



Consent Agenda Report for 10/13/2016

The following is a preliminary and informal summary of actions the Commission took at its public session on October 13, 2016. 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.

ITEM 161	11-G-0056	<u>Rehearing of Commission Determination</u> PETER AND THOMAS L. BROWN/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID - The Commission decided to uphold its original determination.
ITEM 162	11-G-0099	<u>Appeal of Informal Hearing Decision</u> CREATIVE HOUSING LTD./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID - The Commission decided to uphold, in part, and modify, in part, the informal hearing decision.
ITEM 163	16-T-0422	EMKEY RESOURCES, LLC AND MINARD RUN OIL COMPANY - The Commission decided to approve the transfer to Minard Run Oil Company of the Certificate of Environmental Compatibility and Public Need granted to Emkey Resources, LLC Case 12-T-0114.
ITEM 164		There is no Item 164
ITEM 165	16-G-0152	In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753: <u>Protection of Underground Facilities</u> PISA CONTRACTING, INC. D/B/A HANCOCK CONTRACTING & DESIGN/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
	16-G-0165	BASELINE KING CORP./ROCHESTER GAS AND ELECTRIC CORPORATION
	16-G-0221	WINTER BROTHERS, INC./ORANGE AND ROCKLAND UTILITIES, INC.
	16-G-0507	ASPEN LANDSCAPING CONTRACTING, INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
	16-G-0508	ARDENT SITE DEVELOPMENT CORP./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
	16-G-0509	TIGRE STONE & MASONRY INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID

- ITEM 165 (Cont'd.)
- 16-G-0510 ROBERT LANDSCAPING & CONSTRUCTION, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
 - 16-G-0511 COUNTRY STONE & FENCE CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
 - 16-G-0512 OSCAR'S ROCK AND DIRT. INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
 - 16-G-0513 BT GENERAL BUILDERS INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
 - 16-G-0514 TOWN OF NORTH BABYLON/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
 - 16-G-0515 A. DILEMME CONCRETE CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
 - 16-G-0516 PIONEER ASPHALT PAVING CONTRACTORS, LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
 - 16-G-0517 KINGSVIEW PAVING & EXCAVATING/NATIONAL FUEL GAS DISTRIBUTION CORPORATION
 - 16-G-0518 CLIFTON PARK LANDSCAPE, INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID
 - 16-G-0519 COUNTY OF HERKIMER HIGHWAY DEPARTMENT/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID
 - 16-G-0520 FURDI'S HOMES/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID
 - 16-G-0521 PAVING SOLUTIONS INC./ORANGE AND ROCKLAND UTILITIES, INC.
 - 16-G-0522 PRIMA PAVING CORP./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY
 - 16-G-0524 BRUNO FRUSTACI CONTRACTING INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY
 - 16-G-0525 CLEARWATER ENTERPRISES, INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY
 - 16-G-0526 ADVANCED BUILDERS & LAND DEVELOPMENT INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY
 - 16-G-0527 NYC MAINMAN CORP./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY

The Commission decided to grant Consent Orders in Cases 16-G-0514, 16-G-0515, 16-G-0516, 16-G-0517, 16-G-0519, 16-G-0520, and 16-G-0521, determined a \$12,500 penalty in Case 16-G-0518, and determined \$2,500 penalties in Cases 16-G-0152, 16-G-0165, 16-G-0221, 16-G-0507, 16-G-0508, 16-G-0509, 16-G-0510, 16-G-0511, 16-G-0512, 16-G-0513, 16-G-0518, 16-G-0522, 16-G-0524, 16-G-0525, 16-G-0526, and 16-G-0527.

ITEM 166 16-G-0406 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to approve, with modifications, the company's tariff filing revising its gas tariff schedule, P.S.C. No. 9, in regard to Daily Delivery Service and Winter Bundled Sales Service.

General

ITEM 261 14-M-0001 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. AND ORANGE AND ROCKLAND UTILITIES, INC. - The Commission decided to approve the companies' revised implementation plan for the management and operations audits of their New York electric, gas, and steam operations

ITEM 262 16-M-0562 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. – The Commission decided to confirm a one commissioner order made in the proceeding by Audrey Zibelman, Chair, on October 11, 2016, providing for further review of a transfer of property to the Town of North Castle.

Power

ITEM 361 15-E-0560 Rehearing of Designee Determination
GLENWYCK DEVELOPMENT, LLC AGAINST NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - The Commission decided to direct the company to fully reimburse Glenwyck Development, LLC for trenching costs at a housing development.

ITEM 362 16-E-0469 Rehearing of Designee Determinations
MR. BERNARD BONAVIDA/MS. GLORIA MALCHIODI/MR. JOHN MALCHIODI/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
16-E-0477 16-E-0477 - MS. SHA-RON DURANT/MS. BECKY BRIGGS/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

The Commission decided to deny the requests for rehearing.

- ITEM 363 16-E-0393 Rehearing of Designee Determinations
 MR. ARTHUR BAILEY/MS. AMANDA EPPERSON/
 NIAGARA MOHAWK POWER CORPORATION D/B/A
 NATIONAL GRID
- 16-E-0405 MR. KIRKE FOOTE/MS. ANNE MARIE FODERA/MR. VITO
 FODERA/CONSOLIDATED EDISON COMPANY OF NEW
 YORK, INC.

The Commission decided to deny the requests for rehearing.

- ITEM 364 16-E-0504 NIAGARA MOHAWK POWER CORPORATION - The
 Commission decided to approve the company's tariff filing of
 a housekeeping nature updating language contained in
 General Information Rule 29.1.2, P.S.C. No. 220 - Electricity.

- ITEM 365 16-E-0320 QPS 23-10 DEVELOPMENT LLC - The Commission
 decided to approve the company to submeter electricity at
 23-01 42nd Street, Long Island City, New York, located in
 the territory of Consolidated Edison Company of New York
 Inc.

- ITEM 366 11-E-0339 Appeal of Informal Hearing Decision
 AMC 35TH ST. FOOD CORP./CONSOLIDATED EDISON
 OF NEW YORK, INC. - The Commission decided to uphold
 the informal hearing decision.

- ITEM 367 14-E-0454 NEW YORK INDEPENDENT SYSTEM OPERATOR,
 INC. - The Commission decided to find that a Public
 Policy Transmission Need (PPTN) exists in Western New
 York, and that NYISO should move forward with its
 evaluation and selection of the most efficient and cost
 effective transmission solution to meet the identified
 PPTN.

- ITEM 368 15-E-0745,
 15-E-0746,
 15-E-0747,
 15-E-0748
 15-E-0749 CENTRAL HUDSON GAS & ELECTRIC CORPORATION,
 NEW YORK STATE ELECTRIC & GAS CORPORATION,
 NIAGARA MOHAWK POWER CORPORATION D/B/A
 NATIONAL GRID, ROCHESTER GAS AND ELECTRIC
 CORPORATION and ORANGE AND ROCKLAND
 UTILITIES, INC. - The Commission decided to approve the
 Utilities' tariff filings effectuating Public Service Law New
 §70-a (Transfer of Street Light Systems) with modifications.

- ITEM 369 15-E-0559 AVALON WILLOUGHBY WEST, LLC - The Commission
 decided to approve the company's petition to submeter
 electricity at 100 Willoughby Street, Brooklyn, NY and 214
 Duffield Street, Brooklyn, New York, located in the territory
 of Consolidated Edison Company of New York Inc.

- ITEM 370 16-E-0120 BAM GO DEVELOPERS LLC - The Commission decided to approve the company's petition to submeter electricity at 250 Ashland Place, Brooklyn, New York, located in the territory of Consolidated Edison Company of New York, Inc.

- ITEM 371 15-E-0300 39 PLAZA HOUSING CORPORATION - The Commission decided to approve the company's petition to submeter electricity at 39 Plaza Street West, Brooklyn, New York, located in the territory of Consolidated Edison Company of New York Inc.

- ITEM 372 16-E-0265 135 WEST 52ND STREET CONDOMINIUM - The Commission decided to approve the company's petition to submeter electricity at 135 West 52nd Street, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc.

- ITEM 373 16-E-0225 AFFINITY POTSDAM PROPERTIES, LLC - The Commission decided to approve the company's petition to submeter electricity at 206 Outer Main Street, Building #67, Potsdam, New York, located in the territory of Niagara Mohawk Power Corporation d/b/a National Grid.

Water

- ITEM 461 16-W-0078 WHISTLE TREE DEVELOPMENT CORP. - The Commission decided to approve the transfer of the company's stock to Scribners Catskill Lodge, LLC.

- ITEM 462 16-W-0126 CRYSTAL WATER CORP. AND BRUCE MCNAB - The Commission decided to approve the transfer of the company's stock to Bruce McNab.

- ITEM 463 16-W-0410 NEW YORK AMERICAN WATER COMPANY, INC. - The Commission decided to approve the use of earning sharing refunds to offset the surcharge and to authorize deferment of a portion of the property tax under-collection in order to reduce the surcharge and mitigate bill impacts. The Commission also authorized the collection of the surcharge over twelve months and waives the monthly surcharge limit of \$4.00. The resultant surcharge will total \$323.40 per customer, billed as \$80.85 per quarter.

- ITEM 464 16-W-0550 NEW YORK AMERICAN WATER COMPANY, INC. - The Commission decided to confirm a one commissioner order by Commissioner Sayre, on September 30, 2016, that appointed New York American Water Company, Inc. as temporary operator of Whitlock Farms Water Company and New Vernon Water Company.

ITEM 465 16-W-0415 ARBOR HILL WATER WORKS, INC. - The Commission decided to require the company to submit a water capacity development plan and condition future escrow account disbursements on Department pre-approval.

Cable

ITEM 661 16-V-0317 COMMUNITY CABLE CORPORATION D/B/A NORTH PENN VIDEO - The Commission decided to approve the company's petition for a Certificate of Confirmation for its Franchise with the Village of Dansville, Livingston County.

ITEM 662 16-V-0360 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 663 16-V-0291 HEART OF THE CATSKILLS COMMUNICATIONS INC. D/B/A MTC CABLE - The Commission decided to approve the company's Certificate of Confirmation for a cable franchise agreement to provide video service between the company and the Town of Harpersfield (Delaware County).

ITEM 664 16-V-0361 VERIZON NEW YORK INC. - The Commission decided to approve a portion of the company's petition for Orders of Entry for 41 multiple-dwelling unit buildings in the City of New York.

ITEM 665 16-V-0314 EMPIRE VIDEO SERVICE CORPORATION – The Commission decided to approve the company's petition for a Certificate of Confirmation for its Franchise with the Village of Penn Yan, Yates County.

ITEM 666 16-V-0316 EMPIRE VIDEO SERVICES CORPORATION - The Commission decided to approve the company's petition for a Certificate of Confirmation for its Franchise with the Village of Dansville, Livingston County.

ITEM 667 16-V-0315 COMMUNITY CABLE CORPORATION D/B/A NORTH PENN VIDEO - The Commission decided to approve the company's petition for a Certificate of Confirmation for its Franchise with the Village of Penn Yan, Yates County

		<u>Petitions for Renewal of Cable Television Franchises</u>
ITEM 668	16-V-0357	TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF RUSHVILLE, COUNTIES OF ONTARIO AND YATES
	16-V-0359	TIME WARNER CABLE NORTHEAST LLC/TOWN OF WAYNE, STEUBEN COUNTY
	16-V-0371	TIME WARNER CABLE NORTHEAST LLC/TOWN OF HOPKINTON, ST. LAWRENCE COUNTY
	16-V-0380	TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF DANSVILLE, LIVINGSTON COUNTY

The Commission decided to approve the franchise agreement renewals for the listed companies.