



## Consent Agenda Report for 01/24/2017

The following is a preliminary and informal summary of actions the Commission took at its public session on January 24, 2017. 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.

### ITEM 161

	<u>In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities</u>
16-G-0166	DPA DEVELOPMENT CORP./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
16-G-0642	SUFFOLK COUNTY WATER AUTHORITY/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
16-G-0643	SUFFOLK COUNTY WATER AUTHORITY/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
16-G-0700	S.V.B. CONTRACTING, INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
16-G-0701	ROCKAWAY BEACH BOULEVARD CONSTRUCTION CO., LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
16-G-0702	PECONIC BAY MATERIALS/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
16-G-0703	CRESCENT HILLS CONSTRUCTION CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
16-G-0704	SUNNY BUILDERS NY CORPORATION/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
16-G-0705	SUNNYWORLD L.L.C./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
16-G-0707	GENESEE COUNTY HIGHWAY DEPARTMENT /ROCHESTER GAS AND ELECTRIC CORPORATION.
16-G-0708	KING STAR CONSTRUCTION CO. INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.

The Commission decided to grant Consent Orders in Cases 16-G-0705, and 16-G-0707, and determined \$2,500 penalties in Cases 16-G-0166, 16-G-0642, 16-G-0643, 16-G-0700, 16-G-0701, 16-G-0702, 16-G-0703, 16-G-0704, and 16-G-0708.

- ITEM 162                      13-G-0356                      Rehearing of Designee Determination  
 MS. LOVETTA BARHAM CLARKE/MS. KAREN HARVEY/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to uphold its original determination.
- ITEM 163                      16-G-0640                      Rehearing of Designee Determination  
 MS. ANGELINA BATTOCCHIO/MR. SALVATORE BELLANTONI/MR. LEONARDO CORONADO /CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to uphold its original determination.
- ITEM 164                      12-G-0234                      Appeal of Informal Hearing Decision  
 MR. LLOYD ALES/NIAGARA MOHAWK POWER COMPANY D/B/A NATIONAL GRID - The Commission decided to reverse the informal hearing decision
- ITEM 165                      12-G-0478                      Appeal of Informal Hearing Decision  
 MS. LAURA JACOBSON/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID - The Commission decided to uphold the informal hearing decision.
- ITEM 166                      16-G-0615                      Appeal of Informal Hearing Decision  
 EAST RIVER HOUSING CORPORATION/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to uphold the informal hearing decision.

**GENERAL**

- ITEM 261                      14-E-0493  
 14-G-0494                      ORANGE AND ROCKLAND UTILITIES, INC. - The Commission decided to approve, on a permanent basis, the company's compliance tariff filings effectuating the provisions and rates for Rate Year 2 pursuant to the Commission Order issued October 16, 2015, in these proceedings.

ITEM 262      16-M-0468      SPARK ENERGY, LLC AND SPARK ENERGY GAS, LLC - The Commission decided to require the companies' to show cause within seven days why Spark should not be precluded from enrolling new customers until the Commission orders otherwise. Further, the Commission directed Spark to show cause within 30 days why its eligibility to act as an energy services company should not be revoked or why other consequences, as set forth in the Commission's Uniform Business Practices (UBP) Section 2.D.6 should not be imposed.

ITEM 263      16-M-0368      CORNELL UNIVERSITY AND ARGOS SOLAR LLC - The Commission decided to deny the joint petition that the Commission either issue a Declaratory Ruling finding that NYSEG's change of the service class of a Cornell University account was improper or issue an Order waiving certain tariff provisions..

### **POWER**

ITEM 361      16-E-0490      ORANGE AND ROCKLAND UTILITIES, INC. - The Commission decided to approve the company's petition to sell certain streetlights located in the Town of Orangetown.

ITEM 362      16-E-0617      CENTRAL HUDSON GAS & ELECTRIC CORPORATION - The Commission decided to approve the company's tariff filing modifying Service Classification No. 9 - Traffic Signal Service to add an option to provide for Light Emitting Diode (LED) customer-owned, non-metered traffic signals to take service from the Company, P.S.C. No. 15 - Electricity.

ITEM 363      16-E-0564      CENTRAL HUDSON GAS & ELECTRIC CORPORATION - The Commission decided to approve the company's petition to sell certain streetlights located in the City of Kingston.

ITEM 364      16-E-0387      FLUSHING COMMONS PROPERTY OWNER, LLC - The Commission decided to approve the company to submeter electricity at 138-35 39th Avenue, Flushing, New York, located in the territory of Consolidated Edison Company of New York Inc.

ITEM 365      16-E-0242      ACLARA TECHNOLOGIES LLC - The Commission decided to approve the company's I210+c electric meter with Silver Spring NIC 511 communication module for use in electric residential applications.

- ITEM 366      16-E-0385      SNOWFLOW LH LLC - The Commission decided to approve the company's request to submeter electricity at 252 East 57th Street, New York, New York, located in the territory of Consolidated Edison Company of New York Inc.
- ITEM 367      16-E-0500      ECONOMIC GROWTH ENTERPRISES CORPORATION D/B/A MOHAWK VALLEY EDGE - The Commission decided to grant the company a Certificate of Public Convenience and Necessity to build a 1.4-mile transmission line in the Town of Marcy.
- ITEM 368      12-E-0107 & 14-E-0366      Appeal of Informal Hearing Decision  
MR. CHARLES RODA/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to uphold the informal hearing decisions.
- ITEM 369      16-E-0523      CITY OF JAMESTOWN BOARD OF PUBLIC UTILITIES - The Commission decided to approve the City's filing updating its electric tariff schedule, P.S.C. No. 7, to incorporate LED street lighting options in its off-street lighting and municipal street lighting service classifications.
- ITEM 370      16-E-0552      CCI RENSSELAER LLC - The Commission decided to approve the proposed debt financing and transfer of an active and controlling interest in the operating company that owns a jurisdictional electric generating facility. The Commission also found that that the remaining intra-corporate transfers proposed in the Petition do not require further review under PSL §70.
- ITEM 371      16-E-0503      PARKSIDE ASSOCIATION, INC. - The Commission decided to approve the company to submeter electricity at 549-561 41st Street, Brooklyn, New York, located in the territory of Consolidated Edison Company of New York Inc.
- ITEM 372           There is no item 372.
- ITEM 373      16-E-0404      212 FIFTH AVENUE VENTURE LLC - The Commission decided to approve the company to submeter electricity at 212 Fifth Avenue, New York, New York, located in the territory of Consolidated Edison Company of New York Inc.
- ITEM 374           There is no item 374
- ITEM 375      08-T-0034      HUDSON TRANSMISSION PARTNERS, LLC - The Commission decided to confirm a one commissioner order approving certificate amendments and directing compliance.

**WATER**

ITEM 461      16-W-0415      ARBOR HILLS WATERWORKS, INC. - The Commission decided to confirm a one commissioner order that adopts the Order issued October 13, 2016 in this proceeding as a permanent action pursuant to State Administrative Procedure Act §202(1).

ITEM 462      16-W-0489      SARATOGA WATER SERVICES, INC., AND THE LUTHER FOREST CORPORATION -The Commission decided to issue a declaratory ruling stating that the agreement between the companies' concerning the provision of water service to a proposed residential and commercial project known as the Cold Springs Mixed Use Subdivision located in the Town of Stillwater, Saratoga County is just and reasonable and in the public interest.

**COMMUNICATIONS**

ITEM 561      16-C-0288      XO HOLDINGS, XO COMMUNICATIONS SERVICES, LLC, AND VERIZON COMMUNICATIONS INC. - The Commission decided to grant the petition by the companies' for approval to transfer XO Holdings' indirect 100% ownership interest in XO Communications Services to Verizon Communications, pursuant to PSL §§99 and 100 subject to the conditions discussed in the Order.

ITEM 562      10-C-0202      VERIZON NEW YORK INC. - The Commission decided to grant the company's request to waive the results with regard to the Commission's two timeliness-of-repair service quality standards during the second quarter of 2016.

ITEM 563      99-C-0949      VERIZON NEW YORK INC.- The Commission decided to approve the company's petition to waive certain April and May 2016 wholesale service quality metrics measured under the Performance Assurance Plan.

**CABLE**

ITEM 661      16-V-0421      VERIZON NEW YORK INC. - The Commission decided to approve a portion of the company's petition for Orders of Entry for 44 multiple-dwelling unit buildings in the City of New York.

ITEM 662      16-V-0420      VERIZON NEW YORK INC. - The Commission decided to approve a portion of the company's petition for Orders of Entry for 45 multiple-dwelling unit buildings in the City of New York.

ITEM 663      16-V-0619      CABLEVISION OF WAPPINGERS FALLS, INC./VILLAGE OF NELSONVILLE, PUTNAM COUNTY.  
 16-V-0667      COMCAST OF NEW YORK, LLC/TOWN OF KENT, PUTNAM COUNTY.  
 16-V-0677      TIME WARNER CABLE NORTHEAST LLC/TOWN OF PORTVILLE, CATTARAUGUS COUNTY.  
 16-V-0678      TIME WARNER CABLE NORTHEAST LLC/TOWN OF NEWFANE, NIAGARA COUNTY.  
 16-V-0679      TIME WARNER CABLE NORTHEAST LLC/TOWN OF HINSDALE, CATTARAUGUS COUNTY.

The Commission decided to approve the cable television franchise renewals for the above companies.