

## Consent Agenda Report for 07/13/2017

The following is a preliminary and informal summary of actions the Commission took at its public session on July 13, 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

	<u>In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities.</u>
17-G-0032	ASTRO MASONRY & SUPPLY COMPANY, L.L.C./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
17-G-0320	YABOO FENCE CO., INC./CENTRAL HUDSON GAS & ELECTRIC CORPORATION
17-G-0321	PETER J. LANDI, INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
17-G-0322	VERA CONSTRUCTION INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
17-G-0323	RACWEL CONSTRUCTION, LLC /CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
17-G-0324	CABLEVISION SYSTEMS CORPORATION/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
17-G-0325	FINISHLINE CARTING CORP. /KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
17-G-0326	C.M. RICHEY ELECTRICAL CONTRACTORS, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
17-G-0327	CELTIC CRAFTS CONSTRUCTION /KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
17-G-0328	ALL ISLAND PAVING CO., INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
17-G-0329	CESSPOOL PROS /KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
17-G-0330	WHITE BUILDERS / BUSH SEPTIC LLC /NATIONAL FUEL GAS DISTRIBUTION CORPORATION
17-G-0331	REDS ON THE GROUND SERVICES /NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID
17-G-0332	SPA SEPTIC TANK CO., INC. /NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID

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- 17-G-0333 TOM JENKINS EXCAVATING LLC /NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID
- 17-G-0334 TOWN OF CAMILLUS HIGHWAY /NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID
- 17-G-0335 NORTHEAST SITE AND TOWER INC. /NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID
- 17-G-0336 TOWN OF GLENVILLE DEPARTMENT OF PUBLIC WORKS, HIGHWAY /NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID
- 17-G-0337 CIOFFI 1, INC. /ORANGE AND ROCKLAND UTILITIES, INC.
- 17-G-0338 J. E. SHEEHAN CONTRACTING CORP. /ST. LAWRENCE GAS COMPANY, INC.
- 17-G-0339 ABLE PLUMBING WATER MAINS & SEWER LTD/ THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY
- 17-G-0340 UNITED INDUSTRIES & CONSTRUCTION CORP./ THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY
- 17-G-0341 CON-TECH CONSTRUCTION TECHNOLOGY, INC./CENTRAL HUDSON GAS & ELECTRIC CORPORATION
- 17-G-0342 C D MARBOURNE CONSTRUCTION/ CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 17-G-0343 CMM SITEWORK, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
- 17-G-0344 MAIO BUILDING CORP. /KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID

The Commission decided to grant Consent Orders in Cases 17-G-0032, 17-G-0327, 17-G-0328, 17-G-0329, 17-G-0330, 17-G-0332, 17-G-0333, 17-G-0334, 17-G-0335, 17-G-0336, 17-G-0338, 17-G-0341, 17-G-0342, 17-G-0343, and 17-G-0344, determined a \$12,500 penalty in Case 17-G-0331, determined \$10,000 penalties in Cases 17-G-0320, and 17-G-0337, and determined \$2,500 penalties in Cases 17-G-0321, 17-G-0322, 17-G-0323, 17-G-0324, 17-G-0325, 17-G-0326, 17-G-0339, and 17-G-0340.

- ITEM 162  
15-G-0284 & 15-G-0286 NEW YORK STATE ELECTRIC & GAS CORPORATION and ROCHESTER GAS AND ELECTRIC CORPORATION - The Commission decided to approve the companies' tariff amendments modifying their Daily Local Distribution Company Balancing Programs in compliance with the Commission's 2016 Rate Order.
- ITEM 163  
15-G-0400 Appeal of an Informal Hearing Decision  
MARMARA, INC./CONSOLIDATED EDISON OF NEW YORK, INC. - The Commission decided to modify the informal review decision.
- ITEM 164  
16-G-0470 Appeal of an Informal Hearing Decision  
6561 SAUNDERS STREET ASSOCIATION/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID. - The Commission decided to deny complainant's appeal and uphold the informal hearing decision.
- ITEM 165  
16-G-0058, 16-G-0059, 14-G-0091, 14-G-0503, 13-G-0498, 12-G-0544, 11-G-0601 -  
KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID, THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY AND KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID, THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY, THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY and KEYSPAN GAS EAST CORP. D/B/A NATIONAL GRID - The Commission decided to deny the petition seeking rehearing.
- ITEM 166  
13-G-0136 & 16-G-0254 - NATIONAL FUEL GAS DISTRIBUTION CORPORATION - The Commission decided to uphold three of the four gas safety violations the Department of Public Service identified in its annual audits of the company, which resulted in assessments of negative revenue adjustments.
- ITEM 167  
11-G-0591 Rehearing of a Commission Appeal Determination  
GSN REALTY/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID. - The Commission decided to grant complainant's rehearing request in part and deny in part.



**Power**

- ITEM 361                    16-E-0133                    SUNEDISON, INC. - The Commission decided to issue a declaratory ruling clarifying that the rules for transfer of DER project ownership or a change in DER project off taker.
- ITEM 362                    12-E-0361                    Rehearing of a Commission Appeal Determination  
 MOON CONVENIENCE AND DELI, INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to deny the petition because it fails to state sufficient grounds warranting rehearing.
- ITEM 363                    15-E-0302                    The Commission decided to direct NYSERDA to suspend 35% of Liberty's monthly ZEC compliance obligation payment beginning August 2017 through March 2018.
- ITEM 364                                                          There is no Item 364
- ITEM 365                    16-E-0724                    VILLABXV CONDOMINIUM - The Commission decided to approve the company's request to submeter electricity at 15 Kensington Road, Bronxville, New York, located in the territory of Consolidated Edison Company of New York Inc.
- ITEM 366                    16-E-0709                    WEST 30TH HL LLC - The Commission decided to approve the company's request to submeter electricity at 520 West 30th Street, New York, New York, located in the territory of Consolidated Edison Company of New York Inc.

- ITEM 367  
16-E-0689 420 KENT AVENUE LLC - The Commission decided to approve the company's request to submeter electricity at a building complex located at 416 Kent Avenue, Brooklyn, New York and 420 Kent Avenue, Brooklyn, New York located in the territory of Consolidated Edison Company of New York Inc.
- ITEM 368  
17-E-0057 NATIONAL GRID PORT JEFFERSON ENERGY CENTER, LLC AND NATIONAL GRID GLENWOOD ENERGY CENTER LLC - The Commission decided to grant the companies' petition for amendments to their Certificates of Public Convenience and Necessity to remove their 79.9-MW operating caps and to confirm that facilities continue to be lightly regulated.
- ITEM 369  
13-E-0279 Appeal of an Informal Hearing Decision  
HELEN & JOHN PUGMIRE/MR. VLADISLAV RIABIOUK AND CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to reverse the informal hearing decision.
- ITEM 370  
17-E-0009 VILLAGE OF FAIRPORT - The Commission decided to authorize the Village of Fairport to increase its annual electric revenues by \$1,311,670, or 6.37% of total revenues.
- ITEM 371  
There is no Item 371.
- ITEM 372  
15-E-0594 ONE VANDAM CONDOMINIUM - The Commission decided to approve the company's request to reconsider the order authorizing submetering, in particular Ordering Clause 4.
- ITEM 373  
10-T-0080 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 Sodeman Road Substation, and the 115 kV Tap Lines by the company.

ITEM 374  
 15-E-0302 The Commission decided to provide for alternative protocols to the Comparative Emission Test criterion related to the eligibility of certain biogas resources for the Renewable Energy Standard.

ITEM 375  
 There is no Item 375.

ITEM 376  
 17-E-0069 ALCOA POWER GENERATING INC.(APGI) - The Commission decided to approve the proposed land transfers between the company and Arconic Inc. under PSL §70, grant APGI the requested incidental regulation as a water-works corporation under PSL §89-c(11), and continue the existing lightened regulatory regime applied to APGI's electric operations.

ITEM 377  
 16-E-0376 SILVER SPRINGS NETWORKS, INC. - The Commission decided to approve the company's Socket AP for limited use in electric meter applications in New York State.

**Water**

ITEM 461  
 17-W-0183 ROOSEVELT DRIVE WATER USERS ASSOCIATION - The Commission decided to authorize the company to cancel its tariff schedule and to remove its name from the list of water utilities under the Commission's jurisdiction.

ITEM 462  
 16-W-0130 SUEZ WATER NEW YORK INC. - The Commission decided to approve, on a permanent basis, the company's compliance filing effectuating Rate Year 1 pursuant to Commission Order issued January 24, 2017.

ITEM 463  
 16-W-0535 Appeal of an Informal Hearing Decision  
 SARATOGA WATER SERVICES, INC./RACEMARK INTERNATIONAL L.P. - The Commission decided to deny the appeal and uphold the informal hearing decision.

ITEM 464  
 16-W-0606, 16-W-0607, 16-W-0608 ARBOR HILLS WATERWORKS, INC., BONIVILLE WATER COMPANY, INC. and KNOLLS WATER, INC. - The Commission decided to deny the requests for rate increases and increases to the existing escrow account maximum balances and associated quarterly surcharge amounts filed by the companies'.

ITEM 465  
 16-W-0384 NEW YORK AMERICAN WATER COMPANY, INC. – The Commission decided to adopt the terms of the joint proposal regarding the disposition of a property tax refund.

**Communications**

ITEM 561  
 17-C-0254, 17-C-0255 SECURUS INVESTMENT HOLDINGS, LLC, SECURUS TECHNOLOGIES, INC. AND SCRS ACQUISITION CORPORATION and SECURUS TECHNOLOGIES, INC. AND SCRS ACQUISITION CORPORATION - The Commission decided to approve the expeditious transfer of indirect control of the companies through a transaction at the holding company level and approve STI to participate in Certain Financing Arrangements.

**Cable**

ITEM 661  
 17-V-0116 VERIZON NEW YORK INC. - The Commission decided to approve a portion of the company's petition for Orders of Entry for 46 multiple-dwelling unit buildings in the City of New York.

ITEM 662  
 17-V-0117 VERIZON NEW YORK INC. - The Commission decided to approve a portion the company's petition for Orders of Entry for 35 multiple-dwelling unit buildings in the City of New York.

ITEM 663

- 17-V-0246 TIME WARNER CABLE NORTHEAST LLC/TOWN OF MASSENA, ST. LAWRENCE COUNTY
- 17-V-0286 TIME WARNER CABLE NORTHEAST LLC/TOWN OF MIDDLEBURY, WYOMING COUNTY
- 17-V-0289 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF SLOAN, ERIE COUNTY
- 17-V-0296 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF GOWANDA, CATTARAUGUS AND ERIE COUNTY
- 17-V-0297 TIME WARNER CABLE NORTHEAST LLC/TOWN OF CARROLL, CHAUTAUQUA COUNTY
- 17-V-0298 TIME WARNER CABLE NORTHEAST LLC/TOWN OF POLAND, CHAUTAUQUA COUNTY
- 17-V-0311 TIME WARNER CABLE NORTHEAST LLC/TOWN OF CORNING, STEUBEN COUNTY
- 17-V-0312 TIME WARNER CABLE NORTHEAST LLC/TOWN OF Kiantone, CHAUTAUQUA COUNTY
- 17-V-0313 TIME WARNER CABLE NORTHEAST LLC/TOWN OF EAST BLOOMFIELD, ONTARIO COUNTY

The Commission decided to approve the certificates of confirmations for renewal of cable franchises for the company listed above.