

STATE OF NEW YORK

Public Service Commission

Garry A. Brown, Chairman

Three Empire State Plaza, Albany, NY 12223

Further Details: James Denn

james.denn@dps.ny.gov | 518.474.7080

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

<http://twitter.com/NYS DPS>

12017 Agenda

PSC LISTS AGENDA FOR THURSDAY, MARCH 15, 2012

PLEASE NOTE:

MEETING WILL BE BROADCAST ON THE INTERNET

- VIDEOCASTING TO COMMISSION'S NEW YORK CITY OFFICES ALSO AVAILABLE -

Albany, NY – 03/09/12 – The New York State Public Service Commission announced today the agenda for its regular meeting starting at **10:30 A.M., Thursday, March 15, 2012, in the 19th Floor Board Room of its offices located at Three Empire State Plaza, Albany, New York.**

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.

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://nydps.onlinevideoservice.com>.

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.

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 attached to this announcement is complete at the time of issue, but other items may be added and some agenda items may be removed without further notice.

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 are available for inspection in the Files Unit on the 14th floor of the Albany offices, or by faxing a request for copies to 518- 474-9842 using a Billing Information Form, available in that office or by calling 518- 474-2500. Copies of notices or other material relating to pending Commission actions may be obtained by calling the Department's Operations Section at 518-474-2500. Copies may be obtained from Central Files when they become available by calling 518-474-2500.

The next regularly scheduled meeting will begin at **10:30 A.M., Thursday, April 19, 2012, in Albany, New York.**

The agenda for the March 15, 2012 meeting is attached.

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.

All items will be considered together at the start of the session.

Item	PSC Case	GAS
161	11-G-0280	CORNING NATURAL GAS CORPORATION - Amendments to PSC Nos. 4, 5 and 6-Gas, suspended through 4/20/12, to increase annual revenues by about \$2.6 million or 11.9%.
162	10-G-0643	CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Proceeding on Motion to Examine the Historical Lost and Unaccounted For (LAUF) Calculations and Their Impact on Historical and Current LAUF Incentives.
163	11-G-0631	CONDOS BROTHERS CONSTRUCTION CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
	12-G-0016	C & L CONCRETE CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
	12-G-0018	IBS SEPTIC & DRAIN SERVICE/MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
	12-G-0054	BABCOCK ENTERPRISES, LTD/ROCHESTER GAS AND ELECTRIC CORPORATION.
	12-G-0055	QUALITY STRUCTURES, INC./ROCHESTER GAS AND ELECTRIC CORPORATION.
	12-G-0056	TUCCI CONSTRUCTION INC./ROCHESTER GAS AND ELECTRIC CORPORATION.
	12-G-0057	HONG KONG STYLE CONSTRUCTION, INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
164	11-G-0180	THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY and KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID - Petition of The Brooklyn Union Gas Company d/b/a National Grid NY and KeySpan Gas East Corp. d/b/a National Grid for a Limited Waiver of the Requirements of 16 NYCRR, Section 731.2.
165	12-T-0033	TALISMAN ENERGY USA, INC., - Petition to Amend its Certificate of Environmental Compatibility and Public Need Granted in Case 00-T-

1264, to Replace the Current Compressor Unit and Install Approximately One Hundred Feet of Six Inch Above Ground Steel Pipeline Located in the Town of Veteran, Chemung County.

- 166 06-G-1185 THE BROOKLYN UNION GAS COMPANY d/b/a KEYSPAN ENERGY DELIVERY NEW YORK - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of for Gas Service.
- 06-G-1186 KEYSPAN GAS EAST CORPORATION d/b/a KEYSPAN ENERGY DELIVERY LONG ISLAND - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of for Gas Service.
- 167 11-G-0696 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Amendments to PSC 12-Gas, eff. 4/1/12, to revise its Balancing Provisions Applicable to Service Classification No. 14 - Interruptible Transportation Service to Electric Generation.
- 168 11-G-0697 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Amendments to PSC 12-Gas, eff. 4/1/12, to modify its Gas Retail Access Program.
- 169 06-G-1185 THE BROOKLYN UNION GAS COMPANY D/B/A KEYSPAN ENERGY DELIVERY NEW YORK - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of for Gas Service.
- 06-G-1186 KEYSPAN GAS EAST CORPORATION d/b/a KEYSPAN ENERGY DELIVERY LONG ISLAND - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.

GENERAL

- 261 11-M-0528 MR. DUDLEY A. THORNE/MS. SANDRA ROWLAND and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 262 08-M-1409 MS. SANDRA HAYE BRIGHTLY and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 09-E-0535 MR. AND MRS. HENRY D. OSTBERG and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 263 08-E-0814 MS. DANA VESPRY and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

- 08-M-0815 AFRICAN AMERICAN ACADEMY OF ARTS & LETTERS/MR. ERNEST DAVIS and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 264 09-E-0715 NEW YORK STATE ELECTRIC & GAS CORPORATION - Pro. on Motion as to the Rates, Charges, Rules and Regulations for Electric Service.
- 09-G-0716 NEW YORK STATE ELECTRIC & GAS CORPORATION - Pro. on Motion as to the Rates, Charges Rules and Regulations for Gas Service.
- 09-E-0717 ROCHESTER GAS AND ELECTRIC CORPORATION - Pro. on Motion as to the Rates, Charges, Rules and Regulations for Electric Service.
- 09-G-0718 ROCHESTER GAS AND ELECTRIC CORPORATION - Pro. on Motion as to the Rates, Charges, Rules and Regulations for Gas Service.
- 265 05-E-0934 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Electric Service.
- 05-G-0935 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.
- 09-E-0588 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Electric Service.
- 09-G-0589 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.
- 266 11-M-0294 In the Matter of the Filing of Annual Reports by Electric and Gas Corporations Subject to Lightened Ratemaking Regulation.
- 267 08-E-1129 NEW YORK STATE ELECTRIC AND GAS CORPORATION - Petition for Approval of an Energy Efficiency Portfolio Standard (EEPS) Utility-Administered Electric Energy Efficiency.
- 08-E-1130 ROCHESTER GAS AND ELECTRIC CORPORATION - Petition For Approval of an Energy Efficiency Portfolio Standard (EEPS) Utility-Administered Electric Energy Efficiency Program.
- 07-M-0548 Proceeding on Motion of the Commission Regarding an Energy Efficiency Portfolio Standard.
- 09-G-0363 Petitions for Approval of Energy Efficiency Portfolio Standard (EEPS)

Gas Energy Efficiency Programs.

- 268 08-G-1012 NEW YORK STATE ELECTRIC AND GAS CORPORATION -
Petition for Approval of an Energy Efficiency Portfolio Standard (EEPS)
"Fast Track" Utility-Administered Gas Energy Efficiency Program.
- 08-G-1013 ROCHESTER GAS AND ELECTRIC CORPORATION - Petition for
Approval of an Energy Efficiency Portfolio Standard (EEPS) "Fast
Track" Utility-Administered Gas Energy Efficiency Program.
- 07-M-0548 Proceeding on Motion of the Commission Regarding an Energy
Efficiency Portfolio Standard.
- 09-G-0363 Petitions for Approval of Energy Efficiency Portfolio Standard (EEPS)
Gas Energy Efficiency Programs.

POWER

- 361 12-E-0044 NIAGARA MOHAWK POWER CORPORATION d/b/a NATIONAL
GRID - Amendments to PSC No. 220 - Electricity, eff. 3/19/12 to make
various housekeeping changes.
- 362 11-E-0708 NIAGARA MOHAWK POWER CORPORATION d/b/a NATIONAL
GRID - Amendments to PSC No. 220 - Electricity, eff. 3/19/12, to revise
Rule No. 35 - Cable Television Pole Attachment Rate and Electric
Distribution Pole Wireless Attachment Rate.
- 363 11-E-0524 CENTRAL HUDSON GAS & ELECTRIC CORPORATION -
Amendments to PSC No. 15 - Electricity, eff. 1/1/12, postponed 4/1/12 to
consolidate existing Net Metering tariff provisions and to revise billing
provisions applicable to Demand Metered Customers.
- 364 10-E-0362 ORANGE AND ROCKLAND UTILITIES, INC. - Amendments to PSC
No. 3 - Electricity, eff. 4/1/12, to replace its electric tariff schedule with
electronic tariff schedule.
- 365 11-E-0473 MS. SUSAN MOLNAR/MR. RAYMOND RAEFSKI and
CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 366 11-E-0289 MR. HOLDEN BROWN/MR. CONROY WILLIAMS and
CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

- 367 11-E-0698 NIAGARA MOHAWK POWER CORPORATION d/b/a NATIONAL GRID - Amendments to PSC No. 220 - Electricity, eff. 3/19/12, to amend tariff language to reflect how Revenue Sharing Agreements refunds will be calculated in the Legacy Transition Charge.
- 368 07-E-1015 89 MURRAY STREET ASSOCIATES LLC and 101 WARREN STREET ASSOCIATES LLC - Petition to submeter electricity at 89 Murray Street and 101 Warren Street, located in the territory of Consolidated Edison Company of New York, Inc.
- 369 10-E-0611 GAIR 1-2, LLC - Petition to Submeter Electricity at 30 Washington Street, Brooklyn, New York, Located in the Territory of Consolidated Edison Company of New York.
- 10-E-0612 25 WASHINGTON, LLC - Petition to Submeter Electricity at 25 Washington Street, Brooklyn, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 370 11-E-0346 EXTELL WEST 57th STREET, LLC - Petition to Submeter Electricity at 157 West 57th Street, New York, New York, Located in the Territory of Consolidated Edison Company, Inc.
- 371 11-E-0701 AER NY-GEN, LLC and ALLIANCE NYGT, LLC - Joint Verified Petition for an Order Approving a Transfer Pursuant to Section 70 of the Public Service Law and for Order Approving Lightened Regulatory Regime.
- 372 11-E-0641 NEW YORK STATE ELECTRIC & GAS CORPORATION and NUCOR STEEL AUBURN, INC. - Joint Petition Regarding Amendments to Electric Service Agreement.
- 373 11-E-0351 STONY CREEK ENERGY LLC - Petition for a Certificate of Public Convenience and Necessity, to Establish Lightened Regulation and for Approval of Debt Financing.
- 374 09-E-0115 Proceeding on Motion of the Commission to Consider Demand Response Initiatives.
- 375 11-E-0318 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Amendments to PSC No. 15 - Electricity, eff. 4/1/12, to provide net metering of micro-hydroelectric and fuel cell generating facilities in

- compliance with Commission order issued November 21, 2011.
- 11-E-0319 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Amendments to PSC No. 9 - Electricity, eff. 4/1/12, to provide net metering of micro-hydroelectric and fuel cell generating facilities in compliance with Commission order issued November 21, 2011.
- 11-E-0320 NEW YORK STATE ELECTRIC & GAS CORPORATION - Amendments to PSC No. 120 - Electricity, eff. 4/1/12, to provide net metering of micro-hydroelectric and fuel cell generating facilities in compliance with Commission order issued November 21, 2011.
- 11-E-0321 NIAGARA MOHAWK POWER CORPORATION d/b/a NATIONAL GRID - Amendments to PSC No. 220 - Electricity, eff. 4/1/12, to provide net metering of micro-hydroelectric and fuel cell generating facilities in compliance with Commission order issued November 21, 2011.
- 11-E-0322 ROCHESTER GAS AND ELECTRIC CORPORATION - Amendments to PSC No. 19 - Electricity, eff. 4/1/12, to provide net metering of micro-hydroelectric and fuel cell generating facilities in compliance with Commission order issued November 21, 2011.
- 11-E-0323 ORANGE AND ROCKLAND UTILITIES, INC. - Amendments to PSC No. 2 - Electricity, eff. 4/1/12, to Effectuate Amendments to provide net metering of micro-hydroelectric and fuel cell generating facilities in compliance with Commission order issued November 21, 2011.
- 376 11-E-0248 VOLUNTEERS OF AMERICA - Petition for a Waiver to Allow Master Metering at 322 Chenango Street, Binghamton, Located in the Territory of New York State Electric and Gas Corporation.
- 377 06-M-1108 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Petition of Certain Members of the New York State Legislature Regarding Electric Service Outages.
- 06-E-1158 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - In the Matter of Staff's Investigation of Performance During and Following the July and September Electric Utility Outages. 9/28/2006.
- 06-E-0894 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Proceeding on Motion of the Commission to Investigate the Electric Power Outage of Long Island City Electric Network.
- WATER**
- 461 11-W-0120 DUTCHESS ESTATES WATER COMPANY, INC. - Amendments to PSC No. 1 - Water, eff. 7/1/11, suspended through 4/28/12, to increase the company's base rates by approximately \$14,727 or 24% and proposed

quarterly surcharge of \$21.00 per customer.

COMMUNICATIONS

- 561 09-M-0527 Proceeding to Examine Issues Related to a Universal Service Fund.
- 562 09-C-0555 QWEST COMMUNICATIONS COMPANY, LLC AGAINST MCIMETRO ACCESS TRANSMISSION SERVICES, LLC; XO COMMUNICATIONS SERVICES, INC, et al, - Complaint Regarding Violation of Statute and Unjust and Unreasonable Rate Discrimination in Connection with the Provision of Intrastate Switched Access Services.
- 563 11-C-0588 FRONTIER COMMUNICATIONS COMPANIES - Petition for a Declaratory Ruling that Section 603.1(c) of the Commission's Regulations Requires Restatement of the Companies' Customer Trouble Report Rate Metrics.
- 564 There is no item 564.
- 565 12-C-0038 VERIZON NEW YORK INC. - Petition Pursuant to Section 99 of the Public Service Law for Approval to Sell a Garage and Work Center Located at 1580 Nostrand Avenue, Brooklyn, New York.

CABLE

- 661 11-V-0620 TIME WARNER NY CABLE, LLC/TOWN OF SHAWANGUNK, ULSTER COUNTY.
- 11-V-0673 TIME WARNER NY CABLE, LLC/VILLAGE OF CUBA, ALLEGANY COUNTY.
- 11-V-0699 CABLEVISION SYSTEMS WESTCHESTER CORPORATION/CITY OF YONKERS, WESTCHESTER COUNTY.
- 11-V-0703 TIME WARNER NY CABLE LLC/TOWN OF LIBERTY, SULLIVAN COUNTY.
- 12-V-0010 TIME WARNER ENTERTAINMENT-ADVANCE NEWHOUSE PARTNERSHIP/VILLAGE OF OVID, SENECA COUNTY.
- 12-V-0026 TIME WARNER ENTERTAINMENT-ADVANCE NEWHOUSE PARTNERSHIP/VILLAGE OF CANASERAGA, ALLEGANY COUNTY.
- 12-V-0039 TIME WARNER NY CABLE LLC/VILLAGE OF SHERMAN, CHAUTAUQUA COUNTY.

- 662 11-V-0469 SLIC NETWORK SOLUTIONS, INC. - Petition for a Certificate of Confirmation for its franchise with the Town of Oswegatchie, St. Lawrence County.
- 663 11-V-0470 SLIC NETWORK SOLUTIONS, INC. - Petition for a Certificate of Confirmation for its Franchise with the Town of Parishville, St. Lawrence County, New York.
- 664 11-V-0471 SLIC NETWORK SOLUTIONS, INC. - Petition for a Certificate of Confirmation for its Franchise with the Town of Potsdam, St. Lawrence County, New York

REGULAR AGENDA

Items not necessarily to be considered in the order listed:

WATER

- 401 11-W-0472 AQUA UTILITIES, INC., AQUA NEW YORK, INC. and AMERICA WATER WORKS COMPANY, INC. - Joint Petition for Approval of a Stock Purchase Agreement under which Aqua Utilities, Inc. will sell and American Water Works Company, Inc. will acquire 100% of the issued and outstanding capital stock of Aqua New York, Inc.
- 402 11-W-0082 UNITED WATER OWEGO-NICHOLS INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of for Water Service.
- 403 11-W-0200 LONG ISLAND WATER CORPORATION d/b/a LONG ISLAND AMERICAN WATER - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Water Service.

POWER

- 301 12-E-0008 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - In the Matter of the Disposition of Certain Deferred Credits Owed to Electric Customers.

GENERAL

- 201 07-M-0548 Proceeding on Motion of the Commission Regarding an Energy Efficiency Portfolio Standard.

GAS

No items will be considered on this agenda.

COMMUNICATION

No items will be considered on this agenda.

CABLE

No items will be considered on this agenda.

KEY TO ABBREVIATIONS:

* – Item was on calendar of previous meeting

+ – Notice required by State Administrative Procedure Act (SAPA)

A – Special Permit Order (spo) to be issued

16NYCRR – Commission regulation published in Vol. 16, NYS Codes, Rules and Regulations

ALJ – Administrative Law Judge

NOI – Notice of Intention

EM&CP – Environmental Management & Construction Plan

V – Village T – Town C – City Co – County