



Public Service Commission

For Immediate Release: 04/09/21

John B. Howard, Interim Chair

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COMMISSION ISSUES PRELIMINARY APRIL 15, 2021 AGENDA

ALBANY, NY – The Public Service Commission announced today that it will hold its next regular session beginning at **10:30 A.M., Thursday, April 15, 2021. TO REDUCE THE POTENTIAL COMMUNITY SPREAD OF COVID-19, MEMBERS OF THE PUBLIC WILL ONLY BE ALLOWED TO LISTEN TO THE SESSION VIA WEBCAST.**

THE MEETING WILL BE BROADCAST ON THE INTERNET AT:

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

PLEASE NOTE, THE MEETING WILL BE AUDIO-ONLY. THE NEW YORK STATE PUBLIC SERVICE COMMISSION LOGO WILL BE DISPLAYED ON THE WEBCAST DURING THE MEETING.

The session agenda is as follows:

To view documents related to PSC Cases below, visit:

http://www.dps.ny.gov/New_Search.html

REGULAR AGENDA ITEMS

Items To Be Resolved Through Discussion

Item PSC Case

GENERAL

201	20-M-0082	Proceeding on Motion of the Commission Regarding Strategic Use of Energy Related Data.
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POWER

- 301 19-E-0065 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. -
 Proceeding on Motion of the Commission as to the Rates, Charges, Rules
 and Regulations for Electric Service.

**No items will be considered on the Regular Agenda for
 GAS, 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

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| 161 | 19-G-0678 | NATIONAL GRID USA, THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY AND KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID - Proceeding on Motion of the Commission to Investigate Denials of Service Requests. |
| 162-A | | In the Matter of an Enforcement Proceeding for Alleged Violation of 16 NYCRR Part 753 - Protection of Underground Facilities. (Penalty Determinations) |
| | 21-G-0147 | TITAN DRILLING SPECIALISTS, INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. |
| | 21-G-0148 | TECH INDUSTRIES LLC/NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID. |
| | 21-G-0149 | STANDARD ELECTRIC CORPORATION/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID. |
| | 21-G-0150 | EXTERIOR CEMENT & STUCCO CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID. |
| | 21-G-0151 | PETSCHKE PROPERTIES LLC/NATIONAL FUEL GAS DISTRIBUTION CORPORATION. |
| | 21-G-0152 | MARINO CONSTRUCTION OF NY CORP./KEYSPAN EAST CORPORATION D/B/A NATIONAL GRID. |
| | 21-G-0153 | HAMPTON DRAINAGE & PAVING CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID. |

- 21-G-0154 MICHAEL TORNABE DBA LORINDA ENTERPRISES, LTD./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 21-G-0155 LAKESIDE LANDSCAPING, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 21-G-0157 BILTMORE CONTRACTING, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 21-G-0158 GCC RENOVATION CORPORATION/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 162-B In the Matter of an Enforcement Proceeding for Alleged Violation of 16 NYCRR Part 753 - Protection of Underground Facilities. (Consent Order Approval)
- 19-G-0160 CITY OF ALBANY WATER DEPARTMENT/NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID.
- 21-G-0142 TOWN OF HALFMOON/NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID.
- 21-G-0143 AUTOMATIC IRRIGATION DESIGN/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 21-G-0144 SCHREIBER EXCAVATING, LLC/NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 162-C In the Matter of an Enforcement Proceeding for Alleged Violation of 16 NYCRR Part 753 - Protection of Underground Facilities. (Petitions For Rehearing)
- 20-G-0521 CPR CUSTOM CONCRETE/NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 20-G-0569 JM CONTRACTORS (NY) INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 163 19-G-0593 SUTTER AVENUE ASSOCIATES/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - 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 Consolidated Edison Company of New York, Inc. (740753)
- 164 19-G-0653 333 EAST 91 STREET OWNERS/BROWN HARRIS STEVENS/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - 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 Consolidated Edison Company of New York, Inc. (971058)

- 165 20-G-0442 CORNING NATURAL GAS CORPORATION - Petition for Authority, Pursuant to Public Service Law Section 69, to Issue Long-Term Indebtedness in the Principal Amount of \$29,472,526 for the Purpose of Financing of Maturing Debt and New Construction.
- 166 20-G-0545 NATIONAL FUEL GAS DISTRIBUTION CORPORATION - Petition for Approval, Pursuant to Public Service Law Section 113(2), to Utilize a Pipeline Refund in Furtherance of the State's Clean Energy Goals.
- 167 There is no item 167.
- 168 21-G-0053 BLUESTONE GAS CORPORATION OF NEW YORK, INC., DTE ENERGY COMPANY AND DT MIDSTREAM, INC. - Petition for a Declaratory Ruling Concerning Regarding Application §70 of the New York State Public Service Law.

GENERAL

- 261 20-M-0029 In the Matter of the 2019 Amendment to the Public Service Law, Section 66-p (C. 705, L. 2019), Relating to Billing Information for Residential Rental Premises.
- 262 21-M-0124 DIANNE LUMSDEN/GAVIN CLARKE/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - In the Matter of a Commission Designee's Determination Pursuant to PSL Section 52 - Rehearing Petition by Dianne Lumsden of the Designee's Determination Rendered in Favor of Gavin Clarke and Consolidated Edison Company of New York Inc. (032464).
- 263 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.
- 264 There is no item 264.
- 265 21-S-0108 ENWAVE SYRACUSE LLC, SYRACUSE ENERGY CONCESSIONAIRE LLC, ULLICO INFRASTRUCTURE DISTRICT ENERGY BLOCKED HOLDCO, LLC, QIC LIMITED, AND CALPERS

- Joint Petition for an Expedited Declaratory Ruling Applying the Wallkill Presumption to the Transfer of Upstream Ownership Interests or for Expedited Approval Under Section 83 of the Public Service Law.

POWER

- 361 21-E-0111 ABRAHAM ASHENBERG ON BEHALF OF PHYLLIS ASHENBERG/JALA JONES AND QUINCY CRAWFORD 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 Jala Jones and Quincy Crawford and Niagara Mohawk Power Corporation d/b/a National Grid (035112).
- 362 20-E-0476 329 ST. NICK LLC - Petition to Submeter Electricity at 3-31 St. Nicholas Avenue, Flushing, New York 11385, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 363 20-E-0554 COLLEGIUM WEST 120TH STREET LLC - Notice of Intent to Submeter Electricity at 415 West 120th Street, New York, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 364 21-E-0140 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Tariff Filing to Make Revisions of a Housekeeping Nature to its Electric Tariff Schedule, P.S.C. No. 10.
- 365 14-E-0423 Proceeding on Motion of the Commission to Develop Dynamic Load Management Programs.
- 15-E-0186 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Tariff filing to Effectuate Dynamic Load Management Programs.
- 15-E-0188 NEW YORK STATE ELECTRIC & GAS CORPORATION - Tariff filing to Effectuate Dynamic Load Management Programs.
- 15-E-0189 NIAGARA MOHAWK POWER CORPORATION - Tariff filing to Effectuate Dynamic Load Management Programs.
- 15-E-0190 ROCHESTER GAS AND ELECTRIC CORPORATION - Tariff filing to Effectuate Dynamic Load Management Programs.
- 15-E-0191 ORANGE AND ROCKLAND UTILITIES, INC. - Tariff filing to Effectuate Dynamic Load Management Programs.
- 366 20-E-0371 EXELON GENERATION COMPANY, LLC, EDF INC, CONSTELLATION ENERGY NUCLEAR GROUP, LLC, NINE MILE POINT NUCLEAR STATION, LLC, AND R.E. GINNA NUCLEAR POWER PLANT, LLC - Joint Petition for a Declaratory Ruling Disclaiming Jurisdiction over the Proposed Transfer or Finding the Proposed Transfer Requires No Further Review or, in the Alternative, an

Order Authorizing the Proposed Transfer Pursuant in Section 70 of The New York Public Service Law.

- 367 18-E-0130 In the Matter of Energy Storage Deployment Program.
- 368 19-T-0684 NEW YORK TRANSCO LLC - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII of the New York Public Service Law to Construct, Operate, and Maintain a New, Double-Circuit 54.5-Mile 345/115 Kilovolt Electric Transmission Line and Related Facilities Located in the Town of Schodack, Rensselaer County; the Towns of Stuyvesant, Stockport, Ghent, Claverack, Livingston, Gallatin, and Clermont in Columbia County; and the Towns of Milan, Clinton, and Pleasant Valley in Dutchess County.
- There is no item 369.
- 370 20-T-0288 In the Matter of the Rules and Regulations of the Public Service Commission, Contained in 16 NYCRR, Chapter I, Subchapter G, Certificates of Environmental Compatibility and Public Need, Proposed New Part 85.2-17.
- 371 20-E-0490 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Petition for Approval of a Transfer of Property Interests in the Union Falls Hydroelectric Facility with an Original Cost of Over \$100,000 Pursuant to Public Service Law Section 70.
- 372 14-E-0151 HUDSON VALLEY CLEAN ENERGY, INC. - Petition for an Increase to the Net Metering Minimum Limitation at Central Hudson Gas & Electric Corporation.
- 15-E-0751 In the Matter of the Value of Distributed Energy Resources.

WATER

- 461 16-W-0259 NEW YORK AMERICAN WATER COMPANY, INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Water Service.
- 462 20-W-0590 KAREN ANGEL, DANIELLE TAPPITAKE AND RICHARD WEIR - Joint Petition for Approval of a Transfer of the Assets of River Road Water District, Town of Rosendale, County of Ulster.
- 463 20-W-0423 BRISTOL WATER WORKS CORPORATION - Minor Rate Filing to Increase its Annual Revenues by \$139,009 or 104.1%.
- 464 19-W-0168 SUEZ WATER NEW YORK INC., SUEZ WATER WESTCHESTER INC. AND SUEZ WATER OWEGO-NICHOLS INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Water Service.
- 19-W-0726 SUEZ WATER NEW YORK INC. AND HERITAGE HILLS WATER WORKS CORPORATION - Joint Petition for Approval, Pursuant to New

York State Public Service Law Section 89-h, for SUEZ Water New York Inc. to Acquire 100% of the Water System Assets of Heritage Hills Water Works.

COMMUNICATIONS

- 561 17-C-0757 TIME WARNER CABLE INFORMATION SERVICES (NEW YORK), LLC - Proceeding on Motion of the Commission to Conduct a Management and Operations Audit.

CABLE

- 661 20-V-0097 VERIZON NEW YORK INC. - Petition for Orders of Entry for 46 Multiple-Dwelling Unit Buildings in the City of New York.
- 662 21-V-0020 VERIZON NEW YORK INC. - Petition for an Order of Entry for 35 East 9th Street, Manhattan, New York.
- 663 Petitions for Renewal of Cable Television Franchises.
- 21-V-0049 SPECTRUM NORTHEAST, LLC/TOWN OF LEYDEN, LEWIS COUNTY.
- 21-V-0057 SPECTRUM NORTHEAST, LLC/TOWN OF HAMLIN, MONROE COUNTY.
- 21-V-0058 SPECTRUM NORTHEAST, LLC/TOWN OF GLEN, MONTGOMERY COUNTY.
- 21-V-0061 SPECTRUM NORTHEAST, LLC/TOWN OF ANDOVER, ALLEGANY COUNTY.
- 21-V-0065 SPECTRUM NORTHEAST, LLC/TOWN OF HOLLAND, ERIE COUNTY.
- 21-V-0066 DTC CABLE, INC./ TOWN OF MEREDITH, DELAWARE COUNTY.
- 21-V-0067 SPECTRUM NORTHEAST, LLC/VILLAGE OF MAYVILLE, CHAUTAUQUA COUNTY.
- 21-V-0068 SPECTRUM NORTHEAST, LLC/VILLAGE OF SHERMAN, CHAUTAUQUA COUNTY.
- 664 21-V-0069 HEART OF THE CATSKILLS COMMUNICATIONS, INC. DBA MTC CABLE - Petition for a Certificate of Confirmation for its Franchise with the Village of Stamford of Delaware County.
- 665 20-V-0671 HEART OF THE CATSKILLS COMMUNICATIONS, INC. DBA MTC CABLE - Petition for a Certificate of Confirmation for its Franchise with the Town of Stamford, Delaware County.

Instructions to Listen to the Webcast of Meeting

The Internet webcast can be accessed at <http://www.dps.ny.gov/Webcasts.html>.

The listening 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 access the webcast. If you experience problems listening to 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, 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, click on "Search" then search using the appropriate PSC case number.

Next Meeting

The next regularly scheduled meeting will begin at **10:30 A.M., Thursday, May 13, 2021.**