

## Consent Agenda Report for 04/16/2015



The following is a preliminary and informal summary of actions the Commission took at its public session on April 16, 2015. This summary does not itself constitute final Commission action, and does not waive any privilege or exemption from disclosure for deliberative or other intra-agency materials. Final Commission action will take the form of an order.

### Gas

ITEM 161	<u>Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753 – Protection of Underground Facilities</u>
15-G-0065	ZIELINSKI'S ASPHALT, LLC/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
15-G-0153	RESTANI CONSTRUCTION CORP./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
15-G-0154	JOHN MCGOWAN AND SONS OF SEA CLIFF, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
15-G-0155	STASI BROTHERS ASPHALT CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
15-G-0157	CFS CONSTRUCTION SPECIALISTS, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
15-G-0158	GRECO LAWN SPRINKLERS, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
15-G-0159	ALX HUNTER EXCAVATION, INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
15-G-0160	SCOTT PERRI INDUSTRIES, INC./ORANGE AND ROCKLAND UTILITIES, INC.
15-G-0161	MANA CONSTRUCTION GROUP, LTD./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
15-G-0162	J & K TRUCKING AND EXCAVATING/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.

ITEM 161 (Cont'd)

15-G-0163 P & T II CONTRACTING CORP./THE BROOKLYN  
UNION GAS COMPANY D/B/A NATIONAL GRID NY.  
13-G-0174 LAKE CREST CONSTRUCTION/ROCHESTER GAS  
AND ELECTRIC CORPORATION.

The Commission decided to grant Consent Orders in Cases 15-G-0154, and 15-G-0157, determined \$2,500 penalties in Cases 15-G-0065, 15-G-0153, 15-G-0155, 15-G-0158, 15-G-0159, 15-G-0160, 15-G-0161, 15-G-0162, and 15-G-0163, and approved a Petition for Rehearing in Case 13-G-0174.

ITEM 162

14-G-0160 CENTRAL HUDSON GAS & ELECTRIC  
CORPORATION - The Commission decided to  
approve the Elster Q Sonic Plus Multi-Path Ultrasonic  
gas meter.

**General**

ITEM 261

14-E-0261, 14-W-0262 & 14-C-0260 FISHERS ISLAND ELECTRIC  
CORPORATION, FISHERS ISLAND WATER  
WORKS CORPORATION and FISHERS ISLAND  
TELEPHONE CORPORATION - The Commission  
decided to deny the company's petitions seeking  
deferral and recovery for transition costs related to  
the hiring of a new President.

ITEM 262

09-M-0311 Commissioner Burman abstained  
The Commission decided to approve, on a  
permanent basis, with modifications, the tariff filings  
by all the electric, gas, steam, and water  
corporations, municipal electric and gas corporations  
made pursuant to Commission Order Implementing  
Revised Temporary State Assessment issued June  
18, 2014. The Commission also directed two  
municipalities to update their tariff language to extend  
the Temporary State Assessment from June 30,  
2014 to December 31, 2017.

ITEM 263  
 14-M-0001 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. AND ORANGE AND ROCKLAND UTILITIES, INC. - The Commission decided to select NorthStar Consulting Group to conduct a defined Comprehensive Management and Operations Audits of the companies' relating to their respective electric, gas and steam businesses.

**Power**

ITEM 361  
 15-E-0144 VILLAGE OF LITTLE VALLEY - The Commission decided to approve the Village's tariff filing of a housekeeping nature to correct language under Service Classification No. 3.

ITEM 362  
 14-E-0569 FISHERS ISLAND ELECTRIC COMPANY, INC. - The Commission decided to approve the company's cancellation supplement to withdraw its tariff filing.

ITEM 363  
 15-E-0139 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - The Commission decided to approve the company's tariff filing of a "housekeeping" nature to remove an outdated rule from Rule 15 - Extension of Overhead Lines contained in P.S.C. No. 220 - Electricity.

ITEM 364  
 14-E-0422 & 14-E-0151 - Commissioner Burman abstained HUDSON VALLEY CLEAN ENERGY INC., SOLAR ENERGY INDUSTRIES ASSOCIATION, ALLIANCE FOR CLEAN ENERGY NEW YORK, THE VOTE SOLAR INITIATIVE, THE NATIONAL RESOURCES DEFENSE COUNCIL AND THE ALLIANCE FOR SOLAR CHOICE. – The Commission decided to grant rehearing, in part, to clarify the process for obtaining grandfathering from the substitution of volumetric for monetary crediting at non-demand metered locations.

- ITEM 365  
 15-E-0002 JAMESTOWN BOARD OF PUBLIC UTILITIES - The Commission decided to approve the company's petition requesting a Certificate of Public Convenience and Necessity to exercise a limited electric franchise in the Town of Ellicott, Chautauqua County.
- ITEM 366  
 14-E-0555 Rehearing of Appeal Determination  
 MR. SHUKRI ABDI/NATIONAL GRID-UPSTATE - The Commission decided to uphold its original determination.
- ITEM 367  
 14-E-0488 & 09-E-0109 - The Commission decided to extend exemptions from standby rates for beneficial forms of distributed generation and certain combined heat and power projects and expand the exemption to include combined heat and power projects larger than 1 MW.
- ITEM 368  
 14-E-0484 Appeal of Informal Hearing Decision  
 COMPLAINING SUBMETERED TENANTS/ RIVERVIEW REDEVELOPMENT CO., L.P. - The Commission decided to grant the appeal in part and modify the decision denying an informal hearing.
- ITEM 369  
 13-E-0573 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC - The Commission decided to approve the company's tariff filing describing the specific methodology to be used to determine the savings realized from a completed electric efficiency project and how that amount shall be used to allow for a pledge reduction under the program, contained in P.S.C. No. 10 - Electricity. In addition, the Commission also approved the use of the Enhanced C/I Performance Program Procedure Manual for measurement and verification reporting.
- ITEM 370  
 15-E-0003 EATON CORPORATION - The Commission decided to approve the company's PowerXpert multifamily electric submeter for use in New York.

- ITEM 371  
14-E-0302 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to grant the company's rehearing request to eliminate the condition that Reliability Performance Mechanism targets must be met as a precondition to obtaining BQDM program earnings. The Commission also granted, in part, the remainder of the company's requested clarifications because they will streamline program administration. The Commission denied the clarification request to relieve the company from distributed energy resource ownership restrictions.
- ITEM 372  
14-E-0522 KINGSVIEW HOMES - The Commission decided to approve the company to submeter electricity at 125 Ashland Place, Brooklyn, NY 11201.
- ITEM 373  
15-E-0041 CCI ROSETON LLC - The Commission decided to approve the company's financing request, approve a transfer of ownership, and continue lightened regulation of the facility.

**Water**

- ITEM 461  
14-W-0307 FOREVER WILD WATER COMPANY, INC. - The Commission decided to approve a loan for the company for up to \$411,000 to replace an aging water tank.
- ITEM 462  
14-W-0322 FISHERS ISLAND WATER WORKS CORPORATION - The Commission decided to authorize the company to increase its annual revenues by about \$115,652 or 19.4% to become effective May 1, 2015.

**Communications**

ITEM 561

15-C-0145 HANCOCK TELEPHONE COMPANY - The Commission decided to approve the company's petition to sell a parcel of land and storage shed to Frank, Jr. and Marie Scarpanito.

**Cable**

ITEM 661

15-V-0010 CABLEVISION SYSTEMS LONG ISLAND CORPORATION/VILLAGE OF SEA CLIFF, NEW YORK, NASSAU COUNTY.  
 15-V-0011 CABLEVISION SYSTEMS LONG ISLAND CORPORATION/VILLAGE OF STEWART MANOR, NEW YORK, NASSAU COUNTY.  
 15-V-0043 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF MANNSVILLE, JEFFERSON COUNTY.  
 15-V-0042 TIME WARNER CABLE NORTHEAST LLC/TOWN OF LORRAINE, JEFFERSON COUNTY.  
 14-V-0495 CHARTER COMMUNICATIONS/CITY OF PLATTSBURGH, CLINTON COUNTY.  
 14-V-0496 CHARTER COMMUNICATIONS/TOWN OF AUSABLE, CLINTON COUNTY.  
 14-V-0497 CHARTER COMMUNICATIONS/TOWN OF CHESTERFIELD, ESSEX COUNTY.  
 14-V-0498 CHARTER COMMUNICATIONS/TOWN OF BEEKMANTOWN, COUNTY OF CLINTON.  
 14-V-0499 CHARTER COMMUNICATIONS/TOWN OF PLATTSBURGH, CLINTON COUNTY.  
 14-V-0500 CHARTER COMMUNICATIONS/TOWN OF SARANAC, CLINTON COUNTY.  
 14-V-0501 CHARTER COMMUNICATIONS/TOWN OF SCHUYLER FALLS, CLINTON COUNTY.  
 14-V-0506 CHARTER COMMUNICATIONS/TOWN OF PERU, CLINTON COUNTY.  
 14-V-0507 CHARTER COMMUNICATIONS/TOWN OF DANNEMORA, CLINTON COUNTY.  
 14-V-0549 TIME WARNER CABLE NORTHEAST LLC/TOWN OF ROCHESTER, ULSTER COUNTY.

The Commission decided to approve the certificates for renewal of franchises for the listed companies.

- ITEM 662  
15-V-0006  
EMPIRE VIDEO SERVICES CORPORATION - The Commission decided to approve the company's petition for a Certificate of Confirmation for its franchise with the Village of Avoca.
- ITEM 663  
15-V-0007  
COMMUNITY CABLE CORPORATION D/B/A NORTH PENN VIDEO - The Commission decided to approve the company's petition for a Certificate of Confirmation of its franchise with the Village of Avoca.
- ITEM 664  
14-V-0120  
Appeal of Informal Hearing Decision  
ALFONZO MCNEIL/TIME WARNER CABLE OF NEW YORK CITY - The Commission decided to uphold the informal hearing decision.