

Consent Agenda Report for 07/16/2015



The following is a preliminary and informal summary of actions the Commission took at its public session on July 16, 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

15-G-0311 KEYSpan GAS EAST CORP. DBA BROOKLYN UNION OF L.I. - The Commission decided to approve the company's tariff filing making revisions of a housekeeping nature to remove obsolete provisions regarding penalties for excess usage during a curtailment contained in P.S.C. No. 1 - Gas.

ITEM 162

14-G-0315, 14-G-0316 & 15-G-0246 KEYSpan GAS EAST CORP. D/B/A BROOKLYN UNION OF L.I., THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY and NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - The Commission decided to approve the companies' tariff filings amending and clarifying provisions related to electric generators, cogeneration and distributed generation facilities and the alignment of the tariff language between the Companies. In addition, the Commission decided to initiate a formal proceeding to review the appropriateness of the value added charge to all New York State gas utilities.

ITEM 163

15-G-0235 NEW YORK STATE ELECTRIC & GAS CORPORATION - The Commission decided to grant the company an amendment of Certificate of Public Convenience and Necessity to Exercise the Gas Franchise in its Entirety as Granted by the Village of Cobleskill, Schoharie County, New York.

ITEM 164

Enforcement Proceedings for Alleged Violations of 16
NYCRR Part 753 – Protection of Underground
Facilities

- 14-G-0245 MOZER ARCHITECT DESIGN P.C/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 15-G-0335 MARGARELLA INDUSTRIAL CONSTRUCTION CORP./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 15-G-0336 RESTANI CONSTRUCTION CORP./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 15-G-0337 BILOTTA CONSTRUCTION ASSOCIATES INC. /KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 15-G-0338 ORCHID SEWER AND WATER CONTRACTING CORP. / KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 15-G-0340 JFM CONCRETE, INC./ KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 15-G-0341 THE LANDTEK GROUP, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 15-G-0342 B & W CUSTOM CONCRETE, INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 15-G-0343 PROCTOR BROTHERS EXCAVATION LLC/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 15-G-0344 STUMP BUSTERS STUMP REMOVAL/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 15-G-0345 HEWITT YOUNG ELECTRIC/ROCHESTER GAS AND ELECTRIC CORPORATION.
- 15-G-0346 ARTEC CONSTRUCTION AND DEVELOPMENT CORP/ THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 15-G-0347 M. BEYER CONTRACTING LTD. /THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 15-G-0349 J. PIZZIRUSSO LANDSCAPING CORP./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 15-G-0350 MCC & PARTNER CORP/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 15-G-0351 AUGUST BOHL CONTRACTING COMPANY, INC./NIAGARA MOHAWK POWER CORPORATION.

ITEM 164 (Cont'd)

- 15-G-0352 DOUGLAS R. DYER & SONS CONTRACTING, INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 15-G-0353 DUSTY'S OUTDOOR SERVICE/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 15-G-0354 SPEEDWAY CONCRETE CONSTRUCTION CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 15-G-0355 ROAD SAVERS, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 15-G-0356 TRUE NORTH CONSTRUCTION/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 15-G-0358 DRAGONETTI BROTHERS LANDSCAPING NURSERY & FLORIST INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 15-G-0359 A&S SCULLARI CONSTRUCTION LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 15-G-0360 J & R CONTRACTING CORP. OF HUDSON/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 15-E-0361 PICONE-SCHIAVONE JOINT VENTURE/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

The Commission decided to grant Consent Orders in Cases 15-G-0341, 15-G-0345, 15-G-0352, 15-G-0358, and 15-G-0360, determined a \$10,000 penalty in Case 15-G-0336, determined \$2,500 penalties in Cases 15-G-0335, 15-G-0337, 15-G-0338, 15-G-0340, 15-G-0342, 15-G-0343, 15-G-0344, 15-G-0346, 15-G-0347, 15-G-0349, 15-G-0350, 15-G-0351, 15-G-0353, 15-G-0354, 15-G-0355, 15-G-0356, 15-G-0359, and 15-E-0361, and approved a Petition for Rehearing in 14-G-0245.

General

ITEM 261
 14-M-0450 The Commission decided to issue a Notice of Proposed Rulemaking to consider revisions to the Uniform Systems of Accounts and a Staff Proposal to revise Annual and Quarterly Reporting requirements for electric and gas utilities.

Power

ITEM 361
 15-E-0320 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - The Commission decided to approve the company's tariff filing of a housekeeping nature to make a clarifying revision to Rule No. 56.3 - Incremental State Assessment Surcharge/Credit contained in P.S.C. No. 220 - Electricity.

ITEM 362
 14-E-0385 Rehearing of Commission Determination
 MS. SARAH LEDERSTEIN /CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to deny the request for rehearing.

ITEM 363
 14-E-0320 ALBEE TOWER 1 OWNERS LLC - The Commission decided to approve the company' s petition to submeter electricity at 70 Fleet Street, Brooklyn, New York, located in the territory of Con Edison.

ITEM 364
 15-E-0172 NORTH QUEENSVIEW HOMES, INC. - The Commission decided to approve the company's petition to submeter electricity at 33-60 21st Street, 33-64 21st Street, 33-65 14th Street, 33-55 14th Street, 33-43 14th Street, 33-47 14th Street and 33-68 21st Street, Long Island City, New York, located in the territory of Con Edison.

ITEM 365

15-E-0193 HOMEPORT I LLC - The Commission decided to approve the company's petition to submeter electricity at 7 and 8 Navy Pier Court, Staten Island, New York, located in the territory of Consolidated Edison Company of New York, Inc.

ITEM 366

15-E-0031, 15-E-0032, 15-E-0033, 15-E-0034, 15-E-0035 & 15-E-0036
CENTRAL HUDSON GAS & ELECTRIC CORPORATION, CONSOLIDATED EDISON COMPANY OF NEW YORK, INC., NEW YORK STATE ELECTRIC & GAS CORPORATION, NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID, ROCHESTER GAS AND ELECTRIC CORPORATION, and ORANGE AND ROCKLAND UTILITIES, INC. - The Commission decided to approve the companies' tariff filings to effectuate amendments to Public Service Law §66-j (Net Metering for Non-Residential Farm Waste or Fuel Cell Electric Generating Equipment) and directed conforming changes to Standardized Interconnection Requirements.

ITEM 367

13-T-0515 NEW YORK POWER AUTHORITY - The Commission decided to approve the Phase Two EM&CP submitted by NYPA.

ITEM 368

03-E-0188 The Commission decided to authorize ReEnergy Chateaugay to enter into a maintenance resource Contract with the New York State Research and Development Authority under the Renewable Portfolio Standard Program with a total production incentive payment of \$33.49/MWh up to 128,000 MWh produced annually, contingent upon executing a long-term power purchase agreement or some other long-term arrangement to provide for the long-term sustainability of the plant.

ITEM 369
 15-T-0165
 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - The Commission decided to approve the amendment to the Article VII and the associated the Environmental Management and Construction Plan for the connection of the OR transmission lines to the Sturgeon Pool Substation and associated work on three structures on the "N" and "OB" lines.

ITEM 370
 There is no Item 370

ITEM 371
 There is no Item 371

ITEM 372
 There is no Item 372

ITEM 373
 11-T-0534
 ROCHESTER GAS AND ELECTRIC CORPORATION - The Commission decided to grant the company amendments of the Certificate and approve the EM&CP for Segment II of the Rochester Area Reliability Project, subject to appropriate conditions and modifications.

Water

ITEM 461
 15-W-0256
 WEST CRYSTAL VALLEY WATER COMPANY, INC./TOWN OF ASHFORD - The Commission decided to approve the lease and transfer of the company's facilities to the Town of Ashford, and to authorize West Valley Crystal Water Company, Inc. to file a Certificate of Dissolution with the New York Department of State upon completion of the transfer. The Commission directs that once the transfer is completed, West Valley Crystal Water Company, Inc.'s tariff schedule, P.S.C. No. 3 ç Water and its State Drinking Water Revolving Fund Capital Improvements Surcharge Statement No. 1, be cancelled, and that its name be removed from the list of water companies subject to the Commission's jurisdiction.

Communications

ITEM 561

09-C-0088

Appeal of Informal Hearing Decision
RIVERBAY CORPORATION, INC./VERIZON NEW YORK INC. - The Commission decided to uphold the informal review decision in part, reverse it in part, and modify it in part. Verizon is directed to provide relief.

ITEM 562

15-C-0331

ONVOY, LLC, THE BROADVOX HOLDING COMPANY, LLC, AND BROADVOX-CLEC, LLC - The Commission decided to approve the companies' joint petition requesting Onvoy's acquisition of all outstanding membership interests in BV-LLC, allowing the transfer of control of Broadvox-CLEC, LLC (BV-CLEC) to Onvoy, along with the expansion of Onvoy's existing financing arrangements up to a \$75 million aggregate, and granting the authority for BV-CLEC to participate in both existing and future financings of Onvoy.

ITEM 563

15-C-0294

CROWN CASTLE OPERATING COMPANY AND SUNESYS, LLC - The Commission decided to approve the companies' joint petition requesting to transfer indirect control of Sunesys to CCOC, and all related post-closing transactions necessary in meeting both tax and business requirements, along with the authority of Sunesys to participate in amended or future financing arrangements up to an aggregate amount of \$6.25 billion.

ITEM 564

There is no item 564.

ITEM 565
15-C-0299 VERIZON NEW YORK INC. - The Commission decided to approve the company's tariff filing to increase the rates for Non-Published and Additional Listings for residential and business customers.

ITEM 566
14-C-0003 The Commission decided to issue a letter to each of the commended companies/operating divisions commending them for excellent telephone service quality provided during 2014.

Cable

ITEM 661
15-V-0008 COMMUNITY CABLE CORPORATION D/B/A NORTH PENN VIDEO - The Commission decided to approve the company's petition for a Certificate of Confirmation for its franchise with the Village of Canisteo, Steuben County.

ITEM 662
14-V-0558 EMPIRE VIDEO SERVICES CORPORATION - The Commission decided to approve the company's petition for a Certificates of Confirmation for a franchise with the Village of Arkport, Steuben County.

ITEM 663
15-V-0332 VERIZON NEW YORK INC. - The Commission decided to approve a portion of the 67 petitions for Orders of Entry for certain Multiple-Dwelling Unit Buildings in the City of New York because certain building owners/representatives failed to answer the petitions despite numerous attempts to obtain a response and therefore are in default.

ITEM 664
15-V-0009 EMPIRE VIDEO SERVICES CORPORATION - The Commission decided to approve the company's petition for a Certificate of Confirmation for its Franchise with the Village of Canisteo, Steuben County.

- ITEM 665

14-V-0557

COMMUNITY CABLE CORPORATION D/B/A NORTH PENN VIDEO - The Commission decided to approve the company's petition for a Certificate of Confirmation for its franchise with the Village of Arkport, Steuben County.
- ITEM 666

15-V-0197

VERIZON NEW YORK INC. - The Commission decided to approve a portion of the company's petitions for certain Orders of Entry for 52 Multiple-Dwelling Unit Buildings in the City of New York.
- ITEM 667

15-V-0088

EMPIRE VIDEO SERVICES CORPORATION - The Commission decided to approve the company's petition for a Certificate of Confirmation for its franchise with the City of Hornell, Steuben County.
- ITEM 668

 - 15-V-0051
 - 15-V-0166
 - 15-V-0087
 - 15-V-0131
 - 15-V-0141
 - 15-V-0149
 - 15-V-0173
 - 15-V-0174
 - 15-V-0175
 - 15-V-0192
 - 15-V-0194
 - 15-V-0195

TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF ALEXANDER, GENESEE COUNTY.

TIME WARNER CABLE NORTHEAST LLC/TOWN OF PHELPS, ONTARIO COUNTY.

TIME WARNER CABLE NORTHEAST LLC/TOWN OF ST. ARMAND, ESSEX COUNTY.

TIME WARNER CABLE/TOWN OF STARKEY, COUNTY OF YATES.

TIME WARNER CABLE NORTHEAST LLC/TOWN OF CLARKSON, MONROE COUNTY.

TIME WARNER CABLE NORTHEAST LLC/TOWN OF NORTH NORWICH, CHENANGO COUNTY.

TIME WARNER CABLE NORTHEAST LLC/TOWN OF HENDERSON, JEFFERSON COUNTY.

TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF SHORTSVILLE, ONTARIO COUNTY.

TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF WEBSTER, MONROE COUNTY.

TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF BARKER, NIAGARA COUNTY.

TIME WARNER CABLE NORTHEAST LLC/TOWN OF HOUNSFIELD, JEFFERSON COUNTY.

CABLEVISION OF WAPPINGERS FALLS, INC./VILLAGE OF HAVERSTRAW, ROCKLAND COUNTY.

ITEM 668 (Cont'd)

- 15-V-0204 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF ANDOVER, ALLEGANY COUNTY.
- 15-V-0207 TIME WARNER CABLE NORTHEAST LLC/TOWN OF ELLISBURG, JEFFERSON COUNTY.
- 14-V-0554 CABLEVISION SYSTEMS LONG ISLAND CORPORATION/TOWN OF NORTH HEMPSTEAD, NASSAU COUNTY.
- 15-V-0233 ADAMS CATV, INC./TOWN OF KIRKWOOD, BROOME COUNTY.

The Commission decided to approve the applications for the certificates for renewals of franchises for the above listed companies.

ITEM 669

- 15-V-0089 COMMUNITY CABLE CORPORATION D/B/A NORTH PENN VIDEO - The Commission decided to approve the company's petition for a Certificate of Confirmation for its franchise with the City of Hornell, Steuben County.