



Public Service Commission

For Immediate Release: 3/13/19

John B. Rhodes, Chair

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COMMISSION ISSUES FINAL MARCH 14, 2019 AGENDA

Albany, NY – The Public Service Commission announced today that it will hold its next regular session beginning at **10:30 A.M., Thursday, March 14, 2019, 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 below, visit:

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

Item PSC Case

GENERAL

- | | | |
|-----|-----------|--|
| 201 | 18-E-0067 | ORANGE AND ROCKLAND UTILITIES, INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Electric Service. |
| | 18-G-0068 | ORANGE AND ROCKLAND UTILITIES, INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service. |

WATER

- 401 16-W-0259 Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of New York American Water Company, Inc. for Water Service.

COMMUNICATIONS

- 501 16-M-0330 CTIA - THE WIRELESS ASSOCIATION - Petition to Update and Clarify Wireless Pole Attachment Protections.

No items will be considered on the Regular Agenda for **GAS, POWER, 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 | 14-G-0201 | In the Matter of the Investigation Relating to the Explosion and Collapse of the Buildings at 1644 and 1646 Park Avenue, New York, New York in the Service Territory of Consolidated Edison Company of New York, Inc. on March 12, 2014. |
| 162-A | | In the Matter of an Enforcement Proceeding for Alleged Violations of 16 NYCRR Part 753 - Protection of Underground Facilities. (Penalty Determination Orders). |
| | 19-G-0114 | M N HOME IMPROVEMENT/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. |
| | 19-G-0113 | LAWN IN ORDER EXCAVATING AND LANDSCAPE DESIGN/NEW YORK STATE ELECTRIC & GAS CORPORATION. |
| | 19-G-0103 | CIR ELECTRICAL CONSTRUCTION CORPORATION/ROCHESTER GAS AND ELECTRIC CORPORATION. |
| | 19-G-0112 | JOHN F. AND JOHN P. WENZEL CONTRACTORS, INC./NEW YORK STATE ELECTRIC & GAS CORPORATION. |

- 19-G-0101 GEMINI IRRIGATION/KEYSPAN GAS EAST CORPORATION
D/B/A NATIONAL GRID.
- 19-G-0099 JOHN LOPES CONSTRUCTION CORP./KEYSPAN GAS EAST
CORPORATION, D/B/A NATIONAL GRID.
- 19-G-0096 CONCRETE CUTTING & BREAKING CO./NIAGARA MOHAWK
POWER CORPORATION, D/B/A NATIONAL GRID.
- 19-G-0098 J LENT & SONS GENERAL CONTRACTING, LLC/CENTRAL
HUDSON GAS & ELECTRIC CORPORATION.
- 19-G-0100 LYNN WARREN LAWN MAINTENANCE &
LANDSCAPING/CENTRAL HUDSON GAS & ELECTRIC
CORPORATION.
- 19-G-0102 QUALITY CONCRETE CONSTRUCTION/CENTRAL HUDSON GAS
& ELECTRIC CORPORATION.
- 19-G-0097 E. HANSEN CORPORATION/CONSOLIDATED EDISON COMPANY
OF NEW YORK, INC.
- 19-G-0095 AAL CONSTRUCTION SERVICES LLC/CONSOLIDATED EDISON
COMPANY OF NEW YORK, INC.
- 18-G-0754 NATIONAL FUEL GAS DISTRIBUTION
CORPORATION/NATIONAL FUEL GAS DISTRIBUTION
CORPORATION.
- 19-G-0117 PAVE YOUR WAY CONCRETE INC. /KEYSPAN GAS EAST
CORPORATION D/B/A NATIONAL GRID.
- 162-B In the Matter of an Enforcement Proceeding for Alleged Violations of 16
NYCRR Part 753 - Protection of Underground Facilities. (Consent Order
Approvals).
- 18-G-0639 RODRIGUEZ CONSTRUCTION GROUP, INC./NATIONAL FUEL
GAS DISTRIBUTION CORPORATION.
- 19-G-0034 CITY OF ALBANY WATER DEPARTMENT/NIAGARA MOHAWK
POWER CORPORATION D/B/A NATIONAL GRID.
- 19-G-0092 J.F.R CONSTRUCTION CORP./THE BROOKLYN UNION GAS
COMPANY D/B/A NATIONAL GRID NY.
- 19-G-0091 NORTHERN SNOW & DIRT, INC./NEW YORK STATE ELECTRIC
& GAS CORPORATION.
- 19-G-0094 CHOATE EXCAVATING CO./CENTRAL HUDSON GAS &
ELECTRIC CORPORATION.
- 19-G-0093 MORRISON TRUCKING & EXCAVATION/CENTRAL HUDSON
GAS & ELECTRIC CORPORATION.
- 162-C In the Matter of an Enforcement Proceeding for Alleged Violations of 16
NYCRR Part 753 - Protection of Underground Facilities. (Rehearing).

- 18-G-0703 PD QUALITY CONSTRUCTION, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 163 18-G-0198 AVANGRID NETWORKS - Petition for Approval of Honeywell/Elster Remote Volume Pulser (RVP), an Accessory for Gas Diaphragm Meters.
- 164 There is no item 164.
- 165 17-G-0316 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - In the Matter of an Investigation into Consolidated Edison Company of New York, Inc.'s Compliance with Operator Qualification, Performance, and Inspection Requirements with Respect to Work Completed by Company and Contractor Personnel.

GENERAL

- 261 15-M-0180 In the Matter of Regulation and Oversight of Distributed Energy Resource Providers and Products.

POWER

- 361 18-E-0714 63RD & 3RD NYC LLC - Notice of Intent to Submeter Electricity at 1059 3rd Avenue, New York, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 362 18-E-0729 MOSHE E. GOTTLIEB/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Appeal of an Informal Hearing Decision. (711984).
- 363 19-E-0087 FPL ENERGY NEW YORK, LLC, FPL ENERGY ROCKAWAY PEAKING FACILITIES, LLC, BAYSWATER PEAKING FACILITY, LLC, JAMAICA BAY PEAKING FACILITY, LLC, AND MPH ROCKAWAY PEAKERS, LLC - Petition for a Declaratory Ruling Concerning a Proposed Transfer of Upstream Interests in FPL Energy Rockaway Peaking Facilities, LLC or, in the Alternative, Approval Pursuant to Section 70 of the Public Service Law; and Confirming Financing and Lightened Regulation.
- 364 19-E-0073 WELLS FARGO CENTRAL PACIFIC HOLDINGS, INC. AND IIF COASTAL CLASS A HOLDINGS LLC - Petition for a Declaratory Ruling Regarding a Transfer of Ownership Interests or, in the Alternative, an Approval Pursuant to Section 70 of the Public Service Law.
- 365 18-E-0657 TRIAD RECYCLING AND ENERGY/NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID-UPSTATE - Appeal of an Informal Hearing Decision. (810939).

- 366 18-T-0604 DEEPWATER WIND SOUTH FORK, LLC - Application for a Certificate of Environmental Compatibility and Public Need for the Construction of Approximately 3.5 Miles of Submarine Export Cable from the New York State Territorial Waters Boundary to the South Shore of the Town of East Hampton in Suffolk County and Approximately 4.1 Miles of Terrestrial Export Cable from the South Shore of the Town of East Hampton to an Interconnection Facility with an Interconnection Cable Connecting to the Existing East Hampton Substation in the Town of East Hampton, Suffolk County.
- 367 18-E-0324 ARTECHE USA - Petition for Approval of the Arteche Low Voltage Metering Class Instrument Transformers.
- 368 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.
- 369 18-E-0397 Tariff filing by Consolidated Edison Company of New York, Inc. to Make Revisions to its Electric Tariff Schedule, P.S.C. No. 10, to Add New Riders Z (Residential) and AA (Small Commercial) Innovative Pricing Pilot, to Implement Rate Structures for Residential and Small Commercial Customers.
- 370 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.

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 18-W-0708 SISTERS OF CHARITY HOUSING DEVELOPMENT CORPORATION AND VINCENT'S VILLAGE ASSOCIATES, LLC - Petition for a Waiver of the Requirements of Paragraph D of Section 3.4 in the United Water New York Inc. Tariff.
- 463 18-W-0556 THE CALLICOON WATER COMPANY AND THE TOWN OF DELAWARE - Petition for Approval of a Transfer of All Water Supply Assets Serving the Hamlet of Callicoon in the Town of Delaware, Sullivan County.
- 464 There is no item 464.
- 465 18-W-0545 Proceeding on Motion of the Commission as to the Acts and Practices and Adequacy of Service Provided by Boniville Water Company, Inc. and Knolls Water Co., Inc.

COMMUNICATIONS

- 561 18-C-0219 VERIZON NEW YORK INC. - Report on the Company's Service Quality for the Fourth Quarter of 2018.
- 562 15-M-0388 Joint Petition of Charter Communications and Time Warner Cable for Approval of a Transfer of Control of Subsidiaries and Franchises, Pro Forma Reorganization, and Certain Financing Arrangements.

CABLE

- 661 19-V-0005 DTC CABLE, INC./TOWN OF MASONVILLE, DELAWARE COUNTY - Petition for a Certificate of Confirmation for its Franchise.
- 662 19-V-0056 BERKSHIRE CABLE CORP./TOWN OF GHENT, COLUMBIA COUNTY. - Petition for a Certificate of Confirmation for its Franchise.
- 663 19-V-0004 DTC CABLE, INC./VILLAGE OF WALTON, DELAWARE COUNTY - Petition for a Certificate of Confirmation for its Franchise.
- 664 18-V-0757 HEART OF THE CATSKILLS COMMUNICATIONS, INC. D/B/A MTC CABLE/TOWN OF BOVINA, DELAWARE COUNTY - Petition for a Certificate of Confirmation for its Franchise.
- 665 18-V-0455 VERIZON NEW YORK INC. - Petition for Orders of Entry for 30 Multiple-Dwelling Unit Buildings in the City of New York.
- 666 18-V-0456 VERIZON NEW YORK INC. - Petition for Orders of Entry for 28 Multiple-Dwelling Unit Buildings in the City of New York.
- 667 18-V-0457 VERIZON NEW YORK INC. - Petition for Orders of Entry for 23 Multiple-Dwelling Unit Buildings in the City of New York.
- 668 Petitions for Renewal of Cable Television Franchises.

- 18-V-0779 CSC ACQUISITION-NY, INC./VILLAGE OF SOUTHAMPTON, SUFFOLK COUNTY.
- 18-V-0784 ATLANTIC BROADBAND (PENN), LLC/TOWN OF SALAMANCA, CATTARAUGUS COUNTY.
- 18-V-0785 ATLANTIC BROADBAND (PENN), LLC/TOWN OF LITTLE VALLEY, CATTARAUGUS COUNTY.
- 18-V-0786 ATLANTIC BROADBAND (PENN), LLC/VILLAGE OF LITTLE VALLEY, CATTARAUGUS COUNTY.
- 18-V-0788 CABLEVISION OF WAPPINGERS FALLS, INC./TOWN OF KENT, PUTNAM COUNTY.
- 19-V-0003 ATLANTIC BROADBAND (PENN), LLC/TOWN OF GREAT VALLEY, CATTARAUGUS COUNTY.

Instructions to View Webcast 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 webcasting 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 Webcast of Meeting

In addition to the webcast of the meeting in the Commission's New York City offices, 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, 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, April 18, 2019, 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 webcasting will be for viewing and listening purposes only.

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