



# Public Service Commission

**For Immediate Release: 05/12/21**

John B. Howard, Interim Chair

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## **COMMISSION ISSUES FINAL MAY 13, 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, May 13, 2021. TO REDUCE THE POTENTIAL COMMUNITY SPREAD OF COVID-19, MEMBERS OF THE PUBLIC WILL ONLY BE ALLOWED TO LISTEN TO THE SESSION VIA WEBCAST.**

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

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

**PLEASE NOTE, THE MEETING WILL BE AUDIO-ONLY. THE NEW YORK STATE PUBLIC SERVICE COMMISSION LOGO WILL BE DISPLAYED ON THE WEBCAST DURING THE MEETING.**

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**

### **POWER**

301    21-E-0139    In the Matter of 2021 Summer Electric System Preparations.

## COMMUNICATIONS

- 501 20-C-0267 FRONTIER COMMUNICATIONS CORPORATION AND SUBSIDIARIES FRONTIER TELEPHONE OF ROCHESTER, INC., FRONTIER COMMUNICATIONS OF SENECA-GORHAM, INC., OGDEN TELEPHONE COMPANY, FRONTIER COMMUNICATIONS OF SYLVAN LAKE, INC., FRONTIER COMMUNICATIONS OF NEW YORK, INC., CITIZENS TELECOMMUNICATIONS COMPANY OF NEW YORK, INC., FRONTIER COMMUNICATIONS OF AUSABLE VALLEY, INC., FRONTIER COMMUNICATIONS OF ROCHESTER, INC. AND FRONTIER COMMUNICATIONS OF AMERICA INC. - In the Matter of Notice of Filing of Chapter 11 for Financial Restructuring.

**No items will be considered on the Regular Agenda for  
GENERAL, GAS, WATER 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	19-G-0309	THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.
	19-G-0310	KEYSPAN GAS EAST CORP. D/B/A NATIONAL GRID - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.
162	19-G-0681	THE BROOKLYN HOSPITAL CENTER/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID - 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 The Brooklyn Union Gas Company d/b/a National Grid (836852)
163		There is no item 163.
164	21-G-0071	SOULEYMAN BARRY/KHADY LO AND CONSOLIDATED EDISON COMPANY OF NEW YORK INC. -In the Matter of a Commission Designee's Determination Pursuant to PSL Section 52 - Rehearing Petition

of the Designee's Determination Rendered in Favor of Khady Lo and Consolidated Edison Company of New York Inc. (022278).

165-A

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

- 21-G-0001 RIDGEWOOD INDUSTRIES, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 21-G-0214 TOM KUBRICKY COMPANY INC./NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID.
- 21-G-0215 Y&S CONCRETE INC/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 21-G-0216 G-NADO INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 21-G-0218 NY DYNAMIC CONSTRUCTION CORP./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 21-G-0220 SCHALL & YOUNG HEATING & COOLING, INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 21-G-0221 GALAXY GENERAL CONTRACTING CORP./THE BROOKLYN UNION GAS CORPORATION D/B/A NATIONAL GRID.
- 21-G-0222 C & G HOME CONTRACTOR, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 21-G-0223 ARNOLD'S CONTRACTING LLC/CORNING NATURAL GAS CORPORATION.
- 21-G-0224 HALCYON CONSTRUCTION MANAGEMENT LLC/ THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 21-G-0225 PETER STASI GENERAL CONTRACTING LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 21-G-0226 ARB FENCE CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 21-G-0227 EFFULGENT INC/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID.
- 21-G-0230 TRI-STATE PAVING, LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.

165-B

In the Matter of an Enforcement Proceeding for Alleged Violation of 16 NYCRR Part 753 - Protection of Underground Facilities. (Consent Order Approval)

- 21-G-0204 ROTO-ROOTER SERVICE COMPANY INC./ROCHESTER GAS AND ELECTRIC CORPORATION.

- 21-G-0205 AP PLUMBING OF SYRACUSE/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 21-G-0206 PREMIER SKID WORKS/NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 21-G-0207 GREENS OF WOODBURY PARTNERS, LLC/CENTRAL HUDSON GAS & ELECTRIC CORPORATION.
- 21-G-0208 L.M.S. EXCAVATING/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 21-G-0209 TAHOE DEVELOPMENT CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 21-G-0210 BARONE LAWN SPRINKLERS, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 21-G-0211 NEW YORK UNDERGROUND, INC./NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID.
- 165-C In the Matter of an Enforcement Proceeding for Alleged Violations of 16 NYCRR Part 753 - Protection of Underground Facilities. (Petition for Rehearing)
- 20-G-0651 UNIQUE CO FIRE RESTORATION/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 166 19-G-0692 NEWSETT II HDFC/GRENADIER REALTY CORP./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 the Consolidated Edison Company of New York, Inc. (720920)

### GENERAL

- 261 18-M-0195 NATIONAL GRID USA - Proceeding on Motion of the Commission to Conduct a Comprehensive Management and Operations Audit of New York Electric and Gas Utilities.
- 262 20-M-0670 WTW DEVELOPMENT LLC - Petition for a Six-Month Extension of the Five-Year Development Period Concerning Refunds of Builder Development Contributions.
- 263 21-M-0193 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. AND ORANGE AND ROCKLAND UTILITIES, INC. - In the Matter of a Comprehensive Management and Operations Audit.
- 264 20-M-0029 In the Matter of the 2019 Amendment to the Public Service Law, Section 66-p (C. 705, L. 2019), Relating to Billing Information for Residential Rental Premises.

- 265 20-M-0589 SUNSEA ENERGY, LLC - Proceeding on Motion of the Commission to Seek Consequences for Violations of the Uniform Business Practices.
- 266 12-M-0476 Proceeding on Motion of the Commission to Assess Certain Aspects of the Residential and Small Non-residential Retail Energy Markets in New York State.
- 15-M-0127 In the Matter of Eligibility Criteria for Energy Service Companies.
- 98-M-1343 In the Matter of Retail Access Business Rules.
- 267 20-M-0446 JOSCO ENERGY CORP - Proceeding on Motion of the Commission to Seek Consequences for Violations of the Uniform Business Practices.
- 268 20-S-0550 ENWAVE SYRACUSE LLC AND SYRACUSE ENERGY CONCESSIONAIRE LLC - Petition for Approval Under Section 82 of the Public Service Law for Authorization to Issue Corporate Debt.
- 269 21-M-0197 IRONCLAD ENERGY HOLDINGS LLC, IRONCLAD ENERGY THERMAL LLC, IRONCLAD ENERGY PARTNERS LLC, RED-ROCHESTER, LLC, AND SEEIT RED HOLDCO LLC - Petition of Ironclad Energy Holdings LLC, Ironclad Energy Thermal LLC, Ironclad Energy Partners LLC, RED-Rochester, LLC, and SEEIT Red Holdco LLC for a Declaratory Ruling Eschewing Further Review of a Proposed Transaction or, in the Alternative, Approval of a Proposed Transaction.

### **POWER**

- 361 17-E-0238 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Electric Service.
- 362 20-E-0606 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Petition for Authority to Transfer Certain Street Lighting Facilities to the Town of Cortlandville Pursuant to Public Service Law §70.
- 363 21-E-0062 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Petition for Authority to Transfer Certain Street Lighting Facilities to the Village of Herkimer Pursuant to Public Service Law §70.
- 364 21-E-0063 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID -Petition for Authority to Transfer Certain Street Lighting Facilities to the Village of Carthage Pursuant to Public Service Law §70.
- 365 21-E-0076 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Petition for Authority to Transfer Certain Street Lighting Facilities to the Town of Grand Island Pursuant to Public Service Law §70.

- 366 21-E-0134 AL BRAIDE, ON BEHALF OF 194 HALE LLC/ CARLIZA CHERRY AND CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - In the Matter of a Commission Designee's Determination Pursuant to PSL Section 52 - Rehearing Petition of the Designee's Determination Rendered in Favor of Carliza Cherry and Consolidated Edison Company of New York, Inc. (034688).
- 367 20-E-0469 225 WEST 28TH STREET PROPERTY OWNER LLC - Notice of Intent and Waiver Request to Submeter Electricity at 225 West 28th Street, New York, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 368 19-E-0728 QB DEVELOPMENT OWNER LLC - Petition to Submeter Electricity at 46-10 70th Street and 46-09 69th Street, Woodside, New York 11377, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 369 21-T-0059 ALLE-CATT WIND ENERGY LLC - In the Matter for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII of the Public Service Law.
- 370 18-E-0623 In the Matter of New York Independent System Operator, Inc.'s Proposed Public Policy Transmission Needs for Consideration for 2018.
- 20-E-0497 NEW YORK INDEPENDENT SYSTEM OPERATOR, INC. - In the Matter of New York Independent System Operator, Inc. Proposed Public Policy Transmission Needs for Consideration for 2020.
- 371 20-E-0595 VILLAGE OF FAIRPORT - Minor Rate Filing to Increase Its Annual Revenues by about \$400,738 or 2.1%.
- 372 21-T-0055 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Petition to Amend the Certificate of Environmental Compatibility and Public Need issued in Former Case 26423 to Authorize the Removal and Installation of H-Frame Structures from National Grid's Existing 345 kV Overhead Electrical Transmission Facility located in the Town of North Greenbush, Rensselaer County.
- 373 15-E-0751 In the Matter of the Value of Distributed Energy Resources.
- 374 There is no item 374.
- 375 There is no item 375.
- 376 16-F-0328 NUMBER THREE WIND LLC - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 for Construction of a Wind Project Located in Lewis County.
- 377 19-E-0079 In the Matter of the Continuation of Standby Rate Exemptions.
- 378 10-T-0139 CHAMPLAIN HUDSON POWER EXPRESS, INC. - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII of the PSL for the Construction, Operation and Maintenance

of a High Voltage Direct Current Circuit from the Canadian Border to New York City.

### **WATER**

- 461 21-W-0077 TWIN LAKES WATERWORKS CORPORATION AND TWIN LAKES WATER COMPANY, INC. - In the Matter of the Joint Petition for Approval of the Sale and Transfer of all Water Supply Assets Serving Twin Lakes Village in the Town of Lewisboro, Westchester County.
- 462 21-W-0048 BETHEL WATER COMPANY, INC. - Minor Rate Filing to Increase its Annual Revenues by about \$15,551.32 or 42%.

### **COMMUNICATIONS**

- 561 20-C-0193 In the Matter of Quality of Service Provided by Local Exchange Companies in New York State.
- 562 There is no item 562.
- 563 There is no item 563.
- 564 21-C-0054 PATTERSONVILLE TELEPHONE COMPANY - Petition for a Waiver of 16 NYCRR Section 602.10(b) Regarding Distribution of Telephone Directories.
- 565 21-C-0056 ARMSTRONG TELECOMMUNICATIONS, INC. - Petition for Designation as an Eligible Telecommunications Carrier.
- 566 21-C-0212 SLIC NETWORK SOLUTIONS, INC. - Petition for a Further Amended Designation as an Eligible Telecommunications Carrier.
- 567 21-C-0213 FRONTIER COMMUNICATIONS OF AUSABLE VALLEY, INC.; FRONTIER TELEPHONE OF ROCHESTER, INC.; FRONTIER COMMUNICATIONS OF SENECA-GORHAM, INC.; AND CITIZENS TELECOMMUNICATIONS COMPANY OF NEW YORK, INC. - Petition for Expansion of eligible Telecommunication Carrier Status to Include Additional Census Blocks.
- 568 21-C-0235 In the Matter of Quality of Service Provided by Local Exchange Companies in New York State.

### **CABLE**

- 661 21-V-0133 VERIZON NEW YORK INC. - Petition for Approval of an Amendment to a Cable Television Franchise Agreement with the City of Glen Cove, Nassau County.

- 662                      Petitions for Renewal of Cable Television Franchises.
- 21-V-0072      SPECTRUM NORTHEAST, LLC/TOWN OF GORHAM, ONTARIO COUNTY.
- 21-V-0075      SPECTRUM NORTHEAST, LLC VILLAGE OF MILLPORT, CHEMUNG COUNTY.
- 21-V-0083      SPECTRUM NORTHEAST, LLC/TOWN OF CASTILE, WYOMING COUNTY.
- 21-V-0129      SPECTRUM NORTHEAST, LLC/TOWN OF STAMFORD, DELAWARE COUNTY.
- 21-V-0131      SPECTRUM NORTHEAST, LLC/VILLAGE OF LEICESTER, LIVINGSTON COUNTY.
- 21-V-0132      SPECTRUM NORTHEAST, LLC/TOWN OF CHAUTAUQUA, CHAUTAUQUA COUNTY.
- 21-V-0135      SPECTRUM NORTHEAST, LLC/TOWN OF CAZENOVIA, MADISON COUNTY.
- 21-V-0136      SPECTRUM NORTHEAST, LLC/TOWN OF PORTLAND, CHAUTAUQUA COUNTY.
- 663      21-V-0021      VERIZON NEW YORK INC. - Petition for an Order of Entry for 196 Neptune Avenue, Brooklyn, New York.
- 664      21-V-0022      VERIZON NEW YORK INC. - Petition for an Order of Entry for 75-08 35th Avenue, Queens, New York.
- 665      21-V-0126      SPECTRUM NORTHEAST, LLC - Petition for a Certificate of Confirmation for its Franchise with the Village of East Nassau, Rensselaer County.

### **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, June 17, 2021.**