



Consent Agenda Report for 11/17/2016

The following is a preliminary and informal summary of actions the Commission took at its public session on November 17, 2016. This summary does not itself constitute final Commission action, and does not waive any privilege or exemption from disclosure for deliberative or other intra-agency materials. Final Commission action will take the form of an order.

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| ITEM 161 | 15-G-0284
15-G-0286 | NEW YORK STATE ELECTRIC & GAS CORPORATION and ROCHESTER GAS AND ELECTRIC CORPORATION - The Commission decided to approve the companies' tariff amendments modifying their Daily Local Distribution Company Balancing Programs in compliance with the Commission's Rate Order for the Companies. |
| ITEM 162 | 16-G-0379 | ORANGE AND ROCKLAND UTILITIES, INC. and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to approve the Silver Spring Commercial Gas Interface Management Unit IMU200 for use in commercial gas meter applications. |
| ITEM 163 | | <u>In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities</u> |
| | 16-E-0271 | J.K. TOBIN CONSTRUCTION CO., INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID. |
| | 16-G-0577 | ROCK HARD INDUSTRIES/CENTRAL HUDSON GAS & ELECTRIC CORPORATION. |
| | 16-G-0578 | GBG REMODELING CORP./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. |
| | 16-G-0579 | RML CONSTRUCTION INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. |
| | 16-G-0580 | NU GENERAL CONTRACTING INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. |
| | 16-G-0581 | HILLVIEW CONSTRUCTION AND RENOVATIONS CORP./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. |
| | 16-G-0582 | LANG POOLS INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. |
| | 16-G-0583 | REMAX CONSTRUCTION LLC/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. |
| | 16-G-0584 | THE J. PILLA GROUP LTD/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. |
| | 16-G-0585 | GRETO CONTRACTING, INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. |

- ITEM 163 (Cont'd)
- 16-G-0587 FARMVIEW LANDSCAPING AND IRRIGATION LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
 - 16-G-0588 METRO INDUSTRIAL WRECKING & ENVIRONMENTAL CONTRACTORS, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
 - 16-G-0589 TAHOE DEVELOPMENT CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
 - 16-G-0590 N C CONTRACTING, INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
 - 16-G-0591 CONCORD POOLS, LTD/NEW YORK STATE ELECTRIC & GAS CORPORATION.
 - 16-G-0592 EE ROOT/NEW YORK STATE ELECTRIC & GAS CORPORATION.
 - 16-G-0593 COOK'S SEPTIC SERVICE, L.L.C./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
 - 16-G-0594 BARBERA CONCRETE PUMPING/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
 - 16-G-0596 ARSENAL CITY LAWN SPRINKLERS/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
 - 16-G-0597 BARBER CORPORATION/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
 - 16-G-0598 LANDMARK ENTERPRISE/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
 - 16-G-0599 BRADLEY CORPORATE PARK/ORANGE AND ROCKLAND UTILITIES, INC.
 - 16-G-0600 CIOFFI 1, INC./ORANGE AND ROCKLAND UTILITIES, INC.
 - 16-G-0602 YAMBA STRUCTURE INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
 - 16-G-0603 TAN DEVELOPMENT LLC/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.

The Commission decided to determine \$12,500 penalties in Cases 16-E-0271, and 16-G-0600, determined a \$10,000 penalty in Case 16-G-0582, and determined \$2,500 penalties in Cases 16-G-0577, 16-G-0578, 16-G-0579, 16-G-0580, 16-G-0581, 16-G-0583, 16-G-0584, 16-G-0585, 16-G-0587, 16-G-0588, 16-G-0589, 16-G-0590, 16-G-0591, 16-G-0592, 16-G-0593, 16-G-0594, 16-G-0596, 16-G-0597, 16-G-0598, 16-G-0599, 16-G-0602, and 16-G-0603.

- ITEM 164 15-G-0759 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID -The Commission decided to approve the company's tariff filing adding and clarifying provisions related to electric generators taking service under Service Classification No. 14 - Gas Transportation Service for Dual Fuel Electric Generators, contained in P.S.C. No. 219 - Gas.
- ITEM 165 16-G-0485
16-G-0486 KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID and THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY - The Commission decided to approve the companies' tariff filings revising certain tariff provisions relating to temperature controlled and interruptible customers served under their gas tariff schedules.
- ITEM 166 16-G-0261 CRESTWOOD PIPELINE EAST LLC, CRESTWOOD PIPELINE AND STORAGE NORTHEAST LLC, STAGECOACH GAS SERVICES LLC AND CON EDISON GAS PIPELINE AND STORAGE NORTHEAST LLC - The Commission decided to approve the proposed transaction pursuant to Section 70 of the Public Service Law and confirm that the pipeline at issue will continue to be subject to lightened regulation.

General

- ITEM 261 11-M-0585 Appeal of Informal Hearing Decision
NIAGARA MOHAWK POWER COMPANY D/B/A NATIONAL GRID/MR. JOSEPH DEMARTINO - The Commission decided to uphold the informal hearing decision.
- ITEM 262 16-M-0529 Appeal of Informal Hearing Decision
CRYQUICK PROPERTY MANAGEMENT/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to uphold the informal hearing decision.
- ITEM 263 16-E-0060
16-G-0061 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to approve an extension of the maximum suspension period for the company's proposed electric and gas rate filings through January 26, 2017.
- ITEM 264 12-E-0201
12-G-0202 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - The Commission decided to approve, with modification, the request of the company to change eight (8) of its existing electric economic development grant programs and add a new natural gas grant program.

- ITEM 265 15-M-0687 ORANGE AND ROCKLAND UTILITIES, INC. - The Commission decided to approve the company's petition to transfer the ownership of 1,064 joint use poles to Frontier, subject to modification.
- ITEM 266 16-M-0555 16 NYCRR PRESCRIBING INTEREST RATES APPLICABLE TO CUSTOMER DEPOSITS - The Commission decided to update the customer deposit rate and other customer provided capital rate for investor-owned utilities and municipal utilities. Effective January 1, 2017, for investor-owned utilities and municipal utilities, the Commission set the customer deposit rate at 0.35% and 0.05%, respectively, and the other customer provided capital rate at 2.10% and 1.80%, respectively.
- ITEM 267 15-E-0283
15-G-0284
15-E-0285
15-G-0286 NEW YORK STATE ELECTRIC & GAS CORPORATION AND ROCHESTER GAS AND ELECTRIC CORPORATION - The Commission decided to approve, on a permanent basis, the companies' compliance filings effectuating Rate Year 1 of the rate plans determined by the Commission pursuant to its Order in Case 15-E-0283, et al., issued June 29, 2016.

Power

- ITEM 361 16-E-0498 Rehearing of Commission Determination
MR. UTTAM SILAL/MS. SUE ANN
BEAUDETTE/NIAGARA MOHAWK POWER
CORPORATION D/B/A NATIONAL GRID
- 16-E-0530 MS. ROSANNA ORTIZ/MS. MARLITA
HAMILTON/CONSOLIDATED EDISON COMPANY OF
NEW YORK, INC.
- The Commission decided to uphold its original determination.
- ITEM 362 11-E-0407 Appeal of Informal Hearing Decision
MCCONNER STREET HOLDINGS, LLC/
CONSOLIDATED EDISON COMPANY OF NEW YORK,
INC. - The Commission decided to uphold the informal hearing decision.
- ITEM 363 15-E-0646 MEGNIN FARMS AT POOLSBROOKE LLC AND NORTH RIDGE, LLC - The Commission decided to order Niagara Mohawk Power Corporation d/b/a National Grid to reimburse the developer petitioners for the costs of installing utility trenching.

- ITEM 364 16-E-0324 GEMINI RESIDENTIAL, LLC - The Commission decided to approve the company to submeter electricity at 225 East 39th Street, New York, New York, located in the territory of Consolidated Edison Company of New York Inc.
- ITEM 365 16-E-0117 GENERAL ELECTRIC - The Commission decided to approve the company's current transformers for use in electric commercial and industrial applications
- ITEM 366 16-E-0034 BOP MW RESIDENTIAL MARKET LLC AND BOP MW RESIDENTIAL AFFORDABLE LLC - The Commission decided to approve the company submeter electricity at 445 W. 31st Street, New York, New York, located in the territory of Consolidated Edison Company of New York Inc.
- ITEM 367 16-E-0367 58 CORNER LLC - The Commission decided to approve the company to submeter electricity at 600 W. 58th Street, New York, New York, located in the territory of Consolidated Edison Company of New York Inc.
- ITEM 368 16-E-0023 ITRON INC. - The Commission decided to approve the Itron Centron Open Way CP2SOAS electric meter for use in electric commercial applications.
- ITEM 369 15-E-0307 MASSENA ELECTRIC DEPARTMENT - The Commission decided to approve the low-income energy efficiency program proposed by the company, and directed the utility to collect data and report on program performance.
- ITEM 370 15-E-0302 Commissioner Diane X. Burman, concurring
NYSERDA - The Commission decided to clarify that the obligation on load-serving entities (LSEs) in 2017 to serve their retail customers by procuring new renewable resources, evidenced by procuring qualifying RECs, is a quantity of RECs equal to 0.035% of the total load served by the LSE for 2017. The target mandate of 0.035% of load for 2017 relates, in total, only to the estimated number of RECs from renewable energy projects that were not in operation prior to January 1, 2015 that will be available to NYSERDA for sale to LSEs during 2017, or 56,142 MWhs of RECs. The new renewable resources from NY-Sun and other Customer-Sited Tier projects are to be counted towards the overall goal however it should be clarified that such resources are not intended to be included in amount of renewable energy the LSEs are mandated to procure in 2017.

- ITEM 371 12-E-0201 Commissioner Diane X. Burman, dissenting
NIAGARA MOHAWK POWER CORPORATION D/B/A
NATIONAL GRID - The Commission decided to approve
the company's filing establishing Voluntary Time-of-Use
Rates for Service Classification No. 1 - Residential in its
electric tariff schedule, P.S.C. No. 220.
- ITEM 372 16-E-0497 The Commission decided to direct utilities to file tariff
amendments necessary to implement a statutory change
to the net energy metering rules under Public Service Law
(PSL) §66-j, pursuant to Chapter 58 of the Laws of 2016,
Part Z.
- ITEM 373 16-E-0536 NOBLE ALTONA WINDPARK, LLC; NOBLE BLISS
WINDPARK, LLC; NOBLE CHATEAUGAY WINDPARK,
LLC; NOBLE CLINTON WINDPARK, LLC; NOBLE
ELLENBURG WINDPARK, LLC; NOBLE
ENVIRONMENTAL POWER, LLC; NOBLE
WETHERSFIELD WINDPARK, LLC - The Commission
decided to find and declare that the petitioners' proposal
to transfer indirect upstream ownership interests in
jurisdictional electric generation facilities satisfies the
Wallkill Presumption criteria and does not require further
regulatory review under Public Service Law Section 70.
- ITEM 374 15-E-0302 Commissioner Diane X. Burman, concurring
NYSERDA - The Commission decided to (1) approve a
reduced ZEC adder for the recovery of ZEC
administrative costs; (2) authorize other REC and ZEC
administrative costs, reduced from the amounts initially
projected by NYSERDA, to be recovered by NYSERDA
from existing fund balances; (3) approve the form and
content of standard ZEC and REC agreements to govern
REC and ZEC transactions between NYSERDA and the
LSEs; (4) approve principles for the electric distribution
companies to provide a customer funded financial
backstop guarantee mechanism to ensure payments will
be made to REC and ZEC generators; and (5) direct
electric distribution companies to collaborate with
NYSERDA and Staff of the Department of Public Service
to develop an implementation process to effectuate the
backstop mechanism.

Communications

ITEM 561 16-C-0241 CHAZY AND WESTPORT TELEPHONE CORPORATION - The Commission decided to recommend that the company be authorized to recover \$4,864 of its revenue deficiency through various local rate increases. Thus, the Company should be authorized to withdraw the remaining \$227,381 from the SUSF for the rate year ending October 31, 2017.

Cable

ITEM 661 16-V-0375 TOWN OF HARPERSFIELD, DELAWARE COUNTY - The Commission decided to approve an Amendment of their Franchise with Time Warner Entertainment - Advance/Newhouse Partnership d/b/a Time Warner Cable Concerning Franchise Fees.

ITEM 662 16-V-0416 VERIZON NEW YORK INC. - The Commission decided to approve a portion of the company's petition for Orders of Entry for 33 multiple-dwelling unit buildings in the City of New York.

ITEM 663 16-V-0417 VERIZON NEW YORK INC. - The Commission decided to approve a portion of the company's petition for Orders of Entry for 29 multiple-dwelling unit buildings in the City of New York.

ITEM 664 16-V-0423 CHARTER COMMUNICATIONS/VILLAGE OF CHATHAM, COLUMBIA COUNTY. - The Commission decided to approve the cable franchise renewal.

ITEM 665 16-V-0424 EMPIRE VIDEO SERVICES CORPORATION - The Commission decided to approve the Certificate of Confirmation for a cable franchise agreement to provide video service between the company and the City of Corning, Steuben County.

ITEM 666 16-V-0425 COMMUNITY CABLE CORPORATION D/B/A NORTH PENN VIDEO -- The Commission decided to approve the Certificate of Confirmation for a cable franchise agreement to provide video service between the company and the City of Corning, Steuben County.

ITEM 667 16-V-0483 EMPIRE VIDEO SERVICES CORPORATION - The Commission decided to approve the Certificate of Confirmation for a cable franchise agreement to provide video service between the company and the Village of Horseheads, Chemung County.

ITEM 668 16-V-0484 COMMUNITY CABLE CORPORATION D/B/A NORTH PENN VIDEO - The Commission decided to approve the Certificate of Confirmation for a cable franchise agreement to provide video service between the company and the Village of Horseheads, Chemung County.