



For Immediate Release: 07/14/2023

Rory M. Christian, Chair

Contact:

James Denn | James.Denn@dps.ny.gov | (518) 474-7080

<https://dps.ny.gov>

<https://twitter.com/NYSDPS>

23070

COMMISSION ISSUES PRELIMINARY JULY 20, 2023 AGENDA

ALBANY, NY – The Public Service Commission announced today that it will hold its next regular session beginning at **10:30 A.M.**, on **Thursday, July 20, 2023**. The session will be held in the Commission’s offices located at Three Empire State Plaza, 19th Floor, Albany, New York, and 90 Church Street, 4th Floor Boardroom, New York, New York.

MEETING WILL BE BROADCAST ON THE INTERNET AT:

<https://dps.ny.gov/event/july-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	
		GENERAL
201	22-E-0064	CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Electric Service.
	22-G-0065	CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.
202	22-M-0149	Proceeding on Motion of the Commission Assessing Implementation of and Compliance with the Requirements and Targets of the Climate Leadership and Community Protection Act.

- 203 14-M-0094 Proceeding on Motion of the Commission to Consider a Clean Energy Fund.
 18-M-0084 In the Matter of a Comprehensive Energy Efficiency Initiative.

No items will be considered on the Regular Agenda for GAS, POWER, 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-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-0685 READY TO SWIM POOLS / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 23-G-0318 KNUTSON MARINE, INC. / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 23-G-0319 RESTANI CONSTRUCTION CORP. / THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 23-G-0320 ADJO CONTRACTING CORP. / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 23-G-0321 MID-HUDSON BUILDING CONTRACTORS / CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 23-G-0322 SAPPHIRE VENTURES LLC / ORANGE AND ROCKLAND UTILITIES INC.
- 23-G-0323 MJM ASSOCIATES CONSTRUCTION LLC / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 23-G-0324 CAYUGA COUNTY HIGHWAY DEPARTMENT / NEW YORK STATE ELECTRIC & GAS CORPORATION.
- 23-G-0325 MONTE SION LANDSCAPING, INC. / ORANGE AND ROCKLAND UTILITIES, INC.
- 23-G-0326 KNR CONSTRUCTION, LLC / CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 23-G-0327 THE PLUMBER, HEATING & COOLING / NATIONAL FUEL GAS DISTRIBUTION CORPORATION.

- 23-G-0328 ARMOR FENCE COMPANY OF W.N.Y / NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 23-G-0329 CAPITAL FENCE & CONSTRUCTION 1 INC / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 23-G-0330 CHARLESTON EXCAVATING, PLUMBING & HEATING, INC. / LIBERTY UTILITIES (ST. LAWRENCE GAS) CORP.
- 23-G-0331 TERRI ASSOCIATES LANDSCAPE CORP. / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 23-G-0332 STEVEN DUBNER LANDSCAPING, INC. / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 23-G-0333 AMA MARINELLI CONSTRUCTION, INC. / CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 23-G-0334 LEVEL LINE GENERAL CONTRACTING LLC / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 23-G-0335 SJB CONSOLIDATED SERVICES, INC / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 23-G-0336 PRESTIGE STONE & PAVERS CORP. / THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 161-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-0313 TOMPKINS EXCAVATING / CENTRAL HUDSON GAS & ELECTRIC CORPORATION.
- 23-G-0314 ATLANTIC WELLS INC. / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 23-G-0315 FORMATION CONCRETE & GENERAL CONSTRUCTION INC. / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 23-G-0316 GRACE MASONRY & CONCRETE / NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 23-G-0317 CLAYMORE DEVELOPMENT LTD. / NEW YORK STATE ELECTRIC & GAS CORPORATION.
- 162 15-G-0387 SUPERIOR PLUS ENERGY SERVICES - Petition for a Waiver of the Requirements of 16 NYCRR, Section 258.9 Pertaining to Liquid Petroleum Pipeline Facilities Leak Detection Systems.
- 163 22-G-0699 KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID - Petition Pursuant to PSL Section 70, for Approval to Lease Certain Real Property in the Village of Sag Harbor to 11 Bridge Street, LLC with an Original Cost of Less Than \$100,000.

GENERAL

- 261 There is no Item 261.
- 262 23-M-0197 UTILITY RATE ANALYSIS CONSULTANTS - Petition for a Declaratory Ruling Concerning Failure of Consolidated Edison Company of New York, Inc. and the Office of Consumer Services to abide by 16 NYCRR 13.5 - Cases 323705 and 323723.

POWER

- 361 23-E-0223 NEW YORK STATE ELECTRIC & GAS CORPORATION - Tariff filing to Make Revisions of a Housekeeping Nature to Its Electric Tariff Schedule, P.S.C. No. 120, to Correct a Section Number Referenced in the Solar Residential Electric Service Option Billing Section.
- 362 22-T-0654 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Petition for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII for its Lockport-Batavia Line 112 Rebuild Project in Niagara and Genesee Counties.
- 363 18-T-0207 NEW YORK POWER AUTHORITY - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII for the Rebuild of the Existing Moses-Adirondack 1&2 230 kV Transmission Lines Extending approximately 86 Miles from the Robert Moses Switchyard in the Town of Massena, St. Lawrence County to the Adirondack Substation in the Town of Croghan, Lewis County, New York.
- 364 23-E-0059 PARKER57, LLC - Notice of Intent to Submeter Electricity at 119 West 56th Street, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 365 20-T-0103 ROCHESTER GAS AND ELECTRIC CORPORATION - Application for Amendment of the Certificate of Environmental Compatibility and Public Need Issued in Case 03-T-1385 for Construction of the Rochester Transmission Project Enhancement in Monroe County.
- 366 17-F-0282 ALLE-CATT WIND ENERGY LLC - Application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 for a Proposed Wind Energy Project, Located in Allegany, Cattaraugus, and Wyoming Counties, New York, in the Towns of Arcade, Centerville, Farmersville, Freedom, and Rushford.
- 367 22-E-0472 299 3RD DEVELOPMENT, LLC - Notice of Intent to Submeter Electricity at 202 East 23rd Street, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 368 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.

- 369 There is no Item 369.
- 370 23-E-0039 FLUSHING POINT PROPERTY LLC - Notice of Intent to Submeter Electricity at 131-02A, 131-02B, 40th Road, Flushing, Located in the Territory of Consolidated Edison Company of New York, Inc.

COMMUNICATIONS

- 561 22-M-0492 ATLAS CONNECTIVITY, LLC, NICHOLVILLE TELCO LLC D/B/A NICHOLVILLE TELEPHONE COMPANY, SLIC NETWORK SOLUTIONS, INC., KEENE VALLEY VIDEO, INC., HCCI LLC, AND SDC ATLAS ACQUISITIONCO, LLC - Petition for Approval to Transfer Indirect Ownership and Control of Licensees and Franchisees to Transferee and for Certain Financing Arrangements.
- 562 22-M-0698 ARCHTOP FIBER LLC; GERMANTOWN TELEPHONE COMPANY, INC.; VALSTAR, INC.; HILLTOP COMMUNICATIONS, INC.; DONALD C. AND MADELINE S. BOHNSACK IRREVOCABLE TRUST I; CATHERINE B. BOHNSACK; CHRISTINA N. BOHNSACK; CORY A. BOHNSACK SMITH; LAUREL JURKOWSKI; AND LESLIE TOMPKINS - Joint Petition for Authority, pursuant to Sections 99, 100, and 222 of the Public Service Law, to Acquire and Transfer Shares of Germantown Telephone Company Inc., Transfer Control of Valstar, Inc., and Transfer Control of Franchises and Cable TV System Assets of Hilltop Communications, Inc.

CABLE

- 661 Petitions for Cable Franchise Renewals.
- 23-V-0248 SPECTRUM NORTHEAST, LLC / TOWN OF GOSHEN, ORANGE COUNTY.
- 23-V-0251 SPECTRUM NORTHEAST, LLC / TOWN OF SAUGERTIES, ULSTER COUNTY.
- 23-V-0277 SPECTRUM NORTHEAST, LLC / TOWN OF POTSDAM, SAINT LAWRENCE COUNTY.
- 23-V-0280 SPECTRUM NORTHEAST, LLC / TOWN OF CHATHAM, COLUMBIA COUNTY.
- 23-V-0285 SPECTRUM NORTHEAST, LLC / TOWN OF VERNON, ONEIDA COUNTY.
- 23-V-0289 SPECTRUM NORTHEAST, LLC / TOWN OF HARTFORD, WASHINGTON COUNTY.
- 23-V-0296 SPECTRUM NORTHEAST, LLC / VILLAGE OF NEWPORT, HERKIMER COUNTY.

662 22-V-0534 VERIZON NEW YORK INC. - Petition for an Order of Entry for 267 Edgecombe Avenue, Manhattan.

No items will be considered on the Consent Agenda for WATER

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, August 17, 2023**, in Albany.