

Consent Agenda Report for 11/17/2022

The following is a preliminary and informal summary of actions the Commission took at its public session on November 17, 2022. 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 or other document issued in the case number(s) identified below.

Gas

ITEM 161

22-G-0425 NEW YORK STATE ELECTRIC AND GAS CORPORATION - The Commission decided to approve New York State Electric and Gas Corporation's Sampling Plan in order to identify, detect, and remediate any natural gas leaks due to installation errors concerning the Permalock Tapping Tee, and order the company to submit quarterly reports to Department Staff, detailing the Sampling Plan's findings and progress.

ITEM 162

21-G-0496 Appeal of Informal Decision
MARK D. SCHEFFLER/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to grant the Complainant's appeal on the grounds that the informal hearing officer committed an error of fact and order Consolidated Edison Company of New York, Inc. to refund the customer the \$100 fine.

ITEM 163

21-G-0394 CORNING NATURAL GAS CORPORATION - The Commission decided to approve, on a permanent basis, Corning Natural Gas Corporation's gas compliance tariff filings effectuating the terms of Rate Year 1.

ITEM 164

21-G-0576 BLUEBIRD RENEWABLE ENERGY, LLC - The Commission decided to issue an Order granting a Certificate of Public Convenience and Necessity pursuant to Public Service Law §68, and a lightened regulatory regime for Bluebird Renewable Energy.

166 CONT'D

The Commission decided to determine \$2,500 penalty in Cases, 20-G-0635, 22-G-0560, 22-G-0561, 22-G-0563, 22-G-0564, 22-G-0565, 22-G-0566, 22-G-0567, 22-G-0586, 22-G-0587, 22-G-0588, and 22-G-0589; and \$2,000 in Cases 22-G-0559, 22-G-0569, and 22-G-0591.

General

ITEM 261

22-M-0514

LIGHT POWER & GAS, LLC - The Commission decided to order Light Power & Gas, LLC to show cause within 30 days why its eligibility to act as an Energy Services Company 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 262

22-M-0536

SOURCE POWER COMPANY SERVICES, LLC - The Commission decided to order Source Power Company Services, LLC and ICON Energy LLC d/b/a Source Power Company (collectively Source Power) to show cause within 30 days why its eligibility to act as an energy services company (ESCO) and as a distributed energy resource (DER) provider in New York should not be revoked or why other consequences, as set forth in the Commission's Uniform Business Practices (UBP) Section 2.D.6, and the Uniform Business Practice for Distributed Energy Resource Suppliers (UBP-DERS) Section 2F.B should not be imposed.

ITEM 263

22-M-0223

LANTELCO, INC., BARCH CORPORATION, INDIVIDUAL SHAREHOLDERS THEREOF, EMPIRE TELEPHONE CORPORATION, EMPIRE LONG DISTANCE CORPORATION D/B/A EMPIRE ACCESS, EMPIRE VIDEO SERVICE CORPORATION, COMMUNITY CABLE CORPORATION, AND ENDURANCE PARENT, INC. - The Commission decided to approve the joint petition, pursuant to Public Service Law (PSL) §§99, 100, 101 and 222 to allow the transfer of ownership of Empire Telephone Corporation (Empire Telephone),

263 CONT'D

Empire Long Distance Corporation d/b/a Empire Access (ELD), Empire Video Service Corp. (EVSC) and Community Cable Corp. (CCC) (together, the NY Operating Companies) to Endurance Parent, Inc. (ELD); and to allow ELD to participate in certain related financing arrangements, subject to the conditions described in the Order.

ITEM 264

22-M-0491

The Commission decided to update the customer deposits rate for investor-owned utilities and municipal utilities to 3.45% and 1.80%, respectively, and update the other customer provided capital rate for investor-owned utilities and municipal utilities to 5.20% and 3.55%, respectively, effective January 1, 2023.

ITEM 265

22-E-0064 &
22-G-0065

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to approve an extension to the maximum suspension period through April 25, 2023, subject to a make-whole provision.

ITEM 266

20-E-0380 &
20-G-0381

NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - The Commission decided to approve, on a permanent basis, the Company's gas and electric compliance tariff filings effectuating the terms of Rate Year 2.

ITEM 267

22-M-0248,
22-M-0249 &
22-M-0250

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. AND NEW CINGULAR WIRELESS PCS, LLC - The Commission decided to approve Consolidated Edison Company of New York, Inc.'s and New Cingular Wireless PCS, LLC petition to replace existing wireless equipment attached to Con Edison's electric transmission facilities.

ITEM 364

There is no item 364

ITEM 365

22-E-0201

BEDFORD COURTS III LLC - The Commission decided to grant authority to Bedford Courts III LLC to submeter electricity at 1101 President Street, Brooklyn, New York, located in the territory of Consolidated Edison Company of New York, Inc., and to waive the requirements of an energy audit pursuant to 16 NYCRR §96.5(k)(3).

ITEM 366

22-E-0200

BEDFORD COURTS III LLC - The Commission decided to grant authority to Bedford Courts III LLC to submeter electricity at 1089 President Street, Brooklyn, New York, located in the territory of Consolidated Edison Company of New York, Inc., and to waive the requirements of an energy audit pursuant to 16 NYCRR §96.5(k)(3).

ITEM 367

22-E-0114

150 EAST 23RD STREET CONDOMINIUM - The Commission decided to grant authority to 150 East 23rd Street Condominium to submeter electricity at 150 East 23rd Street, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc.

ITEM 368

21-E-0200

SENSUS USA INC. - The Commission decided to authorize the use of the Sensus Stratus IQ electric meter in electric metering applications in New York State.

ITEM 369

22-E-0199

417 EAST REALTY LIMITED PARTNERSHIP - The Commission decided to grant authority to 417 East Realty Limited Partnership to submeter electricity at 417 East 57th Street, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc.

- ITEM 370
16-F-0328
NUMBER THREE WIND LLC - The Commission decided to approve Number Three Wind LLC's (Certificate Holder) Compliance Filings Attachment A No. 24(b) and (c), in accordance with Certificate Condition 64 of the Certificate Order, and Compliance Filing Attachment A No. 25(a), (c), (e), and (f).
- ITEM 371
16-F-0062
EIGHT POINT WIND, LLC - The Commission decided to approve Eight Point Wind, LLC's (Certificate Holder) Compliance Filings 31, 34 and 58.
- ITEM 372
21-E-0568
Commissioner Diane X. Burman, dissenting
Commissioner John B. Howard, dissenting
Commissioner David J. Valesky, dissenting
NOBLEHURST FARMS - The Commission decided to deny Noblehurst Farms (Noblehurst) petition seeking to cap all costs related to the interconnection of a farm waste generator at \$5,000, and denied Noblehurst's request for a partial refund for costs related to the CESIR study.
- ITEM 373
21-E-0252
PENNSYLVANIA ELECTRIC COMPANY, THE WAVERLY ELECTRIC LIGHT AND POWER COMPANY, AND TRI-COUNTY RURAL ELECTRIC COOPERATIVE, INC. - The Commission decided to authorize the merger of Waverly Electric Light and Power Company into its current parent, Pennsylvania Electric Company.
- ITEM 374
10-T-0139
Commissioner John B. Howard, dissenting
CHAMPLAIN HUDSON POWER EXPRESS, INC. - The Commission decided to approve the Second Compliance Filing pursuant to Certificate Condition 165.
- ITEM 375
22-E-0238
2 CHARLTON OWNERS CORP - The Commission decided to grant authority to 2 Charlton Owners Corp to submeter electricity at 2 Charlton Street, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc.

- ITEM 376
22-E-0539 EIGHT POINT WIND, LLC, ESI ENERGY, LLC, EMERALD BREEZE FUNDING, LLC, EMERALD BREEZE HOLDINGS, LLC, EMERALD BREEZE CLASS A HOLDINGS, LLC, EMERALD BREEZE, LLC AND BAL INVESTMENT & ADVISORY, INC. - The Commission decided to issue a declaratory ruling that the proposed upstream changes in ownership interests do not require further review pursuant to Public Service Law §70.
- ITEM 377
22-E-0372 FLINT MINE SOLAR LLC, DESRI FLINT MINE DEVELOPMENT, LLC, AND DESRI FLINT MINE LAND HOLDINGS, LLC - The Commission decided to approve the proposed transfer of real property interests under Public Service Law (PSL) §70, in relation to 100 MW solar project in the Towns of Athens and Coxsackie, Greene County, New York.
- ITEM 378
19-E-0079 The Commission decided to approve the requests by Niagara Mohawk Power Corporation d/b/a National Grid, Central Hudson Gas & Electric Corporation, New York State Electric and Gas Corporation, and Rochester Gas and Electric Corporation to modify their respective tariffs to update and harmonize standby rate exemptions available throughout New York State.
- ITEM 379
18-E-0383 711 SEAGIRT AVENUE HOLDINGS LLC - The Commission decided to grant authority to 711 Seagirt Avenue Holdings LLC to submeter electricity at 711 Seagirt Avenue, Queens, New York, located in the territory of Consolidated Edison Company of New York, Inc.
- ITEM 380
16-F-0559 BLUESTONE WIND, LLC - The Commission decided to approve Bluestone Wind LLC's (Certificate Holder) Compliance Filings 49, 50, 51, 52, 67, 68, 69, and 70.

- ITEM 381
22-E-0435
NEW YORK MUNICIPAL POWER AGENCY - The Commission decided to approve the New York Municipal Power Agency's electric tariff filing updating the pole attachment rate used by its municipal utility members.
- ITEM 382
19-E-0735
The Commission decided to approve, on a permanent basis, Niagara Mohawk Power Corporation d/b/a National Grid tariff filings effectuating the Expanded Solar for All program filed in Compliance with the Commission's Order Approving Expanded Solar for All Program with Modifications issued January 20, 2022, and Order Modifying Expanded Solar for All Program issued September 15, 2022.
- ITEM 383
18-E-0397
CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to approve on a permanent basis, Consolidated Edison Company of New York, Inc.'s revisions to its electric tariff, P.S.C. No. 10 - Electricity implementing the Innovative Pricing Pilot.
- ITEM 384
17-E-0016
TC RAVENSWOOD, LLC, TC RAVENSWOOD SERVICES CORP. AND HELIX GENERATION - The Commission decided to reconsider and modify its prior order addressing vertical market power (VMP) issues associated with ownership interests in the Ravenswood generating station and certain transmission projects.
- ITEM 385
22-E-0482
Rehearing of Commission Determination
NILSA GONZALEZ/TYLISHA STEWART AND CENTRAL HUDSON GAS & ELECTRIC CORPORATION - The Commission decided to uphold the designee's determination and deny the request for rehearing.
- ITEM 386
22-E-0371
66 STATE STREET PARTNERS, LP - The Commission decided to grant authority to 66 State Street Partners, LP to submeter electricity 66 State Street, Albany, New York, located in the territory of Niagara Mohawk Power Corp. d/b/a National Grid

- ITEM 387
15-F-0122
BARON WINDS, LLC - The Commission decided to approve Baron Winds LLC's (Certificate Holder) Compliance Filings 49, 50(e) and (f), 52(a), 52(a)(i), 61, 63, and 64, subject to conditions.
- Water**
- ITEM 461
17-W-0062,
21-W-0364 &
22-W-0404
NEW YORK AMERICAN WATER, NEW YORK AMERICAN WATER COMPANY, INC., LIBERTY UTILITIES (NEW YORK WATER) CORP. - The Commission decided to approve, with modifications, the petitions filed in Cases 17-W-0062, 21-W-0364, and 22-W-0404 for deferral of pension settlement losses.
- ITEM 462
22-W-0405
SARATOGA WATER SERVICES, INC. AND ES-TD VENTURES, LLC - The Commission decided to approve the Agreement for the Provision of Water Service by and between Saratoga Water Services, Inc. and ES-TD Ventures, LLC and waive certain tariff provisions for Saratoga Water Services Inc. and provisions of Title 16 of the New York Codes, Rules and Regulations Part 501 and Part 502 as required to allow Saratoga Water Services, Inc. to extend water service outside its franchise area to fulfill the Agreement for the Provision of Water Service.
- ITEM 463
19-W-0168
SUEZ WATER NEW YORK INC., SUEZ WATER WESTCHESTER INC. AND SUEZ WATER OWEGO-NICHOLS INC. - The Commission decided to approve the Company's tariff revision of P.S.C. No. 2 – Water, of a housekeeping nature.
- ITEM 464
22-W-0281
HERITAGE ESTATES HOMEOWNERS ASSOCIATION, LTD. - The Commission decided to authorize the increase of Heritage Estates Homeowners Association, LTD.'s annual revenues by \$7,645, or 42.5 percent, to become effective December 1, 2022.

Communications

ITEM 561
 22-C-0431 DISH WIRELESS LLC D/B/A GEN MOBILE - The Commission decided to approve DISH Wireless LLC d/b/a Gen Mobile's petition for designation as an Eligible Telecommunications Carrier for the purpose of receiving federal universal support for providing Lifeline service throughout all of New York State.

ITEM 562
 22-C-0188 VERIZON NEW YORK INC. THIRD QUARTER 2022 SERVICE QUALITY REPORT - For informational purposes only. No Commission action is required.

Cable

ITEM 661
 22-V-0571 VERIZON NEW YORK INC./500 WEST 123RD STREET, MANHATTAN.
 22-V-0572 VERIZON NEW YORK INC./622 WEST 135TH STREET, MANHATTAN.
 22-V-0573 VERIZON NEW YORK INC./395 RIVERSIDE DRIVE, MANHATTAN.
 22-V-0574 VERIZON NEW YORK INC./522 WEST 134TH STREET, MANHATTAN.
 22-V-0575 VERIZON NEW YORK INC./717 ST. NICHOLAS AVENUE, MANHATTAN.
 22-V-0576 VERIZON NEW YORK INC./731 ST. NICHOLAS AVENUE, MANHATTAN.
 22-V-0577 VERIZON NEW YORK INC./465 WEST 152ND STREET, MANHATTAN.
 22-V-0578 VERIZON NEW YORK INC./531 WEST 143RD STREET, MANHATTAN.
 22-V-0579 VERIZON NEW YORK INC./510 WEST 144TH STREET, MANHATTAN.

VERIZON NEW YORK INC. - The Commission decided to approve Verizon New York Inc.'s petitions for Orders of Entry for the addresses listed above.

ITEM 662
 22-V-0241 VERIZON NEW YORK INC. - The Commission decided to approve Verizon New York Inc.'s Petition for an Order of Entry at 610 West 136th Street, Manhattan, New York.