

Consent Agenda Report for 11/19/2015



The following is a preliminary and informal summary of actions the Commission took at its public session on November 19, 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

12-G-0071 Appeal of Informal Hearing Decision
MR. DAVID BATES/NATIONAL GRID - METRO NY -
The Commission decided to uphold the informal hearing decision regarding a billing complaint.

ITEM 162

10-G-0622 Appeal of Informal Hearing Decision
GREATER BINGHAMTON DEVELOPMENT, LLC/NEW YORK STATE ELECTRIC & GAS CORP. -
The Commission decided to modify the decisions reasoning, and to uphold its results except that the utility is required to apply interest (for a limited period) on the credit applied to the account in August 2006, and to report what steps it will take to correct two metering-related errors.

ITEM 163

14-G-0519 NIAGARA MOHAWK POWER CORPORATION -
The Commission decided to approve the General Electric/Dresser 5M/20M Model 5 transfer prover (Model 5) for use in commercial gas meter testing applications.

ITEM 164

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

- 15-G-0603 PROFEX INC./CENTRAL HUDSON GAS & ELECTRIC CORPORATION.
- 15-G-0604 ZZZ CARPENTRY, INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 15-G-0605 REET CONSTRUCTION CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 15-G-0606 KOHLER LANDSCAPING, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 15-G-0607 SHELL TECH CONSTRUCTION/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 15-G-0608 STEADFAST CONSTRUCTION, LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 15-G-0609 GM LAWN SERVICE, LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 15-G-0610 BLUE WAVES LANDSCAPING INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 15-G-0611 EUROWAY MASONRY CONSTRUCTION/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 15-G-0612 QUALITY AFFORDABLE LANDSCAPING, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 15-G-0613 QUALICO CONTRACTING CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 15-G-0614 WELSBACH ELECTRIC CORP. OF L.I./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 15-G-0615 FERACO INDUSTRIES INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 15-G-0616 PAR CONTRACTORS/DRIVEWAYS INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 15-G-0618 SHARCO ENTERPRISES, INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 15-G-0619 CLEAR-A-WAY/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 15-G-0620 PETER MULLIGAN MASONRY/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.

ITEM 164 (Cont'd.)

- 15-G-0621 PRO TECH AUTOMATIC LAWN SPRINKLERS, INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 15-G-0622 CMC CONSTRUCTION GROUP, INC./ORANGE AND ROCKLAND UTILITIES, INC.
- 15-G-0623 JP CONTRACTING/ORANGE AND ROCKLAND UTILITIES, INC.
- 15-G-0624 NEW HAVEN MAINTENANCE/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 15-G-0625 YCK CONTRACTING, CORP./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 15-G-0626 MONTANA CONSTRUCTION CORP., INC./ORANGE AND ROCKLAND UTILITIES, INC.

The Commission decided to grant Consent Orders in Cases 15-G-0603, 15-G-0604, 15-G-0611, 15-G-0612, 15-G-0615, 15-G-0616, 15-G-0618, 15-G-0619, 15-G-0620, 15-G-0621, and 15-G-0626, determined a \$20,000 penalty in Case 15-G-0605, determined a \$12,500 penalty in Case 15-G-0625, and determined \$2,500 penalties in Cases 15-G-0606, 15-G-0607, 15-G-0608, 15-G-0609, 15-G-0610, 15-G-0613, 15-G-0614, 15-G-0622, 15-G-0623, and 15-G-0624.

General

ITEM 261

- 15-M-0406 ALLIANCE ENERGY, NEW YORK LLC, ALLIANCE NYGT, LLC AND ALLIANCE ENERGY TRANSMISSIONS, LLC - The Commission decided to approve the company's financing for lightly regulated electric and gas corporations.

ITEM 262

- 15-M-0579 The Commission decided to authorize the Director of Accounting, Audits and Finance to issue an advisory letter to the affected utilities informing them to update for 2016 the customer deposit rate and other customer provided capital rate for investor-owned utilities and municipal utilities. For investor-owned utilities and municipal utilities, the Commission set the customer deposit rate at 0.85% and 0.10% and set the other customer provided capital rate at 2.60% and 1.85%, respectively.

- ITEM 263

14-E-0318 & 14-G-0319 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - The Commission decided to grant rehearing and provide the requested clarifications to its prior order.
- ITEM 264

15-M-0316 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to grant the company's petition to transfer to the Town of Cortlandt certain real property located at Verplanck Peninsula in Cortlandt, New York.
- ITEM 265

12-M-0476, 98-M-1343, 06-M-0647 & 98-M-0667 - The Commission decided to approve modifications to the Electronic Data Interchange (EDI) Standards and recommendations to streamline the EDI development, implementation and testing process as proposed in the EDI Working Group's report filed on July 24, 2015.
- ITEM 266

There is no Item 266
- ITEM 267

13-M-0435 Rehearing of Commission Designee Determination
MS. PAMELA LOBDELL/MS. NORA JESSICA BAUTISTA AND CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to uphold the decision.
- ITEM 268

11-E-0345 Appeal of Informal Hearing Decision
MS. VALERIE WILSON/CONSOLIDATED EDISON OF NEW YORK, INC. - The Commission decided to uphold the informal hearing decision.
- ITEM 269

15-M-0435 WALKING MEADOWS DEVELOPMENT - The Commission decided to deny the company's request for an extension of the time in which it must connect new construction residential units to underground electric and gas distribution facilities.

- ITEM 270
14-M-0450 The Commission decided to issue a Final Resolution approving modifications to the electric and gas Uniform System of Accounts and reporting requirements.

Power

- ITEM 361
15-E-0454 CRICKET VALLEY ENERGY CENTER, LLC - The Commission decided to approve the company's Request for a debt limit of \$1.5 billion.
- ITEM 362
12-E-0430 215 WEST 91ST STREET CORP. - The Commission decided to approve the company's request to submeter electricity at 215 West 91st Street, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc.
- ITEM 363
15-E-0471 NEW YORK STATE ELECTRIC & GAS CORPORATION - The Commission decided to grant the order approving the sale.
- ITEM 364
15-E-0077 ISLAND HOUSE APARTMENTS - The Commission decided to approve Island House Tenants Corp. and IH Preservation Partners, LLC, request to submeter residential electricity at the premise located at 551, 555, and 575 Main Street, New York, New York, in the cooperative units only. Additionally, the Commission clarified that, under its regulations, a petition is required whenever tenants will be required to pay for electric heat.
- ITEM 365
15-E-0393 122 2ND STREET ASSOC., LLC - The Commission decided to approve the company to submeter electricity at 122 Second Street, Watervliet, New York, located in the territory of Niagara Mohawk Power Corporation d/b/a National Grid.

ITEM 366

- 15-E-0447 Rehearing of Commission Designee Determination
MR. NUNZIO LAGANA/MS. RUTH SANCHEZ AND
CONSOLIDATED EDISON COMPANY OF NEW
YORK, INC.
- 15-E-0290 MR. JACOB MILTON/MS. EVELIN ESPINOZA
LOPEZ AND CONSOLIDATED EDISON COMPANY
OF NEW YORK
- 15-E-0291 MR. GIBRAL RAPHAEL/MR. ANTHONY OSEI-TUTU
AND CONSOLIDATED EDISON COMPANY OF
NEW YORK
- 15-E-0385 MS. BARBARA PERSAUD/MR. GABRIEL VOYTAS
AND CONSOLIDATED EDISON COMPANY OF
NEW YORK
- 15-E-0443 MR. SONNY ALLY/MS. ROSA PAJARES AND
CONSOLIDATED EDISON COMPANY OF NEW
YORK

The Commission decided to uphold the designee decisions.

ITEM 367

- 15-E-0126 CENTRAL HUDSON GAS & ELECTRIC
CORPORATION - The Commission decided to
approve, on a permanent basis, the company's LED
lighting options compliance filing pursuant to
Commission Order.

ITEM 368

- 15-E-0456 12393 OWNERS CORP. - The Commission decided
to approve the company to submeter electricity at
123 W 93rd Street, New York, New York, located in
the territory of Consolidated Edison Company of New
York, Inc.

ITEM 369

- 15-E-0303 INSTRUMENT TRANSFORMER EQUIPMENT
CORPORATION - The Commission decided to
approve the company's current and voltage
transformers for use in electric substation
applications.

ITEM 370

- 15-M-0330 ORANGE AND ROCKLAND UTILITIES, INC. - The
Commission decided to approve the company's sale
of certain street lighting properties to the Town of
Clarkstown pursuant to Section 70 of the Public
Service Law.

- ITEM 371
 14-E-0488 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC., ORANGE AND ROCKLAND UTILITIES, INC. NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID, NEW YORK STATE ELECTRIC AND GAS CORPORATION and ROCHESTER GAS AND ELECTRIC CORPORATION, and THE DURST ORGANIZATION, INC. - The Commission decided to deny the petitions for rehearing of its order issued April 20, 2015 Continuing and Expanding the Standby Rate Exemption.
- ITEM 372
 15-M-0142 NEW YORK STATE ELECTRIC & GAS CORPORATION - The Commission decided to grant the company's petition to sell certain street lighting assets to the Town of West Seneca.
- ITEM 373
 15-E-0556 The Commission decided to confirm a one-commissioner order made in this proceeding by Audrey Zibelman, Chair, on November 6, 2015, that suspended Astral Energy, LLC's authority to market to and enroll residential and non-residential customers.

Water

- ITEM 461
 15-W-0466 SARATOGA WATER SERVICES, INC. and WINDSOR DEVELOPMENT GROUP, LLC - The Commission decided to issue a declaratory ruling stating that the Agreement between the companies' concerning the provision of water service to a proposed commercial project known as The Kelch Drive Project in the Town of Malta, Saratoga County is just and reasonable and in the public interest.
- ITEM 462
 15-W-0468 SARATOGA WATER SERVICES, INC. AND SITWELL ENTERPRISES, LLC - The Commission decided to issue a declaratory ruling stating that the Agreement between the companies' concerning the provision of water service to a proposed commercial project known as Sitwell Mixed Use Development in the Town of Malta, Saratoga County is just and reasonable and in the public interest.

- ITEM 463
15-W-0508 WILLIAM K. GREEN - The Commission decided to authorize William K. Green to increase its annual revenues by \$3,050 or 45%, to become effective December 1, 2015. It also decided to approve Staff's recommendation to change the company's tariff rates to a quarterly rate billed in arrears, and to modify the restoration of service charges to be consistent with charges in the standard small water company tariff. The Commission also authorizes recovery of \$16,259 in extraordinary expenses, at 6% interest, the Company incurred in 2014 to rehabilitate its well supplies, install a new treatment system, and construct a new treatment building, to satisfy requirements by the Orange County Department of Health. This amount will be recovered through the Water Supply Enhancement Surcharge collected quarterly over a five-year period.

Communications

- ITEM 561
15-C-0178 INTEGRATED PATH COMMUNICATIONS, LLC - The Commission decided to approve the company's petition for designation as an Eligible Telecommunications Carrier (ETC) for the purpose of receiving federal universal support for low-income (Lifeline) support.
- ITEM 562
15-C-0168 NORTH AMERICAN NUMBERING PLAN ADMINISTRATOR - The Commission decided to approve the company's petition, on behalf of the New York Telecommunications Industry, to establish an all-services distributed area code overlay as the appropriate means of providing numbering relief for the 212/646/917 Numbering Plan Area (NPA) complex in Manhattan.
- ITEM 563
15-C-0236 VERIZON NEW YORK INC. – Report on the company's service quality during the third quarter of 2015.

Cable

ITEM 661

15-V-0554 VERIZON NEW YORK INC. - The Commission decided to approve a portion of the company's petition for orders of entry for 77 Multiple-Dwelling Unit Buildings in the City of New York.

ITEM 662

15-V-0312 CHARTER COMMUNICATIONS ENTERTAINMENT, 1, LLC/TOWN OF ANCRAM, COLUMBIA COUNTY

15-V-0577 CABLEVISION SYSTEMS DUTCHESS CORPORATION/VILLAGE OF MILLBROOK, DUTCHESS COUNTY

15-V-0583 CABLEVISION OF WAPPINGERS FALLS, INC./CITY OF BEACON, DUTCHESS COUNTY

15-V-0587 CABLEVISION OF WAPPINGERS FALLS, INC./TOWN OF CORTLANDT, WESTCHESTER COUNTY

15-V-0595 SUFFOLK CABLE OF SMITHTOWN, INC./TOWN OF SMITHTOWN, SUFFOLK COUNTY

15-V-0368 TIME WARNER CABLE NORTHEAST LLC/TOWN OF MOHAWK, MONTGOMERY COUNTY

15-V-0369 TIME WARNER CABLE NORTHEAST LLC/TOWN OF GREENE, CHENANGO COUNTY

15-V-0397 PLATTSBURGH CABLEVISION, INC./TOWN OF ELIZABETHTOWN, ESSEX COUNTY

15-V-0440 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF SPENCERPORT, MONROE COUNTY

15-V-0442 TIME WARNER CABLE NORTHEAST LLC/TOWN OF WALES, ERIE COUNTY

15-V-0372 CABLEVISION SYSTEMS WESTCHESTER CORPORATION/TOWN OF LEWISBORO, WESTCHESTER COUNTY

15-V-0494 TIME WARNER CABLE NORTHEAST LLC/TOWN OF VICTOR, ONTARIO COUNTY

15-V-0396 TIME WARNER CABLE NORTHEAST LLC/TOWN OF JAVA, WYOMING COUNTY

15-V-0371 TIME WARNER CABLE NORTHEAST LLC/TOWN OF HARTWICK, OTSEGO COUNTY

15-V-0381 CABLEVISION SYSTEMS LONG ISLAND CORPORATION/VILLAGE OF MUTTONTOWN, NASSAU COUNTY

15-V-0555 CABLEVISION OF WAPPINGERS FALLS, INC./TOWN OF STONY POINT, ROCKLAND COUNTY

15-V-0558 CABLEVISION OF WAPPINGERS FALLS, INC./VILLAGE OF CROTON-ON-HUDSON, WESTCHESTER COUNTY

ITEM 662 (Cont'd.)

- 15-V-0574 CABLEVISION OF WAPPINGERS FALLS, INC./TOWN OF PHILIPSTOWN, (SOUTH), PUTNAM COUNTY
- 15-V-0575 CABLEVISION OF WAPPINGERS FALLS, INC./TOWN OF PHILIPSTOWN (NORTH), PUTNAM COUNTY
- 15-V-0576 CABLEVISION OF WAPPINGERS FALLS, INC./TOWN OF PLATTEKILL, ULSTER COUNTY

The Commission decided to approve the renewals because the franchise agreements will serve the public interest by continuing to offer cable television services and promote competition in the local municipalities.

ITEM 663

- 15-V-0563 VERIZON NEW YORK INC. - The Commission decided to approve the company's petition for orders of entry for 80 Multiple-Dwelling Unit Buildings in the City of New York subject to the legal rights of the owner under Public Service Law 228 and 16 NYCRR Part 898.