

STATE OF NEW YORK

# Public Service Commission

Audrey Zibelman, Chair

Three Empire State Plaza, Albany, NY 12223

Further Details: James Denn

James.denn@dps.ny.gov | 518.474.7080

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

<http://twitter.com/NYS DPS>

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## COMMISSION TO MEET ON THURSDAY, DECEMBER 11, 2014

Albany, NY – 12/09/14 – The Public Service Commission announced today that it will hold its next regular session beginning at **10:30 a.m., Thursday, December 11, 2014, in the 19<sup>th</sup> Floor Board Room of its offices located at Three Empire State Plaza, Albany, New York.**

**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 Numbers below, visit:**

[http://www.dps.ny.gov/New\\_Search.html](http://www.dps.ny.gov/New_Search.html)

### **REGULAR AGENDA ITEMS**

#### **Items To Be Resolved Through Discussion**

**Item      PSC Case**

#### **GAS**

- |     |           |   |
|-----|-----------|---|
| 101 | 14-G-0214 | KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID -<br>Petition for Authority to Defer Costs Associated with Incremental<br>Capital Expenditures and Other Related Relief. |
| 102 | 14-G-0357 | In the Matter of Revising 16 NYCRR Gas Safety Regulations for<br>Consistent Application of More Stringent Federal Gas Safety Standards<br>in 49 CFR.                      |

## GENERAL

- 201                    There is no item 201.
- 202                    There is no item 202.
- 203    14-M-0224    In the Matter of Enabling Community Choice Aggregation Programs.

## POWER

- 301    14-E-0151    HUDSON VALLEY CLEAN ENERGY, INC. - Petition for an Increase to the Net Metering Minimum Limitation at Central Hudson Gas & Electric Corporation.
- 14-E-0422    SOLAR ENERGY INDUSTRIES ASSOCIATION, ALLIANCE FOR CLEAN ENERGY NEW YORK, THE VOTE SOLAR INITIATIVE, THE NATIONAL RESOURCES DEFENSE COUNCIL AND THE ALLIANCE FOR SOLAR CHOICE - Petition for Solar Choice to Clarify the Process for Utilities to Seek Relief from Net Metering Caps.
- 302    14-E-0423    In the Matter of Developing Demand Response Tariffs for Electric Distribution Utilities.
- 303    12-T-0502    Proceeding on Motion of the Commission to Examine Alternating Current Transmission Upgrades.
- 13-T-0454    NORTH AMERICA TRANSMISSION CORPORATION AND NORTH AMERICA TRANSMISSION, LLC - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII of the Public Service Law for an Alternating Current Transmission Upgrade Project Consisting of an Edic to Fraser 345 kV Transmission Line and a New Scotland to Leeds to Pleasant Valley 345 kV Transmission Line.
- 13-T-0455    NEXTERA ENERGY TRANSMISSION NEW YORK, INC. - Part A Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII of the Public Service Law for the Marcy to Pleasant Valley Project.
- 13-T-0456    NEXTERA ENERGY TRANSMISSION NEW YORK, INC. - Part A Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII for the Oakdale to Fraser Project.
- 13-M-0457    NEW YORK TRANSMISSION OWNERS - Application Pursuant to Article VII for Authority to Construct and Operate Electric Transmission

## Facilities in Multiple Counties in New York State.

- 13-T-0461 BOUNDLESS ENERGY NE, LLC - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII for Leeds Path West Project.
- 13-E-0488 In the Matter of Alternating Current Transmission Upgrades - Comparative Proceeding.
- 304-A 14-E-0302 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Petition for Approval of Brooklyn/Queens Demand Management Program. SEQRA Determination.
- 304-B 14-E-0302 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Petition for Approval of Brooklyn/Queens Demand Management Program.
- 305 14-M-0101 Proceeding on Motion of the Commission in Regard to Reforming the Energy Vision.

No items will be considered on the Regular Agenda for **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 | 13-G-0439 | THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY - Amendments to PSC 12-Gas, eff. 12/1/14 (postponed to 1/1/15), to modify the calculation of the monthly cost of gas for sales customers under Service Classification Nos. 4A-High Load Factor Service; 4A-CNG Compressed Natural Gas Equipment Service and 4B-Year-Round Air Conditioning Service. |
|     | 14-G-0163 | KEYSPAN GAS EAST CORP. D/B/A BROOKLYN UNION OF L.I. - Amendments to PSC 1-Gas, eff. 12/1/14 (postponed to 1/1/15), to align the monthly cost of gas and adjustment provisions and statements with those filed by The Brooklyn Union Gas Company d/b/a National Grid NY in Case 13-G-0439.   |
| 162 | 14-G-0379 | ROCHESTER GAS and ELECTRIC CORPORATION - Amendments to PSC 16-Gas, eff. 1/1/15, to modify the denominator used in the calculation of the Gas Supply Charge from historical normalized sales to forecasted normalized sales.   |
| 163 | 13-G-0465 | CORNING NATURAL GAS CORPORATION - Petition for Recovery of Property Tax and Large Customer Revenue Deferrals.   |
| 164 |           | There is no item 164.   |
| 165 | 14-T-0406 | VERMONT GAS SYSTEMS, INC. - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII to Construct a Fuel Gas Transmission Line in the Town of Ticonderoga, Essex County, New York.  |
| 166 |           | There is no item 166.   |
| 167 | 14-G-0400 | NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Amendments to PSC 219-Gas, eff. 1/1/15, to clarify the definitions and provisions related to Service Classification No. 8 - Gas  |

Transportation Service with Standby Sales Service and to revise its Statement of Daily Standby Prices.

- 168 14-G-0325 In the Matter of the Filing of Annual Reconciliation of Gas Expenses and Gas Cost Recoveries.
- 169 In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities.
- 14-G-0475 NICARRO LAND DEVELOPMENT CORPORATION/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 14-G-0476 1ST CLASS CONTACTING OF N.Y., CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 14-G-0479 TOWNSEND EXCAVATION, INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.

#### **GENERAL**

- 261 14-M-0381 LOCKPORT ENERGY ASSOCIATES, L.P., LEA A4 LLC, LOCKPORT POWER COGENERATION, LLC, and LEA LP IV LLC - Joint Petition for a Declaratory Ruling Regarding an Ownership Transfer or, in the Alternative, an Approval Pursuant to Sections 70 and 83 of the Public Service Law.
- 262 14-M-0001 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. and ORANGE AND ROCKLAND UTILITIES, INC. - In the Matter of a Comprehensive Management and Operations Audit.
- 263 01-M-1806 In the Matter of the Review of Existing Commission Rules and Regulations Pursuant to State Administrative Procedure Act, Section 207. Five-year review of rules.
- 264 98-M-0667 In the Matter of Electronic Data Interchange.
- 98-M-1343 In the Matter of Retail Access Business Rules.
- 06-M-0647 In the Matter of Energy Service Company Price Reporting Requirements.
- 12-M-0476 Proceeding on Motion of the Commission to Assess Certain Aspects of the Residential and Small Non-Residential Retail Energy Markets in New York State.

**POWER**

- 361 14-E-0437 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Amendments to Schedule PSC. No. 220 and 214-Electricity, eff. 1/1/15 to revise Rule 42 - Merchant Function Charge by modifying the calculation of the Electricity Supply Uncollectible Expense and Working Capital on Purchased Power Cost components.
- 362 14-E-0420 ORANGE AND ROCKLAND UTILITIES, INC. - Amendments to PSC 3-Electricity, eff. 12/14/14, to make revisions to its Market Supply Charge for capacity related costs.
- 363 14-E-0483 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Amendments to PSC 220-Electricity, eff. 12/9/14 (postponed to 12/15/14), to make modifications of a "housekeeping" nature to update language and references and delete obsolete language.
- 364 14-E-0272 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Amendments to PSC 10-Electricity, eff. 1/1/15, to make revisions related to the purchase and sale of SO<sub>2</sub> and NO<sub>x</sub> emissions allowance through the MAC/MSM mechanisms.
- 365 14-E-0384 T. ROWE PRICE ASSOCIATES, INC. - Petition for Approval Pursuant to Section 70 of the Public Service Law for the Acquisition of Common Stock.
- 366 14-E-0363 VILLAGE OF LITTLE VALLEY - Amendments to PSC 1-Electricity, eff. 12/1/14 (postponed to 12/16/14), to Increase its Annual Revenues by about \$299,577 or 21%.
- 367 There is no item 367.
- 368 13-T-0077 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Amendment to Homer City to Stolle Road 345 kV Transmission Facility to Construct a Substation.
- 369 12-E-0400 CAYUGA OPERATING COMPANY, LLC - Petition to Mothball Generating Units 1 and 2.

- 370 14-E-0372 BINGHAMTON BOP LLC - Petition for an Original Certificate of Public Convenience and Necessity and Establishing a Lightened Regulatory Regime.
- 371 12-E-0577 Proceeding on Motion of the Commission to Examine Repowering Alternatives to Utility Transmission Reinforcements.

### **WATER**

- 461 13-W-0486 SARATOGA WATER SERVICES, INC. and LAKEVIEW OUTLETS, INC. - Joint Petition for a Declaratory Ruling Concerning the Provision of Water Service to Malta Town Commons, the Town of Malta, Saratoga County and for Authority Pursuant to Public Service Law, Section 89-f, to Issue and Sell Long-Term Debt in an Amount Not to Exceed \$175,000.
- 462 14-W-0225 UNITED WATER NEW ROCHELLE INC. - Petition for Approval of use of Sensus Radio Frequency FlexNet 510M and 520M devices in New York.

### **COMMUNICATIONS**

- 561 09-M-0527 Proceeding to Examine Issues Related to a Universal Service Fund - Petition of Verizon New York, Inc. for partial rehearing, clarification, or reconsideration of the Commission's October 3, 2014 Order Implementing Access Charge Reform.
- 562 14-C-0308 BRICK SKIRT HOLDINGS, INC., DFT TELEPHONE HOLDING COMPANY, LLC, DFT COMMUNICATIONS CORPORATION, DUNKIRK AND FREDONIA TELEPHONE COMPANY, CASSADAGA TELEPHONE CORPORATION, DFT LOCAL SERVICE CORP. and BRIGHTON COMMUNICATIONS CORPORATION - Petition for Authority to Transfer and Acquire Shares of Capital Stock and Other Transactions.
- 563 14-C-0182 NEUSTAR, INC. - Petition for Approval of NPA Relief Plan for the 631 Area Code.

- 564 14-C-0303 MR. ABRAHAM FRIEDMAN/VERIZON NEW YORK INC. Appeal of Informal Hearing Decision.

### **CABLE**

- 661 Petitions for Renewal of Cable Television Franchises.
- 14-V-0407 CABLEVISION OF WAPPINGERS FALLS, INC./TOWN OF MOUNT PLEASANT, WESTCHESTER COUNTY.
- 14-V-0411 TIME WARNER CABLE NORTHEAST LLC/TOWN OF TUSTEN, SULLIVAN COUNTY.
- 14-V-0412 TIME WARNER CABLE NORTHEAST LLC/TOWN OF TAYLOR, CORTLAND COUNTY.
- 14-V-0444 CHARTER COMMUNICATIONS/TOWN OF AUSTERLITZ, COLUMBIA COUNTY.
- 14-V-0445 CABLEVISION OF ROCKLAND/RAMAPO, LLC/VILLAGE OF TUXEDO PARK, ORANGE COUNTY.
- 662 14-V-0478 VERIZON NEW YORK INC. - Petition for Orders of Entry for 13 Multiple-Dwelling Unit Buildings in the City of New York.
- 663 14-V-0226 VERIZON NEW YORK INC. - Petition for a Certificate of Confirmation for its Franchise with the Town/Village of Harrison, Westchester County.

#### **Instructions to View Videocast at PSC's NYC Offices**

Individuals in New York City wishing to view the Commission's meeting may do so in the Board Room on the 4<sup>th</sup> 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.

#### **Instructions to View Video Broadcast of Meeting**

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

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.

### **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** or discussion items will be posted for public viewing, if feasible, by 5:00 p.m. the day before a Commission meeting. The draft orders will be made available at: [www.dps.ny.gov/DraftDocuments.html](http://www.dps.ny.gov/DraftDocuments.html)

The posted drafts will be removed by 5:00 p.m. on the day of the Commission meeting. The proposed 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](http://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](http://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 14<sup>th</sup> 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, January 8, 2015, in Albany, New York.**

Individuals in Albany wishing to observe the Commission's meeting may do so in the Board Room on the 19<sup>th</sup> floor of the Commission's offices at Three Empire State Plaza. **Pursuant to procedures established by the building management, anyone planning to view the meeting in the New York City Office 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.** The videocasting will be for viewing and listening purposes only.

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