



# Public Service Commission

**For Immediate Release:** 10/12/18

John B. Rhodes, Chair

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## COMMISSION ISSUES PRELIMINARY OCTOBER 18, 2018 AGENDA

Albany, NY – The Public Service Commission announced today that it will hold its next regular session beginning at **10:30 A.M., Thursday, October 18, 2018, 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      18-M-0272      Report on the New York State Electric & Gas Supply Readiness for 2018-2019 Winter.

## WATER

- 401 16-W-0259 NEW YORK AMERICAN WATER COMPANY, INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of Water Service.

No items will be considered on the Regular Agenda for **GAS, POWER, 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  |  |
|-------|-----------|--|
|       |           | <b>GAS</b>   |
| 161   | 16-G-0369 | CORNING NATURAL GAS CORPORATION - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.              |
| 162-A |           | In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753 - Protection of Underground Facilities. (Penalty Determinations). |
|       | 17-G-0648 | KUBRICKY CONSTRUCTION CORP./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.   |
|       | 18-G-0593 | TIM MAURO CO., INC./CENTRAL HUDSON GAS & ELECTRIC CORPORATION.   |
|       | 18-G-0589 | LUCARELLI SAND & GRAVEL, INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.   |
|       | 18-G-0580 | H & Z BUILDING CONSULTING INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.   |
|       | 18-G-0594 | FRANKIE C'S CONTRACTING & SEALCOATING/CENTRAL HUDSON GAS & ELECTRIC CORPORATION.   |
|       | 18-G-0591 | ESSWEIN ASSOCIATES, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.   |
|       | 18-G-0590 | JOHN DEACY PLUMBING & HEATING, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.  |

- 18-G-0161 COUNTRY ACRES MOBILE HOME PARK, LLC/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 18-G-0241 LC SPRINKLERS SYSTEM INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 18-G-0586 5D ARCHITECTURE & ENGINEERING PLLC/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 18-G-0582 SWIM CLEAN INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 18-G-0581 ROCKS MASONARY & EXCAVATING INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 18-G-0585 CAC BHL JOINT VENTURE, LLC/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID.
- 18-G-0583 SKANSKA USA CIVIL NORTHEAST INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID.
- 162-B In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753 - Protection of Underground Facilities. (Consent Order Approvals).
- 18-G-0598 TOWN OF SHAWANGUNK DEPARTMENT OF PUBLIC WORK/CENTRAL HUDSON GAS & ELECTRIC CORPORATION.
- 18-G-0571 DRAGONFLY LANDSCAPE DESIGN LTD./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 18-G-0574 MORGAN CONSTRUCTION & CABINETS LTD./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 18-G-0588 N & N MAURA, LLC/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 18-G-0597 CON-TECH CONSTRUCTION TECHNOLOGY, INC./CENTRAL HUDSON GAS & ELECTRIC CORPORATION.
- 18-G-0573 GLEN AMESBURY & SON/ROCHESTER GAS AND ELECTRIC CORPORATION.
- 18-G-0572 CIR ELECTRICAL CONSTRUCTION CORPORATION/NEW YORK STATE ELECTRIC & GAS CORPORATION.
- 18-G-0569 AUDUBON ENVIRONMENTAL, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 18-G-0570 DARCY CONSTRUCTION CORPORATION/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 18-G-0575 EAST & WEST CONCRETE CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.

- 18-G-0599 L.P. TRUCKING & EXCAVATING, INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 162-C In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753 - Protection of Underground Facilities. (Petitions for Reconsideration and Rehearing).
- 17-G-0585 PERCIBALLI INDUSTRIES INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 17-G-0628 ARBEN GROUP LLC/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 17-G-0645 ROBERT MACVIE D/B/A ROBERT MACVIE INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 18-G-0049 GALLO CONSTRUCTION CORPORATION/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 163 18-G-0393 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Tariff Filing to Revise Its Gas Tariff Schedule, P.S.C. No. 9 - Gas, to Establish a Base Load Service Under Its Daily Delivery Service Program and to Make a Clarifying Revision to its Gas Cost Factor Provision.
- 164 18-G-0318 KEYSpan GAS EAST CORP. D/B/A NATIONAL GRID; THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY, AND CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Petition for Approval of the Cost Calculation and Reimbursement Provisions of the Replacement New York Facilities Agreement, and Recovery and Reconciliation of Costs Incurred Pursuant to such Provisions, And Other Related Relief.
- 165 18-G-0436 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Tariff filing to Revise Its Gas Tariff Schedule, P.S.C. No. 219, to Amend Its Capacity Release Program.

#### **GENERAL**

- 261 15-M-0566 In the Matter of Revisions to Customer Service Performance Indicators Applicable to Gas and Electric Corporations.
- 16-G-0058 Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of KeySpan Gas East Corporation d/b/a National Grid for Gas Service.
- 16-G-0059 Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of The Brooklyn Union Gas Company d/b/a National Grid NY for Gas Service.
- 262 17-E-0459 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Electric Service.

- 17-G-0460 CENTRAL HUDSON GAS & ELECTRIC CORPORATION -  
Proceeding on Motion of the Commission as to the Rates, Charges, Rules  
and Regulations for Gas Service.
- 263 17-M-0244 NEW YORK PRESBYTERIAN HOSPITAL - Petition for a Declaratory  
Ruling Concerning an Order Directing Consolidated Edison to Adopt and  
Utilize the Alternative Proposed Methodology of UtiliSave, LLC that is  
in Compliance with the Applicable Tariffs and the Public Service Law.
- 264 17-E-0238 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL  
GRID - Proceeding on Motion of the Commission as to the Rates,  
Charges, Rules and Regulations for Electric Service.
- 17-G-0239 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL  
GRID - Proceeding on Motion of the Commission as to the Rates,  
Charges, Rules and Regulations for Gas Service.
- 265 18-M-0494 ARTS CENTER AND THEATRE OF SCHENECTADY, INC. D/B/A  
PROCTORS - Petition for a Declaratory Ruling that as Owner and  
Operator of a Proposed Cogeneration Facility, will not be Subject to  
Public Service Commission Jurisdiction.

### POWER

- 361 18-E-0550 MR. AHMED ALAWLAQI ON BEHALF OF HIMSELF AND MR.  
ABDULLA HADI/MS. JOSE LUIS MONTES AND CONSOLIDATED  
EDISON COMPANY OF NEW YORK, INC. - Rehearing Request.
- 362 18-E-0527 MS. MANETTE DIEZ/MR. MICHAEL GROSSMAN AND  
CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. -  
Rehearing Request.
- 363 18-E-0539 ASTORIA ENERGY II LLC - Petition for a Declaratory Ruling  
Regarding the Transfer of Upstream Interests or, In the Alternative,  
Approval Pursuant to Section 70 of the Public Service Law.
- 364 18-E-0416 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Tariff  
filing to Revise Its Electric Tariff Schedule, P.S.C. No. 10, to Modify the  
Provisions for Standby Service.
- 365 16-T-0499 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL  
GRID - Petition to Amend the Certificate of Environmental Compatibility  
and Public Need Issued in Case 26573 for the 115 kV Finley Road to  
Falconer Transmission Line to Allow Interconnection of the Proposed  
West Ashville Substation in the Town of Harmony, Chautauqua County.
- 366 18-E-0381 2255 BROADWAY PROPERTY OWNER, L.L.C. - Notice of Intent to  
Submeter Electricity at 250 West 81st Street, New York, New York  
10011, located in the territory of Consolidated Edison Company of New  
York, Inc.

- 367 18-E-0273 MEZUYON LLC - Notice of Intent to Submeter Electricity at 572 11th Avenue, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc.
- 368 18-E-0564 NOBLE ALTONA WINDPARK, LLC, NOBLE BLISS WINDPARK, LLC, NOBLE CHATEAUGAY WINDPARK, LLC, NOBLE ELLENBURG WINDPARK, LLC., NOBLE WETHERSFIELD WINDPARK, LLC, AND ZEPHYR WIND ENERGY, LLC - Petition for a Declaratory Ruling That Further Review of a Transfer of Upstream Ownership Interests is Not Required, or, in the Alternative, for Expedited Approval of the Transfer Pursuant to Section 70.
- 369 18-E-0018 In the Matter of Proposed Amendments to the New York State Standardized Interconnection Requirements (SIR) for Small Distributed Generators.
- 370 13-E-0279 HELEN & JOHN PUGMIRE/MR. VLADISLAV RIABIOUK AND CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Rehearing of an Appeal Determination.
- 371 15-E-0302 Proceeding on Motion of the Commission to Implement a Large-Scale Renewable Program and a Clean Energy Standard.

#### **WATER**

- 461 18-W-0545 BONIVILLE WATER COMPANY, INC. AND KNOLLS WATER CO., INC. - In the Matter of the Acts and Practices and Adequacy of Service Provided by Boniville Water Company, Inc. and Knolls Water Co., Inc.

#### **COMMUNICATIONS**

- 561 17-C-0795 MR. MATTHEW SIEGEL/VERIZON - Rehearing of an Appeal Determination.
- 562 15-M-0388 Joint Petition of Charter Communications and Time Warner Cable for Approval of a Transfer of Control of Subsidiaries and Franchises, Pro Forma Reorganization, and Certain Financing Arrangements.

#### **CABLE**

- 661 18-V-0345 ADAMS CATV INC. - Petition for Approval of the Renewal of its Franchise with the Town of Colesville, Broome County.
- 18-V-0377 DTC CABLE, INC. - Petition for Approval of the Renewal of its Franchise with the Village of Delhi, Delaware County.
- 662 18-V-0390 DTC CABLE, INC. - Petition for a Certificate of Confirmation for its Franchise with the Town of Davenport, Delaware County.

### **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** will be posted for public viewing, if feasible, by 6:00 p.m. the day before a Commission meeting. The proposed draft orders will be made available at: [Documents Scheduled for Discussion at Session](#).

The posted draft orders will be removed by 6:00 p.m. on the day of the Commission meeting, or when the final order is issued, whichever is earlier. (Clicking on this link at any other time than that noted above will result in “No Documents found.”) The proposed draft 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, November 15, 2018, 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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