140 West Street 6th Floor New York, NY 10007 Tel (212) 321-8115 richard.fipphen@verizon.com

Richard C. Fipphen Assistant General Counsel



May 8, 2014

Honorable Kathleen H. Burgess Secretary New York Public Service Commission Three Empire State Plaza Albany, New York 12223

Re: Matter 14-____ – Petition of Verizon New York Inc. for Limited Orders of Entry for 16 Multiple-Dwelling Unit Buildings in the City of New York

Dear Secretary Burgess:

Enclosed please find the Petition of Verizon New York Inc. for Limited Orders of Entry for 16 Multiple-Dwelling Unit Buildings in the City of New York.

Each respondent named in the Petition has been served with a paper copy of the Petition and accompanying Exhibit 1. Due to its size, a paper copy of Exhibit 2 has not been provided to each respondent. Instead, Exhibit 2 has been posted on a public webpage and can be found at http://www22.verizon.com/about/community/nypsc_petitions.htm.

If any of the respondents believe that they have been included in this Petition in error or are now willing to allow a survey of their property in preparation for installation of Verizon's cable television facilities at their building, they should contact me at the above email address.

Respectfully submitted,

Pulsa C. Diff

Richard C. Fipphen

STATE OF NEW YORK PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Limited Orders of Entry for 16 Multiple-Dwelling Unit Buildings in the City of New York

Matter	14
--------	----

PETITION FOR LIMITED ORDERS OF ENTRY

Verizon New York Inc. ("Verizon") respectfully submits this Petition for Limited Orders of Entry, pursuant to 16 NYCRR § 898.4, allowing Verizon to conduct a pre-installation survey at 16 multiple-dwelling unit buildings ("MDUs") in the City of New York. In support of this Petition, Verizon states as follows:

Specific Location of the Properties

1. Verizon seeks to conduct a pre-installation survey, in preparation for future installation of cable television facilities, at the 16 MDUs listed in Exhibit 1. Each MDU is a residential building; the number of living units in each MDU is set forth in column D of Exhibit 1. The owner or managing agent of each MDU listed on Exhibit 1 has either: (1) failed to respond to Verizon's letters requesting access for purposes of performing a pre-installation survey, or (2) affirmatively denied Verizon's request for access. Column I of Exhibit 1 sets forth the type of response received for each building.

Owners and Agents

2. The names of the current owners and managing agents of each MDU are listed in Columns E, F and G of Exhibit 1.

Description of the Work to be Performed

3. By this Petition, Verizon seeks permission to enter each MDU to conduct a preinstallation survey, in preparation for future installation of Verizon's cable television facilities at the MDU, to allow Verizon to provide cable television service to residents in the MDU.

<u>Proof of Service of Notice of Intention to Install Cable Television Facilities</u> and Service

4. Each MDU owner and/or managing agent received two letters from Verizon. Each letter was accompanied by a Notice of Intention to Install Cable Television Facilities and Service, as required by 16 NYCRR Part 898. Mailing dates of the notices for each building are set forth in Column H of Exhibit 1. Supporting documentation, including proof of delivery (if available), is provided in Exhibit 2.

Name of the Individual Responsible for Installation

5. Alyson Seigal, Verizon, 140 West Street, New York, NY, is the person primarily responsible for the proposed pre-installation surveys.

Indemnification

6. Verizon warrants that it will bear the entire cost of each survey. Verizon further warrants that it will indemnify the owner of each MDU for any damage that may be caused by Verizon in connection with the survey.

<u>Pre-Installation Survey Work will be Conducted Without Prejudice to the Owner's Right to Receive Just Compensation</u>

7. The proposed pre-installation survey work will be conducted without prejudice to the rights of the owner of each MDU to receive just compensation in accordance with 16 NYCRR § 898.2.

Summary of Verizon's Efforts to Gain Entry to the Buildings for the

Pre-Installation Surveys

8. Verizon's formal efforts are set forth in Column H of Exhibit 1.

Opportunity for the Owner to Answer the Petition

9. The owner of each MDU listed in Exhibit 1 has twenty (20) days from receipt of

this Petition to file an answer. The answer must be responsive to this Petition and may set forth

any additional matter not contained herein.

WHEREFORE, Verizon respectfully requests that the Commission grant Verizon the

relief requested herein and issue an Order pursuant to 16 NYCRR § 898.4 permitting Verizon to

conduct a pre-installation survey at each MDU, together with such other relief as the

Commission may deem just and proper.

Respectfully submitted,

Pulm C. Top

RICHARD C. FIPPHEN

140 West Street, 6th Floor

New York, New York 10007

(212) 321-8115

Counsel for Verizon New York Inc.

Dated: New York, New York

May 8, 2014

3

STATE OF NEW YORK PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Limited Orders of Entry for 16 Multiple-Dwelling Unit Buildings in the City of New York

Matter 14-____

AFFIRMATION OF KEEFE B. CLEMONS

Keefe B. Clemons, an attorney admitted to practice in the courts of the State of New York, affirms under penalty of perjury, pursuant to CPLR 2106, as follows:

- 1. I am an officer of the petitioner Verizon New York Inc.
- 2. I am not a party to this action.
- 3. I have read the foregoing Petition and I know its contents. To the best of my knowledge, based on information provided to me by employees of the Petitioner and its affiliates, the foregoing Petition is true.

KEEFE B. CLEMONS

Lefe B. Clemons

Dated: New York, New York May 8, 2014

STATE OF NEW YORK PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Limited Orders of Entry for 16 Multiple-Dwelling Unit Buildings in the City of New York

Matter 14-____

DECLARATION OF LAURA A. SHINE

A copy of the Petition of Verizon New York Inc. for Limited Orders of Entry for 16 Multiple-Dwelling Unit Buildings in the City of New York was sent on May 8, 2014 by First Class U.S. Mail to the persons on the attached Service List.

I declare under penalty of perjury that, to the best of my knowledge, the foregoing is true and correct.

LAURA A. SHINE

Dated: New York, New York May 8, 2014

SERVICE LIST

Nicholas Drobenko PO Box 6313 Astoria, NY 11106 Gusija Realty Inc. Attn: Marjan Curanovic 620 Thwaites Place Bronx. NY 10467

Plymouth Leasing Property LLC c/o Kings & Queens Residential LLC Attn: Debra Perna 97-77 Queens Boulevard, Suite 1210 Rego Park, NY 11374 Amherst Leasing Limited Partnership c/o Kings & Queens Residential LLC Attn: Denis Omeragic 97-77 Queens Boulevard, Suite 1210 Rego Park, NY 11374

OLR MM, L.P. c/o Reliant Realty Services, Inc. Attn: Eugene Schneur 885 Second Avenue, 16th Floor New York, NY 10017

68th Street LLC Attn: Stacey Athanail 549 86th Street Brooklyn, NY 11209

Dartmouth Realty L.P. c/o Kings & Queens Residential LLC Attn: Gary Flamenbaum 97-77 Queens Boulevard, Suite 1210 Rego Park, NY 11374 Portland Leasing Limited Liability Company c/o Kings & Queens Residential LLC Attn: Debra Perna 97-77 Queens Boulevard, Suite 1210 Rego Park, NY 11374

Gore Creek, LLC c/o Urban American Management Attn: Yvette Valle 590 56th Street West New York, NJ 07093

Carlyco Realty LLC Attn: Jeffrey Farkas 103-17 Metropolitan Avenue, Office Forest Hills, NY 11375 East Tremont LLC c/o Foxy Management Ltd. Attn: Alexis Debord 500 Trinity Avenue, Suite 1B Bronx, NY 10455

Sheridan One Company, LLC c/o Pelican Management Inc. Attn: Marc Goldfarb 524 North Avenue, 5th Floor New Rochelle, NY 10801

67-30 Clyde Apt Inc. c/o All Area Realty Services Inc. Attn: Keith Scandore 99 Tulip Avenue, Suite 302 Floral Park, NY 11001 Citadel Realty Limited Partnership c/o Kings & Queens Residential LLC Attn: Dennis Omeragic 97-77 Queens Boulevard, Suite 1210 Rego Park, NY 11374

Petro Realty Co., LLC c/o Antonios Feggoudakis Management Attn: Antonios Feggoudakis 142-30 Sanford Avenue, # 1U Flushing, NY 11355

Rome Realty Leasing, L.P. c/o Kings & Queens Residential LLC Attn: Aaron Goldfried 97-77 Queens Boulevard, Suite 1210 Rego Park, NY 11374