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Richard C. Fipphen Assistant General Counsel



June 6, 2014

Honorable Kathleen H. Burgess Secretary New York Public Service Commission Three Empire State Plaza Albany, New York 12223

Re: Matter 14-____ – Petition of Verizon New York Inc. for Limited Orders of Entry for 37 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 37 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.

If any of the respondents believe that they have been included in this Petition in error or are now willing to allow a survey of their property in preparation for installation of Verizon's cable television facilities at their building, they should contact me at the above email address.

Respectfully submitted,

Pulsa C. Diff

Richard C. Fipphen

STATE OF NEW YORK PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Limited Orders of Entry for 37 Multiple-Dwelling Unit Buildings in the City of New York

Matter 14	1
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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 37 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 37 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, including proof of delivery (if available), 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.

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

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140 West Street, 6th Floor

New York, New York 10007

(212) 519-4718

Counsel for Verizon New York Inc.

Dated: New York, New York

June 6, 2014

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STATE OF NEW YORK PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Limited Orders of Entry for 37 Multiple-Dwelling Unit Buildings in the City of New York

Matter 14-____

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

Lefe B. Clemons

Dated: New York, New York June 6, 2014

STATE OF NEW YORK PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Limited Orders of Entry for 37 Multiple-Dwelling Unit Buildings in the City of New York

Matter 14-____

DECLARATION OF LAURA A. SHINE

A copy of the Petition of Verizon New York Inc. for Limited Orders of Entry for 37 Multiple-Dwelling Unit Buildings in the City of New York was sent on June 6, 2014 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 June 6, 2014

SERVICE LIST

Leonard Franzblau c/o Pioneer Management 289 Columbus Avenue New York, NY 10023 Mollaney LLC c/o Sander Investment Attn: Lisa He 12 West 57th Street, Suite 702 New York, NY 10019

AFF-PSA Bronx-9D, Inc. c/o Urban Green Management Attn: Yasmin Rosado 340 Pleasant Avenue New York, NY 10035 109 Eldridge LLC c/o Urban Real Estate of New York, LLC Attn: Robert Williams 41 Union Square W, Suite 325 New York, NY 10003

Goodman Realty LLC Attn: Poy Hime 141 Hester Street New York, NY 10002 Harmil Realty LLC Attn: Harry Schessel 152-156 West 86th Street New York, NY 10024

The State House I, LLC c/o Pine Management, Inc.
Attn: Thomas Rohlman
78 Manhattan Avenue, Basement
New York, NY 10025

Kingsbridge Realty Associates LLC c/o Pinnacle Group Attn: David Radoncic One Penn Plaza, Suite 4000 New York, NY 10119

Riverside Syndicate, Inc. c/o R.C.R. Management, LLC Attn: Ari Paul 155 Riverside Drive New York, NY 10024

Alas Realty Corp. c/o BPC Management Corp. Attn: Rick Manero 80 Livingston Street, 2nd Floor Brooklyn, NY 11201 94-01 64th Road Associates LLC c/o Samson Management LLC Attn: Andre Williams 97-77 Queens Boulevard, Suite 710 Rego Park, NY 11374

25 Monroe Place Owner LLC c/o Samson Management LLC Attn: Andre Williams 97-77 Queens Boulevard, Suite 710 Rego Park, NY 11374

8797 Realty Company Attn: Dassy Mandelbaum 100A Broadway, PM412 Brooklyn, NY 11249 Samjo Realty Corporation Attn: Mira Hertz 1060 Ocean Avenue, Suite A1 Brooklyn, NY 11226

Tripolis Realty LLC Attn: Theodore Bouzalas 9002 5th Avenue Brooklyn, NY 11209 176 Clarkson Avenue LLC c/o Pinnacle Group Attn: Michael Radoncic One Penn Plaza, Suite 4000 New York, NY 10119

Newport Associates c/o Grenadier Realty Corp. Attn: Joseph Maresca 1230 Pennsylvania Avenue Brooklyn, NY 11239 Hampton House LLC c/o Farkas Management LLC Attn: Jeffrey Farkas 71-51 Harrow Street Forest Hills, NY 11375

Georgia Properties, Inc. c/o R.C.R. Management, LLC Attn: Ari Paul 155 Riverside Drive New York, NY 10024 470 Realty NY LLC c/o Pinnacle Group Attn: Edward Suazo One Penn Plaza, Suite 4000 New York, NY 10119 Millshan Realty Co. LLC c/o B & R Management Co. LLC Attn: Ben Preston

363 Westchester Avenue, 2nd Floor

Port Chester, NY 10573

230 East 30th LLC c/o Candlewood Group LLC Attn: Linda Berley 950 Third Avenue New York, NY 10022

282 East 35th Street Owners Corp. c/o Maxx Properties
Attn: Reginald Boyd
600 Mamaroneck Avenue, 5th Floor
Harrison, NY 10528

c/o Excel Bradshaw Management Attn: Thomas Randazzo 501 Surf Avenue Brooklyn, NY 11224

Gentry Apartments Inc.

130 Clarkson Realty LLC Attn: Morris Lieberman 2003 Avenue J, Suite 1C Brooklyn, NY 11210 HFZ 344 West 72nd Street Owner LLC c/o Nelson Management Group Attn: Christine Chorny 118-35 Queens Boulevard, 14th Floor Forest Hills, NY 11375

Cooper Square Housing c/o Jasa Housing Management Services Attn: Donald Manning 247 West 37th Street New York, NY 10018 222 Lenox Road LLC c/o Pinnacle Group Attn: Edward Suazo One Penn Plaza, Suite 4000 New York, NY 10119

245 East 44th Street LLC c/o Pan Am Equities
Attn: Andres Reynoso
18 East 50th Street, 10th Floor
New York, NY 10022

Westchester Plaza Housing Company c/o Kings & Queens Residential LLC Attn: Gary Flamenbaum 97-77 Queens Boulevard, Suite 1210 Rego Park, NY 11374 Southeast Grand Street Guild HDFC c/o The Wavecrest Management Team Attn: Jay Yablonsky 87-14 116th Street Richmond Hill, NY 11418

Cambridge Development LLC c/o Atria Senior Living Group Inc. 401 S 4th Street, Suite 1900 Louisville, KY 40202

Peru Leasing Limited Partnership c/o Kings & Queens Residential LLC Attn: Gary Flamenbaum 97-77 Queens Boulevard, Suite 1210 Rego Park, NY 11374

Saxon Hall Owner LLC c/o SHH Owner LLC Attn: Joe Chajmovicz 62-60 99 Street, PH Unit Rego Park, NY 11374 330 East 46th Street Associates LLC c/o Carlyle Construction Corp.
Attn: Michael Dimson
340 East 46th Street
New York, NY 10017

London Leasing Limited Partnership c/o Kings & Queens Residential LLC Attn: Aaron Goldfried 97-77 Queens Boulevard, Suite 1210 Rego Park, NY 11374

Keith Plaza Assn. c/o RY Management Attn: Danny Durante 2475 Southern Boulevard Bronx, NY 10458