

STATE OF NEW YORK

Public Service Commission

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10010 Agenda

PSC LISTS AGENDA FOR THURSDAY, FEBRUARY 11, 2010

**PLEASE NOTE:
MEETING WILL BE BROADCAST ON THE INTERNET
- VIDEOCASTING TO COMMISSION'S NEW YORK CITY OFFICES ALSO AVAILABLE -**

Albany, NY – 02/05/10 – The New York State Public Service Commission announced today the agenda for its regular meeting starting at **10:30 A.M., Thursday, February 11, 2010, 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.

The next regularly scheduled meeting will begin at **11:00 A.M., Thursday, March 25, 2010, in New York, New York.**

The agenda for the February 11, 2010 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 08-G-1398 ORANGE AND ROCKLAND UTILITIES, INC. – Amendments to PSC 4-Gas, eff. 11/1/09, on a temporary basis, to implement Year 1 of a three-year rate plan in compliance with the Commission Order issued 10/16/09.
- 162 09-G-0709 PITTS PREMIERE LANDSCAPING/NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID.
- 10-G-0004 SIGN-A-RAMA/KEYSPAN GAS EAST CORP. D/B/A NATIONAL GRID.
- 10-G-0005 POWER OPTECH LLC/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 10-G-0006 MEGA DEVELOPMENT GROUP, LLC/NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID.
- 10-G-0007 MANDY SPRING FARM NURSERY, INC./NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID.
- 10-G-0008 PARKWOOD VILLAGE LLC/NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID.
- 10-G-0009 BOGERT’S EARTHWORKS/ORANGE AND ROCKLAND UTILITIES, INC.
- 10-G-0010 KEY CONSTRUCTION, LLC/ORANGE AND ROCKLAND UTILITIES, INC.
- 10-G-0013 FREDERICO WRECKING CO., LLC/ROCHESTER GAS AND ELECTRIC CORPORATION.

In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753 – Protection of Underground Facilities.

- 163 08-G-1021 ST. LAWRENCE GAS COMPANY, INC. – Pet. for Approval of an Energy Efficiency Portfolio Standard (EEPS) “Fast Track” Utility-Administered Gas Energy Efficiency Program.
- 164 10-G-0027 NEW YORK STATE ELECTRIC & GAS CORPORATION – Amendments to PSC 87-Gas and PSC 90-Gas, eff. 3/1/10 to make a “housekeeping” change pertaining to the Research and Development Adjustment.

165 09-G-0354 NATIONAL FUEL GAS DISTRIBUTION CORPORATION – Pet. for Approval to Allocate Pipeline Refund to Environmental Site Investigation and Remediation Pursuant to PSL 113(2).

166 No Item 166 will appear on this Agenda.

167 09-G-0552 THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY – Pet. for Waivers of Federal and State Miter Joint Requirements to Permit an Increase in Maximum Allowable Operating Pressure.

GENERAL

261 09-G-0422 MR. DONALD TURNER/MS. ROSEANNE BAGLIO and NATIONAL FUEL GAS DISTRIBUTION CORPORATION
09-E-0594 MR. HARRIS WILLIAMS/MS. ZOYA ZHIVOTOVSKAYA and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

In the Matter of Commission Designee’s Determination Pursuant to PSL Section 52 – Petitions for Rehearing.

262 09-M-0764 CENTRAL HUDSON GAS & ELECTRIC CORPORATION – Comprehensive Management Audit of the Company’s Gas and Electric Businesses.

263 06-G-1526 SACHEM CSD and KEYSpan LONG ISLAND ENERGY
06-E-1575 MR. JOSEPH M. BANEFO and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
09-C-0360 AMERIVEST PARTNERS, LLC and VERIZON 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 09-M-0776 GRIFFISS UTILITY SERVICES CORPORATION – Pet. for Approval of Project Financing Pursuant to PSL Sections 69 and 82.

265 09-M-0311 BATH ELECTRIC, GAS AND WATER SYSTEMS, THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID, CENTRAL HUDSON GAS & ELECTRIC CORPORATION, CONSOLIDATED EDISON COMPANY OF NEW YORK, INC., FILLMORE GAS COMPANY, INC., FISHERS ISLAND ELECTRIC COMPANY INC., VILLAGE OF FREEPORT, GREEN ISLAND POWER AUTHORITY, CITY OF JAMESTOWN, NEW YORK, KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID, MASSENA ELECTRIC DEPARTMENT, NATIONAL FUEL GAS DISTRIBUTION

CORPORATION, N.E.A. CROSS OF N.Y., INC., NEW YORK MUNICIPAL POWER AGENCY, NEW YORK STATE ELECTRIC & GAS CORPORATION, NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID, ORANGE AND ROCKLAND UTILITIES, INC., RESERVE GAS COMPANY, INC., ROCHESTER GAS AND ELECTRIC CORPORATION, ST. LAWRENCE GAS COMPANY, VALLEY ENERGY, INC., VILLAGE OF ROCKVILLE CENTRE – Tariff amendments to implement a surcharge to recover the Temporary State Energy and Utility Service Conservation Assessment, pursuant to Commission order issued June 19, 2009.

- 266 09-M-0739 CENTRAL HUDSON GAS & ELECTRIC CORPORATION – Pet. for Expedited Approval Pursuant to Section 70 of the PSL of a Grant to Dutchess County of an Easement of Certain Real Property Located in LaGrange, NY in Connection with the Dutchess Rail Trail Project and Request for Emergency Action.

POWER

- 361 09-E-0785 MR. DIEGO SFERRAZZA/MR. SAID EL MOUNDI and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. – In the Matter of a Commission Designee’s Determination Pursuant to PSL Section 52 – Petition for Rehearing.
- 362 00-F-2057 BESICORP-EMPIRE DEVELOPMENT COMPANY, LLC – Application 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 09-E-0842 CHINA INVESTMENT CORPORATION – Petition for a Declaratory Ruling Regarding the Acquisition of Common Stock of AES Corporation, or, in the Alternative, Approval Pursuant to Public Service Law Section 70.
- 364 09-E-0820 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. – Amendments to PSC 9-Electricity, eff. 2/26/10, to effectuate revisions to Public Service Law Section 66-j in relation to Net Metering for Micro-combined heat and power generating systems.
- 09-E-0819 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID – Amendments to PSC 220-Electricity, eff. 2/26/10, to effectuate revisions to Public Service law Section 66-j in relation to Net Metering for Micro-combined heat and power generating systems.
- 09-E-0829 NEW YORK STATE ELECTRIC & GAS CORPORATION – Amendments to PSC 120-Electricity, eff. 2/26/10, to effectuate revisions

to Public Service Law Section 66-j in relation to Net Metering for Micro-combined heat and power generating systems.

- 09-E-0830 CENTRAL HUDSON GAS & ELECTRIC CORPORATION – Amendments to PSC 15-Electricity, eff. 2/26/10, to effectuate revisions to Public Service Law Section 66-j in relation to Net Metering for Micro-combined heat and power systems.
- 09-E-0832 ROCHESTER GAS AND ELECTRIC CORPORATION – Amendments to PSC 19-Electricity, eff. 2/26/10, to effectuate revisions to Public Service Law Section 66-j in relation to Net Metering for Micro-combined heat and power generating systems.
- 09-E-0834 ORANGE AND ROCKLAND UTILITIES, INC. – Amendments to PSC 2-Electricity, eff. 2/26/10, to effectuate revisions to PSL 66-j in relation to Net Metering for Micro-combined heat and power generating systems.
- 365 08-E-0887 CENTRAL HUDSON GAS & ELECTRIC CORPORATION – Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Electric Service: Supplemental Plan for Implementation of Expansion of Hourly Pricing Provision.
- 366 08-E-0751 CENTRAL HUDSON GAS AND ELECTRIC CORPORATION (Central Hudson) – Amendments to PSC 15-Electricity, eff. 3/1/10; CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. (Con Edison) – Amendments to PSC 9-Electricity, PSC 2-Retail Access, PASNY 4, and Economic Development Delivery Service 2, eff. 3/1/10; ORANGE AND ROCKLAND UTILITIES, INC. (Orange and Rockland) – Amendments to PSC 2-Electricity, eff. 3/1/10; ROCHESTER GAS AND ELECTRIC CORPORATION (RG&E) – Amendments to PSC 19-Electricity, eff. 3/1/10; Con Edison’s and Orange and Rockland’s filings are to establish reactive power rates, including provisions to effectuate reactive power rates for customers on-site induction generators; Central Hudson’s and RG&E’s filings are to establish reactive power rates and provisions for customers operating on-site induction generators in compliance with Commission order issued September 22, 2009.
- 367 09-E-0526 583 6th LLC (TRIDENT DEVELOPERS NY, LLC) – Petition to Submeter Electricity at 585 6th Avenue, Brooklyn, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 368 09-E-0492 42ND AND 10TH ASSOCIATES – Petition to Submeter Electricity at 440 West 42nd Street, New York, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 369 07-E-0949 ORANGE AND ROCKLAND UTILITIES, INC. – Amendment to PSC 2-Electricity, eff. 3/1/10, to revise its metering charges in compliance with the Commission Order issued July 23, 2008.

- 370 09-E-0756 GENERAL ELECTRIC CORPORATION – Petition for Approval of the General Electric Bushing Current Transformer Model 17-1200-14.
- 371 05-E-1180 In the Matter of the Reliability Rules of the New York State Reliability Council and the Criteria of the Northeast Power Coordinating Council.
- 07-E-0088 In the Matter of the Adoption of an Installed Reserve Margin for the New York Control Area.
- 372 08-E-0539 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. – Amendments to PSC 9-Electric, eff. 11/19/09 (postponed to 4/1/10) to allow the Company to require a customer to make a reasonable contribution toward the cost of significant system improvements or reinforcements necessary to provide new or expanded service in compliance with Commission Order issued 4/24/09.
- 373 09-M-0745 ASTORIA ENERGY II LLC and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. – Petition for Authorization to Transfer an Easement in Certain Real Property in Queens County to Astoria Energy II, LLC Pursuant to Section 70 of the PSL – Substation Easement.
- 09-M-0746 ASTORIA ENERGY II LLC and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. – Petition for Authorization to Transfer an Easement in Certain Real Property in Queens County to Astoria Energy II, LLC Pursuant to Section 70 of the PSL – Overhead Run.
- 374 09-E-0115 Proceeding on Motion of the Commission to Consider Demand Response Initiatives – Petitions for Rehearing and Clarification.

WATER

- 461 09-W-0643 SARATOGA WATER SERVICES, INC. and CDP 3 SILOS, LLC – Joint Petition for a Declaratory Ruling Concerning the Provision of Water Service to a Proposed Project in the Town of Malta, Saratoga County.
- 462 09-W-0260 YELLOW BARN WATER COMPANY – Amendment to PSC 1-Water, eff. 3/1/10, for a Usage Rate Increase.

COMMUNICATIONS

- 561 07-C-0349 HANCOCK TELEPHONE COMPANY – Amendments to PSC 5-Telephone, eff. 2/1/10, on a temporary basis, to increase residential basic local service rates.
- 562 10-C-0016 TRICOM USA, INC., Debtor-in-possession and TRICOM USA, INC. – Pet. for Authority to Transfer Assets and Issue Stock, Bonds or Other Forms of Indebtedness.
- 563 09-C-0532 GERMANTOWN TELEPHONE COMPANY, INC. – Amendments to PSC 9-Telephone, to increase its annual revenues by \$300,000.

CABLE

- 661 03-V-1601 CABLEVISION OF ROCKLAND/RAMAPO, INC./Town of Clarkstown, Rockland County.
- 09-V-0773 MID-HUDSON CABLEVISION, INC./The Town of Prattsville, Greene County.
- 09-V-0823 SUFFOLK CABLE OF SHELTER ISLAND, INC./The Village of North Haven, Suffolk County.
- 09-V-0836 CABLEVISION SYSTEMS LONG ISLAND CORPORATION/Village of Mineola, Nassau County.

Applications for Certificates of Renewal.

REGULAR AGENDA

Items not necessarily to be considered in the order listed:

GAS

No Items Will Be Considered On This Agenda.

GENERAL

No Items Will Be Considered On This Agenda.

POWER

- 301 08-E-0077 ENTERGY NUCLEAR FITZPATRICK, LLC, ENTERGY NUCLEAR INDIAN POINT 2, LLC, ENTERGY NUCLEAR INDIAN POINT 3, LLC, ENTERGY NUCLEAR OPERATIONS, INC., NEWCO AND ENTERGY CORPORATION – Petition for a Declaratory Ruling Regarding a Corporate Reorganization or, in the Alternative, an Order Approving the Transaction and an Order Approving Debt Financings.
- 302 08-E-0439 RIVERVIEW II PRESERVATION, LP – Petition to submeter electricity at 47 Riverdale Ave., Yonkers, New York, located in the territory of Consolidated Edison Company of New York, Inc.

WATER

No Items Will Be Considered On This Agenda.

COMMUNICATION

- 501 09-C-0361 VERIZON NEW YORK INC. – In the Matter of Quality of Service provided by Local Exchange Companies in New York State.

CABLE

No Items Will Be Considered On This Agenda.

KEY TO ABBREVIATIONS:

16 NYCRR – 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