



# Public Service Commission

**For Immediate Release: 01/13/2023**

Rory M. Christian, Chair

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## COMMISSION ISSUES PRELIMINARY JANUARY 19, 2023 AGENDA

**ALBANY, NY** – The Public Service Commission announced today that it will hold its next regular session beginning at **10:30 A.M., Thursday, January 19, 2023**. The session will be held in the Commission’s offices located at Three Empire State Plaza, 19th Floor, Albany, and the 4th Floor Boardroom of the Department’s New York City office, located at 90 Church Street, New York, New York.

**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**

<b>Item</b>	<b>PSC Case</b>	
		<b>GENERAL</b>
201	14-M-0565	Proceeding on Motion of the Commission to Examine Programs to Address Energy Affordability for Low Income Utility Customers.
	20-M-0266	Proceeding on Motion of the Commission Regarding the Effects of COVID-19 on Utility Service.

**No items will be considered on the Regular Agenda for POWER, 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.**

Item	PSC Case	GAS
161	22-G-0642	UTILITY RATE ANALYSIS CONSULTANTS - Petition for a Declaratory Ruling Concerning "Simple Manner and Form" for Filing Tax Exemption Certificates with The Brooklyn Union Gas Company d/b/a National Grid NY.
162	19-G-0309	THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.
	19-G-0310	KEYSPAN GAS EAST CORP. D/B/A NATIONAL GRID - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.
163		In the Matter of an Enforcement Proceeding for Alleged Violation of 16 NYCRR Part 753 - Protection of Underground Facilities (Penalty Determination Orders).
	22-G-0680	Johnson City Water Department/New York State Electric & Gas Corporation
	22-G-0682	A Septic Service LLC/Niagara Mohawk Power Corporation d/b/a National Grid
	22-G-0683	All Pro Development LLC/The Brooklyn Union Gas Company d/b/a National Grid NY.
	22-G-0684	Eco Crete LLC/The Brooklyn Union Gas Company d/b/a National Grid NY.
	22-G-0686	Jenkins Heating and Cooling, LLC/Niagara Mohawk Power Corporation, d/b/a National Grid.
	22-G-0687	Town of Evans Highway Department/National Fuel Gas Distribution Corporation.
	22-G-0688	Curran Construction, LLC/Rochester Gas & Electric Corporation.
	22-G-0689	GMC Construction Group/Central Hudson Gas & Electric Corporation.
	22-G-0690	Immaculate Concrete/Central Hudson Gas & Electric Corporation.
	22-G-0691	Cooper Contracting/Central Hudson Gas & Electric Corporation.
	22-G-0692	RE Landscaping & Tree Service Inc./KeySpan Gas East Corporation d/b/a National Grid.

- 22-G-0693 Genke Construction/Consolidated Edison Company of New York, Inc.
- 22-G-0694 J. D. Northrup Construction Inc./Chautauqua Utilities, Inc.
- 22-G-0695 J.P. Hogan Coring & Sawing, Corp./KeySpan Gas East Corporation d/b/a National Grid.

### **GENERAL**

- 261 14-M-0224 Proceeding on Motion of the Commission to Enable Community Choice Aggregation Programs.
- 262 22-G-0699 KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID - Petition Pursuant to PSL Section 70, for Approval to Lease Certain Real Property in the Village of Sag Harbor to 11 Bridge Street, LLC with an Original Cost of Less Than \$100,000.
- 263 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.
- 98-M-1343 In the Matter of Retail Access Business Rules.
- 264 22-M-0180 In the Matter of the Rules and Regulations of the Public Service Commission, Contained in 16 NYCRR, Chapter VI, Subchapter A, Part 603 and Chapter VIII, Subchapter B, Parts 890 and 896.
- 265 22-M-0481 MAKANI POST ST. INC./ELIZABETH LEZAMA 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 Elizabeth Lezama and Consolidated Edison Company of New York, Inc. (183120).

### **POWER**

- 361 22-E-0677 Petition of Eight Point Wind, LLC for an Expedited Declaratory Ruling That No Further Review Under New York Public Service Law Section 70 is Necessary for the Transfer of Interconnection Facilities To New York State Electric & Gas Corporation.
- 362 15-F-0122 Application of Baron Winds, LLC for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 to Construct a Wind Energy Facility.
- 363 22-E-0600 Petition of Baron Winds, LLC for a Declaratory Ruling for Approval of Transfer of Interconnection Facilities.
- 364 22-E-0535 Joint Petition of Astoria Gas Turbine Power LLC and Beacon Wind Land LLC for a Declaratory Ruling Regarding Sale and Lease of Property, or, in

the Alternative, an Approval Pursuant to Section 70 of the Public Service Law.

- 365 21-T-0340 NEW YORK POWER AUTHORITY AND NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Application for a Certificate of Environmental Compatibility and Public Need for the Rebuild of Approximately 100 Linear Miles of Existing 230 kV to Either 230 kV or 345 kV along with Associated Substation Upgrades Along the Existing NYPA Moses-Willis 1&2, Willis-Patnode, Willis-Ryan, and National Grid's Adirondack-Porter 11, 12 and 13 Lines in Clinton, Franklin, St. Lawrence, Lewis, and Oneida Counties, New York.
- 366 22-E-0415 RXR CHURCH DIVISION TOWER A HOLDINGS LLC - Petition to Submeter Electricity at 55 Clinton Place, New Rochelle, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 367 22-E-0202 79TH OWNER LLC - Petition to Submeter Electricity at 109 East 79th Street, New York, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 368 22-E-0538 CHRISTOPHER WHYTE/MICHAEL WILLIAMS 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 Michael Williams and Consolidated Edison Company of New York, Inc. (183454).
- 369 22-E-0495 NEW YORK STATE ELECTRIC & GAS CORPORATION - Petition for Approval, Pursuant to Public Service Law Section 70, to Transfer Street Lighting Facilities to the Town of Macedon with an Original Cost of Over \$100,000.
- 370 22-T-0532 NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID - Petition to Amend its Certificate of Environmental Compatibility and Public Need Regarding H-Frame Overhead Transmission Structures in the Town of Granby, Oswego County, and the Towns of Camillus, Elbridge, Lysander, Marcellus, and Onondaga, Onondaga County.
- 371 22-E-0663 EIGHT POINT WIND, LLC - Petition for a Declaratory Ruling Concerning the Transfer of Upstream Ownership Interests.
- 372 22-E-0236 Proceeding to Establish Alternatives to Traditional Demand-Based Rate Structures for Commercial Electric Vehicle Charging.

#### WATER

- 461 22-W-0504 SARATOGA WATER SERVICES, INC. AND JUNCTA, LLC - Joint Petition for Approval of an Extension Agreement and Waivers.
- 462 22-W-0681 JOHN WEBER DBA WEBER'S FARM/WHITEHALL VILLAGE WATER DEPARTMENT.

## COMMUNICATIONS

- 561      22-C-0585    ONEIDA COUNTY RURAL TELEPHONE COMPANY - Petition for a Waiver of 16 NYCRR Section 602.10 (b) Regarding the Distribution of Telephone Directories.
- 562      22-C-0661    IM TELECOM, LLC D/B/A INFINITI MOBILE - Petition for Designation as an Eligible Telecommunications Carrier.

## CABLE

- 661                      Petitions for Orders of Entry.
- 22-V-0671    VERIZON NEW YORK INC./129 RIDGE STREET, MANHATTAN.
- 22-V-0672    VERIZON NEW YORK INC./6 ST. NICHOLAS PLACE, MANHATTAN.
- 22-V-0673    VERIZON NEW YORK INC./85 AVENUE A, MANHATTAN.
- 22-V-0674    VERIZON NEW YORK INC./42 MARKET STREET, MANHATTAN.
- 22-V-0675    VERIZON NEW YORK INC./225 MADISON STREET, MANHATTAN.
- 22-V-0676    VERIZON NEW YORK INC./105 AVENUE B, MANHATTAN.
- 662                      Petitions for Renewal of Cable Franchise Renewals.
- 22-V-0612    SPECTRUM NORTHEAST, LLC/TOWN OF IRA, CAYUGA COUNTY.
- 22-V-0614    SPECTRUM NORTHEAST, LLC/TOWN OF CATO, CAYUGA COUNTY.
- 22-V-0631    CABLEVISION SYSTEMS LONG ISLAND CORPORATION/VILLAGE OF MATINECOCK, NASSAU COUNTY.
- 22-V-0635    SAMSON CABLEVISION CORP./VILLAGE OF ISLANDIA, SUFFOLK COUNTY.
- 22-V-0636    SUFFOLK CABLE OF SMITHTOWN, INC./VILLAGE OF HEAD OF THE HARBOR, SUFFOLK COUNTY.
- 22-V-0637    CABLEVISION SYSTEMS DUTCHESS CORPORATION/TOWN OF UNION VALE, DUTCHESS COUNTY.
- 22-V-0640    CABLEVISION OF WARWICK, LLC/VILLAGE OF WARWICK, ORANGE COUNTY.
- 22-V-0641    CABLEVISION OF WARWICK, LLC/VILLAGE OF UNIONVILLE, ORANGE COUNTY.
- 22-V-0646    SPECTRUM NORTHEAST, LLC/TOWN OF CLARKSVILLE, ALLEGANY COUNTY.

### Instructions to Listen to the Webcast of Meeting

The Internet webcast can be accessed at <http://www.dps.ny.gov/Webcasts.html>.

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**

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 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, February 16, 2023,**  
in Albany.