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

Richard C. Fipphen Assistant General Counsel



May 14, 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 31 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 31 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 31 Multiple-Dwelling Unit Buildings in the City of New York

Matter	15
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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 31 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 31 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 14, 2015

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STATE OF NEW YORK PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Limited Orders of Entry for 31 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 14, 2015

STATE OF NEW YORK PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Limited Orders of Entry for 31 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 31 Multiple-Dwelling Unit Buildings in the City of New York was sent on May 14, 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 14, 2015

SERVICE LIST

Mount Morris HDFC c/o The Wavecrest Management Team Ltd.

Attn: Joel Lopez 87-14 116th Street Richmond Hill, NY 11418 1865 Second Ave Condominium c/o Genesis Realty Group LLC

Attn: Ben Nehmadi 4419 3rd Avenue, #4A New York, NY 10457

Village JV 201 East 2nd LLC c/o Westminster Management

Attn: Jordan Wolf 504 East 12th Street New York, NY 10009 231 East 10 Street HDFC Attn: Florisa Alban 231 East 10th Street, #18 New York, NY 10003

Flemington Estates LLC
Attn: Morris Platt

241 West 37th Street, #3F New York, NY 10018 Hamilton Heights Terrace Associates, LP c/o Essex Plaza Management Associates

Attn: Fred Lambert 757 Bushwick Avenue Brooklyn, NY 11221

Feznic Realty Co., Inc.

c/o NU-REC Management Corp.

Attn: Paul Gjonaj

970 Morris Park Avenue

Bronx, NY 10462

Karen Manor Associates LLC c/o The Morgan Group Attn: Adriana D'Alessandro 41 West Putnam Avenue

Greenwich, CT 06830

172 Audubon Corp.
Attn: Isaac Nieves

305 East 204th Street, 2nd Floor

Bronx, NY 10467

7000 Bay Parkway Owners Corp.

Attn: Leonard Schwartz 5312 New Utrecht Avenue

Brooklyn, NY 11219

El-Kam Realty Co. Attn: Ely Samuels

3 West 57th Street, 7th Floor

New York, NY 10019

East 115th Street Management and Development LP

c/o W.G. & Associates Management

Attn: William Gerrero 161 East 106th Street New York, NY 10029

Pleasant Avenue LLC c/o DMB Properties, Inc.

Attn: Sergio Spodek

1695 Lexington Avenue, 2nd Floor

New York, NY 10029

1384 First Realty LLC

c/o T & T Realty Management LLC

Attn: Terrence Lowenberg 419 Lafayette Street, 5th Floor

New York, NY 10003

Ganbir Construction Corp.

c/o St. Thomas Management Corp.

Attn: Henry Gucker 364 3rd Avenue New York, NY 10016 201 East 61 LLC

c/o Marolda Properties Attn: Lawrence Marolda 46 Trinity Place, 3rd Floor New York, NY 10006

350 East 67th Street Associates LP

Attn: Moshe Schmuelian 134 West 37th Street New York, NY 10018 521 East 72nd St. Realty Company, LLC

c/o Solow Management Corp.

Attn: Anthony Calicchio

9 West 57th Street, 45th Floor

New York, NY 10019

228 West 4th Owners Corp.

c/o Lidia Management Corp.

Attn: Anthony Pistilli 35-01 30th Avenue, #300

Astoria, NY 11103

415 Second Owners' Corp.

c/o Superior Management Inc.

Attn: Laurance Nagin

50 Bank Street, Ground Floor

New York, NY 10014

330 E. 35th LLC Attn: Harriet Kahan 632 Broadway, 7th Floor New York, NY 10012 Aimco 464-466 Amsterdam 200-210 West 83rd Street, LLC Attn: Joe Aloi 315 Madison Avenue, 17th Floor New York, NY 10017

Harlem Shangri-La HDFC c/o C&C Affordable Management Attn: Anthony Calascibetta 1735 Park Avenue, 3rd Floor New York, NY 10035

1802 Associates LP Attn: Alfredo Familia 1046 McLean Avenue Yonkers, NY 10704

Audubon Property Group LLC c/o Lemle & Wolff, Inc.
Attn: Christopher Anelante 5925 Broadway
Bronx, NY 10463

88 Seaman Avenue LLC c/o Moss Management LLC Attn: Michael Moskowitz 260 Madison Avenue, #204 New York, NY 10016

Marjosh Management Corp. Attn: Peter Allen 285 5th Avenue, #475 Brooklyn, NY 11215 67 Vestry, LLC c/o Classic Realty LLC Attn: Neil Ritter 390 Park Avenue, 6th Floor New York, NY 10022

The Canal-Greenwich Condominium c/o The Andrews Organization
Attn: Eugene Andrews
666 Broadway, 12th Floor
New York, NY 10012

401 West 152nd Street HDFC Attn: Samuel Simon 401 West 152nd Street, #1C New York, NY 10031 Icarus Associates LP

Attn: Louis Evangelista Jr. 41-41 24th Street, 2nd Floor Long Island City, NY 11101