

## Consent Agenda Report for 10/17/2019

The following is a preliminary and informal summary of actions the Commission took at its public session on October 17, 2019. 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-A

In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities (Penalty Determination)

19-G-0567	JP EXPRESS DEMOLITION & EXCAVATING, INC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
19-G-0569	A. COLARUSSO AND SON, INC./CENTRAL HUDSON GAS & ELECTRIC CORPORATION
19-G-0570	J F K CONSTRUCTION SERVICES CORP/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY
19-G-0571	JEOVANNY'S HOME SOLUTIONS & DESIGN MANAGEMENT/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
19-G-0573	NATIONAL LAWN SPRINKLERS INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
19-G-0574	GOLD COAST PAVERS, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
19-G-0575	JRCRUZ CORPORATION/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
19-G-0578	CNY CONTRACTING, EXCAVATING & CONCRETE/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID

The Commission determined a \$10,000 penalty be determined in Case 19-G-0574, and \$2,500 penalties in Cases 19-G-0567, 19-G-0569, 19-G-0570, 19-G-0571, 19-G-0573, 19-G-0575 and 19-G-0578.

ITEM 161-B In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities (Consent Order Approvals)

- 19-G-0553 GIUSEPPE & SON CONTRACTING CORP./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 19-G-0581 NORWEGIAN BUILDER & EXCAVATOR LLC/CENTRAL HUDSON GAS & ELECTRIC CORPORATION
- 19-G-0582 FUSCHETTO HOME IMPROVEMENTS, LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID

The Commission decided to approve Consent Orders in Cases 19-G-0553, 19-G-0581, and 19-G-0582.

ITEM 162

- 18-G-0133 & 18-G-0140 ST. LAWRENCE GAS COMPANY, INC. - The Commission decided to adopt the terms of the Joint Proposal, resolving issues in the Expansion Rate Case, regarding surcharges in St. Lawrence’s Expansion Area and the Acquisition and Financing Case, regarding Liberty Utilities’ acquisition of St. Lawrence and related financing.

ITEM 163

There is no item 163

ITEM 164

There is no item 164

ITEM 165

- 15-G-0244 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to the company’s request for authorization of alternate survey and inspection intervals on a pilot basis with conditions.

ITEM 166

- 18-G-0709 Commissioner Diane X. Burman, dissenting KEYSpan GAS CORPORATION D/B/A NATIONAL GRID; NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID; THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY - The Commission decided to approve the suspension of the effective date through and including February 28, 2020.
- 18-G-0710
- 18-G-0711

**General**

- ITEM 261  
 18-M-0253 ROCHESTER GAS AND ELECTRIC CORPORATION AND NEW YORK STATE ELECTRIC & GAS CORPORATION - The Commission decided to grant the petition for Declaratory Ruling and find that Public Service Law (PSL) Section 70 is not applicable to environmental easements granted by the utilities to the New York State Department of Environmental Conservation (DEC) pursuant to statutorily mandated remediation programs.
- ITEM 262  
 19-M-0350 Commissioner Diane X. Burman, concurring NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID; THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY; AND KEYSpan GAS EAST CORP. D/B/A NATIONAL GRID - The Commission decided to authorize National Grid to adjust the methodology governing how annual adjustments to low income discount amounts in their energy affordability programs are performed.
- ITEM 263  
 19-M-0281 BLUESOURCE ENERGY LLC - The Commission decided to revoke the company’s eligibility to serve energy customers in New York State.
- ITEM 264  
 15-M-0180, 18-M-0376, 98-M-1343 Commissioner Diane X. Burman, concurring The Commission decided to establish minimum cybersecurity and privacy protections.
- ITEM 265  
 19-M-0577 The Commission decided to hear the petition of Utility Rate Analysis Consultants for a Declaratory Ruling Concerning National Grid response to consumer complaints.

**Power**

- ITEM 361  
14-F-0490 CASSADAGA WIND LLC - The Commission decided to approve the company's Compliance Filings 23, 26, 27, 35, and 36.
- ITEM 362  
19-E-0439 SAFON OWNER LLC - The Commission decided to approve the company's petition to submeter electricity at 2 Washington Street, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc.
- ITEM 363  
19-E-0550 Rehearing of Commission Determination  
MR. WILLIAM KNAPP/MR. JUSTIN JONES AND NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - The Commission decided to uphold the designee's determination.
- ITEM 364  
19-E-0466 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - The Commission decided to approve Central Hudson's tariff filing of a housekeeping nature removing tariff references to its Meter Service Providers and Meter Data Service Provider Programs.
- ITEM 365  
17-E-0459 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - The Commission decided to adopt as a permanent rule the Order Approving Revenue Decoupling Mechanism Modification on an Expedited Basis in accordance with SAPA.
- ITEM 366  
19-E-0468 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - The Commission decided to approve the transfer of certain street lighting facilities from National Grid to the City of Syracuse.

- ITEM 367  
19-E-0247 P8/SILVERBACK 24-16 QPS OWNER LLC - The Commission decided to approve the company's petition to submeter electricity at 24-16 Queens Plaza South, Long Island City, New York, located in the territory of Consolidated Edison Company of New York, Inc.
- ITEM 368  
19-E-0409 211 SEA FOAM PROPERTIES, LLC -The Commission decided to approve the company's petition to submeter electricity at 211 West 29th Street, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc., and grants petitioner's request for a waiver of 16 NYCRR §96.5(k)(3).
- ITEM 369  
19-E-0422 EMPIRE HOLDINGS, LLC, EMPIRE GEN HOLDCO, EMPIRE GENERATING CO, LLC, TTK EMPIRE POWER, LLC AND EMPIRE ACQUISITION, LLC - The Commission decided to issue a Declaratory Ruling that the proposed transactions need not be reviewed further pursuant to PSL §70.
- ITEM 370  
19-E-0001 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - The Commission decided to approve the Company's petition amending P.S.C. No. 214 - Electricity to include decorative LED service offerings.
- ITEM 371  
18-T-0202 EIGHT POINT WIND, LLC - The Commission decided to Grant the Article VII Certificate with Conditions.
- ITEM 372  
18-E-0787 ORANGE AND ROCKLAND UTILITIES, INC. - The Commission decided to approve the company's petition to transfer street lighting facilities to the Town of Warwick, with modification.

ITEM 373  
 19-E-0076 ORANGE AND ROCKLAND UTILITIES, INC. - The Commission decided to approve the company's petition to transfer street lighting facilities to the Village of Nyack, with modification.

ITEM 374  
 19-E-0009 Appeal of an Informal Hearing Decision  
 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC./ ECCLESIASTICAL ASSIST CORPORATION OF THE ARCHDIOCESE OF NEW YORK - The Commission decided uphold the informal Hearing decision.

ITEM 375  
 19-E-0464 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to approve, with modifications, Con Edison's tariff filing implementing provisions to allow PASNY customers to receive Value Stack compensation for the excess electricity generated and injected into the grid by eligible on-site and remote net-metered projects.

**Water**

ITEM 461  
 19-W-0460 & 19-W-0644 RIVER ROAD WATER DISTRICT - The Commission decided to authorize River Road Water District to establish and maintain a replenishable escrow account with a maximum balance of \$4,000, to be funded by a semi-annual customer surcharge of \$50.00, to become effective November 1, 2019.

ITEM 462  
 16-W-0259 NEW YORK AMERICAN WATER COMPANY, INC. - The Commission decided to approve the Company's proposals, with modification, regarding the treatment of its Revenue and Property Tax Reconciliation Mechanism for Rate Year 2 for both Service Area 1 and Service Area 2 and update the Revenue Adjustment Clause targets for Rate Years Three and Four, for Service Area 2.

**Cable**

- ITEM 661  
 19-V-0398 VERIZON NEW YORK INC. - The Commission decided to approve a portion of Verizon New York Inc.'s Petition for Orders of Entry for 58 multiple-dwelling unit buildings in the City of New York.
  
- ITEM 662  
 19-V-0396 VERIZON NEW YORK INC. - The Commission decided to approve Verizon New York Inc.'s Petition for an Order of Entry for 149 Clinton Avenue, Brooklyn, NY.
  
- ITEM 663  
 19-V-0395 VERIZON NEW YORK INC. - The Commission decided to approve a portion of Verizon New York Inc.'s Petition for Orders of Entry for 41 multiple-dwelling unit buildings in the City of New York.
  
- ITEM 664  
 19-V-0529 TIME WARNER CABLE NORTHEAST LLC/TOWN OF PALATINE, MONTGOMERY COUNTY.  
 19-V-0531 CABLEVISION OF ROCKLAND/RAMAPO, LLC/VILLAGE OF SLOATSBURG, ROCKLAND COUNTY.  
 19-V-0537 TIME WARNER CABLE NORTHEAST LLC/CITY OF OLEAN, CATTARAUGUS COUNTY.  
 19-V-0555 TIME WARNER CABLE NORTHEAST LLC/TOWN OF DANSVILLE, STEUBEN COUNTY.  
 19-V-0557 TIME WARNER CABLE NORTHEAST LLC/TOWN OF OTISCO, ONONDAGA COUNTY.  
 19-V-0558 CABLEVISION SYSTEMS HUNTINGTON CORPORATION/TOWN OF HUNTINGTON, SUFFOLK COUNTY.

The Commission decided to approve the cable franchise renewals listed above.