

STATE OF NEW YORK

Public Service Commission

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COMMISSION TO MEET ON THURSDAY, JULY 18, 2013

Albany, NY – 07/12/13 – The Public Service Commission announced today that it will hold its next regular session beginning at **10:30 a.m., Thursday, July 18, 2013, in the 19th Floor Board Room of its offices located at Three Empire State Plaza, Albany, New York.**

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 Numbers below, visit:

http://www.dps.ny.gov/New_Search.html

REGULAR AGENDA ITEMS

Items To Be Resolved Through Discussion

Item PSC Case

GAS

101-A 13-T-0241 TALISMAN ENERGY USA, INC. - Application for Amendments of Certificates of Environmental Compatibility and Public Need.

101-B 13-G-0249 TALISMAN ENERGY USA, INC. - Verified Petition for a Waiver of Regulations Requiring that Certain Gathering Line Segments be Odorized and a Request for an Evidentiary Hearing.

GENERAL

- 201 13-G-0184 CORNING NATURAL GAS CORPORATION - Petition for Approval of an Economic Development Package for Manufacturing Expansion in New York State.
- 13-E-0185 NEW YORK STATE ELECTRIC AND GAS CORPORATION -
 Petition for an Exemption under its Non Rate Economic Development Program.

No items will be considered on the Regular Agenda for **Power, 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

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| 161 | 13-G-0272 | NEW YORK STATE ELECTRIC AND GAS CORPORATION - In the Matter of an Amendment to the Company's Certificate of Public Convenience and Necessity Within the Town of Plattsburgh. |
| 162 | | There is no item 162. |
| 163 | | There is no item 163. |
| 164 | 13-G-0179 | BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY - Amendments to PSC 12-Gas, eff. 8/1/13, to remove language under Service Classification No. 19 - Seller Transportation Aggregation Service regarding delivery of supply by means of Tier 1 release capacity. |
| | 13-G-0180 | KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID - Amendments to PSC 1-Gas, eff. 8/1/13, to remove language under Service Classification No. 8 - Seller Service regarding delivery of supply by means of Tier 1 release capacity. |
| 165 | 13-G-0105 | In the Matter of the Rules and Regulations of the Public Service Commission, Contained in 16 NYCRR - Proposed Amendments to Chapter I, Rules of Procedure, Subchapter A, General, Part 10, Referenced Material to ensure conformance with Title 49, Code of Federal Regulations, Part 195 Transportation of Hazardous Liquids by Pipeline and with Title 49, Code of Federal Regulations, 193 Liquefied Natural Gas Facilities. |
| 166 | | In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities. |
| | 13-G-0216 | BINKIS LANDSCAPE, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID. |
| | 13-G-0251 | ROCK E SMALL PLUMBING & HEATING/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. |

- 13-G-0252 KP DEVELOPERS/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 13-G-0253 HONG KONG STYLE CONSTRUCTION, INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 13-G-0254 N. SAMPOGNA & SON CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 13-G-0255 ISLAND ASSOCIATES/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 13-G-0256 SUNRISE HOME IMPROVEMENT/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 13-G-0257 REET CONSTRUCTION CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 13-G-0258 PAPE CONSTRUCTION COMPANY, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 13-G-0259 HANDDUG DRYWELLS/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 13-G-0260 BETTAWAY LANDSCAPING/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 13-G-0261 JC'S EXCAVATING INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 13-G-0262 DAVID GROSS CONTRACTING CORP./NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 13-G-0263 E. A. METZINGER TRUCKING, INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 13-G-0264 MARIAVILLE CONSTRUCTION CO., INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 13-G-0265 REED CONSTRUCTION/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 13-G-0266 J E O ENTERPRISES/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 13-G-0268 MARINE BULKHEADING, INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 13-G-0269 SPEEDWAY PLUMBING & HEATING/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.

GENERAL

- 261 13-M-0225 NEW YORK STATE ELECTRIC & GAS CORPORATION - In the Matter of Whether New York State Electric & Gas Corporation Should

be Required to Take Certain Actions to Protect its Name and to Minimize Customer Confusion.

- 262 13-M-0224 DIRECT ENERGY SERVICES, LLC - In the Matter of Whether the Use of the Name "NYSEG Solutions" by Direct Energy Constitutes "Misleading or Deceptive Conduct" Prohibited by the Commission's Uniform Business Rules.
- 263 13-M-0200 NEW YORK STATE ELECTRIC & GAS CORPORATION - Petition for Authority to Issue Long-Term Indebtedness Preferred Stock and Hybrid Securities and to Enter into Derivative Instruments Pursuant to a Global Financing Plan.
- 264 13-E-0030 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Electric Service. Motion for Limited Waiver.
- 13-G-0031 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service. Motion for Limited Waiver.
- 13-S-0032 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Steam Service. Motion for Limited Waiver.
- 265 13-E-0278 MR. ANTHONY LORITO/MR. CARMINE LOMBARDI and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Rehearing of Designee's Determination.
- 266 12-M-0205 ORANGE AND ROCKLAND UTILITIES, INC. - Petition Regarding Disposition of Property Tax Benefits from the Town of Monroe and the City of Middletown.
- 267 08-M-1448 MR. FERNANDO FELICIANO and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Appeal of Informal Hearing Decision.
- 10-C-0059 MS. JANICE GERALDS and VERIZON NEW YORK INC. - Appeal of Informal Hearing Decision.
- 268 There is no item 268.

269 07-M-0548 Proceeding on Motion of the Commission Regarding an Energy Efficiency Portfolio Standard. Extension of the Home Energy Reports Demonstration Program.

270 There is no item 270.

271 13-S-0027 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Petition for the Approval of the Rosemount 8800 Series Vortex Flowmeter as a Steam Measurement and Billing Device.

POWER

361 03-E-0188 Proceeding on Motion of the Commission Regarding a Retail Renewable Portfolio Standard. Petition of the New York State Energy Research and Development Authority to Revise the Design of the RPS Customer-Sited Tier Solar Photovoltaic Programs.

362 13-E-0247 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Amendments to PSC 214-Electricity, eff. 7/19/13, to make a housekeeping change to remove duplicate text.

363 13-M-0139 FAMILY ENERGY, INC. - Proceeding on Motion of the Commission to Investigate the Company's Marketing Practices.

364 11-E-0176 In the Matter of the Commission's Implementation of Certain Provisions of the Recharge New York Power Program Act.

CENTRAL HUDSON GAS AND ELECTRIC CORPORATION, NEW YORK STATE ELECTRIC AND GAS CORPORATION, NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID, ORANGE AND ROCKLAND UTILITIES, INC. and ROCHESTER GAS AND ELECTRIC CORPORATION - Tariff Amendments implementing revisions to the Recharge New York (RNY) program by allowing customers a one-time option to combine their RNY delivery discount or their Empire Zone or Excelsior Jobs program delivery discount on load that is qualified to be served under either program.

13-E-0109 Proceeding on Motion of the Commission to Examine Combining Certain Low-Cost Power Supply Allocations with an Empire Zone or Excelsior Jobs Delivery Discount.

- 365 11-E-0671 NINE MILE POINT NUCLEAR STATION, LLC and NINE MILE POINT 3 NUCLEAR PROJECT, LLC - Joint Petition for Approval of the Transfer of an Ownership Interest in a Part of the Works Or System of an Electric Corporation Pursuant To Section 70 of the New York Public Service Law.
- 366 12-E-0503 Proceeding on Motion of the Commission to Review Generation Retirement Contingency Plans. Compliance With the State Environmental Quality Review Act.
- 367 13-E-0066 UDC GATEWAY, LLC - Petition to Submeter Electricity at 1560 Fulton Street, Brooklyn, NY Located in the Territory of Consolidated Edison Company of New York, Inc.
- 368 13-E-0102 MACEDONIA PLAZA DEVELOPMENT, LLC - Petition to Submeter Electricity at 37-08 Union Street, Flushing, NY 11213, Located in the Territory of Consolidated Edison.
- 369 00-F-2057 BESICORP-EMPIRE DEVELOPMENT COMPANY, LLC - Application for a Certificate of Environmental Compatibility and Public Need to Construct and Operate a 505 Megawatt, Combined Cycle Cogeneration Plant in the City of Rensselaer, Rensselaer County. Confirming Order.

WATER

- 461 11-W-0640 PAINTED APRON WATER COMPANY, INC. - Proceeding on Motion of the Commission as to the Acts, Practices and Adequacy of Service Provided. Painted Apron Water Committee's Request for Appointment as the Temporary Operator.
- 462 12-W-0534 UNITED WATER OWEGO-NICHOLS INC. - Petition to Implement a Surcharge and Defer Costs Related to Tropical Storm Lee.
- 463 08-W-1407 THE CHAFFEE WATER WORKS COMPANY - Minor Rate Filing to Increase its Annual Water Revenues by about \$17,754 or 105%.
- 12-W-0260 THE CHAFFEE WATER WORKS COMPANY - Petition for Additional Funding for Expenditures.

- 464 13-W-0303 In the Matter of United Water New York Inc.'s Development of a New Long-Term Water Supply Source.

COMMUNICATIONS

- 561 12-C-0190 In the Matter of Quality of Service provided by Local Exchange Companies in New York State. Commendations of Local Telephone Companies for Excellent Service Quality During 2012 and Annual Service Quality Report for Independent Telephone Companies.

CABLE

- 661 Petitions for Renewal of Cable Television Franchises.
- 13-V-0207 TIME WARNER CABLE/TOWN OF NASSAU, RENSSELAER COUNTY.
- 13-V-0208 TIME WARNER NY CABLE LLC D/B/A TIME WARNER CABLE/BUFFALO DIVISION/TOWN OF COLDEN, ERIE COUNTY.
- 13-V-0228 TIME WARNER CABLE NORTHEAST LLC/TOWN OF WATSON, LEWIS COUNTY.
- 13-V-0229 TIME WARNER NY CABLE LLC/TOWN OF LERAY, JEFFERSON COUNTY.
- 13-V-0230 TIME WARNER NY CABLE LLC/VILLAGE OF ELLISBURG, JEFFERSON COUNTY.
- 13-V-0231 TIME WARNER CABLE NORTHEAST LLC/TOWN OF DEERFIELD, ONEIDA COUNTY.
- 13-V-0244 TIME WARNER CABLE/TOWN OF COCHECTON, SULLIVAN COUNTY.
- 662 13-V-0118 SLIC NETWORK SOLUTIONS - Petition for Approval of a Certificate of Confirmation of its Franchise with the Town of Clifton in St Lawrence County.
- 663 13-V-0165 TOWN OF WARREN, HERKIMER COUNTY - Petition for a Waiver of the Requirements of 16 NYCRR, Part 894.1 Through 894.4.
- 664 13-V-0226 CABLEVISION OF WARWICK, INC. - Petition for an Amendment to its Franchise Agreement with the Village of Greenwood Lake, Orange

County.

Instructions to View Videocast at PSC's NYC Offices

Individuals in New York City wishing to view the Commission's meeting may do so in the Board Room on the 4th floor of the Commission's offices at 90 Church Street, New York City. The videocasting will be for viewing and listening purposes only. Pursuant to procedures established by the building management, anyone planning to observe the meeting in the New York City Board Room must notify Jan Goorsky at 212-417-2378, 48 hours in advance of the meeting, and must be prepared to show valid photo identification upon arrival at 90 Church Street.

Instructions to View Video Broadcast of Meeting

In addition to the video broadcasting of the meeting in the Commission's New York City offices, the meeting will be broadcast live on the Internet. The Internet broadcast can be viewed by accessing <http://www.dps.ny.gov/Webcasts.html>

The viewing 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 view the webcast. If you experience problems viewing 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** or discussion items will be posted for public viewing, if feasible, by 5:00 p.m. the day before a Commission meeting. The draft orders will be made available at: www.dps.ny.gov/DraftDocuments.html

The posted drafts will be removed by 5:00 p.m. on the day of the Commission meeting. The proposed 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 Commission's Web site at www.dps.ny.gov, click on “Search” then search using the appropriate PSC case number, or in the alternative documents may be viewed on monitors provided in the Files Unit on the 14th floor of the Albany offices or obtained by calling (518) 474- 2500.

Next Meeting

The next regularly scheduled meeting will begin at **10:30 A.M., Thursday, August 15, 2013, in Albany, New York.**

Individuals in Albany wishing to observe the Commission's meeting may do so in the Board Room on the 19th floor of the Commission's offices at Three Empire State Plaza. **Pursuant to procedures established by the building management, anyone planning to view the meeting in the New York City Office must notify Jan Goorsky at 212-417-2378, 48 hours in advance of the meeting, and must be prepared to show valid photo identification upon arrival at 90 Church Street.** The videocasting will be for viewing and listening purposes only.

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