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

Richard C. Fipphen Assistant General Counsel



April 20, 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 36 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 36 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.

Respondents: Please contact me at richard.fipphen@verizon.com 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. Please include in the email message your name, company, address, telephone number, and the address of the building.

Respectfully submitted,

Pulm C. Tol

Richard C. Fipphen

STATE OF NEW YORK PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Limited Orders of Entry for 36 Multiple-Dwelling Unit Buildings in the City of New York

Matter	15
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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 36 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 36 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

April 20, 2015

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STATE OF NEW YORK PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Limited Orders of Entry for 36 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 April 20, 2015

STATE OF NEW YORK PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Limited Orders of Entry for 36 Multiple-Dwelling Unit Buildings in the City of New York

Matter 15-____

DECLARATION OF LAURA A. SHINE

A copy of the Petition of Verizon New York Inc. for Limited Orders of Entry for 36 Multiple-Dwelling Unit Buildings in the City of New York was sent on April 20, 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 April 20, 2015

SERVICE LIST

Holland 3204 LLC

c/o Chestnut Holdings of New York, Inc.

Attn: Shoshana Bar David 5676 Riverdale Avenue, #307

Bronx, NY 10471

85 St. Marks Development Corp.

Attn: Farajollah Benji

48 East Old Country Road, #202

Mineola, NY 11501

Nancy Haber 110 East End Avenue, #8G

New York, NY 10028

LESPMHA HDFC

Attn: Richard Ramirez 228 East 3rd Street New York, NY 10009

150 West 55th Street Apartment Corporation

Attn: Shirley Lemmon 150 West 55th Street New York, NY 10019 63 West Realty Corp.

Attn: Alan Silverstein 244 West 64th Street, #1B

New York, NY 10023

698 D Realty LLC

c/o Heller Realty

Attn: Kevin Padgett 745 Fifth Avenue, #1250

New York, NY 10151

West 88 Street LLC

c/o RCR Management LLC

Attn: Ari Paul 155 Riverside Drive New York, NY 10024

556 West 140th St., LLC

c/o Woodcrest Management Corp.

Attn: Steven Schneider

286 Madison Avenue, #1706

New York, NY 10017

600 W 144th Street, LLC

c/o Stellar Management Attn: Ramses Capellan

156 William Street, 10th Floor

New York, NY 10038

3660 Broadway BCR LLC c/o Big City Realty Management

Attn: Kobi Zamir

55 West 151th Street, Basement

New York, NY 10031

2701 Broadway Realty LLC Attn: Hamid Khan 235 West 103rd Street New York, NY 10025

300 W. 106th St. Corp. Attn: Isadora Hecht 339 West 85th Street, #2 New York, NY 10024 875 W.E. Apartment Corp. c/o Orsid Realty Corp. Attn: Neil Davidowitz 1740 Broadway, 2nd Floor New York, NY 10019

765 Amsterdam Ave LLC c/o Samson Management Attn: Christian Toriello 97-77 Queens Boulevard, #710 Rego Park, NY 11374 Manhattan West Associates, LP c/o West Side Federation for Senior Housing Attn: Dan Drosin 2345 Broadway

Dyckman Street 115 Associates c/o Stellar Management Attn: Tobias Sahl 156 William Street New York, NY 10038 Royal Charter Properties, Inc. c/o Cushman & Wakefield, Inc. Attn: James Hayden 600 West 165th Street, #1F New York, NY 10032

New York, NY 10024

Woodrow Court, Inc. c/o First Service Residential Management Attn: Shenetta McNealy 622 Third Avenue, 15th Floor New York, NY 10017 506 Associates, LLC c/o Lemle & Wolff, Inc. Attn: Christopher Anelante 5925 Broadway Bronx, NY 10463 The 807 Riverside Condominium c/o The Pinnacle Group
Attn: Len Goldstein
1 Penn Plaza, #4000
New York, NY 10119

The Asconia LLC Attn: Herbert Donner 172-90 Highland Avenue, #1 Jamaica, NY 11432

Kedron Associates LLC c/o Empire Management Attn: Steven Kurlander 347 Fifth Avenue, #1600 New York, NY 10016 56 Bennett, LLC c/o R.A. Cohen & Associates, Inc. Attn: Robert Cohen 60 East 42nd Street, #850 New York, NY 10165

Royal Charter Properties, Inc. c/o Cushman & Wakefield, Inc. Attn: James Hayden 600 West 165th Street, #1F New York, NY 10032 3800 Carpenter Realty Corp. c/o Gibbons Management Co. Attn: Arthur Gibbons 2459 8th Avenue New York, NY 10027

PTR Realty LLC c/o Paradise Court Management Corp. Attn: Prela Rukaj 2490 Grand Concourse, #1K Bronx, NY 10458 4011 Realty LLC c/o Empress Property Group LLC Attn: Lav Bauta 4011 Kings Highway Brooklyn, NY 11234

19-19 24th Avenue Owners Corp. c/o Lidia Management Corp.
Attn: Joseph Pistilli
35-01 30th Avenue, #300
Astoria, NY 11103

Tex Development Co., LLC c/o Lidia Management Corp.
Attn: Mike Pistilli
35-01 30th Avenue, #300
Astoria, NY 11103

7-11 East 13th Street Tenants Corp.

c/o AKAM Associates, Inc.

Attn: Sandra Castellano

260 Madison Avenue, 12th Floor

New York, NY 10016

2952 Marion Ave LLC

Attn: Raman Pena

176 East 176th Street, Basement

Bronx, NY 10457

948 East 179 LLC

c/o VYSE Properties LLC

Attn: Lawrence Whyte

2739 Hering Avenue

Bronx, NY 10469

2085 LLC

c/o Chestnut Holdings of New York, Inc.

Attn: Jonathan Wiener

5676 Riverdale Avenue, #307

Bronx, NY 10471

West Tremont Avenue Realty Associates, L.P.

c/o Arden Management Corp.

Attn: Aaron Barnes

1313 East 15th Street

Brooklyn, NY 11230

BSP Bailey LLC

c/o Nieuw Amsterdam Property Management, LLC

Attn: Boruch Hersh 243 5th Avenue, #409 New York, NY 10016