



Public Service Commission

For Immediate Release: 12/6/19

John B. Rhodes, Chair

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COMMISSION ISSUES PRELIMINARY DECEMBER 12, 2019 AGENDA

Albany, NY – The Public Service Commission announced today that it will hold its next regular session beginning at **10:30 A.M., Thursday, December 12, 2019, in the 4th Floor Board Room of its offices located at 90 Church Street, New York, New York. Please be prepared to show identification to be admitted to the New York City or the Albany office.**

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

GENERAL

201 16-M-0618 ATLANTIC POWER & GAS, LLC - Proceeding on Motion of the Commission to Seek Consequences Against for Violations of the Uniform Business Practices.

- 202 15-M-0127 In the Matter of Eligibility Criteria for Energy Service Companies.
 12-M-0476 Proceeding on Motion of the Commission to Assess Certain Aspects of
 the Residential and Small Non-residential Retail Energy Markets in New
 York State.
 98-M-1343 In the Matter of Retail Access Business Rules.

POWER

- 301 19-M-0463 In the Matter of Consolidated Billing for Distributed Energy Resources.

No items will be considered on the Regular Agenda for
GAS, 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	19-G-0563	MS. DONNA WHITE/MS. NELIA MARTINEZ AND CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - In the Matter of a Commission Designee's Determination Pursuant to PSL Section 52-Rehearing Petition of the Designee's Determination Rendered in Favor of Ms. Nelia Martinez and Consolidated Edison Company of New York, Inc.
162-A		In the Matter of an Enforcement Proceeding for Alleged Violation of 16 NYCRR Part 753 - Protection of Underground Facilities. (Penalty Determinations)
	19-G-0669	BUCKEYE ELM CONTRACTING, LLC/NEW YORK STATE ELECTRIC & GAS CORPORATION.
	19-G-0700	MERRITT CONSTRUCTION, INC./CENTRAL HUDSON GAS & ELECTRIC CORPORATION.
	19-G-0701	ALLIED/ALL-CITY PLUMBING CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.

- 19-G-0702 SALA & SONS CONSTRUCTION COMPANY, INC./CENTRAL HUDSON GAS & ELECTRIC CORPORATION.
- 19-G-0703 A. COLARUSSO AND SON, INC./CENTRAL HUDSON GAS & ELECTRIC CORPORATION.
- 19-G-0704 180 DEVELOPERS LLC/NEW YORK STATE ELECTRIC & GAS CORPORATION.
- 19-G-0706 JDN CONSTRUCTION, INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 19-G-0707 G & K SEWER CONSTRUCTION CO., INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 162-B In the Matter of an Enforcement Proceeding for Alleged Violation of 16 NYCRR Part 753 - Protection of Underground Facilities. (Consent Order Approvals)
- 19-G-0725 3RD TRACK CONSTRUCTORS/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 19-G-0716 LYNCH COMMUNICATIONS CONSTRUCTION, LLC/CENTRAL HUDSON GAS & ELECTRIC CORPORATION.
- 19-G-0715 WESTERN NEW YORK PLUMBING- ELLICOTT PLUMBING AND REMODELING CO., INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 19-G-0714 BRIGHT SIDE ELECTRICAL SERVICES, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 19-G-0712 NEW YORK CITY DEPARTMENT OF TRANSPORTATION/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 19-G-0711 BIANCO'S LANDSCAPING INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 19-G-0710 SAGRESTANO'S LANDSCAPING INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 162-C 19-G-0472 In the Matter of an Enforcement Proceeding Against Master Builders of Orange County for Alleged Violations of 16 NYCRR Part 753 - Protection of Underground Facilities, in the Service Territory of Central Hudson Gas & Electric. (Petition for Rehearing)
- 163 19-G-0543 In the Matter of the Filing of Annual Reconciliation of Gas Expenses and Gas Cost Recoveries for 2019.
- 164 19-G-0678 NATIONAL GRID USA, THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY, KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID - Proceeding on Motion of the Commission to Investigate Denials of Service Requests.

- 364 19-E-0515 10 MINERVA PLACE L.P. - Notice of Intent to Submeter Electricity at 2865 Creston Avenue, Bronx, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 365 18-E-0778 MARC MITCHELL/ NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID-UPSTATE - In the Matter of the Rules and Regulations of the Public Service Commission, Contained in 16 NYCRR in Relation to Complaint Procedures - Appeal of the Informal Decision Rendered in Favor of the Niagara Mohawk Power Corporation d/b/a National Grid-Upstate. (810276)
- 366 19-E-0506 ORANGE AND ROCKLAND UTILITIES, INC. - Petition for Approval, Pursuant to Public Service Law Section 70, to Transfer to the Village of South Nyack the Street Lighting Facilities with an Original Value under \$100,000.
- 367 19-E-0505 ORANGE AND ROCKLAND UTILITIES, INC. - Petition for Approval, Pursuant to Public Service Law Section 70, to Transfer to the Village of Florida the Street Lighting Facilities with an Original Value under \$100,000.
- 368 19-T-0549 LS POWER GRID NEW YORK, LLC, LS POWER GRID NEW YORK CORPORATION I, AND THE NEW YORK POWER AUTHORITY - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII for Edic/Marcy to New Scotland; Princetown to Rotterdam Project.
- 369 19-E-0566 Joint Petition for Certain Amendments to the New York State Standardized Interconnection Requirements (SIR) for New Distributed Generators and Energy Storage Systems 5 MW or Less Connected in Parallel with Utility Distribution Systems.
- 370 19-E-0068 CITYBRIDGE LLC/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - In the Matter of the Rules and Regulations of the Public Service Commission, Contained in 16 NYCRR in Relation to Complaint Procedures - Appeal of the Informal Decision Rendered in Favor of the Consolidated Edison Company of New York, Inc. (737348)
- 371 19-E-0302 NEW YORK STATE ELECTRIC & GAS CORPORATION - Petition for Approval of a Transfer or Lease of Property with an Original Cost of Over \$100,000.
- 372 There is no item 372.
- 373 19-E-0719 CAYUGA OPERATING COMPANY LLC, SOMERSET OPERATING COMPANY, LLC, GSO CAPITAL PARTNERS LP, FREYR DATAENERGY INC., AND MJOLNIR ENERGY INC. - Petition for a Declaratory Ruling Declining Further Review of an Upstream Transfer Transaction under Section 70 of the Public Service Law.

- 374 19-E-0204 533 48TH AVENUE CONDOMINIUM LLC - Petition to Submeter Electricity at 5-33 48th Avenue, Queens, New York in the of Territory of Consolidated Edison Company of New York, Inc.
- 375 There is no item 375.
- 376 15-E-0751 In the Matter of the Value of Distributed Energy Resources.

WATER

- 461 19-W-0546 BATTISTI WATER SUPPLY CORPORATION - In the Matter of the Continued Operation.
- 462 19-W-0556 ARBOR HILLS WATERWORKS, INC., BONIVILLE WATER COMPANY, INC., AND KNOLLS WATER CO., INC. - Proceeding on Motion of the Commission to Review the Need for Capital Investments.
- 463 18-W-0576 EMERALD GREEN LAKE LOUISE MARIE WATER COMPANY, INC. - Minor Rate Filing to Increase its Annual Revenues by about \$242,737 or 48.6%.
- 15-W-0037 EMERALD GREEN LAKE LOUISE MARIE WATER COMPANY, INC. - Petition for Approval of a Surcharge.

COMMUNICATIONS

- 561 15-M-0742 Proceeding on Motion of the Commission to Review the State Universal Service Fund.
- 562 19-C-0721 TACONIC TELEPHONE CORPORATION - Petition Pursuant to Section 99 of the New York State Public Service Law for Approval to Sell Property in the Village of Chatham, Town of Ghent, Columbia County with an Original Cost of Over \$100,000.

CABLE

- 661 Petitions for Renewal of Cable Television Franchises.
- 19-V-0691 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF WHITNEY POINT, BROOME COUNTY.
- 19-V-0688 TIME WARNER CABLE NORTHEAST LLC/TOWN OF NORTH COLLINS, ERIE COUNTY.
- 19-V-0686 TIME WARNER CABLE NORTHEAST LLC/TOWN OF ELLERY, COUNTY OF CHAUTAUQUA.
- 19-V-0675 CABLEVISION OF WAPPINGERS FALLS, INC./TOWN OF LAGRANGE, DUTCHESS COUNTY.

- 19-V-0651 CABLEVISION OF WAPPINGERS FALLS, INC./TOWN OF WAPPINGER, DUTCHESS COUNTY.
- 19-V-0650 TIME WARNER CABLE NORTHEAST LLC /TOWN OF RICHLAND, OSWEGO COUNTY.
- 19-V-0647 TIME WARNER CABLE NORTHEAST LLC/TOWN OF UNADILLA, OTSEGO COUNTY.
- 19-V-0646 TIME WARNER CABLE NORTHEAST LLC/TOWN OF PROVIDENCE, SARATOGA COUNTY.
- 19-V-0645 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF CASTLETON, RENSSELAER COUNTY.
- 19-V-0528 CABLEVISION OF ROCKLAND/RAMAPO, LLC/VILLAGE OF NEW HEMPSTEAD, ROCKLAND COUNTY.
- 662 19-V-0399 VERIZON NEW YORK INC. - Petition for Orders of Entry for 33 Multiple-Dwelling Unit Buildings in the City of New York.
- 663 19-V-0599 CHARTER COMMUNICATIONS; CHARTER COMMUNICATIONS ENTERTAINMENT I, LLC; AND SPECTRUM NORTHEAST, LLC - Joint Petition to Transfer its Certificate of Confirmation for 27 Franchises.

Instructions to View Video Webcast of Meeting

In addition to the webcast of the meeting in the Commission's New York City office, 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** will be posted for public viewing, if feasible, by 6:00 p.m. the day before a Commission meeting. The proposed draft orders will be made available at: [Documents Scheduled for Discussion at Session](#).

The posted draft orders will be removed by 6:00 p.m. on the day of the Commission meeting, or when the final order is issued, whichever is earlier. (Clicking on this link at any other time than that noted above will result in “No Documents found.”) The proposed draft 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

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, 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, January 16, 2020, in Albany, New York.**

Pursuant to procedures established by the building management, anyone planning to view the meeting in the New York City Office or Albany Office must be prepared to show valid photo identification upon arrival. 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>.

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