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

Richard C. Fipphen Assistant General Counsel



August 8, 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 27 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 27 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,

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Richard C. Fipphen

STATE OF NEW YORK PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Limited Orders of Entry for 27 Multiple-Dwelling Unit Buildings in the City of New York

Matter 14	
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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 27 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 27 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

Pulsa C. Top

140 West Street, 6th Floor

New York, New York 10007

(212) 519-4718

Counsel for Verizon New York Inc.

Dated: New York, New York August 8, 2014

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STATE OF NEW YORK PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Limited Orders of Entry for 27 Multiple-Dwelling Unit Buildings in the City of New York

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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 August 8, 2014

STATE OF NEW YORK PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Limited Orders of Entry for 27 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 27 Multiple-Dwelling Unit Buildings in the City of New York was sent on August 8, 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 August 8, 2014

SERVICE LIST

Horace H. Wilson c/o Citi Urban Management Attn: Nathan Halequa 6 Grace Avenue, Suite 400

Great Neck, NY 11021

440 East 81st Street LLC Attn: Rita Kalimian Sakhale 600 Lexington Avenue, Suite 14 New York, NY 10022

Tsismenakis West 6th LLC c/o Atlas Sales Realty
Attn: Artemios Tsismenakis
2086 East 19th Street
Brooklyn, NY 11229

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

Brookford, LLC
Attn: Cozette Dotson
315 Central Park West, Suite 1200
New York, NY 10025

Pelham 1130 LLC c/o Goldfarb Properties Attn: Thomas J. Frye 524 North Avenue New Rochelle, NY 10801

1119 Foster LLC c/o Arm Capital Resources Attn: Arthur Verschleiser 20 Ocean Court Brooklyn, NY 11223 1439 Realty LLC c/o Lilmor Management Attn: Morris Lieberman 2003 Avenue J, Suite 1C Brooklyn, NY 11210

102-10 30 66th Road Cooperative Owners Inc. c/o Halstead Management Company LLC Attn: Jack Terebelo 770 Lexington Avenue, 7th Floor New York, NY 10065

H & K Firm, LLC Attn: Paul Young 39-01 Main Street, Suite 412 Flushing, NY 11354 Tennessee Leasing, L.P.

c/o Kings & Queens Residential LLC

Attn: Gary Flamenbaum

97-77 Queens Boulevard, Suite 1210

Rego Park, NY 11374

65-61 Saunders Street Associates LLC c/o Weinreb Management LLC

Attn: Jacob Weinreb

276 Riverside Drive, Suite 2G

New York, NY 10025

Hecuba Holding Corp. c/o Impact Management

Attn: Gregory Cohen

45-18 Court Square, Suite 401

Long Island City, NY 11101

Washington Court Condominum

c/o Maxwell Kates

Attn: Michael Skidmore

9 East 38th Street, 6th Floor

New York, NY 10016

Villford Realty Corp.

Attn: Robert Iuso 6 Furler Street

Totowa, NJ 07512

Trinity 3 in 1 HDFC

Attn: Flynn Halsey

2003 Southern Boulevard, Office

Bronx ,NY 10460

NYC Housing Development Corp.

c/o The Wavecrest Management Team

Attn: Avi Slansky 87-14 116th Street

Richmond Hill, NY 11418

1048 Sheridan Ave LLC

Attn: Maurice Mckenzie

507 West 186th Street, Room A4

New York, NY 10033

Diego Beekman Mutual Housing Association HDFC

c/o The Dweck Law Firm, LLP

Attn: H.P. Sean Dweck
10 Rockefeller Plaza

New York, NY 10020

535 E. 148 St. Corp.

Attn: Melania Gonzalez

535 East 148th Street, Apt. 2C

Bronx, NY 10455

2224 Adams Realty LLCc/o Schur Management Co. Ltd.Attn: William Schur2432 Grand Concourse, Suite 400

Bronx, NY 10458

Fraydun Enterprises, LLC c/o Pan Am Equities Inc. Attn: John Cacaj 18 East 50th Street, 10th Floor

Second and Third LLC Attn: Chester Pechock 63 Avenue A New York, NY 10003

New York, NY 10022

Danielle Realty LLC c/o Katz Realty Group Attn: Lennard Katz 45-17 Marathon Parkway Little Neck, NY 11362 Gastonia, LLC Attn: James Gaston 200 East 75th Street, Apt. 2A New York, NY 10021

320 Equities LLC c/o Taube Management Corp. Attn: Milton Taube 244 East 60th Street, Suite 1D New York, NY 10022

Orion Realty LLC c/o SR Nager Management Attn: Sanford Nager 106 South Elliot Place Brooklyn, NY 11217