

Consent Agenda Report for 07/11/2019

The following is a preliminary and informal summary of actions the Commission took at its public session on July 11, 2019. 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
18-G-0133 ST. LAWRENCE GAS COMPANY, INC. - The Commission decided to approve an extension of the maximum suspension period for the Company's proposed gas rate filing through and including November 30, 2019.
- ITEM 162
16-G-0369 CORNING NATURAL GAS CORPORATION - The Commission decided to approve on a permanent basis the Company's tariff filing effectuating the rates and charges for Rate Year 3, in compliance with the Commission's June 15, 2017 Order.
- ITEM 163
19-G-0408 NATIONAL FUEL GAS DISTRIBUTION CORPORATION - The Commission decided to approve the company's filing updating its tariff language regarding the Annual Tax Sur-Credit Reconciliation.
- ITEM 164
18-M-0679 THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID - The Commission decided to approve the Company's tariff amendments reflecting the requirements of the amended Public Service Law (PSL) §39(4), that pertain to customer rights to obtain an actual meter reading upon discontinuation of service, should the customer request it.
- ITEM 165-A
In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities (Penalty Determinations)
- 19-G-0423 CRANE - HOGAN STRUCTURAL SYSTEMS, INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID. Commissioner James S. Alesi, recusing

ITEM 165-A Cont'd.

- 19-G-0424 DAILY MAINTENANCE 1 LLC/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY
- 19-G-0425 BC GARDENS LANDSCAPING & DESIGN INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID
- 19-G-0426 HARLAN ELECTRIC COMPANY/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID
- 19-G-0427 MAJESTIC PROPERTY DEVELOPERS, LLC/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY
- 19-G-0428 BRUNO MASONRY, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
- 19-G-0430 CITY OF YONKERS SEWER DEPARTMENT/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 19-G-0431 NYE CHRYSLER DODGE JEEP RAM/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID
- 19-G-0432 ADC CONSTRUCTION LLC/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 19-G-0433 CRAFTWAY ENTERPRISES, INC/CENTRAL HUDSON GAS & ELECTRIC CORPORATION
- 19-G-0434 GREEN VALLEY LANDSCAPING/CENTRAL HUDSON GAS & ELECTRIC
- 19-G-0435 INDEPENDENT GENERAL CONTRACTING LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
- 19-G-0436 P. DEROSA, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 19-G-0444 MEADOWBROOK BUILDERS INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 19-G-0445 TORELLI MASONRY & LANDSCAPING LLC/CENTRAL HUDSON GAS & ELECTRIC CORPORATION
- 19-G-0446 ROEHRS CONSTRUCTION, INC./CENTRAL HUDSON GAS & ELECTRIC CORPORATION
- 19-G-0447 S&MA CONTRACTING INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 19-G-0448 S. TABONE CONSTRUCTION CO., INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 19-G-0449 PREGENT PAVING/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.

ITEM 165-A Cont'd.

19-G-0450 PERFETTO ENTERPRISES CO. INC./THE BROOKLYN UNION COMPANY, D/B/A NATIONAL GRID.

The Commission determined a \$10,000 penalty in Case 19-G-0435; and \$2,500 penalties in Cases 19-G-0423, 19-G-0424, 19-G-0426, 19-G-0427, 19-G-0428, 19-G-0430, 19-G-0431, 19-G-0432, 19-G-0433, 19-G-0434, 19-G-0435, 19-G-0436, 19-G-0444, 19-G-0445, 19-G-0446, 19-G-0447, 19-G-0448, 19-G-0449, and 19-G-0450.

ITEM 165-B

In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities (Consent Order Approvals)

- 19-G-0412 BURROWS BROS., INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION
- 19-G-0413 STILSING ELECTRIC, INCORPORATED/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID
- 19-G-0414 ENVIRONMENTAL CONSTRUCTION INC./ORANGE AND ROCKLAND UTILITIES, INC.
- 19-G-0415 REALE LANDSCAPE CORP/CENTRAL HUDSON GAS & ELECTRIC CORPORATION
- 19-G-0416 CSERVAK CONSTRUCTION AND LANDSCAPING INC./CENTRAL HUDSON GAS & ELECTRIC CORPORATION
- 19-G-0417 TOWN OF COLONIE DEPARTMENT OF PUBLIC WORKS/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID
- 19-G-0418 NAVESINK PRESTIGE LIMITED LIABILITY COMPANY/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID
- 19-G-0419 AVANTI BUILDING CONSTRUCTION CORP/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 19-G-0420 CASALYN HYDRO CONTRACTING INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
- 19-G-0429 CITY OF BUFFALO WATER DEPARTMENT/NATIONAL FUEL GAS DISTRIBUTION CORPORATION

ITEM 165-B Cont'd.

19-G-0438

J.R. SWANSON PLUMBING CO. INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION

The Commission grants Consent Orders in Cases 19-G-0412, 19-G-0413, 19-G-0414, 19-G-0415, 19-G-0416, 19-G-0417, 19-G-0418, 19-G-0419, 19-G-0420, 19-G-0429, and 19-G-0438.

ITEM 165-C

19-G-0113

LAWN IN ORDER EXCAVATING AND LANDSCAPE DESIGN/NEW YORK STATE ELECTRIC & GAS CORPORATION - The Commission determined that petition for rehearing be denied.

ITEM 166

19-G-0207

NATIONAL FUEL GAS DISTRIBUTION CORPORATION - The Commission decided to approve the company's filing modifying its gas tariff schedule, P.S.C. No. 9, to adjust its month end inventory level requirements applicable to Energy Service Companies serving customers under Service Classification No. 19.

ITEM 167

17-G-0317

THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY AND KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID - The Commission decided to issue an Order to Show Cause against the companies for violations of gas safety regulations, NYCRR Part 255.

General

ITEM 261

18-E-0067 &
18-G-0068

ORANGE AND ROCKLAND UTILITIES INC. - The Commission decided to approve on a permanent basis, the Company's electric and gas compliance tariff filings effectuating the terms of Rate Year 1.

Power

- ITEM 361
18-E-0606 VILLAGE OF SOLVAY, ELECTRIC DEPARTMENT -
The Commission decided to approve the terms of a Joint Proposal to permit the Village to pass-back the entirety of a New York Power Authority refund to the Village's customers.
- ITEM 362
18-E-0673 KINDLE ASSOCIATES, LP - The Commission decided to approve the company's petition to submeter electricity at 675 Brunswick Road, Troy, New York, located in the territory of Niagara Mohawk Power Corporation.
- ITEM 363
12-T-0502 et al. The Commission decided to take various steps to conclude the Public Policy Transmission Planning Process in these cases and begin Article VII review of projects selected by the New York Independent System Operator to meet the needs outlined previously by the Commission.
- ITEM 364
19-E-0170 1818 NADLAN LLC - The Commission decided to approve the company's petition to submeter electricity at 505 West 43rd Street, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc.
- ITEM 365
19-E-0130 CABGRAM DEVELOPERS - The Commission decided to approve the company's petition to submeter electricity at 215 East 19th, 225 East 19th, 220 East 20th and 230 East 20th Street, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc.
- ITEM 366
19-E-0089 18TH HIGHLINE ASSOCIATES, L.L.C. - The Commission decided to approve the company's petition to submeter electricity at 501 West 18th Street, New York, New York located in the territory of Consolidated Edison Company of New York, Inc.

- ITEM 367
17-E-0459
CENTRAL HUDSON GAS & ELECTRIC CORPORATION - The Commission decided to approve the Company's petition modifying the current operation of the Revenue Decoupling Mechanism (RDM) under SC 8 - Public Street and Highway Lighting and also approved the associated deferral accounting authority and recovery.
- ITEM 368
09-E-0299
FRANKFORT POWER & LIGHT - The Commission decided to approve Frankfort Power & Light's tariff filing implementing a new Industrial Park Purchased Power Adjustment.
- ITEM 369
14-F-0490
CASSADAGA WIND LLC - The Commission decided to approve Cassadaga Wind LLC's Compliance Filing 20.
- ITEM 370
There is no Item 370
- ITEM 371
17-E-0603
The Commission decided to approve Lyons Falls' application for Maintenance Tier Relief and receive an award of up to \$7.80/MWh for up to 42,590 MWh of energy generated annually, for a term of three years.
- ITEM 372
16-M-0330
CONSOLIDATED EDISON COMPANY OF NEW YORK, INC., NEW YORK STATE ELECTRIC & GAS CORPORATION, NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID, ORANGE AND ROCKLAND UTILITIES, INC., ROCHESTER GAS AND ELECTRIC CORPORATION (the Companies) and the NEW YORK MUNICIPAL POWER AGENCY (NYMPA) - The Commission decided to suspend the Companies' amendments through and including November 28, 2019 and also decided to approve the filing extension for NYMPA to July 29, 2019.

Cable

ITEM 661

- 17-V-0736 TIME WARNER CABLE NORTHEAST LLC/TOWN OF ASHLAND, CHEMUNG COUNTY.
- 17-V-0739 TIME WARNER CABLE NORTHEAST LLC/TOWN OF MOUNT HOPE, ORANGE COUNTY.
- 17-V-0740 TIME WARNER CABLE NORTHEAST LLC/TOWN OF WESTERN, ONEIDA COUNTY.
- 17-V-0743 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF MINOA, ONONDAGA COUNTY.
- 17-V-0747 TIME WARNER CABLE NORTHEAST LLC/TOWN OF MORRIS, OTSEGO COUNTY.
- 17-V-0753 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF AMES, MONTGOMERY COUNTY.
- 17-V-0793 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF RIVERSIDE, STEUBEN COUNTY.
- 17-V-0797 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF FULTONVILLE, MONTGOMERY COUNTY.
- 17-V-0798 TIME WARNER CABLE NORTHEAST LLC/TOWN OF WINFIELD, HERKIMER COUNTY.
- 17-V-0803 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF VALATIE, COLUMBIA COUNTY.
- 17-V-0806 TIME WARNER CABLE NORTHEAST LLC/TOWN OF RUTLAND, JEFFERSON COUNTY.
- 17-V-0807 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF CROGHAN, LEWIS COUNTY.
- 17-V-0808 TIME WARNER CABLE NORTHEAST LLC/TOWN OF POESTENKILL, RENSSELAER COUNTY.
- 17-V-0810 TIME WARNER CABLE NORTHEAST LLC/TOWN OF COLCHESTER, DELAWARE COUNTY.
- 17-V-0811 TIME WARNER CABLE NORTHEAST LLC/TOWN OF THOMPSON, SULLIVAN COUNTY.
- 18-V-0003 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF ALTAMONT, ALBANY COUNTY.
- 18-V-0004 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF SIDNEY, DELAWARE COUNTY.
- 18-V-0005 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF CATTARAUGUS, CATTARAUGUS COUNTY.
- 18-V-0007 TIME WARNER CABLE NORTHEAST LLC/TOWN OF KINDERHOOK, COLUMBIA COUNTY.
- 18-V-0011 TIME WARNER CABLE NORTHEAST LLC/TOWN OF NEW WINDSOR, ORANGE COUNTY.
- 18-V-0014 TIME WARNER CABLE NORTHEAST LLC/TOWN OF GRANBY, OSWEGO COUNTY.

ITEM 661 Cont'd

- 18-V-0016 TIME WARNER CABLE NORTHEAST LLC/TOWN OF HANNIBAL, OSWEGO COUNTY.
- 18-V-0027 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF WAVERLY, TIOGA COUNTY.
- 18-V-0028 TIME WARNER CABLE NORTHEAST LLC/TOWN OF GEDDES, ONONDAGA COUNTY.
- 18-V-0029 TIME WARNER CABLE NORTHEAST LLC/TOWN OF VAN BUREN, ONONDAGA COUNTY.
- 18-V-0030 TIME WARNER CABLE NORTHEAST LLC/TOWN OF LYSANDER, ONONDAGA COUNTY.
- 18-V-0031 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF BALDWINVILLE, ONONDAGA COUNTY.
- 18-V-0066 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF LOWVILLE, LEWIS COUNTY.
- 18-V-0073 TIME WARNER CABLE NORTHEAST LLC/TOWN OF BATAVIA, GENESEE COUNTY.
- 18-V-0075 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF LEROY, GENESEE COUNTY.
- 18-V-0079 TIME WARNER CABLE NORTHEAST LLC/TOWN OF PALERMO, OSWEGO COUNTY.
- 18-V-0080 TIME WARNER CABLE NORTHEAST LLC/TOWN OF VIENNA, ONEIDA COUNTY.
- 18-V-0093 TIME WARNER CABLE NORTHEAST LLC/TOWN OF BRANT, ERIE COUNTY.
- 18-V-0131 TIME WARNER CABLE NORTHEAST LLC/TOWN OF KIRKWOOD, BROOME COUNTY.
- 18-V-0139 TIME WARNER CABLE NORTHEAST LLC/TOWN OF MANSFIELD, CATTARAUGUS COUNTY.
- 18-V-0144 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF LAKEWOOD, CHAUTAUQUA COUNTY.
- 18-V-0151 TIME WARNER CABLE NORTHEAST LLC/TOWN OF SOUTH BRISTOL, ONTARIO COUNTY.
- 18-V-0193 TIME WARNER CABLE NORTHEAST LLC/TOWN OF BENTON, YATES COUNTY.
- 18-V-0199 TIME WARNER CABLE NORTHEAST LLC/TOWN OF MOUNT MORRIS, LIVINGSTON COUNTY.
- 18-V-0212 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF SCOTTSVILLE, MONROE COUNTY.
- 18-V-0214 TIME WARNER CABLE NORTHEAST LLC/TOWN OF CHAMPION, JEFFERSON COUNTY.
- 18-V-0215 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF BURKE, FRANKLIN COUNTY.
- 18-V-0250 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF NORWOOD, ST. LAWRENCE COUNTY.

ITEM 661 Cont'd

- 18-V-0252 TIME WARNER CABLE NORTHEAST LLC/TOWN OF BYRON, GENESEE COUNTY.
- 18-V-0259 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF ARCADE, WYOMING COUNTY.
- 18-V-0263 TIME WARNER CABLE NORTHEAST LLC/TOWN OF STOCKHOLM, ST. LAWRENCE COUNTY.
- 18-V-0266 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF SKANEATELES, ONONDAGA COUNTY.
- 18-V-0281 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF YOUNGSTOWN, NIAGARA COUNTY.
- 18-V-0303 TIME WARNER CABLE NORTHEAST LLC/TOWN OF AMITY, ALLEGANY COUNTY.
- 18-V-0311 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF PHOENIX, OSWEGO COUNTY.
- 18-V-0312 TIME WARNER CABLE NORTHEAST LLC/TOWN OF LLOYD, ULSTER COUNTY.
- 18-V-0316 TIME WARNER CABLE NORTHEAST LLC/TOWN OF CATON, STEUBEN COUNTY.
- 18-V-0341 TIME WARNER CABLE NORTHEAST LLC/TOWN OF SHELDON, WYOMING COUNTY.
- 18-V-0342 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF MEXICO, OSWEGO COUNTY.
- 18-V-0343 TIME WARNER CABLE NORTHEAST LLC/TOWN OF OVID, SENECA COUNTY.
- 18-V-0344 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF PORT BYRON, COUNTY OF CAYUGA.
- 18-V-0348 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF BAINBRIDGE, CHENANGO COUNTY.
- 18-V-0374 TIME WARNER CABLE NORTHEAST LLC/TOWN OF ELMA, ERIE COUNTY.
- 18-V-0375 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF NEWARK, COUNTY OF WAYNE.
- 18-V-0385 TIME WARNER CABLE NORTHEAST LLC/CITY OF TONAWANDA, ERIE COUNTY.
- 18-V-0442 TIME WARNER CABLE NORTHEAST LLC/TOWN OF PORTAGE, LIVINGSTON COUNTY.
- 18-V-0480 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF CAMBRIDGE, WASHINGTON COUNTY.
- 18-V-0490 TIME WARNER CABLE NORTHEAST LLC/TOWN OF LYONS, WAYNE COUNTY.
- 18-V-0504 TIME WARNER CABLE NORTHEAST LLC/TOWN OF PALMYRA, COUNTY OF WAYNE.
- 18-V-0544 TIME WARNER CABLE NORTHEAST LLC/TOWN OF CLAYTON, JEFFERSON COUNTY.

ITEM 661 Cont'd

- 18-V-0546 TIME WARNER CABLE NORTHEAST LLC/TOWN OF CONSTABLE, FRANKLIN COUNTY.
- 18-V-0552 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF CLAYTON, JEFFERSON COUNTY.
- 18-V-0555 TIME WARNER CABLE NORTHEAST LLC/TOWN OF ALLEGANY, CATTARAUGUS COUNTY.
- 18-V-0557 TIME WARNER CABLE NORTHEAST LLC/TOWN OF FRANKLIN, FRANKLIN COUNTY.
- 18-V-0562 TIME WARNER CABLE NORTHEAST LLC/CITY OF ELMIRA, CHEMUNG COUNTY.
- 18-V-0596 TIME WARNER CABLE NORTHEAST LLC/TOWN OF VOLNEY, OSWEGO COUNTY.
- 18-V-0605 TIME WARNER CABLE NORTHEAST LLC/TOWN OF WILLIAMSON, WAYNE COUNTY.
- 18-V-0609 TIME WARNER CABLE NORTHEAST LLC/TOWN OF NEW ALBION, CATTARAUGUS COUNTY.
- 18-V-0610 TIME WARNER CABLE NORTHEAST LLC/TOWN OF OWASCO, CAYUGA COUNTY.
- 18-V-0612 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF LANCASTER, ERIE COUNTY.
- 18-V-0613 TIME WARNER CABLE NORTHEAST LLC/TOWN OF WHEATFIELD, NIAGARA COUNTY.
- 19-V-0361 CABLEVISION SYSTEMS SUFFOLK CORPORATION/TOWN OF BABYLON, SUFFOLK COUNTY
- 19-V-0405 CABLEVISION SYSTEMS WESTCHESTER CORPORATION, C/O ALTICE USA/TOWN OF NORTH CASTLE, WESTCHESTER COUNTY.
- 19-V-0407 CABLEVISION OF SOUTHERN WESTCHESTER, INC./TOWN OF NORTH CASTLE, WESTCHESTER COUNTY.

The Commission decided to approve of the cable franchise renewals listed above.

ITEM 662

- 18-V-0475 VERIZON NEW YORK INC. - The Commission decided to approve a portion of Verizon New York Inc.'s Petition for Orders of Entry for 37 multiple-dwelling unit buildings in the City of New York.

ITEM 663

19-V-0175 FRONTIER COMMUNICATIONS OF NEW YORK, INC. - The Commission decided to recommend the Commission issue a Certificate of Confirmation for a cable television franchise agreement to provide video service between Frontier Communications of New York, Inc. and the Village of Monroe, Orange County and approve Frontier's request for waivers of certain Commission rules.

ITEM 664

18-V-0476 VERIZON NEW YORK INC. - The Commission decided to approve a portion of Verizon New York Inc.'s Petition for Orders of Entry for 22 multiple-dwelling unit buildings in the City of New York.

ITEM 665

19-V-0192 FRONTIER COMMUNICATIONS OF NEW YORK, INC. - The Commission decided to issue a Certificate of Confirmation for a cable television franchise agreement to provide video service between Frontier Communications of New York, Inc. and the Town of Chester, Orange County and approve Frontier's request for waivers of certain Commission rules.