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

Richard C. Fipphen Assistant General Counsel



December 29, 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 45 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 45 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 45 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 45 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 45 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 29, 2014

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STATE OF NEW YORK PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Limited Orders of Entry for 45 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 29, 2014

STATE OF NEW YORK PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Limited Orders of Entry for 45 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 45 Multiple-Dwelling Unit Buildings in the City of New York was sent on December 29, 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 29, 2014

SERVICE LIST

7E86 Realty LLC

c/o Friedman Management Co.

Attn: Irving Friedman

770 Lexington Avenue, 18th Floor

New York, NY 10065

La Guardia Condominium Assoc. c/o Andrews Building Corporation

Attn: Diane Hunt

666 Broadway, 12th Floor

New York, NY 10012

Murry House Condominium

Attn: Michael Gross 49 Murray Street New York, NY 10007 40 Fifth Avenue Corp.

c/o Douglas Elliman Property Management

Attn: Patricia Pettway-Brown

675 Third Avenue New York, NY 10017

36 Attorney Street HDFC

Attn: Marta Pichardo

157 Broome Street, Apt. 5D

New York, NY 10002

Midwest Court LLC

c/o Rockrose Development

Attn: Eric Gasciewicz

666 Fifth Avenue, Suite 5108

New York, NY 10103

1205-1215 First Avenue Associates LLC

c/o SC Management Attn: Ely Samuels

3 West 57th Street, 6th Floor

New York, NY 10019

350 Realty Co. LLC

Attn: Dean Seigel

350 West 88th Street

New York, NY 10024

NIV Realty, LLC

Attn: Uzi Einy

4 McKenney Court

Suffern, NY 10901

Manhattan Avenue Redevelopment Company, LP

c/o TUC Management Co. Inc.

Attn: Jeffrey Goldstein

200 West 57th Street, Suite 702

New York, NY 10019

Park Front Apartments LLC
Attn: Cozette Dotson

315 Central Park West, Suite 1200

New York, NY 10025

Marseilles HDFC, Inc.

c/o West Side Federation for Senior and Supportive Housing, Inc.

Attn: Daniel Drosin

New York, NY 10024

2345 Broadway

Anthony Igel

c/o Hudson Park NY LLC

Attn: Arturo Muniz 317 West 96th Street New York, NY 10025 **HRS Equities LLC**

c/o Milbrook Properties Ltd.

Attn: Jeff Katz

2820 Bailey Avenue

Bronx, NY 10463

261/271 Seaman Avenue LLC c/o Moss Management LLC

Attn: Michael Moskowitz

260 Madison Avenue, Suite 204

New York, NY 10016

Joy Realty Co., LLC

Attn: Reynaldo Ramirez 95 Cabrini Boulevard

New York, NY 10033

176-177 Wadsworth Associates, LLC

c/o Mirimar Management Corp.

Attn: Michael Moslin

6114 Riverdale Avenue, Suite 800

Bronx, NY 10471

2-8-16 Magaw Place Owners Corp.

c/o The Heights Real Estate Co.

Attn: Lung Tseng 369 East 62nd Street

New York, NY 10065

120 Bennett Ave. Owners Corp.

c/o Majestic Rose Corp.
Attn: William Bouton
60 Cuttermill Road, #303
Great Neck, NY 11021

4040 Carpenter Realty LLC

c/o Diamond Management Inc.

Attn: Moshe Halberstan

1285 52nd Street

Brooklyn, NY 11219

Washington Leasing Limited Liability Company c/o Kings & Queens Residential LLC Attn: Jack Berkovitch 97-77 Queens Boulevard, Suite 1210 Rego Park, NY 11374 Town Leasing Limited Liability Company c/o Kings & Queens Residential LLC Attn: Jack Berkovitch 97-77 Queens Boulevard, Suite 1210 Rego Park, NY 11374

34 Avenue Realty Co., LLC Attn: Tal Sharon 73-07 153rd Street, #1A Flushing, NY 11367 235 West 12th Street LLC c/o William Gottlieb Management Co., LLC Attn: Kenneth Denning 544 Hudson Street New York, NY 10014

Maruccia, Inc.
Attn: Marianne Stankiewicz
34 8th Avenue, Office 1
New York, NY 10014

Frak Realty LLC c/o Vanderleigh Properties, LLC Attn: Henry Moses, Jr. 66 Marbledale Road Tuckahoe, NY 10707

551 Hudson Street Property, LLC c/o William Gottlieb Management Co., LLC Attn: Neil Bender 544 Hudson Street New York, NY 10014 Rick Associates, LLC c/o Jerome Associates, LLC Attn: Rudy Murillo 2800 Webster Avenue Bronx, NY 10458

2310 Belmont Realty LLC c/o Schur Management Co. Ltd. Attn: Tony Pacheco 2432 Grand Concourse, Room 400 Bronx, NY 10458 703 E. 187th Realty Corp. c/o Element 79 LLC Attn: Peter Terranova 703 East 187th Street Bronx, NY 10458 210 Associates, LLC c/o Orin Management Attn: Mordy Sohn 37-04 Parsons Boulevard Flushing, NY 11354

B.G.R. Realty LLC
Attn: Nadya Vasilyeva
PO Box 613
Lenox Hill Station
New York, NY 10021

HPG LLC Attn: Shaban Mehaj 2675 Morris Avenue, Front Bronx, NY 10468

Cedar Two Company LLC c/o Pelican Management, Inc. Attn: Robert Dashow 524 North Avenue New Rochelle, NY 10801

4726 Park LLC
Attn: Eliezer Grunblatt
295 Heyward Street
Brooklyn, NY 11206

2172 Anthony HDFC c/o Fordham Bedford Housing Corp. Attn: Ralph Mendez 2751 Grand Concourse Bronx, NY 10468

New Valentine Associates, LLC c/o Residential Management Attn: Labe Twerski 1651 Coney Island Avenue, Suite 4 Brooklyn, NY 11230

54 East 182 LLC Attn: Sashela Maldonado 1351 Rosedale Avenue Bronx, NY 10472

NYC Educational Construction Fund c/o R.Y. Management Attn: Daniel Durante 1619 Third Avenue New York, NY 10128

Walton Apartments LLC c/o Keystone Management Attn: Aron Ginsberg 1744 East 3rd Street Brooklyn, NY 11223 705 Gerard LLC Attn: David Green 1417 Avenue J Brooklyn, NY 11230 1175-77-85 Anderson HDFC Attn: Jude Apollon 1177 Anderson Avenue Bronx, NY 10452

SCS Realty, LLC c/o Progressive Management Attn: Sol Arker 15 Verbena Avenue Floral Park, NY 11001

Neighborhood Restore HDFC Attn: Sandra Erickson 150 Broadway, Suite 2101 New York, NY 10038

1800 MLK, LLC Attn: Jay Newhouse 25-26 50th Street, Apt. 206D Woodside, NY 11377