

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



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

April 1, 2016

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

***Re: Matter 16-\_\_\_\_ – Petition of Verizon New York Inc. for Limited Orders of Entry for 6 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 6 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](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 a survey of the property in preparation for 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". The signature is written in a cursive, slightly slanted style.

Joseph A. Post

**STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION**

**Petition of Verizon New York Inc. for Limited  
Orders of Entry for 6 Multiple-Dwelling Unit  
Buildings in the City of New York**

**Matter 16-\_\_\_\_\_**

**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 6 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 6 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 enter each MDU to conduct a pre-installation 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.

**Proof of Service of Notice of Intention to Install Cable Television Facilities 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 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 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, and that it has insurance covering such pre-installation survey work, proof of which can be produced upon request.

**Pre-Installation Survey Work Will Be Conducted Without Prejudice to the Owner's Right to Receive Just Compensation**

7. The proposed pre-installation survey 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 for the Pre-Installation Surveys**

8. Verizon's formal efforts 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 survey the properties 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 the survey by Verizon pending building renovations or other activity. Verizon will continue attempting to

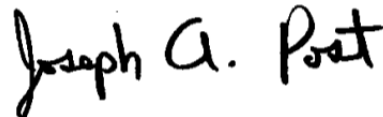
work cooperatively with building owners and managing agents to obtain access, and will periodically advise the Commission of the progress of such efforts.

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

9. The owner of each 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,

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: New York, New York  
April 1, 2016

**STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION**

**Petition of Verizon New York Inc. for Limited  
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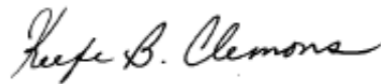
**Matter 16-\_\_\_\_\_**

**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  
April 1, 2016

**STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION**

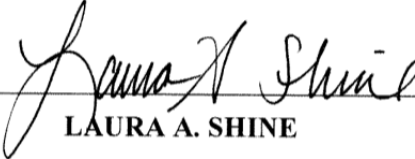
**Petition of Verizon New York Inc. for Limited  
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**DECLARATION OF LAURA A. SHINE**

I have taken steps to ensure that a copy of the Petition of Verizon New York Inc. for Limited Orders of Entry for 6 Multiple-Dwelling Unit Buildings in the City of New York was sent on April 1, 2016 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  
April 1, 2016

## SERVICE LIST

1750-1 Van Buren & 520 Morris Park Associates, LLC  
c/o Weiss Realty LLC  
Attn: Bob Hershkowitz  
3240 East Tremont Avenue  
Bronx, NY 10461

41 West 16th Street, Inc.  
Attn: Jean McCartney  
41 West 16th Street, #1B  
New York, NY 10011

95 Park Terrace East Owners, Inc.  
c/o Skyline NY Management Solutions LLC  
Attn: Nancy Rodriguez  
333 Westchester Avenue, #E-2201  
White Plains, NY 10604

56-20 Waldron LLC  
c/o Mystic Brokerage Inc.  
Attn: Gus Kodogiannis  
330 McGuinness Boulevard  
Brooklyn, NY 11222

Crown Plaza Condominium  
c/o Impact Real Estate Management Inc.  
Attn: George Rodriguez  
45-18 Court Square, #401  
Long Island City, NY 11101

Keane Associates, LP  
Attn: Joseph Keane  
63-48 Alderton Street, #A  
Rego Park, NY 11374