

## Consent Agenda Report for 8/15/2024

The following is a preliminary and informal summary of actions the Commission took at its public session on August 15, 2024. 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.

	<u>Gas</u>
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>
24-G-0393	AMERICAN HOMES OF SYRACUSE / NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID
24-G-0394	CONCRETE CONSTRUCTION / NATIONAL FUEL GAS DISTRIBUTION CORPORATION
24-G-0395	ALEKSEY & SON CONSULTING & MANAGEMENT CORP. / CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
24-G-0396	APR ELECTRICAL SOLUTIONS LLC / CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
24-G-0397	FLAWLESS MASONRY, INC. / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID
24-G-0398	GIULIANO'S LANDSCAPING & DESIGN CORP. / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID
24-G-0399	RADJ CONSTRUCTION CORP. / THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY
24-G-0400	TREAN CONSTRUCTION INC. / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID
24-G-0401	RSBM EXCAVATING LLC / ORANGE AND ROCKLAND UTILITIES, INC.
24-G-0402	JCO CONSTRUCTION INC / THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY
24-G-0403	ACER CONSTRUCTION INC / THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY
24-G-0404	PETER ANTHONY LANDSCAPING INC. / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID
24-G-0405	TOWN OF WATERLOO WATER AND SEWER / NEW YORK STATE ELECTRIC & GAS CORPORATION
24-G-0406	KRIS INDUSTRIES INC / CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

ITEM 161-A CONT'D

24-G-0407 VIERA REPAIRS & INSTALLATIONS INC. /  
KEYSPAN GAS EAST CORPORATION D/B/A  
NATIONAL GRID

The Commission decided to determine a \$2,500 penalty in Cases 24-G-0393, 24-G-0394, 24-G-0395, 24-G-0396, 24-G-0397, 24-G-0398, 24-G-0399, 24-G-0400, 24-G-0402, 24-G-0403, 24-G-0404, 24-G-0405, 24-G-0406, and 24-G-0407, and determine a \$2,000 penalty in Case 24-G-0401.

ITEM 161-B

In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities (Consent Order)  
24-G-0391 CENTRAL PAVING, INC. / NIAGARA MOHAWK  
POWER CORPORATION D/B/A NATIONAL GRID  
24-G-0392 FAIRFIELD PROPERTIES GROUP LLC / KEYSPAN  
GAS EAST CORPORATION D/B/A NATIONAL GRID

The Commission decided to adopt the terms of a consent order agreement in Cases 24-G-0391 and 24-G-0392.

ITEM 161-C

In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities (Petition for Rehearing and Consent Order)  
23-G-0021 BOLLA CONSTRUCTION, LLC / KEYSPAN GAS  
EAST CORPORATION D/B/A NATIONAL GRID  
23-G-0713 A.L.A.C. CONTRACTING CORP. / KEYSPAN GAS  
EAST CORPORATION D/B/A NATIONAL GRID

The Commission decided to grant the petition for rehearing and adopt the terms of the consent order agreement in Case 23-G-0021, and deny the petition for rehearing in Case 23-G-0713.

ITEM 162

Rehearing of Commission Determination  
24-G-0109 WFHA 1520 SEDGWICK LP - The Commission  
decided to grant rehearing, and upon rehearing  
decided to uphold the Commission's prior  
determination.

**General**

- ITEM 261  
 21-G-0073 &  
 21-E-0074  
 ORANGE AND ROCKLAND UTILITIES, INC. - The Commission decided to approve, on a permanent basis, compliance tariff filings made by Orange and Rockland Utilities, Inc., effectuating the terms of Rate Year 3, with the exception of tariff amendments related to Case 15-E-0751, which will remain in effect on a temporary basis until acted upon by the Commission.
- ITEM 262  
 22-S-0659  
 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to approve, on a permanent basis, Consolidated Edison Company of New York Inc.'s steam compliance tariff filing effectuating the rates and terms of Rate Year 1.
- ITEM 263  
 14-M-0565  
 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to approve, on a permanent basis, Consolidated Edison Company of New York, Inc.'s amendments to its tariffs and statements to effectuate the recovery of the Phase 2 Electric and Gas Bill Relief Program.

**Power**

- ITEM 361  
 10-T-0139  
 CHAMPLAIN HUDSON POWER EXPRESS, INC. AND CHPE PROPERTIES, INC. - The Commission decided to approve the Segment 20A Environmental Management and Construction Plan filed by Champlain Hudson Power Express, Inc. and CHPE Properties, Inc., subject to conditions.
- ITEM 362  
 24-E-0116  
 RIVERWALK 9, LLC - The Commission decided to grant authority to Riverwalk 9, LLC to submeter electricity at 430 Main Street, New York, located in the territory of Consolidated Edison Company of New York, Inc.

- ITEM 363                    24-E-0002                    44-01 NORTHERN OWNER, LLC - The Commission decided to grant authority to 44-01 Northern Owner, LLC to submeter electricity at 34-35 44th Street, Astoria, located in the territory of Consolidated Edison Company of New York, Inc.
- ITEM 364                    24-E-0088                    Rehearing Request Determination  
AVSBCC, LLC - The Commission decided to deny the petition for rehearing.
- ITEM 365                    23-E-0488                    DUPONT STREET OWNER LLC - The Commission decided to grant authority to Dupont Street Owner LLC to submeter electricity at 65 Dupont Street, Brooklyn, located in the territory of Consolidated Edison Company of New York, Inc.
- ITEM 366                    24-E-0361                    Rehearing Request Determination  
SUNDAY EPHRAIM - The Commission decided to deny the petition for rehearing.
- ITEM 367                    21-T-0569                    ORANGE AND ROCKLAND UTILITIES, INC. - The Commission decided to adopt the Company's Environmental Management and Construction Plan for Orange and Rockland Utilities, Inc. Line 705, subject to conditions.
- ITEM 368                    24-E-0253                    RED ROCHESTER, LLC - The Commission decided to approve in part RED Rochester, LLC's petition to authorize the use of GE model 780 and GE model 785 current transformers, and to deny the use of Square D model 780R in electric metering applications in New York State.
- ITEM 369                    20-T-0430                    LONG ISLAND POWER AUTHORITY - The Commission decided to approve the petition to amend the Certificate of Environmental Compatibility and Public Need for PSEG Long Island LLC, as agent to the Long Island Power Authority.

- ITEM 370  
 24-E-0144 RXR 91 DEKALB OWNER LLC - The Commission decided to grant authority to RXR 91 Dekalb Owner LLC to submeter electricity at 89 Dekalb Avenue, Brooklyn, located in the territory of Consolidated Edison Company of New York, Inc.
- ITEM 371  
 24-T-0266 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - The Commission decided to approve National Grid's petition to amend its existing Article VII Certificate of Environmental Compatibility and Public Need for the Adirondack Line.
- ITEM 372  
 24-E-0104 204 4TH AVENUE LLC - The Commission decided to grant authority to 204 4th Avenue LLC to submeter electricity at 655 Union Street, Brooklyn, located in the territory of Consolidated Edison Company of New York, Inc and waive energy audit requirement in 16 NYCRR § 96.5(k)(3).
- ITEM 373  
 24-E-0217 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - The Commission decided to grant Central Hudson Gas & Electric Corporation approval to transfer certain street lighting facilities, with an original value over \$100,000, located in the Village of Millerton to the Village of Millerton, pursuant to Public Service Law Section 70(1).
- ITEM 374  
 There is no Item 374

- ITEM 375  
15-E-0751 &  
19-E-0283  
Commissioner Denise M. Sheehan, recusing  
The Commission decided to adopt a reasonable and consistent method for performing Marginal Cost of Service studies for informing statewide applications such as VDER Value Stack Demand Reduction Value components, and directs the Joint Utilities to file MCOS studies that reflect this approach. The Commission also decided to initiate a process in the Value of Distributed Energy Resources proceeding, Case 15-E-0751, to address issues with costs related to the Locational System Relief Value component of the VDER Value Stack tariff.
- ITEM 376  
22-E-0236  
Commissioner Denise M. Sheehan, recusing  
JOINT UTILITIES - The Commission decided to approve the Load Management Technology Incentive Program proposed by the Joint Utilities, with modifications.
- ITEM 377  
16-F-0062  
EIGHT POINT WIND, LLC - The Commission decided to approve Eight Point Wind LLC's (Certificate Holder) Compliance Filing 21 updating the Decommissioning Plan and Cost Study as required by Certificate Condition 21.
- ITEM 378  
23-E-0653  
WORKABLE ST. JOHNS OZ SUBLESSEE LLC - The Commission decided to grant authority to Workable St. Johns OZ Sublessee LLC to submeter electricity at 991 St. Johns Place, Brooklyn, located in the territory of Consolidated Edison Company of New York, Inc.
- ITEM 379  
24-E-0230  
118 WEST 13TH STREET OWNER LLC - The Commission decided to grant authority to 118 West 13th Street Owner LLC to submeter electricity at 118 West 13th Street, New York, located in the territory of Consolidated Edison Company of New York, Inc.

**Communications**

- ITEM 561                    23-C-0666                    CIBL, INC. - The Commission decided to approve a stock transfer in which CIBL, Inc. will acquire from LICT Corporation 12% of the common stock of Brick Skirt Holding Company, LLC., pursuant to Public Service Law §100.
- ITEM 562                    24-C-0179                    VERIZON NEW YORK INC. - Second Quarter 2024 Service Quality Report. For informational purposes only. No Commission action is required.
- ITEM 563                    24-C-0154                    Appeal of Informal Hearing Decision  
 VILLAGE OF COPENHAGEN - The Commission decided to remand the Informal Hearing Officer's determination denying the Village of Copenhagen's appeal.

**Cable**

- ITEM 661
- 24-V-0349                    SPECTRUM NORTHEAST, LLC / TOWN OF CAMBRIA, NIAGARA COUNTY
- 24-V-0351                    SPECTRUM NORTHEAST, LLC / TOWN OF SALINA, ONONDAGA COUNTY
- 24-V-0353                    SPECTRUM NORTHEAST, LLC / TOWN OF WARRENSBURG, WARREN COUNTY
- 24-V-0355                    VERIZON NEW YORK INC. / VILLAGE OF TUCKAHOE, WESTCHESTER COUNTY
- 24-V-0359                    SPECTRUM NORTHEAST, LLC / TOWN OF CLAY, ONONDAGA COUNTY
- 24-V-0371                    SPECTRUM NORTHEAST, LLC / VILLAGE OF NAPLES, ONTARIO COUNTY
- 24-V-0374                    ADAMS CATV INC. / TOWN OF SANFORD, BROOME COUNTY

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