



Public Service Commission

For Immediate Release: 03/15/2023

Rory M. Christian, Chair

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COMMISSION ISSUES FINAL MARCH 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, March 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-march-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

Item	PSC Case	
		GAS
101	23-G-0083	Proceeding on Motion of the Commission Regarding an Examination by Gas Distribution Utilities Concerning the Installation of PermaLock Tapping Tee Assemblies.
102	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.

POWER

301 18-E-0130 In the Matter of Energy Storage Deployment Program.

**No items will be considered on the Regular Agenda for 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	21-G-0309	MARIA AND BERNARDO HOUSES/WAVECREST MANAGEMENT - 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. (019006).
162		In the Matter of an Enforcement Proceeding for Alleged Violation of 16 NYCRR Part 753 - Protection of Underground Facilities (Penalty Determination Orders).
	20-G-0221	The Roaming Pool Guy/National Fuel Gas Distribution Corporation.
	20-G-0331	Thompson Builds, Inc./National Fuel Gas Distribution Corporation.
	20-G-0332	Noso Development, LLC/Niagara Mohawk Power Corporation, D/B/A National Grid.
	20-G-0336	Mezzacappa Concrete Contracting, Inc./The Brooklyn Union Gas Company D/B/A National Grid NY.
	20-G-0382	Kingsview Enterprises, Inc./National Fuel Gas Distribution Corporation.
	23-G-0060	JRH Construction/National Fuel Gas Distribution Corporation.
	23-G-0062	Drexler Construction Corp./KeySpan Gas East Corporation D/B/A National Grid.
	23-G-0063	Robbins & Cowan, Inc./KeySpan Gas East Corporation D/B/A National Grid.

- 23-G-0064 Lundy Construction, LLC/Niagara Mohawk Power Corporation, D/B/A National Grid.
- 23-G-0065 Civil Contracting Corp./The Brooklyn Union Gas Company D/B/A National Grid NY.
- 23-G-0066 Town Of Lancaster Highway Department/National Fuel Gas Distribution Corporation.
- 23-G-0067 New Castle Paving/Niagara Mohawk Power Corporation D/B/A National Grid.
- 23-G-0068 Steve Meyers Construction, Inc./Niagara Mohawk Power Corporation D/B/A National Grid.
- 23-G-0069 Kaps Construction/National Fuel Gas Distribution Corporation.
- 163 22-G-0703 NATIONAL FUEL GAS DISTRIBUTION CORPORATION - Tariff Filing to Modify Its Gas Tariff Schedule P.S.C. No. 9, to Implement a System Improvement Tracker.
- 164 There is no Item 164.
- 165 There is no Item 165.
- 166 23-G-0077 FILLMORE GAS COMPANY, INC. - Petition for an Order Granting Recovery of Interest Payments on a Bank Line of Credit to be Used Exclusively for the Purchase of Natural Gas for its Customers.

GENERAL

- 261 21-M-0254 In the Matter of Commission Procedures to Implement Tax Law Section 187-q.

POWER

- 361 There is no Item 361.
- 362 21-E-0580 FISHERS ISLAND ELECTRIC CORPORATION - Petition for Authority to Impose a System Improvement Charge and to Incur Indebtedness for a Term in Excess of Twelve Months Pursuant to Sections 65 and 69 of the Public Service Law.
- 363 21-E-0122 EAST RIVER ESS, LLC - Petition for an Expedited Order Granting a Certificate of Public Convenience and Necessity Pursuant to Section 68 of the Public Service Law and Establishing a Lightened Regulatory Regime.
- 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 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.
- 366 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.
- 367 There is no Item 367.
- 368 22-E-0549 In the Matter of the Federal Energy Regulatory Commission (FERC) Order Nos. 2222 and 841, to Modify Rules Related to Distributed Energy Resources.
- 369 22-E-0500 9 DEKALB FEE OWNER LLC - Notice of Intent to Submeter Electricity at 55 Fleet Street, Brooklyn, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 370 07-E-0088 In the Matter of the Adoption of an Installed Reserve Margin for the New York Control Area.
- 05-E-1180 In the Matter of the Reliability Rules of the New York State Reliability Council and the Criteria of the Northeast Power Coordinating Council.
- 371 22-E-0531 75 LEWIS AVENUE LLC - Notice of Intent to Submeter Electricity at 75 Lewis Avenue, Brooklyn, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 372 22-E-0660 NUMBER THREE WIND LLC - Petition for an Order Approving Financing Pursuant to Section 69 of the New York State Public Service Law and a Declaratory Ruling Regarding Application of Section 70.
- 373 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.
- 374 22-E-0458 70 REMSEN STREET TENANTS CORP. - Notice of Intent to Submeter Electricity at 70 Remsen Street, Brooklyn, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 375 23-E-0081 NEW YORK TRANSCO LLC - Petition for an Expedited Order Granting a Certificate of Public Convenience and Necessity Pursuant to Section 68 of The Public Service Law.

WATER

- 461 23-W-0072 LIBERTY UTILITIES (NEW YORK WATER) CORP. - New Tariff Schedule P.S.C. No. 1 - Water, formerly known as New York American Water Company, Inc.
- 462 23-W-0105 SYLVAN GLADES WATER CO., INC. - In the Matter of Appointing a Temporary Operator.

COMMUNICATIONS

- 561 22-C-0540 Proceeding to Establish Adequate Customer Notice of Copper to Fiber Transitions.

CABLE

- 661 22-V-0553 VERIZON NEW YORK INC. - Petition to Resolve a Dispute Concerning the Payment of Franchise Fees Pursuant to its Cable Television Franchise Agreement with the Town of Oyster Bay.
- 662 Petitions for Orders of Entry.
- 23-V-0011 Verizon New York Inc./429 West 154th Street, Manhattan.
- 23-V-0013 Verizon New York Inc./1532 Amsterdam Avenue, Manhattan.
- 23-V-0014 Verizon New York Inc./805 St. Nicholas Avenue, Manhattan.
- 23-V-0033 Verizon New York Inc./605 West 112th Street, Manhattan.
- 23-V-0055 Verizon New York Inc./34 East Broadway, Manhattan.
- 663 Petitions for Cable Franchise Renewals.
- 23-V-0036 Cablevision of Rockland/Ramapo, LLC/Town of Clarkstown, Rockland County.
- 23-V-0043 Spectrum Northeast, LLC/Town of Bainbridge, Chenango County.
- 23-V-0044 Spectrum Northeast, LLC/Town of DeWitt, Onondaga County.
- 23-V-0051 Spectrum Northeast, LLC/Town of Sangerfield, Oneida County.
- 23-V-0052 Spectrum Northeast, LLC/Town of Gardiner, Ulster County.

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, April 20, 2023**, in Albany.