



# Public Service Commission

**For Immediate Release: 11/18/20**

John B. Rhodes, Chair

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## **COMMISSION ISSUES FINAL NOVEMBER 19, 2020 AGENDA**

**Albany, NY** – The Public Service Commission announced today that it will hold its next regular session beginning at **10:30 A.M., Thursday, November 19, 2020.** **TO REDUCE THE POTENTIAL COMMUNITY SPREAD OF COVID-19, MEMBERS OF THE PUBLIC WILL ONLY BE ALLOWED TO LISTEN TO THE SESSION VIA WEBCAST.**

**THE MEETING WILL BE BROADCAST ON THE INTERNET AT:**

<http://www.dps.ny.gov/Webcasts.html>

**PLEASE NOTE, THE MEETING WILL BE AUDIO-ONLY. THE NEW YORK STATE PUBLIC SERVICE COMMISSION LOGO WILL BE DISPLAYED ON THE WEBCAST DURING THE MEETING.**

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	19-E-0378	NEW YORK STATE ELECTRIC & GAS CORPORATION - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Electric Service.
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- 19-E-0380 ROCHESTER GAS AND ELECTRIC CORPORATION - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Electric Service.
- 19-G-0379 NEW YORK STATE ELECTRIC & GAS CORPORATION - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.
- 19-G-0381 ROCHESTER GAS AND ELECTRIC CORPORATION - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.

### **POWER**

- 301-A 19-T-0549 LS POWER GRID NEW YORK, LLC, LS POWER GRID NEW YORK CORPORATION I, AND THE NEW YORK POWER AUTHORITY - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII for Edic/Marcy to New Scotland; Princetown to Rotterdam Project.
- 301-B 19-E-0739 LS POWER GRID NEW YORK CORPORATION I, LS POWER GRID NEW YORK, LLC - Petition for an Original Certificate of Public Convenience and Necessity and for an Order Providing for Lightened Regulation.
- 20-E-0361 LS POWER GRID NEW YORK, LLC AND LS POWER GRID NEW YORK CORPORATION I - Petition for Approval of Financing Under Lightened Regulation Pursuant to Section 69 of the Public Service Law.
- 302 20-E-0588 In the Matter of an Investigation into Consolidated Edison Company of New York, Inc.'s July 2019 Manhattan Customer Service Outages.
- 20-E-0587 In the Matter of an Investigation into Consolidated Edison Company of New York, Inc.'s July 2019 Southeast Brooklyn Customer Service Outages.
- 303 20-E-0586 In the Matter of Department of Public Service Investigation into the Utilities' Preparation for and Response to August 2020 Tropical Storm Isaias and Resulting Electric Power Outages.

**No items will be considered on the Regular Agenda for  
GAS, WATER, 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	GAS
161	19-G-0250	TOWN OF MALTA/NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - In the Matter of an Enforcement Proceeding for Alleged Violations of 16 NYCRR Part 753 - Protection of Underground Facilities, in the Service Territory of Niagara Mohawk Power Corporation, d/b/a National Grid.
162	20-G-0370	CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Tariff Filing to Make Revisions of a Housekeeping Nature to its Gas Tariff Schedule, P.S.C. No. 12, to Update Language and References, and Delete Obsolete Language.
163-A		In the Matter of an Enforcement Proceeding for Alleged Violation of 16 NYCRR Part 753 - Protection of Underground Facilities. (Penalty Determinations)
	20-G-0161	MASTER TREE SERVICES INC./KEYSPAN GAS EAST CORP. D/B/A NATIONAL GRID.
	20-G-0351	ABLE ISLAND CONSTRUCTION CORP./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
	20-G-0400	A-H CONSTRUCTION, LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
	20-G-0517	THOROUGHbred PROPERTY SERVICES/NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID.
	20-G-0519	THE INCORPORATED VILLAGE OF GARDEN CITY/KEYSPAN GAS EAST CORP. D/B/A NATIONAL GRID.
	20-G-0520	LOJA'S CONTRACTING CORP/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID.
	20-G-0521	CPR CUSTOM CONCRETE/NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
	20-G-0522	AM POWER & LIGHTING, LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
	20-G-0523	D Z IMAGE INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID.

- 20-G-0524 SUFFOLK SEPTIC SERVICES INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 20-G-0525 VISION LANDSCAPE/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 20-G-0526 BE BRONX BUILDERS/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 20-G-0527 FRANCESCO'S CONSTRUCTION, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 20-G-0528 AARON MARCHESE/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 20-G-0530 DYB LOPEZ CONSTRUCTION CORP./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 20-G-0531 STEVEN DUBNER LANDSCAPING, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 20-G-0532 FREDY MENDES & SONS MARINE CONSTRUCTION INC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 20-G-0533 FINGER LAKES LANDSCAPE & DESIGN, LLC/NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID.
- 20-G-0534 1915-1919 CORNAGA AVE LLC/KEYSPAN THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID.
- 20-G-0535 PERFECT CARE POOLS, INC/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID.
- 163-B In the Matter of an Enforcement Proceeding for Alleged Violation of 16 NYCRR Part 753 - Protection of Underground Facilities. (Consent Order Approvals)
- 20-G-0506 RIFENBURG CONSTRUCTION INC. /NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 20-G-0507 PAVE YOUR WAY BLACKTOP BY MAZZOLI INC./KEYSPAN GAS EAST CORP. D/B/A NATIONAL GRID.
- 20-G-0508 ROCK SOLID LANDSCAPE AND MASONRY DESIGN INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 20-G-0509 HARPER DESIGN BUILD, INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 20-G-0510 RNC INDUSTRIES, LLC/KEYSPAN GAS EAST CORP. D/B/A NATIONAL GRID.
- 20-G-0511 KANDEY COMPANY, INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION.

- 20-G-0512 M.M.C. CONSTRUCTION CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 20-G-0513 GGG CONSTRUCTION CORP./KEYSPAN GAS EAST CORP. D/B/A NATIONAL GRID.
- 20-G-0514 LUMINAIRE ELECTRIC CORPORATION/KEYSPAN GAS EAST CORP. D/B/A NATIONAL GRID.
- 20-G-0515 WHITE LAND CONSTRUCTION INC./KEYSPAN GAS EAST CORP. D/B/A NATIONAL GRID.
- 20-G-0529 CARVER CONSTRUCTION, INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 20-G-0536 SANGIOVANNI CONTRACTING SERVICE, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 164 18-G-0133 ST. LAWRENCE GAS COMPANY, INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.
- 18-G-0140 LIBERTY UTILITIES CO. AND ST. LAWRENCE GAS COMPANY, INC - Joint Petition for Approval, Pursuant to Section 70 of the PSL, of the Acquisition of St. Lawrence Gas Company, Inc. by Liberty Utilities Co. and for Approval, Pursuant to Section 69 of the PSL, of the Issuance of Long-Term Indebtedness.
- 20-G-0378 LIBERTY UTILITIES (ST. LAWRENCE GAS) CORP. - Petition for an Expedited Modification to its Certificate of Public Convenience and Necessity Pursuant to Section 68 of the New York Public Service Law.
- 165 20-G-0207 RONALD BRANCHE/ NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - In the Matter of the Rules and Regulations of the Public Service Commission, Contained in 16 NYCRR in Relation to Complaint Procedures - Appeal of the Informal Decision Rendered in Favor of Niagara Mohawk Power Corporation d/b/a National Grid. (830171)

#### **GENERAL**

- 261 18-M-0195 NATIONAL GRID USA - Proceeding on Motion of the Commission to Conduct a Comprehensive Management and Operations Audit of New York Electric and Gas Utilities.
- 262 20-M-0440 In the Matter of Rules and Regulations of the Public Service Commission, Contained in 16 NYCRR, Prescribing Interest Rates Applicable to Customer Deposits.
- 263 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.
- 264 19-E-0065 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Electric Service.
- 19-G-0066 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.
- 265 20-M-0316 RED-ROCHESTER, LLC - Petition for Order Approving Financing Pursuant to Sections 69, 82, and 89-f of the New York State Public Service Law.
- 266 20-M-0360 GREENLIGHT NETWORKS - In the Matter of Pole Attachments in the Service Territory of Rochester Gas and Electric Corporation and Frontier Communications.

### **POWER**

- 361 19-E-0562 GO HPS LLC - Notice of Intent to Submeter Electricity at 1-15 57th Avenue, Queens, New York 11373 Located in the Territory of Consolidated Edison Company, Inc.
- 362 19-E-0680 GO HPS LLC - Notice of Intent to Submeter Electricity at 57-28 2nd Street, Queens, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 363 20-E-0373 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Tariff filing to Make Revisions of a Housekeeping Nature to its Electric Tariff Schedule, P.S.C. No. 15, to Update Language and References.
- 364 20-E-0426 MR. AMADO CUEBA/MS. ISABEL BORRERO AND CONSOLIDATED EDISON COMPANY OF NY, INC. - In the Matter of a Commission Designee's Determination Pursuant to PSL Section 52 - Rehearing Petition of the Designee's Determination Rendered in Favor of Ms. Isabel Borrero and Consolidated Edison Company of NY, Inc. (974950).
- 365 20-E-0319 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Petition for Authority to Transfer Certain Street Lighting Facilities to the Town of Tonawanda Pursuant to Public Service Law Section 70.
- 366 20-E-0322 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Petition for Authority to Transfer Certain Street Lighting Facilities to the Town of Salina Pursuant to Public Service Law Section 70.

- 367 20-E-0323 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Petition for Authority to Transfer Certain Street Lighting Facilities to the City of Gloversville Pursuant to Public Service Law §70.
- 368 20-E-0326 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Petition for Authority to Transfer Certain Street Lighting Facilities to the City of Tonawanda Pursuant to Public Service Law §70.
- 369 20-E-0355 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Petition for Authority to Transfer Certain Street Lighting Facilities to the Village of Brockport Pursuant to Public Service Law §70.
- 370 20-E-0359 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Petition for Authority to Transfer Certain Street Lighting Facilities to the Village of Lima Pursuant to Public Service Law §70.
- 371 20-E-0362 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Petition for Authority to Transfer Certain Street Lighting Facilities to the Village of Scotia Pursuant to Public Service Law Section 70.
- 372 20-E-0369 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Notice of Intent for Approval, Pursuant to Public Service Law Section 70, to Transfer Certain Street Lighting to the Village of New Paltz with an Original Cost of Over \$100,000.
- 373 20-E-0374 NEW YORK STATE ELECTRIC & GAS CORPORATION - Petition for Approval, Pursuant to Public Service Law Section 70, to Transfer Street Lighting to the Town of Bethel with an Original Cost of Over \$100,000.
- 374 20-E-0302 111 WEST 57TH PROPERTY OWNER LLC - Notice of Intent to Submeter Electricity at 111 West 57th Street, New York, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 375 19-E-0538 VILLAGE OF FREEPORT - Minor Rate Filing to Increase Its Annual Revenues by about \$1,259,574 or 4.65%.
- 376 15-E-0302 Proceeding on Motion of the Commission to Implement a Large-Scale Renewable Program and a Clean Energy Standard.
- 377 15-F-0122 BARON WINDS, LLC - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 to Construct a Wind Energy Facility.
- 378 19-T-0549 LS POWER GRID NEW YORK, LLC, LS POWER GRID NEW YORK CORPORATION I, AND THE NEW YORK POWER AUTHORITY - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII for Edic/Marcy to New Scotland; Princetown to Rotterdam Project.

- 379 20-M-0064 UTILITY RATE ANALYSIS CONSULTANTS - Petition for a Declaratory Ruling Concerning Consolidated Edison Company of New York, Inc. Response to Consumer Complaints.
- 380 20-E-0472 NEW ATHENS GENERATING COMPANY, LLC, BEAL BANK, SSB AND BEAL BANK USA - Verified Petition for a Declaratory Ruling Regarding Transfer of Ownership, or, in the Alternative, an Approval Pursuant to Section 70 of the Public Service Law.
- 381 18-T-0499 NEXTERA ENERGY TRANSMISSION NEW YORK, INC. - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII of the Public Service Law for the Construction of a 20 Mile 345 Kilovolt Transmission Line Located in the Town of Royalton, Niagara County, and the Towns of Alden, Newstead, Lancaster, and Elma in Erie County.

### **WATER**

- 461 16-W-0259 NEW YORK AMERICAN WATER COMPANY, INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Water Service.
- 462 17-W-0528 SUEZ WATER OWEGO-NICHOLS INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Water Service.
- 19-W-0168 SUEZ WATER NEW YORK INC., SUEZ WATER WESTCHESTER INC. AND SUEZ WATER OWEGO-NICHOLS INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Water Service.

### **COMMUNICATIONS**

- 561 18-C-0386 SLIC NETWORK SOLUTIONS, INC. - Petition for Designation as an Eligible Telecommunications Carrier.
- 562 20-C-0193 In the Matter of Quality of Service Provided by Local Exchange Companies in New York State
- 563 20-C-0396 CABLEVISION LIGHTPATH LLC - Joint Petition for Approval of a Change in Indirect Minority Ownership and for Approval of Certain Financing Arrangements.

### **CABLE**

- 661 Petitions for Renewal of Cable Television Franchises.



- 20-V-0419 VERIZON NEW YORK INC./TOWN OF BABYLON, SUFFOLK COUNTY.
- 20-V-0447 SPECTRUM NORTHEAST, LLC/VILLAGE OF MARCELLUS, ONONDAGA COUNTY.
- 20-V-0448 SPECTRUM NORTHEAST, LLC/VILLAGE OF DELEVAN, CATTARAUGUS COUNTY.
- 20-V-0449 SPECTRUM NORTHEAST, LLC/VILLAGE OF FRANKLIN, DELAWARE COUNTY.
- 20-V-0450 SPECTRUM NORTHEAST, LLC/TOWN OF FRANKLIN, DELAWARE COUNTY.
- 20-V-0451 SPECTRUM NORTHEAST, LLC/TOWN OF MEREDITH, DELAWARE COUNTY.
- 20-V-0452 SPECTRUM NORTHEAST, LLC/TOWN OF CALLICOON, SULLIVAN COUNTY.
- 20-V-0454 SPECTRUM NORTHEAST, LLC/TOWN OF SHELBY, ORLEANS COUNTY.
- 20-V-0488 SPECTRUM NORTHEAST, LLC/TOWN OF OGDEN, MONROE COUNTY.
- 662 20-V-0291 VERIZON NEW YORK INC. - Petition for Orders of Entry for 46 Multiple-Dwelling Unit Buildings in the City of New York.
- 663 20-V-0292 VERIZON NEW YORK INC. - Petition for Orders of Entry for 35 Multiple-Dwelling Unit Buildings in the City of New York.

### **Instructions to Listen to the Webcast of Meeting**

The Internet webcast can be accessed at <http://www.dps.ny.gov/Webcasts.html>.

The listening 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 access the webcast. If you experience problems listening to 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 Department of Public Service Web site at [www.dps.ny.gov](http://www.dps.ny.gov), click on “Search” then search using the appropriate PSC case number.

### **Next Meeting**

The next regularly scheduled meeting will begin at **10:30 A.M., Thursday, December 17, 2020.**