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



December 30, 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 41 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 41 Multiple-Dwelling Unit Buildings in the City of New York.

Verizon has completed pre-installation surveys at each of the 41 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 41 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 41 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 41 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: December 30, 2014

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STATE OF NEW YORK PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Orders of Entry for 41 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 December 30, 2014

STATE OF NEW YORK PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Orders of Entry for 41 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 41 Multiple-Dwelling Unit Buildings in the City of New York was sent on December 30, 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 30, 2014

SERVICE LIST

Leonori Condominium

c/o Rudd Realty Management Corp.

Attn: Steve Furman

641 Lexington Avenue, Lobby 1

New York, NY 10022

9-31 Gadsen Place Condominium c/o Saxon Arms Management Corp.

Attn: Steven Klieman

27 Union Square, Suite 300

New York, NY 10003

1111 Park Avenue Realty Corp.

c/o Douglas Elliman Property Management

Attn: Patricia Pettway-Brown

675 Third Avenue New York, NY 10017 Madison-90th Street Corp.

c/o Douglas Elliman Property Management

Attn: Patricia Pettway-Brown

675 Third Avenue New York, NY 10017

49 East 86th Street, Inc.

c/o Brown Harris Stevens Residential Management

Attn: Livi Skintej

770 Lexington Avenue, 4th Floor

New York, NY 10065

 $\label{thm:condominium} \mbox{ The Sterling Plaza Condominium Association, Inc.}$

c/o Charles H. Greenthal Management Corp.

Attn: Michaele McCarthy 4 Park Avenue, 3rd Floor New York, NY 10016

100 Street Tri Venture LLC

c/o Allstate Realty Assoc.

Attn: Brian Loftman 5420 13th Avenue Brooklyn, NY 11219 163-170 East 81st Street Associates LLC

c/o Brodsky Organization

Attn: Savet Velic 400 West 59th Street New York, NY 10019

975 Park Avenue Corp.

c/o Charles H. Greenthal Management Corp.

Attn: Michaele McCarthy 4 Park Avenue, 3rd Floor New York, NY 10016 Jacin Investors Corporation N.V.

Attn: Mario Cuccio 1410 York Avenue New York, NY 10021 SLG 125 Park Lessee LLC c/o Roeco LLC

Attn: Travis DeNicola

18 East 50th Street, 10th Floor

New York, NY 10022

Allen House, LLC c/o Dariko Realty Attn: Richard Gabbay

1368 Lexington Avenue, Suite 372

New York, NY 10128

Zeliks Management Corp. c/o Zalmen Management

Attn: Jack Lefkowitz 3810 14th Avenue Brooklyn, NY 11218 SP 364 W 18 LLC

c/o Stonehenge Management LLC

Attn: Joseph Abatiello

888 Seventh Avenue, 3rd Floor

New York, NY 10106

12th Street Apartment Corp.

c/o Orsid Realty Corp.

Attn: Dennis Nagel

1740 Broadway, 2nd Floor

New York, NY 10019

100 Bank Street Owners Corp. c/o Plymouth Management

Attn: Phillip Sansone

37 West 19th Street, 6th Floor

New York, NY 10011

926 Park Avenue Corp.

Attn: Victor Szewczyk

920 Park Avenue

New York, NY 10028

181 East 73rd Tenants Corp.

c/o Argo Real Estate LLC

Attn: Barry Benami 50 West 17th Street New York, NY 10011

Olympia House Delaware LP

Attn: Steven Elghanayan

12 East 44th Street, 6th Floor

New York, NY 10017

Langham Mansions LLC

Attn: Jeffrey Manocherian

150 East 58th Street, Apt. 28

New York, NY 10155

92 Equities LLC

c/o YMY Management

Attn: Yehuda Mendlowits 5014 16th Avenue, Suite 114

Brooklyn, NY 11204

545 Tenants Corp.

c/o Midboro Management

Attn: Adam Stern

333 7th Avenue, 5th Floor

New York, NY 10001

441 Convent LLC

c/o Pinnacle Group

Attn: Isak Radoncic

1 Penn Plaza, Suite 4000

New York, NY 10119

Logan Gardens HDFC, Inc.

c/o The Wavecrest Management Team

Attn: Ken Wray

87-14 116th Street

Richmond Hill, NY 11418

Clayton Apartments, Inc.

Attn: Anne White

485 Lenox Avenue, Apt. 8B

New York, NY 10030

4915 Broadway Realty LLC

c/o Abro Management

Attn: Isaac Widroff

734 West Broadway

Woodmere, NY 11598

M & E Rubin LLC

c/o Swig Equities, LLC

Attn: Joe Caraciolo

110 William Street, 11th Floor

New York, NY 10038

Park Briar Owners, Inc.

c/o Charles H. Greenthal Management Corp.

Attn: Melissa Lopez

4 Park Avenue, 3rd Floor

New York, NY 10016

113-14 Owners Corp.

c/o Metro Management Dev. Corp.

Attn: Joe Doren

42-25 21st Street

Long Island City, NY 11101

Thurman Verona Apts. Corp.

c/o Argo Real Estate LLC

Attn: Michael Rudolph

50 West 17th Street, 7th Floor

New York, NY 10011

Quality & Ruskin Apartments Corp. c/o Argo Real Estate LLC Attn: Michael Rudolph 50 West 17th Street, 7th Floor

New York, NY 10011

Quality & Ruskin Apartments Corp. c/o Argo Real Estate LLC Attn: Michael Rudolph 50 West 17th Street, 7th Floor New York, NY 10011

Anastassioss Kassapidis 23-18 28th Street Astoria, NY 11105 Alwall Construction Corp.
Attn: Jeffrey Place
227 Nassau Boulevard
Garden City, NY 11530

Woodhull Associates, L.P. Attn: Eric Silverstein 429 Mayfair Drive Brooklyn, NY 11234 Briarwood Owners Corp. c/o Argo Real Estate LLC Attn: Amehe Loscalzo 50 West 17th Street New York, NY 10011

Tenshore Realty, Ltd. c/o MAXX Properties Attn: Jim Cavanis 600 Mamaroneck Avenue Harrison, NY 10528 Skillman 48 LLC c/o Bronstein Properties, LLC Attn: Scott Silverman 108-18 Queens Boulevard Forest Hills, NY 11375

Foster Gardens Apt. Corp. Attn: Sol Knopf 1362 51st Street Brooklyn, NY 11219 84/85 Gardens Owners Corp. c/o Esteen Realty Management Corp. Attn: Isaac Molyneaux 303 Merrick Road, Suite 506 Lynbrook, NY 11563 73-12 Company, LLC c/o Delta Management LLC

Attn: John Busch

805 Third Avenue, Suite 1100

New York, NY 10022