Consent Agenda Report for 09/17/2015

The following is a preliminary and informal summary of actions the Commission took at its public session on September 17, 2015. 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

Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753 – Protection of Underground Facilities

15-G-0424 MONTESANO BROTHERS, INC./ORANGE AND ROCKLAND UTILITIES, INC.
15-G-0472 FRANK'S LAWN SERVICE, INC./CENTRAL HUDSON GAS & ELECTRIC CORPORATION.
15-G-0473 PRECISION FENCE, LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
15-G-0474 ASPLUNDH CONSTRUCTION, CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
15-G-0475 J & V HOME IMPROVEMENT CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
15-G-0476 HAYDEN BROWN CONSTRUCTION CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
15-G-0477 CARRY LANDSCAPING DESIGN & MASONRY LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
15-G-0478 INTERCOUNTRY PAVING ASSOCIATES, LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
15-G-0479 HHJR CONSTRUCTION LTD./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
15-G-0480 J & G EMPIRE CONTRACTING INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
15-G-0481 FORT HILL INDUSTRIES, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
ITEM 161 (Cont'd)

15-G-0482  GOSSEL TRENCHING & GRADING, INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION.

15-G-0483  DANA DARLING CONTRACTING, INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION.

15-G-0484  F. RIZZO CONSTRUCTION, INC./NEW YORK STATE ELECTRIC & GAS CORPORATION.

15-G-0485  VIN SID & SONS CONST. LLC/NIAGARA MOHAWK POWER COMPANY D/B/A NATIONAL GRID.

15-G-0486  HELDERBERG EXCAVATING & TRUCKING, INC./NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID.

15-G-0487  LIAM DESIGN + BUILD/ORANGE AND ROCKLAND UTILITIES, INC.

15-G-0488  MASTRO ENTERPRISES INC./ROCHESTER GAS AND ELECTRIC CORPORATION.

15-G-0489  HEAVY CONSTRUCTION CO., INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.

15-G-0490  ACCURATE PRECAST CONCRETE COMPANY/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.


ITEM 162

There is no Item 162.

ITEM 163

Rehearing of Commission Designee Determination

12-G-0450  MR. JOHN LANZONE/MS. KRISTIN SPIROWS AND CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to uphold the SMD's 6/27/12 decision since Mr. Lanzone's statement does not provide a basis for canceling the shared area charges and the 12-month assessment has already been reduced by 75%. Correction of a shared meter condition does not eliminate an owner's responsibility for shared meter charges.
ITEM 164  
12-G-0023  
Rehearing of Commission Designee Determination  
MR. ORLY KASHAN/MR. JORGE MONTALVAN  
AND NATIONAL GRID-LONG ISLAND - The Commission decided to deny the request for rehearing. However, upon review of the case an error in the shared use calculation was discovered resulting in a reduction of the shared usage from 8934 ccf to 3074 ccf. This reduction also qualified the 12-month assessment to be revised to the maximum reduction of 25% of the original amount billed.

General

ITEM 261  
12-M-0476, 98-M-1343, 06-M-0647 & 98-M-0667 - The Commission decided to adopt proposals for changes to the Electronic Data Interchange Standards filed on April 7, 2015 in the "Report on EDI Standards Development".

ITEM 262  
15-M-0251  
CENTRAL HUDSON GAS & ELECTRIC CORPORATION - The Commission decided to approve the company's petition for authority through December 31, 2018 to issue $350 million of new unsecured debt and to enter into or continue revolving credit agreements not to exceed $200 million.

Power

ITEM 361  
15-E-0403  
CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to approve the company's tariff filing of a housekeeping nature to remove duplicate language under Rider U Distribution Load Relief Program contained in P.S.C. No. 10 - Electricity.

ITEM 362  
15-E-0052  
315 EAST 68TH STREET CORPORATION - The Commission decided to approve the notice of intent to submeter electricity, in the cooperative units, at 315 East 68th Street, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc.
ITEM 363 14-E-0179 1 JOHN STREET LLC - The Commission decided to approve the notice of intent to submeter electricity at 1 John Street, Brooklyn, New York, located in the territory of Consolidated Edison Company of New York, Inc.

ITEM 364 11-E-0400 56 7TH AVENUE LLC - The Commission decided to approve the notice of intent to submeter electricity at 56 7th Ave. New York, New York, in the territory of Consolidated Edison Company of New York Inc.

ITEM 365 15-M-0297 SITHE/INDEPENDENCE POWER PARTNERS, L.P. - The Commission decided to approve the company's proposed financing plan increasing its authorized financing limit from $2.175 billion to $8.28 billion.

ITEM 366 15-T-0305 NIAGARA MOHAWK POWER CORPORATION - The Commission decided to approve the company’s motion for a waiver of the requirements set forth in 16 NYCRR § 86.3(b)(2) relating to its pending Article VII Application.

ITEM 367 15-T-0384 NIAGARA MOHAWK POWER CORPORATION d/b/a NATIONAL GRID - The Commission decided to approve the Amendment to the Certificate for the construction and operation of the Cody Road Station, the 115 kV Loop Taps, and the ADSS fiber optic cable connecting the Cody Road Station and the existing Fenner Substation (collectively the "Project") by National Grid.

ITEM 368 15-E-0446 Rehearing of Commission Designee Determination MR. JONATHAN M. GARCIA AND MS. MARIA CABRERA/MR. ARACELI ROSALES AND CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to uphold the SMD's 5/20/15 decision since Mr. Garcia failed to support his claim that he did not own the property at the time that the shared meter condition was discovered. The 12-month assessment has already been reduced by 43%.
ITEM 369  Rehearing of Commission Designee Determination  
12-E-0454  
MS. MARIA TROTT/MS. PORTIA STEWARD AND CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to uphold the SMD’s 8/23/12 decision since Ms. Trott’s agreement contained no provision for reimbursing her tenant for the minimal shared usage charges. Ms. Trott’s remaining assertion that she was not notified of her tenant’s complaint was not supported since Staff’s records indicate its 5/11/12 notification sent to her was not returned by the Post Office.

ITEM 370  Rehearing of Commission Designee Determination  
13-E-0034  
MS. KAREN BRISCOE-REED/MR. CARMELO RIVERA, JR. AND CENTRAL HUDSON GAS AND ELECTRIC CORPORATION - The Commission decided to uphold the SMD’s 8/29/12 decision since Ms. Briscoe-Reed provided no new evidence to support her claim that the shared meter condition found on 3/2/11 did not exist and the 12-month assessment has already been reduced by 75%.

ITEM 371  Rehearing of Commission Designee Determination  
12-E-0453  
MR. JOSE MOROCHO AND MR. SERGIO HERRERA/MR. JOSE MOROCHO AND CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to uphold the SMD’s 6/5/12 decision since Mr. Morocho’s documentation does not provide a basis for canceling the shared area charges and the 12-month assessment has already been reduced by 60%. Mr. Herrera’s assertion that he was not fully compensated was not supported. Making payment on the owner’s account is not a basis for adjusting shared meter charges.

ITEM 372  Rehearing of Commission Designee Determination  
12-E-0451  
MR. MARCEL BUCHOLZ/MR. SAMSON SEGEDIN AND CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to uphold the SMD’s 6/19/12 decision since Mr. Bucholz’s assertion does not provide a basis for canceling the shared area charges and the 12-month assessment has already been reduced by 75%. As a landlord Mr. Bucholz is ultimately responsible for the wiring conditions within his property.
**Water**

**ITEM 461**
14-W-0307  FOREVER WILD WATER COMPANY, INC. - The Commission decided to grant the company’s request for reconsideration and modifies its April 17, 2015 Order to 1) grant the company’s request to remove the requirement that the escrow account be interest-bearing and to 2) grant the company’s request to allow it to continue using the escrow account funds to cover the cost of extraordinary repairs and/or plant replacements.

**ITEM 462**
15-W-0209  HUDSON VALLEY WATER COMPANIES, INC. - The Commission decided to authorize the Company to increase its annual revenues by $33,815 or 21.8%, to become effective October 1, 2015.

**Cable**

**ITEM 661**
15-V-0231  EMPIRE VIDEO SERVICES CORPORATION - The Commission decided to approve the Certificate of Confirmation franchise agreement between the company and the Village of North Hornell (Steuben County)

**ITEM 662**
15-V-0232  COMMUNITY CABLE CORPORATION D/B/A NORTH PENN VIDEO - The Commission decided to approve the Certificate of Confirmation franchise agreement between the company and the Village of North Hornell (Steuben County)

**ITEM 663**
15-V-0237  TIME WARNER CABLE NORTHEAST LLC/TOWN OF CAMPBELL, STEUBEN COUNTY.
15-V-0201  TIME WARNER CABLE NORTHEAST LLC/TOWN OF HOPEWELL, ONTARIO COUNTY.
15-V-0203  CABLEVISION OF WAPPINGERS FALLS, INC./TOWN OF HAVERSTRAW, ROCKLAND COUNTY.
15-V-0212  CABLEVISION OF WAPPINGERS FALLS, INC./TOWN OF EAST FISHKILL, DUTCHESS COUNTY.
ITEM 663 (Cont'd.)

15-V-0242 CABLEVISION SYSTEMS DUTCHESS CORPORATION/VILLAGE OF MILLERTON, DUTCHESS COUNTY.

15-V-0253 CABLEVISION SYSTEMS DUTCHESS CORPORATION/TOWN OF NORTH EAST, DUTCHESS COUNTY.

15-V-0265 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF HERKIMER, HERKIMER COUNTY.

15-V-0268 ADAMS CATV, INC./VILLAGE OF WINDSOR, BROOME COUNTY.

15-V-0238 TIME WARNER CABLE NORTHEAST LLC/TOWN OF CINCINNATUS, CORTLAND COUNTY.

The Commission decided to approve the respective franchise agreement renewals for each of the listed cases.