



# Public Service Commission

**For Immediate Release: 11/16/2022**

Rory M. Christian, Chair

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## **COMMISSION ISSUES FINAL NOVEMBER 17, 2022 AGENDA**

**NEW YORK** – The Public Service Commission announced today that it will hold its next regular session beginning at **10:30 A.M., Thursday, November 17, 2022**. The session will be held in the Commission’s offices located at 90 Church Street, 4<sup>th</sup> Floor, New York, and Three Empire State Plaza, 19<sup>th</sup> Floor, Albany.

### **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 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**

#### **POWER**

- 301      20-T-0617      SUNRISE WIND LLC - Application for a Certificate of Environmental Compatibility and Public Need for the Construction of Up to 6.2 Miles (320 kilovolt [kV]) of Direct Current (DC) Submarine Export Cable from the New York State Territorial Waters Boundary to the Smith Point County Park on Fire Island in the Town of Brookhaven in Suffolk County and Up to 17.5 Miles (320 kV) of Onshore Transmission Cable from the Landfall at Fire Island to a New Onshore Converter Station in the Town of Brookhaven and Up to 1 Mile (138 kV) of Alternating Current (AC) Onshore Interconnection Cable Connecting to the Existing Holbrook Substation in the Town of Brookhaven in Suffolk County.

**No items will be considered on the Regular Agenda for GAS, GENERAL, 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	22-G-0425	NEW YORK STATE ELECTRIC AND GAS CORPORATION - Proceeding on Motion of the Commission Regarding a Staff Investigation into New York State Electric and Gas Corporation's Response to a Natural Gas Incident at 2592 Carmel Avenue, Brewster, New York.
162	21-G-0496	MARK D. SCHEFFLER/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - In the Matter of the Rules and Regulations of the Public Service Commission, Contained in 16 NYCRR in Relation to Complaint Procedures - Appeal of the Informal Decision Rendered in Favor of the Consolidated Edison Company of New York, Inc. (163748).
163	21-G-0394	CORNING NATURAL GAS CORPORATION - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.
164	21-G-0576	BLUEBIRD RENEWABLE ENERGY, LLC - Petition for an Original Certificate of Public Convenience and Necessity and Establishing a Lightened Regulatory Regime.
165	22-G-0123	ANTWI SAMUEL/MARIE APOLLON AND THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID - In the Matter of a Commission Designee's Determination Pursuant to PSL Section 52 - Rehearing Petition of the Designee's Determination Rendered in Favor of Marie Apollon and The Brooklyn Union Gas Company d/b/a National Grid (163730).
166		In the Matter of an Enforcement Proceeding for Alleged Violation of 16 NYCRR Part 753 - Protection of Underground Facilities (Penalty Determination Orders).
	20-G-0635	A REAL ADVANTAGE INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
	22-G-0559	LOSPANO PLUMBING AND HEATING, INC/CENTRAL HUDSON GAS & ELECTRIC CORPORATION
	22-G-0560	DARRYL BLAKE/NATIONAL FUEL GAS DISTRIBUTION CORPORATION
	22-G-0561	A.J. CONTRACTING OF NY LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
	22-G-0563	HURTADO CONTRACTING INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID

- 22-G-0564 ON SITE LAND SERVICES, LLC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
- 22-G-0565 EIF CONSTRUCTION CO. INC./NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID
- 22-G-0566 RELIABLE PAVING AND MASONRY/NATIONAL FUEL GAS DISTRIBUTION CORPORATION
- 22-G-0567 R. C. CONCRETE BRICK INC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
- 22-G-0569 MASSARO SERVICES/NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID
- 22-G-0586 VDG, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
- 22-G-0587 UNITED LJC CORPORATION/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID
- 22-G-0588 FIBERTECH ENVIRONMENTAL SERVICES, INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION
- 22-G-0589 PERFETTO CONTRACTING CO. INC./CONSOLIDATED EDISON COMPANY OF NEW YORK INC.
- 22-G-0591 BELGIUM BLOCKS, INC./ORANGE AND ROCKLAND UTILITIES, INC.

### **GENERAL**

- 261 22-M-0514 LIGHT POWER & GAS, LLC - In the Matter to Seek Consequences for Violations of the Uniform Business Practices.
- 262 22-M-0536 SOURCE POWER - In the Matter of the Investigation into Billing Issues.
- 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 CORP., COMMUNITY CABLE CORP., AND ENDURANCE PARENT, INC. - Joint Petition for Approval (1) to Transfer Ownership and Control of Empire Telephone Corporation, Empire Long Distance Corporation d/b/a Empire Access, Empire Video Service Corp. and Community Cable Corp. to Endurance Parent, Inc. and Complete Related Transactions and (2) for Empire Long Distance Corporation to Participate in Certain Financing Arrangements.
- 264 22-M-0491 In the Matter of Rules and Regulations of the Public Service Commission, Contained in 16 NYCRR, Prescribing Interest Rates Applicable to Customer Deposits.

- 265 22-E-0064 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. -  
Proceeding on Motion of the Commission as to the Rates, Charges, Rules  
and Regulations for Electric Service.
- 22-G-0065 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. -  
Proceeding on Motion of the Commission as to the Rates, Charges, Rules  
and Regulations for Gas Service.
- 266 20-E-0380 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL  
GRID - Proceeding on Motion of the Commission as to the Rates, Charges,  
Rules and Regulations for Electric Service.
- 20-G-0381 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL  
GRID - Proceeding on Motion of the Commission as to the Rates, Charges,  
Rules and Regulations for Gas Service.
- 267 22-M-0248 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. AND  
NEW CINGULAR WIRELESS PCS, LLC – Joint Petition for Approval to  
Replace Existing Wireless Telecommunication Equipment on Consolidated  
Edison Company of New York, Inc. Facilities (Tower K-49).
- 22-M-0249 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. AND  
NEW CINGULAR WIRELESS PCS, LLC - Joint Petition for Approval to  
Replace Existing Wireless Telecommunication Equipment on Consolidated  
Edison Company of New York, Inc. Facilities (Tower K-34).
- 22-M-0250 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. AND  
NEW CINGULAR WIRELESS PCS, LLC - Joint Petition for Approval to  
Replace Existing Wireless Telecommunication Equipment on Consolidated  
Edison Company of New York, Inc. Facilities (Tower E-10).
- 268 22-M-0427 NURPINDER BATHLA AND BALWINDER BATHLA/WENDEL  
BEDASSIE, SHANTKUMARIE BEDASSIE AND CONSOLIDATED  
EDISON COMPANY OF NEW YORK, INC. - In the Matter of a  
Commission Designee's Determination Pursuant to PSL Section 52 -  
Rehearing Petition of the Designee's Determination Rendered in Favor of  
Wendel Bedassie, Shantkumarie Bedassie (Tenants) and Consolidated  
Edison Company of New York, Inc. (213767).
- 269 21-W-0379 WILDSIDE EXCAVATING, LLC/LAKE PLACID VILLAGE, INC. -  
WATER DEPARTMENT
- 22-G-0214 PACIFIC LAWN SPRINKLERS INC./KEYSPAN GAS EAST  
CORPORATION D/B/A NATIONAL GRID

### **POWER**

- 361 22-T-0346 EMPIRE OFFSHORE WIND LLC - Application for a Certificate of  
Environmental Compatibility and Public Need for the Construction of  
Approximately 12 Miles of Transmission Lines from the Boundary of New  
York State Territorial Waters to a Point of Interconnection in the Town of  
Hempstead, Nassau County.

- 362 22-T-0157 ANBARIC DEVELOPMENT PARTNERS, LLC - Application Pursuant to Public Service Law Article VII for a Certificate of Environmental Compatibility and Public Need for the Juno Power Express Electric Transmission Facility.
- 363 22-E-0422 NEW YORK STATE ELECTRIC & GAS CORPORATION - Petition for Approval Under Section 68 of the Public Service Law for the Exercise of an Electric Franchise in the City of Geneva, County of Ontario, New York.
- 364 There is no Item 364
- 365 22-E-0201 BEDFORD COURTS III LLC - Notice of Intent to Submeter Electricity at 1101 President Street, Brooklyn, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 366 22-E-0200 BEDFORD COURTS III LLC - Notice of Intent to Submeter Electricity at 1089 President Street, Brooklyn, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 367 22-E-0114 150 EAST 23RD STREET CONDOMINIUM - Petition to Submeter Electricity at 150 East 23rd Street, New York, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 368 21-E-0200 SENSUS USA INC. - Petition for Approval of the Stratus IQ Electric Meter.
- 369 22-E-0199 417 EAST REALTY LIMITED PARTNERSHIP - Petition to Submeter Electricity at 417 East 57th Street, New York, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 370 16-F-0328 NUMBER THREE WIND, LLC - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 for Construction of a Wind Project Located in Lewis County.
- 371 16-F-0062 EIGHT POINT WIND, LLC - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 to Construct a Wind Energy Project.
- 372 21-E-0568 NOBLEHURST FARMS - Petition Concerning the Costs of Interconnecting a Net Metered Farm Waste Generator.
- 373 21-E-0252 PENNSYLVANIA ELECTRIC COMPANY, THE WAVERLY ELECTRIC LIGHT AND POWER COMPANY, AND TRI-COUNTY RURAL ELECTRIC COOPERATIVE, INC. - Joint Petition for a Declaratory Ruling Abstaining From Review of the Proposed Intra-Corporate Reorganization and an Order Authorizing the Proposed Asset Transfer Pursuant to Section 70 of the New York Public Service Law.
- 374 10-T-0139 CHAMPLAIN HUDSON POWER EXPRESS, INC. - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII of the PSL for the Construction, Operation and Maintenance of a High Voltage Direct Current Circuit from the Canadian Border to New York City.

- 375 22-E-0238 2 CHARLTON OWNERS CORP - Petition to Submeter Electricity at 2 Charlton St, New York, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 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. - Petition for an Expedited Declaratory Ruling Regarding the Transfer of Upstream Ownership Interests in Eight Point Wind, LLC.
- 377 22-E-0372 FLINT MINE SOLAR LLC, DESRI FLINT MINE DEVELOPMENT, L.L.C., AND DESRI FLINT MINE LAND HOLDINGS, L.L.C. - Petition for Approval of a Transfer Pursuant to Lightened Regulation.
- 378 19-E-0079 In the Matter of the Continuation of Standby Rate Exemptions.
- 379 18-E-0383 711 SEAGIRT AVENUE HOLDINGS LLC - Notice of Intent to Submeter Electricity at 711 Seagirt Avenue, Queens, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 380 16-F-0559 BLUESTONE WIND, LLC - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 for Construction of the Bluestone Wind Farm Project Located in the Towns of Windsor and Sanford, Broome County.
- 381 22-E-0435 NEW YORK MUNICIPAL POWER AGENCY - Tariff Filing to Modify Its Electric Tariff Schedule P.S.C. No. 1, to Update the Pole Attachment Proxy Rates Used by Its Municipal Utility Members.
- 382 19-E-0735 NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY - Petition Requesting Additional NY-Sun Program Funding and Extension of Program Through 2025.
- 383 18-E-0397 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Tariff filing to Make Revisions to its Electric Tariff Schedule, P.S.C. No. 10, to Add New Riders Z (Residential) and AA (Small Commercial) Innovative Pricing Pilot, to Implement Rate Structures for Residential and Small Commercial Customers.
- 384 17-E-0016 TC RAVENSWOOD, LLC, TC RAVENSWOOD SERVICES CORP. AND HELIX GENERATION - Petition for Expedited Approval of a Transfer and Financing Pursuant to Lightened Regulation.
- 385 22-E-0482 NILSA GONZALEZ/TYLISHA STEWART AND CENTRAL HUDSON GAS & ELECTRIC CORPORATION - In the Matter of a Commission Designee's Determination Pursuant to PSL Section 52 - Rehearing Petition of the Designee's Determination Rendered in Favor of Tylisha Stewart and Central Hudson Gas & Electric Corporation (210620).
- 386 22-E-0371 66 STATE STREET PARTNERS, LP - Petition to Submeter Electricity at 66 State Street, Albany, Located in the Territory of Niagara Mohawk Power Corporation d/b/a National Grid.

- 387 15-F-0122 BARON WINDS, LLC - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 to Construct a Wind Energy Facility.

### **WATER**

- 461 17-W-0062 NEW YORK AMERICAN WATER - Petition Requesting Deferral Accounting and Amortization of Pension Settlement Losses.
- 21-W-0364 NEW YORK AMERICAN WATER COMPANY, INC. - Petition Requesting Deferral Accounting and Amortization of Pension Settlement Losses.
- 22-W-0404 LIBERTY UTILITIES (NEW YORK WATER) CORP. - Petition for Deferral Accounting and Amortization of Pension Settlement Losses.
- 462 22-W-0405 SARATOGA WATER SERVICES, INC. AND ES-TD VENTURES, LLC - Joint Petition for Approval of an Extension Agreement and Waivers.
- 463 19-W-0168 SUEZ WATER NEW YORK INC., SUEZ WATER WESTCHESTER INC. AND SUEZ WATER OWEGO-NICHOLS INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Water Service.
- 464 22-W-0281 HERITAGE ESTATES HOMEOWNERS ASSOCIATION, LTD. - Minor Rate Filing to Increase Its Total Annual Revenues by about \$8,990 or 49.9% and Request to Convert Its Tariff Schedule to an Electronic Format.

### **COMMUNICATIONS**

- 561 22-C-0431 DISH WIRELESS L.L.C. DBA GEN MOBILE - Petition for Designation as an Eligible Telecommunications Carrier.
- 562 22-C-0188 In the Matter of Quality of Service Provided by Local Exchange Companies in New York State.

### **CABLE**

- 661 Petitions for Orders of Entry.
- 22-V-0571 Verizon New York Inc./500 West 123rd Street, Manhattan.
- 22-V-0572 Verizon New York Inc./22 West 135th Street, Manhattan.
- 22-V-0573 Verizon New York Inc./95 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.
- 662 22-V-0241 VERIZON NEW YORK INC. - Petition for an Order of Entry for 610 West 136th Street, Manhattan.

### **Instructions to Listen to the Webcast of Meeting**

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The listening 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 access the webcast. If you experience problems listening to 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** will be posted for public viewing, if feasible, by 6:00 p.m. the day before a Commission meeting. The proposed draft orders will be made available at: [Documents Scheduled for Discussion at Session](#).



The posted draft orders will be removed by 6:00 p.m. on the day of the Commission meeting, or when the final order is issued, whichever is earlier. (Clicking on this link at any other time than that noted above will result in “No Documents found.”) The proposed draft 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**

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All public documents that have been filed or issued before today's date may be obtained by accessing the Department of Public Service Web site at [www.dps.ny.gov](http://www.dps.ny.gov), click on “Search” then search using the appropriate PSC case number.

### **Next Meeting**

The next regularly scheduled meeting will begin at **10:30 A.M., Thursday, December 15, 2022,** in Albany, New York.