April 29, 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 34 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 34 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
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 34 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 34 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 29, 2015
STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Limited Orders of Entry for 34 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 29, 2015
STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Limited Orders of Entry for 34 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 34 Multiple-Dwelling Unit Buildings in the City of New York was sent on April 29, 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 29, 2015

LAURA A. SHINE
SERVICE LIST

Riverview Tenants Corp.
c/o Maxwell-Kates, Inc.
Attn: Katia Raab
9 East 38th Street, 6th Floor
New York, NY 10016

Evita Realty Corp.
Attn: Al Lazar
1139 East 12th Street
Brooklyn, NY 11230

2013 Amsterdam Avenue Housing Association, LP
c/o Metropolitan Realty Group, LLC
Attn: Scott Jaffee
60 Cuttermill Road, #200
Great Neck, NY 11021

12 West 96th Street Corporation
c/o Orsid Realty Corp.
Attn: Evan McCrann
1740 Broadway, 2nd Floor
New York, NY 10019

Morningside Housing Associates, LP
c/o Nelson Management Group
Attn: Adam Nadel
118-35 Queens Boulevard, 14th Floor
Forest Hills, NY 11375

Twenty-Two Forty Associates LLC
Attn: Robert Farhadian
381 Park Avenue South, #1001
New York, NY 10016

First Street Development LLC
c/o Granite International Management LLC
Attn: Catherine Economakis
138 Atlantic Avenue
Brooklyn, NY 11201

75-89 Wadsworth Associates LLC
c/o Lemle & Wolff, Inc.
Attn: Kasmin Garcia
5925 Broadway
Bronx, NY 10463

300 Wadsworth LLC
c/o R.C.R. Management LLC
Attn: Morris Schreiber
155 Riverside Drive, #1D
New York, NY 10024

701 West Associates, LP
Attn: Blanca Buduen
1841 Broadway, #1000
New York, NY 10023
Peter B. Realty, LLC
Attn: Moshe Piller
1276 50th Street
Brooklyn, NY 11219

720 West Partners LLC
c/o Heritage Realty, LLC
Attn: Brian Newman
619 West 54th Street, #10A
New York, NY 10019

Barry Martin 4410 Corp.
Attn: Ina Feinstein
4422 Broadway, #330
New York, NY 10040

500 West 190th Street LLC
c/o Washington Towers LLC
Attn: Alex Kohn
514 West 184th Street, Basement
New York, NY 10033

Haven Equities, Inc.
c/o Plymouth Management Group, Inc.
Attn: Jack Lerner
1776 Broadway, #1006
New York, NY 10019

124 Realty LLC
c/o Edel Family Management Corp.
Attn: Florence Edelstein
2207 Coney Island Avenue
Brooklyn, NY 11223

Overlook Terrace LLC
c/o Rotner Management Corp.
Attn: Ken Rotner
330 East 71st Street, #1E
New York, NY 10021

Golson Realty Corporation
Attn: James Golson
1841 Broadway, #1206
New York, NY 10023

560 West 165th Street Associates, LP
c/o Volunteers of America
Attn: Sandra Marquez
560 West 165th Street
New York, NY 10032

Bennett Apartments LLC
Attn: David Kupperman
63-07 Saunders Street, #1F
Rego Park, NY 11374
First Flatiron LLC
Attn: Michael Namer
15 West 18th Street, #200
New York, NY 10011

1265 Broadway LLC
Attn: Hersel Torkian
1650 Broadway, #901
New York, NY 10019

SoBro Harlem HDFC
Attn: Deborah Johnson
555 Bergen Avenue, 3rd Floor
Bronx, NY 10455

Gansevoort Cooperative Corp.
c/o Andrea Bunis Management, Inc.
Attn: Ramon Parra
45 West 45th Street, #901
New York, NY 10036