

Consent Agenda Report for 09/12/2018

The following is a preliminary and informal summary of actions the Commission took at its public session on September 12, 2018. 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
18-G-0538 NATIONAL FUEL GAS DISTRIBUTION CORPORATION - The Commission decided to approve the company's tariff filing of a housekeeping nature updating its gas tariff schedule. to update the list of municipalities listed on Leaf No. 4, Territory to Which Schedule Applies, to include the Town of Hinsdale.
- ITEM 162
There is no Item 162
- ITEM 163
17-G-0368 The Commission decided to issue a Notice of Adoption adopting hard rulemaking changes to Chapter III, Gas Utilities, Subchapter C, Safety, Part 255, Transmission and Distribution of Gas, to ensure conformance with Title 49, Code of Federal Regulations, Part 192, Transportation of Natural and Other Gas by Pipeline.
- ITEM 164-A
In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities
- 18-G-0509 EIC ASSOCIATES, INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 18-G-0510 LOJA LANDSCAPING LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
- 18-G-0513 PINA DEVELOPMENT, LLC/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY
- 18-G-0514 RGB GROUP INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
- 18-G-0515 RUSSO DEVELOPMENT, INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION
- 18-G-0516 T. WEBBER PLUMBING AND HEATING, INC./CENTRAL HUDSON GAS & ELECTRIC CORPORATION
- 18-G-0523 SAM'S MASONRY, INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY
- 18-G-0524 SAM'S MASONRY, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID

ITEM 164-A (Cont'd)

- 18-G-0525 SMP EXCAVATING, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
- 18-G-0528 ABC SELECT NY INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID
- 18-G-0529 LATEMPA SERVICES INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID
- 18-G-0530 ROCCO MACCHIA, INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 18-G-0531 R & R CONCRETE INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
- 18-G-0532 MONROE ROADWAYS/ROCHESTER GAS AND ELECTRIC CORPORATION
- 18-G-0533 RANDAZZO'S LANDSCAPING, INC./CENTRAL HUDSON GAS & ELECTRIC CORPORATION
- 18-G-0534 A & S CONSTRUCTION/CENTRAL HUDSON GAS & ELECTRIC CORPORATION
- 18-G-0535 ALLIED/ALL-CITY PLUMBING CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
- 18-G-0536 CUSTOMBUILT HOMES INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

The Commission decided to determine \$10,000 penalties in Cases 18-G-0523, and 18-G-0524, and to determine \$2,500 penalties in Cases 18-G-0509, 18-G-0510, 18-G-0513, 18-G-0514, 18-G-0515, 18-G-0516, 18-G-0525, 18-G-0528, 18-G-0529, 18-G-0530, 18-G-0531, 18-G-0532, 18-G-0533, 18-G-0534, 18-G-0535, and 18-G-0536.

ITEM 164-B

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

- 18-G-0502 PETER LUIZZI & BROS. CONTRACTING, INC./NEW YORK STATE ELECTRIC & GAS CORPORATION
- 18-G-0505 ROSEMAR CONTRACTING, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
- 18-G-0506 C&C SPRINKLER INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
- 18-G-0507 ALNO GEDNEY FARMS, INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 18-G-0518 LLL INDUSTRIES INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
- 18-G-0519 GALAXY CONTRACTING INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 18-G-0520 BOYCE EXCAVATING CO., INC./ORANGE AND ROCKLAND UTILITIES, INC.

ITEM 164-B (Cont'd)
 18-G-0521 COPPOLA PAVING & LANDSCAPING
 CORP./CONSOLIDATED EDISON COMPANY OF
 NEW YORK, INC.
 18-G-0522 RECLAMATION, LLVC/NIAGARA MOHAWK
 POWER CORPORATION, D/B/A NATIONAL GRID

The Commission decided to approve Consent Orders in Cases 18-G-0502, 18-G-0505, 18-G-0506, 18-G-0507, 18-G-0518, 18-G-0519, 18-G-0520, 18-G-0521, and 18-G-0522.

ITEM 165
 There is no Item 165

ITEM 166
 18-G-0337 NATIONAL FUEL GAS DISTRIBUTION
 CORPORATION - The Commission decided to suspend the tariff filing of the company to PSC 9 – Gas, to allow for further review.

General

ITEM 261
 18-M-0216 BLUCO ENERGY, LLC - The Commission decided to revoke the company's eligibility to serve energy customers in New York State.

ITEM 262
 18-S-0269 CONSOLIDATED EDISON COMPANY OF NEW
 YORK, INC./36 EAST 72 STREET CORP./BROWN
 HARRIS STEVENS - The Commission decided to recommend that the informal review decision be upheld in part and reversed in part, and the utility's appeal be denied in part.

ITEM 263
 17-M-0755 CONSOLIDATED EDISON COMPANY OF NEW
 YORK, INC. AND 500 KENT LLC - The Commission decided to approve the transfer of property located at 492-518 Kent Avenue, City of New York, Kings County, with modified accounting treatment.

ITEM 268
17-M-0815 The Commission decided to confirm a one-commissioner order by Chair Rhodes that extended the 30-day deadline to September 21, 2018 for the filing of rehearing petitions pursuant to Public Service Law §22 in connection with the Commission's August 9, 2018 Order Determining Rate Treatment of Tax Changes.

Power

ITEM 361
18-T-0207 NEW YORK POWER AUTHORITY - The Commission decided to grant the company's request for a waiver of certain regulatory requirements related to maps and aerial photographs contained in its application for a Certificate for the rebuild of the existing Moses-Adirondack 1&2 230 kV transmission lines.

ITEM 362
18-T-0210 NORTH BERGEN LIBERTY GENERATING, LLC - The Commission decided to grant in part and deny in part the requested waivers of certain regulatory requirements as to its application to build a 1200 MW transmission line running from New Jersey and interconnecting with Con Ed's West 49th Street substation in Manhattan.

ITEM 363
18-E-0222 MR. DOUGLAS FINNERTY/MR. JAMES KEMP AND NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - The Commission decided to uphold the Designee's March 13, 2018 determination since Mr. Finnerty's request does not provide any new evidence that the shared meter condition was not present nor does it provide any basis to reduce the twelve-month assessment further.

- ITEM 364 18-E-0450 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - The Commission decided to approve the company's tariff filing of a housekeeping nature updating its electric tariff schedule, to clarify that MPC Group 2 Service Classification No. 6 (Residential Time-of-Use) was further differentiated into two customer groups: those taking service prior to December 1, 2017 and those taking service on and after December 1, 2017.
- ITEM 365 18-E-0194 41-45 PROPERTY OWNER, LLC - The Commission decided to approve the company's petition to submeter electricity at 520 Park Avenue, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc.
- ITEM 366 18-E-0146 HARMONY MILLS FALLSVIEW LLC - The Commission decided to approve the company's petition to submeter electricity at 100 North Mohawk Street, Cohoes, New York, located in the territory of Niagara Mohawk Power Corporation d/b/a National Grid.
- ITEM 367 18-E-0130 The Commission decided to accept and file, pursuant to the requirements of the State Environmental Quality Review Act, a Final Generic Environmental Impact Statement in connection with the establishment of a 2030 State target for the installation of qualified energy storage systems and programs pursuant to Public Service Law §74.
- ITEM 368 18-E-0152 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - The Commission decided to authorize the company to transfer street lighting facilities to the Chautauqua Utility District.
- ITEM 369 There is no Item 369
- ITEM 370 There is no Item 370

ITEM 371
 02-M-1288, 18-E-0145 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID AND CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS - The Commission decided to approve the companies' petition for authorization to attach wireless facilities to National Grid electric transmission facilities in the Town of Salina in accord with an agreement between the petitioners.

ITEM 372
 18-E-0501 BAYONNE ENERGY CENTER, LLC, MIC THERMAL POWER HOLDINGS, LLC AND NHIP II BAYONNE HOLDINGS LLC - The Commission decided that petitioners satisfied the Wallkill Presumption criteria, and no further regulatory review under Public Service Law Section 70 is needed with respect to the proposed transfer of upstream, indirect ownership interests in a jurisdictional electric transmission facility.

ITEM 373
 There is no Item 373

ITEM 374
 16-E-0622 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to approve, with modifications, the company's Shared Solar Pilot Program for Low Income Customers Implementation Plan.

Water

ITEM 461
 17-W-0801 MS. HANNAH VIENER/SUEZ WATER NEW YORK INC. - The Commission decided that the appeal be granted in part and denied in part, and that the informal hearing decision be modified.

Communications

ITEM 561
 There is no Item 561

ITEM 562
 18-C-0219 VERIZON NEW YORK INC. – The Commission reported on the company's service quality for the second quarter of 2018.

- ITEM 563
17-C-0278 VERIZON NEW YORK INC. - The Commission decided to grant the request of the company, to clarify the Commission's May 17, 2018 Order which excluded certain central office codes from blocking service options offered to customers.
- ITEM 564
18-C-0319 VALSTAR, INC. D/B/A GTEL - The Commission decided to approve the company's petition for designation as an Eligible Telecommunications Carrier (ETC) for the purpose of receiving federal universal support, including high cost support, for providing Lifeline service in the eligible high cost census blocks it was awarded to serve by the new NY Broadband Program in areas of Columbia County, New York.
- ITEM 565
18-C-0329 ARMSTRONG TELECOMMUNICATIONS, INC. - The Commission decided to approve the company's petition for designation as an Eligible Telecommunications Carrier for the purpose of receiving federal universal support, including high cost support, for providing Lifeline service in the eligible high cost census blocks in Verizon New York Inc.'s franchise area that were made available as part of the new NY Broadband Program.
- ITEM 566
18-C-0386 SLIC NETWORK SOLUTIONS, INC. - The Commission decided to approve the company's petition for designation as an Eligible Telecommunications Carrier for the purpose of receiving federal universal support, including high cost support, for providing Lifeline service in the eligible high cost census blocks it was awarded to serve by the new NY Broadband Program in the areas of Clinton, Essex, Franklin, Rensselaer, St. Lawrence, Warren, and Washington Counties, New York.

Cable

ITEM 661

17-V-0719 VERIZON NEW YORK INC. - The Commission decided to approve the company's petition for an Order of Entry for 248 Audubon Avenue, New York, New York.

ITEM 662

17-V-0722 VERIZON NEW YORK INC. - The Commission decided to approve the company's petition for an Order of Entry for 1152 Colgate Avenue, Bronx, NY.

ITEM 663

17-V-0724 VERIZON NEW YORK INC. - The Commission decided to approve a portion of the company's petition for Orders of Entry for 40 multiple-dwelling unit buildings in the City of New York.

ITEM 664

18-V-0398 ATLANTIC BROADBAND (PENN), LLC - The Commission decided to approve the company's petition for a cable franchise renewal with the City of Salamanca, Cattaraugus County.

ITEM 665

18-V-0315 FRONTIER COMMUNICATIONS OF NEW YORK, INC. - The Commission decided to issue the company a Certificate of Confirmation for a cable television franchise agreement with the Village of Harriman, Orange County.

ITEM 666

18-V-0389 DTC CABLE, INC. - The Commission decided to Issue the company a Certificate of Confirmation for a cable television franchise agreement with the Town of Franklin, Delaware County.

ITEM 667

18-V-0391 DTC CABLE, INC. - The Commission decided to issue a Certificate of Confirmation for a cable television franchise agreement with the Town of Tompkins, Delaware County.

ITEM 668

18-V-0483

EMPIRE VIDEO SERVICES CORPORATION - The Commission decided to issue a Certificate of Confirmation for a cable television franchise agreement with Town of Corning, Steuben County.