



# Public Service Commission

**For Immediate Release:** 02/22/16

Audrey Zibelman, Chair

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## **COMMISSION ISSUES FINAL FEBRUARY 23, 2016 AGENDA**

Albany, NY – The Public Service Commission announced today that it will hold its next regular session beginning at **10:30 a.m., Tuesday, February 23, 2016, in the Board Room of its offices located at 90 Church Street, New York, New York 10007.**

**MEETING WILL BE BROADCAST ON THE INTERNET AT:**

<http://www.dps.ny.gov/Webcasts.html>

**-VIDEOCASTING TO PSC'S ALBANY OFFICES AVAILABLE-  
(See instructions on last page of Agenda)**

The session agenda is as follows:

**To view documents related to PSC Case 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 | 98-M-1343 | In the Matter of Retail Access Business Rules.   |
|     | 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.  |

**POWER**

- 301                    There is no Item 301.
- 302    14-E-0270    Petition Requesting Initiation of a Proceeding to Examine a Proposal for Continued Operation of the R.E. Ginna Nuclear Power Plant, LLC.
- 303    13-T-0235    NEW YORK STATE ELECTRIC & GAS CORPORATION AND NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Joint Application for a Certificate of Environmental Compatibility and Public Need for the Construction of Approximately 14.5 Miles of 115kV Electric Transmission Facilities from the State Street Substation in Cayuga County to the Elbridge Substation in Onondaga County, NY.
- 304    15-E-0302    Proceeding on Motion of the Commission to Implement a Large-Scale Renewable Program and a Clean Energy Standard.

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.**

<b>Item</b>	<b>PSC Case</b>	<b>GAS</b>
161	16-G-0009	THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY - Tariff filing to make a housekeeping change to its gas schedule, P.S.C. No. 12, to eliminate reference to a non-existent service classification.
162	11-G-0280	CORNING NATURAL GAS CORPORATION - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.
163	06-G-1185	THE BROOKLYN UNION GAS COMPANY D/B/A KEYSpan ENERGY DELIVERY NEW YORK - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.
	06-G-1186	KEYSPAN GAS EAST CORPORATION D/B/A KEYSpan ENERGY DELIVERY LONG ISLAND - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.
164		In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities.
	15-G-0057	NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
	15-G-0156	SQUIRES, PIERSON & SONS, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
	15-G-0159	ALX HUNTER EXCAVATION, INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
	15-G-0679	EV MASONRY/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
	15-G-0732	UPSTATE MACHINERY & DEMOLITION/VALLEY ENERGY.
	16-G-0035	SWANSON BUILDERS INC./CENTRAL HUDSON GAS & ELECTRIC CORPORATION.
	16-G-0036	SENTRALE CONSTRUCTION CORPORATION/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

- 16-G-0037 ROCCO AGOSTINO LANDSCAPE & GENERAL CONTRACTOR CORP./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 16-G-0038 BOTANICA LANDSCAPE & CONSTRUCTION CORP./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 16-G-0039 DISANO CONSTRUCTION CO., INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 16-G-0040 BULLROCK CONCRETE CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 16-G-0041 MARDERS THE LANDSCAPE STORE, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 16-G-0042 J. TORTORELLA SWIMMING POOL'S INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 16-G-0043 BANCKER CONSTRUCTION CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 16-G-0044 WHITMORES LANDSCAPING, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 16-G-0045 FIDELE CONSTRUCTION, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 16-G-0046 DJN ENTERPRISES OF WESTERN NEW YORK, INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 16-G-0047 AGLE TRENCHING & EXCAVATING, INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 16-G-0048 AMERICAN DESIGN & CONTRACTING/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 16-G-0049 THE LEIPOLD GROUP LLC./ROCHESTER GAS AND ELECTRIC CORPORATION.
- 16-G-0050 SONNY DAYS MANAGEMENT L.L.C./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 16-G-0051 SARCONI MASONRY, INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 165 15-T-0701 BLUESTONE GAS CORPORATION OF NEW YORK, INC. - Petition to Amend its Certificate of Environmental Compatibility and Public Need.

## GENERAL

- 261 98-M-0667 In the Matter of Electronic Data Interchange.
- 98-M-1343 In the Matter of Retail Access Business Rules.
- 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.
- 262 15-M-0263 ENGINEERED ENERGY SOLUTIONS, LLC - Proceeding on Motion of the Commission to Seek Consequences for Violations of the Uniform Business Practices.

## POWER

- 361 15-E-0580 UPSTATE NEW YORK POWER PRODUCERS, INC.; CAYUGA OPERATING COMPANY, LLC; SOMERSET OPERATING COMPANY, LLC; AND RIESLING POWER LLC - Joint Petition for Expedited Approval Pursuant to Section 70 of the New York State Public Service Law and Related Approvals.
- 362 15-E-0364 MOHAWK MUNICIPAL COMMISSION - Minor Rate Filing to Increase its Annual Revenues by About \$113,119 or 13.74%.
- 363 15-E-0684 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Tariff Filing to Make Clarifying Revisions to its Electric Schedule, P.S.C. No. 220, Rule 34 - Economic Development Programs and Service Classification No. 12 - Special Contract Rates.
- 364 15-E-0210 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Tariff filing to make revisions to Rule 28 - Special Services Performed by Company at a Charge contained in P.S.C. No. 220 - Electricity.
- 365 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 Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of Central Hudson Gas & Electric Corporation for Gas Service.
- 366 10-E-0421 HUDSON NATIONAL GOLF CLUB/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Appeal of Informal Hearing Decision.
- 367 12-T-0502 Proceeding on Motion of the Commission to Examine Alternating Current Transmission Upgrades.
- 13-T-0454 Application of North America Transmission Corporation and North America Transmission, LLC for a Certificate of Environmental

- Compatibility and Public Need Pursuant to Article VII of the Public Service Law for an Alternating Current Transmission Upgrade Project Consisting of an Edic to Fraser 345 kV Transmission Line and a New Scotland to Leeds to Pleasant Valley 345 kV Transmission Line.
- 13-T-0455 Part A Application of NextEra Energy Transmission New York, Inc. for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII of the Public Service Law for the Marcy to Pleasant Valley Project.
- 13-T-0456 The Part A Application of NextEra Energy Transmission New York, Inc. for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII for the Oakdale to Fraser Project.
- 13-M-0457 Application of New York Transmission Owners Pursuant to Article VII for Authority to Construct and Operate Electric Transmission Facilities in Multiple Counties in New York State.
- 13-T-0461 Application of Boundless Energy NE, LLC for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII for Leeds Path West Project.
- 13-E-0488 In the Matter of Alternating Current Transmission Upgrades - Comparative Proceeding.
- 14-E-0454 In the Matter of New York Independent System Operator, Inc.'s Proposed Public Policy Transmission Needs for Consideration.
- 368 15-E-0184 CITY OF JAMESTOWN - Minor Rate Filing to Increase its Annual Revenues by about \$1,197,760 or 2.48%.
- 369 15-E-0698 ALBANY ENGINEERING CORPORATION - Petition for a Declaratory Ruling Regarding the Eligibility of the Mechanicville Hydroelectric Station to Participate in the Remote Net Metering Program Under Public Service Law Section 66-j.
- 370 10-E-0312 LANDY MICHAELS REALTY CORP./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Appeal of Informal Hearing Decision.
- 371 12-E-0503 Proceeding on Motion of the Commission to Review Generation Retirement Contingency Plans.
- 372 05-E-1180 In the Matter of the Reliability Rules of the New York State Reliability Council and the Criteria of the Northeast Power Coordinating Council.
- 07-E-0088 In the Matter of the Adoption of an Installed Reserve Margin for the New York Control Area.
- 373 12-E-0577 Proceeding on Motion of the Commission to Examine Repowering Alternatives to Utility Transmission Reinforcements.
- 374 15-E-0132 VILLAGE OF ARCADE - Minor Rate Filing to Increase its Annual Revenues by about \$299,966 or 3.2%.

- 375 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.
- 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.
- 14-M-0101 Proceeding on Motion of the Commission in Regard to Reforming the Energy Vision.
- 15-E-0302 Proceeding on Motion of the Commission to Implement a Large-Scale Renewable Program and a Clean Energy Standard.

### **WATER**

- 461 15-W-0639 NEW YORK AMERICAN WATER COMPANY, INC. AND THE ASSOCIATION OF OWNERS OF MILL NECK ESTATES, INC. - Joint Petition, Pursuant to Public Service Law Section 89-H, for Approval of an Agreement of Sale Under Which the Association of Owners of Mill Neck Estates Will Sell and New York American Water Company, Inc. Will Acquire 100% of the Assets of the Mill Neck Estates Water System.
- 462 15-W-0590 WEST BRANCH ACRES, INC. - Petition for Recovery of Expenses Incurred as a Result of Unexpected Repairs.
- 463 13-W-0246 UNITED WATER NEW YORK INC. - Verified Petition for Implementation of a Long-Term Water Supply Surcharge, And Related Tariff Amendment.
- 464 16-W-0079 CORBIN HILL WATER CORP. - In the Matter of the Acts and Practices and Adequacy of Service.

### **COMMUNICATIONS**

- 561 16-C-0056 COMCAST PHONE OF NEW YORK, LLC D/B/A CIMCO AND FIRST COMMUNICATIONS, LLC - Joint Petition for Approval to Transfer Assets and Customer Base.
- 562 15-C-0236 VERIZON NEW YORK INC. - In the Matter of Quality of Service provided by Local Exchange Companies in New York State.

- 563 15-C-0095 VERIZON NEW YORK INC. - Petition for Approval, Pursuant to Public Service Law Section 113(2), of a Proposed Allocation of Certain Tax Refunds from the Town of Hempstead.
- 564 15-C-0383 VERIZON NEW YORK INC. - Petition for Approval, Pursuant to Public Service Law Section 113(2), of a Proposed Allocation of Certain Tax Refunds from the City of New York.
- 565 15-C-0091 VERIZON NEW YORK INC. - Petition for Approval, Pursuant to Public Service Law Section 113(2), of a Proposed Allocation of Certain Tax Refunds from the Town of Oyster Bay.
- 566 10-C-0105 NEW ERA CAP COMPANY, INC./ALLTEL DIRECT - Appeal of Informal Hearing Decision.

### **CABLE**

- 661 15-V-0693 VERIZON NEW YORK INC. - Petition for Orders of Entry for 35 Multiple-Dwelling Unit Buildings in the City of New York.
- 662 15-V-0739 VERIZON NEW YORK INC. - Petition for Orders of Entry for 38 Multiple-Dwelling Unit Buildings in the City of New York.
- 663 15-V-0738 VERIZON NEW YORK INC. - Petition for Orders of Entry for 39 Multiple-Dwelling Unit Buildings in the City of New York.

Individuals in New York City wishing to attend the Commission's meeting may do so in the Board Room on the 4th floor of the Commission's offices at 90 Church Street, New York City. Pursuant to procedures established by the building management, anyone planning to attend 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 Videocast at PSC's Albany Offices**

Individuals in Albany wishing to view 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, Albany, New York. The videocasting will be for viewing and listening purposes only.

### **Instructions to View Video Broadcast of Meeting**

In addition to the video broadcasting of the meeting in the Commission's New York City office, 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., Thursday, March 17, 2016, in Albany, New York.**