

Consent Agenda Report for 11/16/2017

The following is a preliminary and informal summary of actions the Commission took at its public session on November 16, 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.

Gas

ITEM 161-A

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

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| 17-G-0125 | A. COLARUSSO AND SON, INC./CENTRAL HUDSON GAS & ELECTRIC CORPORATION |
| 17-G-0627 | TC LANDSCAPING/CENTRAL HUDSON GAS & ELECTRIC CORPORATION |
| 17-G-0628 | ARBEN GROUP LLC/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. |
| 17-G-0629 | P & T II CONTRACTING CORP./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. |
| 17-G-0631 | DENNIS FORTE CONSTRUCTION, L.L.C./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. |
| 17-G-0632 | BREEZE DEMO CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID |
| 17-G-0633 | NYC DEPARTMENT OF TRANSPORTATION/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. |
| 17-G-0634 | ALLSTAR POOLS AND MASONRY CONTRACTING/KEYSPAN ENERGY OF LONG ISLAND |
| 17-G-0635 | D G CONSTRUCTION/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID |
| 17-G-0636 | NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID |
| 17-G-0638 | VOLMAR CONSTRUCTION INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID |
| 17-G-0640 | STEVEN M. MEZYNIESKI, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID |
| 17-G-0641 | JESCO BRICK & CONCRETE MASONRY, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID |
| 17-G-0642 | JC CONCRETE, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID |

ITEM 161-A (Cont'd)

- 17-G-0643 A & M D'ALESSANDRO CONTRACTORS, INC./
KEYSPAN GAS EAST CORPORATION D/B/A
NATIONAL GRID
- 17-G-0644 P&G CONSTRUCTION SERVICES CORP./
KEYSPAN GAS EAST CORPORATION D/B/A
NATIONAL GRID
- 17-G-0645 ROBERT MACVIE DBA ROBERT MACVIE INC./
NATIONAL FUEL GAS DISTRIBUTION
CORPORATION
- 17-G-0646 AUGUST BOHL CONTRACTING COMPANY,
INC./NIAGARA MOHAWK POWER CORPORATION,
D/B/A NATIONAL GRID
- 17-G-0647 VANDERHOOF ELECTRICAL SERVICES/NIAGARA
MOHAWK POWER CORPORATION, D/B/A
NATIONAL GRID
- 17-G-0649 LUCARELLI SAND & GRAVEL, INC./NIAGARA
MOHAWK POWER CORPORATION, D/B/A
NATIONAL GRID
- 17-G-0650 J.R. NELSON, LLC/NIAGARA MOHAWK POWER
CORPORATION, D/B/A NATIONAL GRID
- 17-G-0651 QUALITY STONE WORKS INC /NIAGARA MOHAWK
POWER CORPORATION, D/B/A NATIONAL GRID
- 17-G-0652 GROUND TO SKY CITY BUILDERS CORP./THE
BROOKLYN UNION GAS COMPANY D/B/A
NATIONAL GRID NY

The Commission decided to determine a \$10,000 penalty in Case 17-G-0646, determine \$2,500 penalties in Cases 17-G-0627, 17-G-0628, 17-G-0629, 17-G-0631, 17-G-0632, 17-G-0633, 17-G-0634, 17-G-0635, 17-G-0636, 17-G-0638, 17-G-0640, 17-G-0641, 17-G-0642, 17-G-0643, 17-G-0644, 17-G-0645, 17-G-0647, 17-G-0649, 17-G-0650, 17-G-0651, and 17-G-0652, and grant an Order on Rehearing in Case 17-G-0125.

ITEM 161-B

In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities (Consent Order Agreements).

- 17-G-0623 MERRITT CONSTRUCTION, INC./CENTRAL HUDSON GAS & ELECTRIC CORPORATION
- 17-G-0624 POLAR CROSSING, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
- 17-G-0625 THE TOWN OF EAST GREENBUSH DEPARTMENT OF PUBLIC WORKS/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID
- 17-G-0626 F.P. KANE CONSTRUCTION INC./ST. LAWRENCE GAS COMPANY, INC.

The Commission decided to grant Consent Orders in Cases 17-G-0623, 17-G-0624, 17-G-0625, and 17-G-0626.

ITEM 162

- 17-G-0546 Appeal of an Informal Hearing Decision
PARK CITY ESTATES TENANTS CORPORATION/NATIONAL GRID-METRO - The Commission decided to uphold the informal review decision.

ITEM 163

- 17-G-0416 Appeal of an Informal Hearing Decision
BEBI ALLI/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to deny the complainant's appeal of informal hearing decision.

ITEM 164

There is no item 164

ITEM 165

- 17-G-0518 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to approve the company's tariff revisions regarding weather normalization adjustments contained in P.S.C. No. 9 - Gas.

ITEM 166

- 17-G-0414 NATIONAL FUEL GAS DISTRIBUTION CORPORATION – The Commission decided to approve the company's petition to issue up to \$400 million in long-term debt.

- ITEM 167
17-G-0346 CORNING NATURAL GAS CORPORATION - The Commission decided to approve the company's request under Section §69 of the Public Service Law to issue up to \$44 million of long-term indebtedness through December 31, 2020 with conditions.
- ITEM 168
17-G-0005 Appeal of an Informal Review Decision
GREEN PARK SUSSEX INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to uphold the informal review decision.
- General**
- ITEM 261
17-M-0611 16 NYCRR PRESCRIBING INTEREST RATES APPLICABLE TO CUSTOMER DEPOSITS - The Commission decided to update the customer deposit rate and other customer provided capital rate for investor-owned utilities and municipal utilities. Effective January 1, 2018, for investor-owned utilities and municipal utilities, the Commission set the customer deposit rate at 1.05% and 0.45%, respectively, and the other customer provided capital rate at 2.80% and 2.20%, respectively.
- ITEM 262
16-E-0060, 16-G-0061, 16-E-0196 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to approve, with modifications, the company's electric and gas compliance filings effectuating Rate Year 1 pursuant to the Commission's Order issued January 25, 2017 in Cases 16-E-0060 and 16-G-0061 effective December 1, 2017 on a permanent basis.
- ITEM 263
17-S-0543 Appeal of an Informal Hearing Decision
114 TENANTS CORP./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to uphold the informal hearing decision.

ITEM 264
 17-S-0542 Appeal of an Informal Review Decision
 36 EAST 72 STREET CORP./CONSOLIDATED
 EDISON COMPANY OF NEW YORK, INC. - The
 Commission decided to uphold the informal review
 decision.

ITEM 265
 17-M-0525 NIAGARA MOHAWK POWER CORPORATION
 D/B/A NATIONAL GRID - The Commission decided
 to approve the company's electric and gas tariff
 modifications revising its Sales or Delivery Service
 Application for Non-Residential Customers applying
 for electric and/or gas service, P.S.C. No. 202
 - Electricity and P.S.C. No. 219 - Gas.

ITEM 266
 There is no item 266

ITEM 267
 14-M-0101, 16-M-0430, 17-E-0369 CENTRAL HUDSON GAS &
 ELECTRIC CORPORATION - The Commission
 decided to approve the company's petition to close its
 existing Service Classification No. 6 Voluntary
 Residential Time of Use (VTOU) rate to new
 customers and offer a new residential VTOU rate
 structure.

Power

ITEM 361
 17-E-0600 NIAGARA MOHAWK POWER CORPORATION
 D/B/A NATIONAL GRID - The Commission decided
 to approve the company's revisions of a
 housekeeping nature updating language that was
 inadvertently removed from General Information Rule
 36.6.1 and correcting typographical errors in P.S.C.
 No. 220 - Electricity.

ITEM 362
 17-E-0360 ROSELAND DEVELOPMENT ASSOCIATES, LLC
 -The Commission decided to approve the company's
 petition to submeter electricity at 242 West 53rd
 Street, New York, New York, located in the territory of
 Consolidated Edison Company of New York, Inc.

- ITEM 363
17-E-0251 56 LEONARD STREET CONDOMINIUM - The Commission decided to approve the company's petition to submeter electricity at 56 Leonard Street, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc.
- ITEM 364
16-E-0292 TRUMP PLAZA NEW ROCHELLE CONDOMINIUM OWNERS ASSOCIATION - The Commission decided to approve the company's petition to submeter electricity at 175 Huguenot Street, New Rochelle, New York, located in the territory of Consolidated Edison Company of New York Inc.
- ITEM 365
17-E-0252 225 EAST 74TH APARTMENTS CORP. - The Commission decided to approve the company's petition to submeter electricity at 225 East 74th Street, New York, New York, located in the territory of Consolidated Edison Company of New York Inc.
- ITEM 366
17-E-0350 10 HURON FS CONDO LLC - The Commission decided to approve the company's petition to submeter electricity at 23 India Street and 21 India Street, Brooklyn, New York, located in the territory of Consolidated Edison Company of New York, Inc.
- ITEM 367
17-E-0240 BAY VIEW HOME ASSOCIATION, INC. - The Commission decided to approve the company's petition to submeter electricity at 671 47th Street, Brooklyn, New York, located in the territory of Consolidated Edison Company of New York Inc.
- ITEM 368
17-E-0198 FREEWYTHE, LLC - The Commission decided to approve the company's petition to submeter electricity at 60 South 2nd Street, Brooklyn, New York, located in the Territory of Consolidated Edison Company of New York Inc.

- ITEM 369
 17-E-0190 RBC 1 NOMINEE LLC C/O GID DEVELOPMENT GROUP - The Commission decided to approve the company's petition to submeter electricity at 30 Riverside Boulevard, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc.
- ITEM 370
 16-E-0482 501 BROADWAY TROY, LLC - The Commission decided to approve the company's petition to submeter electricity at 501 Broadway, Troy, New York located in the territory of Niagara Mohawk Power Corporation.
- ITEM 371
 17-E-0412 Appeal of an Informal Hearing Decision
 DEBRA ALLEN/ CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to deny informal hearing decision.
- ITEM 372
 17-E-0517 Appeal of an Informal Hearing Decision
 JAMES BEVILACQUA/ NEW YORK STATE ELECTRIC & GAS CORPORATION - The Commission decided to deny informal hearing decision.
- ITEM 373
 There is no item 373.
- ITEM 374
 17-E-0112 FULTON STREET DEVELOPMENT, LLC - The Commission decided to approve the company's petition to submeter electricity at 1328 Fulton Street, Brooklyn, New York located in the territory of Consolidated Edison Company of New York, Inc.

- ITEM 375
17-E-0583 GENON ENERGY, INC., NRG BOWLINE LLC, AND THE MAJOR NOTEHOLDERS -The Commission decided that (1) no further review under PSL Section 70 is needed for a proposed transfer of indirect, upstream ownership interests in an electric generation facility or an intra-corporate restructuring; (2) the Major Noteholders will not become electric corporations subject to PSL regulation when they acquire indirect, upstream interests in the Bowline generation facility; and (3) the lightened regulation and financing approval previously provided to the owners of the Bowline facility should be continued.
- ITEM 376
17-E-0179 Appeal of an Informal Hearing Decision
NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID/MR. MARTIN RAUCH - The Commission decided to deny the utility's appeal in part and modify the informal hearing decision.
- ITEM 377
17-E-0452 EXELON GENERATION COMPANY, LLC AND EXELON FITZPATRICK, LLC - The Commission decided to approve the transfer of direct interests' in the FitzPatrick generating facility from the company, and continue the existing lightened regulatory regime by imposing same on Exelon FitzPatrick, LLC.
- ITEM 378
17-E-0535 Rehearing of Shared Meter Determination
MS. CLAUDIA WHITE/ MR. LUEMISHER HOLMES AND CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to deny the request for rehearing.
- Water**
- ITEM 461
17-W-0293 BRISTOL WATER WORKS CORPORATION - The Commission decided to suspend the company's minor rate filing through March 30, 2018.

ITEM 462

17-W-0476 Appeal of an Informal Hearing Decision
 LACHONNE WILLIAMS/SUEZ WATER
 WESTCHESTER, INC. - The Commission decided to
 uphold the informal hearing decision.

Communications

ITEM 561

There is no Item 561.

ITEM 562

17-C-0185 VERIZON NEW YORK INC. – Report on the quality of
 service provided by the company for the 3rd quarter of
 2017.

ITEM 563

17-C-0622 VERIZON NEW YORK INC. - The Commission
 decided to approve the company's petition for the sale
 of a garage and work center located at 2525 George
 Urban Boulevard, Depew, NY, and to authorize the
 company to retain the intrastate portion of the net
 gain from the sale.

Cable

ITEM 661

17-V-0469 TIME WARNER CABLE NORTHEAST LLC/TOWN
 OF SPARTA, LIVINGSTON COUNTY.
 17-V-0509 TIME WARNER CABLE NORTHEAST LLC/TOWN
 OF DEKALB, ST. LAWRENCE COUNTY.
 17-V-0513 TIME WARNER CABLE NORTHEAST LLC/TOWN
 OF ANTWERP, JEFFERSON COUNTY.
 17-V-0514 TIME WARNER CABLE NORTHEAST LLC/TOWN
 OF SARDINIA, ERIE COUNTY.
 17-V-0515 TIME WARNER CABLE NORTHEAST LLC/VILLAGE
 OF CAPE VINCENT, JEFFERSON COUNTY.
 17-V-0522 ZITO NEW YORK, LLC/TOWN OF LOCKE, CAYUGA
 COUNTY.
 17-V-0524 TIME WARNER CABLE NORTHEAST LLC/TOWN
 MARSHALL, ONEIDA COUNTY.
 17-V-0529 TIME WARNER CABLE NORTHEAST LLC/VILLAGE
 OF BEMUS POINT, CHAUTAUQUA COUNTY.
 17-V-0536 TIME WARNER CABLE NORTHEAST LLC/VILLAGE
 OF WEEDSPORT, CAYUGA COUNTY.

ITEM 662 (Cont'd.)
17-V-0540 TIME WARNER CABLE NORTHEAST LLC/TOWN
OF FAYETTE, SENECA COUNTY.

The Commission decided to approve the cable franchise renewals listed above.

ITEM 662
17-V-0437 VERIZON NEW YORK INC. - The Commission decided to approve a portion of the company's petition for Orders of Entry for 31 multiple-dwelling unit buildings in the City of New York.

ITEM 663
17-V-0435 VERIZON NEW YORK INC. - The Commission decided to approve a portion of the company's petition for Orders of Entry for 20 multiple-dwelling unit buildings in the City of New York.