



## Public Service Commission

**For Immediate Release: May 13, 2020**

John B. Rhodes, Chair

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### **COMMISSION ISSUES FINAL MAY 14, 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, May 14, 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      20-E-0197      In the Matter to Implement Transmission Planning Pursuant to the Accelerated Renewable Energy Growth and Community Benefit Act.

## POWER

- |     |           |   |
|-----|-----------|---|
| 301 | 20-E-0080 | In the Matter of 2020 Summer Electric System Preparations.  |
| 302 | 19-E-0735 | NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY - Petition Requesting Additional NY-Sun Program Funding and Extension of Program Through 2025. |

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 | 17-G-0606 | CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Petition for Approval of the Smart Solutions for Natural Gas Customers Program.   |
|     | 19-G-0171 | ORANGE AND ROCKLAND UTILITIES, INC. - Tariff filing to Modify Its Gas Tariff Schedule, P.S.C. No. 4, to Expand the Recovery of Certain Costs Associated with Trucked and Stored Compressed Natural Gas and Liquefied Natural Gas through the Gas Supply Charge and Balancing Service Program. |
| 162 |           | In the Matter of an Enforcement Proceeding for Alleged Violation of 16 NYCRR Part 753 - Protection of Underground Facilities. (Penalty Determinations)  |
|     | 19-G-0754 | FAIRWAY CONTRACTING/NATIONAL FUEL GAS DISTRIBUTION CORPORATION.   |
|     | 20-G-0156 | AJM CONSTRUCTION/NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID.  |
|     | 20-G-0157 | CNY CONTRACTING, EXCAVATING & CONCRETE/NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID.  |
|     | 20-G-0158 | GALLO & COMPANY, INC./KEYSPAN GAS EAST CORP. D/B/A NATIONAL GRID.   |

- 20-G-0159 J & E SEAL COATING & MASONRY INC./KEYSPAN GAS EAST CORP. D/B/A NATIONAL GRID.
- 20-G-0160 JON LAKE & SONS PROPERTY MAINTENANCE, INC./KEYSPAN GAS EAST CORP. D/B/A NATIONAL GRID.
- 20-G-0162 MGC DESIGN & CONSTRUCTION, CORP./KEYSPAN GAS EAST CORP. D/B/A NATIONAL GRID.
- 20-G-0163 RESCURE CESSPOOL & EXCAVATION/KEYSPAN GAS EAST CORP. D/B/A NATIONAL GRID.
- 20-G-0164 SASSO & SONS, LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 20-G-0165 SASSO & SONS, LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 20-G-0166 TIKI INDUSTRIES, INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 20-G-0167 UNITED PAVING CORP/KEYSPAN GAS EAST CORP. D/B/A NATIONAL GRID.
- 20-G-0168 ALEXIS CONSTRUCTION CORPORATION/KEYSPAN GAS EAST CORP. D/B/A NATIONAL GRID.
- 163 19-G-0690 THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY, KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID, AND NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Petition for Declaratory Ruling or in the Alternative for Partial Waiver of Restrictions on Use of Corporate Name.
- 164 20-G-0153 NATIONAL FUEL GAS DISTRIBUTION CORPORATION - Tariff Filing to Revise its Gas Tariff Schedule, P.S.C. No. 9, to Make Housekeeping Changes Removing Unnecessary Language from General Information Sections II.33-II.34 and Revising the Rate Year Period for its Economic Development Zone and Excelsior Programs.
- 165 18-G-0443 SMITHTOWN CENTRAL SCHOOL DISTRICT ET AL/KEYSPAN GAS EAST 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 KeySpan Gas East Corporation d/b/a National Grid. (551960, 551962, 551964, 551966, 551968, 551970, 552152, 552158, 552160)
- 166 20-G-0026 N.E.A. CROSS OF N.Y. INC. - Petition Pursuant to Section 70 of the Public Service Law for Approval of a Transfer of Control Stock Transaction.

- 167 19-G-0309 THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.
- 19-G-0310 KEYSpan GAS EAST CORP. D/B/A NATIONAL GRID - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.

### POWER

- 361 20-E-0031 NEW YORK STATE ELECTRIC & GAS CORPORATION - Petition for Authority, Pursuant to Public Service Law Section 70, to Transfer Street Lighting Facilities to the Town of Fallsburg.
- 362 14-G-0494 ORANGE AND ROCKLAND UTILITIES, INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.
- 363 18-T-0561 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII for its Gardenville-Dunkirk Lines 141/142, Northern Section Rebuild Project in Erie County.
- 364 20-E-0030 ROCHESTER GAS AND ELECTRIC CORPORATION - Petition for Authority, Pursuant to Public Service Law Section 70, to Transfer Street Lighting Facilities to the Town of Williamson.
- 365 18-E-0631 COMUNILIFE WOODHULL HDFC - Petition to Submeter Electricity at 179 Throop Avenue, Brooklyn, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 366 19-E-0590 MSBP 237 MASTER TENANT, LLC - Notice of Intent to Submeter Electricity at 237 Main Street, Buffalo, New York, Located in the Territory of National Grid.
- 367 19-E-0636 7 WEST 57TH STREET REALTY COMPANY, LLC - Notice of Intent to Submeter Electricity at 7 West 57th Street, New York, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 368 19-E-0649 APEX ROCHESTER, LLC - Notice of Intent to Submeter Electricity at 380 John St. Rochester, New York, Located in the Territory of Rochester Gas and Electric Corporation.
- 369 19-E-0652 611 W 56TH STREET PROPERTY LLC - Notice of Intent to Submeter Electricity at 611 West 56th Street, New York, New York 10019, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 370 19-E-0742 In the Matter of December 15, 2019 Electric Emergency Response Plan Review.

- 371 20-E-0008 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. -  
Petition to Discontinue the Smart AC Kit Program within Rider L.
- 372 14-E-0423 Proceeding on Motion of the Commission to Develop Dynamic Load  
Management Programs.
- 373 20-E-0083 ASTORIA ENERGY LLC - Joint Petition of Astoria Energy LLC,  
Astoria Energy II LLC and Astoria Power Partners Holding, LLC for a  
Declaratory Ruling Invoking the Wallkill Presumption or for Approval  
Pursuant to Section 70 of the Public Service Law.

### **WATER**

- 461 19-W-0744 TOWN OF NORTH COLLINS AND LAWTONS WATER COMPANY -  
Petition for Approval of a Transfer or Lease of Property with an Original  
Cost of Over \$100,000.
- 462 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.
- 19-W-0269 SUEZ WATER NEW YORK INC., SUEZ WATER WESTCHESTER  
INC. AND SUEZ WATER OWEGO-NICHOLS INC. - Joint Petition for  
Approval, Pursuant to New York State Public Service Law Sections 89-H  
and 108, to Merge and Become SUEZ Water New York Inc.

### **COMMUNICATIONS**

- 561 20-C-0141 Q LINK WIRELESS LLC - Petition for Designation as an Eligible  
Telecommunications Carrier.
- 562 20-C-0193 VERIZON NEW YORK INC. – Report on the Quality of Service  
Provided During the First Quarter of 2020.
- 563 20-C-0107 HAMMER FIBER OPTICS HOLDINGS CORP. - Petition for Approval  
of the Transfer of Indirect Control of American Network, Inc. to Hammer  
Fiber Optics Holdings Corp.
- 564 19-C-0286 In the Matter of Quality of Service Provided by Local Exchange  
Companies in New York State.

### **CABLE**

- 661 19-V-0620 VERIZON NEW YORK INC. - Petition for Orders of Entry for 34  
Multiple-Dwelling Unit Buildings in the City of New York.

- 662 19-V-0621 VERIZON NEW YORK INC. - Petition for Orders of Entry for 16 Multiple-Dwelling Unit Buildings in the City of New York.
- 663 20-V-0136 DTC CABLE, INC. - Petition for a Certificate of Confirmation for its Franchise with the Village of Franklin, Delaware County.
- 664 20-V-0137 SPECTRUM NEW YORK METRO, LLC, SUBSIDIARY OF CHARTER COMMUNICATIONS - Petition for an Order of Entry to the Multi-Dwelling Unit Building Located at 410 Manhattan Avenue, Brooklyn, NY 11211 Owned by Meekerman LLC.
- 665 20-V-0138 SPECTRUM NEW YORK METRO, LLC - Petition for an Order of Entry to Upgrade Cable Television Equipment and Facilities Pursuant to Section 228 of the NYS Public Service Law at 131-11 Fowler Ave., Flushing, NY 11355 (W & L Group).
- 666 20-V-0139 SPECTRUM NEW YORK METRO, LLC - Petition for an Order of Entry to Upgrade Cable Television Equipment and Facilities Pursuant to Section 228 of the NYS Public Service Law at 2 Washington Street, New York, NY 10004 (Moinian Group).
- 667 20-V-0171 SPECTRUM NEW YORK METRO, LLC - Petition for an Order of Entry to the Multi-Dwelling Unit Building located at 260 - 262 Kent Avenue, Brooklyn, NY 11249.
- 668 20-V-0172 SPECTRUM NEW YORK METRO, LLC - Petition for an Order of Entry to the Multi-Dwelling Unit Building located at 841 - 847 St. Nicholas Ave., New York, NY 10031.

### **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, June 11, 2020, in Albany, New York.**