

Consent Agenda Report for 11/14/2019

The following is a preliminary and informal summary of actions the Commission took at its public session on November 14, 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
19-G-0370 &
19-G-0371
Commissioner Diane X. Burman, abstaining
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, with modifications,
the tariff amendments filed by the Companies
modifying their gas tariff schedules regarding the
provisions of the Interruptible Gas Service Programs.
- ITEM 162-A
In the Matter of Enforcement Proceedings for Alleged
Violations of 16 NYCRR Part 753: Protection of
Underground Facilities (Penalty Determinations).
19-G-0655 WGP CONTRACTING, INC./KEYSPAN GAS EAST
CORPORATION D/B/A NATIONAL GRID
19-G-0656 HAPPY LIVING DEVELOPMENT LLC/THE
BROOKLYN UNION GAS COMPANY D/B/A
NATIONAL GRID NY
19-G-0657 JLR CONTRACTING SIGNS INC./NATIONAL FUEL
GAS DISTRIBUTION CORPORATION
19-G-0658 JOSEPH M. PAPA INC./KEYSPAN GAS EAST
CORPORATION D/B/A NATIONAL GRID
19-G-0659 JOSE PEREIRA MASONRY & CONCRETE WORK,
INC./KEYSPAN GAS EAST CORPORATION D/B/A
NATIONAL GRID
19-G-0660 KAM MATERIALS INC./KEYSPAN GAS EAST
CORPORATION D/B/A NATIONAL GRID
19-G-0661 MINT DEVELOPMENT CORP./THE BROOKLYN
UNION GAS COMPANY D/B/A NATIONAL GRID NY
19-G-0662 P.O.B. ELECTRIC INC./KEYSPAN GAS EAST
CORPORATION D/B/A NATIONAL GRID
19-G-0663 RAY BUILDERS, INC./THE BROOKLYN UNION GAS
COMPANY D/B/A NATIONAL GRID NY
19-G-0664 ROBERT LANDSCAPING & CONSTRUCTION,
INC./CONSOLIDATED EDISON COMPANY OF NEW
YORK, INC.

ITEM 162-A (Cont'd)

- 19-G-0665 SWIM KING POOLS, INC./KEYSPAN GAS EAST CORPORATION D/B/A/ NATIONAL GRID
- 19-G-0666 TANK MASTERS ENVIRONMENTAL, INC./CENTRAL HUDSON GAS & ELECTRIC CORPORATION
- 19-G-0667 GREAT AMERICAN RESTORATION IINC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 19-G-0668 DCD CONSTRUCTION, LLC/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY
- 19-G-0669 BUCKEYE ELM CONTRACTING, LLC/NEW YORK STATE ELECTRIC & GAS CORPORATION
- 19-G-0670 A.R.T. CONTRACTING ASSOCIATES, INC./NEW YORK STATE ELECTRIC & GAS CORPORATION
- 19-G-0671 LENNYS GENERAL CONTRACTING INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
- 19-G-0672 VICE CONTRACTING LLC/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY
- 19-G-0676 IEM CONSTRUCTION CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
- 19-G-0677 IEM CONSTRUCTION CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID

The Commission determined \$2,500 penalties in Cases 19-G-0655, 19-G-0656, 19-G-0657, 19-G-0658, 19-G-0659, 19-G-0660, 19-G-0661, 19-G-0662, 19-G-0663, 19-G-0664, 19-G-0664, 19-G-0665, 19-G-0666, 19-G-0667, 19-G-0668, 19-G-0669, 19-G-0670, 19-G-0671, 19-G-0672, 19-G-0676, and 19-G-0677.

ITEM 162-B

- 18-G-0700 In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities (Consent Order Approvals).
SCANLON TRUCKING & EXCAVATING LLC/
NIAGARA MOHAWK POWER CORPORATION,
D/B/A NATIONAL GRID
- 19-G-0683 PRECISION PIPELINE SOLUTIONS, LLC/CENTRAL HUDSON GAS & ELECTRIC CORPORATION

The Commission decided to approve Consent Orders in Cases 18-G-0700, and 19-G-0683.

ITEM 163
 18-G-0444 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - The Commission decided to approve Central Hudson Gas & Electric Corporation's petition for approval of the Measurement Systems Corrector Test Standard for use in gas metering applications in New York State.

ITEM 164
 19-G-0490 Commissioner Diane X. Burman, abstaining
 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to approve the Company's tariff amendments to its gas tariff schedule, P.S.C. No. 9, instituting a Voluntary Tier 2(B) Physical Storage Program under its Daily Delivery Service Program, with modification.

ITEM 165
 There is no item 165

ITEM 166
 18-G-0565 &
 19-G-0191 Commissioner Diane X. Burman, abstaining
 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. -The Commission decided to approve, with modifications, the company's tariff amendments to modify its gas tariff schedule, P.S.C. No. 9, regarding the provisions of its Interruptible Gas Service Program.

General

ITEM 261
 19-M-0500 NEW YORK STATE ELECTRIC & GAS CORPORATION AND ROCHESTER GAS AND ELECTRIC CORPORATION - The Commission decided to approve the Companies' tariff filings establishing the new Customer Consent to Contact provision in their respective electric and gas tariff schedules.

ITEM 262
 19-M-0643 The Commission decided to update the customer deposit rate and other customer provided capital rate for investor-owned utilities and municipal utilities, effective January 1, 2020.

ITEM 263

18-M-0013 The Commission decided to approve a portion of Schumaker & Company's request for additional Funds for the focused operations audit of Consolidated Edison Company of New York, Inc. And Orange and Rockland Utilities, Inc.

ITEM 264

01-M-1806 The Commission decided to issue a Memorandum and Resolution and Notice of Continuation, pursuant to the five-year cycle of agency regulation review mandated by SAPA Section 207, for amendments to 16 NYCRR that were enacted in 1999, 2004 and 2009 (no amendments that are subject to §207 review was enacted in 2014). These amendments pertain to core regulatory functions of the Commission and/or simplified prior versions of regulations. Type of Proceeding: SAPA-mandated proceeding requiring every state agency to review, every five years, any hard rules (except consensus rules) enacted after January 1, 1997. The purpose of this review is "to re-examine [each rule] periodically to ensure that it continues to be effective and has not become technology-limiting or otherwise outmoded." L.1996, c. 262, Assembly Memorandum in Support. This procedure applies only to hard rules (i.e., amendments to 16 NYCRR). The five-year interval requirement means that rules enacted in 1999, 2004 and 2009 are up for review during 2017.

ITEM 265

16-M-0330 CTIA - THE WIRELESS ASSOCIATION - The Commission decided to approve the wireless and updated wireline pole attachment rates of 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 made pursuant to the Commission's March 14, 2019 Order in this proceeding to become effective on a permanent basis and decided to allow the New York Municipal Power Agency and the City of Jamestown to update their pole attachment rates.

ITEM 266
 15-M-0642 FORTISTAR NORTH TONAWANDA INC. -
 The Commission decided to grant a Certificate of Public Convenience and Necessity under Public Service Law Sections 68 and 81 regarding Petitioner's continuing production of electricity for wholesale sales and steam for retail sales, and granting lightened regulation for electric operations and lightened and incidental regulation for steam operations.

ITEM 267
 18-E-0067 &
 18-G-0068 ORANGE AND ROCKLAND UTILITIES, INC. - The Commission decided to approve the company's proposal to implement an electronic deferred payment agreement program, with modification to require more detailed quarterly reporting.

Power

ITEM 361
 19-E-0533 NIAGARA MOHAWK POWER CORPORATION
 D/B/A NATIONAL GRID - The Commission decided to approve the transfer of certain street lighting facilities from National Grid to the City of Utica.

ITEM 362
 19-E-0534 NIAGARA MOHAWK POWER CORPORATION
 D/B/A NATIONAL GRID - The Commission decided to approve the transfer of certain street lighting facilities from National Grid to the Village of Medina.

ITEM 363
 19-E-0526 NIAGARA MOHAWK POWER CORPORATION
 D/B/A NATIONAL GRID - The Commission decided to approve the transfer of certain street lighting facilities from National Grid to the City of Dunkirk.

ITEM 364
 There is no item 364

ITEM 365
 18-E-0206 Commissioner Diane X. Burman, concurring
 NIAGARA MOHAWK POWER CORPORATION
 D/B/A NATIONAL GRID - The Commission decided to approve the Company's petition for a limited waiver extending the Bill Guarantee program for an additional 12-month period.

- ITEM 366
19-E-0499 123 LINDEN LLC - The Commission decided to approve the company's petition to submeter electricity at 123 Linden Boulevard, Brooklyn, New York, located in the territory of Consolidated Edison Company of New York, Inc.
- ITEM 367
19-E-0514 Commissioner Diane X. Burman, concurring
PLATTSBURGH MUNICIPAL LIGHTING DEPT. - The Commission decided to approve Plattsburgh's tariff filing establishing net metering rules and regulations for solar or wind electric generating equipment paired with or without energy storage equipment for its residential and non-residential customers under Service Classification Nos. 1 and 2, P.S.C. No. 1 - Electricity.
- ITEM 368
19-E-0507 ONE BEEKMAN OWNER, LLC - The Commission decided to approve the company's petition to submeter electricity at 33 Park Row, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc.
- ITEM 369
19-E-0050 Rehearing Request
PAULETTE WADSWORTH/AMBIT ENERGY -The Commission decided to deny the rehearing request. because complainant failed to state sufficient procedural or substantive grounds for granting a rehearing.
- ITEM 370
19-E-0404 212 WEST 95 OWNER LLC - The Commission decided to approve the company's petition to submeter electricity at 212 West 95th Street, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc.
- ITEM 371
19-E-0421 Commissioner Diane X. Burman, concurring
VILLAGE OF SHERBURNE - The Commission decided to approve, with modification, the Village of Sherburne's tariff filing, establishing net metering rules and regulations for solar or wind electric generating equipment paired with or without energy storage equipment for its residential and non-residential customers under Service Classification Nos. 1, 2, 3 or 4, P.S.C. No. 1 - Electricity

- ITEM 372 19-E-0177 MUNICIPAL COMMISSION OF BOONVILLE - The Commission decided to authorize Boonville to increase its annual base revenues by \$363,447 or 8.1%, effective December 1, 2019.
- ITEM 373 17-T-0752 Commissioner Diane X. Burman, dissenting
PSEG LONG ISLAND LLC -The Commission decided to approve the EM&CP for Phase 1 of the Western Nassau Transmission Project, a new 138-kV underground electric transmission line between the East Garden City Substation (located in Uniondale), and the Valley Stream Substation (located in Lynbrook), both in the Town of Hempstead.
- ITEM 374 19-E-0513 Commissioner Diane X. Burman, concurring
1115 SOLAR DEVELOPMENT, LLC - The Commission decided to approve the company’s petition to receive Value Stack compensation for Capacity Value based on the rules applicable prior to the Order Regarding Value Stack Compensation issued on April 18, 2019, consistent with projects grandfathered in that Order.
- ITEM 375 15-E-0302 Commissioner Diane X. Burman, dissenting
The Commission decided to approve NYSERDA's petition seeking approval of the 2020 Clean Energy Standard administrative budget.
- ITEM 376 18-T-0347 BINGHAMTON BOP LLC AND THE CITY OF BINGHAMTON -The Commission decided to approve the transfer of the Certificate of Public Convenience and Necessity under Public Service Law Section 68 regarding a 0.2-mile pipeline, approve the transfer of an electric generating facility pursuant to Public Service Law Section 70, and affirm that the pipeline is not gas plant within meaning of the Public Service Law.

Water

- ITEM 461 19-W-0498 Commissioner Diane X. Burman, concurring
SUEZ WATER WESTCHESTER INC. - The Commission decided to authorize the data sharing agreements between Suez Water Westchester, Inc. and the Westchester County municipalities to allow for accurate billing for sewer service.

Communications

ITEM 561

There is no item 561

ITEM 562

19-C-0286

VERIZON NEW YORK INC. – Report on the service quality provided by the company for the Third Quarter of 2019.

Cable

ITEM 661

19-V-0598

HAEFELE TV, INC. -The Commission decided to issue a Certificate of Confirmation for a cable television franchise agreement to provide video service between Haeefe TV, Inc. d/b/a Haeefe Connect and the Town of Baldwin, Chemung County.

ITEM 662

19-V-0564

EMPIRE VIDEO SERVICES CORPORATION - The Commission decided to issue a Certificate of Confirmation for a cable television franchise agreement to provide video service between Empire Video Services Corporation and the City of Elmira, Chemung County.

ITEM 663

19-V-0592

TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF NEW HARTFORD, ONEIDA COUNTY.

19-V-0594

TIME WARNER CABLE NORTHEAST LLC/TOWN OF MURRAY, ORLEANS COUNTY.

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