

Consent Agenda Report for 07/16/2020

The following is a preliminary and informal summary of actions the Commission took at its public session on July 16, 2020. 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
- 20-G-0150 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - The Commission decided to confirm the One Commissioner Order by Chair Rhodes that adopts the Order Temporarily Amending Certain Gas Tariff Provisions as a permanent rule.
- ITEM 162-A
- In the Matter of Enforcement Proceeding for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities. (Penalty Determinations)
- 20-G-0223 TBC CONSTRUCTION INC/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC
- 20-G-0255 QUALITY CUT LANDSCAPING & DESIGN INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
- 20-G-0256 TERRY CONTRACTING & MATERIALS, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
- 20-G-0257 NEW CASTLE PAVING, LLC/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID
- 20-G-0262 NEW YORK PRESCO INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 20-G-0263 ALL STATE 12 GENERAL CONTRACTING CORP./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 20-G-0264 VAR CONSTRUCTION INC/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY
- 20-G-0265 F.G.C. CONSTRUCTION INC./KEYSPAN GAS EAST CORP. D/B/A NATIONAL GRID.
- 20-G-0270 DAVIS CONCRETE LLC/NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 20-G-0271 RADIANT MECHANICAL INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION.

ITEM 162-A Cont'd

- 20-G-0272 PETER LANDI CONTRACTING/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 20-G-0273 EMERGENCY PLUMBING CO. INC./KEYSPAN GAS EAST CORP. D/B/A NATIONAL GRID.
- 20-G-0274 M & T EXCAVATION OF ROCKLAND INC. (MAYER TAUB)/ORANGE AND ROCKLAND UTILITIES, INC.
- 20-G-0275 M & T EXCAVATION OF ROCKLAND INC. (MAYER TAUB)/ORANGE AND ROCKLAND UTILITIES, INC.
- 20-G-0276 COOGAN CONCRETE AND MASONRY CORPORATION/KEYSPAN GAS EAST CORP. D/B/A NATIONAL GRID.
- 20-G-0277 BORI CONSTRUCTION CORP /CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 20-G-0278 PRO SPRINKLER SYSTEMS/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 20-G-0279 STASI BROTHERS ASPHALT CORP./KEYSPAN GAS EAST CORP. D/B/A NATIONAL GRID.
- 20-G-0280 MC FLEMING GROUP INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 20-G-0283 R&G REMODELING/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

The Commission determined \$10,000 penalties be determined in Cases 20-G-0257 and 20-G-0274; and \$2,500 penalties in Cases 20-G-0223, 20-G-0255, 20-G-0256, 20-G-0262, 20-G-0263, 20-G-0264, 20-G-0265, 20-G-0270, 20-G-0271, 20-G-0272, 20-G-0273, 20-G-0275, 20-G-0276, 20-G-0277, 20-G-0278, 20-G-0279, 20-G-0280, and 20-G-0283.

ITEM 162-B

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

- 20-G-0258 WOODPECKER TREE SERVICE, LLC/NATIONAL FUEL GAS DISTRIBUTION CORPORATION

The Commission decided to approve a consent order in Case 20-G-0258.

ITEM 163

There is no item 163

ITEM 164
 19-G-0309 &
 19-G-0310 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 approve an extension of the maximum suspension period through and including October 31, 2020.

ITEM 165
 15-G-0244
 20-G-0140 The Commission decided to confirm the One Commissioner Order by Chair Rhodes on July 9, 2020, that adopts the One Commissioner Order issued on April 15, 2020 Granting Extension of Time to Complete Gas Service Line Inspections and Leakage Surveys as a permanent rule pursuant to State Administrative Procedure Act §202(6)(b).

General

ITEM 261
 14-M-0565
 16-G-0058
 16-G-0059
 17-E-0238
 17-G-0239 THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY AND KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID AND NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID -The Commission decided to confirm the One Commissioner Order by Chair Rhodes that adopts the Order Postponing Approved Electric and Gas Delivery Rate Increases and Updated Reduction to the Low Income Discount Credit and Temporarily Waiving Certain Tariff Fees, issued March 25, 2020, as a permanent action.

ITEM 262
 20-M-0146 Rehearing of Commission Determination
 MS. TERRI KURLAND/ MR. MARIO CARRIERA AND CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to deny the request for rehearing as no grounds were provided to warrant it.

ITEM 263
 20-M-0029 The Commission decided to approve Hamilton Municipal Utilities Commission, New York Municipal Power Agency, and Valley Energy, Inc.'s respective electric and gas tariff filings to conform with the new requirements of Public Service Law §66-p.

ITEM 264 18-M-0084 Commissioner Diane X. Burman, dissenting
 NATIONAL FUEL GAS DISTRIBUTION - The Commission decided to reject the company's proposed tariff amendment to its gas tariff schedule P.S.C. No. 9 (Section No. 0 Leaf No.147-Revision 4).

Power

ITEM 361 19-E-0772 11 HOYT OWNER, LLC - The Commission decided to approve the company's petition to submeter electricity at 11 Hoyt Street, Brooklyn, New York located in the territory of Consolidated Edison Company of New York, Inc.

ITEM 362 20-E-0115 NEW YORK ELECTRIC & GAS CORPORATION - The Commission decided to approve the transfer of street lighting facilities, with an original value over \$100,000, located within the Town of Clifton Park to the Town pursuant to PSL Section 70.

ITEM 363 17-E-0020 Appeal of Informal Decision
 ELDAN HOMES, ET AL/ NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - UPSTATE - The Commission decided to deny complainants' Petition for Rehearing.

ITEM 364 20-E-0110 Rehearing of Commission Determination
 MS. MANOELA MADERA/ 480 SEVENTH AVE. REALTY LLC AND CONSOLIDATED EDISON COMPANY OF NY, INC. - The Commission decided to uphold the designee's determination.

ITEM 365 20-E-0251 Rehearing of Commission Determination
 MS. MARIE THENOR-CADET/MS. ALLISON ALLICOCK AND CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to uphold the designee's determination.

- ITEM 366
20-E-0109 NEW YORK STATE ELECTRIC & GAS CORPORATION - The Commission decided to approve the transfer of street lighting facilities, with an original value over \$100,000, located within the Village of Lancaster to the Village, pursuant to PSL Section 70(1).
- ITEM 367
20-E-0094 ROCHESTER GAS AND ELECTRIC CORPORATION - The Commission decided to approve the company's petition to transfer property to Rocco Dragani.
- ITEM 368
19-E-0355 Appeal of the Informal Decision
235 WEST 108 STREET CORP./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to uphold the denial of an informal review and deny the appeal.
- ITEM 369
15-E-0751 Commissioner Diane X. Burman, dissenting
The Commission decided to adopt, with modifications, the proposals in the Rate Design for Mass Market Net Metering Successor Tariff Whitepaper regarding rate design for rooftop solar.
- ITEM 370
20-E-0145 CHAMPLAIN HUDSON POWER EXPRESS, INC., CHPE PROPERTIES, INC., AND CHPE LLC - The Commission decided to grant the requested transfers pursuant to Public Service Law (PSL) §§70 and 121 and found that lightened regulation will continue to adhere following the consummation of the transfers.

- ITEM 371
20-E-0155 The Commission decided to confirm a One Commissioner Order made by Chair Rhodes that suspends the deadline for the Standardized Interconnection Requirements for interconnection applicants to pay the final 75% of estimated interconnection costs to the interconnecting utility, contained in the tariffs of Central Hudson Gas & Electric Corporation, 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., and Rochester Gas and Electric Corporation through September 8, 2020.
- ITEM 372
18-T-0207 NEW YORK POWER AUTHORITY - The Commission decided to approve the revised EM&CP for Phase One, Segment 2-a of the Project
- ITEM 373
20-E-0204 CANANDAIGUA POWER PARTNERS, LLC AND CANANDAIGUA POWER PARTNERS II, LLC
The Commission decided to issue a Declaratory Ruling that the proposed transaction of upstream interests in electric generating facilities satisfies the Wallkill Presumption and that further review is not needed pursuant to PSL §70.
- ITEM 374
20-E-0230 BLUESTONE WIND, LLC, CALPINE WIND HOLDINGS, LLC & NORTHLAND POWER NEW YORK WIND LLC - The Commission decided to issue a Declaratory Ruling that the proposed transfer of upstream interests in an electric generating facility does not require further review pursuant to PSL §70.

Water

- ITEM 461
16-W-0259 NEW YORK AMERICAN WATER COMPANY, INC. - The Commission decided to confirm the One Commissioner Order by Chair Rhodes that adopts the Order Postponing Approved Delivery Rate Increases and System Improvement Charge, issued March 25, 2020, as a permanent action.
- ITEM 462
19-W-0168 SUEZ WATER NEW YORK INC., SUEZ WATER WESTCHESTER INC. AND SUEZ WATER OWEGO-NICHOLS INC. - The Commission decided to confirm the One Commissioner Order by Chair Rhodes that further extends the suspension period and the use of rates, charges, rules and regulations stated therein shall be further extended through and including July 31, 2020.
- ITEM 463
17-W-0668 NEW YORK AMERICAN WATER COMPANY, INC. AND WHITLOCK FARMS WATER CORP. - The Commission decided to authorize the transfer of water supply assets from Whitlock Farms Water Corp., Inc. to New York American Water Company, Inc.
- ITEM 464
20-W-0063 LAKE MEADOWS WATER COMPANY, INC., MENDING WALL ASSOCIATES, L.P. AND THE TOWN OF NORTH GREENBUSH - The Commission decided to authorize the transfer of all assets of Lake Meadows Water Co., Inc. to the Town of North Greenbush; to direct the cancellation of Lake Meadows' tariff; and to authorize the dissolution of Lake Meadows upon closing of the sale.

Communications

- ITEM 561
 20-C-0236 AMERIMEX COMMUNICATIONS CORP. D/B/A SAFETYNET WIRELESS - The Commission decided to approve AmeriMex Communications Corp. d/b/a SafetyNet Wireless' petition for designation as an Eligible Telecommunications Carrier (ETC) for the sole purpose of receiving federal universal support for providing wireless Lifeline service throughout all of New York State.
- ITEM 562
 20-C-0009 GERMANTOWN TELEPHONE COMPANY, INC. AND VALSTAR, INC. - The Commission decided to approve the companies' petition subject to conditions.

Cable

- ITEM 661
 20-V-0238 SPECTRUM NORTHEAST, LLC/CITY OF DUNKIRK, CHAUTAUQUA COUNTY.
 20-V-0245 SPECTRUM NORTHEAST, LLC/TOWN OF YORKSHIRE, CATTARAUGUS COUNTY.
 20-V-0246 SPECTRUM NORTHEAST, LLC/TOWN OF RUSSIA, HERKIMER COUNTY.
- The Commission decided to approve the certificates for renewal of cable franchises for the above named municipalities.
- ITEM 662
 19-V-0623 VERIZON NEW YORK INC. - The Commission decided to approve a portion of Verizon New York Inc.'s Petition for Orders of Entry for 46 multiple-dwelling unit buildings in the City of New York.
- ITEM 663
 19-V-0624 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 664

19-V-0626

VERIZON NEW YORK INC. - The Commission decided to approve a portion of Verizon New York Inc.'s Petition for Orders of Entry for 34 multiple-dwelling unit buildings in the City of New York.

ITEM 665

19-V-0627

VERIZON NEW YORK INC. - The Commission decided to approve a portion of Verizon New York Inc.'s Petition for Orders of Entry for 32 multiple-dwelling unit buildings in the City of New York.