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Richard C. Fipphen Assistant General Counsel



April 23, 2015

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

Re: Case 15-V-____ – Petition of Verizon New York Inc. for Orders of Entry for 39 Multiple-Dwelling Unit Buildings in the City of New York

Dear Secretary Burgess:

Enclosed please find the Petition of Verizon New York Inc. for Orders of Entry for 39 Multiple-Dwelling Unit Buildings in the City of New York.

Verizon has completed pre-installation surveys at each of the 39 properties. Verizon requests that orders of entry be issued by the Commission directing the owner of each building to permit Verizon to install cable television facilities, as provided in Section 898.4(b)(9) of the Commission's Rules.

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 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,

Pulsa C. July

Richard C. Fipphen

STATE OF NEW YORK PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Orders of Entry for 39 Multiple-Dwelling Unit Buildings in the City of New York

Case 15-V

PETITION FOR ORDERS OF ENTRY

Verizon New York Inc. ("Verizon") respectfully submits this Petition for Orders of Entry, pursuant to 16 NYCRR § 898.4, allowing Verizon to install fiber-optic facilities to provide cable television service at 39 multiple-dwelling unit ("MDU") buildings in the City of New York. In support of this Petition, Verizon states as follows:

Specific Location of the Properties

1. Verizon seeks to install fiber-optic facilities to provide cable television service at the 39 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 in Exhibit 1 has either: (1) failed to respond to Verizon's letters requesting access to install fiber-optic facilities to provide cable television service, 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 install fiber-optic facilities to provide cable television services to residents and businesses in each building. These fiber-optic

facilities will also allow Verizon to provide voice telephony and broadband services in the building. Pre-installation surveys of each property have been completed. Column J of Exhibit 1 sets forth the type of installation that Verizon intends to use for each building.

Proof of Service of Notice of Intention to Install Cable Television Facilities and Service

4. After several unsuccessful attempts by Verizon to secure permission to start the proposed fiber-optic installation, each owner and/or managing agent received a letter from Verizon along with a Notice of Intent to Install Cable Television Facilities. 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 installations.

Indemnification

6. Verizon warrants that it will bear the entire cost of each installation. Verizon further warrants that it will indemnify the owner of each building for any damage that may be caused by Verizon in connection with the installation.

<u>Installation Work Will Be Conducted without Prejudice to the Owner's Right to Receive Just Compensation</u>

7. The proposed installation work will be conducted without prejudice to the rights of the owner of each building to receive just compensation in accordance with 16 NYCRR § 898.2.

Summary of Verizon's Efforts to Gain Entry to the Buildings

8. Verizon's formal efforts to gain entry to the identified properties are set forth in Column H 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.

Opportunity for the Owner to Answer the Petition

9. The owner of each building listed on 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 matters 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

install cable television facilities at each building, together with such other relief as the

Commission may deem just and proper.

Respectfully submitted,

Pulm C. Tyl

RICHARD C. FIPPHEN 140 West Street, 6th Floor

New York, New York 10007

(212) 519-4718

Counsel for Verizon New York Inc.

Dated: April 23, 2015

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STATE OF NEW YORK PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Orders of Entry for 39 Multiple-Dwelling Unit Buildings in the City of New York

Case 15-V-____

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 23, 2015

STATE OF NEW YORK PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Orders of Entry for 39 Multiple-Dwelling Unit Buildings in the City of New York

Case 15-V-____

DECLARATION OF LAURA A. SHINE

A copy of the Petition of Verizon New York Inc. for Orders of Entry for 39 Multiple-Dwelling Unit Buildings in the City of New York was sent on April 23, 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 23, 2015

SERVICE LIST

Reade House Condominium c/o First Service Residential Attn: Brooke Rosenthaul 622 Third Avenue, 14th Floor New York, NY 10017

1800 Ocean Pkwy. Owners Corp. c/o Babad Management Attn: David Leibovitz 1531 57th Street Brooklyn, NY 11219

SMGB Broome LLC c/o SMA Equities Attn: Jeanette Colainni 185 Great Neck Road, #250 Great Neck, NY 11021

Dunhill Condominium c/o AKAM Associates Inc. Attn: Rob Abelson 260 Madison Avenue, 12th Floor New York, NY 10016

911 Alwyn Owners Corp. c/o Halstead Management Co., LLC Attn: Stuart Bardin 770 Lexington Avenue, 7th Floor New York, NY 10065 Mill Harbor Condominium c/o Dependable Property Management Attn: Roman Kalika 1980 Bergen Avenue Brooklyn, NY 11234

Actors Fund Housing Development Corp. c/o Dorothy Ross Friedman Residence Attn: Richard Pimentel 475 West 57th Street, 2nd Floor New York, NY 10019

Eight Cooper Equities LLC c/o First Service Residential Attn: Dustin Zucker 622 Third Avenue, 14th Floor New York, NY 10017

Chelsea Commonwealth LLC c/o Bozzuto Management Company Attn: Sheldon Erb 230 Park Avenue, #1000 New York, NY 10169

Alliance Apartments HDFC, Inc. c/o T.U.C. Management Co. Attn: Cynthia Fayson 200 West 57th Street, #702 New York, NY 10019

Gamma Realty LLC
Attn: Uri Posner

3152 Brighton 6th Street, #502

Brooklyn, NY 11235

3100 Owners Corp. Attn: Saul Friedman 1660 49th Street Brooklyn, NY 11204

Anchef Realities LLC c/o Mautner-Glick Corp.

Attn: Alvin Glick

1345 3rd Avenue, 2nd Floor

New York, NY 10075

345 West 88th Apartment Corp. c/o Andrews Building Corp. Attn: Debra Dangelico 666 Broadway, 12th Floor New York, NY 10012

215 West 91st Street Corp. c/o Douglas Elliman Property Management

Attn: Martin Brooks 675 Third Avenue New York, NY 10017 461 Central Park West Co. LLC c/o Algin Management, LLC

Attn: Dan Hochstadt

183 Madison Avenue, #1602

New York, NY 10016

270 St. Nicholas Avenue HDFC c/o Harlem Restoration Project Inc.

Attn: Rosemary Garcia 1980 7th Avenue New York, NY 10026 817 West End Avenue Condominium LLC

c/o Midboro Management Attn: Kimberli Freeman 333 7th Avenue, 5th Floor New York, NY 10001

West 97th Street Realty Corp.

c/o Steller Management

Attn: Arianit Jakupaj

156 William Street, 10th Floor

New York, NY 10038

86 Fort Washington LP

c/o Newcastle Realty Services, LLC

Attn: Adam Harris

72 Madison Avenue, 6th Floor

New York, NY 10016

The Duncraggen Realty Corp. c/o Five Gems Management Attn: Ronald Edelstein 225 Bennett Avenue, #1K New York, NY 10040

Oxford Realty of New York, LLC Attn: Ronald Katz 45-17 Marathon Parkway Little Neck, NY 11362

Carlton House, LLC Attn: Morley Kaye 12 East End Avenue New York, NY 10075

84-34 161st Street Property, LLC Attn: Mohammad Uddin 41-44 75th Street Elmhurst, NY 11373

Devon Metz 80-15 41st Avenue, #106 Elmhurst, NY 11373 Judah LLC c/o Gatsby Enterprises, LLC Attn: Alex Cruz 347 Fifth Avenue, #300 New York, NY 10016

Camelot Realty, LLC c/o Diversified Realty Corp. Attn: Kevin Cullen 366 North Broadway, #7E Jericho, NY 11753

Kissena Gardens Condominium c/o Community Realty Corp.
Attn: Perry Berger
42-08 Bell Boulevard
Bayside, NY 11361

Ford Leasing Property LLC c/o Kings & Queens Residential LLC Attn: Mark Bollark 97-77 Queens Boulevard, #1210 Rego Park, NY 11374

First Newtown Tenants Corp. c/o Douglas Elliman Property Management Attn: Catherine George 675 Third Avenue New York, NY 10017 Berkowners Inc.

c/o The Wavecrest Managment Team Ltd.

Attn: Roger Stuart 87-14 116th Street

Richmond Hill, NY 11418

Woodhaven Owners Inc. Attn: Moses Eckstein 1358 47th Street, #1 Brooklyn, NY 11219

Bond Street Lofts Condominium c/o Andrews Building Corp.

Attn: Diane Hunt 666 Broadway, #1201 New York, NY 10012 37 Crosby Realty LLC

c/o T&T Realty Management, LLC

Attn: Melissa DiGiacomo 419 Lafayette Street, 5th Floor

New York, NY 10003

Goodman Realty, LLC

Attn: Poy Hime 141 Hester Street New York, NY 10002 North Bronx Associates LLC c/o Charm Equities Ltd.
Attn: Howard Kohn

1659 Cody Avenue Ridgewood, NY 11385

94 Hester Street HDFC

Attn: Lui Lau Tak 60 Eldridge Street, #4B New York, NY 10002 Joeva, LLC

Attn: Ari Schein 1880 54th Street Brooklyn, NY 11204

Senior Living Options, Inc.

c/o The Wavecrest Managment Team Ltd.

Attn: Lawrence Trotman

87-14 116th Street

Richmond Hill, NY 11418