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

Richard C. Fipphen Assistant General Counsel



May 1, 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,

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 40 Multiple-Dwelling Unit Buildings in the City of New York

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 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

May 1, 2015

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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.

Lufe B. Clemons

KEEFE B. CLEMONS

Dated: New York, New York May 1, 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 May 1, 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 May 1, 2015

SERVICE LIST

310-314 West 116th Street Corp. c/o Yuco Management, Inc.

Attn: Catherine Yu 200 Park Avenue, #1102 New York, NY 10166 Twensev Realty Co. Inc. Attn: David Luft 2270 Broadway New York, NY 10024

American Dream Realty Group LLC

Attn: Frank Pecora 1374 First Avenue, #1A New York, NY 10021 283 West 147 LLC Attn: Augustino Cafone 234 West 147th Street New York, NY 10039

Spa Creek Properties LLC

c/o 974 St. Nicholas Ave. Management, LLC

Attn: Ariel DeLeon

72 Madison Avenue, 6th Floor

New York, NY 10016

215 Overlook, LLC

c/o Amber Property Management

Attn: Michael Kessner 42 Oak Avenue, 3rd Floor Tuckahoe, NY 10707

West 163rd Street MHA HDFC

c/o Finger Management Corp.

Attn: Nancy Rosas

589 8th Avenue, 10th Floor

New York, NY 10018

2372-2376 Amsterdam Avenue LLC

c/o Rockaway Maintenance Partners Corp.

Attn: Zev Salomon 2072 Ocean Avenue Brooklyn, NY 11230

Nealco Towers LLC Attn: Joshua Siew

115 Vermilyea Avenue, #1A

New York, NY 10034

150 Haven Avenue LLC

Attn: Haxhi Kukaj

1636 Route 46 East, #2

Fort Lee, NJ 07024

512 West 180th LLC Attn: Winston Roach 55 Watermill Lane, #100 Great Neck, NY 11021 Merrimac Estates, Inc. Attn: Barry Fishman 4422 Broadway, #330 New York, NY 10040

165 Pinehurst Avenue LLC Attn: Deborah Simaee 141 West 36th Street, #900 New York, NY 10018 Movado Realty LLC c/o Fairline Management Attn: Steven Kurlander 347 Fifth Avenue, #1600 New York, NY 10016

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

500-502 West 213th Street Heights Associates LLC Attn: Adriano DeLeon 369 East 62nd Street New York, NY 10065

154-156 Vermilyea LLC 199 Lee Avenue, #185 Brooklyn, NY 11211 256 Seaman Ave. LLC c/o ABC Properties Attn: Ian De Fronze 152 West 57th Street, 12th Floor New York, NY 10019

240 Seaman Avenue LLC c/o Moss Managment LLC Attn: Michael Moskowitz 260 Madison Avenue, #204 New York, NY 10016 The 29 Colony-Astoria Realty Corp. c/o Aras Properties, Inc.
Attn: Ari Schertz
30-06 29th Street
Astoria, NY 11102

Voltas Real Estate, LLC
Attn: Mary De Franca
201 East 66th Street, #17D
New York, NY 10065

Greene House Condominum
c/o Greene House Condominium Association
Attn: Paul Brensilber

440 9th Avenue, #1500 New York, NY 10001

New York, NY 10025

JNPJ Realty, LLC c/o West Side Management Corp. Attn: Celso Vasquez 163 West 74th Street New York, NY 10023 273 West 131 Street Holdings LLC c/o Endo Management LLC Attn: Peter Garcia 200 West 106th Street

Space & Structure Realty, Inc. Attn: Rupa Mehta 70 West 107th Street, #6A New York, NY 10025 360 Preservation LLC c/o C&C Apartment Management LLC Attn: Jennifer Santoro 1735 Park Avenue, #300 New York, NY 10035

The Wilmack Holding Company, Inc. Attn: Jason Benta 624 St. Nicholas Avenue, #4C New York, NY 10030 NCM Holdings LLC Attn: Nick Mastromihalis 4-74 48th Avenue, #29A Long Island City, NY 11109

499 West 158th Street HDFC Attn: Dawn Epps 499 West 158th Street New York, NY 10032 McKenna Square Associates c/o Rush Management Company, LLC Attn: Robert Najarian 747 Riverside Drive, Ground Floor New York, NY 10031 Fort Washington Estates, LLC

Attn: Michael Zolty 5308 13th Avenue, #252 Brooklyn, NY 11219 271 Ft Washington LLC c/o Weiss Realty LLC Attn: Everto Lara

3240 East Tremont Avenue

Bronx, NY 10461

WH 497 West 182 Street LLC

c/o Apartment Management Associates LLC

Attn: David Friedman 2611 West 2nd Street Brooklyn, NY 11223 Barry Martin 599 Corp. Attn: Barry Fishman 4422 Broadway, #330 New York, NY 10040

661 West 179 Street LLC c/o Alma Realty Corp.
Attn: Nick Conway

31-10 37th Avenue, #500 Long Island City, NY 11101 LM Academy Realty LLC Attn: Ana Perdomo 67 Seaman Avenue New York, NY 10034

Davana Realty Corporation c/o Lemle & Wolff, Inc.

Attn: Christopher Anelante

5925 Broadway Bronx, NY 10463 Bene LLC

c/o Elite Management, Inc.

Attn: Robert Mozilo

250-04 Jericho Turnpike, 2nd Floor

Floral Park, NY 11001

L&M 825 LLC

c/o Larstrand Corporation

Attn: Marc LaPointe

22 East 65th Street, 5th Floor

New York, NY 10065

Erasmus Place Condominium

c/o Advanced Management Services Ltd.

Attn: Janet Bruno 26 Court Street, #804 Brooklyn, NY 11242