



Public Service Commission

For Immediate Release: 12/15/21

Rory M. Christian, Chair

Contact:

James Denn | James.Denn@dps.ny.gov | (518) 474-7080

<http://www.dps.ny.gov>

<http://twitter.com/NYS DPS>

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COMMISSION ISSUES FINAL DECEMBER 16, 2021 AGENDA

ALBANY, NY – The Public Service Commission announced today that it will hold its next regular session beginning at **11:30 A.M., Thursday, December 16, 2021**. The session will be held in the Commission’s offices located at Three Empire State Plaza, 19th Floor, Albany; 90 Church Street, 4th Floor, New York City; 125 East Bethpage Road, Plainview, Long Island; and, 295 Main Street, Buffalo, with in-person attendance limited to the Albany, New York office. Please be prepared to show identification to be admitted to the Albany office. Due to COVID protocols, individuals must wear a mask while in the agency’s office. Seating capacity in Albany will be minimal.

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

REGULAR AGENDA ITEMS

Items To Be Resolved Through Discussion

Item	PSC Case	
		POWER
301		There is no Item 301.
302	21-E-0130	EXELON CORPORATION AND EXELON GENERATION COMPANY, LLC - Joint Petition for a Declaratory Ruling Disclaiming Jurisdiction Over or Abstaining from Further Review of the Proposed Transaction, or in the Alternative, an order Authorizing the Proposed Transaction.

WATER

- 401 20-W-0102 AMERICAN WATER WORKS COMPANY, INC.; NEW YORK AMERICAN WATER COMPANY, INC.; AND LIBERTY UTILITIES (EASTERN WATER HOLDINGS) CORP. Joint Petition for Approval, Pursuant to Section 89-h of the New York Public Service Law, of the Acquisition by Liberty Utilities (Eastern Water Holdings) Corp. of 100% of New York American Water Company, Inc. Issued and Outstanding Capital Stock and for Approval, Pursuant to Section 89-f of the New York Public Service Law, of the Issuance of Long-Term Indebtedness.

No items will be considered on the Regular Agenda for GAS, GENERAL, 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

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| 161 | 12-T-0399 | SCEPTER NEW YORK, INC. - Notice of Intent Filed to Construct a Fuel Gas Transmission Line, Containing Approximately 15,880 Feet of Six-Inch High Density Polyethylene (HDPE) Pipeline, Located in the Towns of Tyre and Seneca Falls and the Village of Seneca Falls, Seneca County. |
| 162 | 21-G-0458 | BELMONTE PROPERTIES, LLC - Petition for a Year Extension of the Five-Year Agreement Concerning Builder Development Funds. |
| 163 | 21-G-0438 | In the Matter of the Filing of Annual Reconciliation of Gas Expenses and Gas Cost Recoveries for 2021. |
| 164 | 17-G-0432 | NEW YORK STATE ELECTRIC & GAS CORPORATION - Petition for Authorization to Construct a Natural Gas Compressor Pilot Project in Tompkins County, NY. |
| 165-A | | In the Matter of an Enforcement Proceeding for Alleged Violation of 16 NYCRR Part 753 - Protection of Underground Facilities (Penalty Determination Orders). |
| | 21-G-0318 | Nelson Builders/KeySpan Gas East Corporation d/b/a National Grid. |
| | 21-G-0322 | De-Via Paving & Masonry Inc./KeySpan Gas East Corporation d/b/a National Grid. |
| | 21-G-0323 | Safeco Construction Corp./The Brooklyn Union Gas Company d/b/a National Grid NY. |

- 21-G-0324 All Nations Associates LLC/KeySpan Gas East Corporation d/b/a National Grid.
- 21-G-0325 Gallo and Company Inc/KeySpan Gas East Corporation d/b/a National Grid.
- 21-G-0375 James Bray Paving, LLC/Niagara Mohawk Power Corporation d/b/a National Grid.
- 21-G-0376 J & M Zhunio Landscaping Inc./Central Hudson Gas & Electric Corporation.
- 21-G-0377 Equestate Holdings, LLC/Central Hudson Gas & Electric Corporation.
- 21-G-0380 Metro Group of Long Island Inc/KeySpan Gas East Corporation d/b/a National Grid.
- 21-G-0382 M. Bonilla Landscaping Inc./KeySpan Gas East Corporation d/b/a National Grid.
- 21-G-0383 Fernando Medina-Arcos/Central Hudson Gas & Electric Corporation.
- 21-G-0384 Assured Builders, Inc./The Brooklyn Union Gas Company d/b/a National Grid NY.
- 21-G-0385 324 N Village, LLC/KeySpan Gas East Corporation d/b/a National Grid.
- 21-G-0551 Mackay Contracting LLC/KeySpan Gas East Corporation d/b/a National Grid.
- 21-G-0554 Tote Construction Services Masonry/Niagara Mohawk Power Corporation d/b/a National Grid.
- 21-W-0379 Wildside Excavating, LLC/Lake Placid Village, Inc. – Water Department.
- 165-B In the Matter of an Enforcement Proceeding for Alleged Violation of 16 NYCRR Part 753 - Protection of Underground Facilities (Consent Order Approvals).
- 20-G-0639 Granite Environmental, LLC/The Brooklyn Union Gas Company d/b/a National Grid NY.
- 21-G-0564 Hampton Drainage & Paving Corp./KeySpan Gas East Corporation d/b/a National Grid.
- 21-G-0565 Paragon Environmental Construction, Inc./Niagara Mohawk Power Corporation, d/b/a National Grid.
- 21-G-0566 SK Pool Scape Inc/KeySpan Gas East Corporation d/b/a National Grid.
- 165-C In the Matter of an Enforcement Proceeding for Alleged Violation of 16 NYCRR Part 753 - Protection of Underground Facilities (Petitions for Rehearing).
- 20-G-0570 Advantage Tree Service LLC/Niagara Mohawk Power Corporation d/b/a National Grid.

- 21-G-0087 Bast Hatfield Construction, LLC/Niagara Mohawk Power Corporation, d/b/a National Grid.
- 21-G-0095 Norman Keil Nurseries Inc./KeySpan Gas East Corporation d/b/a National Grid.
- 166 19-G-0066 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.
- 167 19-G-0309 THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.
- 19-G-0310 KEYSpan GAS EAST CORP. D/B/A NATIONAL GRID - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.

GENERAL

- 261 21-M-0510 ABRAHAM GOTTLIEB, ON BEHALF OF SUNRISE MYRTLE LLC/ESDRAS PALMA MELENDEZ AND ORANGE & ROCKLAND UTILITIES 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 Esdras Palma Melendez and Orange & Rockland Utilities Inc. (162210).
- 262 21-M-0541 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - In the Matter of a Comprehensive Management and Operations Audit.
- 263 21-E-0078 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Tariff filing to Amend Its Electric Tariff Schedule, P.S.C. No. 15, to Modify Language to reflect Upgrades being made to its Legacy Customer Information System in July 2021.
- 21-G-0079 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Tariff filing to Amend Its Gas Tariff Schedule, P.S.C. No. 12, to Modify Language to reflect Upgrades being made to its Legacy Customer Information System in July 2021.
- 264 21-S-0082 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Petition for Approval of RITEC REI-SFC Steam Flow Computer.

POWER

- 361 21-E-0525 MARINA SHOLOSH, ON BEHALF OF CAROLYN SHOLOSH/AZIA CRESCENZO 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 Azia Crescenzo and Consolidated Edison Company of New York Inc. (161470).

- 362 20-E-0148 ORIN MANAGEMENT CORP./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. (010924).
- 363 19-E-0679 160 EAST 48TH STREET OWNER II, LLC - Notice of Intent to Submeter Electricity at 160 East 48th Street, New York, New York 10017, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 364 21-E-0451 ROCHESTER GAS AND ELECTRIC CORPORATION - Petition for Approval, Pursuant to Public Service Law Section 70, to Transfer Street Lighting Facilities to the Town of Irondequoit with an Original Cost of Over \$100,000.
- 365 21-E-0404 COA 200 EAST 34TH LLC - Notice of Intent to Submeter Electricity at 200 East 34th Street, New York, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 366 20-E-0433 CARRERA RS, LLC - Notice of Intent to Submeter Electricity at 515 East 86th Street, New York, NY 10028, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 367 15-E-0302 Proceeding on Motion of the Commission to Implement a Large-Scale Renewable Program and a Clean Energy Standard.
- 368 21-E-0036 ODYSSEY HOUSE, INC. - Notice of Intent and Waiver Request to Submeter Electricity at 52-54 East 126th Street, East Harlem, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 369 16-F-0062 EIGHT POINT WIND, LLC - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 to Construct a Wind Energy Project.
- 370 21-E-0406 1461-1469 THIRD AVE OWNER LLC - Notice of Intent to Submeter Electricity at 200 East 83rd Street, New York, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 371 20-E-0203 WEST HARLEM GROUP ASSOCIATION (AFF WHGA MNIE)/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 Consolidated Edison Company of New York, Inc. (976360).
- 372 21-E-0261 SOUTH FORK WIND, LLC - Petition for an Original Certificate of Public Convenience and Necessity and for an Order Providing for Lightened Regulation.
- 373 There is no Item 373.

- 374 19-T-0549 LS POWER GRID NEW YORK, LLC, LS POWER GRID NEW YORK CORPORATION I, 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.
- 375 21-E-0160 EIGHT POINT WIND, LLC - Petition for an Original Certificate of Public Convenience and Necessity and Establishing a Lightened Regulatory Regime.
- 376 21-E-0399 BLUESTONE WIND, LLC AND BALL HILL WIND ENERGY LLC - Petition for Approval of Financing Pursuant to Public Service Law Section 69.
- 377 19-E-0079 In the Matter of the Continuation of Standby Rate Exemptions.
- 378 21-E-0357 HIGH RIVER ENERGY CENTER, LLC - Petition for Order Granting a Certificate of Public Convenience and Necessity and Establishing a Lightened Regulatory Regime.

WATER

- 461 21-W-0338 VEOLIA ENVIRONNEMENT S.A., VEOLIA NORTH AMERICA, INC., SUEZ S.A., AND SUEZ WATER NEW YORK INC. - Joint Petition for Approval Pursuant to Section 89-h of the Public Service Law of the Acquisition of SUEZ S.A. by Veolia Environnement S.A.
- 462 19-W-0168 SUEZ WATER NEW YORK INC., SUEZ WATER WESTCHESTER INC. AND SUEZ WATER OWEGO-NICHOLS INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Water Service.
- 19-W-0269 SUEZ WATER NEW YORK INC., SUEZ WATER WESTCHESTER INC. AND SUEZ WATER OWEGO-NICHOLS INC. - Joint Petition for Approval, Pursuant to New York State Public Service Law Sections 89-H and 108, to Merge and Become SUEZ Water New York Inc.
- 463 20-W-0423 BRISTOL WATER WORKS CORPORATION - Minor Rate Filing to Increase its Annual Revenues by \$139,009 or 104.1%.

COMMUNICATIONS

- 561 15-M-0742 Proceeding on Motion of the Commission to Review the State Universal Service Fund.
- 562 21-C-0492 MIDDLEBURGH TELEPHONE COMPANY - Petition for a Waiver of the Requirements of 16 NYCRR Section 602.10(b) Regarding Distribution of Telephone Directories.
- 563 15-M-0742 Proceeding on Motion of the Commission to Review the State Universal Service Fund.

- 564 21-C-0570 TARGETED ACCESSIBILITY FUND OF NEW YORK, INC. - Petition for Approval of a Request for Proposal to Provide Telecommunications Relay Service and Captioned Telephone Service in the State of New York.
- 565 20-C-0289 JOAN OCHEI/VERIZON DIGITAL VOICE - 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 Verizon Digital Voice. (949431)

CABLE

- 661 Petitions for Renewal of Cable Television Franchises.
- 21-V-0470 Spectrum Northeast, LLC/Town of Martinsburg, Lewis County.
- 21-V-0471 Spectrum Northeast, LLC/Village of Middleport, Niagara County.
- 21-V-0472 Spectrum Northeast, LLC/Village of Watkins Glen, Schuyler County.
- 21-V-0493 Cablevision of Warwick, LLC/Village of Florida, Orange County.
- 21-V-0494 Cablevision of Wappingers Falls, Inc./Town of Hyde Park, Dutchess County.
- 21-V-0509 Spectrum Northeast, LLC/Village of Glen Park, Jefferson County.
- 21-V-0535 Spectrum Northeast, LLC/Town of Rockland, Sullivan County.
- 21-V-0539 Spectrum Northeast, LLC/Town of Jasper, Steuben County.
- 21-V-0545 Spectrum Northeast, LLC/Village of Fairport, Monroe County.
- 662 21-V-0344 CHARTER COMMUNICATIONS, INC. AND SPECTRUM NORTHEAST, LLC - Application for Approval of the Acquisition of Certain Cable Television Assets and Franchises in the Towns of Willsboro and Essex from Cable Communications of Willsboro, Inc.

Instructions to Listen to the Webcast of Meeting

The Internet webcast can be accessed at <http://www.dps.ny.gov/Webcasts.html>.

The listening 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 access the webcast. If you experience problems listening to 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 Department of Public Service Web site at www.dps.ny.gov, click on “Search” then search using the appropriate PSC case number.

Next Meeting

The next regularly scheduled meeting will begin at **10:30 A.M., Thursday, January 20, 2022.**