

STATE OF NEW YORK

Public Service Commission

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COMMISSION TO MEET ON THURSDAY, SEPTEMBER 19, 2013

Albany, NY – 09/16/13 – The Public Service Commission announced today that it will hold its next regular session beginning at **10:30 a.m., Thursday, September 19, 2013, in the 19th Floor Board Room of its offices located at Three Empire State Plaza, Albany, New York.**

MEETING WILL BE BROADCAST ON THE INTERNET AT:

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

-VIDEOCASTING TO PSC'S NYC OFFICES AVAILABLE-

(See instructions on last page of Agenda)

The session agenda is as follows:

To view documents related to PSC Cases Numbers below, visit:

http://www.dps.ny.gov/New_Search.html

REGULAR AGENDA ITEMS

Items To Be Resolved Through Discussion

Item PSC Case

POWER

301 12-T-0502 Proceeding on Motion of the Commission to Examine Alternating Current Transmission Upgrades. Proposed Rules Governing Next Steps.

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

- | | | |
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| 161 | 13-G-0202 | CORNING NATURAL GAS CORPORATION AND ANITA G. ZUCKER TRUST - Joint Petition for Declaratory Ruling/Approval of Stock Acquisition. |
| 162 | 13-G-0227 | NEW YORK STATE ELECTRIC & GAS CORPORATION - Petition for a Waiver of Certain Portions of the Gas Cost Refund Tariff. |
| 163 | | In the Matter of Enforcement Proceedings for Alleged Violations of 16 NYCRR Part 753: Protection of Underground Facilities. |
| | 13-G-0327 | JAKE'S LAWN CARE, INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID. |
| | 13-G-0367 | DIGCO, INC./NATIONAL FUEL GAS DISTRIBUTION CORPORATION. |
| | 13-G-0368 | THE SPOT OF CNY INC./NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID. |
| | 13-G-0369 | WEL-DON EXCAVATING/ORANGE AND ROCKLAND UTILITIES, INC. |
| | 13-G-0370 | JJ MORELL BUILDERS/NEW YORK STATE ELECTRIC & GAS CORPORATION. |
| 164 | 12-G-0221 | TALISMAN ENERGY USA - Settlement Between Staff and the Company to Resolve the Enforcement Proceeding Commenced at the Commission's Direction and the Order to Show Cause Issued by the Commission in June 2012. |
| 165 | 07-G-0409 | KEYSPAN OF NEW YORK/COASTAL MANAGEMENT, et al. - Appeal of Informal Hearing Decision. |
| 166 | 12-G-0509 | PATRICIA CURTO/NATIONAL FUEL GAS DISTRIBUTION CORP. |

- Appeal of Informal Hearing Decision.

- 167 13-G-0136 NATIONAL FUEL GAS DISTRIBUTION CORPORATION -
Proceeding on Motion of the Commission as to the Rates, Charges, Rules
and Regulations for Gas Service. (Confirming Order)

GENERAL

- 261 09-G-0662 BISHOP KEARNEY H. S./NATIONAL GRID - METRO NY - Appeal
of Informal Review Decision.
- 10-M-0055 MS. BRENDA MARIE MAJOR/CONSOLIDATED EDISON OF NEW
YORK, INC. - Appeal of Informal Review Decision.

POWER

- 361 12-E-0347 MR. JACQUES POLANCO/MS. KEISHA REYNOLDS and
CONSOLIDATED EDISON OF NEW YORK, INC. – Rehearing of
Commission Designee’s Determination.
- 362 12-E-0312 MS. YVONNE YEBOAH/M 1035 C G LLC and CONSOLIDATED
EDISON COMPANY OF NEW YORK, INC. – Rehearing of
Commission Designee’s Determination.
- 363 13-E-0232 CONSTELLATION ENERGY COMMODITIES GROUP, INC. - In the
Matter of Settlement Funds in Accordance with Federal Energy
Regulatory Commission Directive.
- 364 13-E-0302 ASTORIA ENERGY II, LLC, EIF MANAGEMENT, LLC and GULF
PACIFIC POWER, LLC - Joint Petition for a Declaratory Ruling
Regarding the Transfer of Upstream Interests in Astoria Energy II LLC,
or in the Alternative, Approval Pursuant to Section 70 of the Public
Service Law.
- 365 13-E-0354 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL
GRID - Amendments to PSC 220-Electricity, eff. 9/23/13, to make
housekeeping changes.
- 366 12-E-0400 CAYUGA OPERATING COMPANY, LLC - Amendments to PSC 120
and 121-Electricity, eff. 3/1/13 and 5/23/13, on a temporary basis, to

Mothball Generating Units 1 and 2.

- 367 12-E-0503 Proceeding on Motion of the Commission to Review Generation Retirement Contingency Plans. Generic Environmental Impact Statement.
- 368 13-E-0237 NORTH 3RD BEDFORD, LLC AVENUE and NORTH 3RD BERRY STREET, LLC - Petition to Submeter Electricity at 155 North 3rd Street/129 North 3rd Street, Brooklyn, NY 11211, Located in the Territory of Consolidated Edison Company of New York.
- 369 13-E-0238 500 WEST 30TH LLC - Petition to Submeter Electricity at 500 West 30th Street, New York, NY, Located in the Territory of Consolidated Edison Company of New York, Inc.
- 370 13-E-0233 NIAGARA GENERATION LLC - Petition for a Declaratory Ruling That It Has become an Alternate Energy Production Facility Exempt From Regulations Under the Public Service Law.
- 371 There is no item 371.
- 372 13-E-0117 NEW YORK STATE ELECTRIC & GAS CORPORATION - Petition for Authorization to Implement Full-Cycle Distribution Vegetation Management.
- 373 11-T-0068 NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Petition for a Certificate of Environmental Compatibility and Public Need for the Reconstruction of Approximately 14 Miles of 115 kV Double-Circuit Electric Transmission Facilities from the Mohican Substation in Saratoga County to the Battenkill Substation in Washington County.
- 374 13-T-0235 NEW YORK STATE ELECTRIC & GAS CORPORATION and NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID - Joint Application for a Certificate of Environmental Compatibility and Public Need for the Construction of Approximately 14.5 Miles of 115kV Electric Transmission Facilities from the State Street Substation in Cayuga County to the Elbridge Substation in Onondaga County, NY.

- 375 10-T-0139 CHAMPLAIN HUDSON POWER EXPRESS - Petition for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII of the PSL for the Construction, Operation and Maintenance of a High Voltage Direct Current Circuit from the Canadian Border to New York City. Petition for Rehearing by Entergy.
- 376 13-E-0240 NEW YORK INDEPENDENT SYSTEM OPERATOR, INC. - Petition for Authority to Incur Indebtedness for a Term in Excess of Twelve Months.

WATER

- 461 13-W-0246 UNITED WATER NEW YORK, INC. - Verified Petition for Implementation of a Long-Term Water Supply Surcharge, And Related Tariff Amendment.
- 462 13-W-0270 GARROW WATER-WORKS COMPANY, INC. and the TOWN OF SCHUYLER FALLS - Joint Petition for Approval of the Transfer of all the Water Supply Assets Serving the Fildowns Country Homes Subdivision to the Town of Schuyler Falls.
- 463 13-W-0203 NEW YORK AMERICAN WATER COMPANY, INC. - Amendments to PSC 2-Water, eff. 10/21/13, to make revisions to Service Classification No. 1-E regarding adjustments to usage block allowances.

COMMUNICATIONS

- 561 13-C-0341 VERIZON NEW YORK INC. - Amendments to PSC NY No. 1-Communications, eff. 9/21/13, to provide for a rate increase of \$4.00 for the Unlimited Local Usage (ULU) for Business Offering.
- 562 13-C-0197 Tariff filing by Verizon New York Inc. to introduce language under which Verizon could discontinue its current wireline service offerings in a specified area and instead offer a wireless service as its sole service offering in the area. (Confirming Order)

CABLE

- 661 Petitions for Renewal of Cable Television Franchises.
- 13-V-0283 TIME WARNER CABLE NORTHEAST LLC/TOWN OF CLAY,
ONONDAGA COUNTY.
- 13-V-0316 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF
MIDDLEVILLE, HERKIMER COUNTY.
- 13-V-0317 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF
MANLIUS, ONONDAGA COUNTY.
- 13-V-0318 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF
ELBRIDGE, ONONDAGA COUNTY.
- 13-V-0319 TIME WARNER CABLE NORTHEAST LLC/TOWN OF POMPEY,
ONONDAGA COUNTY.
- 13-V-0334 CSC ACQUISITION-MA, INC./VILLAGE OF LAWRENCE, NASSAU
COUNTY.
- 13-V-0335 ADAMS CABLE SERVICE/TOWN OF COLESVILLE, BROOME
COUNTY.
- 13-V-0344 TIME WARNER CENTRAL NEW YORK DIVISION/TOWN OF
COVENTRY IN CHENANGO COUNTY.
- 13-V-0345 TIME WARNER CABLE NORTHEAST LLC/TOWN OF
CONSTANTIA IN OSWEGO COUNTY.
- 13-V-0346 TIME WARNER CABLE NORTHEAST LLC/VILLAGE OF ADAMS
IN JEFFERSON COUNTY.
- 13-V-0347 TIME WARNER CABLE NORTHEAST LLC/TOWN OF
LITCHFIELD IN HERKIMER COUNTY.
- 13-V-0348 TIME WARNER CABLE NORTHEAST LLC/TOWN OF WEST
MONROSE IN OSWEGO COUNTY.
- 13-V-0350 TIME WARNER CABLE NORTHEAST LLC/TOWN OF DENMARK
IN LEWIS COUNTY.
- 662 13-V-0281 NEW VISIONS COMMUNICATIONS, INC - Petition for a Certificate
of Confirmation for its Franchise with the Town of Parish, New York
(Oswego County).
- 663 13-V-0271 TOWN OF CARLISLE - Petition for a Waiver of the Requirements of 16
NYCRR, Part 894.

664 13-V-0280 NEW VISIONS COMMUNICATIONS, INC. - Petition for a Certificate of Confirmation for its Franchise with the Village of Parish, New York. (Oswego County).

Instructions to View Videocast at PSC's NYC Offices

Individuals in New York City wishing to view the Commission's meeting may do so in the Board Room on the 4th floor of the Commission's offices at 90 Church Street, New York City. The videocasting will be for viewing and listening purposes only. Pursuant to procedures established by the building management, anyone planning to observe the meeting in the New York City Board Room must notify Jan Goorsky at 212-417-2378, 48 hours in advance of the meeting, and must be prepared to show valid photo identification upon arrival at 90 Church Street.

Instructions to View Video Broadcast of Meeting

In addition to the video broadcasting of the meeting in the Commission's New York City offices, the meeting will be broadcast live on the Internet. The Internet broadcast can be viewed by accessing <http://www.dps.ny.gov/Webcasts.html>

The viewing 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 view the webcast. If you experience problems viewing 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** or discussion items will be posted for public viewing, if feasible, by 5:00 p.m. the day before a Commission meeting. The draft orders will be made available at: www.dps.ny.gov/DraftDocuments.html

The posted drafts will be removed by 5:00 p.m. on the day of the Commission meeting. The proposed order is not the final Commission action, rather, the final determination is the issued order, posted by the Secretary, and available at www.dps.ny.gov, click on “Search” then search the appropriate PSC case number.

Other Matters

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 Commission's Web site at www.dps.ny.gov, click on “Search” then search using the appropriate PSC case number, or in the alternative documents may be viewed on monitors provided in the Files Unit on the 14th floor of the Albany offices or obtained by calling (518) 474- 2500.

Next Meeting

The next regularly scheduled meeting will begin at **10:30 A.M., Thursday, October 17, 2013, in Albany, New York.**

Individuals in Albany wishing to observe the Commission's meeting may do so in the Board Room on the 19th floor of the Commission's offices at Three Empire State Plaza. **Pursuant to procedures established by the building management, anyone planning to view the meeting in the New York City Office must notify Jan Goorsky at 212-417-2378, 48 hours in advance of the meeting, and must be prepared to show valid photo identification upon arrival at 90 Church Street.** The videocasting will be for viewing and listening purposes only.

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