

## Consent Agenda Report for 08/09/2018

The following is a preliminary and informal summary of actions the Commission took at its public session on August 9, 2018. 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  
15-G-0382 ST. LAWRENCE GAS COMPANY, INC. - The Commission decided to approve, on a permanent basis, the company's compliance tariff filing effectuating the rates and terms of Rate Year 3 pursuant to the Commission's Order issued on July 15, 2016 in this proceeding.
- ITEM 162  
There is no Item 162
- ITEM 163  
18-G-0394 NATIONAL FUEL GAS DISTRIBUTION CORPORATION - The Commission decided to issue a request for proposals for an independent third-party consulting firm to conduct a management and operations audit of the company. The audit will be conducted pursuant to Section 66(19) of the Public Service Law and will focus on construction program planning and operational efficiency.
- ITEM 164  
17-G-0606 This item was moved to the Regular Agenda.
- ITEM 165  
17-G-0464 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to approve the Honeywell Mercury EC350 electronic volumetric corrector.
- ITEM 166-A  
In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities
- 18-G-0203 ACCADIA SITE CONTRACTING, INC./NEW YORK STATE ELECTRIC & GAS CORPORATION
- 18-G-0322 ISLAND ROCK & DIRT CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
- 18-G-0417 MIKE'S BLUE WHEELS SERVICES/CENTRAL HUDSON GAS & ELECTRIC CORPORATION
- 18-G-0418 ORCHARD EARTH & PIPE CORP./CENTRAL HUDSON GAS & ELECTRIC CORPORATION

ITEM 166-A (Cont'd)

- 18-G-0419 ALL COUNTY CONSTRUCTION/CENTRAL HUDSON GAS & ELECTRIC CORPORATION
- 18-G-0420 BARBIERI FENCE CORP./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY
- 18-G-0421 CHIEF MAINTENANCE, INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 18-G-0422 CIPRIANO EXCAVATION INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
- 18-G-0423 KEL-TECH CONSTRUCTION INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
- 18-G-0424 KJ'S PROPERTY CARE/NEW YORK STATE ELECTRIC & GAS CORPORATION
- 18-G-0425 POWER CONCRETE CO. INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
- 18-G-0426 CENTER ISLAND CONTRACTING, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
- 18-G-0427 CIPRIANO EXCAVATION INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
- 18-G-0428 ALPINE FENCE, LLC/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID
- 18-G-0429 HUDSON HILLS CONTRACTING, LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
- 18-G-0430 JAMES H. LYNCH LANDSCAPING SERVICES, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
- 18-G-0431 LB PHILLIPS, LLC/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID
- 18-G-0432 MC&Z CONSTRUCTION CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
- 18-G-0433 RIGGS DISTLER & COMPANY, INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 18-G-0434 SHAWN MALONE EXCAVATING INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID
- 18-W-0435 MEN AT WORK CONSTRUCTION CORP./HAMPTON BAYS WATER DISTRICT

The Commission determined penalties in Cases 18-G-0203, 18-G-0322, 18-G-0417, 18-G-0418, 18-G-0419, 18-G-0420, 18-G-0421, 18-G-0422, 18-G-0423, 18-G-0424, 18-G-0425, 18-G-0426, 18-G-0427, 18-G-0428, 18-G-0429, 18-G-0430, 18-G-0431, 18-G-0432, 18-G-0433, 18-G-0434, and 18-W-0435.

ITEM 166-B

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

- 18-G-0402 PRO TECH AUTOMATIC LAWN SPRINKLERS, INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID
- 18-G-0403 MALICO TRENCHING, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
- 18-G-0404 TONY CASALE, INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 18-G-0405 MARC CONTRACTING, INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 18-G-0406 TLT SEALCOATING, INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID
- 18-G-0407 D.A. COLLINS CONSTRUCTION CO., INC./CENTRAL HUDSON GAS & ELECTRIC CORPORATION
- 18-G-0408 VILLAGE OF MAMARONECK DEPARTMENT OF PUBLIC WORKS/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 18-G-0409 HAMPTONS NURSERY AND LANDSCAPES, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
- 18-G-0410 CARLOW & ZEPKA CONSTRUCTION/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID
- 18-G-0411 D'ANGELO BUILDERS & DEVELOPERS, INC./ROCHESTER GAS AND ELECTRIC CORPORATION
- 18-G-0412 POOL FECTION/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
- 18-G-0413 DARIO'S LANDSCAPING & MASONRY, LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
- 18-G-0415 MXL CONTRACTING LLC\CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

The Commission decided to approve Consent Orders in Cases 18-G-0402, 18-G-0403, 18-G-0404, 18-G-0405, 18-G-0406, 18-G-0407, 18-G-0408, 18-G-0409, 18-G-0410, 18-G-0411, 18-G-0412, 18-G-0413, and 18-G-0415.

ITEM 167  
 18-T-0083 ROCHESTER GAS AND ELECTRIC CORPORATION - The Commission decided to grant the company a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII for CM-1 & CM-4 Replacement Project, Town of Chili, Monroe County.

ITEM 168  
 16-G-0181 RESERVE GAS COMPANY, NORTHERN GAS WELL OPERATORS, INC., NEW YORK GAS & OIL, INC., AND/OR 1ST MEDINA GAS PROPERTIES, LLC - The Commission decided to approve an agreement to transfer gas facilities and close penalty proceeding by which the owners of Northern Gas Well Operators, Inc., New York Gas & Oil, Inc., and 1st Medina Gas Properties (together, "NGO/Schlegels") agreed to transfer to Reserve Gas Company 22 gas wells and their associated gas facilities. The Order will allow Reserve Gas to continue gas service to customers in Alden, New York, whose service was abandoned by NGO/Schlegels.

**Power**

ITEM 361  
 18-E-0265 CITY OF JAMESTOWN - The Commission decided to approve the utility's proposed tariff amendments establishing S.C. No. 7 - High Density Loads Individual Negotiated Contract.

ITEM 362  
 10-T-0080 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - The Commission decided to approve the Environmental Management & Construction Plan Phase 2 - of the Lasher Road Substation, and the 115 kV Tap Lines by National Grid.

ITEM 363  
 18-E-0268 80 ADAMS PROPERTY OWNER, LLC - The Commission decided to approve the company's petition to submeter electricity at 98 Front Street, Brooklyn, New York, located in the territory of Consolidated Edison Company of New York, Inc.

ITEM 364  
 11-T-0534 ROCHESTER GAS AND ELECTRIC CORPORATION - The Commission decided that there are no inconsistencies or impacts that would necessitate further comments. The company must file the appropriate drawings consistent with body of this Order that refer back to the response to comments filed on December 19, 2017 prior to submitting a Notice to Proceed with construction.

ITEM 365  
 14-F-0490 CASSADAGA WIND LLC - The Commission decided to approve The Net Conservation Benefit Plan submitted by Cassadaga Wind LLC, on June 15, 2018.

**Water**

ITEM 461  
 18-W-0379 KIAMESHA ARTESIAN SPRING WATER CO., INC. - The Commission decided to approve the company's tariff filing cancelling its Escrow Account for Extraordinary Expenditures Statement No. 2, effective August 13, 2018, and to grant the Company's request for waiver of newspaper publication of the cancellation supplement.

ITEM 462  
 16-W-0259, 17-W-0300 NEW YORK AMERICAN WATER COMPANY, INC. - The Commission decided to adopt Staff's calculation of \$2,323,762 as the net amount New York American Water, Inc. over-paid in taxes due to the filing errors and order adjustments to NYAW's future property tax targets.

ITEM 463  
 18-W-0128 WILLSBORO BAY WATER COMPANY - The Commission decided to confirm a One Commissioner Order by Chair Rhodes adopting as a permanent rule, the emergency action approving the appointment of the Village of Willsboro as temporary operator of the company's seasonal water system.

ITEM 464  
 18-W-0129 RURAL ATLANTIC WATER COMPANY INC. - The Commission decided to authorize the company to increase its annual revenues by \$25,457 or 157.7%, effective September 1, 2018.

**Communications**

- ITEM 561  
18-C-0386  
SLIC NETWORK SOLUTIONS, INC. - The Commission decided to approve the company's petition for designation as an Eligible Telecommunications Carrier for the purpose of receiving federal universal support for providing Lifeline service in the census blocks it was awarded to serve by the new NY Broadband Program in the areas of Clinton, Essex, Franklin, Rensselaer, St. Lawrence, Warren, and Washington Counties, New York.
- ITEM 562  
18-C-0329  
ARMSTRONG TELECOMMUNICATIONS, INC. - The Commission decided to approve the company's petition for designation as an Eligible Telecommunications Carrier for the purpose of receiving federal universal support for providing Lifeline service in the census blocks in Verizon New York Inc.'s franchise area that were made available as part of the new NY Broadband Program.
- ITEM 563  
18-C-0319  
VALSTAR, INC. D/B/A GTEL - The Commission decided to approve the company's petition for designation as an Eligible Telecommunications Carrier for the purpose of receiving federal universal support for providing Lifeline service in the census blocks it was awarded to serve by the new NY Broadband Program in areas of Columbia County, New York.

**Cable**

- ITEM 661  
17-V-0732  
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 662  
17-V-0718  
VERIZON NEW YORK INC. - The Commission decided to approve the company's petition for an Order of Entry for 15 7th Avenue South, New York, NY.