



# Public Service Commission

**For Immediate Release:** 11/16/16

Audrey Zibelman, Chair

**Contact:**

James Denn | James.Denn@dps.ny.gov | (518) 474-7080

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

<http://twitter.com/NYSDPS>

16076

## COMMISSION ISSUES FINAL NOVEMBER 17, 2016 AGENDA

Albany, NY – The Public Service Commission announced today that it will hold its next regular session beginning at **10:30 a.m., Thursday, November 17, 2016, in the 19<sup>th</sup> 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](http://www.dps.ny.gov/New_Search.html)

### **REGULAR AGENDA ITEMS**

#### **Items To Be Resolved Through Discussion**

<b>Item</b>	<b>PSC Case</b>	
		<b>POWER</b>
301	16-E-0472	ENTERGY NUCLEAR FITZPATRICK, LLC AND EXELON GENERATION COMPANY, LLC - Joint Petition Pursuant to Section 70 of the New York Public Service Law for Approval of the Transfer of the James A. Fitzpatrick Nuclear Power Plant and Related Assets and for a Declaratory Ruling Continuing Lightened Regulation.

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

- |     |           |  |
|-----|-----------|--|
| 161 | 15-G-0284 | NEW YORK STATE ELECTRIC & GAS CORPORATION - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.  |
|     | 15-G-0286 | ROCHESTER GAS AND ELECTRIC CORPORATION - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.   |
| 162 | 16-G-0379 | ORANGE AND ROCKLAND UTILITIES, INC. AND CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Joint Petition for Approval of Silver Spring Networks Commercial IMU AMI Devices.<br><br>In the Matter of an Enforcement Proceeding for Alleged Violations of 16 NYCRR Part 753, Protection of Underground Facilities. |
| 163 | 16-E-0271 | J.K. TOBIN CONSTRUCTION CO., INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.   |
|     | 16-G-0577 | ROCK HARD INDUSTRIES/CENTRAL HUDSON GAS & ELECTRIC CORPORATION.  |
|     | 16-G-0578 | GBG REMODELING CORP./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.   |
|     | 16-G-0579 | RML CONSTRUCTION INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.  |
|     | 16-G-0580 | NU GENERAL CONTRACTING INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.  |
|     | 16-G-0581 | HILLVIEW CONSTRUCTION AND RENOVATIONS CORP./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.  |

- 16-G-0582 LANG POOLS INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 16-G-0583 REMAX CONSTRUCTION LLC/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 16-G-0584 THE J. PILLA GROUP LTD/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 16-G-0585 GRETO CONTRACTING, INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 16-G-0587 FARMVIEW LANDSCAPING AND IRRIGATION LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 16-G-0588 METRO INDUSTRIAL WRECKING & ENVIRONMENTAL CONTRACTORS, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 16-G-0589 TAHOE DEVELOPMENT CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 16-G-0590 N C CONTRACTING, INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 16-G-0591 CONCORD POOLS, LTD/NEW YORK STATE ELECTRIC & GAS CORPORATION.
- 16-G-0592 EE ROOT/NEW YORK STATE ELECTRIC & GAS CORPORATION.
- 16-G-0593 COOK'S SEPTIC SERVICE, L.L.C./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 16-G-0594 BARBERA CONCRETE PUMPING/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 16-G-0596 ARSENAL CITY LAWN SPRINKLERS/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 16-G-0597 BARBER CORPORATION/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 16-G-0598 LANDMARK ENTERPRISE/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 16-G-0599 BRADLEY CORPORATE PARK/ORANGE AND ROCKLAND UTILITIES, INC.
- 16-G-0600 CIOFFI 1, INC./ORANGE AND ROCKLAND UTILITIES, INC.
- 16-G-0602 YAMBA STRUCTURE INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 16-G-0603 TAN DEVELOPMENT LLC/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.

- 164 15-G-0759 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Tariff filing to Add and Clarify Provisions Related to Electric Generators Taking Service Under Service Classification No. 14 - Gas Transportation Service for Dual Fuel Electric Generators, contained in P.S.C. No. 219 - Gas.
- 165 16-G-0485 KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID - Tariff filing to make revisions to certain tariff provisions relating to temperature controlled and interruptible customers served under its gas tariff schedule, P.S.C. No. 1 - Gas.
- 16-G-0486 THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY - Tariff filing to make revisions to certain tariff provisions relating to temperature controlled and interruptible customers served under its gas tariff schedule, P.S.C. No. 12 - Gas.
- 166 16-G-0261 CRESTWOOD PIPELINE EAST LLC, CRESTWOOD PIPELINE AND STORAGE NORTHEAST LLC, STAGECOACH GAS SERVICES LLC AND CON EDISON GAS PIPELINE AND STORAGE NORTHEAST LLC - Petition for a Declaratory Ruling Concerning the Transfer of Interest and Lightened Regulation.

#### GENERAL

- 261 11-M-0585 NIAGARA MOHAWK POWER COMPANY D/B/A NATIONAL GRID/MR. JOSEPH DEMARTINO - Appeal of Informal Hearing Decision.
- 262 16-M-0529 CRYQUICK PROPERTY MANAGEMENT/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Appeal of Informal Hearing Decision.
- 263 16-E-0060 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Electric Service.
- 16-G-0061 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.
- 264 12-E-0201 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Electric Service.
- 12-G-0202 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.
- 265 15-M-0687 ORANGE AND ROCKLAND UTILITIES, INC. - Petition for Approval of the Transfer of Ownership of Certain Utility Poles to Frontier Communications Corporation.

- 266 16-M-0555 In the Matter of Rules and Regulations of the Public Service Commission, Contained in 16 NYCRR, Prescribing Interest Rates Applicable to Customer Deposits.
- 267 15-E-0283 NEW YORK STATE ELECTRIC & GAS CORPORATION - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Electric Service.
- 15-G-0284 Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of New York State Electric & Gas Corporation for Gas Service.
- 15-E-0285 Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of Rochester Gas and Electric Corporation for Electric Service.
- 15-G-0286 Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of Rochester Gas and Electric Corporation for Gas Service.

### **POWER**

- 361 16-E-0498 MR. UTTAM SILAL/MS. SUE ANN BEAUDETTE/NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Rehearing of Designee Determination.
- 16-E-0530 MS. ROSANNA ORTIZ/MS. MARLITA HAMILTON/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Rehearing of Designee Determination.
- 362 11-E-0407 MCCONNER STREET HOLDINGS, LLC/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Appeal of Informal Hearing Decision.
- 363 15-E-0646 MEGNIN FARMS AT POOLSBROOKE LLC AND NORTH RIDGE, LLC - Petition pursuant to Section 16 NYCRR, Section 100.3 And Tariff Provisions 16.4.4.1 of Niagara Mohawk Power Corporation.
- 364 16-E-0324 GEMINI RESIDENTIAL, LLC - Notice of Intent to Submeter Electricity at 225 East 39th Street, New York, New York Located in the Territory of Consolidated Edison Company of New York, Inc.
- 365 16-E-0117 GENERAL ELECTRIC - Petition for Approval of JAB-0S, JAD-0S, JAK-0S, and JCT-0S.
- 366 16-E-0034 BOP MW RESIDENTIAL MARKET LLC AND BOP MW RESIDENTIAL AFFORDABLE LLC - Notice of Intent to Submeter Electricity at 445 W. 31st Street, New York, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.

- 367 16-E-0367 58 CORNER LLC - Notice of Intent to Submeter Electricity at 600 W. 58th Street, New York, New York, Located in the Service Territory of Consolidated Edison Company of New York, Inc.
- 368 16-E-0023 ITRON INC. - Petition for Approval of the OpenWay® CENTRON® 4G LTE Commercial Meter Line.
- 369 15-E-0307 MASSENA ELECTRIC DEPARTMENT - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Electric Service.
- 370 15-E-0302 Proceeding on Motion of the Commission to Implement a Large-Scale Renewable Program and a Clean Energy Standard. **Subject:** NYSERDA August 25, 2016 petition seeking clarification of the Clean Energy Standard order.
- 371 12-E-0201 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Electric Service.
- 372 16-E-0497 Tariff Filings to Effectuate Amendments to Public Service Law §66-j (Net Energy Metering for Farm Waste Electric Generating Equipment) and Conform the Standardized Interconnection Requirements.
- 373 16-E-0536 NOBLE ALTONA WINDPARK, LLC; NOBLE BLISS WINDPARK, LLC; NOBLE CHATEAUGAY WINDPARK, LLC; NOBLE CLINTON WINDPARK, LLC; NOBLE ELLENBURG WINDPARK, LLC; NOBLE ENVIRONMENTAL POWER, LLC; NOBLE WETHERSFIELD WINDPARK, LLC - Joint Petition for a Declaratory Ruling Invoking the Wallkill Presumption or for Expedited Approval Pursuant to Section 70 of the Public Service Law.
- 374 15-E-0302 Proceeding on Motion of the Commission to Implement a Large-Scale Renewable Program and a Clean Energy Standard. **Subject:** NYSERDA August 25, 2016 petition seeking approval of an administrative adder and other relief.

### COMMUNICATIONS

- 561 16-C-0241 CHAZY AND WESTPORT TELEPHONE CORPORATION - Minor Rate Filing to access the SUSF.

### CABLE

- 661 16-V-0375 TOWN OF HARPERSFIELD, DELAWARE COUNTY - Petition for Approval of an Amendment of their Franchise with Time Warner Entertainment - Advance/Newhouse Partnership d/b/a Time Warner Cable Concerning Franchise Fees.

- 662 16-V-0416 VERIZON NEW YORK INC. - Petition for Orders of Entry for 33 Multiple-Dwelling Unit Buildings in the City of New York.
- 663 16-V-0417 VERIZON NEW YORK INC. - Petition for Orders of Entry for 29 Multiple-Dwelling Unit Buildings in the City of New York.
- 664 16-V-0423 CHARTER COMMUNICATIONS – Petition for Approval of the Renewal of its Franchise with the Village of Chatham, Columbia County.
- 665 16-V-0424 EMPIRE VIDEO SERVICES CORPORATION - Petition for a Certificate of Confirmation for its Franchise with the City of Corning, Steuben County.
- 666 16-V-0425 COMMUNITY CABLE CORPORATION D/B/A NORTH PENN VIDEO - Petition for a Certificate of Confirmation for its Franchise with the City of Corning, Steuben County.
- 667 16-V-0483 EMPIRE VIDEO SERVICES CORPORATION - Petition for a Certificate of Confirmation for its Franchise with the Village of Horseheads, Chemung County.
- 668 16-V-0484 COMMUNITY CABLE CORPORATION D/B/A NORTH PENN VIDEO - Petition of Community Cable Corporation d/b/a North Penn Video for a Certificate of Confirmation for its Franchise with the Village of Horseheads, Chemung County.

No items will be considered on the Consent Agenda for **WATER**

#### **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 4<sup>th</sup> 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** 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](http://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](http://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](http://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 14<sup>th</sup> 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, December 15, 2016, in New York City.**

Individuals in Albany wishing to observe the Commission's meeting may do so in the Board Room on the 19<sup>th</sup> 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.

In addition, the meeting will be webcast live on the Internet. The Internet webcast can be viewed by accessing <http://www.dps.ny.gov/Webcasts.html>

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. TDD 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.