



# Public Service Commission

**For Immediate Release: 10/06/21**

Rory M. Christian, Chair

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**21100**

## COMMISSION ISSUES FINAL OCTOBER 7, 2021 AGENDA

**ALBANY, NY** – The Public Service Commission announced today that it will hold its next regular session beginning at **10:30 A.M., Thursday, October 7, 2021**. The session will be held in the Commission’s offices located at Three Empire State Plaza, 19th Floor, Albany; 90 Church Street, 4th Floor, New York City; 125 East Bethpage Road, Plainview, Long Island; and, 295 Main Street, Buffalo, with in-person attendance limited to the Albany and New York City offices. Please be prepared to show identification to be admitted to the Albany and New York City offices. Due to COVID protocols, individuals must wear a mask while in the agency’s offices. Seating capacity in Albany and New York City will be minimal.

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

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

**-VIDEOCASTING TO PSC’S NYC OFFICES AVAILABLE-**

**(See instructions on last page of Agenda)**

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      21-M-0243      Report on the New York State Electric & Gas Supply Readiness for 2021-2022 Winter.

**No items will be considered on the Regular Agenda for POWER, 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	20-G-0545	NATIONAL FUEL GAS DISTRIBUTION CORPORATION - Petition for Approval, Pursuant to Public Service Law Section 113(2), to Utilize a Pipeline Refund in Furtherance of the State's Clean Energy Goals.
162	20-G-0435	NATIONAL FUEL GAS DISTRIBUTION CORPORATION - Petition for Approval of the Romet RMT1000-RMT23000 Family of Meters.
163	21-G-0363	CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Tariff filing to Modify its Gas Tariff Schedule, PSC No. 9, to Clarify the Names of the Baseload Service City Gates under the Daily Delivery Service Program.
164	20-G-0086	THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY - Tariff filing to Modify its Gas Tariff Schedule, P.S.C. No. 12 - Gas, to Establish a Firm Demand Response Program.
	20-G-0087	KEYSPAN GAS EAST CORP. DBA BROOKLYN UNION OF L.I. - Tariff filing to Modify its Gas Tariff Schedule, P.S.C. No. 1 - Gas, to Establish a Firm Demand Response Program.
165-A		In the Matter of an Enforcement Proceeding for Alleged Violation of 16 NYCRR Part 753 - Protection of Underground Facilities (Consent Order Approvals).
	21-G-0267	Beechwood Operating Company, LLC/KeySpan Gas East Corp. d/b/a National Grid.
	21-G-0328	Bancker Construction Corp./KeySpan Gas East Corporation d/b/a National Grid.
	21-G-0329	Bancker Construction Corp./KeySpan Gas East Corporation d/b/a National Grid.
	21-G-0392	Gazebo Contracting Inc/KeySpan Gas East Corporation d/b/a National Grid.
	21-G-0439	Beam Enterprises Inc/Central Hudson Gas and Electric Corporation.
	21-G-0440	Masone Masonry/KeySpan Gas East Corporation d/b/a National Grid.
	21-G-0441	Beechwood Operating Company LLC/KeySpan Gas East Corporation d/b/a National Grid.
	21-G-0476	Alunique Construction Corp./Consolidated Edison Company of New York, Inc.

- 21-G-0477 4th Generation Construction Inc./National Fuel Gas Distribution Corporation.
- 21-G-0478 Y&M Home Builders Inc./The Brooklyn Union Gas Company d/b/a National Grid NY.
- 21-G-0479 Gramercy Group Inc./KeySpan Gas East Corp. d/b/a National Grid.
- 21-G-0480 1706 Infamous Graphics LTD/Niagara Mohawk Power Corporation.
- 21-G-0481 D Handy Inc./KeySpan Gas East Corp. d/b/a National Grid.
- 21-G-0482 Advanced Demolition Services, Inc./National Fuel Gas Distribution Corporation.
- 21-G-0483 Steven Cooper & Sons Inc's/Central Hudson Gas & Electric Corporation.
- 21-G-0484 BCSJ Construction/Central Hudson Gas & Electric Corporation.
- 165-B In the Matter of an Enforcement Proceeding for Alleged Violation of 16 NYCRR Part 753 - Protection of Underground Facilities (Petitions for Rehearing).
- 20-G-0056 In the Matter of an Enforcement Proceeding Against Royal Empress Inc. for Alleged Violations of 16 NYCRR Part 753- Protection of Underground Facilities, in the Service Territory of Consolidated Edison Company of New York, Inc.
- 20-G-0283 In the Matter of an Enforcement Proceeding Against R&G Remodeling for Alleged Violations of 16 NYCRR Part 753 - Protection of Underground Facilities in the Service Territory of Consolidated Edison Company of New York, Inc.
- 20-G-0408 In the Matter of an Enforcement Proceeding Against Hyperion Development 215 LLC 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.
- 20-G-0570 In the Matter of an Enforcement Proceeding Against Advantage Tree Service LLC 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.

### **GENERAL**

- 261 20-M-0360 ROCHESTER GAS AND ELECTRIC CORPORATION AND FRONTIER COMMUNICATIONS - Proceeding on Motion of the Commission of Greenlight Networks' Pole Attachments in the Service Territory of Rochester Gas and Electric Corporation and Frontier Communications.

**POWER**

- 361 11-E-0594 PENNSYLVANIA ELECTRIC COMPANY - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Electric Service.
- 362 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.
- 363 20-E-0072 383-391 E 12 STREET LLC/BROWN HARRIS STEVENS/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - 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 Consolidated Edison Company of New York, Inc. (969274).
- 364 21-E-0315 NEW YORK STATE ELECTRIC & GAS CORPORATION - Petition for Approval, Pursuant to Public Service Law Section 70, to Transfer Street Lighting Facilities to the Town of Lockport with an Original Cost of Over \$100,000.
- 365 21-E-0335 NEW YORK STATE ELECTRIC & GAS CORPORATION - Petition for Approval, Pursuant to Public Service Law Section 70, to Transfer Street Lighting Facilities to the Town of Ithaca with an Original Cost of Over \$100,000.
- 366 21-E-0352 NEW YORK STATE ELECTRIC & GAS CORPORATION - Petition for Approval, Pursuant to Public Service Law Section 70, to Transfer Street Lighting Facilities to the Town of Horseheads with an Original Cost of Over \$100,000.
- 367 19-E-0060 5531-321 EAST 22ND STREET MANHATTAN LLC - Petition to Submeter Electricity at 321 East 22nd Street, New York, New York Located in the Territory of Consolidated Edison Company of New York, Inc.
- 368 21-E-0128 PARAGON JV PROP III LLC - Notice of Intent to Submeter Electricity at 2555 Broadway, New York, New York 10025, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 369 21-E-0146 TSINY 89TH AVENUE, L.P. - Notice of Intent to Submeter Electricity at 161-01 89th Avenue, Jamaica, New York 11432 Located in the Territory of Consolidated Edison Company of New York, Inc.
- 370 21-T-0340 NEW YORK POWER AUTHORITY AND NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Application for a Certificate of Environmental Compatibility and Public Need for the Rebuild of Approximately 100 Linear Miles of Existing 230 kV to Either 230 kV or 345 kV along with Associated Substation Upgrades Along the Existing NYPA Moses-Willis 1&2, Willis-Patnode, Willis-Ryan, and National Grid's Adirondack-Porter 11, 12 and 13 Lines in Clinton, Franklin, St. Lawrence, Lewis, and Oneida Counties, New York.

- 371 21-E-0312 NEW YORK STATE ELECTRIC & GAS CORPORATION - Tariff Filing to Cancel Leaves Associated with the Energy Smart Community Rate Pilot.
- 372 17-E-0603 In the Matter of Maintenance Tier Applications.
- 373 17-E-0603 In the Matter of Maintenance Tier Applications.
- 374 21-E-0360 NIAGARA MOHAWK POWER CORPORATION - Petition Pursuant to Section 70 of the New York State Public Service Law Regarding the Transfer of Certain Property to the Town of Guilderland.
- 375 21-E-0369 NIAGARA MOHAWK POWER CORPORATION - Petition Pursuant to Section 70 of the New York State Public Service Law Regarding the Transfer of Certain Property to the Town of Webb.
- 376 21-E-0370 NIAGARA MOHAWK POWER CORPORATION - Petition Pursuant to Section 70 of the New York State Public Service Law Regarding the Transfer of Certain Property to the Town of Johnstown.
- 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.

#### **WATER**

- 461 21-W-0292 SARATOGA WATER SERVICES AND POPPY'S PLACE FOOD PARK, LLC - Joint Petition for Approval of an Extension Agreement and Waivers.
- 462 21-W-0355 SARATOGA WATER SERVICES AND ZULFIQAR ZULFI - Joint Petition for Approval of an Extension Agreement and Waivers.
- 463 21-W-0176 DOVER PLAINS WATER COMPANY - Petition for Approval of a Transfer of Its Stock.
- 464 21-W-0354 SARATOGA WATER SERVICES AND 3D LUNDY, LTD. - Joint Petition for Approval of an Extension Agreement and Waivers.

#### **COMMUNICATIONS**

- 561 20-C-0042 NGA 911, L.L.C. - Petition for an Original Certificate of Public Convenience and Necessity to Operate as a Facilities-Based Provider and Reseller of Intrastate Telecommunications Services.

#### **CABLE**

- 661 Petitions for Renewal of Cable Television Franchises.
- 21-V-0393 Spectrum Northeast, LLC/Village of Argyle, Washington County.
- 21-V-0395 Spectrum Northeast, LLC /Town of Greenwich, Washington County.

- 21-V-0396 Spectrum Northeast, LLC/Town of Albion, Oswego County.
- 21-V-0397 Spectrum Northeast, LLC/Town of Hartland, Niagara County.
- 21-V-0401 Spectrum Northeast, LLC/Town of Sandy Creek, Oswego County.
- 21-V-0407 Spectrum Northeast, LLC/Village of Theresa, Jefferson County.
- 21-V-0408 Spectrum Northeast, LLC/Town of Kingsbury, Washington County.
- 21-V-0413 Spectrum Northeast, LLC/Town of Pierrepont, St. Lawrence County.
- 21-V-0427 Verizon New York Inc./Village of Skaneateles, Onondaga County.
- 21-V-0428 Verizon New York Inc./Village of Rockville Centre, Nassau County.
- 662 21-V-0459 VERIZON NEW YORK INC. - Petition for an Order of Entry for 334 East 78th Street, Manhattan.
- 663 21-V-0460 VERIZON NEW YORK INC. - Petition for an Order of Entry for 255 4th Avenue, Brooklyn.
- 664 21-V-0461 VERIZON NEW YORK INC. - Petition for an Order of Entry for 486 3rd Avenue, Brooklyn.
- 665 21-V-0462 VERIZON NEW YORK INC. - Petition for an Order of Entry for 485 Central Park West, Manhattan.
- 666 21-V-0463 VERIZON NEW YORK INC. - Petition for an Order of Entry for 2089 Arthur Avenue, Bronx.
- 667 21-V-0464 VERIZON NEW YORK INC. - Petition for Orders of Entry for 39 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, November 18, 2021.**