKSHIRE TELEPHONE CORPORATION - Amendments to PSC No. 7-Telephone, eff. 4/8/22, to increase basic local service rates.
- 562 99-C-0949 BELL ATLANTIC-NEW YORK - Petition for Approval of a Performance Assurance Plan and Change Control Assurance Plan, filed in 97-C-0271.

CABLE

- 661 12-V-0079 CABLEVISION SYSTEMS NEW YORK CITY CORPORATION -
Petition for an Order of Entry for Installation of Cable Television
Facilities Pursuant to Section 228 of the NYS Public Service Law at 112
Henwood Place and 1752 Walton Avenue, Bronx, New York.
- 662 11-V-0646 TIME WARNER ENTERTAINMENT-ADVANCE NEWHOUSE
PARTNERSHIP/TOWN OF BOMBAY, FRANKLIN COUNTY.
- 11-V-0704 TIME WARNER NY CABLE LLC/TOWN OF WOODSTOCK,
ULSTER COUNTY.
- 11-V-0705 TIME WARNER NY CABLE LLC/VILLAGE OF WALDEN,
ORANGE COUNTY.
- 12-V-0022 CABLEVISION SYSTEMS LONG ISLAND
CORPORATION/VILLAGE OF LATTINGTOWN, NASSAU
COUNTY.
- 12-V-0030 CABLEVISION SYSTEMS LONG ISLAND
CORPORATION/VILLAGE OF OLD BROOKVILLE, NASSAU
COUNTY NEW YORK.
- 12-V-0045 TIME WARNER ENTERTAINMENT-ADVANCE NEWHOUSE
PARTNERSHIP/VILLAGE OF ONEIDA CASTLE, ONEIDA
COUNTY.
- 12-V-0037 CABLEVISION SYSTEMS EAST HAMPTON CORP./TOWN OF
EAST HAMPTON, SUFFOLK COUNTY.
- 12-V-0048 CABLEVISION SYSTEMS LONG ISLAND
CORPORATION/VILLAGE OF EAST WILLISTON, NASSAU
COUNTY.
- 12-V-0059 CABLEVISION SYSTEMS LONG ISLAND
CORPORATION/VILLAGE OF OLD WESTBURY, NASSAU
COUNTY.
- 12-V-0064 CABLEVISION SYSTEMS HUNTINGTON
CORPORATION/VILLAGE OF LLOYD HARBOR, SUFFOLK
COUNTY.
- 12-V-0068 CABLEVISION SYSTEMS LONG ISLAND
CORPORATION/VILLAGE OF MATINECOCK, NASSAU COUNTY.
- 12-V-0070 TIME WARNER NY CABLE LLC/TOWN OF CUBA, ALLEGANY
COUNTY.
- 12-V-0075 TIME WARNER NY CABLE LLC/TOWN OF ISCHUA,
CATTARAUGUS COUNTY.

663 11-V-0675 MS. SHARON REID/TIME WARNER CABLE OF ALBANY

REGULAR AGENDA

Items not necessarily to be considered in the order listed:

GAS

- 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 of for Gas Service.
- 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.
- 102 11-G-0280 CORNING NATURAL GAS CORPORATION - Proceeding on Motion as to the Rates, Charges, Rules and Regulations for Gas Service.

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

- 401 11-W-0472 AQUA UTILITIES, INC., AQUA NEW YORK, INC. and AMERICA WATER WORKS COMPANY, INC. - Joint Petition for Approval of a Stock Purchase Agreement under which Aqua Utilities, Inc. will sell and American Water Works Company, Inc. will acquire 100% of the issued and outstanding capital stock of Aqua New York, Inc.

COMMUNICATION

No items will be considered on this agenda.

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