

## Consent Agenda Report for 05/14/2020

The following is a preliminary and informal summary of actions the Commission took at its public session on May 14, 2020. 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

17-G-0606 &  
19-G-0171

This item was pulled at the session.

ITEM 162

In the Matter of Enforcement Proceeding for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities. (Penalty Determinations)

19-G-0754

FAIRWAY CONTRACTING/NATIONAL FUEL GAS DISTRIBUTION CORPORATION

20-G-0156

AJM CONSTRUCTION/NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID

20-G-0157

CNY CONTRACTING, EXCAVATING & CONCRETE/NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID

20-G-0158

GALLO & COMPANY, INC./KEYSPAN GAS EAST CORP. D/B/A NATIONAL GRID

20-G-0159

J & E SEAL COATING & MASONRY INC./KEYSPAN GAS EAST CORP. D/B/A NATIONAL GRID

20-G-0160

JON LAKE & SONS PROPERTY MAINTENANCE, INC./KEYSPAN GAS EAST CORP. D/B/A NATIONAL GRID

20-G-0162

MGC DESIGN & CONSTRUCTION, CORP./KEYSPAN GAS EAST CORP. D/B/A NATIONAL GRID

20-G-0163

RESCURE CESSPOOL & EXCAVATION/KEYSPAN GAS EAST CORP. D/B/A NATIONAL GRID

20-G-0164

SASSO & SONS, LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID

20-G-0165

SASSO & SONS, LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID

20-G-0166

TIKI INDUSTRIES, INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY

20-G-0167

UNITED PAVING CORP/KEYSPAN GAS EAST CORP. D/B/A NATIONAL GRID

ITEM 162 Cont'd.

20-G-0168 ALEXIS CONSTRUCTION CORPORATION/  
KEYSPAN GAS EAST CORP. D/B/A NATIONAL  
GRID

The Commission determined \$10,000 penalties in Cases 20-G-0157, 20-G-0165, and 20-G-0167; and \$2,500 penalties in Cases 19-G-0754, 20-G-0156, 20-G-0158, 20-G-0159, 20-G-0160, 20-G-0162, 20-G-0163, 20-G-0164, 20-G-0166, and 20-G-0168.

ITEM 163

19-G-0690 THE BROOKLYN UNION GAS COMPANY D/B/A  
NATIONAL GRID NY, KEYSPAN GAS EAST  
CORPORATION D/B/A NATIONAL GRID, AND  
NIAGARA MOHAWK POWER CORPORATION  
D/B/A NATIONAL GRID - The Commission decided  
to grant the National Grid companies' request for a  
waiver of their codes of conduct to allow the  
companies to co-brand with Sealed, Inc., to promote  
weatherization financing to the companies'  
ratepayers, and direct the companies to revise their  
codes of conduct to allow for similar arrangements in  
the future.

ITEM 164

20-G-0153 NATIONAL FUEL GAS DISTRIBUTION  
CORPORATION - The Commission decided to  
approve the company's tariff filing revising P.S.C.  
No. 9 - Gas, making housekeeping changes  
removing unnecessary language from General  
Information Sections II.33-II.34 and revising the rate  
year period for its Economic Development Zones  
and Excelsior Programs

ITEM 165

18-G-0443 Appeal of the Informal Decision  
SMITHTOWN CENTRAL SCHOOL DISTRICT ET  
AL/KEYSPAN GAS EAST CORPORATION D/B/A  
NATIONAL GRID - The Commission decided to grant  
the rehearing in part because complainant  
specifically, identified and supported allegations of  
factual errors.

ITEM 166

20-G-0026 N.E.A. CROSS OF N.Y. INC. - The Commission  
decided to authorize the transfer of all shares of  
stock for N.E.A. Cross of N.Y., Inc. from the Estate of  
Vincent L. Cross to Michael G. Cross.

ITEM 167  
 19-G-0309 &  
 19-G-0310 THE BROOKLYN UNION GAS COMPANY D/B/A  
 NATIONAL GRID NY -The Commission decided to  
 further suspend the companies' tariff filings through  
 and including July 31, 2020, to allow for time to  
 process the litigated record.

**Power**

ITEM 361  
 20-E-0031 NEW YORK STATE ELECTRIC & GAS  
 CORPORATION - The Commission decided to  
 approve the company's petition to transfer street  
 lighting facilities, located in the Town of Fallsburg to  
 the Town of Fallsburg.

ITEM 362  
 14-G-0494 ORANGE AND ROCKLAND UTILITIES, INC. -The  
 Commission decided to approve the company's  
 request to correct the application of the earnings  
 sharing mechanism for the partial year period  
 November 1, 2018 through December 31, 2018.

ITEM 363  
 18-T-0561 NIAGARA MOHAWK POWER CORPORATION  
 D/B/A NATIONAL GRID - The Commission decided  
 to approve a Certificate of Environmental  
 Compatibility and Public Need pursuant to PSL §121  
 and adopt the conditions contained in the Joint  
 Proposal.

ITEM 364  
 20-E-0030 ROCHESTER GAS AND ELECTRIC  
 CORPORATION -The Commission decided to  
 approve the company's petition to transfer street  
 lighting facilities to the Town of Williamson.

ITEM 365  
 18-E-0631 COMUNILIFE WOODHULL HDFC - The Commission  
 decided to approve the company's petition for waiver  
 of the individual metering requirements of Opinion  
 76-17 and 16 NYCRR Part 96 at 179 Throop Avenue,  
 Brooklyn, New York, located in the territory of  
 Consolidated Edison Company of New York, Inc.

- ITEM 366  
19-E-0590 MSBP 237 MASTER TENANT, LLC - The Commission decided to approve the company's petition to submeter electricity at 237 Main Street, Buffalo, New York located in the territory of National Grid.
- ITEM 367  
19-E-0636 7 WEST 57TH STREET REALTY COMPANY, LLC - The Commission decided to approve the company's petition to submeter electricity at 7 West 57th Street, New York, New York, located in the service territory of Consolidated Edison Company of New York, Inc.
- ITEM 368  
19-E-0649 APEX ROCHESTER, LLC - The Commission decided to approve the company's petition to submeter electricity at 380 John Street, Rochester, New York, located in the territory of Rochester Gas and Electric Corporation.
- ITEM 369  
19-E-0652 611 W 56TH STREET PROPERTY LLC - The Commission decided to approve the company's petition to submeter electricity at 611 West 56th Street, New York, New York, located in the service territory of Consolidated Edison Company of New York, Inc.
- ITEM 370  
19-E-0742 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC., CENTRAL HUDSON GAS & ELECTRIC CORPORATION NEW YORK STATE ELECTRIC & GAS CORPORATION, NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID, ROCHESTER GAS AND ELECTRIC CORPORATION, AND ORANGE AND ROCKLAND UTILITIES, INC. The Commission decided to approve the amended Electric Emergency Plans and directed the companies to file its response plans with each county in its service territory as required by the PSL.

ITEM 371  
 20-E-0008 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to approve Con Edison's petition to discontinue the SmartAC Kit participation option under Rider L. Residential customers may continue to participate in residential-focused demand response programs through the company's Connected Devices Pilot, Bring Your Own Thermostat option, or through an Aggregator where Advanced Metering Infrastructure is available.

ITEM 372  
 14-E-0423 The Commission decided to require the six electric investor-owned utilities to make certain tariff modifications to improve flexibility and reliability of Dynamic Load Management Programs during the summer 2020 capability period as a result of impacts due to COVID-19.

ITEM 373  
 20-E-0083 ASTORIA ENERGY LLC - The Commission decided to issue a Declaratory Ruling that the proposed transaction of upstream interests in electric generating facilities satisfies the Walkill Presumption and that further review is not needed pursuant to PSL §70.

**Water**

ITEM 461  
 19-W-0744 TOWN OF NORTH COLLINS AND LAWTONS WATER COMPANY - The Commission decided to authorize the transfer of all assets of the Lawtons Water Company to the Town of North Collins; to direct the cancellation of Lawtons' tariff, supplements, and statements; and to authorize the dissolution of Lawtons upon closing of the sale.

ITEM 462  
 19-W-0168  
 19-W-0269 SUEZ WATER NEW YORK INC., SUEZ WATER WESTCHESTER INC. AND SUEZ WATER OWEGO-NICHOLS INC. – The Commission decided to approve the company’s request to extend the maximum suspension period through and including June 30, 2020.

**Communications**

- ITEM 561  
20-C-0141 Q LINK WIRELESS LLC - The Commission decided to approve the company's petition for designation as an Eligible Telecommunications Carrier for the purpose of receiving federal universal support for providing Lifeline service throughout all of New York State.
  
- ITEM 562  
20-C-0193 Verizon New York Inc. - Report on the company's service quality for the first quarter of 2020.
  
- ITEM 563  
20-C-0107 AMERICAN NETWORK, INC. AND HAMMER FIBER OPTICS HOLDINGS CORP. - The Commission decided to approve the transfer of control of American Network, Inc. to Hammer Fiber Optics Holdings Corp. on a prospective basis.
  
- ITEM 564  
19-C-0286 LOCAL TELEPHONE COMPANIES - Report on the service quality of Local Telephone Companies During 2019.

**Cable**

- ITEM 661  
19-V-0620 VERIZON NEW YORK INC. -The Commission decided to approve a portion of the company's petition for Orders of Entry for 34 multiple-dwelling unit buildings in the City of New York.
  
- ITEM 662  
19-V-0621 VERIZON NEW YORK INC. -The Commission decided to approve certain portions of the company's petition by for Orders of Entry at 16 Multiple-Dwelling Unit Buildings in the City of New York.
  
- ITEM 663  
20-V-0136 DTC CABLE, INC. - The Commission decided to grant the Certificate of Confirmation allowing cable television services to be offered in the Village of Franklin, Delaware County.

- ITEM 664                    20-V-0137                    SPECTRUM NEW YORK METRO, LLC,  
 SUBSIDIARY OF CHARTER COMMUNICATIONS -  
 The Commission decided to approve the company's  
 petition for an Order of Entry at 410 Manhattan  
 Avenue, Brooklyn, NY.
- ITEM 665                    20-V-0138                    SPECTRUM NEW YORK METRO, LLC -The  
 Commission decided to approve the company's  
 for an Order of Entry at 131-11 Fowler Avenue,  
 Flushing, NY
- ITEM 666                    20-V-0139                    SPECTRUM NEW YORK METRO, LLC -The  
 Commission decided to approve the company's  
 petition for an Order of Entry at 2 Washington Street,  
 in the City of New York.
- ITEM 667                    20-V-0171                    SPECTRUM NEW YORK METRO, LLC - The  
 Commission decided to approve the company's  
 petition for an Order of Entry at 260-262 Kent  
 Avenue, Brooklyn, NY
- ITEM 668                    20-V-0172                    SPECTRUM NEW YORK METRO, LLC - The  
 Commission decided to approve the company's  
 petition for an Order of Entry at 841-847 St. Nicholas  
 Avenue, New York, NY