

Consent Agenda Report for 09/17/2020

The following is a preliminary and informal summary of actions the Commission took at its public session on September 17, 2020. 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 or other document issued in the case number(s) identified below.

Gas

ITEM 161

20-G-0007 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. AND ORANGE AND ROCKLAND UTILITIES, INC. -The Commission decided to approve, with certain limitations, the Itron 550G ERT AMI device in residential and commercial gas metering applications in New York State.

ITEM 162-A

In the Matter of Enforcement Proceeding for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities. (Penalty Determinations)

19-G-0572 MORSCH PIPELINE, INC./NEW YORK STATE ELECTRIC & GAS CORPORATION
20-G-0057 CITY OF RENSSELAER DPW/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID
20-G-0225 RENSSELAER COUNTY HIGHWAY DEPARTMENT/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID
20-G-0399 214 ON STARR, LLC/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC
20-G-0401 BALLARD CONSTRUCTION/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID
20-G-0402 BURRELL'S EXCAVATING, INC./NEW YORK STATE ELECTRIC & GAS CORPORATION
20-G-0404 COASTAL CONSTRUCTING CORP/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
20-G-0405 EASTERN CONCRETE MATERIALS, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
20-G-0407 H&L CONTRACTING, LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
20-G-0408 HYPERION DEVELOPMENT 215 LLC/NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID
20-G-0409 JCI ENTERPRISES INC D/B/A 631 CONSTRUCTION/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID

ITEM 162-A Cont'd

- 20-G-0410 KEADY LANDSCAPING/ROCHESTER GAS AND ELECTRIC CORPORATION
- 20-G-0411 MASONE MASONRY/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
- 20-G-0413 SALT SPRINGS PAVING CORP./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID
- 20-G-0414 TERRY CONTRACTING & MATERIALS, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
- 20-G-0415 TNT SERVICES & RESTORATION / KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
- 20-G-0416 MORSCH PIPELINE, INC./NEW YORK STATE ELECTRIC & GAS CORPORATION
- 20-G-0417 MORSCH PIPELINE, INC./NEW YORK STATE ELECTRIC & GAS CORPORATION

The Commission decided that \$10,000 penalties be determined in Cases 20-G-0414, 20-G-0416, and 20-G-0417; and that \$2,500 penalties be determined in Cases 19-G-0572, 20-G-0057, 20-G-0225, 20-G-399, 20-G-0400, 20-G-0401, 20-G-0402, 20-G-0404, 20-G-0405, 20-G-0407, 20-G-0408, 20-G-0409, 20-G-0410, 20-G-0411, 20-G-0413, and 20-G-0415.

ITEM 162-B

In the Matter of Enforcement Proceeding for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities. (Consent Orders)

- 19-G-0552 TOMPKINS LANDSCAPING CORP./ CONSOLIDATED EDISON COMPANY OF NEW YORK, INC
- 20-G-0333 BARIGHT ENTERPRISES, INC./CENTRAL HUDSON GAS & ELECTRIC CORPORATION
- 20-G-0335 WARWICK DEPARTMENT OF PUBLIC WORKS/ORANGE AND ROCKLAND UTILITIES, INC.
- 20-G-0384 TOWN OF NEW HARTFORD HIGHWAY DEPARTMENT/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID
- 20-G-0398 ROOTS ETC, INC./KEYSPAN GAS EAST CORP. D/B/A NATIONAL GRID.

ITEM 162-B Cont'd.

The Commission decided to approve Consent Orders in Case 19-G-0552, 20-G-0333, 20-G-0335, 20-G-0384, and 20-G-0398.

ITEM 163

16-G-0369

CORNING NATURAL GAS CORPORATION - The Commission decided to approve, on a permanent basis, Corning Natural Gas Corporation's gas tariff amendments effectuating the beyond Rate Year 3 rates as filed and in compliance with the Commission's order issued June 15, 2017 in this proceeding.

ITEM 164

19-G-0496

Appeal of Informal Decision
 HEBREW ACADEMY OF 5 TOWNS/ KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID
 -The Commission decided to uphold the informal hearing officer's decision and deny the appeal.

ITEM 165

20-G-0268

NATIONAL FUEL GAS DISTRIBUTION CORPORATION - The Commission decided to approve the Company's tariff filing to adopt a proration methodology used to allocate customer usage when rate changes occur during a billing period.

General

ITEM 261

14-M-0565,
 17-E-0238,
 17-G-0239 &

NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - The Commission decided to confirm a One Commissioner Order by Chair Rhodes to further postpone approved electric and gas delivery rate increases and updated reduction to the low income discount credit, issued in these proceedings on May 29, 2020, as a permanent action.

ITEM 262

17-E-0238 &
 17-G-0239

NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - The Commission decided to approve, on a permanent basis, the Company's compliance electric and gas tariff filings effectuating the terms of Rate Year 3.

- ITEM 263
 20-M-0029 The Commission decided to approve the electric tariff amendments filed by the City of Jamestown and Pennsylvania Electric Company to conform with the the new requirements of Public Service Law §66-p.
- ITEM 264
 16-M-0434 MARATHON ENERGY CORPORATION - The Commission decided to deny the petition for rehearing and/or reconsideration.
- ITEM 265
 12-M-0476,
 15-M-0127 &
 98-M-1343 Commissioner Diane X. Burman, dissenting
 The Commission decided to deny rehearing and provide clarification.
- ITEM 266
 19-G-0542 &
 20-M-0025 UTILITY RATE ANALYSIS CONSULTANTS/
 HARTLEY HOUSE OWNERS CORP./
 CONSOLIDATED EDISON COMPANY OF
 NEW YORK, INC. - The Commission decided to uphold the informal hearing decision, deny the consumer appeal, and decline to issue a declaratory ruling.
- ITEM 267
 20-S-0196 ENWAVE SYRACUSE LLC, SYRACUSE ENERGY CONCESSIONAIRE LLC, ENWAVE USA HOLDINGS LLC AND SYRACUSE UNIVERSITY - The Commission decided to authorize the transfer of operations of steam infrastructure, approve the use of municipal road use agreements, and grant a lightened regulatory regime for Enwave Syracuse LLC and Syracuse Energy Concessionaire LLC.

ITEM 268
 17-E-0459
 17-G-0460
 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - The Commission decided to confirm a One Commissioner Order by Chair Rhodes that adopts the Order Postponing Approved Electric and Gas Delivery Rate Increases, issued in these proceedings on June 11, 2020 as a permanent rule.

ITEM 269
 20-M-0231
 CITY OF NEW YORK - The Commission decided to confirm a One Commissioner Order by Chair Rhodes that adopts the Order Approving Temporary Emergency Financial Relief for Electric Low-Income Bill Discount Program Customers, issued in this proceeding on June 11, 2020 as a permanent rule.

Power

ITEM 361
 20-E-0201
Rehearing of Commission Determination
 MR. CHEN ZHOU, ON BEHALF OF HAN YANG INTERNATIONAL, INC./ MS. PRISCILLA ALVARADO AND CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to uphold the designee's determination.

ITEM 362
 20-E-0233
Rehearing of Commission Determination
 MR. DAVID E. SIEGFELD, ESQ., ON BEHALF OF 272 FOURTH ST., LLC./MS. BRENDA SPARKS AND NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - The Commission decided to uphold the designee's determination.

ITEM 363
 20-E-0254
Rehearing of Commission Determination
 MR. LANCE GALVIN/MS. MARANDA M. BACON AND NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID -The Commission decided to uphold the designee's determination.

ITEM 364
 20-E-0232
 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - The Commission decided to approve the tariff modifications as filed.

- ITEM 365
19-E-0673 MIPA 59/THIRD OWNER LLC -The Commission decided to grant authority to MIPA 59/Third Owner LLC, to submeter electricity at 200 East 59th Street, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc.
- ITEM 366
19-E-0465 QUADLOGIC CONTROL CORPORATION - The Commission decided to approve the QBrick Smart Revenue Grade Electric Power Meter for use in residential submetering applications in New York State.
- ITEM 367
19-E-0597 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to approve the Smart ConnectDER Meter Collar, with certain limitations, for use in residential solar photovoltaic equipment installations in New York State.
- ITEM 368
There is no Item 368.
- ITEM 369
There is no Item 369.
- ITEM 370
19-E-0525 FISHERS ISLAND ELECTRIC CORPORATION - The Commission decided to authorize Fishers Island Electric Corporation to increase its annual revenues by \$67,281, or 13.57%, effective October 1, 2020.
- ITEM 371
20-E-0142 NEW YORK STATE ELECTRIC & GAS CORPORATION AND NUCOR STEEL AUBURN, INC. - The Commission decided to approve the sixth amendment to the Electric Service Agreement between New York Electric & Gas Corporation and Nucor Steel Auburn, Inc.

ITEM 372
 18-T-0207 NEW YORK POWER AUTHORITY -The Commission decided to approve the Phase One, Part 2b Environmental Management and Construction Plan (EM&CP) filed by the New York Power Authority to construct and operate a transmission project known as the Moses-Adirondack Smart Path Reliability Project.

ITEM 373
 10-T-0139 CHAMPLAIN HUDSON POWER EXPRESS, INC. - The Commission decided to grant the request to amend the Certificate of Environmental Compatibility and Public Need granted to Champlain Hudson Power Express, Inc. and CHPE Properties, Inc.

ITEM 374
 There is no Item 374

ITEM 375
 20-E-0242 NIAGARA MOHAWK POWER CORPORATION - The Commission decided to approve the transfer of certain street lighting facilities from National Grid to the Village of Homer.

ITEM 376
 19-E-0735 NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT - The Commission decided to clarify the rules applicable to projects participating in the Value Stack Remote Crediting program.

Water

ITEM 461
 20-W-0269 RIVER ROAD WATER DISTRICT -The Commission decided to authorize an increase to the maximum surcharge of River Road Water District's escrow account from \$50 semi-annually to \$100 semi-annually, deny the establishment of a one-time surcharge of \$137.48 and deny an increase to the escrow account's maximum balance from \$4,000 to \$8,000.

ITEM 462

16-W-0259 NEW YORK AMERICAN WATER COMPANY, INC. - The Commission decided to confirm the One Commissioner Order by Chair Rhodes that postpones the authorized September 1, 2020 rate increase, the system improvement charge and the revenue adjustment clause/property tax reconciliation surcharges, levelization surcharge for Service Area 2, and modify the terms of the make whole provision to allow carrying charges on lost revenue from September 1, 2020, through January 1, 2021.

Communications

ITEM 561

20-C-0372 XCHANGE TELECOM LLC - The Commission decided to approve Xchange Telecom LLC's petition for designation as a wireless Eligible Telecommunications Carrier (ETC) for the purpose of receiving federal universal support for providing wireless Lifeline service throughout all of New York State.

ITEM 562

20-C-0281 The Commission decided to approve the petition of State Telephone Company (State Tel or the Company) for a waiver of 16 NYCRR §602.10(a) and §602.10(b).

Cable

ITEM 661

20-V-0327 SPECTRUM NORTHEAST, LLC/CITY OF MECHANICVILLE, SARATOGA COUNTY.
 20-V-0346 SPECTRUM NORTHEAST, LLC/VILLAGE OF BALLSTON SPA, SARATOGA COUNTY.
 20-V-0347 SPECTRUM NORTHEAST, LLC/TOWN OF ELMIRA, CHEMUNG COUNTY.
 20-V-0365 SPECTRUM NORTHEAST, LLC/TOWN OF DELHI, DELAWARE COUNTY.
 20-V-0366 SPECTRUM NORTHEAST, LLC/TOWN OF EXETER, OTSEGO COUNTY.
 20-V-0367 SPECTRUM NORTHEAST, LLC/TOWN OF FRANKLINVILLE, CATTARAUGUS COUNTY.

ITEM 661 Cont'd.

- 20-V-0368 SPECTRUM NORTHEAST, LLC/TOWN OF TONAWANDA, ERIE COUNTY.
- 20-V-0388 SPECTRUM NORTHEAST, LLC/VILLAGE OF NICHOLS, TIOGA COUNTY.
- 20-V-0391 SPECTRUM NORTHEAST, LLC/VILLAGE OF SOUTH DAYTON, CATTARAUGUS COUNTY.

The Commission decided to approve the certificates for renewal of cable franchises for the above-named municipalities.

ITEM 662

- 19-V-0634 VERIZON NEW YORK INC. - The Commission decided to approve a portion of Verizon New York Inc.'s Petition for Orders of Entry for 40 multiple-dwelling unit buildings in the City of New York.

ITEM 663

- 19-V-0633 VERIZON NEW YORK INC. - The Commission decided to approve a portion of Verizon New York Inc.'s Petition for Orders of Entry for 21 multiple-dwelling unit buildings in the City of New York.