

Consent Agenda Report for 06/14/2018

The following is a preliminary and informal summary of actions the Commission took at its public session on June 14, 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

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| ITEM 161-A | <u>In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities</u> |
| 18-G-0283 | PRECISION PIPELINE SOLUTIONS, LLC/CENTRAL HUDSON GAS & ELECTRIC CORPORATION |
| 18-G-0284 | YATZIV CORP/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY |
| 18-G-0285 | B CONSTRUCTION CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID |
| 18-G-0286 | VALD-CON CONSTRUCTION INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. |
| 18-G-0287 | BRICK WERX CONSTRUCTION INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID |
| 18-G-0288 | ROTO-ROOTER PLUMBING & WATER CLEANUP/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. |
| 18-G-0290 | DIPIETRO CONSTRUCTION CORP./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. |
| 18-G-0291 | EXPRESS PLUMBING SEWER & WATER MAIN CORP./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. |
| 18-G-0292 | DELANEY ASSOCIATES, LP/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. |
| 18-G-0293 | MACI NY CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID |
| 18-G-0297 | JUDLAU CONTRACTING, INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. |
| 18-G-0298 | TITAN ELECTRICAL CONTRACTING, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID |
| 18-G-0299 | ABLE ISLAND CONSTRUCTION CORP./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY |

ITEM 161-A (Cont'd)

18-G-0300 ABLE ISLAND CONSTRUCTION CORP./THE
BROOKLYN UNION GAS COMPANY D/B/A
NATIONAL GRID NY

The Commission determined a \$12,500 penalty for Cases 18-G-0299, and 18-G-0300, a \$10,000 penalty in Case 18-G-0284, and \$2,500 penalties in Cases 18-G-0283, 18-G-0285, 18-G-0286, 18-G-0287, 18-G-0288, 18-G-0290, 18-G-0291, 18-G-0292, 18-G-0293, 18-G-0297, and 18-G-0298.

ITEM 161-B

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

18-G-0282 CRESCENT HILLS INC./KEYSPAN GAS EAST
CORPORATION D/B/A NATIONAL GRID

18-G-0294 MID HUDSON DEVELOPMENT
CORPORATION/CENTRAL HUDSON GAS &
ELECTRIC CORPORATION

18-G-0295 BULLROCK CONCRETE CORP./KEYSPAN GAS
EAST CORPORATION D/B/A NATIONAL GRID

18-G-0296 BEN CICCONE, INC./CENTRAL HUDSON GAS &
ELECTRIC CORPORATION

18-G-0301 K.T. ELECTRIC INC./NIAGARA MOHAWK POWER
CORPORATION D/B/A NATIONAL GRID

18-G-0304 CAPITAL LAND COMPANIES LLC/NIAGARA
MOHAWK POWER CORPORATION, D/B/A
NATIONAL GRID

18-G-0305 LUPINI CONSTRUCTION, INC./NIAGARA MOHAWK
POWER CORPORATION, D/B/A NATIONAL GRID

18-G-0306 JABLONSKI EXCAVATING, INC./NIAGARA
MOHAWK POWER CORPORATION, D/B/A
NATIONAL GRID

18-G-0307 LOCAL LAWN MAINTENANCE INC./KEYSPAN GAS
EAST CORPORATION, D/B/A NATIONAL GRID

18-G-0308 ELQ INDUSTRIES, INC./CONSOLIDATED EDISON
COMPANY OF NEW YORK, INC.

ITEM 161-B (Cont'd)

18-G-0309 SICON CONTRACTORS, INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY

The Commission decided to grant Consent Orders in Cases 18-G-0282, 18-G-0294, 18-G-0295, 18-G-0296, 18-G-0301, 18-G-0304, 18-G-0305, 18-G-0306, 18-G-0307, 18-G-0308, and 18-G-0309.

ITEM 161-C

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

17-G-0631 DENNIS FORTE CONSTRUCTION, L.L.C./ CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

The Commission decided to grant the company's Petition for Reconsideration and found that the company did not commit a violation of 16 NYCRR §753-3.1(a)(1).

ITEM 162

15-G-0298 KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID (KEDLI) -The Commission decided to approve a Joint Proposal that resolves a penalty action against the company for \$1.98 million. Most of the settlement funds, \$1.48 million, will be used to install Excess Flow Valves in KEDLI's service territory to reduce the flow of natural gas, which will improve gas safety. The remaining amount, a \$500,00 penalty, will be used to commence a public education campaign for homeowners and small construction crews about the need to call utilities before beginning inside home renovations.

ITEM 163

18-G-0143 KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID - The Commission decided to approve the tariff filing eliminating an outdated provision under Service Classification No. 3 - Multiple-Dwelling Service from P.S.C. No. 1 - Gas.

ITEM 164-A

17-G-0368 The Commission decided to grant approval to initiate the promulgation process for proposed amendments to gas safety regulations.in 16 NYCRR Chapter III, Gas Utilities, Subchapter C, Safety, Part 255, Transmission and Distribution of Gas.

ITEM 164-B

17-G-0368 The Commission decided to adopt by resolution a negative declaration pursuant to the State Environmental Quality Review Act and issue a notice that an Environmental Impact Statement will not be prepared.

ITEM 165

16-G-0058 & 16-G-0059 KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID and THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY - The Commission decided to approve tariff revisions related to imbalance penalties, as recommended in the Report Concerning Phase Two of the Power Generation Collaborative.

ITEM 166

17-T-0710 NEW YORK STATE ELECTRIC & GAS CORPORATION - The Commission decided to grant the company a Certificate of Environmental Compatibility and Public Need for the Phelps Natural Gas Pipeline Project.

General

ITEM 261

18-M-0321 PREMIER EMPIRE ENERGY LLC - The Commission decided to institute a proceeding and order the company to show cause why the Commission should not revoke its eligibility to operate as an Energy Service Company in the State of New York or impose other consequences for the reasons stated herein and as described in UBP Section 2.D.6.

ITEM 262

18-M-0376 The Commission decided to commence a proceeding to address necessary cyber security protections.

Power

- ITEM 361
18-E-0126
NEW YORK MUNICIPAL POWER AGENCY - The Commission decided to confirm the emergency authorization of the company's Rider A addition to its tariff, which allocates unique costs caused by high density load customers.
- ITEM 362
18-E-0090
417 GERARD AVENUE HOLDINGS LLC - The Commission decided to approve the company's petition to submeter electricity at 445 Gerard Avenue, Bronx, New York, located in the territory of Consolidated Edison Company of New York, Inc.
- ITEM 363
18-E-0026
160 LEROY LLC - The Commission decided to approve the company's petition to submeter electricity at 160 Leroy Street, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc.
- ITEM 364
18-E-0137
138 WILLOUGHBY LLC - The Commission decided to approve the company's petition to submeter electricity at 138 Willoughby Street, Brooklyn, New York, located in the territory of Consolidated Edison Company of New York, Inc.
- ITEM 365
18-E-0255
MR. FRANK FARINO/MR. EDWARD SWIFT AND NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - The Commission decided to deny the request for rehearing because the request does not provide any basis to reduce the shared meter charges or the twelve-month assessment further.
- ITEM 366
17-E-0242
WAVERLY OWNER I LLC - The Commission decided to approve the company's petition to submeter electricity at 555 Waverly Avenue, Brooklyn, New York located in the territory of Consolidated Edison Company of New York, Inc.

- ITEM 367
17-E-0238 NIAGARA MOHAWK POWER CORPORATION
D/B/A NATIONAL GRID -The Commission decided to
approve, on a permanent basis, the company's
compliance tariff filing effectuating the terms of Rate
Year 1.
- ITEM 368
18-E-0089 125 EAST 144 STREET HOLDINGS LLC - The
Commission decided to approve the company's
petition to submeter electricity at 414 Gerard Avenue,
Bronx, New York, located in the territory of
Consolidated Edison Company of New York, Inc.
- ITEM 369
18-E-0134 CITY CENTRE ASSOCIATES, LLC - The
Commission decided to approve the company's
petition to submeter electricity at 301 East State
Street, Ithaca, New York, located in the territory of
New York State Electric and Gas Corporation.
- ITEM 370
16-T-0499 NIAGARA MOHAWK POWER CORPORATION
D/B/A NATIONAL GRID - The Commission decided
to grant the amendment to the Certificate of
Environmental Compatibility and Public Need.
- ITEM 371
17-E-0603 The Commission approved a 3 year Maintenance
Tier Contract with an incentive of \$12.64 per
megawatt hour up to 625 megawatt hours annually
for Finger Lakes Energy Corporation.
- ITEM 372
There is no Item 372
- ITEM 373
18-E-0071 The Commission decided to accept, pursuant to the
requirements of the State Environmental Quality
Review Act, a Final Generic Environmental Impact
Statement regarding a potential Offshore Wind
program for the procurement of 2.4 GW of offshore
wind energy by 2030.

- ITEM 374
18-E-0256 CALPINE CORPORATION AND CPPIB CALPINE CANADA INC. - The Commission decided to find that petitioners satisfied the Walkkill Presumption criteria, and no further regulatory review under PSL Section 70 is needed with respect to the proposed acquisition of rights regarding indirect ownership interest in jurisdictional generation facilities.

Water

- ITEM 461
17-W-0472 FISHERS ISLAND WATER WORKS CORPORATION - The Commission decided to authorize the company to increase its annual revenues by \$277,400 or 43.4%, effective July 1, 2018.
- ITEM 462
18-W-0074 FOREVER WILD WATER COMPANY, INC. - The Commission decided to authorize the company to increase its annual revenues by \$51,830 or 38.9%, effective July 1, 2018, to eliminate discounted rates for seasonal customers, and to increase the one-time tapping fee for new customers from \$800 to \$1,600.

Communications

- ITEM 561
03-C-1512 MASTER CALL COMMUNICATIONS, INC. - The Commission decided to approve the company's request to withdraw its status as an Eligible Telecommunications Carrier.

ITEM 562
 15-M-0388 CHARTER COMMUNICATIONS AND TIME WARNER CABLE. - The Commission decided to deny the company's response to its order to show cause and good cause justifications.

ITEM 563
 15-M-0388 CHARTER COMMUNICATIONS AND TIME WARNER CABLE. - The Commission decided to require the company to amend its filing accepting the conditions in the Merger Approval order.

Cable

ITEM 661
 17-V-0714 VERIZON NEW YORK INC. - The Commission decided to approve a portion of the company's petition for Orders of Entry for 35 multiple-dwelling unit buildings in the City of New York.

ITEM 662
 17-V-0715 VERIZON NEW YORK INC. - The Commission decided to approve a portion of the company's petition for Orders of Entry for 26 multiple-dwelling unit buildings in the City of New York.

ITEM 663
 18-V-0213 DTC CABLE, INC./TOWN OF DELHI,
 DELAWARE COUNTY
 18-V-0236 CABLEVISION OF WARWICK, LLC/
 TOWN OF CHESTER, ORANGE COUNTY
 The Commission decided to approve the cable franchise renewals listed above.