

Consent Agenda Report for 02/16/2023

The following is a preliminary and informal summary of actions the Commission took at its public session on February 16, 2023. 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

21-G-0577

LIBERTY UTILITIES (ST. LAWRENCE GAS) CORPORATION - The Commission decided to approve an extension to the maximum suspension period through and including April 30, 2023, subject to a make-whole provision for the period between January 1, 2023 and April 30, 2023.

ITEM 162

22-G-0505

Commissioner Diane X. Burman, concurring
LIBERTY UTILITIES (ST. LAWRENCE GAS) CORPORATION - The Commission decided to grant Liberty Utilities (St. Lawrence Gas) Corp. a Certificate of Public Convenience and Necessity for the revised and renewed gas franchises with the Town and Village of Gouverneur, and the Town of Edwards pursuant to Public Service Law Section 68.

ITEM 163

22-G-0513

Rehearing of Commission Determination
CATHERINE MANCINO/PEARL
COSTELLO/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to grant in part, and deny, in part the rehearing and modify the Designee's Shared Meter determination.

ITEM 164
 22-G-0425 Commissioner Diane X. Burman, concurring
 NEW YORK STATE ELECTRIC AND GAS CORPORATION - The Commission decided to adopt the terms and conditions of a Settlement Agreement that would resolve all alleged violations committed by New York State Electric and Gas Corporation (NYSEG) related to the February 2, 2022 gas leak and related fire that occurred at 2592 Carmel Avenue, Brewster, New York; and bifurcate the remaining issue related to the installation and use of PermaLock Tapping Tees..

ITEM 165
In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities. (Penalty Orders)

23-G-0016 NELIN CONSTRUCTION CORPORATION/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.

23-G-0017 ALBERTO & ANTONIO CONSTRUCTION CORPORATION/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.

23-G-0019 JCO CONSTRUCTION INC/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.

23-G-0020 JOSEPH M PAPA, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.

23-G-0022 TOWN OF BRISTOL/NATIONAL FUEL GAS DISTRIBUTION CORPORATION.

23-G-0023 DYNAMIC CONCRETE & MASONRY LLC/CENTRAL HUDSON GAS & ELECTRIC CORPORATION.

23-G-0024 TERMINIX/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

23-G-0025 PERFETTO ENTERPRISES CO., INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.

23-G-0026 SCAVO CONTRACTING CORPORATION/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

23-G-0027 PAVING SOLUTIONS/ORANGE AND ROCKLAND UTILITIES, INC.

23-G-0028 MTB EXCAVATING, LLC/NIAGARA MOHAWK CORPORATION D/B/A NATIONAL GRID.

ITEM 165 CONT'D

- 23-G-0029 WHITE DIAMOND CONSTRUCTION INC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 23-G-0030 A.D. ALPHA CONSTRUCTION CORPORATION/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 23-G-0031 DECKS UNLIMITED CONSTRUCTION COMPANY/NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 23-G-0032 DULSKI CONSTRUCTION LLC/NATIONAL FUEL GAS DISTRIBUTION CORPORATION.

Commission decided to determine a \$10,000 penalty in Case 23-G-0025; and a \$2,500 penalty in Cases 23-G-0016, 23-G-0017, 23-G-0019, 23-G-0020, 23-G-0022, 23-G-0023, 23-G-0024, 23-G-0026, 23-G-0027, 23-G-0028, 23-G-0029, 23-G-0030, 23-G-0031, and 23-G-0032.

General

ITEM 261

- 22-M-0489 PREMIER EMPIRE ENERGY, LLC - The Commission decided to revoke Premier Empire Energy, LLC's eligibility to serve customers in New York State.

ITEM 262

- 22-M-0514 LIGHT POWER & GAS, LLC - The Commission decided to revoke Light Power & Gas, LLC's eligibility to serve customers in New York State.

ITEM 263

- 21-M-0193 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. AND ORANGE AND ROCKLAND UTILITIES, INC. - Commission decided to make public NorthStar Consulting Group's audit report and directed the Companies to file the implementation plan within 30 days of the issuance of the Order.

- ITEM 264
 18-M-0777 The Commission decided to issue a Memorandum and Resolution adopting amendments to Chapter VII, Provisions Affecting Two or More Kinds of Public Service, Subchapter F, Miscellaneous, Part 753, Protection of Underground Facilities.
- ITEM 265
 22-M-0187 SIRRIUS ENERGY LLC - The Commission decided to deny Sirius Energy LLC's petition for rehearing.
- ITEM 266
 22-M-0486 &
 22-W-0012 GLOBALFOUNDRIES U.S. INC., AND SEMICONDUCTOR COMPONENTS INDUSTRIES, LLC and HUDSON VALLEY RESEARCH PARK WATER-WORKS CORP. - The Commission decided to (1) grant a Certificate of Public Convenience and Necessity (CPCN), pursuant to Public Service Law (PSL) §68(1), for GLOBALFOUNDRIESU.S. 2 LLC (GF) to provide gas and electric service; (2) approve incidental regulation of gas and electricity pursuant to PSL § 66(13); (3) approve the transfer of the CPCN and related utility facilities, pursuant to PSL §70, from GF to Semiconductor Components Industries, LLC (SCI);and (4) approve the initial rates of Hudson Valley Research Park Water-Works Corp. (HVRP), pursuant to PSL §§89-b and 89-c and the transfer of the waterworks assets from GF to HVRP pursuant to PSL 89-h.

Power

- ITEM 361
 22-E-0630 ORANGE AND ROCKLAND UTILITIES, INC. - The Commission decided to approve Orange and Rockland Utilities, Inc.'s electric tariff amendment to update pole attachment rates.
- ITEM 362
 22-T-0558 Commissioner John B. Howard, recusing
 NEW YORK POWER AUTHORITY AND CLEAN PATH NEW YORK LLC - The Commission decided to grant in part, and deny in part, applicants' motion for waivers of certain regulatory requirements for an application filed pursuant to Public Service Law Article VII.

ITEM 363

14-F-0490 CASSADAGA WIND LLC - The Commission decided to approve Cassadaga Wind LLC (Certificate Holder) Compliance Filing 20, subject to conditions.

ITEM 364

17-F-0597 HIGH RIVER ENERGY CENTER, LLC - The Commission decided to approve High River Energy Center, LLC's (Certificate Holder) Compliance Filing 51, subject to conditions.

ITEM 365

17-F-0599 EAST POINT ENERGY CENTER, LLC - The Commission decided to approve East Point Energy Center, LLC's (Certificate Holder) Compliance Filing 76 for the Sound Generating Equipment Installation Phase.

ITEM 366

18-E-0138 NEW YORK STATE ELECTRIC & GAS CORPORATION AND ROCHESTER GAS AND ELECTRIC CORPORATION - The Commission decided to approve modifications to the Companies' Electric Vehicle Managed Charging Programs.

ITEM 367

22-E-0257 414 GERARD OWNER LLC - The Commission decided to grant authority to 414 Gerard Owner LLC to submeter electricity at 414 Gerard Avenue, Bronx, New York, located in the territory of Consolidated Edison Company of New York, Inc., and to waive the requirement of an energy audit pursuant to 16 NYCRR §96.5(k)(3).

ITEM 368

22-E-0426

RYAN MAIN, LLC DBA MEADOWBROOK COMMONS - The Commission decided to grant authority to Ryan Main, LLC d/b/a Meadowbrook Commons to submeter electricity at 3195 Main Street, 1-35 Pondview Boulevard and 35-56 Jesmeral Court, Mohegan Lake, New York, located in the territory of Consolidated Edison Company of New York, Inc., and adopted the proposed methodology, including solar discount, for calculating residents' submetered bills.

ITEM 369

22-E-0462

21 ERIE ASSOC., LLC - The Commission decided to grant authority to 21 Erie Assoc., LLC to submeter electricity at 21 Erie Boulevard, Albany, New York, located in the territory of Niagara Mohawk Power Corporation d/b/a National Grid.

ITEM 370

10-T-0139

CHAMPLAIN HUDSON POWER EXPRESS, INC. - The Commission decided to approve Champlain Hudson Power Express, Inc. and CHPE Properties, Inc. (Certificate Holder) Environmental Management and Construction Plan for Temporary Laydown Yards, subject to conditions.

Water

ITEM 461

22-W-0506

CRYSTAL WATER CORPORATION - The Commission decided to authorize Crystal Water Corporation to increase its annual revenues by \$24,653, or 50.74 percent and to establish an escrow account with an initially allowed maximum balance of \$43,300, to become effective March 1, 2023.

Communications

ITEM 561

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

Cable

ITEM 661

- 23-V-0001 VERIZON NEW YORK INC./122 LUDLOW STREET, MANHATTAN.
- 23-V-0002 VERIZON NEW YORK INC./124 LUDLOW STREET, MANHATTAN.
- 23-V-0003 VERIZON NEW YORK INC./228 AVENUE B, MANHATTAN.
- 23-V-0004 VERIZON NEW YORK INC./192 2ND AVENUE, MANHATTAN.
- 23-V-0005 VERIZON NEW YORK INC./151 ALLEN STREET, MANHATTAN.
- 23-V-0006 VERIZON NEW YORK INC./519 WEST 143RD STREET, MANHATTAN.
- 23-V-0008 VERIZON NEW YORK INC./512 WEST 136TH STREET, MANHATTAN.
- 23-V-0009 VERIZON NEW YORK INC./335 EDGEcombe AVENUE, MANHATTAN.
- 23-V-0010 VERIZON NEW YORK INC./76 ST. NICHOLAS PLACE, MANHATTAN.

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

ITEM 662

- 22-V-0153 COMCAST OF NEW YORK, LLC/ TOWN OF KENT, PUTNAM COUNTY.
- 22-V-0416 CABLEVISION SYSTEMS DUTCHESS CORPORATION/TOWN OF AMENIA, DUTCHESS COUNTY.
- 22-V-0478 MID-HUDSON CABLEVISION, INC./TOWN OF CATSKILL, GREENE COUNTY.
- 22-V-0650 SPECTRUM NORTHEAST, LLC/VILLAGE OF WILLIAMSVILLE, ERIE COUNTY.
- 22-V-0652 CABLEVISION SYSTEMS LONG ISLAND CORPORATION/VILLAGE OF LATTINGTOWN, NASSAU COUNTY.
- 22-V-0653 CABLEVISION SYSTEMS SUFFOLK CORPORATION/VILLAGE OF LINDENHURST, SUFFOLK COUNTY.
- 22-V-0704 SPECTRUM NORTHEAST, LLC/TOWN OF QUEENSBURY, WARREN COUNTY.
- 22-V-0711 CABLEVISION SYSTEMS LONG ISLAND CORPORATION/VILLAGE OF SANDS POINT, NASSAU COUNTY.
- 22-V-0715 CABLEVISION SYSTEMS LONG ISLAND CORPORATION/VILLAGE OF OLD BROOKVILLE, NASSAU COUNTY.
- 23-V-0015 CABLEVISION OF SOUTHERN WESTCHESTER, INC./VILLAGE OF TUCKAHOE, WESTCHESTER COUNTY.

The Commission decided to approve the certificates for renewal of cable television franchises for the above-named municipalities.

ITEM 663

- 23-V-0038 VERIZON NEW YORK INC. - The Commission decided to grant Verizon New York Inc.'s petition for an Order of Entry for 48 St. Nicholas Place, Manhattan.