



## Public Service Commission

**For Immediate Release:** 02/15/17

Audrey Zibelman, Chair

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### **COMMISSION ISSUES FINAL FEBRUARY 16, 2017 AGENDA**

Albany, NY – The Public Service Commission announced today that it will hold its next regular session beginning at **1:00 p.m., Thursday, February 16, 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**

No items will be considered on the Regular Agenda for **GAS, GENERAL,  
POWER, 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.**

<b>Item</b>	<b>PSC Case</b>	<b>GAS</b>
161	16-G-0638	MR. STEVEN EPSTEIN/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Appeal of Informal Hearing Decision.
162	13-G-0357	CANDA REALTY CORPORATION/MS. OHLA KARETNIKOV/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID - Rehearing of Designee Determination.
163	13-G-0380	MS. ANNERYYS CORONA/MS. MICHELLE BORGES/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID - Rehearing of Designee Determination.
164	16-G-0694	MR. JIAN ZHI LI/MR. IVAN MARQUEZ/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Rehearing of Designee Determination.  In the Matter of an Enforcement Proceeding for Alleged Violations of 16 NYCRR Part 753, Protection of Underground Facilities.
165	16-G-0451	METRO GROUP OF LONG ISLAND INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
	16-G-0522	PRIMA PAVING CORP./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
	17-G-0023	JERUSALEM CARTING INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
	17-G-0025	FREDDY GRELLA INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
	17-G-0026	J. PIZZIRUSSO LANDSCAPING CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
	17-G-0027	EAGLE GEOTECH CONSTRUCTION LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
	17-G-0028	M & V CONCRETE CONTRACTING CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
	17-G-0029	JPL SITE CONTRACTORS LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
	17-G-0030	VILLADOM AT BRIDGEHAMPTON LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
	17-G-0031	TELEMARK CONSTRUCTION INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
	17-G-0033	SUFFOLK COUNTY WATER AUTHORITY/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.

- 17-G-0034 PELICAN POOLS INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 17-G-0035 CHRIS MOHR LAWN CARE & LANDSCAPING, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 17-G-0036 MARINE BULKHEADING, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 17-G-0037 ALL HANDS IRRIGATION AND PROPERTY DESIGN, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 17-G-0038 LADERER & SONS LANDSCAPE, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 17-G-0039 KULL'S CONSTRUCTION, INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 17-G-0040 WIENER BROTHERS INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 17-G-0041 CMC CONSTRUCTION GROUP, INC./ORANGE AND ROCKLAND UTILITIES, INC.
- 17-G-0042 BASSET GROUP, INC./ROCHESTER GAS AND ELECTRIC CORPORATION.
- 17-G-0043 KSK CONSTRUCTION GROUP/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 17-G-0044 INGENUITY CONSTRUCTION CORP./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 17-G-0045 XOLLE LLC/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 17-G-0047 RIFENBURG CONSTRUCTION INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 166 15-G-0711 ST. LAWRENCE GAS COMPANY, INC. - Petition for Authority to Defer Incremental Expense Related To Risk Assessment.
- 167 14-G-0201 In the Matter of the Investigation Relating to the Explosion and Collapse of the Buildings at 1644 and 1646 Park Avenue, New York, New York in the Service Territory of Consolidated Edison Company of New York, Inc. on March 12, 2014.
- 14-G-0212 Proceeding on Motion of the Commission to Investigate the Practices of Qualifying Persons to Perform Plastic Fusions on Natural Gas Facilities.

**GENERAL**

- 261 14-M-0210 BENJAMIN GAMORAN/ORANGE AND ROCKLAND UTILITIES, INC. - Appeal of Informal Hearing Decision.
- 262 15-M-0317 MS. SUZANNE WALTERS/NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID-UPSTATE - Appeal of Informal Hearing Decision.
- 263 13-M-0309 MS. DIANE CERINO/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Appeal of Informal Hearing Decision.
- 264 16-M-0624 NEW YORK STATE ELECTRIC & GAS CORPORATION - Petition for Approval of the Lease of Property to Allied Dog Training, LLC.
- 265 13-E-0030 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Electric Service. Tariff filings to implement provisions for Automated Meter Reading/Advanced Meter Infrastructure Meter Opt-Out to all residential customers.
- 13-G-0031 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service. Tariff filings to implement provisions for Automated Meter Reading/Advanced Meter Infrastructure Meter Opt-Out to all residential customers.
- 266 14-M-0043 MR. LARRY NAVARRO/MS. JOANNA E. RIVERA/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Rehearing of Designee Determination.
- 267 16-S-0639 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Tariff filing to revise its steam tariff schedule, P.S.C. No. 4, to extend its air conditioning incentive programs under Service Classification Nos. 2 and 3 and make changes of a housekeeping nature.
- 268 13-S-0032 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Steam Service. Compliance Tariff Filing.
- 269 16-M-0712 NINE MILE POINT NUCLEAR STATION, LLC - Petition for a Declaratory Ruling Regarding Lease-Leaseback Transaction and Related PILOT Agreement.
- 270 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.
- 271-A 14-M-0565 Proceeding on Motion of the Commission to Examine Programs to Address Energy Affordability for Low Income Utility Customers. Petitions for Rehearing, Clarification and/or Reconsideration.

271-B 14-M-0565 Proceeding on Motion of the Commission to Examine Programs to Address Energy Affordability for Low Income Utility Customers. Major Electric and Gas Utility Low-Income Implementation Plans.

**POWER**

- 361 16-E-0637 MEGNIN FARMS AT POOLSBROOKE LLC - Complaint Against Niagara Mohawk Power Corporation Concerning Contribution Costs for Three-Phase Service.
- 362 16-E-0180 MR. KEN KEENAN/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Appeal of Informal Hearing Decision.
- 363 16-E-0391 THE RESIDENTIAL BOARD OF MANAGERS OF 30 PARK PLACE CONDOMINIUM - Notice of Intent to Submeter Electricity at 30 Park Place, New York, New York 10007, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 364 13-E-0378 MR. ANTONIO DITILLIO/MS. ELIZABETH LUENGENE/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Rehearing of Designee Determination.
- 365 13-E-0308 [REDACTED]/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Appeal of Informal Hearing Decision.
- 366 13-E-0372 MR. RAYMOND W. LEMKA/MR. ANTHONY SCATTAREGGIA/NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Rehearing of Designee Determination.
- 367 13-E-0385 MR. RUSSELL MILLAR/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Appeal of Informal Hearing Decision.
- 368 11-E-0093 THE BOULEVARD TOWERS CONDOMINIUM/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Appeal of Informal Hearing Decision.
- 369 16-E-0069 TEARDROPS OF ELEGANCE/CONSOLIDATED EDISON OF NEW YORK, INC. - Appeal of Informal Hearing Decision.
- 370 13-E-0330 MS. JULIANA MENDEZ/MS. MARTHA E. BAEZ/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Rehearing of Designee Determination.
- 16-E-0675 235 TROUTMAN REALTY LLC/MR. MICHAEL STARK/MR. COREY DOZIER/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Rehearing of Designee Determination.
- 371 13-E-0379 PALMIERI PROPERTIES, LTD/MS. NIKESHA WILSON/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Rehearing of Designee Determination.

- 372 13-E-0320 MS. GLADYS FIGUEROA/MR. AGOSTINO PARROTTINO/NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Rehearing of Designee Determination.
- 13-E-0396 MR. LAZER STEINMETZ/MR. MOSHE BRISK/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Rehearing of Designee Determination.
- 373 13-E-0495 MR. ALFREDO JIMENEZ/MS. KARLA AYALA/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Rehearing of Designee Determination.
- 374-A 15-E-0452 RELATED COMPANIES AND OXFORD PROPERTIES - Petition for Order Regarding Calculation of Demand for Offset Tariff Customer Subject to Standby Service Rates.
- 374-B 16-E-0138 RELATED COMPANIES AND OXFORD PROPERTIES - Petition for Order Regarding Implementation of Standby Rate Exemption for Offset Tariff Customers.
- 375 16-E-0230 CB TARTER PROPERTY LLC - Notice of Intent to Submeter Electricity at 210 East 39th Street, New York, New York Located in the Territory of Consolidated Edison Company of New York, Inc.
- 376 16-E-0636 ORANGE AND ROCKLAND UTILITIES, INC. - Petition to Transfer Street Lighting Facilities to Town of Ramapo.
- 377 16-E-0123 3475 THIRD AVENUE OWNER REALTY LLC - Notice of Intent to Submeter Electricity at 3475 Third Avenue, Bronx, NY 10456, Located in the Territory of Consolidated Edison Company, Inc.
- 378 16-E-0073 504 MYRTLE RESIDENTIAL OWNER LLC - Notice of Intent to Submeter Electricity at 504 Myrtle Avenue, Brooklyn, NY 11205, Located in the Territory of Consolidated Edison Company, Inc.
- 379 16-E-0377 616 FIRST AVENUE LLC - Notice of Intent to Submeter Electricity at 626 First Avenue in the Territory of Consolidated Edison Company, Inc., New York, NY.
- 380 16-E-0366 ACLARA TECHNOLOGIES LLC - Petition for Approval of kV2c EPS Meter with Silver Spring Networks Network Interface Card (NIC) 510.
- 381-A 15-E-0302 Proceeding on Motion of the Commission to Implement a Large-Scale Renewable Program and a Clean Energy Standard.
- 381-B 16-E-0693 Tariff Filings to Implement the Clean Energy Standard.
- 381-C 15-E-0302 Proceeding on Motion of the Commission to Implement a Large-Scale Renewable Program and a Clean Energy Standard.
- 382 15-E-0082 Proceeding on Motion of the Commission as to the Policies, Requirements and Conditions For Implementing a Community Net Metering Program.

- 16-E-0671 NEW YORK STATE ELECTRIC & GAS CORPORATION AND ROCHESTER GAS AND ELECTRIC CORPORATION - Tariff filings to make revisions to the Community Distributed Generation Program contained in their electric tariff schedules.
- 383 16-E-0574 ENERGY CAPITAL PARTNERS I, LP, ENERGY CAPITAL PARTNERS I-A, LP, ENERGY CAPITAL PARTNERS I-B, LP, ECP I (NE ENERGY IP), LP, EMPIRE GEN HOLDINGS, INC., EMPIRE GEN HOLDCO, LLC, EMPIRE GENERATING CO, LLC, AND TTK POWER, LLC - Verified Joint Petition for a Declaratory Ruling Regarding Transfer of Upstream Ownership Interests or, in the Alternative, an Order Approving the Transfer Pursuant to § 70 of the New York State Public Service Law.
- 384 15-E-0745 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Tariff filing to Effectuate Amendments to Public Service Law - New §70-a (Transfer of Street Light Systems).
- 15-E-0746 NEW YORK STATE ELECTRIC & GAS CORPORATION - Tariff filing to Effectuate Amendments to Public Service Law - New §70-a (Transfer of Street Light Systems).
- 15-E-0747 NIAGARA MOHAWK POWER CORPORATION - Tariff filing to Effectuate Amendments to Public Service Law - New §70-a (Transfer of Street Light Systems).
- 15-E-0748 ROCHESTER GAS AND ELECTRIC CORPORATION - Tariff filing to Effectuate Amendments to Public Service Law - New §70-a (Transfer of Street Light Systems).
- 15-E-0749 ORANGE AND ROCKLAND UTILITIES, INC. - Tariff filing to Effectuate Amendments to Public Service Law - New §70-a (Transfer of Street Light Systems).
- 385 05-E-1180 In the Matter of the Reliability Rules of the New York State Reliability Council and the Criteria of the Northeast Power Coordinating Council.
- 07-E-0088 In the Matter of the Adoption of an Installed Reserve Margin for the New York Control Area.
- 386 13-E-0030 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Electric Service. Petition of Con Edison seeking elimination of the requirement for the company to convert its backup generators to dual-fuel.
- 13-G-0031 Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of Consolidated Edison Company of New York, Inc. for Gas Service. Petition of Con Edison seeking elimination of the requirement for the company to convert its backup generators to dual-fuel.

- 13-S-0032 Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of Consolidated Edison Company of New York, Inc. for Steam Service. Petition of Con Edison seeking elimination of the requirement for the company to convert its backup generators to dual-fuel.
- 387 13-T-0585 CRICKET VALLEY ENERGY CENTER, LLC - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII of the Public Service Law For Approval of a New 345 kV Line From the Pleasant Valley Substation to the Cricket Valley Energy Center, LLC, and the Reconductoring of an Existing 345 kV Line, in the Town of Dover, Dutchess County.
- 388 16-E-0565 MUNICIPAL COMMISSION OF BOONVILLE - Minor Rate Filing to Increase its Annual Electric Revenues by About \$161,477 or 4.2%.

### WATER

- 461 16-W-0432 NEW YORK AMERICAN WATER COMPANY, INC. - Joint Petition for Approval of an Agreement of Sale under which Hoey-DeGraw Water Works, Inc. will Sell and New York American Water Company, Inc. will Acquire 100% of the Assets of Hoey-DeGraw Water Works, Inc.
- 462 16-W-0402 NEW YORK AMERICAN WATER COMPANY, INC. AND THE ESTATE OF EDWIN D. SILVERS - Joint Petition for Approval of Agreements under which the Executrix of the Estate of Edwin D. Silvers will Sell, and New York American Water Company, Inc. will Acquire 100% of the Assets of the New Vernon Water Company and a 100% of the Issued and Outstanding Capital Stock of Whitlock Farms Water Company.
- 463 16-W-0394 NEW YORK AMERICAN WATER COMPANY, INC. AND WEST BRANCH ACRES, INC. - Joint Petition for Approval of an Agreement of Sale Under which West Branch Acres, Inc. will Sell and New York American Water Company, Inc. will Acquire 100% of the Assets of West Branch Acres, Inc.
- 464 16-W-0121 ROLLING MEADOWS WATER CORPORATION - Minor Rate Filing to Increase its Annual Revenues by about \$169,841 or 34.05%.

### COMMUNICATIONS

- 561 16-C-0122 VERIZON NEW YORK INC. - In the Matter of the Adequacy of Verizon New York Inc.'s Retail Service Quality Processes and Programs.

### CABLE

Petitions for Renewal of Cable Television Franchises

- 661 16-V-0680 TIME WARNER CABLE NORTHEAST LLC - Petition for Approval of the Renewal of its Franchise with Village of Allegany, NY of Cattaraugus County.
- 17-V-0012 TIME WARNER CABLE NORTHEAST LLC - Petition for Approval of the Renewal of its Franchise with the Town of Busti, Chautauqua County.
- 17-V-0014 TIME WARNER CABLE NORTHEAST LLC - Petition for Approval of the Renewal of its Franchise with Town of Evans, Erie County.
- 17-V-0019 TIME WARNER CABLE NORTHEAST LLC - Petition for Approval of the Renewal of its Franchise with Village of Hammondsport, Steuben County, New York.
- 662 16-V-0626 VERIZON NEW YORK INC. - Petition for Orders of Entry for 44 Multiple-Dwelling Unit Buildings in the City of New York.
- 663 16-V-0627 VERIZON NEW YORK INC. - Petition for Orders of Entry for 54 Multiple-Dwelling Unit Buildings in the City of New York.

#### **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** or discussion items will be posted for public viewing, if feasible, by 5:00 p.m. the day before a Commission meeting. The draft orders will be made available at: [www.dps.ny.gov/DraftDocuments.html](http://www.dps.ny.gov/DraftDocuments.html)

The posted drafts will be removed by 5:00 p.m. on the day of the Commission meeting. The proposed 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, March 9, 2017, 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 the New York City Office 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.** The webcasting will be for viewing and listening purposes only.

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