

## Consent Agenda Report for February 6, 2020

The following is a preliminary and informal summary of actions the Commission took at its public session on February 6, 2020. 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.

### Gas

#### ITEM 161

19-G-0765 NATIONAL FUEL GAS DISTRIBUTION CORPORATION - The Commission decided to approve the company's tariff filing of a housekeeping nature updating contact information.

#### ITEM 162

18-G-0709  
18-G-0710  
18-G-0710 KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID, NIAGARA MOHAWK POWER 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' cancellation supplements canceling its gas tariff filings to include provisions for flexibility in accepting applications for new or additional gas service when there is inadequate supply or capacity.

#### ITEM 163

19-G-0309 &  
19-G-0310 THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY and KEYSpan GAS EAST CORP. D/B/A NATIONAL GRID - The Commission decided to approve an extension to the maximum suspension period through and including May 31, 2020 subject to a make-whole provision.

#### ITEM 164-A

In the Matter of Enforcement Proceeding for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities. (Penalty Determinations)

19-G-0115 POOL TECH, INC./KEYSPAN GAS EAST CORPORATION, D/B/A NATIONAL GRID

19-G-0654 JCO CONSTRUCTION, INC/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY

20-G-0011 JAY TEE PLUMBING/ROCHESTER GAS AND ELECTRIC CORPORATION

20-G-0012 CALLANAN INDUSTRIES, INC/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID

Item 161-A (Cont'd.)

- 20-G-0013 HUNTINGTON LANDSCAPE & CONTRACTING, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
- 20-G-0014 GRANT STREET CONSTRUCTION, INC/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID
- 20-G-0015 STAR ROOTER, INC/ROCHESTER GAS AND ELECTRIC CORPORATION
- 20-G-0016 S & S CONSTRUCTION SERVICES MANAGE INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

The Commission determined a \$10,000 penalty in Case 19-G-0654; and \$2,500 penalties in Cases 20-G-0011, 20-G-0012, 20-G-0013, 20-G-0014, 20-G-0015, 20-G-0016, and 19-G-0115.

ITEM 164-B

In the Matter of Enforcement Proceeding for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities. (Consent Order Approvals)

- 19-G-0708 SCHREIBER EXCAVATING, LLC/ROCHESTER GAS AND ELECTRIC CORPORATION
- 19-G-0709 A G I CONSTRUCTION INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID
- 19-G-0780 CITY OF TROY DEPARTMENT OF PUBLIC UTILITIES/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID

The Commission decided to approve Consent Orders in Cases 19-G-0708, 19-G-0709, and 19-G-0780.

ITEM 164-C

In the Matter of Enforcement Proceeding for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities.

- 19-G-0435 INDEPENDENT GENERAL CONTRACTING LLC/KEYSPAN GAS EAST CORPORATION D/B/A National Grid - The Commission decided to deny the petition for rehearing.

ITEM 165

- 18-T-0388 ROCHESTER GAS AND ELECTRIC CORPORATION - The Commission decided to approve a Certificate of Environmental Compatibility and Public Need to the company to construct a replacement gas pipeline.

**General**

- ITEM 261  
 19-M-0687  
 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - The Commission decided to approve the company's tariff filings establishing the new Customer Consent to Contact provision in its electric and gas tariff schedules.
- ITEM 262  
 18-E-0067  
 18-G-0068  
 PACE ENERGY AND CLIMATE CENTER - The Commission decided to deny the petition for Rehearing of its order issued March 14, 2019.
- ITEM 263  
 12-M-0476  
 06-M-0647  
 98-M-0667  
 98-M-1343  
 AMBIT NEW YORK, LLC - The Commission decided to approve the company's petition for an extension of its waiver of the Commission's Order Adopting a Prohibition on Service to Low Income Customers by Energy Service Companies.
- ITEM 264  
 12-M-0476  
 06-M-0647  
 98-M-0667  
 98-M-1343  
 ZONE ONE ENERGY, LLC - The Commission decided to approve the company's petition for an extension of its waiver of the Commission's Order Adopting a Prohibition on Service to Low Income Customers by Energy Service Companies.
- ITEM 265  
 12-M-0476  
 06-M-0647  
 98-M-0667  
 98-M-1343  
 NEW WAVE ENERGY CORP. - The Commission decided to approve the company's petition for an extension of its waiver of the Commission's Order Adopting a Prohibition on Service to Low Income Customers by Energy Service Companies.

**Power**

- ITEM 361  
 19-E-0685  
 NEW YORK STATE ELECTRIC & GAS CORPORATION - The Commission decided to grant the company's request to transfer certain street lighting facilities, with an original value over \$100,000, located in the Village of Cayuga Heights to the Village of Cayuga Heights, pursuant to PSL Section 70(1).

- ITEM 362                      19-E-0304                      Appeal of an Informal Hearing Decision  
 GEETHAMMA JOHNSON/CONSOLIDATED  
 EDISON COMPANY OF NEW YORK, INC - The  
 Commission decided to uphold the informal hearing  
 decision and deny the appeal.
- ITEM 363
- There is no item 363
- ITEM 364                      19-E-0519                      SITE 2 DSA RESIDENTIAL LLC AND SITE 2 DSA  
 AFFORDABLE MT LLC - The Commission decided  
 to approve the company's petition to submeter  
 electricity at 125 Delancey Street, New York, New  
 York, located in the territory of Consolidated Edison  
 Company of New York, Inc
- ITEM 365                      19-E-0689                      378 WEA OWNER LLC - The Commission decided  
 to approve the company's petition to submeter  
 electricity at 378 West End Avenue, New York, New  
 York, located in the territory of Consolidated Edison  
 Company of New York, Inc.
- ITEM 366                      19-T-0684                      NEW YORK TRANSCO LLC -The Commission  
 decided to grant the waivers of regulatory  
 requirements and accept a System Impact Study in  
 lieu of a System Reliability Impact Study.
- ITEM 367                      19-E-0372                      G & M REALTY L.P. - The Commission decided to  
 approve the company's petition to submeter  
 electricity at 22-44 Jackson Avenue, Long Island City,  
 New York, located in the territory of Consolidated  
 Edison Company of New York, Inc.
- ITEM 368                      18-T-0207                      NEW YORK POWER AUTHORITY - The  
 Commission decided to approve the Phase One, Part  
 One Environmental Management and Construction  
 Plan filed by the New York Power Authority, to  
 construct and operate a transmission project known  
 as the Moses-Adirondack Smart Path Reliability  
 Project - Smart Path Project.

ITEM 369  
 18-E-0071      The Commission decided to accept the Draft Supplemental Environmental Impact Statement as complete and issue it for public comment

ITEM 370  
 There is no item 370

ITEM 371  
 19-E-0442      CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to suspend the requirement for the company to provide access to near real-time data for commercial demand response program participants without smart meters. The Commission determined that the roughly \$1.6 million upgrades required to continue operation of such system is not warranted, since the system will become obsolete following the completion of the Advanced Metering Infrastructure rollout scheduled for 2022.

**Water**

ITEM 461  
 19-W-0682      SARATOGA WATER SERVICES, INC. AND MILLERTON CO-OP, INC. - The Commission decided to approve the agreement for the provision of water service by and between the companies and authorized the waiver of tariff provisions and certain provisions of 16 NYCRR §501 and §502 needed to extend water service outside its franchise area.

**Cable**

ITEM 661  
 19-V-0729      DTC CABLE, INC. - The Commission decided to issue a Certificate of Confirmation for a cable television franchise agreement to provide video service between DTC Cable, Inc. and the Town of Sidney, Delaware County.

ITEM 662

- 19-V-0720 CHARTER COMMUNICATIONS ENTERTAINMENT I, LLC/TOWN OF BLACK BROOK, CLINTON COUNTY.
- 19-V-0741 TIME WARNER CABLE NORTHEAST LLC/TOWN OF RUSH, MONROE COUNTY.
- 19-V-0752 CABLEVISION OF SOUTHERN WESTCHESTER, INC./VILLAGE OF ARDSLEY, WESTCHESTER COUNTY.
- 19-V-0753 CABLEVISION OF OSSINING, L.P./CITY OF PEEKSKILL, WESTCHESTER COUNTY.
- 19-V-0770 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF SINCLAIRVILLE, CHAUTAUQUA COUNTY.
- 19-V-0774 SPECTRUM NORTHEAST, LLC/VILLAGE OF LAKE PLACID, ESSEX COUNTY.

The Commission decided to approve the cable franchise renewals listed above.

ITEM 663

- 19-V-0609 VERIZON NEW YORK INC. - The Commission decided to approve the company's petition for an Order of Entry at 2650 Cropsey Avenue, Brooklyn, NY because the building owners/representatives failed to respond to numerous attempts to obtain access.

ITEM 664

- 19-V-0610 VERIZON NEW YORK INC. - The Commission decided to approve a portion of Verizon New York Inc.'s petition for Orders of Entry for 44 multiple-dwelling unit buildings in the City of New York.