



## Public Service Commission

**For Immediate Release: March 18, 2020**

John B. Rhodes, Chair

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### **COMMISSION ISSUES FINAL MARCH 19, 2020 AGENDA**

Albany – The Public Service Commission announced today that it will hold its next regular session beginning at **10:30 A.M., Thursday, March 19, 2020, in the 19<sup>th</sup> Floor Board Room** of its offices located at **Three Empire State Plaza, Albany.** **TO REDUCE THE POTENTIAL COMMUNITY SPREAD OF COVID-19, MEMBERS OF THE PUBLIC WILL ONLY BE ALLOWED TO OBSERVE THE SESSION VIA WEBCAST, NOT IN PERSON.**

**MEETING WILL BE BROADCAST ON THE INTERNET AT:**

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

The session agenda is as follows:

**To view documents related to PSC Cases 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    18-G-0716    NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID - Proceeding on Motion of the Commission for an Enforcement

Concerning a Natural Gas Incident at 383 West Main Street, Little Falls on February 14, 2018, in the Service Territory of Niagara Mohawk Power Corporation, d/b/a National Grid.

102 20-G-0131 In the Matter of Gas Planning Procedures.

### GENERAL

201 20-M-0082 In the Matter of Strategic Use of Energy Related Data.

No items will be considered on the Regular Agenda for **POWER, 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   | 19-G-0181 | In the Matter of the Rules and Regulations of the Public Service Commission, Contained in 16NYCRR - Proposed Amendments to Chapter III, Gas Utilities, Subchapter C, Safety, Part 262, Drug and Alcohol Testing to Ensure Conformance with Title 49, Code of Federal Regulations, Part 199, Drug and Alcohol Testing.  |
| 162   | 19-G-0182 | In the Matter of the Rules and Regulations of the Public Service Commission, Contained in 16 NYCRR - Proposed Amendments to Chapter I, Rules of Procedure, Subchapter A, General, Part 10, Referenced Material; and Chapter III, Gas Utilities, Subchapter C, Safety, Part 255, Transmission and Distribution of Gas, to Ensure Conformance with Title 49, Code of Federal Regulations, Part 192, Transportation of Natural and Other Gas by Pipeline. |
| 163   | 20-G-0038 | THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY - Tariff filing to Make Revisions of a Housekeeping Nature to its Gas Tariff Schedule, P.S.C. No. 12, to Correct a Misplacement of Tariff Language Regarding Service Line Access.  |
| 164-A |           | In the Matter of an Enforcement Proceeding for Alleged Violation of 16 NYCRR Part 753 - Protection of Underground Facilities. (Penalty Determinations)   |

- 19-G-0143 D & R PAVING, LLC/CENTRAL HUDSON GAS & ELECTRIC CORPORATION.
- 19-G-0705 JOSEPH & SONS BUILDERS/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 19-G-0761 PROLINE CONCRETE OF WNY II, INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 20-G-0036 MAGGAR MANAGEMENT & DEVELOPMENT, INC./ROCHESTER GAS AND ELECTRIC CORPORATION.
- 20-G-0052 JAT CONSTRUCTION CO., INC./CENTRAL HUDSON GAS & ELECTRIC CORPORATION.
- 20-G-0053 KA IMPROVEMENT NY INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 20-G-0056 ROYAL EMPRESS INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 20-G-0065 AGUILAR BLACKTOP SEALCOATING CORP./KEYSPAN GAS EAST CORP. D/B/A NATIONAL GRID.
- 20-G-0070 RELIABLE SEPTIC PUMPING CORP/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 164-B In the Matter of an Enforcement Proceeding for Alleged Violation of 16 NYCRR Part 753 - Protection of Underground Facilities. (Consent Order Approvals)
- 20-G-0035 HAUGLAND ENERGY GROUP LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 20-G-0047 STEVEN DUBNER LANDSCAPING, INC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 20-G-0073 S. ST. GEORGE ENTERPRISES, INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 20-G-0077 TRIUMPH CONSTRUCTION CORP./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 20-G-0078 LANDSCAPING WITH GRACE INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 20-G-0079 JACKSON DEMOLITION SERVICES, INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 164-C In the Matter of an Enforcement Proceeding for Alleged Violations of 16 NYCRR Part 753- Protection of Underground Facilities. (Petitions for Rehearing)
- 19-G-0324 5L ENTERPRISES, INC./ORANGE AND ROCKLAND UTILITIES, INC.

- 19-G-0423 CRANE - HOGAN STRUCTURAL SYSTEMS, INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 19-G-0430 CITY OF YONKERS SEWER DEPARTMENT/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 19-G-0699 MERRITT CONSTRUCTION, INC./NEW YORK STATE ELECTRIC & GAS CORPORATION.
- 19-G-0700 MERRITT CONSTRUCTION, INC./CENTRAL HUDSON GAS & ELECTRIC CORPORATION.

### **GENERAL**

- 261 19-E-0378 NEW YORK STATE ELECTRIC & GAS CORPORATION - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Electric Service.
- 19-E-0380 ROCHESTER GAS AND ELECTRIC CORPORATION - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Electric Service.
- 19-G-0379 NEW YORK STATE ELECTRIC & GAS CORPORATION - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.
- 19-G-0381 ROCHESTER GAS AND ELECTRIC CORPORATION - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.
- 262 15-M-0509 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Petition under Section 69 of the Public Service Law for Authority to Issue Securities.
- 263 16-M-0434 MARATHON ENERGY CORPORATION - Proceeding on Motion of the Commission to Seek Consequences for Violations of the Uniform Business Practices.
- 264 19-M-0577 UTILITY RATE ANALYSIS CONSULTANTS - Petition for a Declaratory Ruling Concerning National Grid Response to Consumer Complaints.

### **POWER**

- 361 05-E-1180 In the Matter of the Reliability Rules of the New York State Reliability Council and the Criteria of the Northeast Power Coordinating Council.
- 07-E-0088 In the Matter of the Adoption of an Installed Reserve Margin for the New York Control Area.

- 362 19-E-0694 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Petition for Approval of a Transfer or Lease of Street Lighting Facilities to the Town of Eden with an Original Cost of Over \$100,000.
- 363 19-E-0743 FOURTH STREET TROY, LLC - Notice of Intent to Submeter Electricity at 100 Congress Street, Troy, New York 12180, Located in the Territory of Niagara Mohawk Power Corporation d/b/a National Grid.
- 364 19-E-0767 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Tariff filing to Modify its Electric Tariff Schedule, P.S.C. No. 220, to Clarify the Applicability of the Term "Customer" Under Rule 28 - Special Services Performed by Company for Customer at a Charge.
- 365 19-E-0734 ROCHESTER GAS AND ELECTRIC CORPORATION - Petition for Authority, Pursuant to Public Service Law Section 70, to Transfer Street Lighting Facilities to the Village of Sodus Point.
- 366 20-E-0022 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Tariff filing to Make Revisions of a Housekeeping Nature to Its Electric Tariff Schedule, P.S.C. No. 214, to Remove Obsolete Tariff Language.
- 367 19-E-0731 MS. DONNA SANDARELLI AND MR. MICHAEL SANDARELLI/ MS. SUSAN NERI AND NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - In the Matter of a Commission Designee's Determination Pursuant to PSL Section 52 - Rehearing Petition of the Designee's Determination Rendered in Favor of Ms. Susan Neri and Niagara Mohawk Power Corporation d/b/a National Grid (983636, 954068).
- 368 19-E-0693 ROCHESTER GAS AND ELECTRIC CORPORATION - Petition for Approval to Transfer Certain Street Lighting Facilities to the Town of Farmington Pursuant to Public Service Law Section 70 with an Original Cost of Over \$100,000.
- 369 19-E-0189 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Petition of Multiple Individuals to Remedy Certain Actions and Practices of Consolidated Edison Company of New York, Inc.
- 370 19-E-0723 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Tariff filings to Modify its Electric Tariff Schedules, P.S.C. Nos. 10 and 12, to Implement Provisions that would Enable Customers Served Under P.S.C. No. 12 (PASNY) to Participate in Community Distributed Generation Projects Receiving Value Stack Compensation.
- 371 17-T-0752 PSEG LONG ISLAND LLC/LONG ISLAND LIGHTING COMPANY D/B/A LIPA - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII of the Public Service Law for the Western Nassau Transmission Project.
- 372 15-E-0751 In the Matter of the Value of Distributed Energy Resources.

- 373 15-E-0189 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Tariff filing to Effectuate Dynamic Load Management Programs.
- 14-E-0423 Proceeding on Motion of the Commission to Develop Dynamic Load Management Programs.
- 374 10-T-0139 CHAMPLAIN HUDSON POWER EXPRESS, INC. - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII of the PSL for the Construction, Operation and Maintenance of a High Voltage Direct Current Circuit from the Canadian Border to New York City.
- 375 15-E-0190 ROCHESTER GAS AND ELECTRIC CORPORATION - Tariff filing to Effectuate Dynamic Load Management Programs.
- 14-E-0423 Proceeding on Motion of the Commission to Develop Dynamic Load Management Programs.
- 376 18-E-0138 Proceeding on Motion of the Commission Regarding Electric Vehicle Supply Equipment and Infrastructure.
- 377 There is no Item 377.
- 378 14-F-0490 CASSADAGA WIND LLC - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 to Construct a Wind Energy Project.
- 379 19-E-0282 ROCHESTER GAS AND ELECTRIC CORPORATION/NORTHERN DEVELOPMENT LLC - In the Matter of the Rules and Regulations of the Public Service Commission, Contained in 16 NYCRR in Relation to Complaint Procedures - Appeal of the Informal Decision Rendered in Favor of Northern Development LLC (831382).

### **WATER**

- 461 19-W-0536 HOPEWELL SERVICE CORPORATION AND TOWN OF EAST FISHKILL - In the Matter of the Joint Petition for Approval of the Transfer of all of the Water Supply Assets of Hopewell Service Corporation to the Town of East Fishkill and to Thereafter Dissolve Hopewell Service Corporation.

### **COMMUNICATIONS**

- 561 19-C-0363 SAGE TELECOM COMMUNICATIONS LLC - Petition for Designation as an Eligible Telecommunications Carrier.
- 562 19-C-0286 VERIZON NEW YORK INC. - In the Matter of Quality of Service Provided During the Fourth Quarter of 2019.

## CABLE

- 661                      Petitions for Renewal of Cable Television Franchises.
- 19-V-0674      CABLEVISION OF WAPPINGERS FALLS, INC./VILLAGE OF FISHKILL, DUTCHESS COUNTY.
- 20-V-0001      TIME WARNER CABLE NORTHEAST LLC/TOWN OF COLLINS, ERIE COUNTY.
- 20-V-0003      SPECTRUM NORTHEAST, LLC/TOWN OF ELBA, GENESEE COUNTY.
- 20-V-0004      SPECTRUM NORTHEAST, LLC/VILLAGE OF ELBA, GENESEE COUNTY.
- 20-V-0006      SPECTRUM NORTHEAST, LLC/TOWN OF SIDNEY, DELAWARE COUNTY.
- 20-V-0010      TIME WARNER CABLE NORTHEAST LLC/TOWN OF GREAT VALLEY, CATTARAUGUS COUNTY.
- 20-V-0024      SPECTRUM NORTHEAST, LLC/VILLAGE OF NELLISTON, MONTGOMERY COUNTY.
- 20-V-0039      TIME WARNER CABLE NORTHEAST LLC/TOWN OF RICHMOND, ONTARIO COUNTY.
- 20-V-0040      TIME WARNER CABLE NORTHEAST LLC/TOWN OF SCIO, ALLEGANY COUNTY.
- 662      19-V-0617      VERIZON NEW YORK INC. - Petition for an Order of Entry for 125 East 93rd Street, Manhattan, NY.
- 663      19-V-0615      VERIZON NEW YORK INC. - Petition for an Order of Entry for 153 Clinton Avenue, Brooklyn, NY.
- 664      19-V-0611      VERIZON NEW YORK INC. - Petition for Orders of Entry for 45 Multiple-Dwelling Unit Buildings in the City of New York.

### Instructions to View Video Webcast of Meeting

The meeting will be webcast live on the Internet. The Internet webcast 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** will be posted for public viewing, if feasible, by 6:00 p.m. the day before a Commission meeting. The proposed draft orders will be made available at: [Documents Scheduled for Discussion at Session](#).

The posted draft orders will be removed by 6:00 p.m. on the day of the Commission meeting, or when the final order is issued, whichever is earlier. (Clicking on this link at any other time than that noted above will result in “No Documents found.”) The proposed draft 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 Department of Public Service 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, April 23, 2020, in Albany, New York.**

The webcasting will be for viewing and listening purposes only.

The Internet webcast can be viewed by accessing <http://www.dps.ny.gov/Webcasts.html>.

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