

STATE OF NEW YORK

Public Service Commission

Garry A. Brown, Chairman

Three Empire State Plaza, Albany, NY 12223

Further Details: James Denn

James.denn@dps.ny.gov | 518.474.7080

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

<http://twitter.com/NYSDPS>

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COMMISSION TO MEET ON THURSDAY, APRIL 18, 2013

Albany, NY – 04/12/13 – The Public Service Commission announced today that it will hold its next regular session beginning at **10:30 a.m., Thursday, April 18, 2013, in the 19th Floor Board Room of its offices located at Three Empire State Plaza, Albany, New York.**

MEETING WILL BE BROADCAST ON THE INTERNET AT:

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

**-VIDEOCASTING TO PSC'S NYC OFFICES AVAILABLE-
(See instructions on last page of Agenda)**

The session agenda is as follows:

To view documents related to PSC Cases Numbers below, visit:

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

REGULAR AGENDA ITEMS

Items To Be Resolved Through Discussion

Item PSC Case

GAS

- | | | |
|-----|-----------|---|
| 101 | | There is no item 101. |
| 102 | 13-G-0136 | In the Matter of National Fuel Gas Distribution Company Setting Rates on a Temporary Basis. |
| 103 | 12-G-0297 | Status report on policies regarding expansion of fuel supply options. |

POWER

- 301 12-T-0502 Proceeding on Motion of the Commission to Examine Alternating Current Transmission Upgrades.
- 302 13-E-0140 In the Matter of Utility Emergency Performance Metrics.
- 303 12-E-0503 Proceeding on Motion of the Commission to Review Generation Retirement Contingency Plans.
- 304 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.
- 305-A 13-E-0062 LIBERTY POWER HOLDING LLC - Proceeding on Motion of the Commission to Investigate the Marketing Practices.
- 305-B 13-M-0139 FAMILY ENERGY, INC - In the Matter of an Investigation into the Company's Marketing Practices.

COMMUNICATIONS

- 501 10-C-0202 Verizon New York Inc. Service Quality Improvement Plan. Petition of Verizon for a Waiver of Certain Fourth-Quarter 2013 Results.

No items will be considered on the Regular Agenda for **GENERAL, WATER, 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 | 12-G-0404 | RESERVE GAS COMPANY, INC. - Minor Rate Filing to Increase Its Annual Gas Revenues by About \$116,000 or 7.78%. |
| 162 | 13-G-0105 | 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 to ensure conformance with Title 49, Code of Federal Regulations, Part 195 Transportation of Hazardous Liquids by Pipeline and with Title 49, Code of Federal Regulations, 193 Liquefied Natural Gas Facilities. |
| 163 | 12-G-0349 | MS. JANE HOPSON and THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID - Appeal of Informal Hearing Decision. |
| 164 | 13-T-0052 | PENNSYLVANIA GENERAL ENERGY COMPANY, LLC - Petition to Transfer its Certificate of Environmental Compatibility and Public Need to National Fuel Gas Supply Corporation. |
| 165 | 12-G-0509 | MS. PATRICIA CURTO and NATIONAL FUEL GAS DISTRIBUTION CORPORATION - Appeal of Informal Hearing Decision. |
| 166 | 13-G-0006 | THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY and KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID - Petition for Waivers of Tariff Provisions for Temperature Controlled Service Customers Affected by Hurricane Sandy. |
| 167 | 13-G-0016 | NATIONAL FUEL GAS DISTRIBUTION CORPORATION - Tariff filing for approval of an electronic Deferred Payment Agreement contained in its gas tariff schedule. |

- 168 In the Matter of Enforcement Proceedings for Alleged Violations of 16
NYCRR Part 753: Protection of Underground Facilities.
- 13-G-0122 TROCOM CONSTRUCTION CORP./CONSOLIDATED EDISON
COMPANY OF NEW YORK, INC.
- 13-G-0123 THIRAU LLC/CONSOLIDATED EDISON COMPANY OF NEW
YORK, INC.
- 13-G-0124 EARLE WILSON CONTRACTING/KEYSPAN GAS EAST
CORPORATION D/B/A NATIONAL GRID.
- 13-G-0125 ALURE HOME IMPROVEMENTS, INC./KEYSPAN GAS EAST
CORPORATION D/B/A NATIONAL GRID.
- 13-G-0126 MILRO ASSOCIATES, INC./KEYSPAN GAS EAST CORPORATION
D/B/A NATIONAL GRID.
- 13-G-0127 ABLE ISLAND CONSTRUCTION CORP./KEYSPAN GAS EAST
CORPORATION D/B/A NATIONAL GRID.
- 13-G-0128 BEAVER INDUSTRIES INC./KEYSPAN GAS EAST CORPORATION
D/B/A NATIONAL GRID.
- 13-G-0129 THE LANDTEK GROUP, INC./KEYSPAN GAS EAST
CORPORATION D/B/A NATIONAL GRID.
- 13-G-0130 DUMOR CONSTRUCTION, INC./KEYSPAN GAS EAST
CORPORATION D/B/A NATIONAL GRID.
- 13-G-0131 EVERGREEN LAND, INC./KEYSPAN GAS EAST CORPORATION
D/B/A NATIONAL GRID.
- 13-G-0132 VALENTE CONTRACTING CORP./KEYSPAN GAS EAST
CORPORATION D/B/A NATIONAL GRID.
- 13-G-0133 CRANBROOK CONSTRUCTION, INC./NIAGARA MOHAWK
POWER CORPORATION, D/B/A NATIONAL GRID.
- 13-G-0134 NORTH RIDGE CROSSING/ROCHESTER GAS AND ELECTRIC
CORPORATION.
- 13-G-0135 ROCK SOLID LANDSCAPE AND MASONRY DESIGN
INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL
GRID.
- 169 12-T-0574 MINARD RUN OIL COMPANY - Petition for a Certificate of
Environmental Compatibility and Public Need to Relocate 2,800 Feet of
Pipeline in the Town of Seneca Falls, Seneca County - Formerly Case
70220. Confirming Order.

GENERAL

- 261 12-M-0533 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. -
Petition for Waiver of Certain Tariff Charges. Confirming Order.
- 12-M-0545 ORANGE AND ROCKLAND UTILITIES, INC. - Petition for a Waiver
of Certain Tariff Charges. Confirming Order.
- 12-G-0555 THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL
GRID NY and KEYSpan GAS EAST CORPORATION D/B/A
NATIONAL GRID - Petition for a Waiver of Certain Tariff Charges.
Confirming Order.
- 12-M-0554 NEW YORK STATE ELECTRIC AND GAS CORPORATION -
Petition for Waiver of Certain Tariff Charges. Confirming Order.
- 262 12-M-0501 In the Matter of a Temporary Waiver and Suspension of Late Payment
Charges Due to Payment Barriers Caused By Hurricane Sandy.
Confirming Order.
- 263 07-M-0548 ORANGE AND ROCKLAND UTILITIES, INC. NEW YORK STATE
ELECTRIC & GAS CORPORATION, ROCHESTER GAS AND
ELECTRIC CORPORATION, NIAGARA MOHAWK POWER
CORPORATION D/B/A NATIONAL GRID – Petitions for
Modifications to Electric Small Business Direct Installation Programs in
the Energy Efficiency Portfolio Standard Proceeding.
- 264 12-M-0561 ROCHESTER GAS AND ELECTRIC CORPORATION - Petition Under
Section 69 of the Public Service Law for Authority to Issue Long-Term
Indebtedness, Preferred Stock and Hybrid Securities and to Enter into
Derivative Instruments Pursuant to a Global Financing Plan.
- 265 10-E-0277 CITY OF KINGSTON/CENTRAL HUDSON GAS & ELECTRIC
CORPORATION - Appeal of Informal Hearing Decision.
- 266 12-M-0496 NEW YORK STATE ELECTRIC & GAS CORPORATION - Petition
for Approval to Sell Certain Street Lighting Facilities to the City of
Auburn Pursuant to PSL Section 70.

POWER

- 361 13-E-0116 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Amendment to PSC 220-Electricity, eff. 4/19/13, to modify Service Classification No. 4 - Untransformed Service to Certain Customers Taking Power from Projects of the New York Power Authority.
- 362 11-E-0351 STONY CREEK ENERGY, LLC - Petition for a Certificate of Public Convenience and Necessity, to Establish Lightened Regulation and for Approval of Debt Financing.
- 363 11-T-0534 ROCHESTER GAS AND ELECTRIC CORPORATION - Application for a Certificate of Environmental Compatibility and Public Need for the Construction of the "Rochester Area Reliability Project," Approximately 23.6 Miles of 115 Kilovolt Transmission Lines and 1.9 Miles of 345 Kilovolt Line in the City of Rochester and the Towns of Chili, Gates and Henrietta in Monroe County.
- 364 13-E-0033 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Amendments to PSC No. 15-Elec. eff. 5/1/13, to Modify the Incremental Monthly Charge Applicable to Service Classification Nos. 3 and 13 customers with cellular meters.
- 365-A 11-E-0651 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Petition for Approval of Deferred Incremental Costs Associated with Tropical Storm Irene For Rate Year Ended June 30, 2012.
- 365-B 12-M-0204 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Petition for Approval of the Deferral and Recovery of Incremental Costs Associated with the October 29, 2011 Snow Storm.
- 366 13-T-0035 NEW YORK POWER AUTHORITY - Petition to Amend its Certificate of Environmental Compatibility and Public Need for the Moses to Plattsburgh Transmission Facility for the Moses-Willis Circuit Separation Project - Formerly Case 26680.
- 367 12-E-0460 2130 ACP BOULEVARD INVESTORS LLC - Petition to Submeter Electricity at 2130-2138 Adam Clayton Powell Jr. Boulevard, New York, NY, Located in the Territory of Consolidated Edison Company of New York.

- 368 12-E-0494 NOCO ENERGY CORP. - Petition for Waiver of Tariff for Aggregation of Service.
- 369 13-E-0012 DYNEGY DANSKAMMER, LLC - Petition for Waiver of the Generation Facility Retirement Notice Period and Requesting Other Related Relief.
- 13-E-0019 DYNEGY ROSETON LLC and CCI ROSETON LLC - Joint Petition for Expedited Approval of a Transfer Pursuant Public Service Law §70 and Related Approvals.
- 370 There is no item 370.
- 371 13-T-0037 NEW YORK POWER AUTHORITY - Petition for Declaratory Ruling that a Certain Transmission Line will not be subject to Article VII of the Public Service Law.
- 372 09-E-0115 Proceeding on Motion of the Commission to Consider Demand Response Initiatives. Petition of Consolidated Edison Company of New York, Inc.
- 373 12-E-0550 NEW YORK STATE ELECTRIC & GAS CORPORATION - Petition for Approval of Certain Economic Development Programs on an Emergency Basis to Allow for Immediate Assistance to Customers.

WATER

- 461 12-W-0137 SARATOGA WATER SERVICES, INC., AND MALTA LAND COMPANY, LLC - Joint Petition for a Declaratory Ruling Concerning the Provision of Water Service to a Proposed Project in the Town of Malta, Saratoga County.
- 462 12-W-0445 ROLLING MEADOWS WATER CORPORATION - Minor Rate Filing to Increase its Annual Revenues by about \$87,307 or 19.48%.
- 463 12-W-0508 MR. JOSEPH CANNAVO/UNITED WATER WESTCHESTER, INC. Appeal of Informal Hearing Decision.

- 662 12-V-0573 TOWN OF WILLIAMSTOWN, OSWEGO COUNTY - Petition for a Waiver of the Requirements of 16 NYCRR, Sections 894.1 through 894.4 to Permit the Establishment of a Cable Franchise in the Town.
- 663 13-V-0010 TIME WARNER CABLE NORTHEAST LLC - Petition for Asset Purchase Agreement with the Princetown Cable Co., Inc.
- 664 12-V-0581 TIME WARNER CABLE NORTHEAST LLC - Petition for a Certificate of Confirmation for its Franchise with the Town of Rotterdam, Schenectady County.
- 665 12-V-0583 TIME WARNER CABLE NORTHEAST LLC - Petition for a Certificate of Confirmation for its Franchise with the Town of Duanesburg, Schenectady County.
- 666 12-V-0582 TIME WARNER CABLE NORTHEAST LLC - Petition for a Certificate of Confirmation for its Franchise with the Town of Princetown, Schenectady County.

Instructions to View Videocast at PSC's NYC Offices

Individuals in New York City wishing to view the Commission's meeting may do so in the Board Room on the 4th floor of the Commission's offices at 90 Church Street, New York City. The videocasting will be for viewing and listening purposes only. Pursuant to procedures established by the building management, anyone planning to observe the meeting in the New York City Board Room must notify Jan Goorsky at 212-417-2378, 48 hours in advance of the meeting, and must be prepared to show valid photo identification upon arrival at 90 Church Street.

Instructions to View Video Broadcast of Meeting

In addition to the video broadcasting of the meeting in the Commission's New York City offices, the meeting will be broadcast live on the Internet. The Internet broadcast 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** or discussion items will be posted for public viewing, if feasible, by 5:00 p.m. the day before a Commission meeting. The draft orders will be made available at: www.dps.ny.gov/DraftDocuments.html

The posted drafts will be removed by 5:00 p.m. on the day of the Commission meeting. The proposed 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 Commission's Web site at 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 14th 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, May 16, 2013, in Albany, New York.**

Individuals in Albany wishing to observe the Commission's meeting may do so in the Board Room on the 19th floor of the Commission's offices at Three Empire State Plaza. **Pursuant to procedures established by the building management, anyone planning to view the meeting in the New York City Office must notify Jan Goorsky at 212-417-2378, 48 hours in advance of the meeting, and must be prepared to show valid photo identification upon arrival at 90 Church Street.** The videocasting will be for viewing and listening purposes only.

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