



# Public Service Commission

**For Immediate Release: 02/15/2023**

Rory M. Christian, Chair

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## COMMISSION ISSUES FINAL FEBRUARY 16, 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, February 16, 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:**

<https://dps.ny.gov/event/public-service-commission-session-february-2023>

**-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:**

<https://dps.ny.gov/file-search>

### **REGULAR AGENDA ITEMS**

#### **Items To Be Resolved Through Discussion**

<b>Item</b>	<b>PSC Case</b>	<b>POWER</b>
301	20-E-0197	Proceeding on Motion of the Commission to Implement Transmission Planning Pursuant to the Accelerated Renewable Energy Growth and Community Benefit Act.

**No items will be considered on the Regular Agenda for GENERAL, 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	21-G-0577	LIBERTY UTILITIES (ST. LAWRENCE GAS) CORP. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.
162	22-G-0505	LIBERTY UTILITIES (ST. LAWRENCE GAS) CORP. - Petition for Authorization Under Section 68 of the Public Service Law to Exercise Renewed Gas Franchises in the Town and Village of Gouverneur and the Town of Edwards, County of St. Lawrence, New York.
163	22-G-0513	In the Matter of a Commission Designee's Determination Pursuant to PSL Section 52 - Rehearing Petition by Catherine Mancino, of the Designee's Determination Rendered in Favor of Pearl Costello and Consolidated Edison Company of New York Inc. (219208).
164	22-G-0425	NEW YORK STATE ELECTRIC AND GAS CORPORATION - Proceeding on Motion of the Commission Regarding a Staff Investigation into Response to a Natural Gas Incident at 2592 Carmel Avenue, Brewster, New York.
165		In the Matter of an Enforcement Proceeding for Alleged Violation of 16 NYCRR Part 753 - Protection of Underground Facilities (Penalty Determination Orders).
	23-G-0016	NELIN CONSTRUCTION CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
	23-G-0017	ALBERTO & ANTONIO CONSTRUCTION CORP./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	TERMINEX/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 CORP./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.
- 23-G-0029 WHITE DIAMOND CONSTRUCTION INC/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 23-G-0030 A.D. ALPHA CONSTRUCTION CORP./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.

#### **GENERAL**

- 261 22-M-0489 PREMIER EMPIRE ENERGY, LLC - Proceeding on Motion of the Commission to Seek Consequences for Violations of the Uniform Business Practices.
- 262 22-M-0514 LIGHT POWER & GAS, LLC - Proceeding on Motion of the Commission to Seek Consequences for Violations of the Uniform Business Practices.
- 263 21-M-0193 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. AND ORANGE AND ROCKLAND UTILITIES, INC. - In the Matter of a Comprehensive Management and Operations Audit.
- 264 18-M-0777 In the Matter of Excavator Training Requirements to Comply with Chapter 333 of the Laws of 2018.
- 265 22-M-0187 SIRRIUS ENERGY LLC - Proceeding on Motion of the Commission to Seek Consequences for Violations of the Uniform Business Practices.
- 266 22-M-0486 GLOBALFOUNDRIES U.S. INC., AND SEMICONDUCTOR COMPONENTS INDUSTRIES, LLC - Joint Petition for Approval to Transfer Assets, Granting a Certificate of Public Convenience and Necessity, and Lightened Regulation.
- 22-W-0012 HUDSON VALLEY RESEARCH PARK WATER-WORKS CORP. - Initial Rate Filing

#### **POWER**

- 361 22-E-0630 ORANGE AND ROCKLAND UTILITIES, INC. - Tariff Filing to Modify Its Electric Tariff Schedule, P.S.C. No. 3, to Update Pole Attachment Rates

Applicable to Cable System Operators, Telecommunication Carriers and Wireless Communication Carriers.

- 362 22-T-0558 NEW YORK POWER AUTHORITY AND CLEAN PATH NEW YORK LLC - Application for a Certificate of Environmental Compatibility and Public Need for the Construction of Approximately 178 miles of Transmission Lines and Associated Facilities From Delhi, New York, to Queens, New York.
- 363 14-F-0490 CASSADAGA WIND LLC - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 to Construct a Wind Energy Project.
- 364 17-F-0597 HIGH RIVER ENERGY CENTER, LLC - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 of the Public Service Law for Construction of a Solar Electric Generating Facility Located in the Town of Florida, Montgomery County.
- 365 17-F-0599 EAST POINT ENERGY CENTER, LLC - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 of the Public Service Law for Construction of a Solar Electric Generating Facility Located in the Town of Sharon, Schoharie County.
- 366 18-E-0138 Proceeding on Motion of the Commission Regarding Electric Vehicle Supply Equipment and Infrastructure.
- 367 22-E-0257 414 GERARD OWNER LLC - Notice of Intent to Submeter Electricity at 414 Gerard Avenue, Bronx, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 368 22-E-0426 RYAN MAIN, LLC DBA MEADOWBROOK COMMONS - Petition to Submeter Electricity at 3195 Main Street, 1-35 Pondview Blvd, and 35-56 Jesmeral Court, Mohegan Lake, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 369 22-E-0462 21 ERIE ASSOC., LLC - Petition to Submeter Electricity at 21 Erie Boulevard, Albany, Located in the Territory of Niagara Mohawk Power Corporation d/b/a National Grid.
- 370 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.

#### **WATER**

- 461 22-W-0506 CRYSTAL WATER CORP. - Minor Rate Filing to Increase Its Annual Revenues by About \$37,000 or 76.15% and to Establish an Escrow Account for Capital Improvements.

## COMMUNICATIONS

561      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.

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.

662                      Petitions for Renewal of Cable Franchise Renewals.

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.

663 23-V-0038 VERIZON NEW YORK INC. - Petition for an Order of Entry for 48 St. Nicholas Place, Manhattan.

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

The Internet webcast can be accessed at <https://dps.ny.gov/calendar>.

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: <https://dps.ny.gov/documents-scheduled-discussion-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 <https://dps.ny.gov>, click on “File Search” under “Commission Files” then search the appropriate PSC case number.

### **Other Matters**

If you have difficulty understanding English, please call us at 1-800-342-3377, where you can be connected to free language assistance services regarding this agenda. 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 website at <https://dps.ny.gov>, click on "File Search" under "Commission Files" then search using the appropriate PSC case number.

### **Next Meeting**

The next regularly scheduled meeting will begin at **10:30 A.M., Thursday, March 16, 2023,** in Albany.