

140 West Street  
6<sup>th</sup> Floor  
New York, NY 10007  
(212) 519-4717



**Joseph A. Post**  
Deputy General Counsel – NY

February 7, 2017

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

***Re: Matter 17-\_\_\_\_ – Petition of Verizon New York Inc. for Orders of Entry  
for 10 Multiple-Dwelling Unit Buildings in the City of New York***

Dear Secretary Burgess:

Enclosed please find the Petition of Verizon New York Inc. for Orders of Entry for 10 Multiple-Dwelling Unit Buildings in the City of New York.

Verizon has completed pre-installation surveys at each of the 10 properties. Verizon requests that orders of entry be issued by the Commission directing the owner of each building to permit Verizon to install cable television facilities, as provided in Section 898.4(b)(9) of the Commission's Rules.

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](http://www22.verizon.com/about/community/nypsc_petitions.htm).

**Respondents: If you believe that your building was included in this Petition in error or you are now willing to allow installation of Verizon's cable television facilities, the quickest and most efficient way of letting us know is to send an email to [228correspondence@verizon.com](mailto:228correspondence@verizon.com). We will review and follow up on your email promptly. Please include in the email message your name, company, telephone number, email address and the address of the building (as it appears on Exhibit 1 of the Petition).**

Respectfully submitted,

A handwritten signature in black ink that reads "Joseph A. Post".

Joseph A. Post

**STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION**

**Petition of Verizon New York Inc. for Orders of  
Entry for 10 Multiple-Dwelling Unit Buildings in  
the City of New York**

**Matter 17-\_\_\_\_\_**

**PETITION FOR ORDERS OF ENTRY**

Verizon New York Inc. (“Verizon”) respectfully submits this Petition for Orders of Entry, pursuant to 16 NYCRR § 898.4, allowing Verizon to install fiber-optic facilities to provide cable television service at 10 multiple-dwelling unit (“MDU”) buildings in the City of New York. In support of this Petition, Verizon states as follows:

**Specific Location of the Properties**

1. Verizon seeks to install fiber-optic facilities to provide cable television service at the 10 MDUs listed in Exhibit 1. Each MDU is a residential building; the address of each MDU is set forth in Columns B and C of Exhibit 1.

**Owners and Agents**

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

**Description of the Work to be Performed**

3. By this Petition, Verizon seeks permission to install fiber-optic facilities to provide cable television services to residents and businesses in each building. These fiber-optic facilities will also allow Verizon to provide voice telephony and broadband services in the building. Pre-installation surveys of each property have been completed. Column H of Exhibit 1 sets forth the type of installation that Verizon intends to use for each building.

### **Proof of Service of Notice of Intention to Install Cable Television Facilities and Service**

4. After several unsuccessful attempts by Verizon to secure permission to start the proposed fiber-optic installation, each owner and/or managing agent received a letter from Verizon along with a Notice of Intent to Install Cable Television Facilities. Mailing dates of the notices for each building are set forth in Column G of Exhibit 1. Supporting documentation 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 installations.

### **Indemnification**

6. Verizon warrants that it will bear the entire cost of each installation. Verizon further warrants that it will indemnify the owner of each building for any damage that may be caused by Verizon in connection with the installation, and that it has insurance covering such installation, proof of which can be produced upon request.

### **Installation Work Will Be Conducted without Prejudice to the Owner's Right to Receive Just Compensation**

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

### **Summary of Verizon's Efforts to Gain Entry to the Buildings**

8. Verizon's formal efforts to gain entry to the identified properties are set forth in Column G of Exhibit 1. In addition to those efforts, Verizon has attempted to contact the owners and managing agents by telephone and/or e-mail to secure access to the properties, without success. Verizon has been unable to obtain access to install its facilities for reasons that may

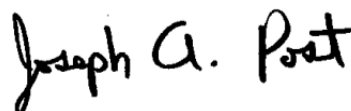
include, but are not necessarily limited to, refusals to permit access, delays by building owners or managing agents in communicating with Verizon or in reaching a decision, and requests to defer work by Verizon pending building renovations or other activity. Verizon will continue attempting to work cooperatively with building owners and managing agents to obtain access, and will periodically advise the Commission of the progress of such efforts.

**Opportunity for the Owner to Answer the Petition**

9. The owner of each building listed on 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 matters 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 install cable television facilities at each building, together with such other relief as the Commission may deem just and proper.

Respectfully submitted,

A handwritten signature in black ink that reads "Joseph A. Post". The signature is written in a cursive, slightly slanted style.

JOSEPH A. POST  
140 West Street, 6<sup>th</sup> Floor  
New York, New York 10007  
(212) 519-4717

Counsel for Verizon New York Inc.

Dated: February 7, 2017

**STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION**

**Petition of Verizon New York Inc. for Orders of  
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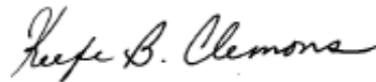
**Matter 17-\_\_\_\_\_**

**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. To the best of my knowledge, based on information provided by employees of the

Petitioner and its affiliates, the foregoing Petition is true.



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**KEEFE B. CLEMONS**

Dated: New York, New York  
February 7, 2017

**STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION**

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**DECLARATION OF LAURA A. SHINE**

I have taken steps to ensure that a copy of the Petition of Verizon New York Inc. for Orders of Entry for 10 Multiple-Dwelling Unit Buildings in the City of New York was sent on February 7, 2017 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  
February 7, 2017

## SERVICE LIST

140 Ash Associates, LLC  
c/o Shalom Realty LLC  
Attn: Abraham Malinovich  
52-10 108th Street  
Corona, NY 11368

18 East 12th Street Condominium  
c/o Maxwell-Kates, Inc.  
Attn: Jared Zolna  
9 East 38th Street, 6th Floor  
New York, NY 10016

1711 Davidson Avenue HDFC  
Attn: James Gay  
1711 Davidson Avenue, #1E  
Bronx, NY 10463

Jerilisa Realty Corp.  
c/o Midas Management Assoc. Inc.  
Attn: Michael Padernacht  
3605 Sedgwick Avenue  
Bronx, NY 10463

39 CA, LLC  
c/o Sarsen Realty, LLC  
Attn: Pamela Sendowski  
41 Carmine Street  
New York, NY 10014

Lexington 100 Properties LLC  
c/o Kano Real Estate Investors Inc.  
Attn: David Zebli  
225 West 35th Street, #302  
New York, NY 10001

318 West 100 Condominium  
c/o New Bedford Management Corp.  
Attn: Ryan Solari  
210 East 23rd Street, 5th Floor  
New York, NY 10010

Kofel Associates, Inc.  
c/o Tri-Star Equities, Inc.  
Attn: Rod Feldman  
155 East 26th Street, Store Front  
New York, NY 10010

13539 Owners Corp.  
c/o Picaso Halstead Management, LLC  
Attn: Radames Revilla  
770 Lexington Avenue, 7th Floor  
New York, NY 10065

HPENY HDFC, Inc.  
c/o WinnResidential (NY) LLC  
Attn: Barry Timmons  
2534 Adam Clayton Powell Jr. Boulevard, Ground Floor  
New York, NY 10039