



# Public Service Commission

**For Immediate Release:** 9/11/18

John B. Rhodes, Chair

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## COMMISSION ISSUES FINAL SEPTEMBER 12, 2018 AGENDA

Albany, NY – The Public Service Commission announced today that it will hold its next regular session beginning at **9:00 A.M., Wednesday, September 12, 2018, 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 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**

| <b>Item</b> | <b>PSC Case</b> |
|-------------|-----------------|
|-------------|-----------------|

#### **GAS**

|     |           |   |
|-----|-----------|---|
| 101 | 18-G-0278 | THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY - Petition for a Limited Waiver of Tariff Provisions for Interruptible Service to Multiple Customers. |
|-----|-----------|---|

### POWER

- |     |           |   |
|-----|-----------|---|
| 301 | 18-E-0485 | NRG COMMUNITY SOLAR LLC - Petition for a Declaratory Ruling Concerning SC2 and VDER Tariffs for Community Solar Projects, or in the Alternative, for Clarification and/or Modification of the SC2 and VDER Tariffs of Central Hudson Gas and Electric Corporation and Orange and Rockland Utilities, Inc. |
| 302 | 16-E-0060 | CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Electric Service.  |
| 303 | 15-E-0751 | In the Matter of the Value of Distributed Energy Resources.   |
|     | 15-E-0082 | Proceeding on Motion of the Commission as to the Policies, Requirements and Conditions For Implementing a Community Net Metering Program.   |

### COMMUNICATIONS

- |       |           |   |
|-------|-----------|---|
| 501-A | 15-M-0388 | CHARTER COMMUNICATIONS and TIME WARNER CABLE - Joint Petition for Approval of a Transfer of Control of Subsidiaries and Franchises, Pro Forma Reorganization, and Certain Financing Arrangements. |
| 501-B | 15-M-0388 | CHARTER COMMUNICATIONS and TIME WARNER CABLE - Joint Petition for Approval of a Transfer of Control of Subsidiaries and Franchises, Pro Forma Reorganization, and Certain Financing Arrangements. |

No items will be considered on the Regular Agenda for **GENERAL, 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 | 18-G-0538 | NATIONAL FUEL GAS DISTRIBUTION CORPORATION - Tariff Filing to Make a Revision of a Housekeeping Nature to Its Gas Tariff Schedule, P.S.C. No. 9, to Update Its Service Territory. |
| 162 |           | There is no item 162.   |

- 163 17-G-0368 In the Matter of the Rules and Regulations of the Public Service Commission, Contained in 16 NYCRR - Proposed Amendments to Chapter III, Gas Utilities, Subchapter C, Safety, Part 255, Transmission and Distribution of Gas, to Ensure Conformance with Title 49, Code of Federal Regulations, Part 192, Transportation of Natural and Other Gas by Pipeline.
- In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753; Protection of Underground Facilities. (Penalty Determinations)
- 164-A 18-G-0533 RANDAZZO'S LANDSCAPING, INC./CENTRAL HUDSON GAS & ELECTRIC CORPORATION.
- 18-G-0534 A & S CONSTRUCTION/CENTRAL HUDSON GAS & ELECTRIC CORPORATION.
- 18-G-0532 MONROE ROADWAYS/ROCHESTER GAS AND ELECTRIC CORPORATION.
- 18-G-0513 PINA DEVELOPMENT, LLC/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 18-G-0525 SMP EXCAVATING, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 18-G-0536 CUSTOMBUILT HOMES INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 18-G-0515 RUSSO DEVELOPMENT, INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 18-G-0514 RGB GROUP INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 18-G-0509 EIC ASSOCIATES, INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 18-G-0535 ALLIED/ALL-CITY PLUMBING CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 18-G-0516 T. WEBBER PLUMBING AND HEATING, INC./CENTRAL HUDSON GAS & ELECTRIC CORPORATION.
- 18-G-0510 LOJA LANDSCAPING LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 18-G-0523 SAM'S MASONRY, INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 18-G-0524 SAM'S MASONRY, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 18-G-0528 ABC SELECT NY INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID.

- 18-G-0530 ROCCO MACCHIA, INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 18-G-0529 LATEMPA SERVICES INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID.
- 18-G-0531 R & R CONCRETE INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753; Protection of Underground Facilities. (Consent Orders)
- 164-B 18-G-0502 PETER LUIZZI & BROS. CONTRACTING, INC./NEW YORK STATE ELECTRIC & GAS CORPORATION.
- 18-G-0507 ALNO GEDNEY FARMS, INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 18-G-0519 GALAXY CONTRACTING INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 18-G-0520 BOYCE EXCAVATING CO., INC./ORANGE AND ROCKLAND UTILITIES, INC.
- 18-G-0505 ROSEMAR CONTRACTING, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 18-G-0518 LLL INDUSTRIES INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 18-G-0506 C&C SPRINKLER INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 18-G-0521 COPPOLA PAVING & LANDSCAPING CORP./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 18-G-0522 RECLAMATION, LLVC/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 165 There is no item 165.
- 166 18-G-0337 NATIONAL FUEL GAS DISTRIBUTION CORPORATION - Verified Petition for Disposition of Income Tax Savings.

### GENERAL

- 261 18-M-0216 BLUCO ENERGY, LLC - Proceeding on Motion of the Commission to Seek Consequences Against for Violations of the Uniform Business Practices.
- 262 18-S-0269 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC./36 EAST 72 STREET CORP./BROWN HARRIS STEVENS (639886) - Appeal of an Informal Review.

- 263 17-M-0755 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. AND 500 KENT LLC - Joint Petition for Approval of a Transfer of Property Located at 492-518 Kent Avenue, City of New York, Kings County.
- 264 03-E-0188 Proceeding on Motion of the Commission Regarding a Retail Renewable Portfolio Standard.
- 14-M-0094 Proceeding on Motion of the Commission to Consider a Clean Energy Fund.
- 265 17-M-0419 ORANGE AND ROCKLAND UTILITIES, INC. - In the Matter of Procedure for Bill Estimation.
- 17-M-0520 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC - In the Matter of Procedure for Bill Estimation.
- 266 18-M-0195 NATIONAL GRID USA - Proceeding on Motion of the Commission to Conduct a Comprehensive Management and Operations Audit of National Grid USA's New York Electric and Gas Utilities.
- 267 18-M-0271 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Petition for Approval to Enter into Multi-Year Committed Credit Agreements and Approval to Issue and Sell Long-Term Debt.
- 268 17-M-0815 Proceeding on Motion of the Commission on Changes in Law that May Affect Rates.

### **POWER**

- 361 18-T-0207 NEW YORK POWER AUTHORITY - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII for the Rebuild of the Existing Moses-Adirondack 1&2 230 kV Transmission Lines Extending approximately 86 Miles from the Robert Moses Switchyard in the Town of Massena, St. Lawrence County to the Adirondack Substation in the Town of Croghan, Lewis County, New York.
- 362 18-T-0210 NORTH BERGEN LIBERTY GENERATING, LLC - Petition as an Authorized Agent for Cross Hudson, LLC for an Amendment to a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII.
- 363 18-E-0222 MR. DOUGLAS FINNERTY/MR. JAMES KEMP AND NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID (726767) - Request of Shared Meter Rehearing.
- 364 18-E-0450 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Tariff filing to Make Revisions of a Housekeeping Nature to General Information Section 29 - Energy Cost Adjustment Mechanism - Market Price Charge Contained in Schedule P.S.C. No. 15 - Electricity.

- 365 18-E-0194 41-45 PROPERTY OWNER, LLC - Petition to Submeter Electricity at 520 Park Avenue, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 366 18-E-0146 HARMONY MILLS FALLSVIEW LLC - Petition to Submeter Electricity at 100 N. Mohawk Street, Cohoes, New York, Located in the Territory of Niagara Mohawk Power Corporation d/b/a National Grid.
- 367 18-E-0130 In the Matter of Energy Storage Deployment Program.
- 368 18-E-0152 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Petition for Approval of a Transfer or Lease of Property with an Original Cost of Over \$100,000.
- 369 There is no item 369.
- 370 There is no item 370.
- 371 18-E-0145 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID AND CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS - In the Matter of the Joint Petition for Approval to Authorize Attachment of Wireless Facilities to National Grid Electric Transmission Facilities.
- 02-M-1288 NIAGARA MOHAWK POWER CORPORATION AND NATIONAL GRID COMMUNICATIONS, INC. - Joint Petition for Approval to authorize National Grid Communications to attach wireless facilities on Niagara Mohawk Transmission Facilities.
- 372 18-E-0501 BAYONNE ENERGY CENTER, LLC, MIC THERMAL POWER HOLDINGS, LLC AND NHIP II BAYONNE HOLDINGS LLC - Joint Petition for a Declaratory Ruling Regarding Transfer of Upstream Ownership Interests or, in the Alternative, an Order Approving the Transfer Pursuant to Section 70 of the New York State Public Service Law.
- 373 There is no item 373.
- 374 16-E-0622 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Petition for Approval of a Pilot Program for Providing Shared Solar to Low-Income Customers.

### **WATER**

- 461 17-W-0801 MS. HANNAH VIENER/SUEZ WATER NEW YORK INC. (622182) - Appeal of Informal Hearing Decision.

### **COMMUNICATIONS**

- 561 There is no item 561.

- 562 18-C-0219 In the Matter of Quality of Service Provided by Local Exchange Companies in New York State. Verizon New York Inc. Second Quarter 2018 Service Quality Report.
- 563 17-C-0278 VERIZON NEW YORK INC. - Petition to Exclude Certain Central Office Codes from Blocking Options Offered to Customers.
- 564 18-C-0319 VALSTAR, INC. D/B/A GTEL - Petition for Designation as an Eligible Telecommunications Carrier.
- 565 18-C-0329 ARMSTRONG TELECOMMUNICATIONS, INC. - Petition for Designation as an Eligible Telecommunications Carrier.
- 566 18-C-0386 SLIC NETWORK SOLUTIONS, INC. - Petition for Designation as an Eligible Telecommunications Carrier.

### **CABLE**

- 661 17-V-0719 VERIZON NEW YORK INC. - Petition for an Order of Entry for 248 Audubon Avenue, Manhattan.
- 662 17-V-0722 VERIZON NEW YORK INC. - Petition for an Order of Entry for 1152 Colgate Avenue, Bronx.
- 663 17-V-0724 VERIZON NEW YORK INC. - Petition for Orders of Entry for 40 Multiple-Dwelling Unit Buildings in the City of New York.
- 664 18-V-0398 ATLANTIC BROADBAND (PENN), LLC - Petition for Approval of the Renewal of its Franchise with the City of Salamanca, Cattaraugus County.
- 665 18-V-0315 FRONTIER COMMUNICATIONS OF NEW YORK, INC. - Petition for a Certificate of Confirmation for its Franchise with the Village of Harriman, Orange County.
- 666 18-V-0389 DTC CABLE, INC. - Petition for a Certificate of Confirmation for its Franchise with the Town of Franklin, Delaware County.
- 667 18-V-0391 DTC CABLE, INC. - Petition for a Certificate of Confirmation for its Franchise with the Town of Tompkins, Delaware County.
- 668 18-V-0483 EMPIRE VIDEO SERVICES CORPORATION - Petition for a Certificate of Confirmation for its Franchise with the Town of Corning, Steuben County.

### **Instructions to View Webcast 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 webcasting 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 Webcast of Meeting**

In addition to the webcast of the meeting in the Commission's New York City offices, the meeting will be webcast live on the Internet. The Internet webcast 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** 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](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, October 18, 2018, 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 webcasting will be for viewing and listening purposes only.

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