



Public Service Commission

For Immediate Release: August 12, 2020

John B. Rhodes, Chair

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COMMISSION ISSUES FINAL AUGUST 13, 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, August 13, 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

REGULAR AGENDA ITEMS

Items To Be Resolved Through Discussion

Item PSC Case

POWER

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| 301 | 20-E-0197 | Proceeding on Motion of the Commission to Implement Transmission Planning Pursuant to the Accelerated Renewable Energy Growth and Community Benefit Act. (FOR INFORMATION ONLY.) |
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- 302 19-E-0107 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Proceeding on Motion of the Commission Investigating Utility Preparation and Response to Power Outages During the 2018 Winter and Spring Storms.
- 19-E-0108 ORANGE AND ROCKLAND UTILITIES INC. - Proceeding on Motion of the Commission Investigating Utility Preparation and Response to Power Outages During the 2018 Winter and Spring Storms.

No items will be considered on the Regular Agenda for
GAS, GENERAL, 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 | |
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| | | GAS |
| 161 | 18-G-0394 | Proceeding on Motion of the Commission to Conduct a Comprehensive Management and Operations Audit of National Fuel Gas Distribution Corporation. |
| 162 | 20-G-0206 | CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Tariff filing to modify its Gas Tariff Schedule to adjust the non-firm revenue sharing mechanism. |
| 163 | 18-G-0565 | CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Tariff Filing to Modify Its Gas Tariff Schedule, P.S.C. No. 9, Regarding the Interruptible Gas Service Program. |
| | 19-G-0191 | CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Tariff filing to Modify Its Gas Tariff Schedule, P.S.C. No. 9, Regarding the Interruptible Gas Service Program Violations or Strike Rules. (SAPA) |
| | 19-G-0370 | KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID - Tariff Filing to Modify its Gas Tariff Schedule, P.S.C. No. 1, to Establish Non-Firm Demand Response Service Classes. |
| | 19-G-0371 | THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY - Tariff Filing to Modify its Gas Tariff Schedule, P.S.C. No. 12, to Establish Non-Firm Demand Response Service Classes. |

- 164-A In the Matter of an Enforcement Proceeding for Alleged Violation of 16 NYCRR Part 753 - Protection of Underground Facilities. (Penalty Determinations)
- 20-G-0338 EAGLE CESSPOOL SERVICES, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
 - 20-G-0339 AQUA WORKS INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
 - 20-G-0340 M.L. CACCAMIS ELECTRIC CORP./ROCHESTER GAS AND ELECTRIC CORPORATION.
 - 20-G-0341 RJ GREEN CONSTRUCTION CORPORATION/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID.
 - 20-G-0342 RYBAK DEVELOPMENT AND CONSTRUCTION CORP./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
 - 20-G-0343 SCOTT MICHAEL DESIGN CONSTRUCTION CORP. D/B/A ISLAND DESIGN BUILD CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
 - 20-G-0344 WATER WORKS PIPING INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
 - 20-G-0345 SUPREME BUILDERS CORP./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
 - 20-G-0348 STEVEN DUBNER LANDSCAPING, INC./KEYSPAN GAS EAST CORP. D/B/A NATIONAL GRID.
 - 20-G-0349 JERRY'S TREE SERVICE/CORNING NATURAL GAS CORPORATION.
 - 20-G-0350 CUNNINGHAM EXCAVATION, INC. /NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID.
 - 20-G-0352 EAGLE LAWN SPRINKLERS, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
 - 20-G-0353 NORTHEAST RESTORATION CORP. /THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 164-B In the Matter of an Enforcement Proceeding for Alleged Violation of 16 NYCRR Part 753 - Protection of Underground Facilities. (Consent Order Approval)
- 20-G-0329 VILLAGER CONSTRUCTION, INC. /NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
 - 20-G-0330 DDS CONSTRUCTORS, LLC/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.

GENERAL

- 261 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.
- 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-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-0381 ROCHESTER GAS AND ELECTRIC CORPORATION - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.
- 262 11-G-0580 In the Matter of a Comprehensive Management Audit of National Fuel Gas Distribution Corporation.
- 13-M-0314 Issue a Request for Proposal for an Independent Third-Party Consultant to Conduct a Review of the Accuracy and Effectiveness of Certain Reliability and Customer Service Systems at all Gas and Combination Gas and Electric Utilities in New York State that Provide Statistics to the Commission on the Services They Provide Customers.
- 263 20-M-0029 In the Matter of the 2019 Amendment to the Public Service Law, Section 66-p (C. 705, L. 2019), Relating to Billing Information for Residential Rental Premises.

POWER

- 361 19-E-0009 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC./ECCLESIASTICAL ASSIST CORPORATION OF THE ARCHDIOCESE OF NEW YORK - In the Matter of the Rules and Regulations of the Public Service Commission, Contained in 16 NYCRR in Relation to Complaint Procedures - Appeal by of the Informal Decision Rendered in Favor of Ecclesiastical Assist Corporation of the Archdiocese of New York. (7329032)
- 362 19-E-0491 DANIEL PINKOWSKI/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 the Niagara Mohawk Power Corporation d/b/a National Grid. (948302)

- 363 20-E-0152 NEW YORK STATE ELECTRIC & GAS CORPORATION - Petition for Approval of Transfer of Street Lights to the Village of Clyde with an Original Cost of Over \$100,000.
- 364 20-E-0199 NEW YORK STATE ELECTRIC & GAS CORPORATION - Petition for Approval of Transfer of Street Lights to the Town of Thompson, Sullivan County with an Original Cost of Over \$100,000.
- 365 20-E-0200 NEW YORK STATE ELECTRIC & GAS CORPORATION - Petition for Approval of Transfer of Street Lights to the Village of Dryden, Tompkins County with an Original Cost of Over \$100,000.
- 366 17-T-0816 CENTRAL HUDSON GAS AND ELECTRIC CORPORATION - Petition for a Certificate of Environmental Compatibility and Public Need for the Rebuild of the Approximately 23.6 Mile H and SB Electric Transmission Lines to 115 kV Standards in the City of Kingston, and Towns of Ulster and Saugerties in Ulster County, and the Town of Catskill and Village of Catskill, Greene County.
- 367 20-E-0205 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Tariff Filing to Amend its Electric Tariff Schedule P.S.C. No. 10, to Change the Methodology for the Calculation of Reactive Power Demand.
- 368 20-E-0154 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Tariff Filing to amend its Electric Schedule P.S.C. No. 10, to provide certain Non-Residential Customers an annual credit in limited circumstances where the Company must install AMI metering communications equipment on the Customer's side of the meter.
- 369 15-E-0302 Proceeding on Motion of the Commission to Implement a Large-Scale Renewable Program and a Clean Energy Standard.
- 370 19-E-0738 BEDFORD 203, L.P. - Notice of Intent and Waiver Request to Submeter Electricity at 211 East 203rd Street, Bronx, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 371 20-E-0005 304 MULBERRY STREET OPERATING COMPANY, L.L.C. - Petition to Submeter Electricity at 40 Bleecker Street, New York, New York 10012, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 372 20-E-0041 76 NORTH PEARL LLC - Notice of Intent to Submeter Electricity at 76 North Pearl Street, Albany, New York 12207, Located in the Territory of Niagara Mohawk Power Corporation d/b/a National Grid.
- 373 20-E-0071 45 COLUMBIA STREET ASSOC. LLC - Petition to Submeter Electricity at 45 Columbia Street, Albany, New York 12207, Located in the Territory of Niagara Mohawk Power Corporation.
- 374 20-E-0240 BALL HILL WIND ENERGY, LLC, RES AMERICA DEVELOPMENTS INC. & NORTHLAND POWER NEW YORK

WIND LLC - Joint Petition for Approval of the Proposed Transaction Pursuant to Section 70 of the Public Service Law.

- 375 10-T-0139 CHAMPLAIN HUDSON POWER EXPRESS, INC. - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII of the PSL for the Construction, Operation and Maintenance of a High Voltage Direct Current Circuit from the Canadian Border to New York City.
- 376 14-E-0423 Proceeding on Motion of the Commission to Develop Dynamic Load Management Programs.

WATER

- 461 19-W-0778 SUEZ WATER WESTCHESTER INC. - Petition for a Declaratory Ruling or Order Approving an Amended Cost Allocation Methodology between SUEZ Water Westchester Inc. and Aquarion Water Company of Connecticut.
- 462 19-W-0783 EMERALD GREEN LAKE LOUISE MARIE WATER COMPANY, INC. - Petition for Approval to Defer and Surcharge its Customers to Recover Extraordinary Emergency Repairs.

COMMUNICATIONS

- 561 20-C-0193 VERIZON NEW YORK INC. – Report on the Quality of Service Provided During the Second Quarter of 2020.
- 562 20-C-0315 AIR VOICE WIRELESS, LLC d/b/a FEEL SAFE WIRELESS - Petition for Designation as an Eligible Telecommunications Carrier.
- 563 20-C-0127 NICHOLVILLE TELCO LLC D/B/A NICHOLVILLE TELEPHONE COMPANY - Petition for a Waiver of the Requirements of 16 NYCRR, Section 602.10(b) Regarding Distribution of Telephone Directories.
- 564 20-C-0248 WINDSTREAM HOLDINGS, INC.; WINDSTREAM SERVICES, LLC; AND AMERICAN TELEPHONE COMPANY LLC; A.R.C. NETWORKS, INC.; ATX LICENSING, INC.; BRIDGECOM INTERNATIONAL, INC.; BROADVIEW NETWORKS, INC.; BROADVIEW NP ACQUISITION CORP.; BUSINESS TELECOM, LLC; CHOICE ONE COMMUNICATIONS OF NEW YORK, INC.; CONVERSENT COMMUNICATIONS OF NEW YORK, LLC; CTC COMMUNICATIONS CORP.; DELTACOM, LLC; EARTHLINK BUSINESS, LLC; EARTHLINK CARRIER, LLC; EUREKA TELECOM, INC.; INTELLIFIBER NETWORKS, LLC; LDMI TELECOMMUNICATIONS, LLC; LIGHTSHIP TELECOM, LLC; MASSCOMM, LLC; MCLEODUSA TELECOMMUNICATIONS SERVICES, LLC; PAETEC COMMUNICATIONS, LLC; TALK AMERICA, LLC; TRUCOM CORPORATION; US LEC

COMMUNICATIONS, LLC; WINDSTREAM COMMUNICATIONS, LLC; WINDSTREAM NEW YORK, INC.; WINDSTREAM NORLIGHT, LLC AND WINDSTREAM NTI, LLC - Joint Petition for Approval to Transfer Indirect Control of the Windstream Licensees.

CABLE

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| 661 | 19-V-0628 | VERIZON NEW YORK INC. - Petition for Orders of Entry for 43 Multiple-Dwelling Unit Buildings in the City of New York. |
| 662 | 19-V-0632 | VERIZON NEW YORK INC. - Petition for Orders of Entry for 39 Multiple-Dwelling Unit Buildings in the City of New York. |
| 663 | | Petitions for Renewal of Cable Television Franchises. |
| | 20-V-0252 | SPECTRUM NORTHEAST, LLC/TOWN OF HURLEY, ULSTER COUNTY. |
| | 20-V-0284 | SPECTRUM NORTHEAST, LLC/VILLAGE OF BRUSHTON, FRANKLIN COUNTY. |
| | 20-V-0286 | SPECTRUM NORTHEAST, LLC/TOWN OF NORTH ELBA, ESSEX COUNTY. |
| | 20-V-0303 | SPECTRUM NORTHEAST, LLC/TOWN OF MARBLETOWN, ULSTER COUNTY. |

Instructions to Listen to the Webcast of Meeting

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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, 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, 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, September 17, 2020.**