

Consent Agenda Report for 11/15/2018

The following is a preliminary and informal summary of actions the Commission took at its public session on November 15, 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-0495 Appeal of an Informal Review
BEN-SIYON YERUSHALAYIM/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID -
The Commission decided to deny complainant's appeal of informal hearing decision.

ITEM 162

17-G-0239 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - The Commission decided to approve, on a permanent basis, National Grid's gas tariff amendments implementing Rate Year 1 to schedule P.S.C. 219.

ITEM 163

18-G-0247 In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities
TRIUMPH CONSTRUCTION CORP./
CONSOLIDATED EDISON COMPANY OF
NEW YORK, INC.
18-G-0297 JUDLAU CONTRACTING, INC./CONSOLIDATED
EDISON COMPANY OF NEW YORK, INC.

The Commission decided to deny the petitions for rehearing.

ITEM 164-A

18-G-0641 In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities
ROMA M. INC./KEYSPAN GAS EAST CORPORATION, D/B/A NATIONAL GRID
18-G-0642 ALL SEASON LANDSCAPING, INC./KEYSPAN GAS EAST CORPORATION, D/B/A NATIONAL GRID
18-G-0643 BARRETT PAVING MATERIALS INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID
18-G-0644 AC MASONRY, INC./KEYSPAN GAS EAST CORPORATION, D/B/A NATIONAL GRID
18-G-0645 ABLE PAVEMENT MARKING CORP./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY

ITEM 164-A Cont.

- 18-G-0646 TRIUMPH CONSTRUCTION CORP./
CONSOLIDATED EDISON COMPANY OF
NEW YORK, INC.
- 18-G-0647 R. VARELLO LANDSCAPING, INC./KEYSPAN GAS
EAST CORPORATION D/B/A NATIONAL GRID
- 18-G-0648 FAS BUILDING CORP./THE BROOKLYN UNION
GAS COMPANY D/B/A NATIONAL GRID NY
- 18-G-0649 CALLAHAN INDUSTRIES, INC./CENTRAL HUDSON
GAS & ELECTRIC CORPORATION
- 18-G-0652 J LENT & SONS GENERAL CONTRACTING,
LLC/CENTRAL HUDSON GAS & ELECTRIC
CORPORATION

The Commission determined \$2,500 penalties in Cases 18-G-0641, 18-G-0642, 18-G-0643, 18-G-0644, 18-G-0645, 18-G-0646, 18-G-0647, 18-G-0648, 18-G-0649, and 18-G-0652.

ITEM 164-B

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

- 18-G-0508 BREEZY POINT COOPERATIVE INC./KEYSPAN
GAS EAST CORPORATION D/B/A NATIONAL GRID
- 18-G-0587 NY ASPHALT, INC./THE BROOKLYN UNION GAS
COMPANY D/B/A NATIONAL GRID NY
- 18-G-0592 AKAL BUILDERS OF N.Y. INC./CONSOLIDATED
EDISON COMPANY OF NEW YORK, INC.
- 18-G-0634 WARREN'S NURSERY, INC./KEYSPAN GAS EAST
CORPORATION D/B/A NATIONAL GRID
- 18-G-0635 TRI COUNTY FENCE & GATES, LLC/CENTRAL
HUDSON GAS & ELECTRIC CORPORATION
- 18-G-0636 FADDEGONS NURSERY/NIAGARA MOHAWK
POWER CORPORATION, D/B/A NATIONAL GRID
- 18-G-0637 THE VILLAGE OF MINEOLA/KEYSPAN GAS EAST
CORPORATION D/B/A NATIONAL GRID
- 18-G-0638 DOCTOR PAVERS/KEYSPAN GAS EAST
CORPORATION D/B/A NATIONAL GRID
- 18-G-0640 ELLSWORTH & SON EXCAVATING, INC./NIAGARA
MOHAWK POWER CORPORATION, D/B/A
NATIONAL GRID

The Commission decided to grant Consent Orders in Cases 18-G-0508, 18-G-0587, 18-G-0592, 18-G-0634, 18-G-0635, 18-G-0636, 18-G-0637, 18-G-0638, and 18-G-0640.

- ITEM 165 18-T-0487 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - The Commission decided to grant a Certificate of Environmental Compatibility and Public Need to National Grid.
- ITEM 166 17-G-0799 NATIONAL FUEL GAS DISTRIBUTION CORPORATION - The Commission decided to approve, on a permanent basis, the company's Distribution Generation and Natural Gas Vehicle Programs and approved the extension of its Partnership to Revitalize the Industrial Manufacturing Economy of Western New York Pilot Program with modification.
- ITEM 167 18-G-0337 NATIONAL FUEL GAS DISTRIBUTION CORPORATION - The Commission decided to deny the company's petition for treatment of its income tax savings in lieu of the sur-credit approach adopted in the Commission's Order Determining Rate Treatment of Tax Changes in Case 17-M-0815, wherein it was decided to not allow the Company to offset total direct tax savings associated with the Tax Act, with the indirect effects and costs of an increased equity ratio, and to allocate the savings using percentages in the company's last base rate case.
- ITEM 168 18-G-0493 NATIONAL FUEL GAS DISTRIBUTION CORPORATION - The Commission decided to approve the company's tariff filing modifying P.S.C. No. 9 - Gas, regarding Renewable Natural Gas, effective December 1, 2018.
- ITEM 169 There is no item 169
- ITEM 170 16-T-0697 JAMESTOWN BOARD OF PUBLIC UTILITIES, NEW YORK AND EMKEY TRANSPORTATION, INC. - The Commission decided to approve the transfer of Certificate of Environmental Compatibility and Public Need.

General

- ITEM 261
18-M-0611 The Commission decided to set the interest rates for customer deposits and other customer provided capital for investor-owned and municipal utilities. Effective January 1, 2019, for investor-owned utilities and municipal utilities, the Commission set the customer deposit rate at 2.45% and 1.15%, respectively, and the other customer provided capital rate was set at 4.20% and 2.90%, respectively.
- ITEM 262
16-M-0501 PUBLIC UTILITY LAW PROJECT OF NEW YORK, INC. - The Commission decided to approve the petition of Consolidated Edison Company of New York, Inc., to implement an electronic deferred payment agreement program.
- ITEM 263
18-E-0067 & 18-G-0068 - The Commission decided to deny the motion of Deborah Kopald for interlocutory review.
- ITEM 264
18-E-0067 & 18-G-0068 - The Commission decided to deny the motion of Deborah Kopald for interlocutory review
- ITEM 265
18-M-0401 EMKEY TRANSPORTATION, INC. AND CITY OF JAMESTOWN BOARD OF PUBLIC UTILITIES - The Commission decided to approve the transfer of a natural gas pipeline from the company and City under Public Service Law Section 70. The Commission also approved the proposed accounting and rate treatment of the pipeline by authorizing JBPU to recover capital and O&M costs associated with the transaction through its Fuel Adjustment Clause on a temporary basis, until base delivery rates are reset

Power

- ITEM 361
18-E-0208 ARTECHE USA - The Commission decided to approve the company CID-17, and VCE-17 electric current and voltage transformers for use in electric metering applications.
- ITEM 362
18-E-0274 & 18-E-0275 HARMONY MILLS RIVERVIEW LLC and HARMONY MILLS WEST LLC - The Commission decided to approve the companies' petition to submeter electricity at 50 North Mohawk Street and 100 North Mohawk Street, Cohoes, New York, located in the territory of Niagara Mohawk Power Corporation d/b/a National Grid.
- ITEM 363
18-E-0077 ITRON INC. - The Commission decided to approve the Itron OpenWay Riva Centron CP2SRA electric meter for use in electric metering applications.
- ITEM 364
18-E-0489 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to approve the company's electric tariff filing modifying the reconciliation of the credit and collections and theft component of the Purchase of Receivables Discount Rate charged to Energy Service Companies.
- ITEM 365
18-E-0082 Rehearing of an Appeal Determination
BRENDAN BANNIGAN/NATIONAL GRID - UPSTATE - The Commission decided to deny the request for rehearing.
- ITEM 366
18-T-0499 NEXTERA ENERGY TRANSMISSION NEW YORK, INC. - The Commission decided to waive requirements to use DOT maps and aerial imagery taken within six months of the filing date, thus allowing the applicant to substitute comparable USGS maps and aerial photos taken in March 2017.

- ITEM 367
 17-E-0459 & 17-G-0460 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - The Commission decided to deny Central Hudson's petition for rehearing of June 14, 2018 rate order. Its claim concerning the energy efficiency EAM targets as adopted in the rate order are wrong and it requests to clarify the amount it can defer for distribution right-of-way maintenance is moot because it was addressed by an errata notice.
- ITEM 368
 16-E-0060 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to adopt clarifying revisions with modification to its January 19, 2018 Order, in this proceeding, regarding Rider Q - Standby Rate Pilot.
- ITEM 369
 18-E-0024 WP NORTH TOWER LLC - The Commission decided to approve the company's petition to submeter electricity at 55 Bank Street, White Plains, New York located in the territory of Consolidated Edison Company of New York, Inc.
- ITEM 370
 There is no item 370
- ITEM 371
 17-E-0796 650 MET PARTNERS, LLC - The Commission decided to approve the company's petition to submeter electricity at 195 Clarkson Avenue, Brooklyn, New York, located in the territory of Consolidated Edison Company of New York, Inc.
- ITEM 372
 18-E-0378 ROOSEVELT PARC LLC - The Commission decided to approve the company's petition to submeter electricity at 37-46 72nd Street, Jackson Heights, New York located in the territory of Consolidated Edison Company of New York, Inc.
- ITEM 373
 17-E-0792 SILO RIDGE CONDO ASSOCIATION - The Commission decided to approve the company's petition to submeter electricity at 5021 Route 44 Amenia, New York, located in the territory of New York State Electric and Gas Corporation.

- ITEM 374 18-E-0387 SHELDRAKE STATION DEVELOPMENT LLC - The Commission decided to approve the company's petition to submeter electricity at 270 Waverly Avenue, Mamaroneck, New York, located in the territory of Consolidated Edison Company of New York, Inc.
- ITEM 375 18-E-0439 NEW YORK INDEPENDENT SYSTEM OPERATOR, INC. - The Commission decided to approve the company's request for authority to: (i) extend the draw period of its currently-approved \$30 million credit facility dedicated to funding the replacement of its Energy Management System and Business Management System for a one-year period until December 31, 2019; (ii) replace its expiring revolving credit facility with a new five-year \$30 million revolving line of credit through December 31, 2023, which includes an additional \$20 million available under the loan agreement upon the NYISO's request; and, (iii) replace its expiring term loan with a new five-year \$90 million unsecured term loan facility through December 31, 2023, dedicated to funding capital investments, software development projects and other strategic initiatives.
- ITEM 376 18-E-0327 ORANGE AND ROCKLAND UTILITIES, INC. - The Commission decided to approve the company's petition to transfer 1,688 joint use poles to Verizon New York Inc. pursuant to Public Service Law Section 70.
- ITEM 377 18-E-0601 NHIP II BAYONNE HOLDINGS LLC - The Commission decided to rule that financing approvals previously granted to Bayonne Energy Center, LLC, will continue after the transaction approved in Case 18-E-0501 is consummated.

ITEM 378
 17-E-0413 UNITED RESIDENTIAL GROUP, LLC AND FORTRESS PARTNERS, LLC - The Commission decided to deny the Complaint of companies' seeking a refund of payments made to National Grid for overhead system upgrades needed to serve residential subdivisions.

ITEM 379
 18-E-0399 CASSADAGA WIND LLC - The Commission decided to issue a Certificate of Public Convenience and Necessity under Public Service Law Section 68 authorizing the company to construct and operate a wind electric generating facility, and to approve a lightened ratemaking regulatory regime for Cassadaga Wind.

ITEM 380
 15-E-0302 The Commission decided to issue a declaratory ruling that Albany Engineering Corporation's (AEC) planned repowering of the Green Island Hydroelectric Project (GIHP) is not eligible to participate in the Tier 1 Clean Energy Standard solicitations, except to the extent that the proposed project constitutes an "upgrade," as described in the Commission's February 22, 2017 Order Approving Phase 1 Implementation Plan and the Final Phase I Implementation Plan.

ITEM 381
 15-E-0302 Commissioner Diane X. Burman, abstaining
 The Commission decided to approve the use of existing unspent SBC/EEPS/RPS funds to cover administrative costs for both the RES and ZEC programs are in the customer's interest by eliminating the need for additional program collections.

Water

ITEM 461
 18-W-0302 PAINTED APRON WATER CO. - The Commission decided to appoint New York American Water, Inc. as the new temporary operator for the company.

ITEM 462
 18-W-0382 DUDLEY WATER SUPPLY, INC. - The Commission decided to authorize the company to increase its annual revenues by \$13,183 or 32.8%, effective December 1, 2018.

ITEM 463
 18-W-0545 BONIVILLE WATER COMPANY, INC. AND KNOLLS WATER CO., INC. - The Commission decided to appoint Suez Water New York, Inc. as the temporary operator of the companies', pursuant to Public Service Law §112-a, effective on the date of issuance of this order.

Communications

ITEM 561
 18-C-0219 VERIZON NEW YORK INC. – Report on the quality of service provided by the company for the 3rd quarter of 2018.

ITEM 562
 18-C-0655 EDGE FIBERNET INC. - The Commission decided to issue a Certificate of Public Convenience and Necessity to the company to operate in New York State as a reseller and facilities-based provider of telephone service, with authority to provide local exchange service.

Cable

ITEM 661
 17-V-0725 VERIZON NEW YORK INC. - The Commission decided to approve the company's petition for an Order of Entry for 2800 Heath Avenue, Bronx, NY.

ITEM 662
 17-V-0726 VERIZON NEW YORK INC. - The Commission decided to approve the company's petition for an Order of Entry for 144-76 Sanford Av, Queens, NY

ITEM 663

18-V-0674 SLIC NETWORK SOLUTIONS, INC. AND HCCI LLC
 - The Commission decided to confirm a One
 Commissioner Order by Chair Rhodes that approved
 the company's acquisition of the Johnsbury systems,
 franchises and facilities currently held by Hamilton
 County Cable T.V., Inc. and HCCI LLC's acquisition
 of the Wells/Speculator/Lake Pleasant systems,
 franchises and facilities currently held by Hamilton
 County Cable T.V.

ITEM 664

18-V-0019, MID-HUDSON CABLEVISION, INC./TOWN OF
 WESTERLO, ALBANY COUNTY
 18-V-0334 MID-HUDSON CABLEVISION, INC./TOWN OF
 DURHAM, GREENE COUNTY
 18-V-0384 MID-HUDSON CABLEVISION, INC./TOWN OF
 WINDHAM, GREENE COUNTY
 18-V-0481 MID-HUDSON CABLEVISION, INC./CITY OF
 HUDSON, COLUMBIA COUNTY

The Commission decided to approve the cable
 franchise renewals listed above.