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Richard C. Fipphen Assistant General Counsel



December 10, 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 34 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 34 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 34 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 34 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 34 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 10, 2014

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STATE OF NEW YORK PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Limited Orders of Entry for 34 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 10, 2014

STATE OF NEW YORK PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Limited Orders of Entry for 34 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 34 Multiple-Dwelling Unit Buildings in the City of New York was sent on December 10, 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 10, 2014

SERVICE LIST

273 East Third LLC

c/o D.S.A. Management Co. Inc.

Attn: Arik Lifshitz

60 Madison Avenue, Suite 1111

New York, NY 10010

Manor House LLC

c/o Pine Management, Inc.

Attn: Thomas Rohlman

78 Manhattan Avenue

New York, NY 10025

Emerick Gross Real Estate, LP

c/o Charles H. Greenthal Management Co.

Attn: Peter Yee

4 Park Avenue, 3rd Floor

New York, NY 10016

Carnegie Hill-91st Street Corporation

c/o Douglas Elliman Property Management

Attn: Toni Hanson

675 Third Avenue, 6th Floor

New York, NY 10017

564 Associates LLC

Attn: Robert Guttman

61 Harrison Avenue, #2J

Brooklyn, NY 11211

Brighton 7th Realty, LLC c/o Miller Management LLC

Attn: Jerry Miller

1293 East 5th Street, #1G

Brooklyn, NY 11230

11737 Owners Corp.

c/o Halstead Management Company, LLC

Attn: Peter Pantelic

770 Lexington Avenue, 7th Floor

New York, NY 10065

Pinehurst House Apt. Corp.

c/o Tsiskos Management

Attn: Kostas Tsiskakis

752 West 178th Street, #4A

New York, NY 10033

Benson Avenue Owners Corp.

c/o FirstService Residential New York, Inc.

Attn: Farik Badalov

622 Third Avenue, 14th Floor

New York, NY 10017

Jemayo Dry Cleaners, LLC

c/o B & R Management Co., LLC

Attn: Robert Miller

363 Westchester Avenue, 2nd Floor

Port Chester, NY 10573

199 Bleecker, LLC Attn: Peter DeLuca 199 Bleecker Street New York, NY 10012 224 West 18th Street Condo c/o J & C Lamb Management Attn: Stuart Orenstein 4 Park Avenue, Mezzanine Level New York, NY 10016

KPP Hughes Avenue LLC
Attn: Michael Mikelic
1140 Avenue of the Americas, 9th Floor
New York, NY 10036

1145 Clay Avenue Property, LLC c/o Langsam Property Services Corp. Attn: Mark Engel 1601 Bronxdale Avenue Bronx, NY 10462

Urban Horizons Tax Credit Fund LP c/o Grenadier Realty Corp.
Attn: Warren Harr
1230 Pennsylvania Avenue
Brooklyn, NY 11239

Highbridge Community HDFC c/o Highbridge CDC Attn: Mark Mazzella 1465 Nelson Avenue Bronx, NY 10452

MRC-754 East 161st Street HDFC Attn: Gary Smith 589 8th Avenue, 10th Floor New York, NY 10018 55 East 66th Street Corporation c/o Gumley Haft Attn: Jacquelyn Duggan 415 Madison Avenue, 5th Floor New York, NY 10017

Carlyle 1900 Holdings LLC c/o Hotel Carlyle Owners Corporation Attn: George Georgallas 35 East 76th Street New York, NY 10021 370 West 58th Street Corporation c/o Wallack Management Co., Inc. Attn: Burton Wallack 441 Lexington Avenue, 4th Floor New York, NY 10017

MRC-754 East 161st Street HDFC

Attn: Gary Smith

589 8th Avenue, 10th Floor

New York, NY 10018

Good Neighbor Apartment Houses HDFC c/o Reliant Realty Services, Inc.

Attn: Pen Wisneski

885 Second Avenue, 16th Floor

New York, NY 10017

MRC-754 East 161st Street HDFC

Attn: Gary Smith

589 8th Avenue, 10th Floor

New York, NY 10018

Waverly Place Realty LLC

Attn: Bruce Sloane

450 Fashion Avenue, Suite 2906A

New York, NY 10123

836 Crown Limited Liability Company

c/o Brenda Management

Attn: Howard Mandel 1837 Flatbush Avenue

Brooklyn, NY 11210

Mazal Equities Corp.

Attn: Eugene Buchinger

34 South 4th Street

Brooklyn, NY 11249

Maserati Associates LLC

c/o Millbrook Properties Ltd.

Attn: Jeff Katz

42 Bayview Avenue

Manhasset, NY 11030

70 Lenox Road Owners Corp.

c/o Maxx Properties

Attn: Gerald Haak

600 Mamaroneck Avenue

Harrison, NY 10528

591 Ocean Realty LLC

c/o Malek Management

Attn: Robert Malek

1491 Coney Island Avenue

Brooklyn, NY 11230

280 East 21 LLC

Attn: Adriana Sakkal

666 Ocean Avenue

Brooklyn, NY 11226

Harlem-Valley HDFC c/o Manhattan Valley Mgmt.

Attn: Reginald Russo 73 West 108th Street New York, NY 10025 301 West 111-2051 8 LLC c/o E&M Associates LLC Attn: Peter Spooner 1465A Flatbush Avenue Brooklyn, NY 11210

92 Morningside Avenue LLC c/o Renaissance Realty Group LLC Attn: Michael Schulv 1946 Coney Island Avenue Brooklyn, NY 11223 100 Audubon Holdings LP c/o Langsam Property Services Corp. Attn: Mary Stawikey 1601 Bronxdale Avenue, Suite 201 Bronx, NY 10462