



# Public Service Commission

**For Immediate Release:** 01/20/16

Audrey Zibelman, Chair

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**16004**

## COMMISSION ISSUES FINAL JANUARY 21, 2016 AGENDA

Albany, NY – The Public Service Commission announced today that it will hold its next regular session beginning at **10:30 a.m., Thursday, January 21, 2016, 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 Numbers 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**

**Item      PSC Case**

#### **GENERAL**

- |       |           |   |
|-------|-----------|---|
| (201) | 03-E-0188 | Proceeding on Motion of the Commission Regarding a Retail Renewable Portfolio Standard.   |
|       | 07-M-0548 | Proceeding on Motion of the Commission Regarding an Energy Efficiency Portfolio Standard. |
|       | 10-M-0457 | In the Matter of the System Benefits Charge IV.   |

- 14-M-0094 Proceeding on Motion of the Commission to Consider a Clean Energy Fund.
- (202) 15-M-0252 In the Matter of Utility Energy Efficiency Programs.
- (203) 14-M-0101 Proceeding on Motion of the Commission in Regard to Reforming the Energy Vision.

**POWER**

- (301) 15-E-0302 In the Matter of the Implementation of a Large-Scale Renewable Program.

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) | 15-G-0735 | ECONOPOWER, LLC - In the Matter of Consequences for Violations of the Uniform Business Practices.  |
| (162) | 15-G-0460 | CORNING NATURAL GAS CORPORATION - Petition for Authority, Pursuant to Public Service Law Section 69, to Issue Long-Term Indebtedness in the Principal Amount of \$34,768,837 for the Purpose of Refunding Existing Obligations and Financing New Construction. |
| (163) | 15-T-0511 | ANSCHUTZ EXPLORATION CORPORATION - Petition to Transfer its Certificate of Environmental Compatibility and Public Need to WhitMar New York, LLC.   |
| (164) |           | In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities.  |
|       | 15-G-0488 | MASTRO ENTERPRISES INC./ROCHESTER GAS AND ELECTRIC CORPORATION.  |
|       | 15-G-0666 | GASPARINI LANDSCAPING CO., INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.   |
|       | 15-G-0715 | NATIONAL LAWN SPRINKLERS, INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.   |
|       | 15-G-0716 | CONDOS BROTHERS CONSTRUCTION CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.   |
|       | 15-G-0717 | FRANK J & SONS, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.   |
|       | 15-G-0718 | LAKE'S HOME CENTER/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.  |
|       | 15-G-0719 | GRANT PAVING & CONCRETE IMPRINTING/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.  |
|       | 15-G-0720 | PJR CONTRACTING, LLC/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.  |

- 15-G-0721 HORENDER CONSTRUCTION CO., INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 15-G-0722 EAST COAST COMMUNICATIONS/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 15-G-0723 METRA INDUSTRIES, INC./ORANGE AND ROCKLAND UTILITIES, INC.
- 15-G-0725 J. RACHOW CONSTRUCTION LLC/ROCHESTER GAS AND ELECTRIC CORPORATION.
- 15-G-0726 ASPEN LANDSCAPING CONTRACTING, INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 15-G-0727 STORM KING BUILDING COMPANY, INC./CENTRAL HUDSON GAS & ELECTRIC CORPORATION.
- 15-G-0728 THE WILLIAMSBURG COMPANY, INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 15-G-0729 WRIGHT & CO CONSTRUCTION INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 15-G-0730 PRO-COAT PAVING AND CONSTRUCTION INC./ROCHESTER GAS AND ELECTRIC CORPORATION.
- 15-G-0731 SOUTH BUFFALO ELECTRIC, INC./ROCHESTER GAS AND ELECTRIC CORPORATION.
  
- (165) 14-G-0494 ORANGE AND ROCKLAND UTILITIES, INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.

#### **GENERAL**

- (261) 15-M-0262 IPSUM SOLUTIONS, INC. - Proceeding to Seek Consequences for Violations of the Uniform Business Practices.
- (262) 15-M-0261 NATIONAL POWER & GAS, INC. - Proceeding to Seek Consequences for Violations of the Uniform Business Practices.
- (263) 15-M-0260 SPECTRUM GAS & ELECTRIC, LLC - Proceeding to Seek Consequences for Violations of the Uniform Business Practices.
- (264) 15-M-0247 ENERGY YOUR WAY, LLC - Proceeding to Seek Consequences for Violations of the Uniform Business Practices.

- (265) 14-E-0318 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Electric Service.
- 14-G-0319 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.
- (266) 13-E-0030 CONSOLIDATED EDISON COMPANY OF NEW YORK - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Electric Service.
- 13-G-0031 CONSOLIDATED EDISON COMPANY OF NEW YORK - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.
- 13-S-0032 CONSOLIDATED EDISON COMPANY OF NEW YORK - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Steam Service.
- (267) 11-E-0356 CONSOLIDATED EDISON OF NEW YORK, INC./ST. JANLO CO. D/B/A MCDONALD'S. - Appeal of Informal Hearing Decision.
- (268) 15-E-0709 CENTRAL HUDSON GAS AND ELECTRIC CORPORATION - Tariff filing to make revisions of a housekeeping nature to clarify language contained in its electric schedule, P.S.C. No. 15 - Electricity.
- 15-G-0710 CENTRAL HUDSON GAS AND ELECTRIC CORPORATION - Tariff filing to make revisions of a housekeeping nature to clarify language contained in its gas schedule, P.S.C. No. 12 - Gas.

### **POWER**

- (361) 14-E-0548 ARTECHE USA - Petition for Approval of Artech Medium Voltage Class Metering Instrument Transformers.
- (362) 15-E-0518 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Tariff filing to make revisions to General Rule 25.1 - Market Supply Charge to allow for recovery of certain NYISO tariff charges contained in P.S.C. No. 10 - Electricity.
- 15-E-0519 ORANGE AND ROCKLAND UTILITIES, INC. - Tariff filing to make revisions to General Information Section No. 15 - Market Supply Charge

to allow for recover of certain NYISO tariff charges contained in P.S.C. No. 3 - Electricity.

- (363) 15-E-0593 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Petition for Approval to Continue its Residential and Small Commercial Demand Response Programs.
- (364) 14-E-0493 ORANGE AND ROCKLAND UTILITIES, INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Electric Service.
- (365) 15-E-0513 560 WEST 24TH STREET CONDOMINIUM - Notice of Intent to Submeter Electricity at 552 West 24th Street, New York, NY 10011, Located in the Territory of Consolidated Edison Company, Inc.
- (366) 15-E-0467 42 WEST BROAD STREET DEVELOPERS LLC - Notice of Intent to Submeter Electricity at 42 Broad Street West, Mount Vernon, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- (367) 10-G-0028 APARTMENT MANAGEMENT ASSOCIATES/LAWRENCE TOWERS – Appeal of Informal Hearing Decision.
- (368) 15-E-0570 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Tariff filing to revise its Commercial Demand Response Programs contained P.S.C. No. 10 - Electricity and conforming revisions to Charge for Demand Management Programs contained in P.S.C. No. 12 - Electricity.
- (369) 10-E-0625 RIDGEWAY COUNTRY CLUB/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Appeal of Informal Hearing Decision.
- (370) 15-E-0569 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Tariff filing to establish General Information Section 45 - Empire Zone Rate contained in P.S.C. No. 15 - Electricity.

- (371) 11-E-0074 MR. EDWARD BARNES/NATIONAL GRID-UPSTATE - Appeal of Informal Hearing Decision.
- (372) 15-E-0287 250 WEST STREET CONDOMINIUM - Notice of Intent to Submeter Electricity at 250 West Street, New York City, Located in the Territory of Consolidated Edison Company of New York, Inc.
- (373) 15-E-0581 NEW YORK STATE ELECTRIC & GAS CORPORATION - Tariff filing to make revisions to its electric tariff schedule, P.S.C. No. 120, to add components to its Supply Charge to recover costs for the NY Transco, LLC projects.
- 15-E-0582 ROCHESTER GAS AND ELECTRIC CORPORATION - Tariff filing to make revisions to its electric tariff schedule, P.S.C. No. 19, to add components to its Supply Charge to recover costs for the NY Transco, LLC projects.
- (374) 15-E-0464 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Petition for Permission to Recover Deferred Incremental Costs Associated with 2014 Thanksgiving Storm.
- (375) 15-E-0572 Joint Petition for Change in Residential PV Net-Metering Anniversary Month Rule.

#### **WATER**

- (461) 14-W-0178 HERITAGE HILLS WATER WORKS CORP. AND COMMUNITY UTILITIES OF NEW YORK, INC. - Joint Petition for Approval of the Transfer of Assets Under Section 89-h of the Public Service Law.

#### **COMMUNICATIONS**

- (561) 15-C-0521 ALTEVA, INC. and MBS HOLDINGS, INC. - Petition for Approval of a Transfer of Control.
- (562) 09-M-0527 Proceeding to Examine Issues Related to a Universal Service Fund.
- (563) There is no Item 563.

- (564) 15-M-0742 In the Matter to Review the State Universal Service Fund.
- (565) 16-C-0008 X5 OPCO LLC, ASSIGNEE AND CORNERSTONE TELEPHONE COMPANY, LLC and PUBLIC INTEREST NETWORK SERVICES, INC., ASSIGNORS - Joint Petition for Approval for Assignee to Acquire All Regulated Telecommunications Assets Including Assignor Subscribers in New York.

### **CABLE**

Petitions for Renewal of Cable Television Franchises.

- (661) 15-V-0629 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF TURIN, LEWIS COUNTY.
- 15-V-0630 TIME WARNER CABLE NORTHEAST LLC/TOWN OF ST. JOHNSVILLE, MONTGOMERY COUNTY
- 15-V-0631 TIME WARNER CABLE NORTHEAST LLC/TOWN OF HERMON, ST. LAWRENCE COUNTY
- 15-V-0654 TIME WARNER CABLE NORTHEAST LLC/TOWN OF CUYLER, CORTLAND COUNTY
- 15-V-0681 TIME WARNER CABLE NORTHEAST LLC/TOWN OF BINGHAMTON, BROOME COUNTY, NEW YORK
- 15-V-0682 TIME WARNER CABLE NORTHEAST LLC/TOWN OF SARATOGA, SARATOGA COUNTY, NEW YORK
- 15-V-0683 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF HAMILTON, MADISON COUNTY
- (662) 15-V-0692 VERIZON NEW YORK INC. - Petition for Orders of Entry for 43 Multiple-Dwelling Unit Buildings in the City of New York.

### **Instructions to View Videocast 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 videocasting 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 Broadcast of Meeting**

In addition to the video broadcasting of the meeting in the Commission's New York City offices, the meeting will be broadcast live on the Internet. The Internet broadcast 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** or discussion items will be posted for public viewing, if feasible, by 5:00 p.m. the day before a Commission meeting. The draft orders will be made available at: [www.dps.ny.gov/DraftDocuments.html](http://www.dps.ny.gov/DraftDocuments.html)

The posted drafts will be removed by 5:00 p.m. on the day of the Commission meeting. The proposed 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., Tuesday, February 23, 2016, in New York City.**

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 videocasting will be for viewing and listening purposes only.

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