140 West Street 6th Floor New York, NY 10007 Tel (212) 519-4718 Fax (212) 962-1687 richard.fipphen@verizon.com

Richard C. Fipphen Assistant General Counsel



November 21, 2014

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

Re: Case 14-V-____ – Petition of Verizon New York Inc. for 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 Orders of Entry for 40 Multiple-Dwelling Unit Buildings in the City of New York.

Verizon has completed pre-installation surveys at each of the 40 properties. Verizon requests that orders of entry be issued by the Commission directing the owner of each building to permit Verizon to install cable television facilities, as provided in Section 898.4(b)(9) of the Commission's Rules.

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 installation of Verizon's cable television facilities at their building, they should contact me at the above email address.

Respectfully submitted,

Pulse C. July

Richard C. Fipphen

STATE OF NEW YORK PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Orders of Entry for 40 Multiple-Dwelling Unit Buildings in the City of New York

Case 14-V	
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PETITION FOR ORDERS OF ENTRY

Verizon New York Inc. ("Verizon") respectfully submits this Petition for Orders of Entry, pursuant to 16 NYCRR § 898.4, allowing Verizon to install fiber-optic facilities to provide cable television service at 40 multiple-dwelling unit ("MDU") buildings in the City of New York. In support of this Petition, Verizon states as follows:

Specific Location of the Properties

1. Verizon seeks to install fiber-optic facilities to provide cable television service 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 in Exhibit 1 has either: (1) failed to respond to Verizon's letters requesting access to install fiber-optic facilities to provide cable television service, 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 install fiber-optic facilities to provide cable television services to residents and businesses in each building. These fiber-optic

facilities will also allow Verizon to provide voice telephony and broadband services in the building. Pre-installation surveys of each property have been completed. Column J of Exhibit 1 sets forth the type of installation that Verizon intends to use for each building.

Proof of Service of Notice of Intention to Install Cable Television Facilities and Service

4. After several unsuccessful attempts by Verizon to secure permission to start the proposed fiber-optic installation, each owner and/or managing agent received a letter from Verizon along with a Notice of Intent to Install Cable Television Facilities. 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 installations.

Indemnification

6. Verizon warrants that it will bear the entire cost of each installation. Verizon further warrants that it will indemnify the owner of each building for any damage that may be caused by Verizon in connection with the installation.

<u>Installation Work Will Be Conducted without Prejudice to the Owner's Right to Receive Just Compensation</u>

7. The proposed installation work will be conducted without prejudice to the rights of the owner of each building to receive just compensation in accordance with 16 NYCRR § 898.2.

Summary of Verizon's Efforts to Gain Entry to the Buildings

8. Verizon's formal efforts to gain entry to the identified properties are set forth in Column H of Exhibit 1. In addition to those efforts, Verizon has attempted to contact the owners

and managing agents by telephone and/or e-mail to secure access to the properties, without

success.

Opportunity for the Owner to Answer the Petition

9. The owner of each building listed on 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 matters 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

install cable television facilities at each building, together with such other relief as the

Commission may deem just and proper.

Respectfully submitted,

Pulm C. Tyl

RICHARD C. FIPPHEN

140 West Street, 6th Floor

New York, New York 10007

(212) 519-4718

Counsel for Verizon New York Inc.

Dated: November 21, 2014

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STATE OF NEW YORK PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Orders of Entry for 40 Multiple-Dwelling Unit Buildings in the City of New York

Case 14-V-____

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

Dated: New York, New York November 21, 2014

STATE OF NEW YORK PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Orders of Entry for 40 Multiple-Dwelling Unit Buildings in the City of New York

Case 14-V-____

DECLARATION OF LAURA A. SHINE

A copy of the Petition of Verizon New York Inc. for Orders of Entry for 40 Multiple-Dwelling Unit Buildings in the City of New York was sent on November 21, 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 November 21, 2014

SERVICE LIST

420 East 58th Street Condominium

c/o Lawrence Properties

Attn: Alfred Nicasio

150 West 30th Street, 2nd Floor

New York, NY 10001

Lefferts Heights HDFC Inc.

c/o Wavecrest Management Team Ltd.

Attn: Charles Lyons

87-14 116th Street

Richmond Hill, NY 11418

San Remo Tenants Corp.

c/o Brown Harris Stevens

Attn: Omer Duli

770 Lexington Avenue, 4th Floor

New York, NY 10065

505 East 82nd Street Owners Inc.

c/o Wavecrest Management Team Ltd.

Attn: Avi Slansky

87-14 116th Street

Richmond Hill, NY 11418

St. Brendan Senior Apartments, L.P.

c/o Progress of Peoples Management Corp.

Attn: George Stathoudakis

191 Joralemon Street, 8th Floor

Brooklyn, NY 11201

ESPACEA LLC

c/o A.J. Clarke Realty Corp.

Attn: David Svitic

1881 Broadway, 4th Floor

New York, NY 10023

145 East 27th Street Co., LLC

c/o Algin Management Co., LLC

Attn: Sam Mustafic

183 Madison Avenue, Suite 1602

New York, NY 10016

300 East 46th Street Owner LLC

c/o Schneider & Schneider, Inc.

Attn: Angelo Grima

1407 Broadway, Suite 3900

New York, NY 10018

G & L Realty Delaware LLC

Attn: Scott Weiss

825 East 233rd Street

Bronx, NY 10466

Progressive Realty Associates, L.P.

c/o Prestige Management Inc.

Attn: Phyllis Williams

1200 Zerega Avenue

Bronx, NY 10462

Charles H. Housing Assoc.

c/o Dalton Management Company

Attn: Ronald Dawley

60 East 42nd Street, Room 1835

New York, NY 10165

G.R. Housing Corp.

c/o First Service Residential

Attn: Charlene Jeanty

622 Third Avenue, 14th Floor

New York, NY 10017

Binaku Realty Co. Inc.

Attn: Zoi Gecaj

2300 Bronx Park East

Bronx, NY 10467

580 St. Nicholas Residences LLC c/o New Holland Residence

Attn: Jason Paul

2090 7th Avenue, Suite 605

New York, NY 10027

1259 Realty LLC

c/o J.K. Management

Attn: Jacob Kempler

303 Beverley Road, Suite Pr2

Brooklyn, NY 11218

Laurel Hill LLC

c/o Northern Star Realty

Attn: Show Lain Cheng

147-25 Northern Boulevard, Suite 3E

Flushing, NY 11354

SP8 International LLC

c/o SJS Management Corp.

Attn: Stephanie Beavdoin 767 Third Avenue, Suite 31A

New York, NY 10017

Lindenwood Village Section E c/o Alexander Wolf & Company

Attn: Eric Lash

1 Dupont Street, Suite 200

Plainview, NY 11803

Baronsgate Towers LLC

Attn: Joshua Siew

115 Vermilyea Avenue, Suite 1A

New York, NY 10034

McCarthy Court Condominium

c/o Stillman Management Inc.

Attn: Ismael Ramirez

141 Halstead Avenue

Mamaroneck, NY 10543

3130 Grand Concourse Owners c/o Pride Property Management

Attn: Jeffrey Toplitsky

708 Third Avenue, 17th Floor

New York, NY 10017

Borinquen Court Associates LP c/o Westside Federation of Seniors

Attn: Laura Jervis 2345 Broadway New York, NY 10024

Palacio Associated LLC c/o C & C Affordable Management Attn: Nick Papkostopoulos

1865 Palmer Avenue, Suite 203

Larchmont, NY 10538

Sid-Jon Properties LLC c/o The Morgan Group Attn: Stuart Morgan

41 West Putnam Avenue, 3rd Floor

Greenwich, CT 06830

1870 Morris Avenue HDFC c/o Prestige Management Inc.

Attn: Melvin Turner 1200 Zerega Avenue Bronx, NY 10462 Amber Hall, L.P.

c/o Arete Management LLC

Attn: Julius Lamar

42 West 39th Street, 14th Floor

New York, NY 10018

Crotona Park West Housing c/o Phipps Houses Services Inc.

Attn: Adam Weinstein 902 Broadway, 13th Floor New York, NY 10010 East Clarke Place Associates 11 LLC

c/o Lemle & Wolff Inc.

Attn: Christopher Anelante

5925 Broadway Bronx, NY 10463

ACV Realty Corp.

c/o Dalton Management Company

Attn: Olga Pacheco

60 East 42nd Street, Suite 1835

New York, NY 10165

1124 Carroll Realty Association

Attn: Jay Rand 1126 Carroll Place Bronx, NY 10456 Geel East 162nd Street Limited Partnership c/o Geel Community Services Inc. Attn: Lakeisha Barnes-Forson 2516 Grand Avenue Bronx, NY 10468 Lafayette Limited Partnership c/o Krislen Management Corp. Attn: Kristina Hosch 1500 White Plains Road Bronx, NY 10462

Windsor Apartments, Inc. c/o Argo Real Estate LLC Attn: Annette Loscalzo 50 West 17th Street, 6th Floor New York, NY 10011 River House In Riverdale Inc. c/o Garthchester Realty Ltd. Attn: Marshall Kanter 209 Garth Road Scarsdale, NY 10583

Riverdale Gardens Associates, LLC c/o Axelrod Management
Attn: Carlin Axelrod
5570 Netherland Avenue, Office
Bronx, NY 10471

Bryant Avenue Apartments LLC c/o Wavecrest Management Team Ltd.
Attn: Nexon Rios
87-14 116th Street
Richmond Hill, NY 11418

5601 Riverdale Owners Corp. c/o Century Management Services Attn: David Lipson 440 Ninth Avenue, 15th Floor New York, NY 10001 400 East 51st Street LLC c/o Alexico Group Attn: Lisa Lee 150 East 58th Street, 33rd Floor New York, NY 10155

3224 Bronx Boulevard LLC Attn: Nick Gazivoda 287 East Gun Hill Road Bronx, NY 10467 La Casa Quinta HDFC c/o El Barrio's Operation Fightback Inc. Attn: Gustavo Rosado 413 East 120th Street, Suite 403 New York, NY 10035