



For Immediate Release: 03/08/2024

Rory M. Christian, Chair

Contact:

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

<http://www.dps.ny.gov>

<http://twitter.com/NYSDPS>

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COMMISSION ISSUES PRELIMINARY MARCH 14, 2024 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, March 14, 2024**. The session will be held in the Commission’s offices located at Three Empire State Plaza, 19th Floor and 3rd Floor, Albany, New York.

MEETING WILL BE BROADCAST ON THE INTERNET AT:

<https://dps.ny.gov/event/march-2024-public-service-commission-session>

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

No items will be considered on the Regular Agenda for GAS, GENERAL, 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

In the Matter of an Enforcement Proceeding for Alleged Violation of 16 NYCRR Part 753 - Protection of Underground Facilities (Penalty Determination Orders).

- 24-G-0067 AMT UNDERGROUND UTILITIES, INC. / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 24-G-0068 VILLAGE OF MOUNT KISCO DEPARTMENT OF PUBLIC WORKS / CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 24-G-0069 UNITED PAVING CORP / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 24-G-0070 NICK MANAGEMENT GROUP LLC / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 24-G-0071 TAP ENTERPRISES OF LI INC. / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 24-G-0072 B & A COMMERCIAL, INC. / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 24-G-0073 NELLO HOMES, INC. / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID.
- 24-G-0074 UNITED INDUSTRIES & CONSTRUCTION CORP. / THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY.
- 24-G-0075 BUNLIN LLC / CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 24-G-0076 CITNALTA CONSTRUCTION CORP. / CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 24-G-0077 IMPERIAL HOME SERVICES LLC / NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 24-G-0078 MAC-WELL DEVELOPERS & CONSTRUCTION / CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 24-G-0079 BERT'S SERVICES OF WNY, LLC / NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
- 24-G-0080 HILL TOP ENTERPRISES, INC. / ROCHESTER GAS AND ELECTRIC CORPORATION.
- 24-G-0081 J. PIZZIRUSSO LANDSCAPING CORP. / CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
- 162 23-G-0225 THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.
- 23-G-0226 KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Gas Service.
- 163 24-G-0045 THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY - In the Matter of a Staff Investigation into a Liquid Natural Gas Incident at the Greenpoint LNG Facility Occurring on August 17, 2022.

- 164 23-G-0492 PETER W. LEW - In the Matter of a Commission Designee's Determination Pursuant to PSL Section 52 - Rehearing Petition of the Designee's Determination Rendered in Favor of Baron Marquis and Consolidated Edison Company of New York Inc. (351525, 226173).
- 165 23-G-0354 WEIN REALTY LLC - In the Matter of a Commission Designee's Determination Pursuant to PSL Section 52 - Rehearing Petition of the Designee's Determination Rendered in Favor of National Fuel Gas Distribution Corporation (258612).

GENERAL

- 261 23-M-0694 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - Petition for Authority, Pursuant to Section 69 of the Public Service Law, to Issue Securities with a Maturity of More than One Year.
- 262 21-M-0541 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - Proceeding on Motion of the Commission to Conduct a Comprehensive Management and Operations Audit.
- 263 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.
- 264 23-M-0699 JOSEPH P. KASENCHAK - In the Matter of the Rules and Regulations of the Public Service Commission, Contained in 16 NYCRR in Relation to Complaint Procedures - Appeal of the Informal Decision Rendered in Favor of Consolidated Edison Company of New York, Inc. (213759).
- 265 21-M-0254 In the Matter of Commission Procedures to Implement Tax Law Section 187-q.

POWER

- 361 21-T-0340 NEW YORK POWER AUTHORITY - Application of New York Power Authority and Niagara Mohawk Power Corporation d/b/a National Grid for a Certificate of Environmental Compatibility and Public Need for the Rebuild of Approximately 100 Linear Miles of Existing 230 kV to Either 230 kV or 345 kV along with Associated Substation Upgrades Along the Existing NYPA Moses-Willis 1&2, Willis-Patnode, Willis-Ryan, and National Grid's Adirondack-Porter 11, 12 and 13 Lines in Clinton, Franklin, St. Lawrence, Lewis, and Oneida Counties, New York.
- 362 23-T-0660 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 Mortimer-Pannell Lines 24/25 Rebuild Project in Monroe County.

- 363 23-E-0675 GS WHITE PLAINS OWNER, LLC - Notice of Intent to Submeter Electricity at 25 North Lexington Avenue, White Plains, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 364 21-E-0052 ST. JOSEPH'S MEDICAL CENTER ET AL - In the Matter of the Rules and Regulations of the Public Service Commission, Contained in 16 NYCRR in Relation to Complaint Procedures - Appeal of the Informal Decision Rendered in Favor of the Consolidated Edison Company of New York, Inc. (030232, 030254, 030286, 030340, 039354, 039356).
- 365 23-E-0609 959 STERLING PARTNERS LLC - Notice of Intent to Submeter Electricity at 959 Sterling Place, Brooklyn, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 366 23-E-0526 SOLANTA - Proceeding on Motion of the Commission to Seek Consequences for violations of the Uniform Business Practices for Distributed Energy Resource Suppliers.
- 367 23-E-0486 VILLAGE GROVE LLC - Petition to Submeter Electricity at 46 South Street, Trumansburg, Located in the Territory of New York State Electric & Gas Corporation.
- 368 23-E-0346 FLAT LG LLC - Petition to Submeter Electricity at 609 2nd Avenue, New York, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 369 23-E-0402 BEACON COMMUNITIES SERVICES LLC - Petition to Submeter Electricity at 35 Broadway, Menands, Located in the Territory of Niagara Mohawk Power Corporation d/b/a National Grid.
- 370 23-E-0338 420 CARROLL LLC - Notice of Intent to Submeter Electricity at 424 Carroll Street, Brooklyn, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 371 23-E-0406 25-34 JACKSON AVENUE PROPERTY OWNER LLC - Notice of Intent to Submeter Electricity at 27-05 Thompson Avenue, Long Island City, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 372 14-E-0423 Proceeding on Motion of the Commission to Develop Dynamic Load Management Programs.
- 373 23-E-0548 TRIACTA POWER SOLUTIONS LP - Petition for Approval of the 6000 Series PowerHawk® with V2.08 Firmware Smart Revenue Grade Electric Power Meters.
- 374 18-E-0130 In the Matter of Energy Storage Deployment Program.
- 375 23-E-0485 440 HAMILTON DEVELOPER LLC - Petition to Submeter Electricity at 440 Hamilton Avenue, White Plains, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 376 23-E-0721 CHRISTOPHER GALARZA - In the Matter of the Rules and Regulations of the Public Service Commission, Contained in 16 NYCRR in Relation to

- Complaint Procedures - Appeal of the Informal Decision Rendered in Favor of Consolidated Edison Company of New York, Inc. (349061).
- 377 24-E-0083 BP WIND ENERGY EMPIRE HOLDING LLC, BP WIND ENERGY BEACON HOLDING LLC AND EQUINOR WIND US LLC - Petition for a Declaratory Ruling Concerning Approval, Under Section 70 of the Public Service Law, of the Proposed Restructuring of Their Upstream Ownership of Empire Offshore Wind LLC and Beacon Wind LLC.
- 378 05-E-1180 In the Matter of the Reliability Rules of the New York State Reliability Council and the Criteria of the Northeast Power Coordinating Council.
- 07-E-0088 In the Matter of the Adoption of an Installed Reserve Margin for the New York Control Area.
- 379 There is no Item No. 379.
- 380 23-E-0297 CANISTEO WIND ENERGY LLC - Petition for an Original Certificate of Public Convenience and Necessity, Granting a Lightened Regulatory Regime, and Approval of Construction Financing.
- 381 23-E-0471 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Petition for Authority, Pursuant to Section 70 of the Public Service Law, to Transfer Certain Street Lighting Facilities to the City of Niagara Falls.
- 382 There is no Item No. 382.
- 383 23-E-0420 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Petition for Authority, Pursuant to Public Service Law Section 70, to Transfer Certain Street Lighting Facilities to the City of Amsterdam with an Original Cost of Over \$100,000.
- 384 23-E-0550 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Petition for Authority to Transfer Certain Street Lighting Facilities to the City of Fulton Pursuant to Public Service Law Section 70.
- 385 23-E-0412 HOMER SOLAR ENERGY CENTER, LLC - Petition for a Certificate of Public Convenience and Necessity Pursuant to Section 68 of the Public Service Law and an Order Granting Lightened Regulation.
- 386 23-E-0350 NORTH MEADOW ASSOCIATES LTD - In the Matter of the Rules and Regulations of the Public Service Commission, Contained in 16 NYCRR in Relation to Complaint Procedures - Appeal of the Informal Decision Rendered in Favor of Central Hudson Gas & Electric Corporation (312198).
- 387 22-E-0700 MATTHEW SIEGEL - In the Matter of the Rules and Regulations of the Public Service Commission, Contained in 16 NYCRR in Relation to Complaint Procedures - Appeal of the Informal Decision Rendered In Favor of Consolidated Edison Company of New York, Inc. (214017)

WATER

- 461 23-W-0684 RURAL ATLANTIC WATER COMPANY, INC. AND THE TOWN OF WARWICK - Joint Petition for Approval to Transfer Water Supply Assets to the Town of Warwick, and Thereafter Dissolve Rural Atlantic Water Company, Inc.
- 462 23-W-0235 LIBERTY UTILITIES (NEW YORK WATER) CORP. - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations for Water Service.
- 463 In the Matter of an Enforcement Proceeding for Alleged Violations of NYCRR Part 753, Protection of Underground Facilities. (Consent Order Approvals).
- 24-W-0066 MARLBORO MOUNTAIN CONSTRUCTION, LLC / VILLAGE OF NEW PALTZ, DEPARTMENT OF PUBLIC WORKS.

COMMUNICATIONS

- 561 23-C-0698 MULTIPLE INDIVIDUALS - Joint Petition for Authority, Pursuant to Sections 99 and 100 of the Public Service Law, to Transfer and Acquire Common Stock of The Middleburgh Telephone Company and its Regulated Affiliates.

CABLE

- 661 Petitions for Orders of Entry.
- 24-V-0052 VERIZON NEW YORK INC. / 43 1ST AVENUE, MANHATTAN.
- 24-V-0053 SPECTRUM NEW YORK METRO, LLC / 301 EAST 62ND STREET, NEW YORK.
- 24-V-0054 SPECTRUM NEW YORK METRO, LLC / 64-05 WOODSIDE AVENUE, WOODSIDE.
- 662 Petitions for Cable Franchise Renewals
- 24-V-0024 SPECTRUM NORTHEAST, LLC / TOWN OF DARIEN, GENESEE COUNTY.
- 24-V-0027 SPECTRUM NORTHEAST, LLC / TOWN OF ARCADE, WYOMING COUNTY.
- 24-V-0030 SPECTRUM NORTHEAST, LLC / TOWN OF PENDLETON, NIAGARA COUNTY.
- 24-V-0048 ADAMS CATV INC. / TOWN OF COLESVILLE, BROOME COUNTY.
- 24-V-0051 SPECTRUM NORTHEAST, LLC / VILLAGE OF SPRINGVILLE, ERIE COUNTY.

- 24-V-0056 SPECTRUM NORTHEAST, LLC / TOWN OF FENTON, BROOME COUNTY.
- 24-V-0059 SPECTRUM NORTHEAST, LLC / TOWN OF RIGA, MONROE COUNTY.
- 663 23-V-0196 VERIZON NEW YORK INC. - Petition to Change the Form of Certain Notices for Cable Television Programming Changes.

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, April 18, 2024**, in Albany.