

Consent Agenda Report for 09/14/2023

The following is a preliminary and informal summary of actions the Commission took at its public session on September 14, 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>
23-G-0422	AKELA CONTRACTING LLC / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID
23-G-0423	AKELA CONTRACTING LLC / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID
23-G-0424	CITY OF SYRACUSE WATER DEPARTMENT / NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID
23-G-0425	TRIPLE J SEWER & DRAIN, INC. / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID
23-G-0426	ARI-JON CONSTRUCTION CORP. / THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY
23-G-0427	CENTER ISLAND CONTRACTING, INC. / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID
23-G-0428	JK TOBIN II, INC. / NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID
23-G-0429	PETER ROMANELLI, INC. / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID
23-G-0431	GALAXY DEVELOPERS LLC / THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY
23-G-0432	PETER LUIZZI & BROS. CONTRACTING, INC. / CENTRAL HUDSON GAS & ELECTRIC CORPORATION
23-G-0433	NEW TWINS LANDSCAPING & CONSTRUCTION, CORP. / THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY
23-G-0434	SERRANO'S MASONRY LLC / THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY
23-G-0435	EXCEL INTERIOR RENOVATIONS LLC / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID

ITEM 161-A CONT'D

23-G-0436 ADVANCED SITE CONTRACTORS INC. / THE
 BROOKLYN UNION GAS COMPANY D/B/A
 NATIONAL GRID NY

The Commission decided to determine a penalty of \$10,000 in Case 23-G-0423; and a penalty of \$2,500 in Cases 23-G-0422, 23-G-0424, 23-G-0425, 23-G-0426, 23-G-0427, 23-G-0428, 23-G-0429, 23-G-0431, 23-G-0432, 23-G-0433, 23-G-0434, 23-G-0435, and 23-G-0436.

ITEM 161-B

23-G-0358 TOWN OF LYSANDER HIGHWAY DEPARTMENT -
 The Commission decided to approve the terms of the
 consent order agreement.

ITEM 162

22-G-0644 THE BROOKLYN UNION GAS COMPANY D/B/A
 NATIONAL GRID NY - The Commission decided to
 adopt the terms and conditions of a Settlement
 Agreement.

General

ITEM 261

22-M-0062 ORANGE AND ROCKLAND UTILITIES, INC. - The
 Commission decided to approve Orange and
 Rockland's request to modify its authority to issue
 long-term indebtedness by permitting the Company to
 include an additional term and condition, referred to
 as a negative pledge, to its long-term debt issuances.

ITEM 262

23-M-0151 LIGHT POWER & GAS OF NY LLC - The
 Commission decided to revoke Light Power & Gas of
 NY LLC's eligibility to serve energy customers in New
 York State.

ITEM 263

22-M-0536 SOURCE POWER COMPANY SERVICES, LLC - The Commission decided to direct Source Power Company Services, LLC and ICON Energy, LLC d/b/a Source Power Company to show cause why the Commission should not revoke the company's eligibility or impose other consequences consistent with the Uniform Business Practices or Commission authority.

ITEM 264

23-M-0042 ARCHTOP FIBER LLC / THE HANCOCK TELEPHONE COMPANY, INC / HANCOCK LONG DISTANCE, INC / AND HANCEL, INC. - The Commission decided to approve the joint petition and supplement, pursuant to Public Service Law §99, 100, and 222 to allow the transfer of ownership of Hancock Telephone Company, Inc., Hancock Long Distance, Inc. and Hancel, Inc. to Archtop Fiber LLC and related transactions, subject to conditions.

ITEM 265

23-M-0103 NEW YORK STATE ELECTRIC & GAS CORPORATION / ROCHESTER GAS AND ELECTRIC CORPORATION - The Commission decided to select the recommended consultant to conduct a management and operations audit and direct the Companies' to execute the multi-party contract with the recommended consultant and the Department of Public Service.

ITEM 266

23-M-0383 NEW YORK STATE ELECTRIC & GAS CORPORATION / ROCHESTER GAS AND ELECTRIC CORPORATION - The Commission decided to authorize the cancellation of the Companies' tariff statements, effective October 1, 2023.

ITEM 267

There is no item 267

Power

- ITEM 361
 22-T-0670
 QUEENSBORO DEVELOPMENT, LLC - The Commission decided to grant the waiver of certain Commission regulations related to Queensboro Development LLC's application for a Certificate of Environmental Compatibility and Public Need pursuant to Article VII of the Public Service Law.
- ITEM 362
 23-E-0214
 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - The Commission decided to grant Niagara Mohawk Power Corporation d/b/a National Grid's request for authorization to sell certain street lighting facilities, with an original cost over \$100,000, located within the City of Hudson, to the City of Hudson, subject to conditions.
- ITEM 363
 23-E-0206
 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - The Commission decided to grant Central Hudson Gas & Electric Corporation's request for authorization to transfer certain street lighting facilities, with an original value over \$100,000, located within the Town of Cornwall to the Town of Cornwall, subject to conditions.
- ITEM 364
 23-E-0443
 NEW YORK STATE ELECTRIC & GAS CORPORATION - The Commission decided to adopt the terms and conditions of a Settlement Agreement executed on August 10, 2023, by New York State Electric and Gas Corporation and the Department of Public Service Office of Investigations and Enforcement.
- ITEM 365
 23-E-0154
 FC ENERGY SERVICES COMPANY LLC - The Commission decided to revoke FC Energy Services Company LLC's eligibility to serve energy customers in New York State.
- ITEM 366
 22-E-0461
Appeal of Commission Determination
 GEORGE R. COWAN - The Commission decided to deny the Complainant's appeal.

- ITEM 367
 18-T-0207 NEW YORK POWER AUTHORITY - The Commission decided to approve the New York Power Authority's request for a major change to its approved Environmental Management & Construction Plan to allow clearing of approximately 0.12 acre of trees within a State-jurisdictional wetland and to expand the limits of disturbance to capture the entire right-of-way for the previously approved re-route of the Smart Path transmission line.
- ITEM 368
 22-E-0463 BOP GREENPOINT D LLC - The Commission decided to grant authority to BOP Greenpoint D LLC to submeter electricity at 27 Eagle Street, Brooklyn, located in the territory of Consolidated Edison Company of New York, Inc., and grant the request for a waiver of 16 NYCRR §96.5(k)(3).
- ITEM 369
 17-F-0617 HECATE ENERGY ALBANY 1 LLC / HECATE ENERGY ALBANY 2 LLC - The Commission decided to approve the Companies' Compliance Filing 59 for the Construction Phase.
- ITEM 370
 10-T-0139 Commissioner Diane X. Burman, dissenting
 Commissioner Tracey A. Edwards, recusing
 Commissioner John B. Howard, dissenting
 CHAMPLAIN HUDSON POWER EXPRESS, INC. - The Commission decided to approve Segments 6 and 7 of the Environmental Management and Construction Plan filed by Champlain Hudson Power Express, Inc. and CHPE Properties, Inc. (collectively, the Certificate Holders), to construct and operate the overland transmission and associated facilities in the Towns of Ballston and Clifton Park (Saratoga County), and the Towns of Glenville, Scotia, and Rotterdam, (Schenectady County), subject to conditions.
- ITEM 371
 There is no item 371.

- ITEM 372 23-E-0293 NEW YORK INDEPENDENT SYSTEM OPERATOR, INC. - The Commission decided to authorize the New York Independent System Operator, Inc. to enter into a new five-year \$50 million revolving credit facility through December 31, 2028; and enter into a new five-year \$100 million unsecured term loan facility through December 31, 2028.
- ITEM 373 23-E-0159 Commissioner Tracey A. Edwards, dissenting
 VILLAGE OF CHURCHVILLE - The Commission decided to authorize the Village of Churchville to increase its annual revenues by \$162,881 or 8.83 percent, effective October 1, 2023.
- ITEM 374 18-E-0130 Commissioner Diane X. Burman, dissenting
 Commissioner John B. Howard, dissenting
 The Commission decided to accept the Draft Supplemental Generic Environmental Impact Statement as complete.
- ITEM 375 23-E-0240 CHELSEA 23RD REALTY LLC - The Commission decided to grant authority to Chelsea 23rd Realty LLC to submeter electricity at 280 W 24th Street, New York City, located in the territory of Consolidated Edison Company of New York, Inc., and grant the petitioner's request for a waiver of 16 NYCRR §96.5(k)(3).
- ITEM 376 23-E-0281 WAMPUS MILLS, LLC - The Commission decided to grant authority to Wampus Mills, LLC to submeter electricity at 585 Main Street, Armonk, located in the territory of Consolidated Edison Company of New York, Inc.

Communications

- ITEM 561 23-C-0252 DUNKIRK AND FREDONIA TELEPHONE COMPANY / CASSADAGA TELEPHONE CORPORATION - The Commission decided to approve the petition for a waiver of 16 NYCRR §602.10 (b) which allows the Companies to discontinue the blanket distribution of printed directories to all customers.

ITEM 562
 23-C-0245 GERMANTOWN TELEPHONE COMPANY, INC. - The Commission decided to approve the petition for a waiver of 16 NYCRR §602.10(b) which allows the Company to discontinue the blanket distribution of printed directories to all customers.

ITEM 563
 23-C-0149 NEWPORT TELEPHONE COMPANY - The Commission decided to approve the petition for a waiver of 16 NYCRR §602.10(b) which allows the Company to discontinue the blanket distribution of printed directories to all customers.

ITEM 564
 23-C-0291 TERRACOM, INC. D/B/A MAXSIP TEL - The Commission decided to approve the Company's petition for designation as an eligible telecommunications carrier for the purpose of receiving federal universal support for providing Lifeline service throughout New York State.

Cable

ITEM 661
 23-V-0411 VERIZON NEW YORK INC. - The Commission decided to approve the Order of Entry for 60 East 7th Street, Manhattan.

ITEM 662
 22-V-0662 HANCEL, INC. / VILLAGE OF HANCOCK, DELAWARE COUNTY
 23-V-0239 SPECTRUM NORTHEAST, LLC / VILLAGE OF WALTON, DELAWARE COUNTY
 23-V-0380 SPECTRUM NORTHEAST, LLC / TOWN OF BARRE, ORLEANS COUNTY
 23-V-0382 SPECTRUM NORTHEAST, LLC / VILLAGE OF AVON, LIVINGSTON COUNTY
 23-V-0385 SPECTRUM NORTHEAST, LLC / TOWN OF BINGHAMTON, BROOME COUNTY
 23-V-0395 CSC ACQUISITION-MA, INC. / VILLAGE OF LYNBROOK, NASSAU COUNTY
 23-V-0396 CABLEVISION OF WAPPINGERS FALLS, INC. / TOWN OF BEDFORD, WESTCHESTER COUNTY

ITEM 662 CONT'D

- 23-V-0397 CABLEVISION SYSTEMS WESTCHESTER CORPORATION / TOWN OF BEDFORD, WESTCHESTER COUNTY
- 23-V-0399 SPECTRUM NORTHEAST, LLC / VILLAGE OF ODESSA, SCHUYLER COUNTY
- 23-V-0409 HANCEL, INC. / TOWN OF HANCOCK, DELAWARE COUNTY

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