

STATE OF NEW YORK

Public Service Commission

Garry A. Brown, Chairman

Three Empire State Plaza, Albany, NY 12223

Further Details: James Denn, (518) 474-7080

<http://www.dps.state.ny.us>

FOR RELEASE: IMMEDIATELY

08085 Agenda 8/20/08

PSC LISTS AGENDA FOR WEDNESDAY, AUGUST 20, 2008

PLEASE NOTE:

MEETING WILL BE BROADCAST ON THE INTERNET

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

Albany, NY – 8/15/08 – The Public Service Commission announced today the agenda for its regular meeting starting at **10:30 A.M., Wednesday, August 20, 2008, 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 through NewYorkAdmin by accessing <http://www.NewYorkAdmin.com> from a computer capable of using RealPlayer. RealPlayer can be downloaded from the NewYorkAdmin Web site. The Commission has no financial interest in the Web site, its management, maintenance or administration.

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.

A special meeting is scheduled to begin at **10:30 A.M., Wednesday, August 27, 2008, in Albany, New York.**

The agenda for the August 20, 2008 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-M-0407 | NIAGARA MOHAWK POWER CORPORATION – Notice of Intent Regarding the Proposed Transfer of Real Property with an Original Cost of Less Than One Hundred Thousand Dollars, Pursuant to Section 70 of the PSL. |
| 162 | 07-G-1243 | NORTHEAST GAS ASSOCIATION RESEARCH AND DEVELOPMENT ARM, NYSEARCH – Pet. for a Waiver of the Commission’s Restriction on the Use of the Voluntary State Funding Mechanism (Millennium Fund) to Fund Appliance Research. |
| 163 | 06-G-1185
&
06-G-1186 | THE BROOKLYN UNION GAS COMPANY D/B/A KEYSpan ENERGY DELIVERY NEW YORK and KEYSpan GAS EAST CORPORATION D/B/A KEYSpan ENERGY DELIVERY LONG ISLAND – Amendments to PSC 1 and 12-Gas, eff. 6/1/08, to Revise the Annual Price Cap Calculation for Temperature Controlled and Interruptible Service Customers Pursuant to Commission Order Issued May 23, 2008. |
| 164 | 08-G-0071 | THE BROOKLYN UNION GAS COMPANY D/B/A KEYSpan ENERGY DELIVERY NEW YORK – Pet. for Approval of the Transfer of Certain Property Located at 809-873 Neptune Ave., Brooklyn, NY, to Steel Arrow, LLC. |
| 165 | 07-G-0962
07-G-1475
08-G-0782
08-G-0783
08-G-0784
08-G-0785
08-G-0786 | CENTRAL HUDSON GAS & ELECTRIC CORPORATION/
ARBORSCAPE, INC.
KEYSPAN ENERGY OF LONG ISLAND/DAMON G. DOUGLAS
COMPANY
KEYSPAN ENERGY OF LONG ISLAND/JOHN JAY CAPPAS HOMES
AND CONSTRUCTION CORP.
KEYSPAN ENERGY OF LONG ISLAND/LARRY GRAZIOSE
PLUMBING & HEATING, INC.
KEYSPAN ENERGY OF LONG ISLAND/ADVANCED
REMODELING OF LONG ISLAND, INC.
KEYSPAN ENERGY OF LONG ISLAND/ESSWEIN ASSOCIATES,
INC.
KEYSPAN ENERGY OF LONG ISLAND/BUTLER CONTRACTING, |

- INC.
- 08-G-0788 KEYSpan ENERGY OF LONG ISLAND/OAKDALE
LANDSCAPING
- 08-G-0789 KEYSpan ENERGY OF LONG ISLAND/C & M CONSTRUCTION
- 08-G-0790 KEYSpan ENERGY OF LONG ISLAND/FERTILAWN INC.
- 08-G-0791 KEYSpan ENERGY OF LONG ISLAND/BROADWAY
EXCAVATING CORP.
- 08-G-0794 KEYSpan ENERGY OF NEW YORK CITY/WELL BUILT
DEVELOPMENT CORPORATION
- 08-G-0796 NATIONAL FUEL GAS DISTRIBUTION CORPORATION/SWIMCO
POOL INC.
- 08-G-0799 NIAGARA MOHAWK POWER CORPORATION/DOUG EMPIE
EXCAVATING
- 08-G-0802 ORANGE & ROCKLAND UTILITIES, INC./M C M CONTRACTING,
INC.

Orders determining penalties and directing payment for violation of 16
NYCRR Part 753 – Protection of Underground Facilities.

- 166 06-G-1266 CORNING NATURAL GAS CORPORATION – Pet. to Defer
Incremental Expenses Over and Above the Level Last Established in
Rates.
- 167 07-G-0064 CORNING NATURAL GAS CORPORATION – Pet. to Defer
Incremental Expenses Over and Above the Last Level Established in
Rates.
- 168 04-T-0112 BESICORP-EMPIRE POWER COMPANY, LLC – Appn. for a
Certificate of Environmental Compatibility and Public Need for the
Construction of a Sixteen-Inch Natural Gas Pipeline, Approximately 4.5
Miles in Length, from the Town of Schodack, Rensselaer County to the
City of Rensselaer, Rensselaer County.

GENERAL

- 261 05-M-0445 ROCHESTER GAS AND ELECTRIC CORPORATION/MS.
VIRGINIA GOINS-HENRY
- 05-E-0981 NIAGARA MOHAWK POWER CORPORATION/MR. WILLIAM
SCHWAB and MS. DIANE SCHENA
- 05-M-1273 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC./MS.
ISABELLE LINDER
- 07-C-0430 BROADVIEW NETWORKS, INC./WOMEN’S PRISON
ASSOCIATION
- 08-E-0808 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC./
DICKERSON AND ASSOCIATES

Appeals of Informal Hearing Decisions.

- 262 08-E-0887 CENTRAL HUDSON GAS & ELECTRIC CORPORATION – Amendments to PSC 15-Electricity, eff. 8/30/08, to increase its annual electric delivery revenues by approx. \$35.4 million or 16.3%.
- 08-G-0888 CENTRAL HUDSON GAS & ELECTRIC CORPORATION – Amendments to PSC 12-Gas, eff, 8/30/08, to increase its annual gas delivery revenues by approx. \$14.7 million or 28.2%.

POWER

- 361 00-F-2057 BESICORP-EMPIRE DEVELOPMENT COMPANY, LLC – Appn. for a Certificate of Environmental Compatibility and Public Need to Construct and Operate a 505 Megawatt, Combined Cycle Cogeneration Plant in the City of Rensselaer, Rensselaer County.
- 362 00-F-2057 BESICORP-EMPIRE DEVELOPMENT COMPANY, LLC – Appn. for a Certificate of Environmental Compatibility and Public Need to Construct and Operate a 505 Megawatt, Combined Cycle Cogeneration Plant in the City of Rensselaer, Rensselaer County.
- 363 00-F-2057 BESICORP-EMPIRE DEVELOPMENT COMPANY, LLC – Appn. for a Certificate of Environmental Compatibility and Public Need to Construct and Operate a 505 Megawatt, Combined Cycle Cogeneration Plant in the City of Rensselaer, Rensselaer County.
- 364 01-T-1679 LONG ISLAND POWER AUTHORITY – Appn. for a Certificate of Environmental Compatibility and Public Need Regarding the Replacement of the 138 kV Submarine Electric Transmission Line between Northport, New York, and Norwalk, Connecticut.
- 365 07-E-1428 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. and MS. LAVERNE HYLTON/MR. BALJEET BEHARRY
 07-E-1508 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. and MR. DALE CARSON, JR./MR. ROBERT MANGRA
 08-E-0595 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. and MR. EZZIAL WILLIAMS/MR. JESUS EMILIO GONZALEZ
 08-E-0709 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. and MR. RAYMOND DONNELLY/MR. ROBERT FERRI.
- Rehearing petitions of designees’ determinations.
- 366 01-E-0377 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. and FSM EAST RIVER ASSOCIATED LLC – Joint Pet. for Authority under Section 70 of the Public Service Law to Transfer Certain Real Property Located at 616 First Avenue, a Portion of 685 First Avenue, 700 First Avenue and 708 First Avenue and for Related Relief.

- 367 08-E-0396 2130 GEORGE INVESTORS LLC – Pet. to Submeter Electricity at 2130-2138 Adam Clayton Powell Jr. Blvd., New York, New York, located in the territory of Consolidated Edison Company of New York, Inc., filed in C26998.
- 368 08-E-0395 194 ATLANTIC LLC – Pet. to Submeter Electricity at 194 Atlantic Avenue, Brooklyn, New York, located in the territory of Consolidated Edison Company of New York, Inc., filed in C26998.
- 369 00-E-1918 HERBERT E. HIRSCHFELD on behalf of WEST VILLAGE HOUSES – Pet. to Submeter Electricity at West Village Houses, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc., filed in C26998.
- 370 08-E-0394 138 COURT STREET, LLC – Pet. to Submeter Electricity at 138 Court Street, Brooklyn, New York, located in the territory of Consolidated Edison Company of New York, Inc., filed in C26998.
- 371 08-E-0439 RIVERVIEW II PRESERVATION LP – Pet. to Submeter Electricity at 47 Riverdale Avenue, Yonkers, New York, located in the territory of Consolidated Edison Company of New York, Inc., filed in C26998.
- 372 08-E-0433 LINDEN PLAZA PRESERVATION LP – Pet. to Submeter Electricity at Linden Plaza, Brooklyn, New York, located in the territory of Consolidated Edison Company of New York, Inc., filed in C26998.
- 373 08-E-0203 VILLAGE OF BERGEN – New Tariff Schedule PSC 1-Electricity, eff. 6/1/08 (postponed to 9/1/08), Amendment to PSC 1-Electricity, eff. 9/1/08, containing rates and charges for electric service.
- 374 08-E-0841 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. – Amendment to PSC 9-Electricity, eff. 8/16/08, to revise its Market Supply charge provisions to effectuate the April 23, 2008 Amendment to PSL Section 66-h.
- 375 08-E-0898 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID – Amendments to PSC 207-Electricity, eff. 9/1/08, to update rates used to determine contributions required from applicants for underground extensions in residential subdivisions.
- 376 08-E-0359 VILLAGE OF RICHMONDVILLE – Amendment to PSC 1-Electricity, eff. 9/1/08, to Increase its Annual Electric Revenues by \$159,209 or 15.4%.
- 377 06-E-1433 ORANGE AND ROCKLAND UTILITIES, INC. – Pro. as to the Rates, Charges, Rules and Regulations for Electric Service.

WATER

- 461 08-W-0107 AQUA NEW YORK, INC. – New Tariff Schedule PSC 1-Water, eff. 5/1/08, to increase rates, consolidate tariffs and implement a new rate design.
- 462 08-W-0654 JD WATER COMPANY INC. – Amendment to PSC 1-Water, eff. 9/1/08, to increase its annual water revenues by about \$60,036 or approximately 47%.
- 463 08-W-0464 UNITED WATER WESTCHESTER INC., F/K/A AQUARION WATER COMPANY OF NEW YORK – Pet. for Implementation of an Increase to the Ongoing Surcharge and a Deferral Surcharge to Recover Increased Purchased Water Costs, filed in C9221.

COMMUNICATIONS

- 561 08-C-0489 WARWICK VALLEY TELEPHONE COMPANY – Pet. for Approval of 2008 Long-Term Incentive Plan Allowing the Issuance of up to 500,000 of Treasury Stock or Original Shares of \$0.01 par value.
- 562 07-C-0349 WINDSTREAM COMMUNICATIONS, INC. – Amendments to PSC 1-Telephone, eff. 8/1/08, to increase residential basic local service and non-basic service rates.
- 563 08-C-0405 In the Matter of Quality of Service Provided by Local Exchange Companies in NYS.
- 00-C-2051 VERIZON NEW YORK INC. – Pro. to Investigate Methods to Improve and Maintain High Quality Special Services Performance.
- VERIZON NEW YORK INC. – Special Services Second Quarter 2008 Service Quality Report.

CABLE

- 661 Appns. For Certificates for Renewal.
- 07-V-0933 MID-HUDSON CABLEVISION INC./T. of Greenport, Columbia Co.;
- 04-V-1037 T. of Gallatin, Columbia Co.
- 07-V-0268 TIME WARNER ENTERTAINMENT-ADVANCE/NEWHOUSE PARTNERSHIP D/B/A TIME WARNER (ALBANY DIVISION)/V. of Port Henry, Essex Co.

- 08-V-0475 TIME WARNER CABLE (BINGHAMTON DIVISION)/T. of Lisle,
07-V-0814 Broome Co.; T. of Milford, Otsego Co.
- 07-V-1290 TIME WARNER CABLE (SYRACUSE DIVISION)/V. of Mexico,
Oswego Co.
- 07-V-1253 CSC ACQUISITION-NY, INC./V. of Sagaponack, Suffolk Co.
- 662 08-V-0468 TIME WARNER CABLE (BINGHAMTON DIVISION) – Pet. for a
Certificate of Confirmation for its Franchise with the Town of Decatur,
Otsego Co.
- 663 Temporary Operating Authorities.
- 05-V-0930 TIME WARNER-ALBANY DIVISION/C. of Albany, Albany Co.; T. of
06-V-0032 Guilderland, Albany Co.; V. of Mayfield, Fulton Co.; T. of Pittstown,
08-V-0008 Rensselaer Co.
04-V-0007
- 01-V-0868 TIME WARNER-BUFFALO DIVISION/T. of Olean, Cattaraugus Co.;
07-V-0843 T. of North Collins, Erie Co.; T. of Lockport, Niagara Co.; T. of
99-V-1250 Cambria, Niagara Co.; C. of Lockport, Niagara Co.; T. of Lewiston,
05-V-0861 Niagara Co.; T. of Wheatfield, Niagara Co.; T. of Eden, Erie Co.
99-V-1248
01-V-0028
08-V-0744
08-V-0743
- 06-V-0008 TIME WARNER-BINGHAMTON DIVISION/T. of Elmira, Chemung
06-V-0009 Co.; V. of Elmira Heights, Chemung Co.; T. of Southport, Chemung Co.;
06-V-0010 V. of Cooperstown, Otsego Co.; V. of Marathon, Cortland Co.; T. of
07-V-0813 Troupsburg, Steuben Co.
08-V-0742
08-V-0745
- 05-V-0032 TIME WARNER-SYRACUSE DIVISION/T. of Malone, Franklin Co.;
05-V-0883 C. of Little Falls, Herkimer Co.; T. of Lincoln, Madison Co.; V. of
08-V-0022 Munnsville, Madison Co.; V. of Camden, Oneida Co.; C. of Syracuse,
07-V-0004 Onondaga Co.; V. of Lacona, Oswego Co.; T. of Stockbridge, Madison
07-V-0005 Co.; T. of Hastings. Oswego Co.; T. of Parish, Oswego Co.; V. of Sandy
07-V-0805 Creek, Oswego Co.; T. of Schroepfel, Oswego Co.
07-V-0006
08-V-0803
07-V-0811
07-V-0812
07-V-0007
08-V-0804

03-V-1720 TIME WARNER-ROCHESTER DIVISION/T. of Batavia, Genesee Co.;
04-V-1267 T. of Livonia, Livingston Co.; T. of Brighton, Monroe Co.; C. of
99-V-0780 Canandaigua, Ontario Co.; T. of Naples, Ontario Co.
97-V-0097
04-V-0025

05-V-0039 TIME WARNER-POUGHKEEPSIE DIVISION/T. of Poughkeepsie,
06-V-0034 Dutchess Co.; C. of Poughkeepsie, Dutchess Co.

97-V-0309 TIME WARNER-ORANGE COUNTY/T. of Montgomery, Orange Co.;
05-V-0030 V. of Highland Falls, Orange Co.; T. of Goshen, Orange Co.; V. of
07-V-0835 Goshen, Orange Co.
07-V-0838

05-V-0849 HAEFELE TV, INC./T. of Green, Chenango Co.

07-V-0020 HANCOCK VIDEO, INC./V. of Hancock, Delaware Co.; T. of
07-V-0021 Tompkins, Delaware Co.; T. of Hancock, Delaware Co.
07-V-0019

05-V-0884 CH COMMUNICATIONS/T. of Jefferson, Schoharie Co.

06-V-0844 TIME WARNER-HUDSON VALLEY DIVISION/T. of Liberty,
05-V-0033 Sullivan Co.; T. of Marlborough, Ulster Co.

97-V-0355 CABLEVISION SYSTEMS GREAT NECK CORP./V. of Thomaston,
97-V-0334 Nassau Co.; V. of Great Neck Estates, Nassau Co.; V. of Lake Success,
97-V-0351 Nassau Co.; V. of Saddle Rock, Nassau Co.; V. of Plandome Manor,
97-V-0354 Nassau Co.; V. of Pandome Heights, Nassau Co.; V. of Plandome,
97-V-0645 Nassau Co.; V. of Kings Point, Nassau Co.; V. of North Hills, Nassau
97-V-0457 Co.; V. of Great Neck, Nassau Co.; V. of Flower Hill, Nassau Co.
97-V-0458
97-V-0337
97-V-0639
97-V-0640
97-V-0289

07-V-0840 CABLEVISION SYSTEMS SUFFOLK CORP./V. of North Haven,
07-V-0842 Suffolk Co.; V. of Westhampton, Suffolk Co.; V. of Quogue, Suffolk Co.
07-V-0841

05-V-0900 CABLEVISION SYSTEMS WESTCHESTER CORP./V. of Irvington,
05-V-0899 Westchester Co.; T. of Greenburgh, Westchester Co.

05-V-0902 CABLEVISION SYSTEMS OF OSSINING/V. of Sleepy Hollow,
Westchester Co.

08-V-0825 CABLEVISION SYSTEMS NEW YORK CITY CORP./NYC-Bronx,
08-V-0826 Bronx Co.; NYC-Brooklyn, Kings Co.

08-V-0831 TIME WARNER CABLE NEW YORK CITY/NYC-Bronx, Bronx Co.;
08-V-0832 NYC-Brooklyn, Kings Co.; NYC-Manhattan, New York Co.; NYC-
08-V-0833 Queens, Queens Co.
08-V-0834

REGULAR AGENDA

Items not necessarily to be considered in the order listed:

GAS

No Items Will Be Considered On This Agenda.

GENERAL

- 201 There is no Item 201 on this Agenda.
- 202 07-M-0548 Pro. Regarding an Energy Efficiency Portfolio Standard.
- 203 07-M-0906 Iberdrola S.A., Energy East Corporation, RGS Energy Group, Inc., Green Acquisition Capital, Inc., NYSEG and RGE for Approval of the Acquisition of Energy East Corporation by Iberdrola, S.A.
- 204 08-M-0436 KEYSpan-RAVENSWOOD LLC, KEYSpan RAVENSWOOD SERVICES CORPORATION AND TRANSCANADA FACILITY USA, INC. – Joint Pet. for Authority Under Sections 70 and 82 of the PSL to Transfer Certain Generating and Related Assets and For Related Relief.

POWER

- 301-A There is no Item 301-A on this Agenda.
- 301-B There is no Item 301-B on this Agenda.
- 302 03-E-0765 ROCHESTER GAS AND ELECTRIC CORPORATION – Pro. as to the Rates, Charges, Rules and Regulations for Electric Service.

WATER

No Items Will Be Considered On This Agenda.

COMMUNICATION

- 501-A 08-C-0405 In the Matter of Quality of Service Provided by Local Exchange Companies in New York State.
- VERIZON NEW YORK INC. – Second Quarter 2008 Service Quality Report.

501-B 08-C-0405 In the Matter of Quality of Service Provided by Local Exchange Companies in New York State.

CITIZENS COMMUNICATIONS – Second Quarter 2008 Service Quality Report.

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