

Consent Agenda Report for 10/16/2024

The following is a preliminary and informal summary of actions the Commission took at its public session on October 16, 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.

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>
24-G-0515	DESTRO & BROTHERS CONCRETE COMPANY, INC. / NATIONAL FUEL GAS DISTRIBUTION CORPORATION
24-G-0516	MASPETH SUPPLY CO., LLC / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID
24-G-0517	JIM RAUH ENTERPRISES LLC / NATIONAL FUEL GAS DISTRIBUTION CORPORATION
24-G-0518	GRAZIADEI BUILDING GROUP, INC. / NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID
	The Commission decided to determine a \$2,500 penalty in Cases 24-G-0515, 24-G-0516, and 24-G-0517, and determine a \$2,000 penalty in Case 24-G-0518.
ITEM 161-B	<u>In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities (Consent Order)</u>
24-G-0508	BANCKER CONSTRUCTION CORP. / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID
24-G-0509	ALEXSCOE, LLC D/B/A ATLAS FENCE / NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID
24-G-0510	ALL ISLAND EXCAVATING CORP. / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID
24-G-0511	BREEZY POINT COOPERATIVE, INC. / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID
24-G-0512	LARRY MASCI ELECTRIC, INC. / ROCHESTER GAS AND ELECTRIC CORPORATION
24-G-0513	THE LANDTEK GROUP, INC. / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID

ITEM 161-B CONT'D

24-G-0514 UNITED CIVIL, INC. / NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID

The Commission decided to adopt the terms of a consent order agreement in Cases 24-G-0508, 24-G-0509, 24-G-0510, 24-G-0511, 24-G-0512, 24-G-0513, and 24-G-0514.

ITEM 161-C

In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities (Rehearing Petitions)

23-G-0635 HF JOHNSON TREE FARM LLC / CENTRAL HUDSON GAS & ELECTRIC CORPORATION
 23-G-0638 AL FELICIONI ENTERPRISES INC / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID
 23-G-0648 AL FELICIONI ENTERPRISES INC / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID
 23-G-0649 AL FELICIONI ENTERPRISES INC / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID
 24-G-0039 CALIBER Z CONSTRUCTION CO., INC. / KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID
 24-G-0199 YORKTOWN WATER DEPARTMENT / CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

The Commission decided to grant the petition for rehearing and adopt the terms of the consent order agreement in Cases 23-G-0638, 23-G-0648, and 23-G-0649, granted a petition for rehearing in Case 24-G-0199, and denied the petitions for rehearing in Cases 23-G-0635 and 24-G-0039.

ITEM 162

20-G-0131 CORNING NATURAL GAS CORPORATION and LIBERTY UTILITIES (ST. LAWRENCE GAS) CORP.
 - The Commission decided to grant, in part, and deny, in part, the petition filed by Corning Natural Gas Corporation and Liberty Utilities (St. Lawrence Gas) Corp. to modify and streamline the process for their upcoming long-term gas plans.

- ITEM 163
 20-G-0086,
 20-G-0087 &
 20-G-0381
 THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY, KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID, and NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - The Commission decided to approve proposed modifications to the Companies' Gas Demand Response Programs for firm customers, and directed tariff filings.
- ITEM 164
 22-G-0679
 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - The Commission decided to approve Niagara Mohawk Power Corporation d/b/a National Grid's request for conditional approval of the Landis+Gyr M125A Rev B and M125D Rev B RF Gas Communications Modules.
- ITEM 165
 24-G-0360
 THE BROOKLYN UNION GAS COMPANY D/B/A NATIONAL GRID NY and KEYSpan GAS EAST CORPORATION D/B/A NATIONAL GRID - The Commission decided to approve the Companies' tariff modifications to their respective gas tariff schedules, establishing notification requirements for billing delays and adjusted bills.

General

- ITEM 261
 24-M-0320
Appeal of Informal Hearing Decision
 SUNCO SOLAR LLC - The Commission decided to modify the Informal Hearing Officer's determination.
- ITEM 262
 22-E-0064 &
 22-G-0065
 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to approve, on a permanent basis, the compliance tariff filings made by Consolidated Edison Company of New York, Inc. effectuating the rates and terms of Rate Year 2, and did not address the tariff amendments for Case 15-E-0751, which will remain in effect on a temporary basis until acted on by the Commission; and waives the newspaper publication requirements for certain tariff amendments.

ITEM 263

24-M-0264

BLACKROCK, INC. - The Commission decided to (i) approve the petition of BlackRock, Inc., its subsidiaries, and related trusts or mutual funds (Applicant Funds) (collectively, BlackRock) seeking to acquire voting capital stock in publicly traded companies that are, or that directly or indirectly own, electric, steam, gas, telephone, water-works corporations, and/or cable television companies subject to the Commission's jurisdiction (Jurisdictional Companies); (ii) declare that BlackRock is not a regulated utility by acquiring stock, and (iii) and waive certain provisions within 16 NYCRR Part 39 regarding transfers of Jurisdictional Companies. Commission approval is granted pursuant to Public Service Law (PSL) Sections 70, 83, 89-h, 100, and 222, and is conditioned upon BlackRock not acquiring above 20% of a Jurisdictional Company's stock, in the aggregate, and no individual entity above 10%.

ITEM 264

24-M-0357

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to approve, effective November 1, 2024, Consolidated Edison Company of New York, Inc.'s amendments to modify the Low-Income Program to state that the low-income bill discount will no longer be prorated and to remove the low-income discount from the list of delivery rates and charges to which percentage increases apply to cover municipality taxes.

Power

ITEM 361

23-E-0725

LANDIS+GYR TECHNOLOGY INC. - The Commission decided to approve Landis+Gyr Technology Inc.'s petition for authorization to use the Landis+Gyr Revelo E360 1.2 electric meter in electric metering applications in New York State.

- ITEM 362
23-E-0463 PFIFFNER INSTRUMENT TRANSFORMERS LTD. -
The Commission decided to approve Pfiffner Instrument Transformers Ltd.'s petition for authorization to use the EJOF123 combined instrument transformer in electric metering applications in New York State.
- ITEM 363
23-E-0691 42ND ROAD LIC PROPERTY OWNER LLC - The Commission decided to grant authority to 42nd Road LIC Property Owner LLC to submeter electricity at 23-10 42nd Road, Queens, located in the service territory of Consolidated Edison Company of New York, Inc.
- ITEM 364
23-E-0696 EO 160 WATER LLC - The Commission decided to grant authority to EO 160 Water LLC to submeter electricity at 160 Water Street, New York, located in the service territory of Consolidated Edison Company of New York, Inc.
- ITEM 365
24-E-0176 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to approve the Peak Demand COS-6 current transformer for use in electric metering applications in New York State.
- ITEM 366
23-E-0720 ITALIC REALTY, LLC - The Commission decided to grant authority to Italic Realty, LLC to submeter electricity at 26-38 Jackson Avenue, Long Island City, located in the service territory of Consolidated Edison Company of New York, Inc.
- ITEM 367
24-E-0226 CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. - The Commission decided to approve the CTE Tech Co. Ltd. Model CP-4 current transformer for use in electric metering applications in New York State.

- ITEM 368
24-E-0044 CHC MANAGEMENT GROUP INC. - The Commission decided to grant authority to CH Management Group Inc. to submeter electricity at 130 East 177th Street, Bronx, located in the service territory of Consolidated Edison Company of New York, Inc.
- ITEM 369
24-E-0366 NEW YORK STATE ELECTRIC & GAS CORPORATION and ROCHESTER GAS AND ELECTRIC CORPORATION - The Commission decided to approve the cancellation of the pending tariff revisions filed by New York State Electric & Gas Corporation and Rochester Gas and Electric Corporation effective November 1, 2024, and to grant the waiver of newspaper publication requirements for the supplements.
- ITEM 370
24-E-0180 GLOBAL 1845 BROADWAY LLC - The Commission decided to grant authority to Global 1845 Broadway LLC to submeter electricity at 1 West 60th Street, New York, located in the service territory of Consolidated Edison Company of New York, Inc.
- ITEM 371
22-E-0236 Commissioner Denise M. Sheehan, recusing JOINT UTILITIES - The Commission decided to approve the electric vehicle (EV) Phase-In Rates proposed by Consolidated Edison Company of New York, Inc., New York State Electric & Gas Corporation, Orange & Rockland Utilities, Inc., and Rochester Gas & Electric Corporation in their filing on July 18, 2023 (July filing). Additionally, the Commission rejected the five-hour super-peak period-based EV Phase-In Rates proposed by Central Hudson Gas & Electric Corporation and Niagara Mohawk Power Company d/b/a National Grid in the July filing and directed those utilities to implement a four-hour super-peak period-based EV Phase-In Rates.

- ITEM 372 24-E-0228 HEMLOCK RIDGE SOLAR, LLC - The Commission decided to grant a Certificate of Public Convenience and Necessity, pursuant to Public Service Law §68 and granted a lightened ratemaking regulatory regime.
- ITEM 373 24-E-0382 Rehearing Request Determination
SHAWNA THOMAS - The Commission decided to deny the petition for rehearing.
- ITEM 374 15-E-0751 &
15-E-0082 The Commission decided to grant, with modifications, the petition to provide legacy hydro resources with an environmental value compensation.
- ITEM 375 24-E-0084 NEW YORK POWER AUTHORITY - The Commission decided to adopt, with modifications, the Renewable Energy Access and Community Help Program.
- ITEM 376 17-F-0282 ALLE-CATT WIND ENERGY LLC - The Commission decided to approve Alle-Catt Wind Energy, LLC's compliance filings.
- ITEM 377 24-E-0442 Appeal of Informal Hearing Decision
CHRISTINE SHAWE - The Commission decided to deny the Complainant's appeal.
- ITEM 378 15-F-0122 BARON WINDS, LLC - The Commission decided to approve Baron Winds LLC's Compliance Filings 43, 44(a), 45, 49, 51(b) & (c), 52, 53, 55, 56, 57, 58, 59(a), (b), & (d), 61, 63, and 65, for Baron Winds Phase II.
- ITEM 379 21-T-0366 EMPIRE OFFSHORE WIND LLC - The Commission decided to approve, subject to conditions, the Environmental Management and Construction Plan of Empire Offshore Wind LLC to commence construction of Part 3 of the Empire Offshore Wind 1 Interconnection Cable Project.

- ITEM 380 24-E-0422 HECATE ENERGY CIDER SOLAR, LLC and GREENBACKER RENEWABLE ENERGY CORPORATION - The Commission decided to approve the petition for financing, and to provide flexibility, under Public Service Law §69.
- ITEM 381 24-E-0377 HIGH RIVER ENERGY CENTER, LLC - The Commission decided to approve financing under Public Service Law §69, subject to conditions.
- ITEM 382 22-E-0398 & 22-E-0400 BARON WINDS II LLC and BARON WINDS, LLC - The Commission decided to grant a Certificate of Public Convenience and Necessity pursuant to Public Service Law (PSL) §68, authorize a lightened regulatory regime, and authorize the transfer various certificates and real property rights pursuant to PSL §70.
- ITEM 383 24-E-0329 & 24-E-0495 EMPIRE OFFSHORE WIND LLC and EMPIRE WIND 2 LLC - The Commission decided to approve the petition to enter into indebtedness, pursuant to Public Service Law (PSL) §69 in Case 24-E-0329, and issue a declaratory ruling finding that the transfers do not require further review pursuant to PSL §70 in Case 24-E-0495.
- ITEM 384 20-E-0380 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - The Commission decided to grant permission to National Grid to access the electric economic deferral amount of \$2,843,183 to fund its electric economic development grant programs through the remainder of the current rate plan.

ITEM 385
 23-E-0680 NEIGHBORS OF WATERTOWN - The Commission decided to grant the request of Neighbors of Watertown for waiver of the individual metering requirements provided in Opinion 76-17 and 16 NYCRR Part 96 for the building at 160 Main Avenue, Watertown, located in the service territory of Niagara Mohawk Power Corporation d/b/a National Grid.

ITEM 386
 24-E-0157 CENTRAL HUDSON GAS & ELECTRIC CORPORATION - The Commission decided to approve, with modifications, Central Hudson Gas & Electric Corporation's tariff filing in P.S.C. No. 15 - Electricity, to update the pole attachment rates charged to cable and telecommunication carriers.

Water

ITEM 461
 23-W-0155 & 24-W-0241 SARATOGA WATER SERVICES, INC. AND TOWN OF MALTA - The Commission decided to confirm the One Commissioner Order by Chair Rory M. Christian, which authorizes the transfer of Saratoga Water Services, Inc.'s water supply assets to the Town of Malta, the dissolution of Saratoga Water Services, Inc. and the cancellation of Saratoga Water Services, Inc, Tariff Schedule. P.S.C. No. 4.

ITEM 462
 24-W-0356 Appeal of Informal Hearing Decision
 ROBERT KREISNER (THE BAGEL GOURMET)
 - The Commission decided to deny the Complainant's appeal.

ITEM 463
 24-W-0085 RAINBOW WATER COMPANY, INC. - The Commission decided to authorize Rainbow Water Company, Inc. to increase its annual revenues by \$50,195, or 59.5%, effective November 1, 2024.

ITEM 464

24-W-0146 FISHERS ISLAND WATER WORKS CORPORATION
 - The Commission decided to deny the request of Fishers Island Water Works Corporation for a surcharge to collect main installation costs from six customers and directed Fishers Island Water Works Corporation to instead collect these costs through its existing System Improvement Charge.

Cable

ITEM 661

24-V-0232 HEART OF THE CATSKILLS COMMUNICATIONS, INC. DBA MTC CABLE / TOWN OF ANDES, DELAWARE COUNTY
 24-V-0439 SPECTRUM NORTHEAST, LLC / TOWN OF CANDOR, TIOGA COUNTY
 24-V-0440 SPECTRUM NORTHEAST, LLC / VILLAGE OF OWEGO, TIOGA COUNTY
 24-V-0444 SPECTRUM NORTHEAST, LLC / VILLAGE OF UNADILLA, OTSEGO COUNTY
 24-V-0459 SPECTRUM NORTHEAST, LLC / TOWN OF LEE, ONEIDA COUNTY
 24-V-0469 CABLEVISION OF WAPPINGERS FALLS, INC. / TOWN OF MILAN, DUTCHESS COUNTY
 24-V-0471 CABLEVISION SYSTEMS WESTCHESTER CORPORATION / CITY OF YONKERS, WESTCHESTER COUNTY
 24-V-0484 CABLEVISION OF WAPPINGERS FALLS, INC. / VILLAGE OF MONROE, ORANGE COUNTY
 24-V-0485 CABLEVISION SYSTEMS LONG ISLAND CORPORATION / VILLAGE OF ROSLYN ESTATES, NASSAU COUNTY
 24-V-0491 SPECTRUM NORTHEAST, LLC / TOWN OF HURON, WAYNE COUNTY

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

ITEM 662

24-V-0383 Appeal of Informal Hearing Decision
 K.K. NEWSOME - The Commission decided to uphold the informal hearing officer's holding.