

## Consent Agenda Report for 01/21/2016



The following is a preliminary and informal summary of actions the Commission took at its public session on January 21, 2016. 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-0735 ECONOPOWER, LLC - The Commission decided to direct the company to show cause within thirty (30) days why its eligibility to act as an energy services company (ESCO) should not be revoked or why other consequences, as set forth in the Commission's Uniform Business Practices Section 2.D.6 should not be imposed.
- ITEM 162  
15-G-0460 CORNING NATURAL GAS CORPORATION - The Commission decided to authorize the company to enter into a debt consolidation loan of up to \$17.4 million and to issue up to \$11,015,429 of new long-term debt securities to be utilized in capital programs, the refinancing of short-term debt, principal repayments of existing debt, and other corporate purposes for a period from the date of the order through December 31, 2017.
- ITEM 163  
15-T-0511 ANSCHUTZ EXPLORATION CORPORATION - The Commission decided to approve the transfer of a Certificate if the transferee agrees to comply with its terms, limitations and conditions in addition to conditions set forth in the Order approving the transfer such as compliance with gas safety regulations and proof of ownership and operational status of certain line sections contained in the original Certificate.

## ITEM 164

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

- 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.

ITEM 164 (Cont'd)

- 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.

The Commission decided to grant Consent Orders in Cases 15-G-0666, 15-G-0717, 15-G-0723, 15-G-0725, 15-G-0726, 15-G-0727, and 15-G-0728, determined \$12,500 penalties in Cases 15-G-0716, and 15-G-0731, determined \$2,500 penalties in Cases 15-G-0715, 15-G-0718, 15-G-0719, 15-G-0720, 15-G-0721, 15-G-0722, 15-G-0729, and 15-G-0730, and granted a petition for reconsideration in Case 15-G-0488.

ITEM 165

- 14-G-0494 ORANGE AND ROCKLAND UTILITIES, INC. - The Commission decided to approve, on a permanent basis, the company's compliance tariff filings effectuating Rate Year 1 pursuant to the Commission's 2015 Rate Order issued October 16, 2015.

**General**

ITEM 261

- 15-M-0262 IPSUM SOLUTIONS, INC. - The Commission decided to revoke the company's eligibility as an Energy Services Company to do business in New York.

ITEM 262

- 15-M-0261 NATIONAL POWER & GAS, INC. - The Commission decided to revoke the company's eligibility as an Energy Services Company to do business in New York.

ITEM 263

- 15-M-0260 SPECTRUM GAS & ELECTRIC, LLC - The Commission decided to revoke the company's eligibility as an Energy Services Company to do business in New York.

- ITEM 264  
 15-M-0247 ENERGY YOUR WAY, LLC - The Commission decided to revoke the company's eligibility as an Energy Services Company to do business in New York.
- ITEM 265  
 14-G-0319 & 14-E-0318 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - The Commission decided to approve, on a permanent basis, the company's electric and gas compliance tariff filings effectuating Rate Year 1 pursuant to the Commission's 2015 Rate Order issued June 17, 2015.
- ITEM 266  
 13-S-0032, 13-E-0030 & 13-G-0031 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to adopt with modifications and clarifications, the company's proposed Storm Hardening and Resiliency Collaborative work for Phase Three.
- ITEM 267  
 11-E-0356 Appeal of Informal Hearing Decision  
 CONSOLIDATED EDISON OF NEW YORK, INC./ST. JANLO CO. D/B/A MCDONALD'S. - The Commission decided to modify the informal hearing decision.
- ITEM 268  
 15-E-0709 & 15-G-0710 CENTRAL HUDSON GAS AND ELECTRIC CORPORATION - The Commission decided to approve the company's tariff filing making revisions of a housekeeping nature by clarifying language contained in its electric and gas tariff schedules, P.S.C. No. 15 - Electricity and P.S.C. No. 12 - Gas.

**Power**

- ITEM 361  
 14-E-0548 ARTECHE USA - The Commission decided to approve the company's Medium Voltage Transformers.

## ITEM 362

15-E-0518 & 15-E-0519 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. and ORANGE AND ROCKLAND UTILITIES, INC.'s - The Commission decided to approve the company's tariff filings by adding components to their respective Market Supply Charges, which will provide for the recovery of transmission project costs allocated to the Companies under the NYISO tariff, as approved by FERC.

## ITEM 363

15-E-0593 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to approve the company's petition to continue the DLC program subject to passing a benefit-cost analysis, and to expand the CDP to include small commercial and Westchester customers with annual program budgets of \$4 million for 2016 through 2018.

## ITEM 364

14-E-0493 ORANGE AND ROCKLAND UTILITIES, INC. - The Commission decided to approve, on a permanent basis, the company's compliance tariff filings effectuating Rate Year 1 pursuant to Commission Order issued October 16, 2015.

## ITEM 365

15-E-0513 560 WEST 24TH STREET CONDOMINIUM - The Commission decided to approve the Condominium to submeter electricity at 552 West 24th Street, New York, New York, located in the territory of Consolidated Edison Company of New York Inc.

## ITEM 366

15-E-0467 42 WEST BROAD STREET DEVELOPERS LLC - The Commission decided to approve the company to submeter electricity at 42 Broad Street West, Mount Vernon, New York, located in the territory of Consolidated Edison Company of New York Inc.

## ITEM 367

10-G-0028 Appeal of Informal Hearing Decision  
APARTMENT MANAGEMENT  
ASSOCIATES/LAWRENCE TOWERS/NATIONAL  
GRID, INC. - METRO NY - The Commission decided  
to deny the complainant's appeal and uphold the  
informal review decision.

## ITEM 368

15-E-0570 CONSOLIDATED EDISON COMPANY OF NEW  
YORK, INC. - The Commission decided to  
approve the company's tariff filing revising its  
Commercial Demand Response Programs contained  
in P.S.C. No. 10 - Electricity and conforming tariff  
revisions to P.S.C. No. 12 - Electricity, and directs the  
Company to consider a demand response auction to  
establish the CSRП reservation payment price for the  
2017 summer capability period.

## ITEM 369

10-E-0625 Appeal of Informal Hearing Decision  
RIDGEWAY COUNTRY CLUB/CONSOLIDATED  
EDISON COMPANY OF NEW YORK, INC. - The  
Commission decided to deny the complainant's  
appeal and uphold the informal review decision.

## ITEM 370

15-E-0569 CENTRAL HUDSON GAS AND ELECTRIC  
CORPORATION - The Commission decided to  
approve the company's tariff filing with modifications,  
establishing General Information Section 45 -  
Empire Zone Rate and the petition requesting  
deferral/recovery of potential lost revenue. However,  
the company's request to have the deferred lost  
revenues be offset against the electric net regulatory  
liability account in the current Rate Plan was denied.

## ITEM 371

11-E-0074 Appeal of Informal Hearing Decision  
MR. EDWARD BARNES/NATIONAL  
GRID-UPSTATE - The Commission decided to  
modify the informal hearing decision.

- ITEM 372  
 15-E-0287 250 WEST STREET CONDOMINIUM - The Commission decided to approve the Condominium to submeter electricity at 250 West Street, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc.
- ITEM 373  
 15-E-0581 & 15-E-0582 - NEW YORK STATE ELECTRIC & GAS CORPORATION AND ROCHESTER GAS AND ELECTRIC CORPORATION - The Commission decided to approve the companies' tariff filings by adding components to their respective Supply Charges, contained in electric tariff schedules P.S.C. No 120 and P.S.C. No 19, which will provide for the recovery of transmission project costs allocated to the Companies under the NYISO tariff, as approved by FERC.
- ITEM 374  
 15-E-0464 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - The Commission decided to approve the company's request for deferral accounting treatment for \$5,284,073 of incremental storm costs for year ended June 30, 2015. Recovery of these costs will be determined in Central Hudson's next rate filing.
- ITEM 375  
 15-E-0572 The Commission decided to grant relief other than that requested in the petition, by retaining the current method for determining anniversary dates but requiring additional education and outreach efforts.

**Water**

- ITEM 461  
 14-W-0178 HERITAGE HILLS WATER WORKS CORP. AND COMMUNITY UTILITIES OF NEW YORK, INC. - The Commission decided to deny the joint petition, allowing Community Utilities of New York, Inc. to purchase all water supply assets of Heritage Hills Water Works Corp.

**Communications**

- ITEM 561  
15-C-0521 ALTEVA, INC. AND MBS HOLDINGS, INC. - The Commission decided to confirm a One Commissioner Order made in this proceeding by Audrey Zibelman, Chair approving the companies' petition for an indirect transfer of control.
- ITEM 562  
09-M-0527 Commissioner Gregg C. Sayre, recused  
The Commission decided to allow the recovery of revenue lost due to the second of the two-step phase-down of intrastate originating access rates to interstate levels, effective January 1, 2016.
- ITEM 563  
There is no item 563.
- ITEM 564  
15-M-0742 The Commission decided to institute a new proceeding to review the State Universal Service Fund (SUSF), which was established in Case 09-M-0527 for a four-year term beginning on January 1, 2013 and is scheduled to expire on December 31, 2016.
- ITEM 565  
16-C-0008 X5 OPCO LLC, ASSIGNEE AND CORNERSTONE TELEPHONE COMPANY, LLC and PUBLIC INTEREST NETWORK SERVICES, INC., ASSIGNORS - The Commission decided to approve the companies' joint petition to acquire New York assets, including customers, from CornerStone.



**Cable**

ITEM 661

Renewals of Cable Television Franchises

- 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-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
- 15-V-0631 TIME WARNER CABLE NORTHEAST LLC/TOWN OF HERMON, ST. LAWRENCE COUNTY

The Commission decided to approve of the renewals because the franchise agreements will serve the public interest by continuing to offer cable television services and promote competition in the local municipalities listed.

ITEM 662

- 15-V-0692 VERIZON NEW YORK INC. - The Commission decided to approve the company's petition for a portion of the petitions for Orders of Entry at 43 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.