

Consent Agenda Report for 08/17/2023

The following is a preliminary and informal summary of actions the Commission took at its public session on August 17, 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-A	<u>In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities (Penalty Orders)</u>
20-G-0383	BROOKHAVEN IRRIGATION CORP. / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID
23-G-0359	GATEWAY DEMO/CIVIL CORP. / CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
23-G-0360	WIDE WORLD CONSTRUCTION CORP. / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID
23-G-0361	ALCIVAR POOLS CORP / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID
23-G-0362	AQUA WORKS INC. / CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
23-G-0363	CLARKE CONSTRUCTION INCORPORATED / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID
23-G-0364	EAST HAMPTON ENERGY SOLUTIONS / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID
23-G-0365	HAMPTON YARDS, INC. / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID
23-G-0366	MTMASONE INC / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID
23-G-0367	NYM GROUP OF NY, INC. / ORANGE AND ROCKLAND UTILITIES, INC.
23-G-0368	OGNI MANAGEMENT INC / CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
23-G-0369	PHICON INC / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID
23-G-0370	S GOOLCHARAN CONSTRUCTION INCORPORATED / CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
23-G-0371	TOROVOLI CONSTRUCTION INC. / CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

ITEM 161-A CONT'D

The Commission decided to determine a penalty of \$2,500 in Cases 20-G-0383, 23-G-0359, 23-G-0360, 23-G-0361, 23-G-0362, 23-G-0363, 23-G-0364, 23-G-0365, 23-G-0366, 23-G-0367, 23-G-0368, 23-G-0369, 23-G-0370, and 23-G-0371.

ITEM 161-B

23-G-0357

STEVEN DUBNER LANDSCAPING, INC. / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID - The Commission decided to approve the terms of the Consent Order Agreement.

ITEM 162

23-G-0253

Commissioner Diane X. Burman, concurring THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID - The Commission decided to approve the Companies' petition for the waiver and modification of certain tariff provisions to effectuate the Net Utility Plant and Depreciation Expense Reconciliation Surcharge on September 1, 2023.

ITEM 163

21-G-0309

Review on Appeal Determination
MARIA AND BERNARDO HOUSES/WAVECREST MANAGEMENT - The Commission decided to deny the Complainant's appeal.

General

ITEM 261

23-M-0166

Commissioner Diane X. Burman, concurring ATLANTIC ENERGY, LLC - The Commission decided to order Atlantic Energy, LLC to show cause within 30 days, why its eligibility to act as an Energy Services Company should not be revoked or why other consequences, as set forth in the Commission's Uniform Business Practices Section 2.D.6, should not be imposed.

ITEM 262

12-M-0476,
15-M-0127 &
98-M-1343

Commissioner Diane X. Burman, concurring SUNSEA ENERGY LLC - The Commission decided to grant, in part, and deny, in part, the Company's petition to reverse the Commission's denial of their application for eligibility to participate in the New York retail energy market as an energy service company.

- ITEM 263 22-M-0645 Commissioner Diane X. Burman, concurring
CENTRAL HUDSON GAS & ELECTRIC
CORPORATION - The Commission decided to adopt
the terms and conditions of an Interim Agreement.
- ITEM 264 23-M-0232 ROCHESTER GAS AND ELECTRIC
CORPORATION - The Commission decided to
approve the petition for authority to issue and sell up
to \$825 million of securities in one or more
transactions, through December 31, 2026, and is also
permitted to continue to enter into derivative
transactions.
- ITEM 265 21-E-0432 Review on Appeal Determination
MIGUEL SOSA ESTATES, L.P./GRC
MANAGEMENT / CONSOLIDATED EDISON
COMPANY OF NEW YORK, INC.
- 21-E-0457 CIAMPA TOWN SQUARE LLC / CONSOLIDATED
EDISON COMPANY OF NEW YORK, INC.
- 21-E-0501 MAST PROPERTIES LLC / CONSOLIDATED
EDISON COMPANY OF NEW YORK, INC.
- 21-E-0504 866 BECK STREET HDFC/WAVECREST
MANAGEMENT / CONSOLIDATED EDISON
COMPANY OF NEW YORK, INC.
- 21-G-0528 MORNINGSIDE I ASSOCIATES/WAVECREST
MANAGEMENT / CONSOLIDATED EDISON
COMPANY OF NEW YORK, INC.
- 22-E-0061 GATES PATCHEN HOUSING/WAVECREST
MANAGEMENT / CONSOLIDATED EDISON
COMPANY OF NEW YORK, INC.
- 22-M-0066 CHRISTOPHER COURT HOUSING
CO/WAVECREST MANAGEMENT /
CONSOLIDATED EDISON COMPANY OF NEW
YORK, INC.
- 22-G-0072 BORICUA VILLAGE ASSOCIATION E
LP/WAVECREST MANAGEMENT /
CONSOLIDATED EDISON COMPANY OF NEW
YORK, INC.
- 22-G-0166 40 MERCER STREET CONDO/BROWN HARRIS
STEVENS / CONSOLIDATED EDISON
COMPANY OF NEW YORK, INC.
- 22-G-0167 ELSMERE LIMITED PARTNERSHIP/GRC
MANAGEMENT / CONSOLIDATED EDISON
COMPANY OF NEW YORK, INC.

ITEM 265 CONT'D

- 22-G-0230 40 BOND STREET PARTNERS LLC/BROWN HARRIS STEVENS / CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 22-G-0352 CASELLA APARTMENTS HDFC/GRENADIER REALTY CORP. / CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

The Commission decided to deny the Complainants' appeals and uphold the Informal Hearing Officers' decisions.

Power

ITEM 361

- 23-E-0050 28 SOUTH DIVISION OWNER LLC - The Commission decided to grant authority to 28 South Division Owner LLC to submeter electricity at 50 Clinton Place, New Rochelle, located in the territory of Consolidated Edison Company of New York, Inc.

ITEM 362

- 22-E-0570 ARCHER TOWERS PHASE I DEVELOPMENT LLC - The Commission decided to grant authority to Archer Towers Phase I Development LLC to submeter electricity at 92-33 Guy R Brewer Blvd., Queens, located in the territory of Consolidated Edison Company of New York, Inc. and the request for a waiver of 16 NYCRR §96.5(k)(3).

ITEM 363

- 22-E-0664 RXR 2413 THIRD OWNER LLC - The Commission decided to grant authority to RXR 2413 Third Owner LLC to submeter electricity at 2413 Third Avenue, Bronx, located in the territory of Consolidated Edison Company of New York, Inc.

ITEM 364

- 23-E-0041 LANDIS+GYR TECHNOLOGY INC. - The Commission decided to approve the petition to use the Landis+Gyr Revelo E660 electric meter in electric metering applications in New York State.

- ITEM 365
23-E-0139 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - The Commission decided to grant the request for authorization to transfer certain street lighting facilities, with an original cost over \$100,000, located within the City of Watervliet to the City of Watervliet.
- ITEM 366
22-E-0607 BUD NORTH LLC - The Commission decided to grant authority to Bud North LLC to submeter electricity at 2-21 Malt Drive, Long Island City, located in the territory of Consolidated Edison Company of New York, Inc.
- ITEM 367
23-E-0085 &
23-E-0086 RITZ INSTRUMENT TRANSFORMERS, INC. - The Commission decided to approve the petitions to use the Ritz VEF15-09 and VZF 15-09 potential instrument transformers in electric metering applications in New York State.
- ITEM 368
23-E-0090 &
23-E-0091 RITZ INSTRUMENT TRANSFORMERS, INC. - The Commission decided to approve the petitions to use the Ritz GIFU15-03 and Ritz GIFU25-03 current instrument transformers in electric metering applications in New York State.
- ITEM 369
23-E-0101 ABB INC. - The Commission decided to approve the petition to use the ABB KIR-11ES current transformer in electric metering applications in New York State.
- ITEM 370
23-E-0037 BETHANY SENIOR TERRACES - The Commission decided to grant authority to Bethany Senior Terraces to submeter electricity at 604 East 40th Street, Brooklyn, located in the territory of Consolidated Edison Company of New York, Inc. and the request for a waiver of 16 NYCRR §96.5(k)(3).

- ITEM 371
 23-E-0087 &
 23-E-0089 RITZ INSTRUMENT TRANSFORMERS, INC. - The Commission decided to approve the petitions to use the Ritz VEF36-10 and VZF36-10 potential instrument transformers in electric metering applications in New York State.
- ITEM 372
 There is no Item 372
- ITEM 373
 There is no Item 373
- ITEM 374
 22-E-0362 Chair Rory M. Christian, recusing
Review on Appeal Determination
 COLUMBIA UNIVERSITY - HEALTH SCIENCES - The Commission decided to deny the Complainant’s appeal.
- ITEM 375
 21-T-0340 NEW YORK POWER AUTHORITY / NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - The Commission decided to approve the Environmental Management and Construction Plan to commence construction of Segment 2B of the transmission project known as Smart Path Connect in the Towns of Steuben and Marcy (Oneida County), subject to conditions.
- ITEM 376
 21-T-0340 NEW YORK POWER AUTHORITY / NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - The Commission decided to approve the Environmental Management and Construction Plan Part 3 of the transmission project known as Smart Path Connect in the Towns of Chateaugay (Franklin County) and Clinton (Clinton County), subject to conditions.

- ITEM 377
10-T-0139
Commissioner Tracey A. Edwards, recusing
Commissioner John B. Howard, dissenting
CHAMPLAIN HUDSON POWER EXPRESS, INC. -
The Commission decided to approve Segments 4 and 5 of the Environmental Management and Construction Plan filed by Champlain Hudson Power Express, Inc. and CHPE Properties, Inc. (collectively, the Certificate Holder) to construct and install the overland transmission and associated facilities in the Towns of Kingsbury, Milton, and the Village of Fort Edward (Washington County), and the Towns of Moreau, Northumberland, Wilton, Greenfield, Ballston, and the City of Saratoga Springs (Saratoga County), subject to conditions.
- ITEM 378
10-T-0139
Commissioner Tracey A. Edwards, recusing
Commissioner John B. Howard, dissenting
CHAMPLAIN HUDSON POWER EXPRESS, INC. -
The Commission decided to approve Segment 12 of the Environmental Management and Construction Plan filed by Champlain Hudson Power Express, Inc. and CHPE Properties, Inc. (collectively, the Certificate Holder) to construct and install the overland transmission and associated facilities in the Towns of Stony Point, Haverstraw, and Clarkstown ,and the Villages of Haverstraw and West Haverstraw (Rockland County), subject to conditions.
- ITEM 379
10-T-0139
Commissioner Tracey A. Edwards, recusing
Commissioner John B. Howard, dissenting
CHAMPLAIN HUDSON POWER EXPRESS, INC. -
The Commission decided to approve Segment 11 of the Environmental Management and Construction Plan filed by Champlain Hudson Power Express, Inc. and CHPE Properties, Inc. (collectively, the Certificate Holder) to construct and install the overland Transmission and associated facilities in the Town and Village of Catskill (Greene County), subject to conditions.

Communications

ITEM 561

23-C-0198 VERIZON NEW YORK INC. SERVICE QUALITY REPORT SECOND QUARTER 2023 - For informational purposes only. No Commission action is required.

Cable

ITEM 661

23-V-0300 CABLEVISION SYSTEMS HUNTINGTON CORPORATION / VILLAGE OF NORTHPORT, SUFFOLK COUNTY

23-V-0303 SPECTRUM NORTHEAST, LLC / VILLAGE OF YORKVILLE, ONEIDA COUNTY

23-V-0307 SPECTRUM NORTHEAST, LLC / VILLAGE OF MONTICELLO, SULLIVAN COUNTY

23-V-0340 CABLEVISION SYSTEMS HUNTINGTON CORPORATION / VILLAGE OF ASHAROKEN, SUFFOLK COUNTY

23-V-0347 CABLEVISION OF BROOKHAVEN, INC. / VILLAGE OF BELLPORT, SUFFOLK COUNTY

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

ITEM 662

23-V-0372 VERIZON NEW YORK INC. / 484 CONVENT AVENUE, MANHATTAN

23-V-0373 VERIZON NEW YORK INC. / 502 WEST 151st STREET, MANHATTAN

23-V-0374 VERIZON NEW YORK INC. / 501 WEST 122nd STREET, MANHATTAN

23-V-0375 VERIZON NEW YORK INC. / 546 WEST 147th STREET, MANHATTAN

23-V-0376 VERIZON NEW YORK INC. / 559 WEST 149th STREET, MANHATTAN

The Commission decided to approve the petitions for Orders of Entry to the addresses listed above.