



Public Service Commission

For Immediate Release: 11/8/19
John B. Rhodes, Chair

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COMMISSION ISSUES PRELIMINARY NOVEMBER 14, 2019 AGENDA

Albany, NY – The Public Service Commission announced today that it will hold its next regular session beginning at **10:30 A.M., Thursday, November 14, 2019, in the 19th Floor Board Room of its offices located at Three Empire State Plaza, Albany. Please be prepared to show identification to be admitted to the New York City or the Albany office.**

MEETING WILL BE BROADCAST ON THE INTERNET AT:

<http://www.dps.ny.gov/Webcasts.html>

-VIDEOCASTING TO PSC'S NYC OFFICES AVAILABLE-

(See instructions on last page of Agenda)

The session agenda is as follows:

To view documents related to PSC Cases below, visit:

http://www.dps.ny.gov/New_Search.html

No items will be considered on the Regular Agenda for **GAS, GENERAL, POWER, WATER, COMMUNICATIONS and CABLE.**

CONSENT AGENDA

This agenda consists of items that, by their nature, can be decided by the Commission on the basis of written reviews and analyses previously made available to the Commissioners and do not require discussion at the Session.

Item	PSC Case	GAS
161	19-G-0371	THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY - Tariff Filing to Modify its Gas Tariff Schedule, P.S.C. No. 12, to Establish Non-Firm Demand Response Service Classes.
	19-G-0370	KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID - Tariff Filing to Modify its Gas Tariff Schedule, P.S.C. No. 1, to Establish Non-Firm Demand Response Service Classes.
162-A		In the Matter of an Enforcement Proceeding for Alleged Violation 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.
	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 INC./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.
- 162-B In the Matter of an Enforcement Proceeding for Alleged Violation of 16 NYCRR Part 753 - Protection of Underground Facilities. (Consent Order Approvals)
- 19-G-0683 PRECISION PIPELINE SOLUTIONS, LLC/CENTRAL HUDSON GAS & ELECTRIC CORPORATION.
- 18-G-0700 SCANLON TRUCKING & EXCAVATING LLC/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 163 18-G-0444 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Petition for Approval of Measurement Systems Corrector Test Standard.
- 164 19-G-0490 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Tariff filing to Modify Its Gas Tariff Schedule, P.S.C. No. 9, Revising the Daily Delivery Service Program to Institute a Voluntary Tier 2(B) Physical Storage Program.
- 165 There is no item 165.
- 166 19-G-0191 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. -Tariff filing to Modify Its Gas Tariff Schedule, P.S.C. No. 9, Regarding the Interruptible Gas Service Program Violations or Strike Rules.
- 18-G-0565 Tariff Filing by Consolidated Edison Company of New York, Inc. to Modify Its Gas Tariff Schedule, P.S.C. No. 9, Regarding the Interruptible Gas Service Program.

GENERAL

- 261 19-M-0500 NEW YORK STATE ELECTRIC & GAS CORPORATION AND ROCHESTER GAS AND ELECTRIC CORPORATION - Tariff Filings to Establish a New Provision, Customer Consent to Contact, in their Respective Electric and Gas Schedules.
- 262 19-M-0643 In the Matter of Rules and Regulations of the Public Service Commission, Contained in 16 NYCRR, Prescribing Interest Rates Applicable to Customer Deposits.
- 263 18-M-0013 In the Matter of a Focused Operations Audit to Investigate the Income Tax Accounting of Certain New York State Utilities.
- 264 01-M-1806 In the Matter of the Review of Existing Commission Rules and Regulations Pursuant to State Administrative Procedure Act, Section 207.
- 265 16-M-0330 CTIA - THE WIRELESS ASSOCIATION - Petition to Update and Clarify Wireless Pole Attachment Protections.
- 266 15-M-0642 FORTISTAR NORTH TONAWANDA INC. - Petition for Certificate of Public Convenience and Necessity Pursuant to Public Service Law § 81 and Petition for an Order Providing Lightened and Incidental Regulation.
- 267 18-E-0067 ORANGE AND ROCKLAND UTILITIES, INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Electric Service.
- 18-G-0068 ORANGE AND ROCKLAND UTILITIES, INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.

POWER

- 361 19-E-0533 NIAGARA MOHAWK POWER CORPORATION - Petition for Approval to Transfer Certain Street Lighting Facilities to the City of Utica Pursuant to Public Service Law Section 70 with an Original Cost of Over \$100,000.
- 362 19-E-0534 NIAGARA MOHAWK POWER CORPORATION - Petition for Approval to Transfer Certain Street Lighting Facilities to the Village of Medina Pursuant to Public Service Law Section 70 with an Original Cost of Over \$100,000.
- 363 19-E-0526 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Petition for Authority to Transfer Certain Street Lighting Facilities to the City of Dunkirk Pursuant to Public Service Law Section 70.
- 364 18-T-0207 NEW YORK POWER AUTHORITY - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII for the Rebuild of the Existing Moses-Adirondack 1&2 230 kV Transmission Lines Extending approximately 86 Miles from the Robert Moses

Switchyard in the Town of Massena, St. Lawrence County to the Adirondack Substation in the Town of Croghan, Lewis County, New York.

- 365 18-E-0206 Tariff filings to Effectuate the Provisions of Public Service Law Section 66-o (Residential Electric Vehicle Charging Tariff).
- 366 19-E-0499 123 LINDEN LLC - Notice of Intent and Waiver Request to Submeter Electricity at 123 Linden Boulevard, Brooklyn, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 367 19-E-0514 PLATTSBURGH MUNICIPAL LIGHTING DEPT. - Tariff Filing to Modify Its Electric Tariff Schedule, P.S.C. No. 1, to Include Rules and Regulations Governing the Purchase of Renewable Energy from New Distributed Generators.
- 368 19-E-0507 ONE BEEKMAN OWNER, LLC - Notice of Intent to Submeter Electricity at 33 Park Row, New York, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 369 19-E-0050 PAULETTE WADSWORTH/AMBIT ENERGY - In the Matter of the Rules and Regulations of the Public Service Commission, Contained in 16 NYCRR in Relation to Complaint Procedures - Appeal of the Informal Decision Rendered in Favor of Ambit Energy.
- 370 19-E-0404 212 WEST 95 OWNER LLC - Notice of Intent to Submeter Electricity at 212 West 95th Street, New York, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 371 19-E-0421 VILLAGE OF SHERBURNE - Tariff filing to Modify Its Electric Tariff Schedule, P.S.C. No. 1 - Electricity, to Include Rules and Regulations Governing the Purchase of Renewable Energy from New Distributed Generators.
- 372 19-E-0177 MUNICIPAL COMMISSION OF BOONVILLE - Minor Rate Filing to Increase its Annual Revenues by about \$291,141 or 6.5%.
- 373 17-T-0752 PSEG LONG ISLAND LLC - Application on Behalf of and as Agent for the Long Island Lighting Company d/b/a LIPA for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII of the Public Service Law for the Western Nassau Transmission Project.
- 374 19-E-0513 1115 SOLAR DEVELOPMENT, LLC - Petition for Compensation According to the Alternative 2 Capacity Value Calculation set forth in the VDER Transition Order.
- 375 15-E-0302 Proceeding on Motion of the Commission to Implement a Large-Scale Renewable Program and a Clean Energy Standard.
- 376 18-T-0347 BINGHAMTON BOP LLC AND THE CITY OF BINGHAMTON - Petition for a Declaratory Ruling Concerning an 8-Inch, 0.2 Mile Long Buried Gas Pipeline in the City of Binghamton, Broome County.

Explanation of Agenda

The agenda is divided into two sections. The **Consent Agenda** consists of items that because of their nature, can be decided by the Commission on the basis of written reviews and analyses previously made available to the Commission and do not require discussion. Any item on the Consent Agenda can be transferred to the Regular Agenda if discussion is required.

The **Regular Agenda** consists of items that, by their nature, appear to be best resolved through discussion of matters covered by written reviews and analyses, also available to the Commissioners in advance of the meeting. All Commission meetings are open to the public. However, since adequate forums are available for public participation in cases before the Commission there will be no opportunity for the public to address the Commission. The agenda contained herein is complete at the time of issue, but other items may be added and some agenda items may be removed without further notice.

Proposed draft orders for **Regular Agenda items** will be posted for public viewing, if feasible, by 6:00 p.m. the day before a Commission meeting. The proposed draft orders will be made available at: [Documents Scheduled for Discussion at Session](#).

The posted draft orders will be removed by 6:00 p.m. on the day of the Commission meeting, or when the final order is issued, whichever is earlier. (Clicking on this link at any other time than that noted above will result in “No Documents found.”) The proposed draft order is not the final Commission action, rather, the final determination is the issued order, posted by the Secretary, and available at www.dps.ny.gov, click on “Search” then search the appropriate PSC case number.

Other Matters

Persons with disabilities who require a sign language interpreter or other special accommodations should call the Department of Public Service's Human Resources Management office at 518-474-2520. TTD users may call this number through the New York Relay Service at 1-800-662-1220 or have a representative call directly to the office.

All public documents that have been filed or issued before today's date may be obtained by accessing the Commission's Web site at www.dps.ny.gov, click on “Search” then search using the

appropriate PSC case number, or in the alternative documents may be viewed on monitors provided in the Files Unit on the 14th floor of the Albany offices or obtained by calling (518)-474-2500.

Next Meeting

The next regularly scheduled meeting will begin at **10:30 A.M., Thursday, December 12, 2019, in New York City.**

Pursuant to procedures established by the building management, anyone planning to view the meeting in the New York City Office or Albany Office must be prepared to show valid photo identification upon arrival. The webcasting will be for viewing and listening purposes only.

In addition, the meeting will be webcast live on the Internet. The Internet webcast can be viewed by accessing <http://www.dps.ny.gov/Webcasts.html>.

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