

STATE OF NEW YORK

# Public Service Commission

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## COMMISSION TO MEET ON WEDNESDAY, FEBRUARY 13, 2013

Albany, NY – 02/08/13 – The Public Service Commission announced today that it will hold its next regular session beginning at **10:30 a.m., Wednesday, February 13, 2013, in the 19<sup>th</sup> Floor Board Room of its offices located at Three Empire State Plaza, Albany, New York.**

**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 Numbers below, visit:**

[http://www.dps.ny.gov/New\\_Search.html](http://www.dps.ny.gov/New_Search.html)

### **REGULAR AGENDA ITEMS**

#### **Items To Be Resolved Through Discussion**

**Item      PSC Case**

#### **GAS**

101      13-G-0009      NATIONAL GRID USA'S NEW YORK GAS COMPANIES -  
Comprehensive Management and Operations Audit.

#### **GENERAL**

201      13-M-0047      In the Matter of Utility Shared Critical Equipment and Supplies.

**COMMUNICATIONS**

- 501 12-C-0190 VERIZON NEW YORK INC. - In the Matter of Quality of Service provided by Local Exchange Companies in New York State.

No items will be considered on the Regular Agenda for **Power ,Water, 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	09-G-0576	LESTER GELLER/NATIONAL GRID - LONG ISLAND - Appeal of Informal Hearing Decision.
162	11-G-0280	Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of Corning Natural Gas Corporation for Gas Service. Petition for Rehearing and/or Clarification.
163	13-G-0006	THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID - Petition for Waivers of Tariff Provisions for Temperature Controlled Service Customers Affected by Hurricane Sandy. Confirming Order.
164	12-G-0500	In the Matter of a Temporary Waiver of 16 NYCRR Section 261.53 to Facilitate Restoration of Gas Service Related to Disruptions Caused by Hurricane Sandy. Rulemaking Requirement.
165	11-T-0401	BLUESTONE GAS CORPORATION OF NEW YORK, INC. - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to PSL Article VII for the Construction and Operation of a 20" Natural Gas Gathering System and Dehydration and Compression Facilities, in the Town of Sanford, Broome County, and Request for Approval of Environmental Management and Construction Standards and Practices.
	12-G-0214	BLUESTONE GAS CORPORATION OF NEW YORK, INC. - Petition for Order Granting Certificate of Public Convenience and Necessity and Establishing a Lightened Regulatory Regime.
166		In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities.
	12-G-0329	CLEAN UP PATROL, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
	13-G-0020	MAIN MAN PLUMBING CORP./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
	13-G-0021	CRITOPH LANDSCAPING/NATIONAL FUEL GAS DISTRIBUTION CORPORATION
	13-G-0022	PRO CUT LAWNS, LANDSCAPTING & CONTRACTING,

- INC./ORANGE AND ROCKLAND UTILITIES, INC.
- 13-G-0023 BRICKENS CONSTRUCTION INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY
- 13-G-0024 PARAMOUNT PLUMBING & HEATING CORP./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY
- 167 12-G-0256 ALLIANCE ENERGY TRANSMISSIONS LLC/SENECA POWER PARTNERS, L.P. - Joint Verified Petition for an Emergency Order Pursuant to Public Service Law Section 65(1) and a Declaratory Ruling Approving Affiliate Rate.
- 168 06-G-1185 THE BROOKLYN UNION GAS COMPANY D/B/A KEYSpan ENERGY DELIVERY NEW YORK - Amendments to PSC 12-Gas eff. 1/1/13 (on a temporary basis) for gas service.
- 06-G-1186 THE BROOKLYN UNION GAS COMPANY D/B/A KEYSpan ENERGY DELIVERY NEW YORK - Amendments to PSC 1-Gas eff. 1/1/13 (on a temporary basis) for gas service.
- GENERAL**
- 261 12-S-0284 EAST RIVER HOUSING CORPORATION - Petition for a Declaratory Ruling that its Power Plant is Exempt from Public Service Commission Regulation or, in the Alternative, will be Subject to Lightened and Incidental Regulation.
- 262 13-M-0004 EIF BNY LLC, EIF MANAGEMENT LLC, BROOKLYN NAVY YARD COGENERATION PARTNERS, L.P., MISSION ENERGY NEW YORK, INC., TYCHE POWER PARTNERS LLC, OLYMPUS POER LLC and METALMARK CAPITAL LLC - Joint Petition for a Declaratory Ruling Concerning Application of Public Service Law §70 and §83 to a Proposed Transaction.
- 263 07-M-0548 Proceeding on Motion of the Commission Regarding an Energy Efficiency Portfolio Standard. Petitions by Niagara Mohawk Power Corporation d/b/a National Grid, New York State Electric and Gas Corporation, Rochester Gas and Electric Corporation and Consolidated Edison Company of New York, Inc.
- 09-G-0363 Petitions for Approval of Energy Efficiency Portfolio Standard (EEPS) Gas Energy Efficiency Programs.
- 264 07-M-0548 Proceeding on Motion of the Commission Regarding an Energy Efficiency Portfolio Standard. Petition by National Fuel Gas Distribution Corporation.

**POWER**

- 361 13-E-0003 MR. BARTON MARKS and NEW YORK STATE ELECTRIC & GAS CORPORATION - Appeal of Informal Hearing Decision.
- 362 03-E-0188 Proceeding on Motion of the Commission Regarding a Retail Renewable Portfolio Standard. On-site Wind Generation.
- 363 12-E-0411 NEW YORK STATE ELECTRIC & GAS CORPORATION/AES ES WESTOVER, LLC - Joint Petition Under Public Service Law Section 70 for Approval to Sell Certain Equipment to AES ES Westover, LLC and Request for Expedited Treatment on an Emergency Basis. Confirming Order.
- 364 11-E-0176 In the Matter of the Commission's Implementation of Certain Provisions of the Recharge New York Power Program Act. Petition by Consumer Power Advocates.
- 365 12-E-0563 T. ROWE PRICE ASSOCIATES, INC. - Petition for a Declaratory Ruling Regarding the Acquisition of Common Stock, or, in the Alternative, Approval under Section 70 of the Public Service Law.  
13-E-0002 T. ROWE PRICE ASSOCIATES, INC. - Petition for a Declaratory Ruling Regarding the Acquisition of Common Stock, or, in the Alternative, Approval under Section 70 of the PSL.
- 366 09-E-0428 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Electric Service. Petition for recovery of PJM open access transmission tariff charges.
- 367 12-E-0400 CAYUGA OPERATING COMPANY, LLC - Petition to Mothball Generating Units 1 and 2. Multiple Intervenors' Petition for Rehearing.
- 368 10-E-0356 HAZEL TOWERS TENANTS ASSOCIATION/NELSON MANAGEMENT GROUP LTD. – Appeal of Information Hearing Decision.
- 369 12-E-0339 VILLAGE OF ANGELICA - Amendments to PSC 1-Electricity, eff. 8/25/12, postponed to 3/1/13, to correct an error in its tariff.
- 370 12-E-0381 In the Matter of Deregulating Commercial Submetering in All Service Territories and Requiring Utilities to provide Ready Access to Bill Calculators for Use by All Electric Customers.
- 371 07-E-0088 In the Matter of the Adoption of an Installed Reserve Margin for the New York Control Area.

- 372 11-E-0593 CRICKET VALLEY ENERGY CENTER, LLC - Petition for an Original Certificate of Public Convenience and Necessity and for an Order Providing for Lightened Regulation.

### WATER

- 461 12-W-0207 GIPSY TRAIL CLUB, INC. - Petition for Authority to Borrow up to \$460,000 from the Drinking Water State Revolving Loan Fund (DWSRLF) Pursuant to Section 89F of the New York State Public Service Law.
- 462 12-W-0505 HUDSON VALLEY WATER COMPANIES, INC. - Amendments to PSC 2-Water, eff. 3/1/13, to charge customers actual cost for optional work and to charge a reconnection fee at the time of service disconnection.
- 463 12-W-0051 LONG ISLAND WATER CORPORATION D/B/A LONG ISLAND AMERICAN WATER - Petition for Approval, Pursuant to Public Service Law, Section 113(2), of a Proposed Allocation of Certain Tax Refunds Between the Company and Ratepayers.
- 464 12-W-0362 DUTCHESS ESTATES WATER CO., INC. - Amendments to PSC 1-Water, eff. 1/1/13, postponed to 4/1/13, to increase rates to fund the cost of reconstruction of its water supply system.
- 465 12-W-0364 WHITE KNIGHT MANAGEMENT LLC - Petition to abandon its water system.

### COMMUNICATIONS

- 561 07-C-0349 CHAMPLAIN TELEPHONE COMPANY - Amendments to PSC 8-Telephone, eff. 3/1/13, to increase basic residential and business local service rates.  
EMPIRE TELEPHONE COMPANY - Amendments to PSC 7-Telephone, eff. 3/1/13, to increase basic residential and business local service rates.
- 562 07-C-0349 FISHERS ISLAND TELEPHONE CORPORATION - Amendments to PSC 6-Telephone, eff. 3/1/13, to increase its basic local service rates.
- 563 12-C-0566 In the Matter of Compliance with Requirement to Have a Current Telecommunications Carrier Critical Information Form on File at the Department.
- 564 12-C-0455 VERIZON NEW YORK, INC. - Petition for a Waiver of Sections 600.3, 609.4, 609.13(c) and 890.66 of the Commission's Rules Regarding Hardcopy Notification.

## CABLE

- 661                      Petitions for Renewal of Cable Television Franchises.
- 12-V-0556      CABLEVISION OF BROOKHAVEN, INC./VILLAGE OF  
BELLPORT, SUFFOLK COUNTY.
- 12-V-0578      VERIZON NEW YORK INC./VILLAGE OF MASSAPEQUA PARK,  
NASSAU COUNTY. INITIAL DOCKET 05-V-1263.
- 13-V-0005      HAEFELE TV, INC./TOWN OF ENFIELD.

### Instructions to View Videocast at PSC's NYC Offices

Individuals in New York City wishing to view the Commission's meeting may do so in the Board Room on the 4<sup>th</sup> floor of the Commission's offices at 90 Church Street, New York City. The videocasting will be for viewing and listening purposes only. Pursuant to procedures established by the building management, anyone planning to observe the meeting in the New York City Board Room must notify Jan Goorsky at 212-417-2378, 48 hours in advance of the meeting, and must be prepared to show valid photo identification upon arrival at 90 Church Street.

### Instructions to View Video Broadcast of Meeting

In addition to the video broadcasting of the meeting in the Commission's New York City offices, the meeting will be broadcast live on the Internet. The Internet broadcast 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** or discussion items will be posted for public viewing, if feasible, by 5:00 p.m. the day before a Commission meeting. The draft orders will be made available at: [www.dps.ny.gov/DraftDocuments.html](http://www.dps.ny.gov/DraftDocuments.html)

The posted drafts will be removed by 5:00 p.m. on the day of the Commission meeting. The proposed 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](http://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](http://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 14<sup>th</sup> 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, March 14, 2013, in Albany, New York.**

Individuals in Albany wishing to observe the Commission's meeting may do so in the Board Room on the 19<sup>th</sup> floor of the Commission's offices at Three Empire State Plaza. **Pursuant to procedures established by the building management, anyone planning to view the meeting in the New York City Office must notify Jan Goorsky at 212-417-2378, 48 hours in advance of the meeting, and must be prepared to show valid photo identification upon arrival at 90 Church Street.** The videocasting will be for viewing and listening purposes only.

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