

## Consent Agenda Report for 05/14/2015



The following is a preliminary and informal summary of actions the Commission took at its public session on May 14, 2015. 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

	<u>Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753 – Protection of Underground Facilities</u>
12-G-0467	EXPO INDUSTRIES, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
14-G-0165	HOME SOLUTION AND DESIGN MANAGEMENT LLC/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
14-G-0290	MR. PUMP, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
15-G-0058	PRO SOURCE CONSTRUCTION LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
15-G-0215	BRENNAN CONSTRUCTION/CENTRAL HUDSON GAS & ELECTRIC CORPORATION.
15-G-0116	KEN HANSON PAVING, INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
15-G-0217	BROWNIE COMPANIES OF LONG ISLAND, LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
15-G-0218	INCORPORATED VILLAGE OF HEMPSTEAD/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
15-G-0219	DR PLUMBING & HEATING, LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
15-G-0220	PACIFIC LAWN SPRINKLER INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.

ITEM 161 (Cont'd)

- 15-G-0221 C. CONCRETE, INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 15-G-0222 CAPITAL FENCE CO., INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 15-G-0223 BAREFOOT SEPTIC & SEWER, INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 15-G-0224 CITY OF GLOVERSVILLE WATER DEPARTMENT/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 15-G-0225 JAMES H. MALOY, INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 15-G-0226 CRYSTAL CONSTRUCTION/ORANGE AND ROCKLAND UTILITIES, INC.
- 15-G-0227 SLR INDUSTRIES, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 15-G-0228 CAMPOS TREE SERVICE COPR./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 14-G-0430 NEW YORK AMERICAN WATER COMPANY, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.

The Commission decided to grant Consent Orders in Cases 14-G-0290, 14-G-0430, 15-G-0058, 15-G-0215, 15-G-0218, 15-G-0219, 15-G-0220, 15-G-0221, 15-G-0222, 15-G-0223, 15-G-0224, and 15-G-0225, determined an \$8,500 penalty in Case 12-G-0467, determined \$2,500 penalties in Cases 14-G-0165, 15-G-0116, 15-G-0217, 15-G-0226, and 15-G-0228, and determined a \$1,500 penalty in Case 15-G-0227.

ITEM 162

- 15-G-0167 NIAGARA MOHAWK POWER CORPORATION, d/b/a NATIONAL GRID - The Commission decided to grant the petition for an amendment to the Certificate of Public Convenience and Necessity granted in Case 90-T-0594.

ITEM 163  
 14-G-0551 NATIONAL FUEL GAS DISTRIBUTION CORPORATION - The Commission decided to approve, with modifications, the company's tariff filing extending the Distribution Generation and Natural Gas Vehicle Programs to March 31, 2018 and for the authorization of the Partnership to Revitalize the Industrial Manufacturing Economy of Western New York.

ITEM 164  
 There is no Item 164

ITEM 165  
 15-G-0171 310 PAIGE STREET, SCHENECTADY - The Commission decided to commence an action pursuant to Public Service Law Section 25-a against National Grid for violations of gas safety regulations with respect to a gas incident on August 10, 2014 in Schenectady, New York.

ITEM 166  
 14-G-0212 The Commission decided to order certain LDCs to follow their submitted risk assessment and remediation plans and to revise those plans to the extent described in the Order. In addition, all LDCs are ordered to revise their operating procedures so that (1) all completed plastic fusions are inspected by a person other than the person who completed the plastic fusion and who is qualified to inspect plastic fusions prior to the fusion being placed into service; (2) that the fuser, the inspector, and the location of the fusion is recorded in an electronic database; and (3) that, until further notice, all plastic fusions exposed during the normal course of business be visually inspected and remediated if they fail such inspection.

**General**

## ITEM 261

- 10-M-0088      Appeals of Informal Hearing Decisions  
REENA PEARL/CONSOLIDATED EDISON  
OF NEW YORK, INC. - The Commission decided to  
uphold the informal hearing decision regarding a  
billing complaint.
- 14-E-0385      SARAH LEDERSTEIN/CONSOLIDATED EDISON  
OF NEW YORK, INC. - The Commission decided to  
uphold the informal hearing decision regarding a  
billing complaint.

## ITEM 262

- 13-G-0009      NATIONAL GRID USA'S NEW YORK GAS  
COMPANIES - The Commission decided to approve  
the company's implementation plan for the  
management and operations audit of the company's  
New York Gas Operations.

## ITEM 263

- 14-S-0382      CONSOLIDATED EDISON COMPANY OF NEW  
YORK, INC. - The Commission decided to approve  
the company's tariff filing, with modifications to clarify  
tariff changes and charges for broken company valve  
seals in its steam tariff, P.S.C. No. 4.

**Power**

## ITEM 361

- 13-E-0573      CONSOLIDATED EDISON COMPANY OF NEW  
YORK, INC. - The Commission decided to approve  
the company's tariff filing for housekeeping nature to  
clarify Rider R - Net Metering for  
Customer-Generators customers' eligibility under  
Rider U Distribution Load Relief Program contained  
in P.S.C. No. 10 - Electricity.

## ITEM 362

- 15-E-0177      COMPETITIVE POWER VENTURES HOLDINGS  
LLC, ET AL. - The Commission decided to issue a  
declaratory ruling that it need not review further the  
proposed upstream acquisition of ownership interests  
in the Valley Energy Center project currently under  
development, and should confirm that lightened  
regulation will continue in the hands of the new  
owners following the Proposed Transactions.

- ITEM 363  
 14-E-0081 LEVITON MFG. CO. - The Commission decided to approve and allow the use of the Leviton Series 8000 meter for submetering multi-unit master-metered residential buildings.
- ITEM 364  
 14-E-0509 FIRST WIND HOLDINGS, LLC, ET AL. - The Commission decided to deny the January 25, 2015 Petition filed by Cohocton Wind Watch for rehearing of a Declaratory Ruling on Review of an Acquisition Transaction issued January 13, 2015.
- ITEM 365  
 12-E-0136 DUNKIRK POWER LLC AND NRG ENERGY, INC. - The Commission decided to approve a seven-month extension of the Reliability Support Services Agreement between National Grid and Dunkirk Power LLC in order to address transmission system reliability needs.
- ITEM 366  
 15-E-0078 160 MADISON AVE LLC - The Commission decided to approve submetering of 160 Madison Avenue LLC to submeter electricity at 160 Madison Avenue, New York, New York.
- ITEM 367  
 There is no Item 367
- ITEM 368  
 13-E-0030 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to approve, on a permanent basis, the company's compliance tariff filing effectuating Rate Year 2 pursuant to Commission Order issued February 21, 2014.
- ITEM 369  
 03-E-0188 The Commission issued an Order in response to a May 5, 2014 petition submitted by the Sterling Energy Group, Inc. and Niagara Generation, LLC seeking supplemental benefits to its April 17, 2007 RPS agreement for its biomass facility in Niagara Falls, NY. Specifically, the Commission denied the Petitioner's request to restructure its existing RPS Main Tier agreement.

**Water**

- ITEM 461  
 14-W-0552 WINDEMERE HIGHLANDS, INC. - The Commission decided to authorize the company to increase its annual revenues by \$10,718 or 21.3%, to become effective June 1, 2015, and to eliminate the charges for ¾-inch and 1-inch meters from the Company's tariff. The Commission also decided to deny the Company's request to establish a separate escrow account surcharge to cover the costs of unforeseen emergency repairs and capital improvements not covered in base rates.
- ITEM 462  
 15-W-0045 NEW YORK AMERICAN WATER COMPANY, INC. - The Commission decided to approve company's petition for authority to issue \$22.6 million of refunding debt provided it is economic to do so and up to \$45.3 million of new debt.

**Communications**

- ITEM 561  
 97-C-0139 Commissioner Gregg C. Sayre, recused  
 The Commission decided to approve these proposed modifications to the Inter-Carrier Service Quality Guidelines because changes in the industry have warranted a streamlining of the C2C Guidelines.
- ITEM 562  
 15-C-0236 For information only.

**Cable**

- ITEM 661  
 15-V-0170 VERIZON NEW YORK INC - The Commission decided to approve a portion of the company's petitions for certain Orders of Entry for the 62 Multiple-Dwelling Unit Buildings in the City of New York.

ITEM 662

- 15-V-0146 TIME WARNER CABLE NORTHEAST LLC/TOWN OF BRUNSWICK, RENSSELAER COUNTY.
- 15-V-0121 TIME WARNER CABLE NORTHEAST LLC /TOWN OF TYRONE, COUNTY OF SCHUYLER, NEW YORK.
- 15-V-0004 CABLEVISION OF OSSINING, L.P./VILLAGE OF OSSINING, NEW YORK, COUNTY OF WESTCHESTER.
- 15-V-0044 TIME WARNER CABLE NORTHEAST LLC/TOWN OF COLD SPRING, CATTARAUGUS COUNTY.
- 15-V-0083 TIME WARNER CABLE NORTHEAST LLC/TOWN OF PULTENEY, STEUBEN COUNTY.
- 15-V-0080 TIME WARNER CABLE NORTHEAST LLC/TOWN OF MARILLA, ERIE COUNTY.
- 15-V-0097 CABLEVISION SYSTEMS LONG ISLAND CORPORATION/VILLAGE OF SOUTH FLORAL PARK, NASSAU COUNTY.
- 15-V-0134 TIME WARNER CABLE NORTHEAST LLC /TOWN OF CALEDONIA, COUNTY OF LIVINGSTON, NEW YORK.
- 15-V-0129 TIME WARNER CABLE NORTHEAST LLC/TOWN OF NIAGARA, NIAGARA COUNTY.

The Commission decided to approve the applications for renewal of Certificate of Confirmations for the listed companies.

ITEM 663

- 15-V-0090 ADAMS CATV, INC. AND OQUAGA LAKE CABLE, INC. - The Commission decided to approve the joint petition of the companies' system for a transfer of control from Oquaga Lake Cable System to Adams CATV, Inc. in the Town of Sanford.

ITEM 664

- 14-V-0563 TIME WARNER CABLE NORTHEAST LLC - The Commission decided to approve the company's petition for approval of an amendment of their franchise with the Town of Vernon concerning the franchise fee.

ITEM 665

- 15-V-0169 VERIZON NEW YORK INC. - The Commission decided to approve a portion of the company's petitions for certain Orders of Entry for 65 Multiple-Dwelling Unit Buildings in the City of New York.