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

Richard C. Fipphen Assistant General Counsel



April 30, 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 35 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 35 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 35 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 35 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 35 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 30, 2015

3

STATE OF NEW YORK PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Limited Orders of Entry for 35 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 30, 2015

STATE OF NEW YORK PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Limited Orders of Entry for 35 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 35 Multiple-Dwelling Unit Buildings in the City of New York was sent on April 30, 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 30, 2015

SERVICE LIST

2307 Morris Associates ,LLC

c/o The Wavecrest Managment Team Ltd.

Attn: Robert Spitz 87-14 116th Street

Richmond Hill, NY 11418

Morris Realty LLC

c/o B&B Management

Attn: Felix Gomez

1624 Webster Avenue

Bronx, NY 10457

Minerva Place Realty, LLC

Attn: Jay Miller

1293 East 5th Street, #1G

Brooklyn, NY 11230

Bainbridge Gardens Corp.

c/o Schur Management Co. Ltd.

Attn: Sonia Iglesias

2432 Grand Concourse

Bronx, NY 10458

Deegan Two Company, LLC

c/o Goldfarb Properties

Attn: Josh Goldfarb

524 North Avenue

New Rochelle, NY 10801

331 East 146th Street HDFC c/o Dougert Managment Corp.

Attn: Eric Vazquez

2881 Middletown Road

Bronx, NY 10461

1027 Wallco, LLC

Bronx, NY 10452

c/o Tryax Realty Management

Attn: Gustabo Moran 1476 Walton Avenue 155 West 162 LLC

Attn: Benzion Kohn

5712 New Utrecht Avenue

Brooklyn, NY 11219

Highbridge Community HDFC

c/o Highbridge Community Development Corp.

Attn: Mark Mazzella 1465 Nelson Avenue Bronx, NY 10452 480 Concord Ave Owner LLC

Attn: Heshy Neuman 5308 13th Avenue, #252

Brooklyn, NY 11219

Townsend Avenue Enterprises, LP c/o Mount Hope Housing Company Inc.

Attn: Rawle Isaacs 2003-05 Walton Avenue Bronx, NY 10453 Attn: Edwin Lopez 1469 Bedford Avenue Brooklyn, NY 11216

3716 Third Avenue LLC

c/o New Start Group, Inc.

Mernob Properties, Inc. c/o Professional Services Attn: Aimee Morales 369 East 149th Street, Penthouse Bronx, NY 10455

2709 Heath Avenue LLC Attn: Rich Laubsch 3535 Rochambeau Avenue Bronx, NY 10467

2755-69 Sedgwick LLC c/o E&M Bronx Associates LLC Attn: Abraham Rosenstock 329 Hewes Street, 2nd Floor Brooklyn, NY 11211 Rucon Properties LLC c/o Milbrook Properties Ltd. Attn: Rubin Pikus 42 Bayview Avenue Manhasset, NY 11030

3810 LLC Attn: Robin Shimoff 5600A Broadway Bronx, NY 10463 Crestview Owners, Inc.
Attn: Steve Klein
3225 Johnson Avenue, #1C
Bronx, NY 10463

Corlear Gardens Housing Co. Inc. c/o Metro Management & Development, Inc. Attn: Cleopatra Monroe 42-25 21st Street Long Island City, NY 11101 Diplomacy Realty LLC c/o Edel Family Management Corp. Attn: Florence Edelstein 2207 Coney Island Avenue Brooklyn, NY 11223 2700 Management Co. LLC Attn: Cecilia Chesnov 63-07 Saunders Street, #1F Rego Park, NY 11374

2721 Heath LLC
Attn: John Catalic
381 Park Avenue South, #1515
New York, NY 10016

Shalom Aleichem LLC c/o Chestnut Holdings of New York, Inc. Attn: Ben Rieder 5676 Riverdale Avenue, #307 Bronx, NY 10471

1068 Gerard Partnership, LP c/o Bronx Pro Real Estate Management Inc. Attn: Julio Saldana 1605 Dr. Martin Luther King Jr. Blvd. Bronx, NY 10453

Quadrant Properties HDFC, Inc. c/o Lemle & Wolff, Inc. Attn: Christopher Anelante 5925 Broadway Bronx, NY 10463 Edith Wiener c/o Lawrence Properties, Inc. Attn: Eric David 150 West 30th Street, 2nd Floor

New York, NY 10001

2698 Bailey LLC c/o Miller Management LLC Attn: Howard Miller 1293 East 5th Street, #1G Brooklyn, NY 11230

6485 and 6495 Broadway Apartments, Inc. c/o Stillman Management Inc.
Attn: Jeffrey Lee
4455 Douglas Avenue
Bronx, NY 10471

Courtland Avenue Associates, LP
c/o The Wavecrest Management Team Ltd.
Attn: Vanessa Turman
87-14 116th Street
Richmond Hill, NY 11418

East 115th Street Management and Development LP c/o W.G. & Associates, LLC Attn: William Guerrero 161 East 106th Street New York, NY 10029

304 West 10th Street Owners Corp. c/o Grenvil Realty Corp.
Attn: Abraham Shalo
370 Seventh Avenue
New York, NY 10001

I93 LLC c/o Bldg Management Co., Inc. Attn: John Alexander 417 5th Avenue, 4th Floor New York, NY 10016

153 Manhattan Avenue HDFC c/o Manhattan Valley Managment Co. Attn: Yvette Coar 73 West 108th Street, Office New York, NY 10025 Kelly Towers Inc. c/o R.Y. Management Co. Inc. Attn: Daniel Durante 1619 Third Avenue New York, NY 10128

345 W. 85th St., LLC Attn: Isadora Silverman 339 West 85th Street, #2 New York, NY 10024