

Consent Agenda Report for 12/15/2016



The following is a preliminary and informal summary of actions the Commission took at its public session on December 15, 2016. 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.

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| ITEM 161 | | There is no item 161 |
| ITEM 163 | 11-G-0591 | <u>Appeal of Informal Hearing Decision</u>
GSN REALTY/KEYSPAN GAS EAST CORPORATION DBA BROOKLYN UNION OF LONG ISLAND D/B/A NATIONAL GRID - The Commission decided to uphold the informal hearing decision. |
| ITEM 164 | 12-G-0157 | <u>Appeal of Informal Hearing Decision</u>
MR. REMO A. HAMMID/KEYSPAN GAS EAST CORPORATION DBA BROOKLYN UNION OF LONG ISLAND D/B/A NATIONAL GRID - The Commission decided to uphold the informal hearing decision. |
| ITEM 165 | 13-G-0366 | <u>Appeal of Informal Hearing Decision</u>
SUNBELT SALES & DEVELOPMENT, INC./MS. SANDRA ACRE/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to uphold its original determination. |
| ITEM 166 | 13-G-0358 | <u>Rehearing of Designee Determinations</u>
MR. PAUL MONTGOMERY/MS. MARTHA E. SOLOMON /NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - The Commission decided to uphold its original determinations. |
| | 12-G-0432 | ASD PROPERTY MANAGEMENT INC./MR. EDGAR WILSON/BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID- The Commission decided to uphold its original determinations. |
| ITEM 167 | 13-G-0434 | <u>Rehearing of Designee Determinations</u>
MR. MANSOUR HAWAS/MR. ESSAMELDIN HAWAS/MR. OSCAR GONZALEZ/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to uphold its original determination. |

ITEM 168

- In the Matter of Enforcement Proceedings for Alleged
Violations of 16 NYCRR Part 753: Protection of
Underground Facilities
- 16-G-0048 AMERICAN DESIGN & CONTRACTING/NIAGARA
MOHAWK POWER CORPORATION, D/B/A NATIONAL
GRID
- 16-G-0462 JAT CONSTRUCTION CO., INC./NIAGARA MOHAWK
POWER CORPORATION, D/B/A NATIONAL GRID
- 16-G-0641 LUNATI PAVING & CONSTRUCTION OF NY, INC./
KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL
GRID
- 16-G-0644 SAM'S MASONRY/KEYSPAN GAS EAST CORPORATION
D/B/A NATIONAL GRID
- 16-G-0646 FELICIONI DEVELOPMENT CORP./KEYSPAN GAS EAST
CORPORATION D/B/A NATIONAL GRID
- 16-G-0647 A & W LANDSCAPING OF LONG ISLAND, INC./KEYSPAN
GAS EAST CORPORATION D/B/A NATIONAL GRID
- 16-G-0648 TOTAL CONSTRUCTION BY PANZER LLC/KEYSPAN GAS
EAST CORPORATION D/B/A NATIONAL GRID
- 16-G-0649 ISLAND CONCRETE CONSTRUCTION, CORP./KEYSPAN
GAS EAST CORPORATION D/B/A NATIONAL GRID
- 16-G-0650 ALL ISLAND PLUMBING, INC./KEYSPAN GAS EAST
CORPORATION D/B/A NATIONAL GRID
- 16-G-0651 STASI BROTHERS ASPHALT CORP./KEYSPAN GAS
EAST CORPORATION D/B/A NATIONAL GRID
- 16-G-0652 JOSEPH PICONE & SON INC./KEYSPAN GAS EAST
CORPORATION D/B/A NATIONAL GRID
- 16-G-0653 INDEPENDENT GENERAL CONTRACTING LLC/KEYSPAN
GAS EAST CORPORATION D/B/A NATIONAL GRID
- 16-G-0654 NEW WORLD INDUSTRIES INC./KEYSPAN GAS EAST
CORPORATION D/B/A NATIONAL GRID
- 16-G-0655 MERRICK UTILITY ASSOCIATES, INC./KEYSPAN GAS
EAST CORPORATION D/B/A NATIONAL GRID
- 16-G-0657 VAN ALPHEN BROTHERS INCORPORATED/KEYSPAN
GAS EAST CORPORATION D/B/A NATIONAL GRID
- 16-G-0658 JAY PAUL ASSOCIATES, LTD./KEYSPAN GAS EAST
CORPORATION D/B/A NATIONAL GRID
- 16-G-0659 J. PARRY ENTERPRISES, INC./KEYSPAN GAS EAST
CORPORATION D/B/A NATIONAL GRID
- 16-G-0660 HARRIS CONSTRUCTION, INC./KEYSPAN GAS EAST
CORPORATION D/B/A NATIONAL GRID
- 16-G-0661 MCLAUGHLIN'S MANUFACTURED HOME MOVERS/NEW
YORK STATE ELECTRIC & GAS CORPORATION
- 16-G-0662 LANDSCAPE UNLIMITED, INC./ORANGE AND
ROCKLAND UTILITIES, INC.
- 16-G-0663 PLATINUM INSTALLATIONS INC./THE BROOKLYN UNION
GAS COMPANY D/B/A NATIONAL GRID NY

- ITEM 168 (Cont'd)
 16-G-0664 TRIANGLE EXCAVATORS OF NEW YORK, LLC/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY
 16-G-0665 SOMAL HOME IMPROVEMENT, INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY

The Commission decided to grant Consent Orders in Cases 16-G-0646, 16-G-0649, 16-G-0654, 16-G-0655, 16-G-0657, 16-G-0658, 16-G-0659, 16-G-0660, 16-G-0662, 16-G-0664, and 16-G-0665, determined \$10,000 penalties in Cases 16-G-0650, and 16-G-0651, and determined \$2,500 penalties in Cases 16-G-0048, 16-G-0462, 16-G-0641, 16-G-0644, 16-G-0647, 16-G-0648, 16-G-0652, 16-G-0653, 16-G-0661, and 16-G-0663.

- ITEM 171 There is no item 171

- ITEM 172 15-G-0382 ST. LAWRENCE GAS COMPANY, INC. - The Commission decided to approve, on a permanent basis, the company's compliance filing effectuating Rate Year 1 pursuant to Commission Order issued July 15, 2016 in this proceeding.

General

- ITEM 261 09-M-0311 The Commission decided to approve, on a permanent basis, the electric, gas and steam and municipal compliance tariff filings revising their Temporary State Assessments pursuant to Commission Orders issued June 18, 2014 and April 17, 2015 in this proceeding.

- ITEM 262 01-M-1806 The Commission decided to issue a Memorandum and Resolution and Notice of Continuation, pursuant to Section 207 of the State Administrative Procedure Act, of 16 NYCRR Subpart 85-2.9 and amendments to 16 NYCRR Parts 86 and 88, adopted in Case No. 06-M-1019.

- ITEM 263 11-M-0511 Appeal of Informal Hearing Decision
 MS. ARAMINTHA HAMILTON GRANT/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to uphold the informal hearing decision.

- ITEM 268 15-E-0516 GREENIDGE GENERATION LLC and GREENIDGE
 15-G-0571 PIPELINE LLC AND GREENIDGE PIPELINE PROPERTIES CORPORATION - The Commission decided to deny rehearing because the petition fails to state an error of law or fact.

- ITEM 370 12-E-0253 Rehearing of Designee Determinations
MS. CHARLEEN JONES/MS. HILDA AYALA/
CONSOLIDATED EDISON COMPANY OF NEW YORK,
INC. - The Commission decided to uphold its original
determination.
- ITEM 371 16-E-0409 INDECK CORINTH LIMITED PARTNERSHIP - The
Commission decided to grant to request for lightened
regulation.
- ITEM 372 05-E-1180 The Commission decided to adopt the New York State
Reliability Council's modified rules and measures (Reliability
Rules), as contained in Version 38 of its Reliability rules.
- ITEM 373 15-E-0560 GLENWYCK DEVELOPMENT, LLC - The Commission
decided to approve Niagara Mohawk's tariff amendments
regarding credits to applicants/developers that elect to
perform trenching in underground residential developments
filed in compliance with Commission Order issued October
17, 2016, in this proceeding.
- ITEM 374 16-E-0614 AP CRICKET VALLEY HOLDINGS II INC., MC CVEC
PROJECT HOLDINGS I, LLC, ULLICO INFRASTRUCTURE
CRICKET VALLEY HOLDCO, LLC, KIWOOM SPV,
DEVELOPMENT BANK OF JAPAN INC. SPV, SEAH
HOLDINGS CORP., CRICKET VALLEY ENERGY
HOLDINGS II LLC, CRICKET VALLEY ENERGY CENTER
LLC AND CRICKET VALLEY ENERGY PARTNERS,
LLC - The Commission decided to find and declare that the
petitioners' proposal to transfer indirect upstream ownership
interests in a jurisdictional electric generation facility
satisfies the Walkkill Presumption criteria and does not
require further regulatory review under Public Service Law
Section 70. The proposal to restructure the intra-corporate
reorganization by inserting a holding company into the
ownership structure similarly does not require further review
under PSL Section 70. The Commission also decided to
find and declare that DBJ SPV will not become an electric
corporation by virtue of acquiring passive interests in
jurisdictional facilities.
- ITEM 376 There is no item 376
- ITEM 378 There is no item 378
- ITEM 380 16-E-0544 NIAGARA MOHAWK POWER CORPORATION D/B/A
NATIONAL GRID - The Commission decided to approve the
company's tariff filing modifying Rule No. 25.5 - Meter
Reading.

WATER

- ITEM 461 16-W-0130 SUEZ WATER NEW YORK INC. - The Commission decided to approve an extension of the maximum suspension period and the make whole provision for the Company's water rate filing through February 24, 2017.
- ITEM 462 16-W-0302 PHEASANT HILL WATER CORPORATION - The Commission decided to authorize the company to increase its annual revenues by \$12,721 or 24% to become effective January 1, 2017.
- ITEM 463 16-W-0374 DEANS CORNERS WATER WORKS, INC. - The Commission decided to authorize the company to establish initial revenues of \$155,278, and allow initial rates, as set under tariff schedule, P.S.C. No. 1 - Water, to become effective January 1, 2017.
- ITEM 464 16-W-0550 NEW YORK AMERICAN WATER COMPANY, INC. AND THE ESTATE OF EDWIN D. SILVERS (PHYLLIS D. SILVERS, EXECUTRIX) - The Commission decided to adopt on a permanent basis its Order Appointing Operator on an Emergency Basis.

Communications

- ITEM 561 16-C-0298 VERIZON NEW YORK INC. - The Commission decided to approve the company's petition to retain \$1,123,046, the intrastate portion, of a \$1,841,059 property tax refund received from the City of New York.
- ITEM 562 16-C-0235 VERIZON NEW YORK INC. Report on the quality of service provided by the company for the 3rd quarter of 2016.

Cable

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| ITEM 661 | 16-V-0545 | CABLEVISION SYSTEMS WESTCHESTER CORPORATION/ TOWN OF PUTNAM VALLEY, PUTNAM COUNTY |
| | 16-V-0612 | MID-HUDSON CABLEVISION, INC. /VILLAGE OF ATHENS, GREENE COUNTY
The Commission decided to approve the certificates for cable franchise renewals listed above. |
| ITEM 662 | 16-V-0419 | VERIZON NEW YORK INC. - The Commission decided to approve a portion of the company's petition for Orders of Entry for 33 multiple-dwelling unit buildings in the City of New York. |
| ITEM 663 | 16-V-0418 | VERIZON NEW YORK INC. - The Commission decided to approve a portion of company's petition for Orders of Entry for 44 multiple-dwelling unit buildings in the City of New York. |