



# Public Service Commission

**For Immediate Release: 09/03/21**

John B. Howard, Chair

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## COMMISSION ISSUES PRELIMINARY SEPTEMBER 9, 2021 AGENDA

**ALBANY, NY** – The Public Service Commission announced today that it will hold its next regular session beginning at **10:30 A.M., Thursday, September 9, 2021**. The session will be held in the Commission’s offices located at Three Empire State Plaza, 19<sup>th</sup> Floor, Albany; 90 Church Street, 4<sup>th</sup> Floor, New York City; 125 East Bethpage Road, Video-Conference Training Room, Plainview; and, 295 Main Street, Suite 1050, Buffalo. Please be prepared to show identification to be admitted to the Albany, New York City, Long Island and Buffalo locations. Unvaccinated individuals must wear a mask while in the agency’s offices; everyone else is strongly encouraged to wear a mask. Due to COVID, seating capacity in each location will be limited.

**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>	
<b>GENERAL</b>		
201	13-M-0412	Petition of New York State Energy Research and Development Authority to Provide Initial Capitalization for the New York Green Bank.
	14-M-0094	Proceeding on Motion of the Commission to Consider a Clean Energy Fund.
	18-M-0084	In the Matter of a Comprehensive Energy Efficiency Initiative.

- 19-E-0735 Petition of New York State Energy Research and Development Authority Requesting Additional NY-Sun Program Funding and Extension of Program Through 2025.

### POWER

- 301 20-E-0197 Proceeding on Motion of the Commission to Implement Transmission Planning Pursuant to the Accelerated Renewable Energy Growth and Community Benefit Act.

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

- |     |           |  |
|-----|-----------|--|
| 161 | 21-G-0153 | HAMPTON DRAINAGE & PAVING CORP. - In the Matter of an Enforcement Proceeding for Alleged Violations of 16 NYCRR Part 753 - Protection of Underground Facilities, in the Service Territory of KeySpan Gas East Corporation d/b/a National Grid.   |
| 162 | 21-G-0173 | NEW YORK STATE ELECTRIC & GAS CORPORATION - Tariff Filing to Modify Its Gas Tariff Schedules, P.S.C. Nos. 87 and 88, to Replace References to Dominion Transportation Inc. (DTI) Due to the Recent Acquisition by Eastern Gas Transmission and Storage Inc., effective August 1, 2021. |
|     | 21-G-0174 | ROCHESTER GAS AND ELECTRIC CORPORATION - Tariff Filing to Modify Its Gas Tariff Schedule, P.S.C. No. 16, to Replace References to Dominion Transportation Inc. (DTI) Due to the Recent Acquisition by Eastern Gas Transmission and Storage Inc., effective August 1, 2021.             |
| 163 | 20-G-0392 | CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. AND ORANGE AND ROCKLAND UTILITIES, INC. - Petition for Approval of Itron 550G ERT Device for Rockwell Large Capacity Meters.   |
| 164 | 21-G-0349 | ISMET SABOVIC/MARIA ESCOBAR 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   |

- 165-A Maria Escobar and Consolidated Edison Company of New York, Inc. (031862).
- In the Matter of an Enforcement Proceeding for Alleged Violation of 16 NYCRR Part 753 - Protection of Underground Facilities (Penalty Determination Orders).
- 21-G-0217 Allstone Landscape and Design/Niagara Mohawk Power Corporation, d/b/a National Grid.
- 21-G-0219 2 Forces Contractors, Inc./KeySpan Gas East Corporation d/b/a National Grid.
- 21-G-0326 Eagle Cesspool Services Corp/KeySpan Gas East Corporation d/b/a National Grid.
- 21-G-0327 4th Generation Construction Inc./National Fuel Gas Distribution Corporation.
- 21-G-0330 Bob Lightaul Lawn and Snow LLC/Niagara Mohawk Power Corporation d/b/a National Grid.
- 21-G-0331 Bellamy Construction Company, Inc./Niagara Mohawk Power Corporation d/b/a National Grid.
- 21-G-0332 Union Concrete and Construction Corp./National Fuel Gas Distribution Corporation.
- 21-G-0333 Always First Demolition NYC/The Brooklyn Union Gas Company d/b/a National Grid NY.
- 21-G-0334 Terri Associates Landscaping/KeySpan Gas East Corp. d/b/a National Grid.
- 21-G-0337 Grasso Brothers General Contracting, Inc./Consolidated Edison Company of New York, Inc.
- 21-G-0386 RNC Industries, LLC/Consolidated Edison Company of New York, Inc.
- 21-G-0387 CVF, Inc./National Fuel Gas Distribution Corporation.
- 21-G-0388 Demolition Experts/Consolidated Edison Company of New York, Inc.
- 21-G-0389 Mid-Hudson Development Corporation/Central Hudson Gas & Electric Corporation.
- 21-G-0390 Pooler Enterprises, Inc./Rochester Gas and Electric Corporation
- 21-G-0391 Village of Woodbury Highway Department/Central Hudson Gas & Electric Corporation.
- 21-G-0442 J.I.P. Construction Corp./Consolidated Edison Company of New York, Inc.
- 21-G-0443 Masone Masonry/KeySpan Gas East Corporation d/b/a National Grid.

- 21-G-0444 Town of Sullivan DPW/Niagara Mohawk Power Corporation d/b/a National Grid.
- 165-B In the Matter of an Enforcement Proceeding for Alleged Violation of 16 NYCRR Part 753 - Protection of Underground Facilities (Petitions for Rehearing).
- 20-G-0568 Alba Services Inc./The Brooklyn Union Gas Company d/b/a National Grid NY.
- 21-G-0216 G-Nado Inc./The Brooklyn Union Gas Company d/b/a National Grid NY.
- 166 21-G-0191 MALTA LAND COMPANY, LLC - In the Matter to Request for an Extension on Letter of Credit.
- 167 20-G-0560 In the Matter of the Rules and Regulations of the Public Service Commission, Contained in 16 NYCRR - Proposed Amendments to Chapter I, Rules of Procedure, Subchapter A, General, Part 10, Referenced Material; and 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.
- 168 21-G-0358 DTE RENEWABLE HOLDINGS, LLC - Petition for a Declaratory Ruling Regarding Regulation of Facilities Used in Connection with the Business of Selling, Distributing or Furnishing of Gas in Enclosed Containers.

#### **GENERAL**

- 261 12-M-0476 Proceeding on Motion of the Commission to Assess Certain Aspects of the Residential and Small Non-residential Retail Energy Markets in New York State.
- 15-M-0127 In the Matter of Eligibility Criteria for Energy Service Companies.
- 98-M-1343 In the Matter of Retail Access Business Rules.
- 262 17-E-0238 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Electric Service.
- 17-G-0239 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.
- 263 20-M-0029 In the Matter of the 2019 Amendment to the Public Service Law, Section 66-p (C. 705, L. 2019), Relating to Billing Information for Residential Rental Premises.
- 264 21-M-0193 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. AND ORANGE AND ROCKLAND UTILITIES, INC. - In the Matter of a Comprehensive Management and Operations Audit.

- 265 20-E-0428 CENTRAL HUDSON GAS & ELECTRIC CORPORATION -  
Proceeding on Motion of the Commission as to the Rates, Charges, Rules  
and Regulations for Electric Service.
- 20-G-0429 CENTRAL HUDSON GAS & ELECTRIC CORPORATION -  
Proceeding on Motion of the Commission as to the Rates, Charges, Rules  
and Regulations for Gas Service.
- 266 21-M-0194 NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL  
GRID - Petition under Section 69 of the Public Service Law for Authority  
to Issue Securities.
- 267 21-M-0229 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. -  
Petition for Approval of a Transfer or Lease of Property with an Original  
Cost of Over \$100,000.
- 268 16-M-0411 In the Matter of Distributed System Implementation Plans.  
18-E-0130 In the Matter of Energy Storage Deployment Program.
- 269 21-M-0274 NEW YORK STATE ELECTRIC & GAS CORPORATION - Verified  
Petition for Authority to Issue Long-Term Indebtedness, Preferred Stock  
and Hybrid Securities.

#### **POWER**

- 361 21-E-0275 NIAGARA MOHAWK POWER CORPORATION -Petition Pursuant to  
Section 70 of the New York State Public Service Law Regarding the  
Transfer of Certain Property to the Village of Voorheesville.
- 362 21-E-0294 NIAGARA MOHAWK POWER CORPORATION - Petition Pursuant to  
Section 70 of the New York State Public Service Law Regarding the  
Transfer of Certain Property to the Village of Liverpool.
- 363 21-E-0302 NIAGARA MOHAWK POWER CORPORATION - Petition Pursuant to  
Section 70 of the Public Service Law Regarding the Transfer of Certain  
Property to the City of Cohoes.
- 364 21-E-0306 NIAGARA MOHAWK POWER CORPORATION - Petition Pursuant to  
Section 70 of the New York State Public Service Law Regarding the  
Transfer of Certain Property to the Town of Colonie.
- 365 21-E-0310 NIAGARA MOHAWK POWER CORPORATION - Petition Pursuant to  
Section 70 of the New York State Public Service Law Regarding the  
Transfer of Certain Property to the County of Albany.
- 366 20-E-0666 BSD 685 NEW YORK PROPCO LLC - Petition to Submeter Electricity  
at 685 Fifth Avenue, New York, New York 10022 Located in the  
Territory of Consolidated Edison Company, Inc.
- 367 21-E-0116 501 STATE STREET ASSOC LLC - Notice of Intent to Submeter  
Electricity at 501 State Street, Schenectady, New York 12305 Located in  
the Territory of Niagara Mohawk Power Corporation d/b/a National Grid.

- 368 21-E-0179 30 WARREN CONDOMINIUM, LLC - Notice of Intent to Submeter Electricity at 30 Warren Street, New York, NY, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 369 21-E-0189 52-03 CENTER LLC - Notice of Intent to Submeter Electricity at 52-03 Center Boulevard, Long Island City, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 370 21-E-0244 18 SIXTH AVENUE OWNER, LLC - Notice of Intent to Submeter Electricity at 18 Sixth Avenue, Brooklyn, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 371 20-E-0390 CASA PASIVA LLC - Petition to Submeter Electricity at 104-110 Grove Street, 116-120 Grove Street, 75 Linden Street, 93 Stockholm Street, 160 Harman Street, 173 Harman Street, 181 Harman Street, Brooklyn, NY, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 372 21-E-0301 NEW YORK STATE ELECTRIC & GAS CORPORATION - Petition for Approval, Pursuant to Public Service Law Section 70, to Transfer Street Lighting Facilities to the Town of Newfield with an Original Cost of Over \$100,000.
- 373 20-T-0549 NEW YORK TRANSCO LLC - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII of the New York Public Service Law to Construct, Operate, and Maintain a New, Single-Circuit 12-mile Overhead 115 kV Electric Transmission Line and Related Facilities In the Towns of New Windsor, Hamptonburgh, Blooming Grove, and Chester in Orange County.
- 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.
- 375 15-F-0122 BARON WINDS, LLC - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 to Construct a Wind Energy Facility.
- 376 20-E-0481 MOHAWK SOLAR LLC - Petition for an Order Granting a Certificate of Public Convenience and Necessity Pursuant to Section 68 of the Public Service Law and for an Order Granting Lightened Regulation.
- 377 16-F-0328 NUMBER THREE WIND LLC - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 for Construction of a Wind Project Located in Lewis County.
- 378 21-E-0422 235 W 108 ST. OWNERS/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. (946289).

- 379 17-F-0597 HIGH RIVER ENERGY CENTER, LLC - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 of the Public Service Law for Construction of a Solar Electric Generating Facility Located in the Town of Florida, Montgomery County.
- 380 21-E-0371 PB TRANSMISSION HOLDINGS, LLC AND THE 2012 POWERBRIDGE TRUST - Joint Petition for an Expedited Declaratory Ruling Invoking the Wallkill Presumption.
- 381 15-E-0302 Proceeding on Motion of the Commission to Implement a Large-Scale Renewable Program and a Clean Energy Standard.
- 382 21-E-0307 NIAGARA MOHAWK POWER CORPORATION - Petition Pursuant to Section 70 of the New York State Public Service Law Regarding the Transfer of Certain Property to the City of Troy.
- 383 21-E-0303 NATIONAL GRID PLC AND NGV VENTURES EMERALD, LLC - Petition for a Declaratory Ruling Regarding Ownership of a 50 Percent Upstream Interest in the Calverton Solar Project.
- 384 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.
- 385 17-F-0599 EAST POINT ENERGY CENTER, LLC - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 of the Public Service Law for Construction of a Solar Electric Generating Facility Located in the Town of Sharon, Schoharie County.

### **CABLE**

- 661 Petitions for Renewal of Cable Television Franchises.
- 21-V-0232 Adams CATV Inc./Village of Windsor, Broome County.
- 21-V-0314 Comcast of New York, LLC/Town of Somers, Westchester County.
- 21-V-0346 Spectrum Northeast, LLC/Village of McGraw, Cortland County.
- 21-V-0347 Spectrum Northeast, LLC/Town of Clymer, Chautauqua County.
- 21-V-0348 Spectrum Northeast, LLC/Town of Hoosick, Rensselaer County.
- 21-V-0353 Spectrum Northeast, LLC/Town of Greig, Lewis County.
- 21-V-0359 Spectrum Northeast, LLC/Village of Potsdam, St. Lawrence County.
- 21-V-0361 Spectrum Northeast, LLC/Town of Alabama, Genesee County.
- 21-V-0362 Spectrum Northeast, LLC/Village of Almond, Allegany County.

- 21-V-0367 Spectrum Northeast, LLC/Town of Mendon, Monroe County.
- 662 21-V-0417 VERIZON NEW YORK INC. - Petition for an Order of Entry for 87 3rd Avenue, Manhattan.
- 663 21-V-0418 VERIZON NEW YORK INC. - Petition for an Order of Entry for 48 Great Jones Street, Manhattan.
- 664 21-V-0419 VERIZON NEW YORK INC. - Petition for an Order of Entry for 324 East 112th Street, Manhattan.
- 665 21-V-0420 VERIZON NEW YORK INC. - Petition for an Order of Entry for 545 Warren Street, Brooklyn.
- 666 21-V-0421 VERIZON NEW YORK INC. - Petition for an Order of Entry for 2299 Andrews Avenue North, Bronx.

**No items will be considered on the Consent Agenda for  
WATER and COMMUNICATIONS**

**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](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 Department of Public Service Web site at [www.dps.ny.gov](http://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, October 7, 2021.**