140 West Street 6th Floor New York, NY 10007 Tel (212) 519-4718 richard.fipphen@verizon.com

Richard C. Fipphen Assistant General Counsel



February 2, 2015

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

Re: Matter 15-____ – Petition of Verizon New York Inc. for Limited Orders of Entry for 28 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 28 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,

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Richard C. Fipphen

STATE OF NEW YORK PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Limited Orders of Entry for 28 Multiple-Dwelling Unit Buildings in the City of New York

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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 28 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 28 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 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.

<u>Summary of Verizon's Efforts to Gain Entry to the Buildings for the Pre-Installation Surveys</u>

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) 519-4718

Counsel for Verizon New York Inc.

Dated: New York, New York February 2, 2015

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STATE OF NEW YORK PUBLIC SERVICE COMMISSION

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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.

Leefe B. Clemons

KEEFE B. CLEMONS

Dated: New York, New York February 2, 2015

STATE OF NEW YORK PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Limited Orders of Entry for 28 Multiple-Dwelling Unit Buildings in the City of New York

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DECLARATION OF LAURA A. SHINE

A copy of the Petition of Verizon New York Inc. for Limited Orders of Entry for 28 Multiple-Dwelling Unit Buildings in the City of New York was sent on February 2, 2015 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 2, 2015

SERVICE LIST

98 Orchard Street Realty LLC

Attn: Mark Miller 94 Orchard Street New York, NY 10002 Newport Leasing Limited Partnership c/o Estates of NY Real Estate Services LLC

Attn: Denis Omeragic

97-77 Queens Boulevard, Suite 1210

Rego Park, NY 11374

Slate Condominium c/o CFA Management Attn: Jeanne Bauer 80 East 11th Street, Room 405 Corey Asociates LLC c/o Finkelstein & Morgan Real Estate Attn: Richard Timberger 111 Brook Street, 2nd Floor Scarsdale, NY 10583

Madison St. Realty Corp.

Attn: Vera Sung 6 Bowery, 6th Floor New York, NY 10013

New York, NY 10003

24035 Owners Corp.
c/o Douglas Elliman Property Management
Attn: Alata Pullins Kallas
675 Third Avenue

207 Realty LLC
Attn: Rasim Toskic
3425 Kingsbridge Avenue
Bronx, NY 10463

207 Sherman Associates, LLC c/o SDG Management Corp.
Attn: Alex Bonnet
888 7th Avenue, 24th Floor
New York, NY 10106

New York, NY 10017

207 Sherman Associates, LLC c/o SDG Management Corp.
Attn: Alex Bonnet
888 7th Avenue, 24th Floor
New York, NY 10106

Baxter 18 Realty Co. LLC Attn: Shpend Nezaj 550 West 171st Street New York, NY 10032 F & M Realty LLC

c/o Edel Family Management Corp.

Attn: Florence Edelstein 2207 Coney Island Avenue

Brooklyn, NY 11223

Hudsoncliff Building Co., Inc. c/o Rotner Management Corp.

Attn: Kenneth Rotner

330 East 71st Street, Apt. 1E

New York, NY 10021

Binaku Realty Co., Inc.

Attn: Paul Gecaj
2300 Bronx Park East

Bronx, NY 10467

774 Associates, LLC

Attn: Luca Gjonlekay

770 East 225th Street, Basement

Bronx, NY 10466

Rockaway One Company, LLC c/o Pelican Management

Attn: Mark Goldfarb

524 North Avenue, 5th Floor New Rochelle, NY 10801 Queens B'Nai B'Rith HDFC, Inc.

Attn: Carlos Marerro 138-49 Elder Avenue Flushing, NY 11355

Hillside 88 LLC

c/o NYC American Management Inc.

Attn: Maria Royas

108-18 Queens Boulevard, Suite 907

Forest Hills, NY 11375

JVL Realty Associates, Inc. c/o Sandra Greer Real Estate

Attn: Sami Najjar

201 East 77th Street, 1st Floor

New York, NY 10075

Decker Associates LLC

Attn: William Punch

111 East 14th Street, Suite 395

New York, NY 10003

23 Canal Street LLC

Attn: Naomi Blumenthal

125 East 17th Street, Suite 21

New York, NY 10003

Kiev Realty LLC

Attn: Maria Hrynenko 46 East 7th Street, Suite 1 New York, NY 10003 LIL-FRA-Joe Ltd.

Attn: Joseph Locascio

35 East Grassy Sprain Road, Suite 303

Yonkers, NY 10710

Deegan Two Company, LLC c/o Pelican Management, Inc.

Attn: Thomas Frye 524 North Avenue New Rochelle, NY 10801 2825 GC LLC

c/o Chestnut Holdings of New York

Attn: Ben Rieder

5676 Riverdale Avenue, Suite 307

Bronx, NY 10471

BNS Buildings, LLC c/o Alma Realty Corp.
Attn: Nick Conway

3110 37th Avenue, Apt. 500 Long Island City, NY 11101 1412 Realty Associates, LLC c/o Jerome Associates, LLC

Attn: Rudy Murillo 2800 Webster Avenue Bronx, NY 10458

800 E 173 LLC

c/o Village Home Realty LLC

Attn: Ferdo Skrelja 875 East 219th Street Bronx, NY 10467 Ardowork Corp.

Attn: Carlo Ceppi

2685 University Avenue

Bronx, NY 10468