

Consent Agenda Report for 02/22/2018

The following is a preliminary and informal summary of actions the Commission took at its public session on February 22, 2018. 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

17-G-0746 Rehearing of Commission Determination
MS. PADMINE LALL/MS. SYBIL RAMSARAN AND
THE BROOKLYN UNION GAS COMPANY D/B/A
NATIONAL GRID - The Commission decided to deny
the request for rehearing.

ITEM 162

16-G-0257 NATIONAL FUEL GAS DISTRIBUTION
CORPORATION - The Commission decided to
approve, on a permanent basis, the company's
compliance tariff filing effectuating the terms of Rate
Year 1 pursuant to Commission Order issued April 20,
2017 in this proceeding.

ITEM 163

14-G-0494 ORANGE AND ROCKLAND UTILITIES, INC. - The
Commission decided to approve, on a permanent
basis, the company's compliance tariff filing
effectuating the terms of Rate Year 3 pursuant to
Commission Order issued October 16, 2015 in this
proceeding.

ITEM 164-A

In the Matter of Enforcement Proceedings for Alleged
Violations of 16 NYCRR Part 753: Protection of
Underground Facilities.
17-G-0376 INDER HOME IMPROVEMENT, INC./
CONSOLIDATED EDISON COMPANY OF NEW
YORK, INC.
18-G-0034 VALLEY PLUMBING & SEPTIC WATER FILTRATION
& TREATMENT/CENTRAL HUDSON GAS &
ELECTRIC CORPORATION.
18-G-0035 NARDONE CONSTRUCTION INC./CONSOLIDATED
EDISON COMPANY OF NEW YORK, INC.
18-G-0036 SCAPING DEVELOPMENT CORP./CONSOLIDATED
EDISON COMPANY OF NEW YORK, INC.

ITEM 164-A (Cont'd)

- 18-G-0037 NEW YORK CITY DEPARTMENT OF
TRANSPORTATION/CONSOLIDATED EDISON
COMPANY OF NEW YORK, INC.
- 18-G-0038 ESSWEIN ASSOCIATES, INC./KEYSPAN GAS EAST
CORPORATION D/B/A NATIONAL GRID.
- 18-G-0039 T.R.C. ELECTRIC CORP./KEYSPAN GAS EAST
CORPORATION D/B/A NATIONAL GRID.
- 18-G-0040 GANZ MANAGEMENT LLC/KEYSPAN GAS EAST
CORPORATION D/B/A NATIONAL GRID.
- 18-G-0041 SILVA EXCAVATING CORP./KEYSPAN GAS EAST
CORPORATION D/B/A NATIONAL GRID.
- 18-G-0042 ALMAS CONSTRUCTION LLC/KEYSPAN GAS EAST
CORPORATION D/B/A NATIONAL GRID.
- 18-G-0043 ROADWORK AHEAD, INC./KEYSPAN GAS EAST
CORPORATION D/B/A NATIONAL GRID.
- 18-G-0044 ALL QUALITY MASONRY CORP./KEYSPAN GAS
EAST CORPORATION D/B/A NATIONAL GRID.
- 18-G-0045 ATLAS ASPHALT/KEYSPAN GAS EAST
CORPORATION D/B/A NATIONAL GRID.
- 18-G-0046 ROYAL STAR ASSOCIATES, INC./KEYSPAN GAS
EAST CORPORATION D/B/A NATIONAL GRID.
- 18-G-0047 AKG2, INC./NATIONAL FUEL GAS DISTRIBUTION
CORPORATION.
- 18-G-0048 POSILICO CIVIL, INC./NEW YORK STATE
ELECTRIC & GAS CORPORATION.
- 18-G-0049 GALLO CONSTRUCTION
CORPORATION/NIAGARA MOHAWK POWER
CORPORATION, D/B/A NATIONAL GRID.
- 18-G-0050 NEW BREMEN CONTRACTORS/NIAGARA
MOHAWK POWER CORPORATION, D/B/A
NATIONAL GRID.
- 18-G-0051 ULTRACLEAN, INC./NIAGARA MOHAWK POWER
CORPORATION, D/B/A NATIONAL GRID.
- 18-G-0052 PETK, INC./THE BROOKLYN UNION GAS
COMPANY D/B/A NATIONAL GRID NY.

ITEM 164-A (Cont'd)

18-G-0053 YATZIV CORP./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.

The Commission determined a \$12,500 penalty in Case 18-G-0043, and determined \$2,500 penalties in Cases 17-G-0376, 18-G-0034, 18-G-0035, 18-G-0036, 18-G-0037, 18-G-0038, 18-G-0039, 18-G-0040, 18-G-0041, 18-G-0042, 18-G-0044, 18-G-0045, 18-G-0046, 18-G-0047, 18-G-0048, 18-G-0049, 18-G-0050, 18-G-0051, 18-G-0052, and 18-G-0053.

ITEM 164-B

In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities.

17-G-0388 TOWN OF NORTH HEMPSTEAD HIGHWAY DEPARTMENT/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID

17-G-0786 CITY OF TROY DEPARTMENT OF PUBLIC UTILITIES/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID

18-G-0054 NEW YORK STATE THRUWAY AUTHORITY/CENTRAL HUDSON GAS & ELECTRIC CORPORATION

18-G-0055 DR. BLACKTOP FOR/CENTRAL HUDSON GAS & ELECTRIC CORPORATION

18-G-0056 HULSAIR CHARLES & SON/CENTRAL HUDSON GAS & ELECTRIC CORPORATION

18-G-0057 COREWOOD VENTURES, INC./CENTRAL HUDSON GAS & ELECTRIC CORPORATION

18-G-0058 FRANK P. KANE CONSTRUCTION, INC./ENBRIDGE ENERGY, LLP - LAKEHEAD PIPE LINE COMPANY

18-G-0059 NYC DEP SEWER DEPARTMENT/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID

18-G-0060 METROPOLITAN FURNITURE AND CONSTRUCTION CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID

18-G-0061 NORTH COUNTRY CONTRACTORS, LLC/NEW YORK STATE ELECTRIC & GAS CORPORATION

18-G-0062 MITCHISON AND SONS, INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID

18-G-0063 AHP HARDSCAPING INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID

ITEM 164-B (Cont'd)

18-G-0064 MALANGA CONSTRUCTION INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY

The Commission decided to grant Consent Orders in Cases 17-G-0388, 17-G-0786, 18-G-0054, 18-G-0055, 18-G-0056, 18-G-0057, 18-G-0058, 18-G-0059, 18-G-0060, 18-G-0061, 18-G-0062, 18-G-0063, and 18-G-0064.

ITEM 164-C

17-G-0400 Z & J MANAGEMENT LLC/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY - The Commission decided to deny the company's petition for rehearing.

General

ITEM 261

14-M-0565, 16-E-0060, 16-G-0061 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to approve, on a permanent basis, the company's electric and gas compliance tariff filings effectuating the terms of Rate Year 2 and tiered discount levels for customers enrolled in the Company's low-income programs pursuant to Commission Orders issued January 2, 2017 in these proceedings and February 17, 2017 in Case 14-M-0565.

ITEM 262

17-M-0552 MPOWER ENERGY LLC - The Commission approved the company to continue marketing to and enrolling residential and non-residential customers as long as MPower abides by all of the proposed business practice and marketing standard improvements that were set forth in MPower's responses to the Show Cause Order. In addition, MPower shall continue to report to the Department the detailed results of its investigation of each customer complaint sent to the company by the Department.

- ITEM 263
13-S-0032 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to approve, on a permanent basis, the company's steam compliance tariff filing effectuating the terms of Rate Year 5 pursuant to Commission Order issued February 21, 2014 in this proceeding.
- ITEM 264
17-M-0735 SITHE/INDEPENDENCE POWER PARTNERS, L.P., VISTRA ENERGY CORP., AND DYNEGY INC. - The Commission decided to find that petitioners satisfied the Walkill Presumption and, therefore, no further review under PSL Section 70 is needed for a proposed transfer of indirect interests in jurisdictional electric plant.
- Power**
- ITEM 361
17-E-0301 ERY RETAIL PODIUM LLC - The Commission decided to approve the company's petition to submeter electricity at 15 Hudson Yards, New York, New York located in the territory of Consolidated Edison Company of New York, Inc.
- ITEM 362
17-E-0456 SANDY 350 LLC - The Commission decided to approve the company's petition to submeter electricity at 350 Clarkson Avenue, Brooklyn, New York, located in the territory of Consolidated Edison Company of New York, Inc.
- ITEM 363
17-E-0474 CPS FEE COMPANY LLC - The Commission decided to approve the company's petition to submeter electricity at 252 South Street, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc.
- ITEM 364
17-E-0742 Rehearing of Commission Determination
MR. DARREN MANNINO/MS. KIAMESHA HART AND CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to deny the request for rehearing.

- ITEM 365
17-E-0748 Rehearing of Commission Determination
MS. JEANIE ZELLER/MS. CINDY LEIP AND
NIAGARA MOHAWK POWER CORPORATION
D/B/A NATIONAL GRID - The Commission decided
to deny the request for rehearing.
- ITEM 366
17-E-0544 BLDG 44 DEVELOPERS, LLC - The Commission
decided to approve the company's petition to
submeter electricity at 222 East 44th Street, New
York, New York located in the territory of
Consolidated Edison Company of New York, Inc.
- ITEM 367
17-E-0453 BOP GREENPOINT G LLC - The Commission
decided to approve the company's petition to
submeter electricity at 37 Blue Slip, Brooklyn, New
York, located in the territory of Consolidated Edison
Company of New York, Inc.
- ITEM 368
17-E-0358 685 FIRST REALTY COMPANY, LLC - The
Commission decided to approve the company's
petition to submeter electricity at 685 1st Avenue,
New York, New York, located in the territory of
Consolidated Edison Company of New York, Inc.
- ITEM 369
17-E-0433 BRIDGE LAND VESTRY LLC - The Commission
decided to approve the company's petition to
submeter electricity at 70 Vestry Street, New York,
New York, located in the territory of Consolidated
Edison Company of New York, Inc.
- ITEM 370
17-E-0406 SATEC, INC. - The Commission decided to approve
the BFM-II Electric Multi-Channel Meter for use in in
electric metering applications in New York State.
- ITEM 371
17-E-0639 CONSOLIDATED EDISON COMPANY OF NEW
YORK, INC. - The Commission decided to approve
the company's electric tariff filing eliminating interval
data charges for Energy Service Companies, P.S.C.
No. 10.

ITEM 372

There is no Item 372

ITEM 373

17-E-0604

OPPORTUNITIES FOR BROOME, INC. - The Commission decided to grant request of the company for waiver of the individual metering requirements of 16 NYCRR Part 96 at 88-90 Carroll Street, Binghamton, New York, located in the territory of New York State Electric and Gas Corporation.

ITEM 374

14-E-0151, 14-E-0422 SOLAR ALLIANCE FREEDOM INC. - The

Commission decided to deny the company's petition for an extension of time to pay the construction cost down payment required under the New York State Standardized Interconnection Requirements for Distributed Generators 2 MW or Less.

ITEM 375

There is no Item 375

ITEM 376

There is no Item 376

ITEM 377

15-E-0751

NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - The Commission decided to grant the company's petition for approval to allow Minor Tranche Adjustments.

ITEM 378

There is no Item 378

ITEM 379

There is no Item 379

ITEM 380

17-E-0805

CALPINE CORPORATION AND ACCESS INDUSTRIES, INC. - The Commission decided to find that petitioners satisfied the Walkkill Presumption and, therefore, no further review under PSL Section 70 is needed for a proposed acquisition of rights regarding indirect interests in jurisdictional electric plant. The Commission also ruled that the previously-approved lightened regulation and financing approvals are continued.

ITEM 381
 16-E-0057 FASTRAC MARKETS, LLC - The Commission decided to grant rehearing in part, and rule that the Commission previously granted RED-Rochester the exclusive authority to provide electric, gas, and steam delivery service to customers located within the Kodak Park. The Commission further ruled that RED-Rochester's authority is only exclusive with respect to its existing customers.

Water

ITEM 461
 17-W-0288 NEW ROCHELLE HOME OWNERS ASSOCIATION - The Commission decided to deny the company's petition for rehearing of the Commission's September 20, 2017 Order.

ITEM 462
 17-W-0618 NEW YORK AMERICAN WATER COMPANY, INC. - The Commission decided to approve the company's request for authority, through March 31, 2021 to issue new unsecured debt obligations with modification. NYAW is authorized through March 31, 2021 to issue not to exceed \$52.0 million of new unsecured debt obligations and to refund up to \$15.0 million of existing debt obligations should it be economic to do so.

ITEM 463
 16-W-0259 NEW YORK AMERICAN WATER COMPANY, INC. - The Commission decided to approve, on a permanent basis, the company's compliance filing effectuating Rate Year 1 pursuant to Commission Order issued May 18, 2017.

Communications

ITEM 561
 18-C-0009 Appeal of an Informal Hearing Decision
 MR. THEODORE M. BIER/VERIZON - The Commission decided to deny complainant's appeal of informal hearing decision.

ITEM 562
 17-C-0185 VERIZON NEW YORK INC. – Report on the quality of service provided by the company for the 4th quarter of 2017.

ITEM 563

17-C-0608

VERNON TELEPHONE COMPANY, INC. AND ORISKANY FALLS TELEPHONE CORPORATION - The Commission decided to approve the companies joint petition to merge the two companies via the transfer of all Oriskany Falls' assets to Vernon. The Commission approved Oriskany Falls' to surrender its Certificate of Public Convenience and Necessity (CPCN) and for Vernon's CPCN to be amended to reflect the addition of Oriskany Falls' territory, and the dissolution of Oriskany Falls as a corporate entity.

Cable

ITEM 661

17-V-0443

VERIZON NEW YORK INC. - The Commission decided to approve a portion of the company's petition for Orders of Entry for 46 multiple-dwelling unit buildings in the City of New York.

ITEM 662

17-V-0444

VERIZON NEW YORK INC. - The Commission decided to approve a portion of the company's petition for Orders of Entry for 31 multiple-dwelling unit buildings in the City of New York.

ITEM 663

17-V-0709

CITIZENS TELECOMMUNICATIONS COMPANY OF NEW YORK, INC. D/B/A FRONTIER COMMUNICATIONS - The Commission decided to approve a Certificate of Confirmation for a cable franchise in the Village of Wurtsboro, Sullivan County and approve Frontier's request for waiver of certain Commission rules.

ITEM 664

17-V-0711

COMCAST OF NEW YORK, LLC/TOWN OF HAMPTON, WASHINGTON COUNTY

17-V-0744

VERIZON NEW YORK INC./VILLAGE OF POQUOTT, SUFFOLK COUNTY

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