

STATE OF NEW YORK

Public Service Commission

Garry A. Brown, Chairman

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12068 Agenda

09/07/12

PSC LISTS AGENDA FOR THURSDAY, SEPTEMBER 13, 2012

Meeting Time and Location: 10:30 AM

19th Floor Board Room

Three Empire State Plaza, Albany, NY

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)

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

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REGULAR AGENDA ITEMS

Items To Be Discussed at Session

Item PSC Case

GENERAL

11-M-0481 - In the Matter of the Outages Caused by Hurricane Irene and Tropical Storm Lee.

11-M-0595 - In the Matter of the Outages Caused by the October 2011 Nor'easter.

Presentation - Update on utility responses following Hurricane Irene, Tropical Storm Lee, and the October snowstorm.

201 10-M-0457 In the Matter of the System Benefits Charge IV. Petition of the New York State Energy Research and Development Authority for Allocation of Uncommitted System Benefits Charge III Funds for Strategic Initiatives.

POWER

- 301 09-E-0428 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. -
Proceeding on Motion of the Commission as to the Rates, Charges, Rules
and Regulations for Electric Service. Annual Performance Report for
2011 Under Electric Service Reliability Performance Mechanism.

No items will be considered on the Regular Agenda for **GAS, WATER,
COMMUNICATIONS, and CABLE**

CONSENT AGENDA

This portion of the 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 11-G-0700 NATIONAL FUEL GAS DISTRIBUTION CORPORATION -
Cancellation of amendments to PSC No. 8-Gas, eff. 2/6/12, to increase
customer enrollment in its expanded Low Income Assistance Program.

In the Matter of Enforcement Proceedings for Alleged Violations of 16
NYCRR Part 753: Protection of Underground Facilities.

162 12-G-0372 RACANELLI CONSTRUCTION GROUP INC./CONSOLIDATED
EDISON COMPANY OF NEW YORK, INC.

12-G-0373 SQUIRES, PIERSON & SONS, INC./KEYSPAN GAS EAST
CORPORATION D/B/A NATIONAL GRID.

12-G-0374 NORTHEAST COAST ELECTRIC, INC./KEYSPAN GAS EAST
CORPORATION D/B/A NATIONAL GRID.

12-G-0376 BLAINE HOME IMPROVEMENT/NATIONAL FUEL GAS
DISTRIBUTION CORPORATION.

12-G-0377 EDWARD DORE LANDSCAPE ASSOCIATES, INC./NATIONAL
FUEL GAS DISTRIBUTION CORPORATION.

12-G-0378 LECHASE CONSTRUCTION SERVICES, LLC/ROCHESTER GAS
AND ELECTRIC CORPORATION.

12-G-0379 WOODHILL HOMES LLC FOR ALLEGED/THE BROOKLYN
UNION GAS COMPANY D/B/A NATIONAL GRID NY.

163 10-G-0228 In the Matter of Proposed Amendments to the Rules and Regulations of
the Public Service Commission, Contained in 16 NYCRR, Chapter III,
Gas Utilities, Subchapter C, Safety, Part 255, Transmission and
Distribution of Gas - Distribution Integrity Management Rule.

GENERAL

261 09-E-0468 GIANT MARKETS/NEW YORK STATE ELECTRIC & GAS CORP. -
Appeal of Informal Decision.

12-E-0208 MR. ABRAHAM FRIEDMAN/CONSOLIDATED EDISON

COMPANY OF NEW YORK, INC. - Appeal of Informal Decision.

- 262 11-M-0702 AGWAY ENERGY SERVICES, LLC - Petition for Resolution on an Expedited Basis of a Pending Dispute with Niagara Mohawk Power Corporation d/b/a National Grid.
- 263 12-M-0264 NIAGARA MOHAWK POWER CORPORATION - Petition for Authority to Issue Securities.
- 264 11-E-0606 DYNERGY DANSKAMMER, LLC and DYNERGY ROSETON LLC - Petition for a Declaratory Ruling or, in the Alternative, Expedited Approval Pursuant to Section 70 of the New York State Public Service Law.
- 12-M-0351 DYNERGY INC. and FRANKLIN RESOURCES, INC. - Verified Joint Petition for a Declaratory Ruling Regarding Application of Sections 70 and 83 of the New York State Public Service Law.
- 265 12-S-0147 VORNADO REALTY TRUST - Petition for Declaratory Ruling to Revise Consolidated Edison Company of New York, Inc.'s Steam Standby Tariff.
- 266 12-M-0172 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Petition for Authorization, Pursuant to the Public Service Law, for Approval to Enter Into \$175 Million of Multi-Year Committed Credit Agreements and Approval to Issue and Sell up to \$250 Million of Long-Term Debt Through December 31, 2015.

POWER

- 361 10-E-0465 TEARDROPS OF ELEGANCE/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. – Appeal of Informal Hearing Decision.
- 362 08-E-1100 MR. JOSEPH GULIA/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. – Appeal of Informal Hearing Decision.
- 363 11-E-0002 DR. SAMUEL WILMIT/ORANGE AND ROCKLAND UTILITIES, INC. – Appeal of Informal Hearing Decision.
- 364 11-E-0176 CENTRAL HUDSON GAS & ELECTRIC CORPORATION -

Amendments to PSC No. 15 - Electricity, eff. 10/1/12 - In the Matter of the Commission's Implementation of Certain Provisions of the Recharge New York Power Program Act.

- 365 08-T-0034 HUDSON TRANSMISSION PARTNERS, LLC - Application for a Certificate of Environmental Compatibility and Public Need for a 345 Kilovolt Submarine/Underground Electric Transmission Line Between Manhattan and New Jersey. Amendment to Certificate.
- 366 12-E-0189 CENTRAL HUDSON GAS & ELECTRIC - Amendments to PSC No. 15 - Electricity, effective 8/1/12, postponed to 10/1/12, to revise the incremental monthly charge applicable to Service Classification No. 2 - General Service Customers Subject to Mandatory Hourly Pricing and to Require the Installation of Cellular Meters.
- 367 12-E-0043 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Amendments to PSC 15-Electricity, eff. 6/1/12, suspended through 9/28/12, to revise its billing provisions applicable to customers that are both net metered and subject to hourly pricing provisions.
- 368 11-E-0176 In the Matter of the Commission's Implementation of Certain Provisions of the Recharge New York Power Program Act. Tariff filing regarding installed capacity requirements allocation.
- 369 There is no item 369.
- 370 12-T-0248 NEW YORK STATE ELECTRIC & GAS CORPORATION - Application for a Certificate of Environmental Compatibility and Public Need for the Construction of the "Columbia County Transmission Project," Approximately 11.1 Miles of 115 Kilovolt Transmission Lines and related facilities in the Towns of Chatham, Ghent, and Stockport, in Columbia County. Waiver Requests.
- 371 12-E-0076 LAFAYETTE BOYNTON APARTMENT CORPORATION - Petition to Submeter Electricity at 825 and 875 Boynton Avenue and 820 and 880 Colgate Avenue, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 372 12-E-0211 ALLIANCE ENERGY, NEW YORK LLC, MEG DEVELOPMENT COMPANY, LLC, MASSENA ENERGY HOLDING, LLC, MASSENA ENERGY HOLDINGS GP, LLC, and POWER CITY PARTNERS, LP - Joint Verified Petition for a Declaratory Ruling or, in

the Alternative, an Order Approving Transfer Pursuant to Public Service Law Section 70, Approval of Financing Pursuant to Public Service Law Section 69, and Continuing Lightened Regulatory Regime.

- 12-E-0294 ALLIANCE NYGT, LLC, SENECA POWER PARTNERS, L.P.,
STERLING POWER PARTNERS, L.P, ALLIANCE ENERGY
TRANSMISSIONS, LLC, and ALLIANCE ENERGY
TRANSMISSIONS-SYRACUSE LLC - Joint Verified Petition for an
Order Approving Financing Pursuant to Public Service Law Section 69.
- 373 11-E-0176 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.,
ORANGE AND ROCKLAND UTILITIES, INC., NEW YORK STATE
ELECTRIC & GAS CORPORATION, NIAGARA MOHAWK POWER
CORPORATION, D/B/A NATIONAL GRID – In the Matter of the
Commission’s Implementation of Certain Provisions of the Recharge
New York Power Program Act. Confirming Orders.

WATER

- 461 12-W-0041 DEBORA A. LAMBERT, d/b/a GREEN MEADOW PARK WATER
COMPANY - Petition to increase annual water revenues by about
\$19,387 or 77% and to convert its Tariff Schedule P.S.C. No. 1 - Water
to an electronic format.
- 462 12-W-0278 WINDHAM RIDGE WATER CORP. - Amendments to PSC No. 1 -
Water, eff. 10/1/12, for approval of Escrow Account Statement No. 2.

COMMUNICATIONS

- 561 12-C-0268 VERIZON NEW YORK INC. - Petition for Approval Pursuant to Public
Service Law Section 113(2), of a Proposed Allocation and Disposition of
Certain Tax Refunds from the City of New York.

CABLE

Petitions for Renewal of Cable Television Franchises.

- 661 12-V-0171 TIME WARNER ENTERTAINMENT-ADVANCE/NEWHOUSE
PARTNERSHIP/TOWN OF BALLSTON, SARATOGA COUNTY,
NY.
- 12-V-0307 TIME WARNER NY CABLE LLC/TOWN OF CAMBRIA, NIAGARA
COUNTY.

- 12-V-0308 CABLEVISION SYSTEMS LONG ISLAND CORPORATION/VILLAGE OF LAUREL HOLLOW, NASSAU COUNTY.
- 12-V-0317 MID-HUDSON CABLEVISION, INC./TOWN OF GREENVILLE, GREENE COUNTY.
- 12-V-0341 TIME WARNER ENTERTAINMENT ADVANCE NEWHOUSE PARTNERSHIP/TOWN OF DEWITT, ONONDAGA COUNTY.
- 12-V-0344 TIME WARNER ENTERTAINMENT ADVANCE NEWHOUSE PARTNERSHIP/TOWN OF AVOCA, STEUBEN COUNTY.
- 12-V-0345 TIME WARNER ENTERTAINMENT-ADVANCE/NEWHOUSE PARTNERSHIP/VILLAGE OF WAYLAND, STEUBEN COUNTY.
- 12-V-0346 TIME WARNER ENTERTAINMENT ADVANCE NEWHOUSE PARTNERSHIP/TOWN OF COLTON, ST. LAWRENCE COUNTY.
- 12-V-0348 TIME WARNER ENTERTAINMENT ADVANCE NEWHOUSE PARTNERSHIP/TOWN OF DIANA, LEWIS COUNTY.
- 12-V-0354 TIME WARNER ENTERTAINMENT ADVANCE NEWHOUSE/TOWN OF MONTOUR, SCHUYLER COUNTY.
- 12-V-0355 MID-TEL CABLE TV, INC./VILLAGE OF SCHOHARIE, SCHOHARIE COUNTY.
- 12-V-0356 TIME WARNER ENTERTAINMENT ADVANCE NEWHOUSE PARTNERSHIP/TOWN OF MADISON, MADISON COUNTY.
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- 662 12-V-0301 TOWN OF ANDES - Petition for a Waiver of the Requirements of 16 NYCRR, Sections 894.1 through 894.4 to Provide Cable Television Service.
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- 663 12-V-0287 TOWN OF HOWARD - Petition for a Waiver of the Requirements of 16 NYCRR, Sections 894.1 through 894.4 to Provide Cable Television Service.

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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

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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, October 18, 2012, in Albany, New York.**