

## Consent Agenda Report for 08/02/2017

The following is a preliminary and informal summary of actions the Commission took at its public session on August 2, 2017. 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  
17-G-0256 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - The Commission decided to approve the company's tariff filing revising General Information Section 5 - Extension of Mains and Service Lines to effectuate amendments to 49 CFR Part 192 regarding the installation of excess flow valves mandated by the Pipeline and Hazardous Materials Safety Administration.
- ITEM 162  
15-G-0694 Appeal of an Informal Review Decision  
SCO FAMILY OF SERVICES/NATIONAL GRID - NEW YORK - The Commission decided to deny complainant's appeal and uphold the informal review decision.
- ITEM 163  
In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities.  
17-G-0138 PINNACLE CONTRACTING CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID  
17-G-0264 TOWN OF BABYLON DEPARTMENT OF PUBLIC WORKS /KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID  
17-G-0371 GENTILE CONSTRUCTION CORP./ CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.  
17-G-0372 DUN-RITE EXCAVATING OF CARMEL, INC. /CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.  
17-G-0373 VERIZON COMMUNICATIONS INC./ CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.  
17-G-0374 CABLE COMMUNICATIONS, LLC/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.  
17-G-0375 YE'S NATIONAL CONSTRUCTION LLC/ CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.  
17-G-0376 INDER HOME IMPROVEMENT, INC. / CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

## ITEM 163 (Cont'd)

17-G-0378 PODIAS INDUSTRY CORP. /KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID

17-G-0379 NEW YORK PAVING INC. /KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID

17-G-0380 PECONIC CESSPOOL INC. /KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID

17-G-0381 TRIPLE J EXCAVATING INC. /KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID

17-G-0382 LAFATA CONSTRUCTION INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID

17-G-0383 PERCIBALLI INDUSTRIES INC. /KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID

17-G-0384 JACK VALLE ASSOCIATES /KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID

17-G-0385 STELLAR HOME IMPROVEMENT /KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID

17-G-0386 DELUTRI LANDSCAPING INC. /KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID

17-G-0387 PAUL MORABITO JR INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID

17-G-0389 HANNON SITE DEVELOPMENT LLC /NATIONAL FUEL GAS DISTRIBUTION CORPORATION

17-G-0390 DOUG RICE EXCAVATING /NATIONAL FUEL GAS DISTRIBUTION CORPORATION

17-G-0391 MALTA DEVELOPMENT CO., INC. /NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID

17-G-0392 MEAD ENTERPRISES, INC. /NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID

17-G-0393 FRED BURROWS TRUCKING AND EXCAVATING, LLC/NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID

17-G-0394 AFSCO FENCE SUPPLY COMPANY, INC. /NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID

17-G-0395 JNR CONSTRUCTION & EXCAVATION GROUP, INC./NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID

17-G-0396 JAMES H. MALOY INC. /NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID

17-G-0398 AUGUST BOHL CONTRACTING COMPANY, INC. /NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID

17-G-0399 TITAN INDUSTRIAL SERVICES CORP. /THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY

ITEM 163 (Cont'd)

- 17-G-0400 Z & J MANAGEMENT LLC /THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY
- 17-G-0401 NEW YORK CITY DEPARTMENT OF PARKS AND RECREATION/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY
- 17-G-0402 ALEX & TOM CONSTRUCTION AND RENOVATIONS, INC. /THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY

The Commission decided to grant Consent Orders in Cases 17-G-0264, 17-G-0375, 17-G-0376, 17-G-0383, 17-G-0384, 17-G-0385, 17-G-0386, 17-G-0387, 17-G-0389, 17-G-0390, 17-G-0391, 17-G-0392, 17-G-0393, 17-G-0394, 17-G-0395, 17-G-0396, 17-G-0398, and 17-G-0402, determined a \$10,000 penalty in Case 17-G-0379, and determined \$2,500 penalties in Cases 17-G-0138, 17-G-0371, 17-G-0372, 17-G-0373, 17-G-0374, 17-G-0378, 17-G-0380, 17-G-0381, 17-G-0382, 17-G-0399, 17-G-0400 and 17-G-0401.

ITEM 164

- 14-G-0369 Appeal of an Informal Hearing Decision  
THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID METRO NY/EDWARD KALIKOW - The Commission decided to reverse the informal hearing decision.

ITEM 165

- 14-G-0443 Appeal of an Informal Hearing Decision  
KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID/PECONIC LANDING APARTMENTS - The Commission decided to deny the complainants' appeal and reverse the informal review decision.

ITEM 166

- 15-G-0704 Appeal of an Informal Review Decision  
HEWLETT ASSOCIATES/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to reverse the informal hearing decision.

- ITEM 167
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| 16-G-0566 | <u>Appeal of the Denial of Informal Review</u><br>APARTMENT MANAGEMENT ASSOCIATES -<br>EDGERTON HALL/THE BROOKLYN UNION GAS<br>COMPANY D/B/A NATIONAL GRID NY |
| 16-G-0567 | APARTMENT MANAGEMENT ASSOC., LLC/THE<br>BROOKLYN UNION GAS COMPANY D/B/A<br>NATIONAL GRID NY  |
| 16-G-0568 | M & R MANAGEMENT/THE BROOKLYN UNION<br>GAS COMPANY D/B/A NATIONAL GRID NY   |
| 16-G-0569 | KATZ REALTY/THE BROOKLYN UNION GAS<br>COMPANY D/B/A NATIONAL GRID NY  |
| 16-G-0570 | NORTH SHORE PLAZA/THE BROOKLYN UNION<br>GAS COMPANY D/B/A NATIONAL GRID NY  |
| 16-G-0571 | KALED MANAGEMENT/THE BROOKLYN UNION<br>GAS COMPANY D/B/A NATIONAL GRID NY   |
| 16-G-0572 | 6770 REALTY CO., LLC/THE BROOKLYN UNION<br>GAS COMPANY D/B/A NATIONAL GRID NY   |

The Commission decided to uphold the denial of informal review to the three complaints in favor of the utility and, that the commission finds the four complaints in favor of the customers were improperly denied as informal reviews and that no retroactive billing is warranted.

- ITEM 168
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| 15-G-0244 | The Commission decided to approve the petitions for rehearing, reconsideration, or clarification of the April 20 Order issued in this case should be granted in part and denied in part. |
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**General**

- ITEM 261
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| 15-M-0566 | The Commission decided to adopt the proposed revisions to the existing customer service metrics. The Commission also directed Staff and the utilities to initiate a collaborative to develop a uniform statewide customer service satisfaction survey approach. |
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- ITEM 262
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| 16-M-0501 | PUBLIC UTILITY LAW PROJECT OF NEW YORK, INC. - The Commission decided to adopt the proposed modifications to Con Edison's replevin actions and deferred payment agreement (DPA) procedures, including quarterly reporting over a three year period, and the establishment of electronic DPAs. |
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- ITEM 263  
17-M-0302 EXELON GENERATION COMPANY, LLC - The Commission decided to rule that no further regulatory review of planned intra-corporate restructurings is needed under Public Service Law Section 70, but declined to grant blanket authority for Petitioner to complete future restructurings without Commission review.

**Power**

- ITEM 361  
17-E-0403 Appeal of an Informal Hearing Decision  
LATANDRA WILLIAMS/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to deny informal hearing because complainant failed to state sufficient grounds for an appeal.
- ITEM 362  
17-E-0098 SEAVIEW C DEVELOPMENT, LLC - The Commission decided to approve the company to submeter electricity at 155-175 Friendship Lane, Staten Island, New York located in the territory of Consolidated Edison Company of New York Inc.
- ITEM 363  
17-E-0046 BOSTON TREMONT HOUSING DEVELOPMENT FUND CORPORATION - The Commission decided to approve the company to submeter electricity at 988 East 180th Street, Bronx, New York located in the territory of Consolidated Edison Company of New York, Inc.
- ITEM 364  
16-E-0308 VNO 225W 58th St LLC - The Commission decided to approve the company to submeter electricity at 220 Central Park South, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc.
- ITEM 365  
17-E-0054 587-91 THIRD OWNER LLC - The Commission decided to approve the company to submeter electricity at 591 Third Avenue, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc.

- ITEM 366  
17-E-0063 BRP RENNY LLC - The Commission decided to approve the company to submeter electricity at 2351-2359 Adam Clayton Jr. Boulevard, New York, New York located in the territory of Consolidated Edison Company of New York, Inc.
- ITEM 367  
16-E-0226 ORANGE AND ROCKLAND UTILITIES, INC. - The Commission decided to approve the company's tariff filing updating Service Classification No. 4 - Public Street Lighting - Company Owned to incorporate a 23 Watt LED option, P.S.C. No. 3 - Electricity.
- ITEM 368  
15-E-0314 Rehearing of a Commission Appeal Determination  
CIAMPA WHITE POINT LLC/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to deny complainant's petition for rehearing of the Commission's April 20, 2017 determination because it fails to state sufficient grounds warranting rehearing.
- ITEM 369  
17-E-0243 NEW YORK MUNICIPAL POWER AGENCY - The Commission decided to authorize the company to update its proxy pole attachment rate to \$11.98.
- ITEM 370  
16-E-0258 Appeal of an Informal Hearing Decision  
MR. ROY RATTAN/MR. BALWANT SINGH AND CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to modify, in part, and uphold, in part, the informal hearing decision.
- ITEM 371  
16-E-0528 Appeal of an Informal Hearing Decision  
MR. LOUIS RUSSO/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. -The Commission decided to uphold the informal hearing decision.
- ITEM 372  
13-T-0585 CRICKET VALLEY ENERGY CENTER, LLC - The Commission decided to approve the Environmental Management and Construction Plan (EM&CP) of the company for preparation of the rights-of-way for and construction of a new transmission line, and reconductoring of line 398.

- ITEM 373                    17-E-0199                    WEST STREET APARTMENTS - The Commission decided to approve the company to submeter electricity at 1013 West Street, Utica, New York, located in the territory of Niagara Mohawk Power Corporation d/b/a National Grid.
- ITEM 374                    There is no Item 374
- ITEM 375                    There is no Item 375
- ITEM 376                    16-E-0717                    HIMROD DEVELOPMENT LLC - The Commission decided to approve the company to submeter electricity at 336 Himrod Street, Brooklyn, New York, located in the territory of Consolidated Edison Company of New York, Inc.
- ITEM 377                    16-E-0604                    SUNLIGHT BEACON LLC AND BQ ENERGY, LLC - The Commission decided to permit street lighting accounts to be designated as satellite accounts for the receipt of remote net metering credits where the credits are generated and receive compensation under the Value of Distributed Energy Resources tariff pursuant to a monetary crediting methodology.
- ITEM 378                    16-E-0560                    The Commission decided to adopt the proposed standard statewide site control and moratorium attestation forms.

**Water**

- ITEM 461                    There is no Item 461

- ITEM 462  
16-W-0721 SARATOGA WATER SERVICES, INC. AND GLOBALFOUNDRIES U.S. INC. - The Commission decided to a) approve the terms of the Agreement for the Provision of Interruptible Water Service (the Agreement) by and between the company and GLOBALFOUNDRIES U.S. Inc.; b) approve the company's proposed Service Classification 3A Interruptible Industrial Process Water Service; and c) waive the company's tariff provisions and certain provisions of 16 NYCRR §§501 and 502, including 16 NYCRR §501.10, needed for the Company to extend water service outside its franchise area in order to fulfill the Agreement.
- ITEM 463  
15-W-0632 Appeal of an Informal Hearing Decision  
UNITED WATER/MR. WILLIAM D'AMBROSIO - The Commission decided to reverse the informal hearing decision.
- ITEM 464  
16-W-0121 ROLLING MEADOWS WATER CORPORATION - The Commission has decided to grant reconsideration of the volumetric usage rate and increase the rate from \$8.57 to \$8.84 per thousand gallons and deny the Company's request to modify the allowed rate case expense.
- Communications**
- ITEM 561  
17-C-0307 Appeal of an Informal Hearing Decision  
MR. GHEORGHE FILIMON/ VERIZON NEW YORK INC. - The Commission decided to deny the informal hearing decision because complainant failed to state sufficient grounds for an appeal.

**Cable**

ITEM 661

- 17-V-0177 ZITO NEW YORK, LLC/VILLAGE OF MORAVIA, CAYUGA COUNTY
- 17-V-0365 TIME WARNER CABLE NORTHEAST LLC/TOWN OF PHARSALIA, CHENANGO COUNTY
- 17-V-0310 CABLEVISION SYSTEMS LONG ISLAND CORPORATION/VILLAGE OF FLORAL PARK, NASSAU COUNTY
- 17-V-0345 CHARTER COMMUNICATIONS ENTERTAINMENT I, LLC /TOWN OF CHATHAM, COLUMBIA COUNTY
- 17-V-0287 TIME WARNER CABLE NORTHEAST LLC /TOWN OF COVERT, SENECA COUNTY
- 17-V-0309 TIME WARNER CABLE NORTHEAST LLC/TOWN OF NEWPORT, HERKIMER COUNTY
- 17-V-0314 TIME WARNER CABLE NORTHEAST LLC/TOWN OF NUNDA, LIVINGSTON COUNTY
- 17-V-0349 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF DEFERIET, COUNTY OF JEFFERSON
- 17-V-0351 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF BLACK RIVER, JEFFERSON COUNTY
- 17-V-0364 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF CELORON, CHAUTAUQUA COUNTY

The Commission decided to approve the certificates of confirmation for renewal of cable franchises for the companies listed above.

ITEM 662

- 17-V-0118 VERIZON NEW YORK INC. - The Commission decided to approve a portion of the company's petition for Orders of Entry for 31 multiple-dwelling unit buildings in the City of New York.

ITEM 663

- 17-V-0119 VERIZON NEW YORK INC. - The Commission decided to approve a portion of the company's petition for Orders of Entry for 36 multiple-dwelling unit buildings in the City of New York.