

STATE OF NEW YORK

Public Service Commission

Garry A. Brown, Chairman

Three Empire State Plaza, Albany, NY 12223

Further Details: James Denn

james_denn@dps.state.ny.us | 518.474.7080

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

<http://twitter.com/NYS DPS>

11086 Agenda

PSC LISTS AGENDA FOR THURSDAY, OCTOBER 13, 2011

PLEASE NOTE:

MEETING WILL BE BROADCAST ON THE INTERNET

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

Albany, NY – 10/07/11 – The New York State Public Service Commission announced today the agenda for its regular meeting starting at **10:30 A.M., Thursday, October 13, 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, November 10, 2011, in Albany, New York.**

The agenda for the October 13, 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

- 161 11-G-0159 Russo Development, Inc./National Fuel Gas Distribution Corporation.
- 11-G-0488 Capri Landscaping Inc./Consolidated Edison Company of New York, Inc.
- 11-G-0489 Carter Excavation Inc./KeySpan Gas East Corporation d/b/a National Grid.
- 11-G-0490 Larry Graziose Plumbing & Heating, Inc./KeySpan Gas East Corporation d/b/a National Grid.
- 11-G-0491 Cedar Knolls Inc./KeySpan Gas East Corporation d/b/a National Grid.
- 11-G-0492 Greenwood Irrigation/KeySpan Gas East Corporation d/b/a National Grid.
- 11-G-0493 Mead's Nursery, Inc./KeySpan Gas East Corporation d/b/a National Grid.
- 11-G-0494 Royal Star Associates, Inc./KeySpan Gas East Corporation d/b/a National Grid.
- 11-G-0495 Salt Springs Paving Co./KeySpan Gas East Corporation d/b/a National Grid.
- 11-G-0496 Meyers Contracting of Hudson, Inc./KeySpan Gas East Corporation d/b/a National Grid.
- 11-G-0497 Tom Greenauer Development, Inc./National Fuel Gas Distribution Corporation.
- 11-G-0498 Anzalone Electrical Contracting, Inc./National Fuel Gas Distribution Corporation.
- 11-G-0499 Davidson Fence, Inc./National Fuel Gas Distribution Corporation.
- 11-G-0500 Active Fence Co., Inc./National Fuel Gas Distribution Corporation.
- 11-G-0501 Eaton Excavating/National Fuel Gas Distribution Corporation.
- 11-G-0502 Hydrolawn of Buffalo, Inc./National Fuel Gas Distribution Corporation.
- 11-G-0505 Bella Vista Construction Corp./Orange and Rockland Utilities, Inc.
- 11-G-0506 David H. Tompkins & Sons, Inc./Orange and Rockland Utilities, Inc.
- 11-G-0507 Kinney Electric/Rochester Gas and Electric Corporation.

- 11-G-0508 Landmark Builders of Rochester, LLC/Rochester Gas and Electric Corporation.
- 11-G-0509 Vera Construction Inc./The Brooklyn Union Gas Company d/b/a National Grid NY.
- 162 08-G-1137 CORNING NATURAL GAS CORPORATION - Proceeding on Motion as to the Rates, Charges, Rules and Regulations for Gas Service.
- 163 11-G-0165 MR. DAVID ABBONDANZA/MR. VINCENT VOLPE and NATIONAL FUEL GAS DISTRIBUTION CORPORATION
- 164 11-G-0241 MR. MOHAN PERSAUD/MS. REANNA BROWN and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 165 11-G-0291 MR. RICHARD LATINI/MR. ANGEL VEGA and CENTRAL HUDSON GAS & ELECTRIC CORPORATION.
- 166 11-G-0213 MR. ROBERT PEGRAM/MS. VENIDA JACKSON and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 167 08-G-1137 CORNING NATURAL GAS CORPORATION - Proceeding on Motion as to the Rates, Charges, Rules and Regulations for Gas Service.
- 168 11-G-0347 NATIONAL FUEL GAS DISTRIBUTION CORPORATION - Petition for Authority to Issue and Sell Promissory Notes.
- 169 11-M-0396 PROJECT ORANGE ASSOCIATES, LLC and ALLIANCE ENERGY TRANSMISSIONS - SYRACUSE, LLC - Pet. for Approval of the Transfers of A Gas Pipeline and the Certificate of Environmental Compatibility and Public Need.
- 11-G-0397 ALLIANCE ENERGY TRANSMISSIONS - SYRACUSE, LLC - Pet. for an Order Establishing a Lightened Regulatory Regime.
- 170 11-G-0272 NATIONAL FUEL GAS DISTRIBUTION CORPORATION - Amendments to PSC 8-Gas, eff. 8/31/11, postponed to 10/31/11, to (1) modify storage inventory balance requirements, (2) make revisions related to the acquisition and use of interstate pipeline transmission capacity, (3) revise imbalance resolution procedures for Service Classification 21-Gas for Electric Generation, and (4) make "housekeeping" changes to streamline its gas tariff.
- 171 06-G-1185 THE BROOKLYN UNION GAS COMPANY D/B/A KEYSpan

ENERGY DELIVERY NEW YORK, Amendments to PSC 12-Gas, eff. 11/1/11, in compliance with Commission orders issued June 23, 2009 and January 19, 2010.

- 172 06-G-1186 KEYSpan GAS EAST CORPORATION D/B/A/ KEYSpan ENERGY DELIVERY LONG ISLAND - Amendments to PSC 1-Gas, eff. 11/1/11, in compliance with Commission's orders issued June 23, 2009 and January 19, 2010.

GENERAL

- 261 11-M-0343 MR. RAFAEL ESPINAL/MRS. ANA ESPINAL/MS. ANA GOMEZ/MS. ROSA HILARIO and ORANGE AND ROCKLAND UTILITIES, INC.
- 262 08-G-0633 MS. MOLLY PIERI/MR. RICHARD SENIOR and NATIONAL FUEL GAS DISTRIBUTION CORPORATION
- 07-E-0862 15 TENANT STOCKHOLDER CORP./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 07-M-1530 WEINREB MANAGEMENT/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 07-E-0598 PHIPPS HOUSES SERVICES/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 08-G-0344 MR. THOMAS CLOSSER and NEW YORK STATE ELECTRIC & GAS CORPORATION
- 07-E-0627 CIAMPA JAMAICA LLC/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 07-E-0638 LOWELL HOUSES and RMDM OF QUEENS/EDISON COMPANY OF NEW YORK, INC.
- 08-E-0473 BEECHWOOD-HUTCHINSON MANAGEMENT/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 263 08-E-1132 NEW YORK STATE ENERGY RESEARCH and DEVELOPMENT AUTHORITY (NYSERDA) - Pet. for Approval of an Energy Efficiency Portfolio Standard (EEPS) NYSERDA-Administered Electric Energy Efficiency Program.
- 07-M-0548 Proceeding on Motion of the Commission Regarding an Energy Efficiency Portfolio Standard.

POWER

- 361 11-E-0478 NIAGARA MOHAWK POWER CORPORATION d/b/a NATIONAL GRID - Amendments to PSC No. 220 - Electricity, eff. 10/17/11, to make modifications to Rule No. 57 - Revenue Decoupling Mechanism.
- 362 11-E-0388 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Amendments to PSC No. 15 - Electricity, eff. 11/1/11, to consolidate SC1-Residential and SC6-Residential Time-of-Use for purposes of computing the revenue decoupling mechanism and NYS Assessment.
- 363 11-E-0062 MUNICIPAL COMMISSION OF BOONVILLE - Amendments to PSC No. 1 - Electricity, eff. 11/1/11, to modify its residential service and increase its base purchased power cost.
- 364 10-E-0050 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.
- 365 11-E-0341 VILLAGE OF FREEPORT - Amendments to PSC No. 9 - Electricity, eff. 11/1/11, to establish New Metering Provisions for customers who own or operate solar or wind electric generating equipment.
- 366 11-E-0404 MS. RAMONA HUERTA/MS. IRENE ALBA and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 367 11-E-0240 MR. ANDRES NUNEZ TAVERAS/MS. SUZE BRETOUS and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 368 11-E-0480 MR. DALSTON H. HARRISON, JR./MS. JACQUILINE RUFFIN and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 369 11-E-0474 V&T OF NYC, LTD./MR. JESSIE JAMES and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 370 09-E-0717 ROCHESTER GAS AND ELECTRIC CORPORATION - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Electric Service.
- 371 07-M-0906 IBERDROLA, S.A., ENERGY EAST CORPORATION, RSG ENERGY

GROUP, INC., GREEN ACQUISITION CAPITAL, INC., NEW YORK STATE ELECTRIC & GAS CORPORATION and ROCHESTER GAS AND ELECTRIC CORPORATION - Joint Petition for the Approval of the Acquisition of Energy East Corporation by Iberdrola, S.A.

- 372 11-E-0245 EXELON CORPORATION, CONSTELLATION ENERGY GROUP, INC., CONSTELLATION ENERGY NUCLEAR GROUP, LLC, NINE MILE POINT NUCLEAR STATION, LLC, and R. E. GINNA NUCLEAR POWER PLANT, LLC - Joint Petition for a Declaratory Ruling Regarding a Stock Transaction or, in the Alternative, an Order Approving the Stock Transaction.
- 373 09-T-0870 EXELON CORPORATION, CONSTELLATION ENERGY GROUP, INC., CONSTELLATION ENERGY NUCLEAR GROUP, LLC, NINE MILE POINT NUCLEAR STATION, LLC, and R. E. GINNA NUCLEAR POWER PLANT, LLC - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII for the Reconstruction of Transmission Line 111 from Lockport to Mortimer, New York.

WATER

- 461 11-W-0297 GRANDVIEW WATERWORKS CORP. - Amendments to PSC No. 2 - Water, eff. 10/1/11, postponed to 11/1/11, to increase its annual revenues by about \$25,266 or 50%.
- 462 11-W-0120 DUTCHESS ESTATES WATER COMPANY, INC. - Amendments to PSC No. 1 - Water, eff. 7/1/11, suspended through 10/28/11, to increase the company's base rates by approximately \$14,727 or 24%.
- 463 11-W-0246 SARATOGA WATER SERVICES, INC. - Petition Pursuant to Public Service Law Section 89-F, For Authority to Issue and Sell Long Term Debt in an Amount not to Exceed \$1,389,500.
- 464 11-W-0389 ARROW PARK, INC. - Amendments to PSC No. 3 - Water, eff. 11/1/11, to increase its annual revenues by about \$10,052 or 144%.
- 465 11-W-0399 LONG ISLAND WATER CORPORATION d/b/a LONG ISLAND AMERICAN WATER - Petition for Authority to Issue and Sell Up to \$20,000,000 Aggregate Principal Amount of Long-Term Debt.
- 466 10-W-0534 SAGAMOR WATER CORP. - Proceeding on Motion of the Commission

Concerning the Refund of Over-Earnings.

- 467 11-W-0086 DEVON FARMS WATER WORKS INC. - Amendments for PSC No. 2 - Water, eff. 6/1/11, suspended through 3/28/12, to increase its annual revenues by about \$31,000 or 81%.
- 468 11-W-0087 Hopewell Service Corporation - Amendments to PSC No. 2 - Water, eff. 6/1/11 and suspended to 3/28/12, to increase its annual revenues by about \$10,500 or 24%.

COMMUNICATIONS

- 561 10-C-0650 WINDSTREAM NEW YORK, INC. - Tariff filing to make a Tariff Clarification.
- 562 11-C-0402 WARWICK VALLEY TELEPHONE COMPANY - Petition for Authority to Issue Stock.
- 563 11-C-0425 PAETEC HOLDING CORP., INTELLIFIBER NETWORKS, INC., MCLEODUSA TELECOMMUNICATIONS SERVICES, LLC, US LEC COMMUNICATIONS, LLC, PAETEC COMMUNICATIONS, INC., TALK AMERICA, INC., LDMI TELECOMMUNICATIONS, INC. AND WINDSTREAM CORPORATION - Joint Petition for Approval of an Indirect Transfer of Control of Authorized Telecommunications Providers.

CABLE

- 661 10-V-0626 CABLEVISION SYSTEMS DUTCHESS CORPORATION/TOWN OF UNION VALE, DUTCHESS COUNTY.
- 11-V-0371 TIME WARNER ENTERTAINMENT-ADVANCE NEWHOUSE PARTNERSHIP/VILLAGE OF FALCONER, CHAUTAUQUA COUNTY.
- 11-V-0364 TIME WARNER ENTERTAINMENT-ADVANCE NEWHOUSE PARTNERSHIP/TOWN OF MINETTO, OSWEGO COUNTY.
- 11-V-0374 TIME WARNER ENTERTAINMENT-ADVANCE NEWHOUSE PARTNERSHIP/TOWN OF OSWEGO, OSWEGO COUNTY.
- 11-V-0405 TIME WARNER ENTERTAINMENT-ADVANCE NEWHOUSE PARTNERSHIP/VILLAGE OF MADISON, MADISON COUNTY.
- 11-V-0415 CABLEVISION OF ROCKLAND/RAMAPO, INC./VILLAGE OF SOUTH NYACK, ROCKLAND COUNTY.
- 11-V-0421 CABLEVISION SYSTEMS LONG ISLAND

CORPORATION/VILLAGE OF FREEPORT OF NASSAU COUNTY.

11-V-0475 TIME WARNER ENTERTAINMENT-ADVANCE NEWHOUSE
PARTNERSHIP/VILLAGE OF AURORA, CAYUGA COUNTY.

11-V-0476 TIME WARNER ENTERTAINMENT-ADVANCE NEWHOUSE
PARTNERSHIP/VILLAGE OF UNION SPRINGS, CAYUGA
COUNTY.

662 11-V-0273 TOWN OF CONESVILLE - Petition for a Waiver of the Requirements
of 16 NYCRR, Section 894.1, 894.2, 894.3 and 894.4 to Permit the MTC
Cable to Provide Cable Television Services to the Town of Conesville,
Schoharie County.

REGULAR AGENDA

Items not necessarily to be considered in the order listed:

GAS

- 101 11-G-0380 Report on New York State Natural Gas Supply Readiness for the 2011-2012 Winter Season.

GENERAL

- 201 10-M-0457 Petition of New York State Energy Research and Development Authority in the Matter of the System Benefits Charge IV.
- 202 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.
- 203 07-G-0141 Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of National Fuel Gas Distribution Corporation for Gas Service.
- 07-M-0548 Proceeding on Motion of the Commission Regarding an Energy Efficiency Portfolio Standard.

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

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