April 21, 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 40 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 40 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,

Richard C. Fipphen
STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Limited Orders of Entry for 40 Multiple-Dwelling Unit Buildings in the City of New York

Matter 15-_____ 

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 40 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 40 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 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 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.

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 the rights of the owner of each MDU 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 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,

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 21, 2015
STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Limited Orders of Entry for 40 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.

______________________________
KEEFE B. CLEMONS

Dated: New York, New York
April 21, 2015
STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Limited Orders of Entry for 40 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 40 Multiple-Dwelling Unit Buildings in the City of New York was sent on April 21, 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.

Dated: New York, New York
April 21, 2015

[Signature]

LAURA A. SHINE
Sonpa Co. LLC  
c/o Mirmar Management Corp.  
Attn: Kenneth Moslin  
6114 Riverdale Avenue, P.O. Box 800  
Bronx, NY 10471

138 East 112 Nyah Holdings LLC  
c/o C&C Apartment Management LLC  
Attn: Graciela Florimon  
1735 Park Avenue  
New York, NY 10035

232 Elizabeth LLC  
Attn: Harriet Kahan  
632 Broadway, 7th Floor  
New York, NY 10012

316 West Shore, LLC  
c/o Edel Family Management  
Attn: Florence Edelstein  
2207 Coney Island Avenue  
Brooklyn, NY 11223

TPE Deshler Acquisition LLC  
c/o Manhattan North Management Co., Inc.  
Attn: Dennis Ovalle  
107-129 East 126th Street  
New York, NY 10035

407 Central Park West Owners Corp.  
c/o Matthew Adam Properties, Inc.  
Attn: Janusz Sikora  
127 East 59th Street, 3rd Floor  
New York, NY 10022

210 West 103rd Street Owners Corp.  
c/o Andrea Bunis Management, Inc.  
Attn: Andrea Bunis  
45 West 45th Street, #901  
New York, NY 10036

Zora Neale Hurston Houses LP  
c/o C&C Apartment Management LLC  
Attn: Anthony Calascibetta  
1735 Park Avenue  
New York, NY 10035

HP West Harlem Owner HDFC, Inc.  
c/o C&C Apartment Management LLC  
Attn: Anthony Calascibetta  
1735 Park Avenue  
New York, NY 10035

Matilda Klucso  
195-34 Keno Avenue  
New York, NY 11423
Sterling Houses LP
c/o Winn WB Management Company LLC
Attn: Tikisha Ortiz
79 Alexander Avenue
Bronx, NY 10454

Harlem Urban Development Corp.
c/o 275 West 150th Street Associates LP
Attn: Bruce Walker
3154 Albany Crescent
Bronx, NY 10463

Onless McQueen
Attn: Shirley McQueen
2733 Frederick Douglas Boulevard
New York, NY 10039

40 St Nicholas Place LLC
c/o Friedman Management Corp.
Attn: Rebecca Garcia
225 West 34th Street, #2010
New York, NY 10122

540 West 146th Street HDFC
Attn: Thomas Bynum
540 West 146th Street, 3rd Floor
New York, NY 10031

545 West 146th Street, Inc.
Attn: Jose Gonzalez
545 West 146th Street
New York, NY 10031

603-607 West 139 BCR, LLC
c/o Big City Realty Management
Attn: Kobi Zamir
555 West 151st Street
New York, NY 10031

Dept. of Housing Preservation & Development
Attn: Jose Alvarez
100 Gold Street
New York, NY 10038

L C S Enterprises Inc.
Attn: Jorge Bilbao
369 East 62nd Street
New York, NY 10065

121-123 Haven Holding LLC
c/o Barberry Rose Management
Attn: Jose Diaz
1024 Broadway
Woodmere, NY 11598
L&L Realty Equities, LLC
Attn: Joseph Lewner
990 Avenue of Americas, #12H
New York, NY 10018

Hudson Street Owners Corp.
c/o The Andrews Organization
Attn: Eugene Andrews
666 Broadway, 12th Floor
New York, NY 10012

Parkwood Condominium
c/o AKAM Associates, Inc.
Attn: Hanley Braginsky
260 Madison Avenue, 12th Floor
New York, NY 10016

H.K. Brownstones, LLC
Attn: John Brusco
163 West 74th Street
New York, NY 10023

TPE Morningside 109 LLC
c/o Manhattan North Management Co., Inc.
Attn: Dennis Ovalle
107-129 East 126th Street
New York, NY 10035

99th Street LLC
c/o Fisher Associates
Attn: Alan Fisher
152 West 57th Street, 12th Floor
New York, NY 10019

153-157 Lenox Holdings LLC
Attn: Meyer Brecher
975 Walton Avenue, #1
Bronx, NY 10452

Wrenbrook Realty LP
c/o Webb & Brooker, Inc.
Attn: Dimitri Naylor
2534 Adam Clayton Powell Jr. Boulevard
New York, NY 10039

281 St Nicholas Partners LLC
Attn: Ezra Bennett
45 North Station Plaza, #400
Great Neck, NY 11021

Ecdo Citywide Preservation HDFC, Inc.
c/o C&C Apartment Management LLC
Attn: Anthony Calascibetta
1735 Park Avenue
New York, NY 10035
Amsterdam Convent Realty Associates LP
c/o Urban Management LLC
Attn: Wilson Sanchez
161 Suffolk Street
New York, NY 10002

LaSalle, LLC
c/o Elite Management LLC
Attn: Richard Frank
183 Pinehurst Avenue
New York, NY 10033

CRP 137 West 141st Street LLC
c/o Liberty Place Property Management
Attn: Miguel Rivera
1841 Broadway, #400
New York, NY 10023

Harlem Shangri-La HDFC
c/o C&C Apartment Management LLC
Attn: Jennifer Saltoro
1735 Park Avenue, #300
New York, NY 10035

302 Convent Avenue HDFC
c/o Manhattan Modern Management
Attn: Aster Johnson
16 Penn Plaza, #511
New York, NY 10001

1588-1600 Amsterdam Holding LLC
c/o Barberry Rose Holding LLC
Attn: Jose Diaz
1024 Broadway
Woodmere, NY 11598

141st Street, LLC
Attn: Deborah Cohen
60 East 11th Street
New York, NY 10003

3480-3496 Broadway Associates, LLC
c/o Stellar Management
Attn: Ramses Capellan
156 William Street, 10th Floor
New York, NY 10038

3820 Broadway LLC
Attn: Fernando Alfonso
25-32 168th Street, 4th Floor
Flushing, NY 11358

79 Audubon Avenue Holdings LP
c/o Endo Management, LLC
Attn: Peter Garcia
200 West 106th Street
New York, NY 10025