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Richard C. Fipphen Assistant General Counsel



April 28, 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 42 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 42 Multiple-Dwelling Unit Buildings in the City of New York.

Verizon has completed pre-installation surveys at each of the 42 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. Style

Richard C. Fipphen

STATE OF NEW YORK PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Orders of Entry for 42 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 42 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 42 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 28, 2015

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STATE OF NEW YORK PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Orders of Entry for 42 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.

Leefe B. Clemons

KEEFE B. CLEMONS

Dated: New York, New York April 28, 2015

STATE OF NEW YORK PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Orders of Entry for 42 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 42 Multiple-Dwelling Unit Buildings in the City of New York was sent on April 28, 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 28, 2015

SERVICE LIST

Le Domaine Condominium c/o Terris Realty LLC
Attn: Lisa Jensen

146 West 29th Street, #7W-1

New York, NY 10001

DeLorenzo House LLC Attn: John Rumpel 53 Irving Place New York, NY 10003

215-219 East Second Street Associates, LP

Attn: Corinne Jennings
214 East 2nd Street
New York, NY 10009

306-310 West 47th Street LLC c/o Leeds Associates, LLC Attn: Frank McCartin 215 West 83rd Street New York, NY 10024

87th Street Sherry Associates LLC c/o Broadwall Management Corp.

Attn: Abraham Rill 7 Penn Plaza, #618 New York, NY 10001 Independence House Associates, LP c/o C&C Apartment Management LLC

Attn: Graciela Florimon 1735 Park Avenue New York, NY 10035

Seadyck Realty Co., LLC c/o Parkoff Management Attn: Richard Parkoff 98 Cuttermill Road, #444 South

Great Neck, NY 11021

Confe Realty Corp. Attn: Kitty Huang

708 West 177th Street, #1J

New York, NY 10033

Anton Beach Realty, Ltd. Attn: Salvatore Razza 172 East 206th Street Bronx, NY 10458 Oneota Associates, LLC Attn: Ronald Schwartz 80 Cuttermill Road, #402 Great Neck, NY 11021 Oneota Associates, LLC Attn: Ronald Schwartz 80 Cuttermill Road, #402 Great Neck, NY 11021 63-33 98th Place Owners Corp. c/o Metro Management & Development, Inc. Attn: Joe Doren

42-25 21st Street

Long Island City, NY 11101

Leab Holding Corp.
Attn: Myra Honig
88 Middle Neck Road, Suite B
Great Neck, NY 11021

Patmund Realty Corp.
Attn: Poy Hime
141 Hester Street
New York, NY 10002

Falk & Fine Condominium c/o Arnold S. Warwick & Co., Ltd. Attn: Emily Paine 41 Great Jones Street, 3rd Floor New York, NY 10012 682 Tenant Corporation c/o Andrews Building Corp. Attn: Ed Zimmerman 666 Broadway, 12th Floor New York, NY 10012

DDEH 238 E111 LLC c/o E&M Bronx Associates Attn: Yehuda Ruzorsky 1465A Flatbush Avenue Brooklyn, NY 11210 L & C Realty Associates Inc. c/o A. Ruth's Sons, LLC Attn: David Lau P.O Box 563 Mamaroneck, NY 10543

Wing Wah Realty Corp. c/o Raber Enterprises, LLC Attn: Lance Steinberg 175 Canal Street New York, NY 10013 Yung's Realty Inc. c/o Golden Key Management Corp. Attn: Cindy Chow 16 Bowery, 4th Floor New York, NY 10013 Artlen Realty Co. LLC c/o Sidney A. Gordon Real Estate LLC

Attn: Sidney Gordon 204 East 84th Street New York, NY 10028 Harlem Urban Development Corp. c/o JDC Property Management LLC

Attn: Garry Johnson 1825 Park Avenue, #1104 New York, NY 10035

Joseph Iseman

c/o Matthew Adam Properties, Inc.

Attn: Kendra Stensven

127 East 59th Street, 3rd Floor

New York, NY 10022

Melrose Estates Housing, LP

c/o South Bronx Community Management

Attn: Elizabeth Souhaite 2804 Third Avenue Bronx, NY 10455

1820 Harrison Realty, LLC

Attn: Jose Segura

1919 Williamsbridge Road

Bronx, NY 10461

Parkway Apartments Owners Corporation

c/o H.S.C. Management Corp.

Attn: Kimberly Smith

850 Bronx River Road, #108

Yonkers, NY 10708

Senior Living Options, Inc.

c/o The Wavecrest Management Team Ltd.

Attn: Heriberto Martinez

87-14 116th Street

Richmond Hill, NY 11418

HP 360 Preservation HDFC, Inc.

c/o C&C Apartment Management LLC

Attn: Richard Doetsch 1735 Park Avenue, #300 New York, NY 10035

La Casa Nuestra HDFC

c/o El Barrio's Operation Fight Back Inc.

Attn: Mariluz Hernandez 413 East 120th Street, #403

New York, NY 10035

2118 Fifth Ave Realty LLC

Attn: Alfred Ohebshalom

2312 First Avenue

New York, NY 10035

Senior Living Options, Inc.

c/o The Wavecrest Management Team Ltd.

Attn: Roger Stuart 87-14 116th Street

Richmond Hill, NY 11418

415 Beverly Road Apartments Owners Corp.

c/o Allstate Realty Associates

Attn: Joseph Spitzer 5420 13th Avenue Brooklyn, NY 11219

674/686 Natari Associates LLC

Attn: Harry Hisch

428 Central Avenue, #201

Cedarhurst, NY 11516

Asti Condominium

c/o Alma Realty Corp.

Attn: Nick Conway

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

Niki Frantzis 147-27 21st Avenue Whitestone, NY 11357 Marien-Heim of Sunset Park HDFC

Attn: Barbara Mikolajezak

4520 4th Avenue Brooklyn, NY 11220

Royal Elizabeth Condomium c/o Bethel Management Inc.

Attn: Veronica Wong 7 Chatham Square, #608 New York, NY 10038 Spring St. Apartment Corp.

c/o Jordan Cooper & Associates, Inc.

Attn: Paul Brensilber

440 9th Avenue, 15th Floor

New York, NY 10001

101 W 70 LLC

c/o Walker, Malloy & Company, Inc.

Attn: James Reid

101 West 70th Street, #2N

New York, NY 10023

Manhatan Powell LP

c/o IBEC Building Corp.

Attn: Samy Brahimy

55 Broad Street, 16th Floor

New York, NY 10004

117 Seaman Avenue Realty Corp.

Attn: Margaret Langston 117 Seaman Avenue, Office

New York, NY 10034

Estates at Hillcrest Condominium 1 c/o Impact Management

Attn: Gregory Cohen 45-18 Court Square, #401 Long Island City, NY 11101