

## Consent Agenda Report for 01/17/2019

The following is a preliminary and informal summary of actions the Commission took at its public session on January 17, 2019. 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  
18-G-0203 ACCADIA SITE CONTRACTING, INC. - The Commission decided to deny the petition for rehearing of a Commission Order Determining Penalty and Directing Payment issued August 15, 2018.
- ITEM 162  
18-G-0133 ST. LAWRENCE GAS COMPANY, INC. - The Commission decided to approve an extension of the maximum suspension period for the company's proposed gas rate filing through and including June 30, 2019.
- ITEM 163  
18-G-0731 ST. LAWRENCE GAS COMPANY, INC. - The Commission decided to approve the company's tariff filing of a housekeeping nature removing obsolete language.
- ITEM 164  
18-G-0721 Commissioner Diane X. Burman, concurring  
AAA ESCO, LLC - The Commission decided to order the company to show cause within 30 days why its eligibility to act as an energy services company should not be revoked or why other consequences, as set forth in the Commission's Uniform Business Practices Section 2.D.6 should not be imposed.
- ITEM 165  
18-G-0332 Appeal of Informal Review  
WEINREB MANAGEMENT/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to uphold the informal review decision.

ITEM 166-A

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

- 18-G-0740 A.S. HAVENS/NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID
- 18-G-0741 THE BAY IRRIGATION CORP/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
- 18-G-0742 D. RANGO LANDSCAPING/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 18-G-0743 INGENUITY CONSTRUCTION CORP./THE BROOKLYN UNION GAS COMPANY, D/B/A NATIONAL GRID
- 18-G-0744 KINGSLEY EXCAVATION LLC./NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID
- 18-G-0745 MICHAEL DIAMOND ENTERPRISES/CENTRAL HUDSON GAS & ELECTRIC CORPORATION
- 18-G-0746 S. DEVRIES CONCRETE INC./CENTRAL HUDSON GAS & ELECTRIC CORPORATION
- 18-G-0747 MALOTA PLUMBING CONTRACTING CORP./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 18-G-0759 ASSOCIATED ENVIRONMENTAL SERVICES, LTD/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
- 18-G-0760 TREC ENVIRONMENTAL, INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION
- 18-G-0761 HINCK ELECTRICAL CONTRACTOR, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
- 18-G-0762 NAUTILUS CONTRACTING CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID

The Commission determined \$2,500 penalties in Cases 18-G-0740, 18-G-0741, 18-G-0742, 18-G-0743, 18-G-0744, 18-G-0745, 18-G-0746, 18-G-0747, 18-G-0759, 18-G-0760, 18-G-0761 and 18-G-0762.

ITEM 166-B		<u>In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities. (Consent Order Approvals)</u>
	18-G-0748	BILL DECICCO & SONS, INC./CENTRAL HUDSON GAS & ELECTRIC CORPORATION
	18-G-0749	BILL DECICCO & SONS, INC./CENTRAL HUDSON GAS & ELECTRIC CORPORATION
	18-G-0750	BULLOCK UTILITIES, INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID
	18-G-0751	T. RICCOBONI ASPHALT PAVING/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
	18-G-0752	GAGLIARDI BUILDERS/CENTRAL HUDSON GAS & ELECTRIC CORPORATION
	18-G-0753	STEVENER'S BACKHOE SERVICE/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID

The Commission decided to approve Consent Orders in Cases 18-G-0748, 18-G-0749, 18-G-0750, 18-G-0751, 18-G-0752, and 18-G-0753.

ITEM 167		<u>Shared Meter Rehearing</u>
	18-G-0678	MS. KRIS WELTMAN/MR. VLADIMIR ARIAS AND ROCHESTER GAS AND ELECTRIC CORPORATION - The Commission decided to uphold the designee's determination.

**General**

ITEM 261		<u>Commissioner Diane X. Burman, dissenting</u>
	17-M-0415	FLANDERS ENERGY LLC - The Commission decided to deny the company's petition for Rehearing, Reconsideration and Clarification of the order suspending Flanders' ability to market and to enroll all customers.

ITEM 262		
	18-S-0269	CONSOLIDATED EDISON COMPANY OF NEW YORK, INC./36 EAST 72 STREET CORP./BROWN HARRIS STEVENS - The Commission decided to deny the request for an investigation of an appeal compliance matter.

- ITEM 263  
 18-E-0067 &  
 18-G-0068  
 ORANGE AND ROCKLAND UTILITIES, INC. -The Commission decided to approve an extension of the maximum suspension period for the company's proposed electric and gas rate filings through and including March 25, 2019.
- ITEM 264  
 17-M-0815  
 NEW YORK STATE TELECOMMUNICATIONS ASSOCIATION - The Commission decided to adopt the alternative proposal to 1) allow the smaller telephone companies to begin amortizing any excess accumulated deferred federal income tax balances as a result of implementing the Tax Cut and Jobs Act of 2017 effective January 1, 2018, consistent with federal regulations; and 2) address the disposition of any remaining un-amortized balances if and when a smaller telephone company next files a rate case.
- ITEM 265  
 18-E-0067 &  
 18-G-0068  
 ORANGE AND ROCKLAND UTILITIES, INC. -The Commission decided to deny the request for interlocutory review of ruling denying application for issuance of subpoena duces tecum.

**Power**

- ITEM 361  
 18-E-0400  
 TAX CREDIT ASSET MANAGEMENT, LLC - The Commission decided to approve the company's petition to submeter electricity at 106, 114 and 120 Birchez Lane, Schoharie, New York, located in the territory of Niagara Mohawk Power Corporation d/b/a National Grid.
- ITEM 362  
 There is no item 362
- ITEM 363  
 18-E-0728  
Shared Meter Rehearing  
 MR. GODFRED DARKWA ON BEHALF OF GADNAD LLC/MS. SHEILA BLIGEN AND CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to uphold the designee's determination.

- ITEM 364  
 17-E-0367 11737 OWNERS CORP. - The Commission decided to approve the company's petition to submeter electricity at 117 East 37th Street, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc.
- ITEM 365  
 18-E-0676 Shared Meter Rehearing  
 MS. MADGE BLAKEMAN/ MS. MICHELLE JOSEPH AND CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to uphold the designee's determination.
- ITEM 366  
 18-E-0551 Appeal of Informal Review  
 MAMADOU SYLLA/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to uphold the informal review decision.
- ITEM 367  
 There is no item 367
- ITEM 368  
 18-T-0561 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - The Commission decided to grant the applicant's request for waiver in total and, where provided, accept the alternative application materials that were submitted.
- ITEM 369  
 18-E-0392 ALFA GRAMERCY PARK LLC - The Commission decided to approve the company's petition to submeter electricity at 200 East 21st Street, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc.
- ITEM 370  
 17-E-0653 LOST LAKE RESORT COMPANY - The Commission decided to deny the petition for rehearing of its earlier denial of a waiver of 16 NYCRR, 100.1(b) requiring underground electric facilities in new residential developments.

- ITEM 371                      16-E-0060                      Commissioner Diane X. Burman, concurring  
CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to approve the recommendations contained in the 2017 Outcome-based Earning Adjustment Mechanisms Collaborative Report submitted by Consolidated Edison Company of New York, Inc.
- ITEM 372                      18-E-0280                      915 WEST END AVENUE OWNER II LLC - The Commission decided to approve the company's petition to submeter electricity at 915 West End Avenue, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc.
- ITEM 373                      18-E-0449                      117 SEAMAN AVENUE REALTY CORP. - The Commission decided to approve the company's petition to submeter electricity at 109-117 Seaman Avenue, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc.
- ITEM 374                      18-E-0196                      MADISON 30 31 OWNER LLC - The Commission decided to approve the company's petition to submeter electricity at 15 East 30th Street, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc.
- ITEM 375                      18-T-0451                      MINARD RUN OIL COMPANY - The Commission decided to approve the petition filed by the company for an amendment of its Certificate of Environmental Compatibility and Public Need to install a third compressor unit and approximately 162 feet of aboveground steel pipeline.
- ITEM 376                      18-E-0340                      GREYSTONE REALTY SPRING LLC - The Commission decided to approve the company's petition to submeter electricity at 75 Spring Street, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc.

**Water**

ITEM 461  
 18-W-0632 TOWN OF EASTCHESTER -The Commission decided to approve the Town's petition, pursuant to Chapter 433 of 2013, to distribute public safety infrastructure costs across water rate base.

**Communications**

ITEM 561  
 15-M-0388 Commissioner Diane X. Burman, dissenting  
 CHARTER COMMUNICATIONS AND TIME WARNER CABLE - The Commission decided to approve and confirm one commissioner orders issued on December 14, 2018 and January 14, 2019 signed by Chair Rhodes extending deadlines.

**Cable**

ITEM 661  
 18-V-0568 MID-HUDSON CABLEVISION, INC. -  
 18-V-0608 CABLEVISION OF ROCKLAND/RAMAPO, LLC -  
 The Commission decided to grant approval of the cable franchise renewals listed above.

ITEM 662  
 18-V-0454 VERIZON NEW YORK INC. - The Commission decided to approve a portion of the company's petition for Orders of Entry for 15 multiple-dwelling unit buildings in the City of New York

ITEM 663  
 18-V-0674 SLIC NETWORK SOLUTIONS, INC. AND HCCI LLC  
 - The Commission decided to adopt the action approving the acquisition of cable television systems, assets, and franchises on a permanent basis.