

Consent Agenda Report for 09/14/2017

The following is a preliminary and informal summary of actions the Commission took at its public session on September 14, 2017. 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

16-G-0369 CORNING NATURAL GAS CORPORATION - The Commission decided to approve, on a permanent basis, the company's compliance filing effectuating Rate Year 1 pursuant to Commission Order issued June 15, 2017.

ITEM 162

17-G-0299 & 17-G-0362 VALLEY ENERGY, INC. and HAMILTON MUNICIPAL UTILITIES COMMISSION - The Commission decided to approve the companies' tariff filings effectuating amendments to 49 CFR Part 192 regarding the installation of excess flow valves mandated by the Pipeline and Hazardous Materials Safety Administration.

ITEM 163

17-G-0304,
17-G-0305
17-G-0306 THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY, KEYSPAN GAS EAST CORP. D/B/A NATIONAL GRID and NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - The Commission decided to approve the companies' tariff filings revising the no access provisions contained in their gas tariff schedules.

ITEM 164

In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities.
17-G-0377 MARIO BULFAMANTE & SONS LANDSCAPING, INC./ CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
17-G-0477 RUTTURA & SONS CONSTRUCTION CO., INC./ KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
17-G-0478 SCAPING LAND DEVELOPMENT CORP./ CENTRAL HUDSON GAS & ELECTRIC CORPORATION

ITEM 164 (Cont'd.)

- 17-G-0479 HHR CONSTRUCTION CORP. /CENTRAL HUDSON
GAS & ELECTRIC CORPORATION
- 17-G-0480 HIGHGROUND INDUSTRIAL/ CONSOLIDATED
EDISON COMPANY OF NEW YORK, INC.
- 17-G-0481 A. SANITA CONCRETE & CONSTRUCTION, INC./
KEYSPAN GAS EAST CORPORATION D/B/A
NATIONAL GRID
- 17-G-0482 BR CONSTRUCTION & STONE, INC. /KEYSPAN
GAS EAST CORPORATION D/B/A NATIONAL GRID
- 17-G-0483 CARLO LIZZA & SONS PAVING, INC. /KEYSPAN
GAS EAST CORPORATION D/B/A NATIONAL GRID
- 17-G-0484 S.M.P. NORTHEAST ENTERPRISES INC./KEYSPAN
GAS EAST CORPORATION D/B/A NATIONAL GRID
- 17-G-0485 PAPE CONSTRUCTION COMPANY, INC./
KEYSPAN GAS EAST CORPORATION D/B/A
NATIONAL GRID
- 17-G-0486 ST. MARY'S CONSTRUCTION INC. /KEYSPAN GAS
EAST CORPORATION D/B/A NATIONAL GRID
- 17-G-0487 LLL INDUSTRIES INC./ KEYSPAN GAS EAST
CORPORATION D/B/A NATIONAL GRID
- 17-G-0488 CONN LANDSCAPE SERVICE LLC/ KEYSPAN GAS
EAST CORPORATION D/B/A NATIONAL GRID
- 17-G-0489 DEAL CONCRETE CORP./ KEYSPAN GAS EAST
CORPORATION D/B/A NATIONAL GRID
- 17-G-0490 PINELLI LANDSCAPING, INC./ NATIONAL FUEL
GAS DISTRIBUTION CORPORATION
- 17-G-0491 KINGSVIEW PAVING /NATIONAL FUEL GAS
DISTRIBUTION CORPORATION NATIONAL GRID
- 17-G-0492 DESPOSITO'S UTILITIES, INC./ NIAGARA
MOHAWK POWER CORPORATION, D/B/A
- 17-G-0493 CROSS COUNTRY TELECOMMUNICATIONS &
GENERAL CONSTRUCTION, LLC/NIAGARA
MOHAWK POWER CORPORATION, D/B/A
NATIONAL GRID
- 17-G-0494 CENTRAL PAVING, INC. /NIAGARA MOHAWK
POWER CORPORATION, D/B/A NATIONAL GRID
- 17-G-0495 ROBERTS CONSTRUCTION OF UPSTATE NEW
YORK, INC./ NIAGARA MOHAWK POWER
CORPORATION, D/B/A NATIONAL GRID
- 17-G-0496 LEGACY LANDSCAPING AND TREE CARE LLC/
NIAGARA MOHAWK POWER CORPORATION,
D/B/A NATIONAL GRID
- 17-G-0497 NORTH COUNTRY PAVING INC./ NIAGARA
MOHAWK POWER CORPORATION, D/B/A
NATIONAL GRID

ITEM 164 (Cont'd.)

- 17-G-0498 BALLARD CONSTRUCTION, INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID
- 17-G-0499 GALLO CONSTRUCTION CORPORATION/ NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID
- 17-G-0500 MFS MASONRY/ ORANGE AND ROCKLAND UTILITIES, INC.
- 17-G-0501 MAPLES FARM & GARDEN NURSERY/ ORANGE AND ROCKLAND UTILITIES, INC.
- 17-G-0502 JOHN D. MILLINGTON ENTERPRISES, LLC/ ORANGE AND ROCKLAND UTILITIES, INC.
- 17-G-0503 VILLAGER CONSTRUCTION, INC./ ROCHESTER GAS AND ELECTRIC CORPORATION
- 17-G-0504 SUNLIGHT CONSTRUCTION AA, LLC/ THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY
- 17-G-0505 TITAN REALTY & CONSTRUCTION LLC /THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY
- 17-G-0506 TECHNICO CONSTRUCTION SERVICES INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY

The Commission decided to grant Consent Orders in Cases 17-G-0377, 17-G-0477, 17-G-0478, 17-G-0479, 17-G-0485, 17-G-0488, 17-G-0489, 17-G-0491, 17-G-0493, 17-G-0494, 17-G-0495, 17-G-0496, 17-G-0497, 17-G-0498, 17-G-0499, 17-G-0501, 17-G-0502, 17-G-0503, 17-G-0505, and 17-G-0506, determined a \$12,500 penalty in Case 17-G-0492, and determined \$2,500 penalties in Cases 17-G-0480, 17-G-0481, 17-G-0482, 17-G-0483, 17-G-0484, 17-G-0486, 17-G-0487, 17-G-0490, 17-G-0500, and 17-G-0504.

ITEM 165

- 17-G-0449 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - The Commission decided to approve the company's revisions of a housekeeping nature replacing language that was inadvertently removed from its gas tariff schedule, P.S.C. No. 12 - Gas.

- ITEM 166
15-G-0185, 16-G-0058, 16-G-0059 KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID and THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY - The Commission decided to approve, on a permanent basis, the companies' compliance filings effectuating Rate Year 1 pursuant to the Commission's Order issued December 16, 2016 in Cases 16-G-0058 and 16-G-0059 and pursuant to the Commission's Orders, issued December 16, 2016 and June 16, 2017, in Case 15-G-0185 effectuating new communications protocols.
- ITEM 167
16-G-0533 ROCHESTER GAS AND ELECTRIC CORPORATION - The Commission decided to approve the company's filing establishing Service Classification No. 15 - Interruptible Sales Service and Service Classification No. 16 - Interruptible Transportation Service in P.S.C. No. 16 - Gas.
- ITEM 168
14-G-0077 Rehearing of a Shared Meter Designee's Decision
MR. MANFRED E. FUHRMANN/MR. FRANK BUGEJA AND CON EDISON - The Commission decided to recommend that the initial designee determination be upheld.
- ITEM 169
14-G-0218 Rehearing of a Shared Meter Designee's Decision
MS. NOVELLE SKERRITT/MS. CHARMAINE CUTNER AND CON EDISON - The Commission decided the rehearing be denied.
- ITEM 170
17-G-0191 Rehearing of a Shared Meter Designee's Decision
MS. HORIA NECULA/MR. MOSHE KASHI and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to recommend the determination be upheld.
- ITEM 171
16-G-0691 EMKEY TRANSPORTATION, INC. - The Commission decided to deny the petition requesting approval of a proposed transfer of a 28-mile pipeline from EmKey Transportation, Inc. to the Jamestown Board of Public Utilities.

ITEM 172
 15-G-0298 The Commission decided to issue an Order to Show Cause requiring KeySpan Gas East Corp. d/b/a Brooklyn Union of L.I. (KEDLI) to show cause why a Public Service Law Section 25 or 25-a penalty action should not be commenced in response to the February 11, 2015 gas incident that seriously injured two people.

ITEM 173
 17-G-0006 Appeal of an Informal Review Decision
 BROWN HARRIS STEVENS A/K/A 1 EAST END AVENUE/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission upholds the informal review decision.

General

ITEM 261
 16-S-0198 Appeal of an Informal Hearing Decision
 ROYAL SUTTON CLEANERS, INC./CON EDISON - The Commission decided to uphold the informal hearing decision.

ITEM 262
 15-M-0756 NOBODY LEAVES MID-HUDSON - Staff report concerning the collection practices of Central Hudson Gas & Electric Corporation - For Information Only.

ITEM 263
 There is no Item 263.

ITEM 264
 There is no Item 264

ITEM 265
 There is no Item 265

ITEM 266
 17-M-0415 FLANDERS ENERGY LLC -The Commission decided to require Flanders to show cause within seven days why Flanders should not be precluded from enrolling new customers until the Commission orders otherwise. Further, the Commission required Flanders to show cause within 30 days why its eligibility to act as an energy services company should not be revoked or why other consequences, as set forth in the Commission's Uniform Business Practices (UBP) Section 2.D.6 should not be imposed.

Power

- ITEM 361
16-E-0125 PROMENADE GLOBAL LLC - The Commission decided to approve the company to submeter electricity at 150 West 225th Street, Bronx, New York, located in the territory of Consolidated Edison Company of New York Inc.
- ITEM 362
17-E-0267 MELROSE COMMONS SUPPORTIVE HOUSING, L.P. - The Commission decided to approve the company to submeter electricity at 425 East 161 Street, Bronx, New York, located in the territory of Consolidated Edison Company of New York, Inc.
- ITEM 363
17-E-0109 320 EAST 82ND OWNER, LLC - The Commission decided to approve the company to submeter electricity at 320 East 82nd Street, New York, New York located in the territory of Consolidated Edison Company of New York Inc.
- ITEM 364
16-E-0077 THE RESIDENTIAL SECTION OF 140 WEST STREET CONDOMINIUM -The Commission decided to approve the company to submeter electricity at 100 Barclay Street, New York, New York, located in the territory of Consolidated Edison Company of New York Inc.
- ITEM 365
16-E-0688 RED HOOK 160, LLC - The Commission decided to approve the company to submeter electricity at 160 Imlay Street, Brooklyn, New York, located in the Territory of Consolidated Edison Company of New York, Inc.

- ITEM 366
17-E-0308 CANANDAIGUA POWER PARTNERS, LLC;
CANANDAIGUA POWER PARTNERS II, LLC;
ORION US HOLDINGS 1 L.P.; BRE TERP
HOLDINGS INC. - The Commission decided to rule
that no further regulatory review under Public Service
Law Section 70 is needed before the proposed
transfer of indirect interests in jurisdictional electric
generation facilities may be transferred, or before the
intra-corporate restructuring may be completed.
- ITEM 367
17-E-0253 LIC DEVELOPMENT OWNER, L.P. - The
Commission decided to approve the company to
submeter electricity at 28-10 Jackson Avenue, 28-30
Jackson Avenue and 28-40 Queens Boulevard,
Queens, New York, located in the territory of
Consolidated Edison Company of New York Inc.
- ITEM 368
There is no Item 368
- ITEM 369
17-E-0196 MAPLE EAST RESIDENCE, L.P. - The Commission
decided to approve the company to submeter
electricity at 918 East New York Avenue, Brooklyn,
New York, located in the Territory of Consolidated
Edison Company of New York, Inc.
- ITEM 370
17-E-0061 Appeal of an Informal Hearing Decision
GATEWAY DEVELOPMENT GROUP,
INC./CONSOLIDATED EDISON COMPANY OF
NEW YORK, INC. - The Commission decided to
deny complainant's appeal and uphold the informal
hearing decision.
- ITEM 371
17-E-0167 Appeal of an Informal Hearing Decision
DR. GEORGE STASIOR/ NIAGARA MOHAWK
POWER COMPANY D/B/A NATIONAL GRID NY -
The Commission decided to deny informal hearing
because complainant failed to state sufficient ground
for an appeal.
- ITEM 372
There is no item 372

- ITEM 373 12-E-0390 Petition for a Rehearing of Determination
ONONDAGA-CORTLAND-MADISON BOCES/
NIAGARA MOHAWK POWER COMPANY D/B/A
NATIONAL GRID NY - The Commission decided to
petition for a rehearing of a commission
determination.
- ITEM 374 16-E-0670 Appeal of an Informal Hearing Decision
MR. SALEH QUHSHI/CONSOLIDATED EDISON
COMPANY OF NEW YORK, INC. - The Commission
decided to recommend to reverse the informal
hearing decision.
- ITEM 375 17-E-0003 Appeal of an Informal Hearing Decision
MR. JULIAN WILLIAMS/CONSOLIDATED EDISON
COMPANY OF NEW YORK, INC. - The Commission
decided to recommend to reverse the informal
hearing decision.
- ITEM 376 12-E-0163 Petition for a Rehearing of Determination
MR. WILLIAM ALMAS/ NIAGARA MOHAWK
POWER COMPANY D/B/A NATIONAL GRID - The
Commission decided to deny complainant's petition
for rehearing.
- ITEM 377 17-E-0020 Appeal of an Informal Hearing Decision
ELDAN HOMES, ET AL/NIAGARA MOHAWK
POWER CORPORATION D/B/A NATIONAL GRID -
UPSTATE - The Commission decided to grant
complainant's appeal and reverse the informal
hearing decision.
- ITEM 378 15-E-0289 Rehearing of Shared Meter Decision
MR. HECTOR MELENCIANO/MS. JANICE LEWIS
AND CON EDISON - The Commission decided the
rehearing be denied.
- ITEM 379 15-E-0503 Rehearing of Shared Meter Decision
MR. WILLIAM JACOBY/ MS. RENEE RUARK and
NATIONAL GRID - UPSTATE - The Commission
decided the determination be upheld.

- ITEM 380 16-E-0322 Rehearing of Shared Meter Decision
MR. FRANK LIPANI/MS. CHRISTINA SCOLA and
CONSOLIDATED EDISON COMPANY OF NEW
YORK, INC. - The Commission decided to
recommend that the initial designee determination be
modified.
- ITEM 381 17-E-0092 VILLAGE OF ARCADE - The Commission decided to
authorize the Village of Arcade Electric Department
to increase its annual electric revenues by \$268,327,
5.79% of base revenues or 3.60% of total annual
revenues.
- ITEM 382 15-E-0267 FOREFRONT POWER LLC - The Commission
decided to grant the company's request to modify the
grandfathering provisions adopted in the October 16,
2015 Order Directing Modification to Remote Net
Metering Tariffs and Making Other Findings.
- ITEM 383 16-E-0060 NEW YORK STATE UTILITY INTERVENTION
UNIT (UIU) and DIGITAL ENERGY CORP. D/B/A
ADVANTAGE CHP (Digital) - The Commission
decided to deny the petitions for rehearing filed by
UIU and Digital of a Commission order issued
January 25, 2017 which established three-year rate
plans for Consolidated Edison Company of New
York, Inc.
- ITEM 384 14-E-0083 VILLAGE OF WELLSVILLE - The Commission
decided to authorize the Village to increase revenues
by \$122,660, 5.90% of base revenues or 4.09% of
total revenues.
- ITEM 385 17-E-0250 CENTRAL HUDSON GAS & ELECTRIC
CORPORATION - The Commission decided to grant
in part, and deny in part, the deferral accounting and
recovery of additional distribution and transmission
vegetation management funds and relief from the
2016 frequency performance metrics.
- ITEM 386 15-E-0751 NEW YORK STATE ELECTRIC & GAS
CORPORATION - The Commission decided to grant
the company's petition to adjust the Tranche 0/1
MW limit up to 62 MW and to adjust the Tranche 3
MW limit downward to 77 MW in its service territory.

- ITEM 387
15-E-0751 SUN8 PDC LLC - The Commission decided to grant the company's petition in part, providing an extension in Phase One Net Energy Metering compensation term to 25 years for 8 of the 14 projects described in their petition.
- ITEM 388
15-E-0751 COALITION OF ON-SITE RENEWABLE ENERGY USERS AND DEVELOPERS - The Commission decided to deny the petition for rehearing for failing to state a mistake of law or fact or that new circumstances warrant a different determination.

Water

- ITEM 461
17-W-0163 SARATOGA WATER SERVICES, INC. AND DEERCREEK CAPITAL GROUP, LLC - The Commission decided to a) approve the terms of the agreement for the Provision of Water Service (the Agreement) by and between the companies'; and b) waive the company's tariff provisions and certain provisions of 16 NYCRR §§501 and 502, including 16 NYCRR §501.10, needed for the Company to extend water service outside its franchise area in order to fulfill the Agreement.
- ITEM 462
17-W-0288 NEW ROCHELLE HOME OWNERS ASSOCIATION - The Commission decided to deny the company's petition for a declaratory ruling that current private fire protection rates are unreasonable and the setting of temporary rates.
- ITEM 463
16-W-0079, 17-W-0160 CORBIN HILL WATER CORP. AND THE TOWN OF HIGHLANDS and CORBIN HILL WATER CORP. - The Commission decided to approve the transfer the assets of company to the Town of Highlands and authorizes the dissolution of Corbin Hill.

- ITEM 464
16-W-0605 NEW YORK AMERICAN WATER COMPANY, INC. and THE GLEN COVE WATER DISTRICT - The Commission decided to a) approve the Water Sales Agreement by and between companies' pursuant to Section 89-c of the Public Service Law (PSL), and b) waive 16 NYCRR §503.4(c) regarding the Company's quantity of supply in its Sea Cliff District.

Communications

- ITEM 561
17-C-0507, 17-C-0508 GTT AMERICAS, LLC, PIVOTAL GLOBAL CAPACITY, LLC AND GC PIVOTAL, LLC D/B/A GLOBAL CAPACITY and GTT AMERICAS, LLC AND GC PIVOTAL, LLC D/B/A GLOBAL CAPACITY FOR APPROVAL FOR GTT AMERICAS, LLC AND GC PIVOTAL, LLC - The Commission decided to approve the expeditious transfer of indirect control of the companies through a transaction at the holding company level and approve GTTA and Global Capacity to participate in Certain Financing Arrangements.
- ITEM 562
17-C-0185 VERIZON NEW YORK INC. - Report that describes the service quality provided by company during the second quarter of 2017.
- ITEM 563
16-C-0696 MARGARETVILLE TELEPHONE CO., INC. AND THE MARGARETVILLE TELEPHONE CO., INC. - The Commission decided to approve, subject to conditions, the request for the companies to acquire a controlling interest in MTC by purchasing an additional interest from the Sellers, and for MTC to borrow \$4 million from MTC Cable and to loan that amount to MTC ESOP in order to facilitate the transaction. The Commission also approves an Amendment to MTC's Certificate of Incorporation.

Cable

ITEM 661

- 17-V-0404 TIME WARNER CABLE NORTHEAST LLC/
VILLAGE OF GENESEO, LIVINGSTON COUNTY
- 17-V-0407 TIME WARNER CABLE NORTHEAST LLC/
VILLAGE OF NORTH COLLINS, ERIE COUNTY
- 17-V-0408 TIME WARNER CABLE NORTHEAST LLC/
VILLAGE OF SYLVAN BEACH, ONEIDA COUNTY
- 17-V-0409 TIME WARNER CABLE NORTHEAST LLC/
VILLAGE OF WYOMING, WYOMING COUNTY
- 17-V-0410 TIME WARNER CABLE NORTHEAST LLC /TOWN
OF NEW BREMEN, LEWIS COUNTY
- 17-V-0411 TIME WARNER CABLE NORTHEAST LLC /TOWN
OF ALTONA, CLINTON COUNTY
- 17-V-0417 TIME WARNER CABLE NORTHEAST LLC /TOWN
OF LUMBERLAND, SULLIVAN COUNTY

The Commission decided to grant approval of cable franchise renewals listed above.

ITEM 662

- 17-V-0121 VERIZON NEW YORK INC. - The Commission decided to approve a portion of the company's petition for Orders of Entry for 32 multiple-dwelling unit buildings in the City of New York.

ITEM 663

- 17-V-0120 VERIZON NEW YORK INC. - The Commission decided to approve a portion of the company's petition for Orders of Entry for 58 multiple-dwelling unit buildings in the City of New York.