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

Richard C. Fipphen Assistant General Counsel



December 1, 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 42 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 42 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,

Pulm C. Tyl

Richard C. Fipphen

STATE OF NEW YORK PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Limited Orders of Entry for 42 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 42 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 42 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

December 1, 2014

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STATE OF NEW YORK **PUBLIC SERVICE COMMISSION**

Petition of Verizon New York Inc. for Limited Orders of Entry for 42 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.

Leefe B. Clemons

KEEFE B. CLEMONS

Dated: New York, New York December 1, 2014

STATE OF NEW YORK PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Limited Orders of Entry for 42 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 42 Multiple-Dwelling Unit Buildings in the City of New York was sent on December 1, 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 December 1, 2014

SERVICE LIST

M & E 410 E. 13th Street LLC

c/o Croman Management Company

Attn: Yessenia Camillo 632 Broadway, 7th Floor New York, NY 10012 MSMC Residential Realty LLC c/o Rose Associates, Inc.
Attn: Jeffrey Heifetz

200 Madison Avenue, 5th Floor

New York, NY 10016

PSCH Inc.

Attn: Hal Wenig 22-44 119th Street College Point, NY 11356 2279-2283 Third Avenue Associates LLC

c/o Saab Management Company

Attn: Esther Flores 400 West 14th Street New York, NY 10014

East 85th Realty LLC

c/o Glenwood Management Corp.

Attn: Joshua London 1200 Union Turnpike New Hyde Park, NY 11040 Palm/Rio Owners Corp. c/o Briarwood Properties Inc.

Attn: Raymond Riso

36-35 Bell Boulevard, Suite 101

Bayside, NY 11361

525 East 13 LLC

c/o Ogrin Associates LLC

Attn: Rima Ogrin

169 East 74th Street, Suite 2

New York, NY 10021

94-96 Avenue A Realty Corp.

c/o Brownstone Building Management Services Corp.

Attn: Amnon Kehati 88 Rivington Street New York, NY 10002

Waywest Tenants Corp.

Attn: Michelle Herman 380 West 12th Street, #2C New York, NY 10014 34 Ludlow Realty Corp.

c/o Morris Goldman Real Estate Corp.

Attn: Byron Goldman

524 Broadway

New York, NY 10012

312 East 30 LLC

c/o B & L Management Co., LLC

Attn: Marie Ruffino 316 East 63rd Street, #1A

New York, NY 10065

1 West 3rd Street Corp.

c/o Caryle Construction Corp.

Attn: Michael Dimson

340 East 46th Street

New York, NY 10017

Roxborough Apartments Corp.

Attn: Paul Bogoni 251 West 92nd Street

New York, NY 10025

304 West 75th Apartments Corp.

c/o ARGO Corporation

Attn: Arnie Lauri

50 West 17th Street, 7th Floor

New York, NY 10011

Eagle Court, LLC

Attn: Jeffrey Elghanayan

68 Main Street

Tuckahoe, NY 10707

337 West 138 Holdings LLC c/o E & M Associates LLC

Attn: Irving Langer 1465A Flatbush Avenue

Brooklyn, NY 11210

Malcolm X Apartments Inc.

c/o Shinda Management Corp.

Attn: Shirley Fox

221-10 Jamaica Avenue, 3rd Floor

Queens Village, NY 11428

Remik Holdings LLC

Attn: Augustino Cafone

234 West 147th Street

New York, NY 10039

680 SN LLC

c/o Grenadier Realty Corp.

Attn: Jorge Vazquez

1230 Pennsylvania Avenue

Brooklyn, NY 11239

157 West 123rd Street HDFC

Attn: Charlia Greene

157 West 123rd Street, #6G

New York, NY 10027

166 West 129th Street Realty Corp.

Attn: Michael Davidowitz 1085 East 12th Street Brooklyn, NY 11230 Gateway I Associates, L.P.

c/o Manhattan North Management Co., Inc.

Attn: Dennis Ovalle

107-129 East 126th Street

New York, NY 10035

2162-68 89th Avenue Realty LLC

Attn: Michael Aryeh

619 West 54th Street, Suite 10A

New York, NY 10019

370 Manhattan Avenue Co., LLC c/o Successful Management Corp.

Attn: Susan Edelstein

145 West 71st Street, #1A

New York, NY 10024

890 West End Avenue Corp.

c/o Matthew Adam Properties, Inc.

Attn: Janusz Sikora

127 East 59th Street, 3rd Floor

New York, NY 10022

Canaan Baptist HDFC

Attn: Shirley Claiborne 160 West 116th Street

New York, NY 10026

Hargate HDFC, Inc.

c/o Manhattan North Management Co., Inc.

Attn: Dennis Ovalle

107-129 East 126th Street

New York, NY 10035

Fred-Doug 117, LLC

c/o IBEC Building Corp.

Attn: Samy Brahimy

55 Broad Street, 16th Floor

New York, NY 10004

145 Grand Realty LLC

c/o Edel Family Management Corp.

Attn: Florence Edelstein

2207 Coney Island Avenue Brooklyn, NY 11223 34 Hillside Avenue, LLC

c/o A & E Real Estate Holdings LLC

Attn: James Estreich

1065 Avenue of the Americas, 31st Floor

New York, NY 10018

Margis Realty Co., LLC c/o Margis Realty Co., LLC

Attn: Rubin Pikus 42 Bayview Avenue Manhasset, NY 11030 Ollie Associates LLC Attn: Luis DeLaCruz 200 West 16th Street, 1st Floor New York, NY 10011

Gjerovica Associates LLC c/o B & A Brokers Corp. Attn: Hassan Osmani 15 Kimball Avenue Yonkers, NY 10704

27 Mgr. Corp. Attn: John Xikis 32-55 Steinway Street Astoria, NY 11103

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

Melbourne Leasing Limited Partnership c/o Estates NY Real Estate Services LLC Attn: Peter Ferrera 97-77 Queens Boulevard, Suite 1210 Rego Park, NY 11374

Wellington Leasing Limited Partnership c/o Estates NY Real Estate Services LLC Attn: Peter Ferrera 97-77 Queens Boulevard, Suite 1210 Rego Park, NY 11374 102-40 67th Drive Owners Corp. c/o Direct Management Corp. Attn: Georgia Leandrou 42-14 Astoria Boulevard Astoria, NY 11103

K.B.R. Realty Corp.
c/o Metro Management Development Corp.
Attn: Joe Doren
42-25 21st Street
Long Island City, NY 11101

Sussex Realty of New York LLC c/o Katz Realty Group Attn: Ronald Katz 45-17 Marathon Parkway Little Neck, NY 11362 Garden Leasing Limited Liability Company c/o Kings & Queens Residential LLC Attn: Gary Flamenbaum 97-77 Queens Boulevard, Suite 1210 Rego Park, NY 11374 Earth Leasing Property Limited Liability Company c/o Estates NY Real Estate Services LLC Attn: Simon Bohbot 97-77 Queens Boulevard, Suite 1210 Rego Park, NY 11374