Consent Agenda Report for 04/24/2025

The following is a preliminary and informal summary of actions the Commission took at its public session on April 24, 2025. 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 — In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities (Penalty Orders)

25-G-0164	Falco Lawn Sprinklers, Inc. / Consolidated Edison Company of New York, Inc.
25-G-0165	Four Star Lawn and Labor, Inc. / Niagara Mohawk Power Corporation d/b/a National Grid
25-G-0166	Full Service Paving Corporation / Liberty Utilities (St. Lawrence Gas) Corp.
25-G-0167	Interiorscape by Steven Dubner Landscaping, Inc. / KeySpan Gas East Corporation d/b/a National Grid
25-G-0168	Cold Spring Country Club, Inc. / KeySpan Gas East Corporation d/b/a National Grid
25-G-0169	Oren Ziv Inc. / KeySpan Gas East Corporation d/b/a National Grid
25-G-0170	D&H Paving, LLC / National Fuel Gas Distribution Corporation
25-G-0171	KRD Enterprises, LLC / National Fuel Gas Distribution Corporation
25-G-0172	T & T Concrete, Inc. / National Fuel Gas Distribution Corporation
25-G-0173	DiPaola Contracting Inc. / KeySpan Gas East Corporation d/b/a National Grid

ITEM 161-A (cont'd)

25-G-0174	Titanium Structures LLC / KeySpan Gas East Corporation d/b/a National Grid
25-G-0175	Best Kept Lawn Care Corp. / KeySpan Gas East Corporation d/b/a National Grid
25-G-0176	EOC Construction Inc / KeySpan Gas East Corporation d/b/a National Grid

The Commission decided to determine $2,500 penalties in Cases 25-G-0164, 25-G-0165, 25-G-0166, 25-G-0167, 25-G-0168, 25-G-0169, 25-G-0170, 25-G-0171, 25-G-0173, 25-G-0174, 25-G-0175, and 25-G-0176, and determine a $2,000 penalty in Case 25-G-0172.

ITEM 161-B <u>In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities (Consent Orders)</u>

25-G-0161	Halco Energy / Niagara Mohawk Power Corporation d/b/a National Grid
25-G-0162	Pooler Enterprises, Inc. / Rochester Gas and Electric Corporation
25-G-0163	Alessio Pipe & Construction Co. Inc. / KeySpan Gas East Corporation d/b/a National Grid

The Commission decided to adopt the terms of a consent order agreement in Cases 25-G-0161, 25-G-0162, and 25-G-0163.

ITEM 162

24-G-0708	Bluestone Gas Corporation of New York, Inc. and DT Midstream, Inc. - The Commission decided to grant Bluestone Gas Corporation of New York, Inc. and DT Midstream, Inc. additional flexible debt financing approval pursuant to Public Service Law §69.

General

ITEM 261

24-E-0322 & 24-G-0323 — Niagara Mohawk Power Corporation d/b/a National Grid - The Commission decided to approve an extension to the maximum suspension period through July 31, 2025, subject to a make-whole provision for the delay.

ITEM 262

25-M-0200 — The Commission decided to commence a proceeding to determine if the minimum broadband download speed under the ABA should be increased.

ITEM 263

24-M-0675 — Orange and Rockland Utilities, Inc. - The Commission decided to grant Orange and Rockland Utilities, Inc. authority, through December 31, 2028, to issue and sell up to $700 million of unsecured debt obligations, to enter into or continue one or more revolving credit agreements not to exceed $250 million, and to refinance up to $150 million of existing debt obligations.

ITEM 264

24-M-0667 — Niagara Mohawk Power Corporation d/b/a National Grid, 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 select the recommended consultant to conduct a management and operations audit and require National Grid to execute the multi-party contract with the recommended consultant and the Department.

ITEM 265

Appeal of Informal Hearing Decision

24-M-0224 — Deborah Bungartz - The Commission decided to deny the petition for rehearing.

Power

ITEM 361

24-E-0531 — ABB Inc. - The Commission decided to approve ABB Inc.'s petition to authorize the use of the ABB CMS current transformer in electric metering applications in New York State.

ITEM 362

24-E-0278	108 St Edwards Housing Development Fund Corporation - The Commission decided to grant 108 St Edwards Housing Development Fund Corporation a waiver of the individual metering requirements at 108 St Edwards Street, Brooklyn, located in the service territory of Consolidated Edison Company of New York, Inc.

ITEM 363

19-E-0378, 19-E-0380, 22-E-0317 & 22-E-0319	New York State Electric & Gas Corporation and Rochester Gas and Electric Corporation - The Commission decided to deny New York State Electric & Gas Corporation and Rochester Gas and Electric Corporation's request to exempt specific outages from their SAIFI and CAIDI calculations for calendar years 2022 and 2023.

ITEM 364

10-T-0139	Champlain Hudson Power Express, Inc. - The Commission decided to approve Champlain Hudson Power Express, Inc. and CHPE Properties, Inc. (collectively, the Certificate Holders) request for a major change to their approved Segment 10 Environmental Management & Construction Plan, to allow the Certificate Holders to shift the cable alignment outside the Allowed Deviation Zone to avoid challenging terrain.

ITEM 365

25-T-0049	Niagara Mohawk Power Corporation d/b/a National Grid - The Commission decided to approve, in part, and deny, in part, National Grid's waiver requests for certain application requirements.

ITEM 366

24-E-0671	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 transfer certain street lighting facilities, with an original cost over $100,000, located within the Village of Hoosick Falls, to the Village of Hoosick Falls.

ITEM 367 Commissioner Denise M. Sheehan, recusing
14-E-0423 The Commission decided to approve the Dynamic Load Management Program tariff modifications made by Consolidated Edison Company of New York, Inc. and Niagara Mohawk Power Company d/b/a National Grid. The Commission also directed Central Hudson Gas & Electric Corporation to modify their Commercial System Relief Program language to align with the December 2024 Clarifying Order. The Commission further approved the Utilities' proposals for the implementation of their BYOB residential energy programs.

ITEM 368
24-E-0633 Quadlogic Controls Corporation - The Commission decided to approve the Quadlogic QBrick miniQloset v1.1 for electric metering applications in New York State.

ITEM 369 Appeal of Informal Hearing Decision
24-E-0616 Zissis Takantzas - The Commission decided to deny the petition for rehearing.

ITEM 370
25-E-0180 The Commission decided to approve the Companies' tariff filings of a housekeeping nature, to incorporate previously approved tariff language.

ITEM 371
There is no item 371

ITEM 372
24-E-0441 Third at Third LLC - The Commission decided to grant authority to Third at Third LLC to Submeter Electricity at 125 Third Street, Brooklyn, located in the service territory of Consolidated Edison Company of New York, Inc.

ITEM 373
24-E-0628 CP VIII LIC Owner, LLC - The Commission decided to grant authority to CP VIII LIC Owner, LLC to submeter electricity at 23-15 44th Road, Long Island City, located in the service territory of Consolidated Edison Company of New York, Inc.

ITEM 374 — Appeal of Informal Hearing Decision

25-E-0056 Park Hill Tenants 11990 ENT3 / Brown Harris Stevens - The Commission decided to deny the petition for appeal.

ITEM 375

17-F-0282 Alle-Catt Wind Energy LLC - The Commission decided to approve Alle-Catt Wind Energy LLC's Compliance Filing required by Certificate Condition 45 and Attachment A No. 9 and 25(b) of the Article 10 Certificate, for the Towns of Arcade, Centerville, Rushford, and Farmersville.

ITEM 376

24-E-0332 Ashland DeKalb LLC - The Commission decided to grant authority to Ashland DeKalb LLC to submeter electricity at 180 Ashland Place, Brooklyn, located in the service territory of Consolidated Edison Company of New York Inc.

ITEM 377

There is no item 377

ITEM 378

There is no item 378

ITEM 379 — Appeal of Informal Hearing Decision

24-E-0470 Sleepy Hollow Country Inn - The Commission decided to modify, in part, and affirm, in part, the Informal Hearing Officer's decision.

ITEM 380

08-E-0836
08-E-0837
08-E-0838
08-E-0839

Heritage Holdings LLC, River Crossing Owner LLC, Miles Parker Owner LLC, and Roosevelt Landings Owner LLC - The Commission decided to grant authority to recommence submetering and granted requests for clarification of the August 24, 2011 order.

Water

ITEM 461

24-W-0468 Heritage Estates Homeowners Association, LTD. – The Commission decided to deny the request for the issuance of long-term debt and authorizes Heritage Estates Homeowners Association, LTD. to implement a surcharge to fund engineering and design costs associated with the proposed water plant improvements.

ITEM 462

23-W-0111 Veolia Water New York, Inc. - The Commission decided to approve, on a permanent basis, the compliance filing made by Veolia Water New York, Inc. effectuating the Rate Year 2 rates and provisions of the Commission's Order Adopting Joint Proposal as Modified and Establishing Rate Plan, issued May 16, 2024, and the further revisions filed on January 14, 2025.

ITEM 463

22-W-0283 Liberty Utilities (New York Water) Corp. and Arbor Hills Waterworks, Inc. - The Commission decided to authorize Liberty Utilities (New York Water) Corp. to recover expenses incurred to satisfy outstanding tax liabilities associated with its acquisition of Arbor Hills Waterworks, Inc. and any incremental expenses incurred with meeting the tax obligations.

ITEM 464

23-W-0688 Emerald Green Lake Louise Marie Water Company, Inc. - The Commission decided to authorize Emerald Green Lake Louise Marie Water Company, Inc. to increase its annual base delivery revenues by $226,509 or 36.68%. Emerald Green Lake Louise Marie Water Company, Inc. is directed to cancel one of its escrow account statements, prepare and file a meter testing and replacement plan, investigate cost saving measures for payment processing, file tariff revisions to comply with 16 NYCRR Part 14, and to notify its customers of the Commission's decision and file proof of such notice.

ITEM 465

24-W-0202 Somerdel Water-Works Corp. - The Commission decided to authorize Somerdel Water-Works Corp. to increase its annual base delivery revenues by $61,643 or 44.67%, to become effective May 1, 2025, and authorized the acquisition of Somerdel Water-Works Corp. by the Green Briar Homeowners Association.

ITEM 466

18-W-0128 Willsboro Bay Water Company - The Commission decided to end the Town of Willsboro's role as the temporary operator and authorizes the abandonment of the Willsboro Bay Water Company system.

Communications

ITEM 561

22-M-0492 Atlas Connectivity, LLC, Nicholville Telco LLC d/b/a Nicholville Telephone Company, SLIC Network Solutions, Inc., Keene Valley Video, Inc., HCCI LLC, and SDC Atlas AcquisitionCo, LLC - The Commission decided to approve the Petitioners' request to waive the first-year deadline of the broadband buildout commitment, established as a condition of the Commission's approval of the transfer of indirect control of Nicholville Telco LLC, SLIC Network Solutions, Inc., Westelcom Network, Inc., Keene Valley Video, Inc., and HCCI LLC to SDC Atlas AcquisitionCo, LLC., and to not change the third-year or final deadline for broadband buildout as the Petitioners are expected to satisfy their obligations by that date.

ITEM 562

22-M-0223 Lantelco, Inc., Barch Corporation, Individual Shareholders Thereof, Empire Telephone Corporation, Empire Long Distance Corporation d/b/a Empire Access, Empire Video Service Corp., Community Cable Corp., and Endurance Parent, Inc. - The Commission decided to approve the Petitioners' request for a waiver of the remainder of unserved addresses required to be passed as part of the Commission's broadband buildout condition in the Commission's approval of the transfer of ownership and control of Empire Telephone Corporation, Empire Long Distance Corporation d/b/a Empire Access, Empire Video Service Corp., Community Cable Corp. to Endurance Parent, Inc.

ITEM 563

22-C-0667
23-C-0622 Optical Communications Group Inc. and Empire City Subway Company (Limited) - The Commission decided (1) to direct Optical Communications Group Inc. (OCG), pursuant to Public Service Law §§25, 26, 94, 96, and 99, as to why the Commission should not institute an enforcement action against OCG for failing to notify its customers in accordance with the Commission's directive, (2) to direct Verizon New York Inc. (Verizon) and Empire City Subway Company (Limited) to explain why the Commission should resolve their contract issues with OCG, and (3) direct Verizon to provide sworn affidavits and verified documentation to support their allegations of unpaid bills against OCG to substantiate the record in these cases.

Cable

ITEM 661

24-V-0673 Verizon New York Inc. for an Order of Entry for 554 3rd Avenue, Manhattan - The Commission decided to grant the petition for an Order of Entry.

ITEM 662

25-V-0188 Verizon New York Inc. for an Order of Entry for 448 East 78th Street, Manhattan - The Commission decided to grant the petition for an Order of Entry.

ITEM 663

25-V-0077	Spectrum Northeast, LLC / Town of Florida, Montgomery County
25-V-0083	Spectrum Northeast, LLC / Town of Elbridge, Onondaga County
25-V-0091	Spectrum Northeast, LLC / City of Gloversville, Fulton County
25-V-0094	Spectrum Northeast, LLC / Town of Carlton, Orleans County
25-V-0099	Spectrum Northeast, LLC / Village of Greenwich, Washington County
25-V-0119	Spectrum Northeast, LLC / Village of Waterford, Saratoga County
25-V-0125	Spectrum Northeast, LLC / City of Albany, Albany County
25-V-0132	Spectrum Northeast, LLC / Town of Cambridge, Washington County
25-V-0135	Spectrum Northeast, LLC / Village of Endicott, Broome County
25-V-0138	Spectrum Northeast, LLC / Town of Whitestown, Oneida County

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

ITEM 664

24-C-0587	Planet Fiber NY LLC, Alteva of Warwick, LLC, Germantown Telephone Company Inc., and Archtop Fiber LLC - The Commission decided to require Archtop Fiber, LLC to make available to Planet Fiber NY LLC its standard pole attachment agreement along with any other duly executed pole attachment agreement currently in effect in the Alteva of Warwick, LLC and Germantown Telephone Company Inc. service territories.