



Public Service Commission

For Immediate Release: 05/17/2023

Rory M. Christian, Chair

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COMMISSION ISSUES FINAL MAY 18, 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, May 18, 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/may-2023-public-service-commission-session>

**-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	
POWER		
301	15-E-0302	Proceeding on Motion of the Commission to Implement a Large-Scale Renewable Program and a Clean Energy Standard.
302	23-E-0199	In the Matter of 2023 Summer Electric System Preparations.

No items will be considered on the Regular Agenda for GAS, 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	19-G-0703	A. COLARUSSO AND SON, INC. - In the Matter of an Enforcement Proceeding for Alleged Violations of 16 NYCRR Part 753- Protection of Underground Facilities, in the Service Territory of Central Hudson Gas & Electric Corporation.
162	21-G-0181	NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID - Petition for Approval of Dresser D1000 Rotary Gas Meters.
163-A		In the Matter of an Enforcement Proceeding for Alleged Violation of 16 NYCRR Part 753 - Protection of Underground Facilities (Penalty Determination Orders).
	22-G-0295	BUTCH PAYNE LANDSCAPING, INC./CENTRAL HUDSON GAS & ELECTRIC CORPORATION.
	23-G-0167	CANDID CONNECTION INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
	23-G-0168	DEBENEDITTIS MASONRY DESIGNS INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
	23-G-0169	NORTHEAST UTILITY CONSTRUCTION LLC/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
	23-G-0171	PUSATERE LANDSCAPES/NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID.
	23-G-0172	CORTINAS CONSTRUCTION CORP/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
	23-G-0173	TRUE VALOR CONSTRUCTION, INC./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
	23-G-0174	SKYLARK CONSTRUCTION CORP./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
	23-G-0175	KINGSTONE MASONRY & BRICK WORK, INC./CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
	23-G-0176	HENKELS & MCCOY, INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
	23-G-0177	APEC CORP WATER MAIN & SEWER/CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

- 23-G-0178 THP CONSULTING, LLC/CENTRAL HUDSON GAS & ELECTRIC CORPORATION.
- 23-G-0179 JOHN SPARROW LANDSCAPE CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 23-G-0180 PROFESSIONAL REMODELING BUILDERS, INC./CENTRAL HUDSON GAS & ELECTRIC CORPORATION
- 23-G-0181 HUDSON SEALCOATING AND LANDSCAPING CORP./CENTRAL HUDSON GAS & ELECTRIC CORPORATION.
- 23-G-0182 OSLO PLUMBING CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 23-G-0184 LAZARUS INDUSTRIES, LLC/NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 163-B In the Matter of an Enforcement Proceeding for Alleged Violation of 16 NYCRR Part 753 - Protection of Underground Facilities (Consent Order Approvals).
- 23-G-0191 NYC DEPARTMENT OF TRANSPORTATION CITYWIDE CONCRETE/THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY
- 23-G-0192 TOWN OF ISLIP DEPARTMENT OF PARKS & RECREATION/KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 23-G-0193 V.D.M. MASON CORP./KEYSPAN GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 23-G-0194 TULLY CONSTRUCTION CO. INC./THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.

GENERAL

- 261 21-E-0074 ORANGE AND ROCKLAND UTILITIES, INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Electric Service
- 21-G-0073 ORANGE AND ROCKLAND UTILITIES, INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.
- 262 There is no Item 262.
- 263 23-M-0151 LIGHT POWER & GAS OF NY LLC. - Proceeding on Motion of the Commission to Seek Consequences for Violations of the Uniform Business Practices.
- 264 01-M-1806 In the Matter of the Review of Existing Commission Rules and Regulations Pursuant to State Administrative Procedure Act, Section 207.

- 265 21-M-0238 FORTISTAR NORTH TONAWANDA LLC AND DIGIHOST INTERNATIONAL INC. - Petition for a Declaratory Ruling Regarding Application of Section 70 and 83 of the New York State Public Service Law and the Alternative, Approval of the Proposed Transaction Pursuant to Sections 70 and 83.
- 266 23-M-0103 NEW YORK STATE ELECTRIC & GAS CORPORATION AND ROCHESTER GAS AND ELECTRIC CORPORATION - In the Matter of a Comprehensive Management and Operations Audit.

POWER

- 361 23-E-0018 NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID - Petition for Authority to Transfer Certain Street Lighting Facilities to the City of Batavia Pursuant to Public Service Law Section 70.
- 362 22-E-0417 30 WEST BROAD STREET, LLC - Notice of Intent to Submeter Electricity at 30 West Broad Street, Rochester, Located in the Territory of Rochester Gas and Electric Corporation.
- 363 22-E-0592 NEW YORK STATE ELECTRIC & GAS CORPORATION - Petition for Approval of a Transfer or Lease of Property with an Original Cost of Over \$100,000.
- 364 There is no Item 364.
- 365 19-F-0366 TRELINA SOLAR ENERGY CENTER, LLC - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 to Develop, Construct and Operate a Solar Generating Facility with a Maximum Generating Capability of 80 MW in the Town of Waterloo, Seneca County.
- 366 22-E-0490 QBDK HURON LLC - Notice of Intent to Submeter Electricity at 29 Huron Street, Brooklyn, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 367 22-E-0459 SKYLINE TOWER CONDOMINIUM - Notice of Intent to Submeter Electricity at 3 Court Square, Long Island City, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 368 22-E-0542 HERALD TOWERS LLC - Petition to Submeter Electricity at 50 West 34th Street, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 369 19-E-0079 In the Matter of the Continuation of Standby Rate Exemptions.
- 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.

- 371 22-E-0613 BUD SOUTH LLC - Notice of Intent to Submeter Electricity at 2-20 Malt Drive, Long Island City, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 372 22-E-0658 SUNRISE WIND LLC - Petition for an Expedited Order Granting It a Certificate of Public Convenience and Necessity Pursuant to Section 68 of The Public Service Law and Establishing a Lightened Regulatory Regime.
- 373 22-E-0643 FORTRESS PARTNERS, LLC - Notice of Intent to Submeter Electricity at 3a, 3b, and 3c Station Lane, Saratoga Springs, Located in the Territory of Niagara Mohawk Power Corporation, d/b/a National Grid.
- 374 22-E-0501 VILLAGE OF PHILADELPHIA - Minor Rate Filing to Increase its Annual Base Delivery Revenues by about \$128,159 or 23.54 percent.
- 375 10-T-0139 CHAMPLAIN HUDSON POWER EXPRESS, INC. - Application of Champlain Hudson Power Express, Inc. 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.
- 376 There is no Item 376.

WATER

- 461 23-W-0136 RAINBOW WATER COMPANY, INC. - Tariff Filing to Make Revisions of a Housekeeping Nature to Its Water Tariff Schedule, P.S.C. No. 3, to Cancel Expired Tariff Statements.
- 462 22-W-0357 HUDSON VALLEY WATER COMPANIES, INC. - Minor Rate Filing to Increase its Annual Revenues by About \$44,646.00 or 20.6 Percent.

COMMUNICATIONS

- 561 22-C-0342 ATLAS CONNECTIVITY, LLC, WESTELCOM COMMUNICATIONS, INC., AND WESTELCOM NETWORK, INC. - Joint Petition for Authority to Transfer and Acquire Shares.
- 562 23-C-0198 In the Matter of Quality of Service Provided by Local Exchange Companies in New York State.
- 563 22-C-0188 In the Matter of Quality of Service Provided by Local Exchange Companies in New York State.

CABLE

- 661 Petitions for Cable Franchise Renewals.
- 23-V-0112 SPECTRUM NORTHEAST, LLC/TOWN OF CHENANGO, BROOME COUNTY.

- 23-V-0120 SPECTRUM NORTHEAST, LLC/TOWN OF WADDINGTON, SAINT LAWRENCE COUNTY.
- 23-V-0138 SPECTRUM NORTHEAST, LLC/TOWN OF RED HOOK, DUTCHESS COUNTY.
- 23-V-0143 SPECTRUM NORTHEAST, LLC/VILLAGE OF FREDONIA, CHAUTAUQUA COUNTY.
- 23-V-0144 SPECTRUM NORTHEAST, LLC/TOWN OF MALONE, FRANKLIN COUNTY.
- 23-V-0146 SPECTRUM NORTHEAST, LLC/TOWN OF MADISON, MADISON COUNTY.
- 23-V-0152 SPECTRUM NORTHEAST, LLC/CITY OF NEWBURGH, ORANGE COUNTY.
- 23-V-0160 SPECTRUM NORTHEAST, LLC/CITY OF PORT JERVIS, ORANGE COUNTY.
- 662 22-V-0555 VERIZON NEW YORK INC. - Petition for an Order of Entry for 53 2nd Avenue, Manhattan.
- 663 Petitions for Orders of Entry.
- 23-V-0157 VERIZON NEW YORK INC./24 EAST 7TH STREET, MANHATTAN.
- 23-V-0186 VERIZON NEW YORK INC./528 EAST 11TH STREET, MANHATTAN.
- 23-V-0187 VERIZON NEW YORK INC./190 AVENUE B, MANHATTAN.
- 23-V-0188 VERIZON NEW YORK INC./514 WEST 136TH STREET, MANHATTAN.
- 23-V-0189 VERIZON NEW YORK INC./36 CONVENT AVENUE, MANHATTAN.
- 23-V-0190 VERIZON NEW YORK INC./610 WEST 139TH STREET, 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, June 22, 2023,** in Albany.