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

Richard C. Fipphen Assistant General Counsel



February 19, 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 22 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 22 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,

Pulm C. Tyl

Richard C. Fipphen

STATE OF NEW YORK PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Limited Orders of Entry for 22 Multiple-Dwelling Unit Buildings in the City of New York

Matter 1:	5
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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 22 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 22 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 19, 2015

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STATE OF NEW YORK PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Limited Orders of Entry for 22 Multiple-Dwelling Unit Buildings in the City of New York

Matter 15-____

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.

Lufe B. Clemons

KEEFE B. CLEMONS

Dated: New York, New York

February 19, 2015

STATE OF NEW YORK PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Limited Orders of Entry for 22 Multiple-Dwelling Unit Buildings in the City of New York

DECLARATION OF LAURA A. SHINE

A copy of the Petition of Verizon New York Inc. for Limited Orders of Entry for 22 Multiple-Dwelling Unit Buildings in the City of New York was sent on February 19, 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 19, 2015

SERVICE LIST

Harper Gardens LLC
Attn: Abe Mertz

694 Myrtle Avenue, Suite 117

Brooklyn, NY 11205

7-9 E. 32 LLC c/o Pinnacle Group

Attn: Elinor Arzt

1 Penn Plaza, Suite 4000

New York, NY 10119

Park Terrace Realty, LLC

c/o Metropolitan Property Services

Attn: Sheronda Robinson

141-50 85th Road Jamaica, NY 11435 GPC Realty Corp.

Attn: Katrina Curanaj 160 Glover Avenue

Yonkers, NY 10704

Orchard Realty, LLC

Attn: Herbert Medina

3005 Avenue N

Brooklyn, NY 11210

80 Fourth Avenue LLC

c/o Tri Star Equities

Attn: Rod Feldman 155 East 26th Street

New York, NY 10010

Good Home Realty Inc.

c/o M.G. Rose LLC

Attn: Marshall Rose 12 Park Hill Terrace

Yonkers, NY 10705

2500 Webb LLC

c/o Sharp Management Corp.

Attn: Stephen Melowsky 1085 East 12th Street

Brooklyn, NY 11230

High View Owners, Inc.

c/o Impact Real Estate Management Inc.

Attn: David Movahedian

45-18 Court Square, Suite 401

Long Island City, NY 11101

Aqua 2939 GC LLC

c/o Residential Management (NY), Inc.

Attn: Labe Twerski

1651 Coney Island Avenue, 4th Floor

Brooklyn, NY 11230

Copperfield Enterprises Inc.

Attn: Nathan Fishman 4422 Broadway, Box 330 New York, NY 10040 410 Realty, LLC

Attn: Rifat Redzematovic

521 West 146th Street, Suite 296

New York, NY 10031

1540 Wallco, Inc.

c/o Tryax Realty Management, Inc.

Attn: Gustavo Moran 1476 Walton Avenue Bronx, NY 10452 1915 Realty LLC

c/o Alma Realty Corp.

Attn: Maria Varga

31-10 37th Avenue, Suite 500 Long Island City, NY 11101

Bajraktari Realty Corp.

Attn: Mike Bajraktari

617 East 188th Street, 1st Floor

Bronx, NY 10458

Fieldstone NY LLC

c/o Kingsbridge Realty Associates LLC

Attn: David Radoncic 3425 Kingsbridge Avenue

Bronx, NY 10463

The Sky House Condominium

c/o Halstead Management

Attn: Phillis Nappi

770 Lexington Avenue, 7th Floor

New York, NY 10065

Baruch Haviv

431 West 45th Street, Apt. 1B

New York, NY 10036

WK Ivy LLC

c/o BRG Management LLC

Attn: Andy Falkin

150 Great Neck Road, Suite 402

Great Neck, NY 11021

Wealth Homeland Inc.

c/o Roeblin Group Management Corp.

Attn: Tony Yu

46 Hester Street, Front B

New York, NY 10002

82 GFG LLC

c/o A.R. Walker & Company, Inc.

Attn: George H. Beane

225 West 80th Street, Suite 2B

New York, NY 10024

Elgan Realty Corp. Attn: Jay Rawicki 1731 57th Street Brooklyn, NY 11204