

STATE OF NEW YORK

Public Service Commission

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12035 Agenda

PSC LISTS AGENDA FOR THURSDAY, MAY 17, 2012

PLEASE NOTE:

MEETING WILL BE BROADCAST ON THE INTERNET

- VIDEOCASTING TO COMMISSION'S NEW YORK CITY OFFICES ALSO AVAILABLE -

Albany, NY – 05/11/12 – The New York State Public Service Commission announced today the agenda for its regular meeting starting at **10:30 A.M., Thursday, May 17, 2012, in the 19th Floor Board Room of its offices located at Three Empire State Plaza, Albany, New York.**

Individuals in New York City wishing to view the Commission's meeting may do so in the Board Room on the 4th floor of the Commission's offices at 90 Church Street, New York City. The videocasting will be for viewing and listening purposes only. Pursuant to procedures established by the building management, anyone planning to observe the meeting in the New York City Board Room must notify Jan Goorsky at 212-417-2378, 48 hours in advance of the meeting, and must be prepared to show valid photo identification upon arrival at 90 Church Street.

In addition to the video broadcasting of the meeting in the Commission's New York City offices, the meeting will be broadcast live on the Internet. The Internet broadcast can be viewed by accessing <http://nydps.onlinevideoservice.com>.

The viewing quality of a live webcast can be adversely affected by various factors including, but not limited to, Internet bandwidth limitations, Internet network congestion, and the configurations and settings on a computer used to view the webcast. If you experience problems viewing a live webcast, you may view it at a later time by accessing an archived copy of the webcast. Archives are available on the Department Web site within two business days after the meeting.

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 attached to this announcement is complete at the time of issue, but other items may be added and some agenda items may be removed without further notice.

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 are available for inspection in the Files Unit on the 14th floor of the Albany offices, or by faxing a request for copies to (518) 474-9842 using a Billing Information Form, available in that office or by calling (518) 474-2500. Copies of notices or other material relating to pending Commission actions may be obtained by calling the Department's Operations Section at (518) 474-2500. Copies may be obtained from Central Files when they become available by calling (518) 474-2500.

The next regularly scheduled meeting will begin at **10:30 A.M., Thursday, June 14, 2012, in Albany, New York.**

The agenda for the May 17, 2012 meeting is attached.

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.

All items will be considered together at the start of the session.

Item PSC Case

GAS

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| 161 | 10-G-0482 | E. TETZ AND SONS, INC. - Pet. for a Waiver of Orange and Rockland Utilities, Inc. Interruptible Tariff Provisions. |
| 162 | 12-G-0181 | Lopez Construction Services Corp./KeySpan Energy of Long Island. |
| | 12-G-0182 | Central Outdoor Services, Inc./KeySpan Energy of Long Island. |
| | 12-G-0183 | Maura Bros. & Co., Inc./KeySpan Energy of Long Island. |
| | 12-G-0184 | Brothers II Landscapes, Inc./KeySpan Energy of Long Island. |
| | 12-G-0185 | P & R Masonry & Concrete, Inc./KeySpan Energy of Long Island. |
| | 12-G-0187 | WLC Construction Corp./Orange and Rockland Utilities, Inc. |
| | 12-G-0188 | CMC Construction Group, Inc./New York State Electric & Gas Corporation. |
| 163 | 11-G-0580 | NATIONAL FUEL GAS DISTRIBUTION CORPORATION - Comprehensive Management Audit of New York Business. |
| 164 | 11-G-0543 | In the Matter of the Commission's Examination of the Criteria for Interruptible Gas Service. |
| 165 | 12-G-0049 | Petition of Corning Natural Gas Corporation for Authority to Issue Long-Term Indebtedness and Stock and Related Relief. |

GENERAL

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| 261 | 12-M-0110 | MR. GENNARO CASTRICATO/MS. VIVIANA RODRIGUEZ and ORANGE AND ROCKLAND UTILITIES, INC. - Rehearing of Designee Determination. |
| 262 | 08-E-0998 | GOOD SHEPHERD SERVICES and CONSOLIDATED EDISON |

- 08-E-1313 THRUWAY FASTENERS, INC. and NIAGARA MOHAWK POWER COMPANY D/B/A NATIONAL GRID
- 09-C-0233 CITYWIDE TOWING and VERIZON NEW YORK, INC.
- 10-E-0170 MR. SOCRATES AUGUSTIN and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 263 12-M-0086 NEW YORK STATE ELECTRIC & GAS CORPORATION - Petition for Approval to Lease Space within a Portion of NYSEG Facility Located at 18 Link Drive, Binghamton, New York to Coughlin & Gerhart, L.L.P.
- 264 09-E-0724 WILLY'S PUB INC. and CONSOLIDATED EDISON OF NEW YORK, INC. - Appeal of Informal Hearing Decision.
- 09-E-0811 MR. CHUCK OSUJI and CONSOLIDATED EDISON OF NEW YORK, INC. - Appeal of Informal Hearing Decision.
- 10-M-0041 MR. FRANCISCO CERVANTES and NATIONAL GRID-UPSTATE, INC. - Appeal of Informal Hearing Decision.

POWER

- 361 09-M-0329 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. and AT&T MOBILITY LLC - Petition for Authorization for AT&T's Existing Wireless Equipment to be Attached to Con Edison's Electric Transmission Facilities (Tower K-34) Pursuant to Section 70 of the Public Service Law.
- 09-M-0330 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. and AT&T MOBILITY LLC - Petition for Authorization for AT&T's Existing Wireless Equipment to be Attached to Con Edison's Electric Transmission Facilities (Tower K-49) Pursuant to Section 70 of the Public Service Law.
- 362 12-E-0031 MR. VIEN CUNG LAM/MR. JOSE RAMON DIAZ and CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Rehearing Petition of Designee's Determination
- 363 12-T-0158 NIAGARA MOHAWK POWER CORPORATION d/b/a NATIONAL GRID - Petition for Amendments to Certificates of Environmental Compatibility and Public Need - Formerly Case 26251.
- 364 09-M-0311 Implementation of Chapter 59 of the Laws of 2009 Establishing a

Temporary Annual Assessment Pursuant to PSL 18-a(6).

PENNSYLVANIA ELECTRIC COMPANY - Amendments to PSC No., 6 - Electricity, eff. 6/1/12, to implement a surcharge to recover the Temporary State Energy and Utility Service Conservation Assessment pursuant to Commission Order issued 6/19/09.

- 365 12-E-0063 MR. CARL BERG/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Appeal of Informal Hearing Decision.
- 366 12-E-0069 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Amendments to PSC No. 214 - Electricity, eff. 5/21/12, to make minor modifications, additions and deletions to existing rules and offerings, as well as minor confirming, clarifying and housekeeping revisions.
- 367 09-T-0870 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII for the Reconstruction of Transmission Line 111 from Lockport to Mortimer, New York (Revised Wetland Mitigation Report).
- 368 11-E-0468 8 EAST 102ND STREET LLC - Petition to Submeter Electricity at 4 East 102 Street, New York, New York, Located in the Territory of Consolidated Edison of New York, Inc.
- 369 11-M-0542 Tariff Filings to Effectuate Amendments to the Public Service Law Concerning the Excelsior Jobs Program.
- CENTRAL HUDSON GAS AND ELECTRIC CORPORATION - Amendments to PSC 15-Electricity, eff. 6/1/12.
- CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Amendments to PSC 10-Electricity, 9-Gas, eff. 6/1/12.
- KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID - Amendments to PSC 1-Gas, eff. 6/1/12.
- NATIONAL FUEL GAS DISTRIBUTION CORPORATION - Amendments to PSC 8-Gas, eff. 6/1/12.
- NEW YORK STATE ELECTRIC & GAS CORPORATION - Amendments to PSC 120, 119, 121-Electricity, 87, 88, 90-Gas, eff. 6/1/12.
- NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Amendments to PSC 220-Electricity, 219-Gas, eff. 6/1/12.

ORANGE AND ROCKLAND UTILITIES, INC. - Amendments to PSC 2, 3-Electricity, 4-Gas, eff. 6/1/12.

ROCHESTER GAS AND ELECTRIC CORPORATION - Amendments to PSC 19-Electricity, 16-Gas, eff. 6/1/12.

ST. LAWRENCE GAS COMPANY, INC. - Amendments to PSC 3-Gas, eff. 6/1/12.

THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID - Amendments to PSC 12-Gas, eff. 6/1/12.

- 370 12-E-0011 CONSOLIDATED EDISON COMPANY OF NEW YORK INC. and ORANGE and ROCKLAND UTILITIES, INC. - Joint Petition for Approval of a Transfer or Lease of Assets for Consent to the Sale of Equipment to GenOn Bowline, LLC.
- 371 12-E-0025 ROCHESTER GAS AND ELECTRIC CORPORATION - Petition for Approval of The Demolition and Remediation Plan for the former Russell Generating Station.
- 372 12-E-0043 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Amendments to PSC No. 15 - Electricity, eff. 6/1/12, to revise its billing provisions applicable to customers that are both net metered and subject to hourly pricing provisions.
- 373 11-E-0594 PENNSYLVANIA ELECTRIC COMPANY - Amendments to PSC No. 6 - Electricity, Suspended through 9/25/12, to transition default service customers to market-based generation supply rates, collect above-market, non-utility generation costs and Temporary State Assessment/PSL Section 18-a(6) costs; and modify certain tariff definitions and rules.
- 374 12-E-0058 VILLAGE OF ROCKVILLE CENTRE - Amendments to PSC No. 4 - Electricity, eff. 6/1/12, to establish net metering provisions for customers who own or operate solar or wind electric generating equipment.
- 12-E-0062 JAMESTOWN BOARD OF PUBLIC UTILITIES - Amendments to PSC No. 7 - Electricity, eff. 6/1/12, to establish net metering provisions for customers who own or operate solar or wind electric generating equipment.
- 375 There is no item 375.

- 376 08-E-1132 NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY (NYSERDA) - Petition for Approval of an Energy Efficiency Portfolio Standard (EEPS) NYSERDA-Administered Electric Energy Efficiency Program; Petition of NYSERDA for Funding of NYS Cost Recovery Fee.
- 07-M-0548 Proceeding on Motion of the Commission Regarding an Energy Efficiency Portfolio Standard.

WATER

- 461 10-W-0262 INDEPENDENT WATER WORKS, INC. - In the Matter of Staff Investigation of Alleged Discriminatory Practices and Failure to Charge Tariffed Rates. Petitions for Rehearing.
- 462 11-W-0333 WOODBURY HEIGHTS ESTATES WATER CO., INC. - Minor Rate Filing to Increase its Annual Revenues by about \$43,103 or 79%.

COMMUNICATIONS

- 561 12-C-0060 FRONTIER COMMUNICATIONS LOCAL EXCHANGE CARRIERS - Petition for a Waiver of the Requirements of 16 NYCRR, Section 602.10(b) Regarding the Distribution of Telephone Directories.
- 562 12-C-0112 In the Matter of Compliance with FCC Report and Order and Further Notice of Proposed Rulemaking, released November 18, 2011, Concerning New York Intrastate Access Charges.
- 563 11-C-0173 In the Matter of Quality of Service provided by Local Exchange Companies in New York State. (Commendations of Local Telephone Companies for Excellent Service During 2011 and 2011 Annual Service Quality Report for Independent Telephone Companies including Frontier Communications)
- 564 12-C-0102 MIDDLEBURGH TELEPHONE COMPANY - Petition for Approval to Expend Rural Telephone Bank Funds.

CABLE

- 661 11-V-0563 TIME WARNER NY CABLE LLC/TOWN OF KINGSTON, ULSTER COUNTY.
- 12-V-0002 ENTERTAINMENT-ADVANCE NEWHOUSE PARTNERSHIP/TOWN OF PHILIDELPHIA, JEFFERSON COUNTY.

- 12-V-0047 TIME WARNER NY CABLE LLC/TOWN OF DEERPARK, ORANGE COUNTY.
- 12-V-0087 CABLEVISION SYSTEMS GREAT NECK CORP./VILLAGE OF FLOWER HILL, NASSAU COUNTY.
- 12-V-0088 CABLEVISION SYSTEMS GREAT NECK CORP./VILLAGE OF GREAT NECK, NASSAU COUNTY.
- 12-V-0089 CABLEVISION SYSTEMS GREAT NECK CORP./VILLAGE OF GREAT NECK ESTATES, NASSAU COUNTY.
- 12-V-0090 CABLEVISION SYSTEMS GREAT NECK CORP./VILLAGE OF GREAT NECK PLAZA, NASSAU COUNTY.
- 12-V-0091 CABLEVISION SYSTEMS GREAT NECK CORP./VILLAGE OF KENSINGTON, NASSAU COUNTY.
- 12-V-0092 CABLEVISION SYSTEMS GREAT NECK CORP./VILLAGE OF KINGS POINT, NASSAU COUNTY.
- 12-V-0093 CABLEVISION SYSTEMS DUTCHESS CORPORATION/VILLAGE OF LAKE SUCCESS.
- 12-V-0094 CABLEVISION SYSTEMS GREAT NECK CORP./VILLAGE OF MUNSEY PARK, NASSAU COUNTY.
- 12-V-0095 CABLEVISION SYSTEMS GREAT NECK CORP./VILLAGE OF RUSSELL GARDENS, NASSAU COUNTY.
- 12-V-0096 CABLEVISION SYSTEMS GREAT NECK CORP./VILLAGE OF NORTH HILLS, NASSAU COUNTY.
- 12-V-0097 CABLEVISION SYSTEMS GREAT NECK CORP./VILLAGE OF PLANDOME, NASSAU COUNTY.
- 12-V-0098 CABLEVISION SYSTEMS GREAT NECK CORP./VILLAGE OF PLANDOME HEIGHTS, NASSAU COUNTY.
- 12-V-0099 CABLEVISION SYSTEMS GREAT NECK CORP./VILLAGE OF PLANDOME MANOR, NASSAU COUNTY.
- 12-V-0100 CABLEVISION SYSTEMS GREAT NECK CORP./VILLAGE OF SADDLE ROCK, NASSAU COUNTY.
- 12-V-0101 CABLEVISION SYSTEMS GREAT NECK CORP./VILLAGE OF THOMASTON, NASSAU COUNTY.
- 12-V-0103 TIME WARNER ENTERTAINMENT-ADVANCE NEWHOUSE PARTNERSHIP/VILLAGE OF PITTSFORD, COUNTY OF MONROE, NEW YORK.
- 12-V-0104 TIME WARNER ENTERTAINMENT-ADVANCE NEWHOUSE PARTNERSHIP/TOWN OF NAPLES, ONTARIO COUNTY.
- 12-V-0140 TIME WARNER CABLE/VILLAGE OF CLINTON, ONEIDA COUNTY, NEW YORK.

- 12-V-0142 TIME WARNER CABLE/TOWN OF WESTMORELAND, ONEIDA COUNTY, NEW YORK.
- 12-V-0161 TIME WARNER ENTERTAINMENT-ADVANCE NEWHOUSE PARTNERSHIP/VILLAGE OF WATERFORD, SARATOGA COUNTY.

REGULAR AGENDA

Items not necessarily to be considered in the order listed:

GAS

No items will be considered on this agenda.

GENERAL

201 There is no item 201.

202-A 11-M-0481 In the Matter of the Outages Caused by Hurricane Irene and Tropical Storm Lee.

202-B 11-M-0481 In the Matter of the Outages Caused by Hurricane Irene and Tropical Storm Lee.

POWER

301-A 12-E-0083 In the Matter of Staff's Report on 2012 Electric Summer Preparedness (Bulk Electric System)

301-B 12-E-0083 In the Matter of Staff's Report on 2012 Electric Summer Preparedness (Bulk Electric System)

301-C 12-E-0083 In the Matter of Staff's Report on 2012 Electric Summer Preparedness. (Electric Utility Portfolio Price Volatility)

WATER

No items will be considered on this agenda.

COMMUNICATION

501 12-C-0190 VERIZON NEW Y ORK INC. – In the Matter of Quality of Service provided by Local Exchange Companies in New York State.

CABLE

No items will be considered on this agenda.

KEY TO ABBREVIATIONS:

* – Item was on calendar of previous meeting

+ – Notice required by State Administrative Procedure Act (SAPA)

A – Special Permit Order (spo) to be issued

16NYCRR – Commission regulation published in Vol. 16, NYS Codes, Rules and Regulations

ALJ – Administrative Law Judge

NOI – Notice of Intention

EM&CP – Environmental Management & Construction Plan

V – Village T – Town C – City Co – County