



# Public Service Commission

**For Immediate Release:** 12/13/17

John B. Rhodes, Chair

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**17093**

## **COMMISSION ISSUES FINAL DECEMBER 14, 2017 AGENDA**

Albany, NY – The Public Service Commission announced today that it will hold its next regular session beginning at **10:30 A.M., Thursday, December 14, 2017, in the 19<sup>th</sup> Floor Board Room of its offices located at Three Empire State Plaza, Albany, New York.**

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

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

**-VIDEOCASTING TO PSC'S NYC OFFICES AVAILABLE-**

**(See instructions on last page of Agenda)**

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**

#### **GENERAL**

<b>Item</b>	<b>PSC Case</b>	
201	98-M-0667	In the Matter of Electronic Data Interchange. Petition of Utility Expense Reduction, LLC.
	98-M-1343	In the Matter of Retail Access Business Rules. Petition of Utility Expense Reduction, LLC.

- 06-M-0647 In the Matter of Energy Service Company Price Reporting Requirements. Petition of Utility Expense Reduction, LLC.
- 12-M-0476 UTILITY EXPENSE REDUCTION, LLC - Petition for Proceeding on Motion of the Commission to Assess Certain Aspects of the Residential and Small Non-Residential Retail Energy Markets in New York State. Petition of Utility Expense Reduction, LLC.
- 202 14-M-0224 Proceeding on Motion of the Commission to Enable Community Choice Aggregation Programs.
- 16-M-0411 In the Matter of Distributed System Implementation Plans.
- 17-M-0315 In the Matter of the Utility Energy Registry.

### POWER

- 301 17-E-0526 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Petition to Move the Room Air Conditioning Program to Rider L, Make Changes to Rider L, and Continue the Connected Devices Pilot with Modifications.

No items will be considered on the Regular Agenda for **GAS, WATER, COMMUNICATIONS, 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-A In the Matter of an Enforcement Proceeding for Alleged Violations of 16 NYCRR Part 753, Protection of Underground Facilities.
- 17-G-0079 TOWN OF ISLIP DEPARTMENT OF PUBLIC WORKS/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 17-G-0081 THE INCORPORATED VILLAGE OF HEMPSTEAD DPW/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 17-G-0207 CORNING NATURAL GAS CORPORATION/CORNING NATURAL GAS CORPORATION.

- 17-G-0487 LLL INDUSTRIES INC./KEYSPAN GAS EAST CORPORATION  
D/B/A NATIONAL GRID.
- 17-G-0686 JORGE CONSTRUCTION/CONSOLIDATED EDISON COMPANY  
OF NEW YORK, INC.
- 17-G-0687 SHAWN'S LAWNS INC./CONSOLIDATED EDISON COMPANY OF  
NEW YORK, INC.
- 17-G-0688 A&A STONE & MASONRY CORP/CONSOLIDATED EDISON  
COMPANY OF NEW YORK, INC.
- 17-G-0689 LANDSCAPING BY RENNER INC./KEYSPAN GAS EAST  
CORPORATION D/B/A NATIONAL GRID.
- 17-G-0690 F.N.S. INDUSTRIES INC./KEYSPAN GAS EAST CORPORATION  
D/B/A NATIONAL GRID.
- 17-G-0691 JFM STRUCTURES INC./KEYSPAN GAS EAST CORPORATION  
D/B/A NATIONAL GRID.
- 17-G-0692 FMD UNDERGROUND CONSTRUCTION, INC./KEYSPAN GAS  
EAST CORPORATION D/B/A NATIONAL GRID.
- 17-G-0693 STASI BROTHERS ASPHALT CORP./KEYSPAN GAS EAST  
CORPORATION D/B/A NATIONAL GRID.
- 17-G-0694 SCHODACK TRUCKING & SEPTIC, INC./NIAGARA MOHAWK  
POWER CORPORATION, D/B/A NATIONAL GRID.
- 17-G-0695 H. LANGDON GARAGE BUILDERS & SUPPLY, INC./NIAGARA  
MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 17-G-0696 HOLLISTER CONSTRUCTION SERVICES, LLC/THE BROOKLYN  
UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 17-G-0697 LUNATI PAVING & CONSTRUCTION OF NY, INC./THE  
BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 17-G-0698 XOLLE DEMO LLC/THE BROOKLYN UNION GAS COMPANY  
D/B/A NATIONAL GRID NY.
- 17-G-0699 C.A.C. INDUSTRIES INC./THE BROOKLYN UNION GAS  
COMPANY D/B/A NATIONAL GRID NY.
- 17-G-0700 DIFAZIO IND., LLC/THE BROOKLYN UNION GAS COMPANY  
D/B/A NATIONAL GRID NY.
- 17-G-0702 STEEL TONE CONSTRUCTION INC./THE BROOKLYN UNION  
GAS COMPANY D/B/A NATIONAL GRID NY.
- 161-B In the Matter of an Enforcement Proceeding for Alleged Violations of 16  
NYCRR Part 753, Protection of Underground Facilities.
- 17-G-0671 THE LANDTEK GROUP, INC./CONSOLIDATED EDISON  
COMPANY OF NEW YORK, INC.

- 17-G-0672 ELQ INDUSTRIES, INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 17-G-0673 PRECISION EXCAVATING & DRAINAGE CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 17-G-0674 MILICIA ELECTRIC CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 17-G-0675 JSJ CONSTRUCTION INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 17-G-0676 M & A ASPHALT INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 17-G-0677 THOLIN TRUCKING AND EXCAVATION, INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 17-G-0678 AMERICAN PETROLEUM EQUIPMENT & CONSTRUCTION COMPANY, INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 17-G-0679 D.E. TAROLLI, INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 17-G-0680 CITY OF UTICA DEPARTMENT OF PUBLIC WORKS/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 17-G-0681 CHARLES FRIEDMAN EXCAVATING, INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 17-G-0682 HENKELS & MCCOY, INC./ORANGE AND ROCKLAND UTILITIES, INC.
- 17-G-0683 RUBIN DEVELOPMENT AND CONSTRUCTION, INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 162 17-G-0006 BROWN HARRIS STEVENS/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Rehearing of Appeal Determination.
- 163 17-G-0454 In the Matter of the Filing of Annual Reconciliation of Gas Expenses and Gas Cost Recoveries.

#### **GENERAL**

- 261 16-M-0231 ORANGE AND ROCKLAND UTILITIES, INC. - Petition for Approval Regarding Disposition of Property Tax Benefits from the City of Middletown.
- 262 17-M-0556 GOT GAS? LLC - In the Matter to Seek Consequences for Violations of the Uniform Business Practices.
- 263 98-M-0667 In the Matter of Electronic Data Interchange. Confirming order.

- 98-M-1343 In the Matter of Retail Access Business Rules. Confirming order.
- 06-M-0647 In the Matter of Energy Service Company Price Reporting Requirements. Confirming order.
- 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. Confirming order.
- 264 17-M-0621 MR. YUNGE YIN/MR. HO. S. KIM AND CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Rehearing of Shared Meter Determination.
- 265 13-M-0449 In the Matter of Focused Operations Audit of the Internal Staffing Levels and the Use of Contractors for Selected Core Utility Functions at Major New York Energy Utilities.
- 266 There is no item 266.
- 267 17-M-0541 ORANGE AND ROCKLAND UTILITIES, INC. - Petition Under Section 69 of the Public Service Law for Authority to Issue Securities having a Maturity of More than One Year.
- 268 17-M-0363 In the Matter of Accounting and Ratemaking Related to the Financial Accounting Standards Board's March 2017 Accounting Standards Update Entitled Compensation-Post Retirement Benefits (Topic 715).
- 269 09-M-0311 Implementation of Chapter 59 of the Laws of 2009 Establishing a Temporary Annual Assessment Pursuant to PSL 18-a(6).

### **POWER**

- 361 There is no item 361.
- 362 There is no item 362.
- 363 17-E-0290 THE CHARLES CONDOMINIUMS, LLC - Notice of Intent to Submeter Electricity at a Building Located at 1355 First Avenue, New York, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 364 17-E-0234 412-14 EAST 10TH STREET HOUSING DEVELOPMENT FUND CORPORATION - Petition to Submeter Electricity at 412-14 East 10th Street, New York in the Territory of Consolidated Edison Company of New York, Inc.
- 365 16-E-0479 ITRON INC. - Petition for Approval of the OpenWay Riva CENTRON Polyphase (Commercial) Meter Line.
- 366 16-E-0548 LANDIS+GYR INC. - Petition for Approval of Gridstream Series 5 RF Mesh IP Commercial S4x Meter Platforms.

- 367 17-E-0467 BOWERY RESIDENTS' COMMITTEE - Notice of Intent to Submeter Electricity at 233 Landing Road, Bronx, NY 10468, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 368 17-E-0248 HILLSIDE ASSOCIATION, INC. - Petition to Submeter Electricity at 566 44th Street, Brooklyn, NY 11220, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 369 17-E-0468 1115 FIFTH AVENUE CORPORATION - Petition to Submeter Electricity at 1115 Fifth Avenue, New York, NY, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 370 There is no item 370.
- 371 17-E-0533 NEW YORK STATE ELECTRIC & GAS CORPORATION - Petition for an Original Certificate of Public Convenience and Necessity.
- 17-T-0512 NEW YORK STATE ELECTRIC & GAS CORPORATION - In the Matter of a Part 102 Report Concerning the Proposed Installation of 115 kV Transmission Lines 730 and 731 in the Towns of Stockport and Ghent, Columbia County.
- 372 17-E-0551 DANSKAMMER HOLDINGS LLC, DANSKAMMER ENERGY, LLC, MEREURIA ENERGY AMERICA, INC., AND MERCURIA INVESTMENTS US, INC. - Joint Petition for Approval of the Acquisition of Danskammer Energy, LLC by Danskammer Holdings LLC, for Approval of the Issuance of Long-Term Indebtedness, and for Continuation of Lightened Regulation.
- 373 17-E-0620 AP CRICKET VALLEY HOLDINGS I INC., ROSE CAPITAL INVESTMENT INC., CRICKET VALLEY ENERGY CENTER LLC, AND CRICKET VALLEY ENERGY PARTNERS LLC - Joint Petition for a Declaratory Ruling Regarding Transfer of Upstream Ownership Interests or, in the Alternative, an Approval Pursuant to Section 70 of the Public Service Law.
- 374 17-E-0601 CALPINE CORPORATION AND ECP CONTROLCO, LLC - Joint Petition for a Declaratory Ruling that Public Service Law Section 70 Does Not Apply to the Proposed Transaction, or in the Alternative, for Approval of the Proposed Transaction Pursuant to Section 70 of the Public Service Law.

### **WATER**

- 461 17-W-0434 STONE RIDGE ESTATES WATER CORPORATION - Initial Rate Filing of Stone Ridge Estates Water Corporation.

## COMMUNICATIONS

- 561 15-M-0742 Proceeding on Motion of the Commission to Review the State Universal Service Fund.
- 562 15-C-0029 INDEPENDENT PAYPHONE ASSOCIATION OF N.Y., INC. AND INDIVIDUAL INDEPENDENT PAYPHONE PROVIDERS - Petition to Initiate Remand Proceeding.
- 563 17-C-0757 In the Matter of a Management and Operations Audit of Time Warner Cable Information Services (New York), LLC. Confirming order.
- 564 17-C-0759 FRONTIER COMMUNICATIONS OF ROCHESTER, INC. - Tariff Filing to Cancel its P.S.C. No. 1 - Telephone Tariff and Detariff Basic Services.

## CABLE

- 661 17-V-0439 VERIZON NEW YORK INC - Petition for Orders of Entry for 45 Multiple-Dwelling Unit Buildings in the City of New York.
- 662 17-V-0440 VERIZON NEW YORK INC. - Petition for an Order of Entry for 1050 5th Avenue, New York, NY.
- 663 17-V-0438 VERIZON NEW YORK INC. - Petition for Orders of Entry for 35 Multiple-Dwelling Unit Buildings in the City of New York.
- 664 Petitions for Renewal of Cable Television Franchises.
- 17-V-0531 TIME WARNER CABLE NORTHEAST LLC/CITY OF ROME, ONEIDA COUNTY.
- 17-V-0547 TIME WARNER CABLE NORTHEAST LLC/TOWN OF VARICK, SENECA COUNTY.
- 17-V-0549 TIME WARNER CABLE NORTHEAST LLC/TOWN OF OTEGO, OTSEGO COUNTY.
- 17-V-0550 TIME WARNER CABLE NORTHEAST LLC/TOWN OF CANISTEO, STEUBEN COUNTY.
- 17-V-0553 VERIZON NEW YORK INC/VILLAGE OF SANDS POINT, NASSAU COUNTY.
- 17-V-0554 VERIZON NEW YORK INC/VILLAGE OF LYNBROOK, NASSAU COUNTY.
- 17-V-0555 TIME WARNER CABLE NORTHEAST LLC/TOWN OF GROVELAND, LIVINGSTON COUNTY.
- 17-V-0614 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF WEST WINFIELD, HERKIMER COUNTY.

- 17-V-0661 TIME WARNER CABLE NORTHEAST LLC/TOWN OF WATERFORD, SARATOGA COUNTY.
- 17-V-0663 VERIZON NEW YORK INC/VILLAGE OF LAUREL HOLLOW, NASSAU COUNTY.

### **Instructions to View Webcast at PSC's NYC Offices**

Individuals in New York City wishing to view the Commission's meeting may do so in the Board Room on the 4<sup>th</sup> floor of the Commission's offices at 90 Church Street, New York City. The webcasting 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.

### **Instructions to View Video Webcast of Meeting**

In addition to the webcast of the meeting in the Commission's New York City offices, the meeting will be webcast live on the Internet. The Internet webcast can be viewed by accessing <http://www.dps.ny.gov/Webcasts.html>

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.

### **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 Commission's Web site at [www.dps.ny.gov](http://www.dps.ny.gov), click on “Search” then search using the appropriate PSC case number, or in the alternative documents may be viewed on monitors provided in the Files Unit on the 14<sup>th</sup> floor of the Albany offices or obtained by calling (518)-474-2500.

### **Next Meeting**

The next regularly scheduled meeting will begin at **10:30 A.M., Thursday, January 18, 2018, in Albany, New York.**

Individuals in Albany wishing to observe the Commission's meeting may do so in the Board Room on the 19<sup>th</sup> floor of the Commission's offices at Three Empire State Plaza. **Pursuant to procedures established by the building management, anyone planning to view the meeting in**

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