

Consent Agenda Report for 04/20/2023

The following is a preliminary and informal summary of actions the Commission took at its public session on April 20, 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 June 30, 2023, subject to a make-whole provision for the period between January 1, 2023 and June 30, 2023.

ITEM 162-A

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

22-G-0207 NARDINI BUILDING & REMODELING, LLC/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.

22-G-0260 NARDINI BUILDING & REMODELING, LLC/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.

23-G-0121 LUIZZI CONSTRUCTION SERVICES, LLC/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.

23-G-0122 LUIZZI MANAGEMENT, LLC/NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID.

23-G-0123 PIGLIAVENTO BUILDERS/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.

23-G-0124 PIGLIAVENTO BUILDERS/NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID.

23-G-0126 BQ ELECTRIC, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.

23-G-0127 DE-VIA PAVING & MASONRY INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.

23-G-0128 TD PROPERTY MANAGEMENT & AGRICULTURAL INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.

23-G-0129 AZCONA INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.

ITEM 162-A CONT'D

- 23-G-0130 OSCAR FUENTES HOME IMPROVEMENT/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 23-G-0131 FULL COVERAGE MAINTENANCE & CONSTRUCTION, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 23-G-0132 LAT LONG INFRASTRUCTURE, LLC/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
- 23-G-0133 C M H CO., INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 23-G-0134 MAZZAFERRO AND SONS CONSTRUCTION LLC/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 23-G-0135 TERRA TECH SITE DEVELOPMENT INC D/B/A PECONIC BAY MATERIALS/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.

The Commission decided to determine a penalty of \$10,000 in Cases 22-G-0207, 23-G-0123, and 23-G-0124; and penalty of \$2,500 in Cases 22-G-0260, 23-G-0121, 23-G-0122, 23-G-0126, 23-G-0127, 23-G-0128, 23-G-0129, 23-G-0130, 23-G-0131, 23-G-0132, 23-G-0133, 23-G-0134, and 23-G-0135.

ITEM 162-B

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

- 23-G-0114 ADVANCED SEPTIC SERVICE LLC/NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 23-G-0115 D'AMORIE CONSTRUCTION L.L.C./NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 23-G-0116 D'AMORIE CONSTRUCTION L.L.C./NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 23-G-0117 NESTER BROTHERS CONTRACTORS/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.

The Commission decided to approve consent orders in Cases 23-G-0114, 23-G-0115, 23-G-0116, and 23-G-0117.

General

- ITEM 261
22-E-0064 &
22-G-0065
CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to approve an extension to the maximum suspension period through July 24, 2023, subject to a make-whole provision.
- ITEM 262
21-M-0541
CENTRAL HUDSON GAS & ELECTRIC CORPORATION - The Commission decided to make public Overland Consulting Group's audit report and directed Central Hudson to file its implementation plan within 30 days of the issuance of the Order.
- ITEM 263
22-E-0317,
22-G-0318,
22-E-0319 &
22-G-0320
NEW YORK STATE ELECTRIC & GAS CORPORATION and ROCHESTER GAS AND ELECTRIC CORPORATION - The Commission decided to approve an extension to the maximum suspension period through and including June 30, 2023, subject to a make-whole provision.

Power

- ITEM 361
22-E-0714
NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID - The Commission decided to grant the Company's petition for authorization to transfer certain electric poles, wires, and transformers to Adirondack Beverages Corp.
- ITEM 362
22-E-0713
IPWG/ITWG MEMBERS - The Commission decided to approve certain minor amendments to the New York State Standardized Interconnection Requirements for New Distributed Generators and Energy Storage Systems 5 Megawatts or Less Connected in Parallel with Utility Distribution Systems.

- ITEM 363 21-E-0259 Rehearing of Commission Determination
 AMALGAMATED HOUSING CORPORATION ET AL./UTILISAVE, LLC/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to deny Amalgamated Housing Corporation et al.'s appeal.
- ITEM 364 22-E-0678 Commissioner Diane X. Burman, concurring
 CENTRAL HUDSON GAS & ELECTRIC CORPORATION, CONSOLIDATED EDISON COMPANY OF NEW YORK, INC., NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID, NEW YORK STATE ELECTRIC & GAS CORPORATION, ORANGE & ROCKLAND UTILITIES, INC., ROCHESTER GAS AND ELECTRIC CORPORATION - The Commission decided to approve the Utilities' 2023 Electric Emergency Response Plans.
- ITEM 365 There is no Item 365
- ITEM 366 15-E-0751 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to direct Con Edison to file tariff provisions to end the practice of recycling the Community Credit incentives and implement the Community Adder effective by May 1, 2023.
- ITEM 367 17-F-0599 EAST POINT ENERGY CENTER, LLC - The Commission decided to approve East Point Energy Center, LLC's Compliance Filing 50.
- ITEM 368 22-E-0543 VILLAGE OF THERESA - The Commission decided to authorize the Village of Theresa to increase its annual revenues by \$85,383 or 15.07 percent for the Rate Year and a second stage increase of \$10,869 or 1.66 percent.

ITEM 369
 10-T-0139
 Commissioner John B. Howard, dissenting
CHAMPLAIN HUDSON POWER EXPRESS, INC. -
 The Commission decided to approve the Segment 17, Three Transitional Horizontal Directional Drilling (Segment 17 HDD) Environmental Management and Construction Plan filed by Champlain Hudson Power Express, Inc. and CHPE Properties, Inc., to construct and operate three transitional portions of the Project in the Towns of Putnam (Washington County), Catskill, (Greene County) and Congers (Town of Clarkstown, Rockland County), as well as utilization of one temporary laydown yard at Putnam Station (Town of Putnam).

ITEM 370
 14-E-0423
 The Commission decided to approve the Dynamic Load Management (DLM) Program tariff modification made by Niagara Mohawk Power Corporation d/b/a National Grid, and approve, with modifications, the DLM Program tariff modifications filed by Consolidated Edison Company of New York, Inc. The Commission also directed New York State Electric & Gas Corporation (NYSEG), Rochester Gas & Electric Corporation (RG&E), and Orange and Rockland Utilities, Inc. (O&R) to modify their Commercial System Relief Program tariff language to align with National Grid.

ITEM 371
 There is no Item 371.

ITEM 372
 22-E-0483
NEW YORK STATE ELECTRIC & GAS CORPORATION - The Commission decided to authorize New York State Electric & Gas Corporation to sell the building and property located at 31 International Boulevard, Village of Brewster, Putnam County and to grant a permanent easement for the use of a parking lot on an adjacent parcel to Northline Utilities, LLC.

ITEM 373
 There is no Item 373.

- ITEM 374
 15-E-0302 &
 15-E-0751
 Commissioner Diane X. Burman, dissenting
 Commissioner John B. Howard, dissenting
 The Commission decided to approve, with
 modifications, the proposed changes to the Clean
 Energy Standard Tier 1 load serving entity obligations
 as well as the proposed renewable energy certificate
 sales processes.
- ITEM 375
 22-E-0498
 RUFUS KING PARK DEVELOPMENT COMPANY,
 LLC - The Commission decided to grant authority to
 Rufus King Park Development Company, LLC to
 submeter electricity at 153-10 88th Avenue, Jamaica,
 New York, located in the territory of Consolidated
 Edison Company of New York, Inc., and grants
 petitioner's request for a waiver of 16 NYCRR
 §96.5(k)(3).
- ITEM 376
 22-E-0503
 SUMNER SENIOR PARTNERS LLC - The
 Commission decided to grant authority to Sumner
 Senior Partners LLC to submeter electricity at 57
 Marcus Garvey Boulevard, Brooklyn, New York,
 located in the territory of Consolidated Edison
 Company of New York, Inc., and grants petitioner's
 request for a waiver of 16 NYCRR §96.5(k)(3).
- ITEM 377
 22-E-0550
 55 STREET CORP. - The Commission decided to
 grant authority to 55 Street Corp. to submeter
 electricity at 55 Central Park West, New York, New
 York, located in the territory of Consolidated Edison
 Company of New York, Inc.

Water

- ITEM 461
 19-W-0168
 SUEZ WATER NEW YORK INC., SUEZ WATER
 WESTCHESTER INC. AND SUEZ WATER
 OWEGO-NICHOLS INC. - The Commission decided
 to approve, on a permanent basis, Veolia Water New
 York, Inc.'s tariff amendments, effectuating the
 rates and charges for Rate Year 4.

Communications

ITEM 561
 22-C-0593 MARGARETVILLE TELEPHONE COMPANY, INC. - The Commission decided to approve, pursuant to Public Service Law §§100, 101, and 106, the proposed transaction of the Company's equity shares, subject to conditions.

ITEM 562
 22-C-0667 OPTICAL COMMUNICATIONS GROUP, INC. - The Commission decided to issue an order that: (1) directs Optical Communications Group, Inc. (OCG) and Verizon New York, Inc. to complete certain underground inspections within 90 days of the order, (2) directs OCG to resolve its undisputed bill amounts with Verizon or, in the alternative, that OCG must provide notification to its customers advising of the potential loss of service; and (3) directs Verizon to refrain from commencing termination of OCG's conduit occupancy and service until sufficient notice is provided to OCG's customers.

Cable

ITEM 661
 23-V-0094 VERIZON NEW YORK INC. - The Commission decided to grant Verizon's petition for an Order of Entry at 39 Madison Street, Manhattan allowing Verizon to install of fiber-optic facilities to provide cable television service.

ITEM 662
 23-V-0073 CABLEVISION SYSTEMS LONG ISLAND CORPORATION/VILLAGE OF BROOKVILLE, NASSAU COUNTY.
 23-V-0074 CABLEVISION SYSTEMS HUNTINGTON CORPORATION/VILLAGE OF LLOYD HARBOR, SUFFOLK COUNTY.

ITEM 662-CONT'D

- 23-V-0075 CABLEVISION SYSTEMS LONG ISLAND CORPORATION/VILLAGE OF FREEPORT, NASSAU COUNTY.
- 23-V-0082 SPECTRUM NORTHEAST, LLC/TOWN OF PLAINFIELD, OTSEGO COUNTY.
- 23-V-0084 SPECTRUM NORTHEAST, LLC/VILLAGE OF CLINTON, ONEIDA COUNTY.
- 23-V-0092 VERIZON NEW YORK INC./TOWN OF CLARKSTOWN, ROCKLAND COUNTY.
- 23-V-0093 SPECTRUM NORTHEAST, LLC/TOWN OF EAGLE, WYOMING COUNTY.
- 23-V-0096 SPECTRUM NORTHEAST, LLC/VILLAGE OF DUNDEE, YATES COUNTY.
- 23-V-0104 SPECTRUM NORTHEAST, LLC/VILLAGE OF AURORA, CAYUGA COUNTY.

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