

Consent Agenda Report for 05/18/2017

The following is a preliminary and informal summary of actions the Commission took at its public session on May 18, 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-0203	POSILLICO CIVIL, INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
17-G-0204	JOY CONSTRUCTION CORPORATION/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
17-G-0205	CARNEROS CONSTRUCTION CORP. /CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
17-G-0208	BLACK DIAMOND SITE DEVELOPMENT, LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
17-G-0209	ISLAND ASPHALT, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
17-G-0210	CREATIVE IRRIGATION INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
17-G-0211	MAURICE L CORRIGAN AND SONS INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
17-G-0212	HAUGLAND ENERGY GROUP LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
17-G-0213	FRANKLIN SQUARE WATER DISTRICT/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
17-G-0214	LINO CONSTRUCTION/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
17-G-0216	PIONEER ASPHALT PAVING CONTRACTORS, LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
17-G-0217	ISLAND PAVEMENT CUTTING CO., INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.

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- 17-G-0218 MMJA CONSTRUCTION CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 17-G-0219 ROLAND'S ELECTRIC, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 17-G-0220 CLARK BROTHERS STUMP REMOVAL/NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 17-G-0221 MJR ELECTRICAL CONSTRUCTION, INC./ NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 17-G-0222 GENE'S PAVING & SEALING, INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 17-G-0223 A-Z CUSTOM HOMES/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 17-G-0225 DENALI CONSTRUCTION SERVICES, L.L.C./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 17-G-0227 BUCK CONSTRUCTION LLC/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 17-G-0228 SIGNWORKS NEON CORP./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 17-G-0229 PAUL L. HICKOK AND SON, INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 17-G-0230 FRANK NOTO MASONRY CORP./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.

The Commission decided to grant Consent Orders in Cases 17-G-0213, 17-G-0214, 17-G-0216, 17-G-0217, 17-G-0218, 17-G-0219, 17-G-0227, 17-G-0228, 17-G-0229, and 17-G-0230, and determined \$2,500 penalties in Cases 17-G-0203, 17-G-0204, 17-G-0205, 17-G-0208, 17-G-0209, 17-G-0210, 17-G-0211, 17-G-0212, 17-G-0220, 17-G-0221, 17-G-0222, 17-G-0223, and 17-G-0225.

ITEM 162

- 13-G-0533 Rehearing of Commission Designee Determination
MR. JOHN DEANGELIS/MR. SHAWN C. RUSSELL AND NATIONAL FUEL GAS DISTRIBUTION CORPORATION - The Commission decided to uphold its original determination.

- ITEM 163
 16-G-0378 ORANGE AND ROCKLAND UTILITIES INC. AND CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to approve the Silver Spring Networks Residential Gas Interface Management Unit - IMU300, for use in residential gas metering applications in New York State.
- ITEM 164
 11-G-0280 & 12-G-0141 CORNING NATURAL GAS CORPORATION - The Commission decided to approve the company's modification to its existing affiliate standards and implement a new affiliate cost allocation model that will expand the Company's ability to permit certain categories of employees to perform work for affiliates in appropriate circumstances.
- ITEM 165
 10-G-0028 Rehearing of Commission Designee Determination APARTMENT MANAGEMENT ASSOCIATES -LAWRENCE TOWERS/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID - The Commission decided to uphold its original determination.
- ITEM 166
 17-G-0102 NATIONAL FUEL GAS DISTRIBUTION CORPORATION - The Commission decided to approve the company's tariff filing revising its gas tariff schedule, P.S.C. No. 8, to effectuate amendments the Pipeline and Hazardous Materials Safety Administration made to 49 CFR Part 192 that mandated the installation of excess flow valves.

General

- ITEM 261
 01-M-1806 The Commission decided to issue a Notice of Continuation, pursuant to State Administrative Procedure Act Section 207, of amendments to NYCRR Title 16 adopted in calendar years 1997, 2002, 2007 and 2012.

- ITEM 262 14-M-0101 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - The Commission decided to approve the company's petition for limited waiver of an incremental metering charge applicable to Voluntary Time of Use rates for customers with installed advanced metering in the Clifton Park Demand Reduction demonstration project area.
- ITEM 263 14-M-0153 Appeal of Informal Hearing Decisions
MR. JOSE THALAKOTTUR/JUST ENERGY NEW YORK CORP. - The Commission decided to uphold the denial of an informal hearing.
- ITEM 264 Rehearing of Commission Designee Determination
MS. DIANE CERINO/ CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to uphold its original determination.
- ITEM 265 15-M-0317 Rehearing of Commission Designee Determination
MS. SUZANNE WALTERS/NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID NY - The Commission decided to uphold its original determination.
- ITEM 266 There is no Item 266
- ITEM 267 16-M-0468 SPARK ENERGY, LLC AND SPARK ENERGY GAS, LLC - The Commission decided to allow the companies' to continue marketing to and enrolling residential and non-residential natural gas and electric customers as long as Spark abides by its commitment to follow the new procedures and safeguards it has implemented to ensure UBP compliance when marketing to and enrolling customers.

Power

- ITEM 361 16-E-0480 This item was pulled at the session.

- ITEM 369
17-E-0104 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to approve the company's tariff filing revising P.S.C. No. 10 - Electricity, General Rule 8.3 - Generating Facilities Used on an Emergency Basis for Export to permit the export of electricity discharged by battery storage systems during demand response events under the Brooklyn/Queens Demand Management Program.

Water

- ITEM 461
16-W-0311 BIRCH HILL WATER COMPANY, INC. - The Commission decided to authorize the dissolution of the company.
- ITEM 462
16-W-0002 SARATOGA WATER SERVICES, INC. AND SHECKY DEVELOPMENT, LLC - The Commission decided that the agreement for the provision of water service between the companies is in the public interest and granted the request of Saratoga Water Services, Inc. to waive its tariff provisions and certain Commission rules regarding main extensions to effectuate the agreement.
- ITEM 463
15-W-0468 SARATOGA WATER SERVICES, INC. AND SITWELL ENTERPRISES, LLC - The Commission decided that the agreement for the provision of water service between the companies is in the public interest and granted the request of the company to waiver its tariff provisions and certain Commission rules regarding main extensions to effectuate the agreement.
- ITEM 464
17-W-0015 GREAT EXPECTATIONS LLC - The Commission decided to approve the company's petition to extend its existing loan repayment schedule by three years, or until 2022, to recover extraordinary repair expenses incurred in 2015 and 2016. Great Expectations, LLC is directed to file Escrow Account for Major Renovations Statement No. 3, on not less than one day's notice, to become effective June 1, 2017.

- ITEM 465
16-W-0557 THE STOP & SHOP SUPERMARKET COMPANY LLC, RIC RHINEBECK ASSOCIATES L.L.C. AND MHMG-KM RHINEBECK, LLC - The Commission decided to approve the transfer of the companies stock equally to RIC Rhinebeck Associates LLC and MHMG-KM Rhinebeck, LLC and establish a tariff schedule, P.S.C. No. 1 - Water for S&S Rhinebeck Water-Works Corporation.
- ITEM 466
16-W-0373 HERITAGE HILLS WATER-WORKS CORPORATION - The Commission decided to adopt the terms of a Joint Proposal providing for sharing of tax refunds received by the company, located in the Town of Somers, Westchester County.
- ITEM 467
16-W-0130 SUEZ WATER NEW YORK INC. - The Commission decided to deny the requests for rehearing and clarification filed by the Municipal Consortium, Rockland County, and PULP, challenging the 1/24/17 rate order.
- ITEM 468
16-W-0017 SUEZ WATER OWEGO-NICHOLS INC. AND NORTHEAST WATER SERVICES, FOREST PARK WATER COMPANY, INC., HILLTOP MEADOWS WATER-WORKS CORP., AND MISTY HILLS WATER CORPORATION - The Commission decided to approve the sale of the water companies' assets.
- Communications**
- ITEM 561
15-C-0525 EAST ISLIP SCHOOL DISTRICT, AMITYVILLE UNION FREE SCHOOL DISTRICT, AND PLAINVIEW -OLD BETHPAGE CENTRAL SCHOOL DISTRICT/ VERIZON OF NEW YORK, INC. - The Commission decided to uphold the informal hearing decisions.
- ITEM 562
17-C-0185 VERIZON NEW YORK INC. - Report on First Quarter 2017 Service Quality.

ITEM 563

17-C-0017 ALTEVA OF WARWICK, LLC - The Commission decided to approve the company's petition for authority to participate in the financing arrangement on the condition that it neither guarantees MBS's Credit Facilities nor pledges ILEC assets as collateral.

Cable

ITEM 661

16-V-0720 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF OTEGO, OTSEGO COUNTY
 17-V-0051 TIME WARNER CABLE NORTHEAST LLC/TOWN OF WEST BLOOMFIELD, ONTARIO COUNTY
 17-V-0093 TIME WARNER CABLE NORTHEAST LLC/TOWN OF FRIENDSHIP, ALLEGANY COUNTY
 17-V-0094 TIME WARNER CABLE NORTHEAST LLC/CITY OF BATAVIA, GENESEE COUNTY
 17-V-0099 CSC ACQUISITION-NY, INC./TOWN OF SOUTHOLD, SUFFOLK COUNTY
 17-V-0156 TIME WARNER CABLE NORTHEAST, LLC/TOWN OF CHEMUNG, CHEMUNG COUNTY
 17-V-0157 TIME WARNER CABLE NORTHEAST LLC/TOWN OF LANCASTER, ERIE COUNTY
 17-V-0158 TIME WARNER CABLE NORTHEAST, LLC/VILLAGE OF BERGEN, GENESEE COUNTY
 17-V-0159 TIME WARNER CABLE NORTHEAST, LLC /TOWN OF STERLING, CAYUGA COUNTY
 17-V-0161 TIME WARNER CABLE NORTHEAST LLC/TOWN OF WAWAYANDA, ORANGE COUNTY
 17-V-0162 TIME WARNER CABLE NORTHEAST, LLC/TOWN OF CAMDEN, ONEIDA COUNTY

The Commission decided to approve the certificates for cable franchise renewals for the companies listed above.

ITEM 662

16-V-0632 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 16-V-0633 VERIZON NEW YORK INC. - The Commission decided to approve a portion of the company's petition for Orders of Entry for 24 multiple-dwelling unit buildings in the City of New York.
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- ITEM 664 Petitions for Certificates of Confirmation for Cable Television Franchises
- 16-V-0645 CITIZENS TELECOMMUNICATIONS COMPANY OF NEW YORK, INC. DBA FRONTIER COMMUNICATIONS OF NEW YORK/TOWN OF DEERPARK, ORANGE COUNTY.
- 17-V-0002 CITIZENS TELECOMMUNICATIONS COMPANY OF NEW YORK, INC. DBA FRONTIER COMMUNICATIONS OF NEW YORK/CITY OF MIDDLETOWN, ORANGE COUNTY.
- 16-V-0683 TIER COMMUNICATIONS OF NEW YORK, INC./ VILLAGE OF MONTGOMERY, ORANGE COUNTY.
- 16-V-0575 FRONTIER COMMUNICATIONS OF NEW YORK, INC. /TOWN OF GOSHEN, ORANGE COUNTY.
- 17-V-0001 FRONTIER COMMUNICATIONS OF NEW YORK, INC. /TOWN OF NEW WINDSOR, ORANGE COUNTY.
- 16-V-0668 CITIZENS TELECOMMUNICATIONS COMPANY OF NEW YORK, INC. DBA FRONTIER COMMUNICATIONS OF NEW YORK /CITY OF PORT JERVIS, ORANGE COUNTY.
- 16-V-0698 CITIZENS TELECOMMUNICATIONS COMPANY OF NEW YORK, INC. DBA FRONTIER COMMUNICATIONS OF NEW YORK /CITY OF PORT JERVIS, ORANGE COUNTY.
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- ITEM 665 Appeal of Informal Hearing Decision
- 12-V-0443 MR. THOMAS F. CAMPANILE/TIME WARNER CABLE - The Commission decided to uphold the informal review decision.