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Richard C. Fipphen Assistant General Counsel



December 3, 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 32 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 32 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 32 Multiple-Dwelling Unit Buildings in the City of New York

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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 32 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 32 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</u> 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,

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 3, 2014

3

STATE OF NEW YORK PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Limited Orders of Entry for 32 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.

Lufe B. Clemons

KEEFE B. CLEMONS

Dated: New York, New York December 3, 2014

STATE OF NEW YORK PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Limited Orders of Entry for 32 Multiple-Dwelling Unit Buildings in the City of New York

| Matter | 14- |
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DECLARATION OF LAURA A. SHINE

A copy of the Petition of Verizon New York Inc. for Limited Orders of Entry for 32 Multiple-Dwelling Unit Buildings in the City of New York was sent on December 3, 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 3, 2014

SERVICE LIST

Lassrick Associates, L.P. c/o IBEC Building Corp. Attn: Samy Brahimy 55 Broad Street, 16th Floor New York, NY 10004

M.B. Kings Realty Corp. Attn: Gani Bajraktari 617 East 188th Street Bronx, NY 10458

Pelham 1135, LLC c/o 1135 Pelham Parkway North Co. Attn: Bernard Putter 524 North Avenue New Rochelle, NY 10801 California Leasing Limited Partnership c/o Estates NY Real Estate Services LLC Attn: John Brady 97-77 Queens Boulevard, Suite 1210 Rego Park, NY 11374

55, Inc. Attn: Jose Pena 5600A Broadway Bronx, NY 10463 148 Street Realty Corp.Attn: Moishe Amsel25-26 50th Street, Suite 206DWoodside, NY 11377

Woodycrest Courts II c/o Kraus Management Attn: Ramiro Velez 33-01 Vernon Boulevard Long Island City, NY 11106 College Avenue Realty LLC c/o New City Management LLC Attn: Dror lakbob 260 Madison Avenue, Suite 204 New York, NY 10016

River Park Residences, LP c/o Omni New York LLC Attn: Alicia Rhoe 885 Second Avenue, 16th Floor New York, NY 10017 679 Owners Corp.
c/o Milton Gordon Management Corp.
Attn: Frederick Gordon
6485 Broadway, Suite 1C
Bronx, NY 10471

West 78th Realty LLC Attn: Ira Lifshutz 135-20 78th Road Flushing, NY 11367 3660 Waldo LLC Attn: Moe Greenzweig 3660 Waldo Avenue, Apt. 8B Bronx, NY 10463

33 West 63 NY LLC c/o Francine Realty Corp. Attn: Brian Elbart 107 82nd Street Brooklyn, NY 11209 Orienta Owners Corp. c/o Carlton Management Attn: Steve Pinchasick 205 West 79th Street, Suite 1A New York, NY 10024

2095 Madison Ave LLC c/o Langsam Property Services Attn: Matt Engel 1601 Bronxdale Avenue, Suite 201 Bronx, NY 10462

Dept. of Housing Preservation & Development Attn: Rose Linen 100 Gold Street, Lobby 3 New York, NY 10038

West 153rd Street HDFC c/o Winn Residential NY LLC Attn: Lynette Davis 79 Alexander Avenue, 6th Floor Bronx, NY 10454 Franklin 81 Holdings c/o Rex Properties Attn: Francis Moezinia 81 Franklin Street New York, NY 10013

349 Broadway Group, L.P. c/o IAB Management
Attn: Mark Ramer
P.O. Box 1495
New York, NY 10101

Lafayette Commercial Condo c/o Bethel Management Inc. Attn: Veronica Wong 7 Chatham Square, Suite 608 New York, NY 10038 LF East 21 Property Co., LLC c/o Salon Realty Corp.
Attn: Andrews Soto
316 East 89th Street
New York, NY 10128

Prince Street Holdings, LLC c/o Gatsby Enterprises, LLC Attn: Sean Piroozian 347 Fifth Avenue, Suite 300 New York, NY 10016

Flower Tenants Corp. c/o Matthew Adam Properties, Inc. Attn: Janusz Sikora 127 East 59th Street, 3rd Floor New York, NY 10022 The Carlei Group, LLC c/o RMC Realty Group Inc. Attn: Richard M. Casanas 119 West 72nd Street, Suite 264 New York, NY 10023

Kalams Realty Inc.
Attn: Steve Kalamotousakis
246 East 44th Street, Office
New York, NY 10017

1885-93 7th Avenue HDFC c/o Finger Management Corp. Attn: Santiago Smith 20 Tuckahoe Road Yonkers, NY 10710

405 CPW LLC c/o Sassouni Management Attn: Bita Sassouni 9 Park Place, Suite 1E Great Neck, NY 11021 571 West 125th Street Partner c/o Five Star Management Co. Inc. Attn: Lisa Czolacz 616 East Palisade Avenue, Suite 1A Englewood Cliffs, NJ 07632

2363 ACP Pineapple, LLC c/o Big City Realty Management Attn: Kobi Zamir 174 5th Avenue, Suite 301 New York, NY 10010

100 West 143 Street LLC c/o Orion Management Attn: Uzi Evron 118 West 137th Street New York, NY 10030

Highbridge House Ogden LLC c/o Stellar Management Attn: Smajlje Srdanovic 156 William Street, 10th Floor New York, NY 10038 National 8301 Limited Partnership c/o Kings & Queens Residential LLC Attn: Denis Omeragic 97-77 Queens Boulevard, Suite 1210 Rego Park, NY 11374