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October 3, 2014

VIA FEDEX

Hon. Kathleen H. Burgess
Secretary
New York State Public Service Commission
Three Empire State Plaza
Albany, New York 12223

RECEIVED
DEPT. PUBLIC SERVICE
2014 OCT -6 AM 10:02
EXEC-FILES-ALBANY

**Re: Case 14-01024 Petition of Verizon New York, Inc. For
Orders of Entry for 53 Multiple Dwelling Unit Buildings
in the City of New York**

**Case 14-01622 Petition of Verizon New York, Inc. For
Limited Orders of Entry for 27 Multiple Dwelling Unit
Buildings in the City of New York**

**Case 14-01725 Petition of Verizon New York, Inc. For
Orders of Entry for 54 Multiple Dwelling Unit Buildings
in the City of New York**

Dear Secretary Burgess:

The undersigned attorneys represent Diego Beekman Mutual Housing Fund Development Corporation, HDFC, who is a Respondent in the above referenced Petitions.

THE DWECK LAW FIRM, LLP

Enclosed please find Respondent's Motion to Consolidate the above reference proceedings and any future proceedings by Verizon which involve Diego Beekman.

Also enclosed is an Affirmation of Service upon Verizon.

Respectfully Submitted,

THE DWECK LAW FIRM, LLP


H.P. Sean Dweck

HPSD:gs

cc: Richard Fipphen, Esq.
Counsel For Verizon

Diego Beekman Mutual Housing Association Inc.
Attn.: Arline Parks

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

-----X
In the Matter of the Petition of

VERIZON NEW YORK, INC.,

Case # 14-01024

Petitioner,

For Orders of Entry for 53 Multiple Dwelling
Unit Buildings in the City of New York.

**NOTICE OF MOTION
TO CONSOLIDATE**

-----X
STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

-----X
In the Matter of the Petition of

VERIZON NEW YORK, INC.,

Case # 14-01622

Petitioner,

For Limited Orders of Entry for 27 Multiple Dwelling
Unit Buildings in the City of New York.

-----X
STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

-----X
In the Matter of the Petition of

VERIZON NEW YORK, INC.,

Case # 14-01725

Petitioner,

For Orders of Entry for 54 Multiple Dwelling
Unit Buildings in the City of New York.

-----X

**NOTICE OF MOTION TO CONSOLIDATE THREE (3) CASES, INTO ONE(1) CASE
and to COMPEL ANY FURTHER PETITIONS BY VERIZON RELATING TO
PROPERTIES OWNED BY RESPONDENT TO BE CONSOLIDATED INTO THIS
PROCEEDING**

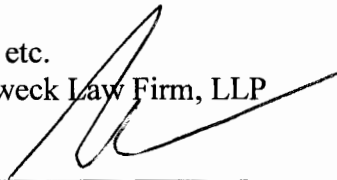
PLEASE TAKE NOTICE that upon the annexed affirmation of H.P. Sean Dweck dated the 30th day of September 2014, upon the exhibits annexed hereto and upon all prior proceedings in each of the three above-captioned actions, the undersigned will move this Hon. New York State Public Service Commission/New Your State Department of Public Service, in the State of New York, County of Albany, at Empire State Plaza, Agency Building Three, Albany New York on October 31, 2014 at 9:30 AM of that day or as soon thereafter as counsel can be heard, for an order pursuant to 16 NYCRR §3.6, CPLR §602 (A), and the case law and administrative law decided thereunder, unconditionally consolidating the three (3) above entitled cases into one (1) case, and further Petitions for such other and further relief as this Hon. New Your State Public Service Commission deems just and proper.

PLEASE TAKE FURTHER NOTICE, that answering papers, if any shall be served pursuant to the applicable administrative rules and regulations of this Hon. New York State Public Service Commission ("PSC"), including without limitation 16 NYCRR §3.6.

Dated : New York, New York
October 3, 2014

Yours, etc.
The Dweck Law Firm, LLP

By: _____


H.P. Sean Dweck
10 Rockefeller Plaza, Suite 1015
New York, NY 10020
(212) 687-8200
hpsdweck@dwecklaw.com

To: Richard Fipphen, Esq.
Counsel for Verizon New York, Inc.
140 West Street, 6th Floor
New York, New York 10007
(212) 519-4718

Honorable Kathy H. Burgess
Secretary
New York State Public Service Commission
Three Empire State Plaza
Albany, New York 12223

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

-----X
In the Matter of the Petition of

VERIZON NEW YORK, INC.,

Case # 14-01024

Petitioner,

For Orders of Entry for 53 Multiple Dwelling
Unit Buildings in the City of New York.

**AFFIRMATION IN
SUPPORT OF MOTION
TO CONSOLIDATE**

-----X
STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

-----X
In the Matter of the Petition of

VERIZON NEW YORK, INC.,

Case # 14-01622

Petitioner,

For Limited Orders of Entry for 27 Multiple Dwelling
Unit Buildings in the City of New York.

-----X
STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

-----X
In the Matter of the Petition of

VERIZON NEW YORK, INC.,

Case # 14-01725

Petitioner,

For Orders of Entry for 54 Multiple Dwelling
Unit Buildings in the City of New York.

-----X

**AFFIRMATION IN SUPPORT OF MOTION TO CONSOLIDATE THREE (3) CASES,
INTO ONE(1) CASE and to COMPEL ANY FURTHER PETITIONS BY VERIZON
RELATING TO PROPERTIES OWNED BY RESPONDENT BE CONSOLIDATED
INTO THIS PROCEEDING**

H.P. Sean Dweck, an attorney duly admitted to practice law in the State of New York hereby affirms the truth of the following statements under the penalties of perjury:

1. I am a member of The Dweck Law Firm, LLP, attorneys for Diego Beekman Mutual Housing Association, HDFC (“ Diego Beekman”) and submit this affirmation in support of its Motion to Consolidate three cases into one case and to compel any further petitions by Verizon relating to properties owned by Diego Beekman to be consolidated into this proceeding. The statements contained in this affirmation are based upon my communications with representatives from Diego Beekman and a review of the files in my office.

I. BACKGROUND OF THESE PROCEEDINGS

2. Diego Beekman, a not-for-profit Mutual Housing Development Corporation, is the owner of 38 buildings which contain over 1,200 individual apartments in the Bronx, New York. All of the buildings are managed through one management company. The day-to-day activities are handled by the management company with oversight by a Board of Directors.

3. On or about May 22, 2014, Verizon filed and served a Petition which seeks Orders of Entry for 53 Multiple Dwelling Unit Buildings in the City of New York (“Petition 1”). Petition 1 was assigned docket number 14 – 01024 with the New York State Public Service Commission. A copy of Petition 1 is annexed hereto as Exhibit 1. Three of the 53 buildings subject to Petition 1 are owned by Diego Beekman.

4. Upon receipt of Petition 1, Diego Beekman turned the same over to counsel. The undersigned interposed an Answer to Petition 1 which was served with a cover letter, a Notice of Appearance and an Affirmation of Service. Copies of these responsive documents are annexed hereto as Exhibit 2.

5. On or about August 8, 2014, Verizon filed and served a second Petition which seeks Limited Orders of Entry for 27 Multiple-Dwelling Unit Buildings in the City of New York ("Petition 2"). Petition 2 was assigned docket number 14 – 01622 with the New York State Public Service Commission. A copy of Petition 2 is annexed hereto as Exhibit 3. One of the 27 buildings subject to Petition 2 is owned by Diego Beekman.

6. Upon receipt of Petition 2, Diego Beekman, through the undersigned, interposed an Answer to the Petition, which was served with a cover letter, a Notice of Appearance and an Affirmation of Service. Copies of these responsive documents are annexed hereto as Exhibit 4.

7. On or about August 27, 2014, Verizon filed and served a third Petition which seeks Orders of Entry for 54 Multiple-Dwelling Unit Buildings in the City of New York ("Petition 3"). Petition 3 was assigned docket number 14 – 01725 with the New York State Public Service Commission. A copy of Petition 3 is annexed hereto as Exhibit 5. One of the 54 buildings subject to Petition 3 is owned by Diego Beekman.

8. Upon receipt of Petition , Diego Beekman, through the undersigned, interposed an Answer to the Petition, which was served with a cover letter, a Notice of Appearance and an Affirmation of Service. Copies of these responsive documents are annexed hereto as Exhibit 6.

9. The attorney who represents Verizon in each of the three above referenced Petitions is Richard Fipphen, Esq. On September 5, 2014, after receiving and responding to Petitions, your affirmant wrote to attorney Fipphen and requested that he consent to combine all current and future proceedings involving Diego Beekman into one proceeding before the New York State Public Service Commission or alternatively, that he consent to consolidation of the pending proceedings with an agreement that all future petitions would be consolidated as well. In that email, your affirmant afforded counsel the opportunity to consent, rather than having to engage in motion practice. A copy of that email is annexed hereto as Exhibit 7. To date there has been no response to that email. Accordingly, this motion is necessary.

II. APPLICABLE LAW

A. LEGAL STANDARD FOR CONSOLIDATION

10. Section 602 of the New York CPLR, which governs consolidation of actions, provides that "when actions involving a common question of law or fact are pending before a court, the court, upon motion, may order a joint trial of any or all the matters in issue, may order the actions consolidated, and may make such other orders concerning proceedings therein as may tend to avoid unnecessary costs or delays."

11. The preference of courts in New York is to direct a joint trial so as to "eliminate multiplicity of actions pending in the same court while protecting substantial rights." 2 Weinstein-Korn-Miller, N.Y.Civ.Prac., par. 602.01. In Ira Pekelnaya v. Park 106 Condominium, (NY County Index No. 115288/01), the judge presiding over this action, Justice Sherry Klein

Heitler, at page 5 of her 18-page decision succinctly stated the applicable law concerning consolidation:

It is well established that absent a showing of prejudice to a substantial right of the party opposing consolidation, consolidation should be granted whenever there are common questions of fact or law. CPLR 602; Mattia v. Food Emporium, Inc., 259 A.D.2d 527 (2d Dept 1999). Here, there has been no legitimate showing of prejudice, and the totality of the circumstances indicates that consolidation is proper. Vermeer Owners, Inc. v. Fleur Garage Corp., 111 A.D.2d 668, 669 (1st Dept 1985).

Applying the above law to the instant circumstances, consolidation is warranted. Among the 3 Petitions at issue, there are common issues of law and fact. Also, as detailed below, consolidation will result in judicial economy. Finally, failure to consolidate could result in inconsistent findings of fact and would severely prejudice Diego Beekman. Accordingly, the motion must be granted.

B. JUDICIAL ECONOMY

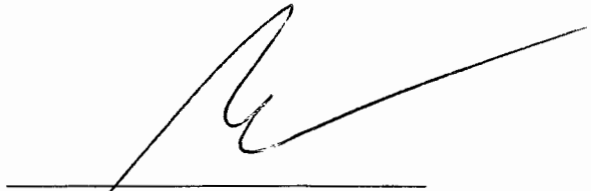
12. Each of the Petitions are pending before the New York State Public Service Commission. Consolidation of these Petitions would substantially serve judicial economy and cut down on duplicative determinations, hearings and efficiently utilize the Commission's scarce resources. Accordingly, the motion should be granted for reason of judicial economy.

C. PREJUDICE

13. Verizon cannot point to any prejudice that would occur by a consolidation of the Petitions. However, Diego Beekman would be grievously prejudiced by a denial of the request for consolidation.

14. The prejudice to Diego Beekman in failing to consolidate the Petitions would be immeasurable due to the fact that if the actions are not consolidated, there could be inconsistent findings of fact. Further, Diego Beekman would be subjected to unnecessary costs, including legal fees, if it were required to defend multiple proceedings. As stated above, Diego Beekman owns 38 Buildings in Bronx, New York, all of which are in a relatively close proximity of one another. If the proceedings are not consolidated it could result in as many as 30 plus separate proceedings, all seeking the same relief. For this reason and in the interest of judicial economy, these actions involving common parties and common facts and legal questions should be consolidated. It is therefore requested that this Commission grant Diego Beekman's application to consolidate.

Dated : New York, New York
October 3, 2014



H.P. Sean Dweck

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

-----X
In the Matter of the Petition of

VERIZON NEW YORK, INC.,

Case # 14-01024

Petitioner,

For Orders of Entry for 53 Multiple Dwelling
Unit Buildings in the City of New York.

-----X
STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

**AFFIRMATION OF
SERVICE**

-----X
In the Matter of the Petition of

VERIZON NEW YORK, INC.,

Case # 14-01622

Petitioner,

For Limited Orders of Entry for 27 Multiple Dwelling
Unit Buildings in the City of New York.

-----X
STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

-----X
In the Matter of the Petition of

VERIZON NEW YORK, INC.,

Case # 14-01725

Petitioner,

For Orders of Entry for 54 Multiple Dwelling
Unit Buildings in the City of New York.


-----X

I, the undersigned, am an attorney admitted to practice in the Courts of the State of New York, and say that I am a member of The Dweck Law Firm, LLP, the attorneys of record for the Respondent herein.

On October 3, 2014 I served the Notice of Motion to Consolidate and Affirmation in Support of Motion upon the New York State Public Service Commission, Three Empire State Plaza, Albany New York 12223 via Federal Express and upon Petitioners counsel, Richard Fipphen, Esq. via Federal Express at 140 West Street, 6th Floor, New York, New York 10007.

I affirm the foregoing statements are true under the penalties of perjury.

Dated: New York, New York
 October 3, 2014



H.P. Sean Dweck

EXHIBIT 1

14-01024

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



May 22, 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 53 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 53 Multiple-Dwelling Unit Buildings in the City of New York.

Verizon has completed pre-installation surveys at each of the 53 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,

A handwritten signature in black ink, appearing to read "Richard C. Fipphen".

Richard C. Fipphen

**STATE OF NEW YORK
PUBLIC SERVICE COMMISSION**

Petition of Verizon New York Inc. for Orders of Entry for 53 Multiple-Dwelling Unit Buildings in the City of New York

Case 14-V-_____

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 53 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 53 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, including proof of delivery (if available), 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.

Installation Work Will Be Conducted without Prejudice to the Owner's Right to Receive Just Compensation

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 I 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,



RICHARD C. FIPPHEN
140 West Street, 6th Floor
New York, New York 10007
(212) 519-4718

Counsel for Verizon New York Inc.

Dated: May 22, 2014

**STATE OF NEW YORK
PUBLIC SERVICE COMMISSION**

Petition of Verizon New York Inc. for Orders of
Entry for 53 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
May 22, 2014

**STATE OF NEW YORK
PUBLIC SERVICE COMMISSION**

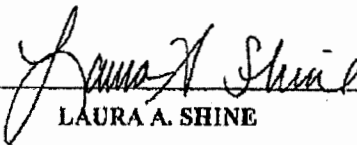
Petition of Verizon New York Inc. for Orders of
Entry for 53 Multiple-Dwelling Unit Buildings in the
City of New York

Case 14-V-_____

DECLARATION OF LAURA A. SHINE

A copy of the Petition of Verizon New York Inc. for Orders of Entry for 53 Multiple-Dwelling Unit Buildings in the City of New York was sent on May 22, 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
May 22, 2014

SERVICE LIST

Willis Avenue Housing
c/o Lemle & Wolff, Inc.
Attn: Jessica Foster
5925 Broadway
Bronx, NY 10463

East 220 Holdings LLC
Attn: Omid Cohen
1840 Phefan Place, Suite F
Bronx, NY 10453

3544 LLC
Attn: Nick Gazivoda
287 East Gun Hill Road
Bronx, NY 10467

4026 Carpenter Avenue LLC
c/o Chappaqua Realty & Management Co.
Attn: Rifa Blanco
4 S Evarts Avenue
Elmsford, NY 10523

1386 Associates, LLC
c/o SDG Management Corp.
Attn: Noey Matos
888 7th Avenue, 24th Floor
New York, NY 10106

Highbridge Community Housing Dev.
Attn: Mark Mazzella
1465 Nelson Avenue, Suite A
Bronx, NY 10452

Bx Washington LLC
c/o 1288 Washington LLC
Attn: Allen Gross
1658 Coney Island Avenue, Suite 2F
Brooklyn, NY 11230

137 E 26 Realty LLC
Attn: Stanley Wasserman
145 Huguenot Street, Suite 503
New Rochelle, NY 10801

E&M Management Harlem
Attn: Yehuda Ruzorsky
102 East 116th Street
New York, NY 10029

Elk 525 East 81st LLC
c/o Elk Investors
Attn: Edward Kamkhin
489 Fifth Avenue, 7th Floor
New York, NY 10017

Diego Beekman Mutual Housing Assoc.
Attn: Sharon Holder
694 East 141st Street
Bronx, NY 10454

Harlington Properties LLC
c/o Harlington Realty Corporation
Attn: Paetra Kausmann
156A East 83rd Street
New York, NY 10028

Diego Beekman Mutual Housing Assoc.
Attn: Sharon Holder
694 East 141st Street
Bronx, NY 10454

Soundview Apartments Realty LLC
Attn: Aaron Rivlin
1491 Coney Island Avenue
Brooklyn, NY 11230

1534 Realty Corp.
c/o ACS Properties
Attn: Bashkim Celaj
754 Mace Avenue
Bronx, NY 10461

Forest Hills South Owners Inc.
c/o John B. Lovett & Associates
Attn: Ken Lovett
109-15 14th Avenue
College Point, NY 11356

Diego Beekman Mutual Housing Assoc.
Attn: Sharon Holder
694 East 141st Street
Bronx, NY 10454

103-35 120 St Realty LLC
c/o Lilmor Management
Attn: Morris Lieberman
2003 Avenue J, Suite 1C
Brooklyn, NY 11210

32-30 Owners Corp.
c/o 8MDR of Queens, Inc.
Attn: Adam Muskatt
158-13 72nd Avenue, Suite 2F
Flushing, NY 11365

1012 Nameoke Realty LLC
c/o Lilmor Management
Attn: Morris Lieberman
2003 Avenue J, Suite 1C
Brooklyn, NY 11210

Highbridge Community Housing Dev.
Attn: Mark Mazzella
1465 Nelson Avenue, Suite A
Bronx, NY 10452

Peter & Marina Kokenakos LLC
Attn: Peter Kokenakos
97 80th Street
Brooklyn, NY 11209

784 Park Avenue Realty Inc.
c/o Douglas Elliman Property Management
Attn: Neil Rappaport
675 Third Avenue, 6th Floor
New York, NY 10017

2816 Roebling Avenue LLC
Attn: Palush Marku
635 East 211th Street, Apt. B
Bronx, NY 10467

Naica Housing Development
c/o Lemle & Wolff, Inc.
Attn: Christopher Anelante
5925 Broadway
Bronx, NY 10463

11 P LLC
c/o L.D. Property Management
Attn: Doug Pelinkovic
2419 Crotona Avenue
Bronx, NY 10458

Ende Associates LLC
Attn: Dawn DeAndrade
41-45 Elliot Place, Suite 5
Bronx, NY 10452

Forest Hills South Owners Inc.
c/o John B. Lovett & Associates
Attn: Ken Lovett
109-15 14th Avenue
College Point, NY 11356

Jesup Avenue Associates, L.P.
c/o Highbridge Community Housing Development
Attn: Mark Mazzella
1465 Nelson Avenue, Suite A
Bronx, NY 10452

1967 Marmion Avenue Owner LLC
c/o Colonial Management
Attn: Jack Garber
2273 65th Street
Brooklyn, NY 11204

Cameo Owner Corp.
c/o Murray Hill Management
Attn: Tony Lekic
38-15 149th Street, Board Office
Flushing, NY 11354

275-277 Realty LLC
Attn: Jay Gold
549 Empire Boulevard, Suite 100
Brooklyn, NY 11225

Bristow Stebbins Owners LLC
c/o C&C Affordable Management LLC
Attn: Nick Papakostopoulos
1735 Park Avenue, Suite 300
New York, NY 10035

Tompkin Square Park Apts. LLC
c/o JRC Management
Attn: Richard Podpirka
93-54 Queens Boulevard, Apt. 1K
Rego Park, NY 11374

Kemer Realty Corp.
Attn: Kemal Catto
1148 Boyton Avenue, Apt. 1A
Bronx, NY 10472

Queen S Jade Inc.
Attn: Benjamin Wai
200 Mulberry Street
New York, NY 10012

Forest Hills South Owners Inc.
c/o John B. Lovett & Associates
Attn: Ken Lovett
109-15 14th Avenue
College Point, NY 11356

University Avenue Senior HDFC
c/o Highbridge Community Housing Dev.
Attn: Mark Mazzella
1465 Nelson Avenue, Suite A
Bronx, NY 10452

36-20 Frey LLC
c/o Frey Management
Attn: Steven Frey
1408 East 15th Street, 1st Floor
Brooklyn, NY 11230

Carnil Apartments Inc.
c/o Norcor Management Corp.
Attn: Jean Spera
40-14 72nd Street, Suite B
Woodside, NY 11377

Quickfoot Realty LLC
c/o Yani Realty LLC
Attn: Jerry Papafloratos
38-08 Bell Boulevard, Suite 11
Bayside, NY 11361

Forest Hills South Owners Inc.
c/o John B. Lovett & Associates
Attn: Ken Lovett
109-15 14th Avenue
College Point, NY 11356

North State Realty Associates, LLC
Attn: Steve Finkelstein
111 Brook Street, 2nd Floor
Scarsdale, NY 10583

Empire Realty of Corbin LLC
Attn: Benjamin Bernstein
150 Corbin Place, Suite 1N
Brooklyn, NY 11235

Abeken Apartments, L.P.
c/o Abeken Management LLC
Attn: Kenneth Bergstol
475 Route 304
New City, NY 10956

Kensington Houses Associates, L.P.
c/o Highbridge Community Housing Dev.
Attn: Mark Mazzella
1465 Nelson Avenue, Suite A
Bronx, NY 10452

The Stanford Condominium
c/o Halstead Management
Attn: Alfredo Sanchez
770 Lexington Avenue, 7th Floor
New York, NY 10065

66-15 Equities Inc.
c/o First Management Corporation
Attn: James Demetriou
34-03 Broadway
Astoria, NY 11106

Kennedy Plaza LLC
c/o Diversified Building Corporation
Attn: Kevin Cullen
366 North Broadway, Suite Ph7E
Jericho, NY 11753

10 Park Avenue Tenants Corp.
c/o AKAM Associates, Inc.
Attn: Andrew Leight
260 Madison Avenue, 12th Floor
New York, NY 10016

175-20 Wexford Terrace Owners Inc.
c/o Northern Management, Inc.
Attn: Bruce Rubel
175-61 Hillside Avenue, Room 300
Jamaica, NY 11432

Mass Mutual Life Insurance Company
c/o Roseland Management
Attn: George Laitzas
560 West 43rd Street
New York, NY 10036

Regency Towers LLC
c/o Carlyle Construction Corp.
Attn: Piet Quackenbush
340 East 46th Street, 1st Floor
New York, NY 10017

EXHIBIT 1

A	B	C	D	E	F	G	H	I	J
Row No.	Address	City	Zip	Property Name	Property Owner	Agent Name	Notice Dates	Lead	Phone
1	302 WILLIS AV	BRONX	10	Willis Avenue Housing	Lemie & Wolff, Inc.	Jessica Foster	Notices sent on 10/10/2013 & 02/07/2014	P	H
2	871 E 220 ST	BRONX	25	East 220 Holdings LLC		Omid Cohen	Notices sent on 05/08/2013 & 02/07/2014	P	B
3	3544 WAYNE AV	BRONX	27	3544 LLC		Nick Gazivoda	Notices sent on 07/17/2013 & 02/07/2014	P	H
4	4028 CARPENTER AV	BRONX	31	4028 Carpenter Avenue LLC	Chappaqua Realty & Management Co., Inc.	Rita Blanco	Notices sent on 10/31/2013 & 02/07/2014	P	H
5	1386 NELSON AV	BRONX	35	1386 Associates, LLC	SDG Management Corp.	Noey Matos	Notices sent on 11/04/2013 & 02/07/2014	P	H
6	1465 NELSON AV	BRONX	35	Highbridge Community Housing Development		Mark Mazzella	Notices sent on 10/17/2013 & 01/28/2014	P	B
7	1232 WASHINGTON AV	BRONX	36	Bx Washington LLC	1232 Washington LLC	Allen Gross	Notices sent on 02/02/2013 & 02/07/2014	A	B
8	137 E 26 ST	MANHATTAN	37	137 E 26 Realty LLC		Stanley Wasserman	Notices sent on 01/08/2014 & 02/07/2014	P	H
9	1567 LEXINGTON AV	MANHATTAN	40	E&M Management Harlem		Yehuda Ruzorsky	Notices sent on 12/09/2013 & 02/07/2014	P	B
10	525 E 81 ST	MANHATTAN	44	Elk 525 East 81st LLC	Elk Investors	Edward Xamkhin	Notices sent on 08/28/2012 & 09/25/2012	P	H
11	807 E 139 ST	BRONX	45	Diego Beekman Mutual Housing Assoc.		Sharon Holder	Notices sent on 11/05/2013 & 02/07/2014	P	A
12	226 E 70 ST	MANHATTAN	48	Harlington Properties LLC	Harlington Realty Corporation	Paetra Kausmann	Notices sent on 09/19/2013 & 02/07/2014	P	H
13	283 CYPRESS AV	BRONX	50	Diego Beekman Mutual Housing Assoc.		Sharon Holder	Notices sent on 10/17/2013 & 02/07/2014	P	H
14	1113 WARD AV	BRONX	54	Soundview Apartments Realty LLC		Aaron Rivlin	Notices sent on 11/20/2013 & 02/07/2014	P	H
15	1534 ERICSON PL	BRONX	57	1534 Realty Corp.	ACS Properties	Bashkim Celaj	Notices sent on 08/31/2010 & 09/25/2012	A	B
16	77-34 78 AV	QUEENS	57	Forest Hills South Owners Inc.	John B. Lovett & Associates	Ken Lovett	Notices sent on 10/24/2013 & 02/07/2014	P	A
17	324 POWERS AV	BRONX	59	Diego Beekman Mutual Housing Assoc.		Sharon Holder	Notices sent on 10/17/2013 & 02/07/2014	P	H
18	103-35 120 ST	QUEENS	59	103-35 120 St Realty LLC	Ulmor Management	Morris Lieberman	Notices sent on 11/25/2013 & 02/07/2014	A	A
19	32-30 93 ST	QUEENS	60	32-30 Owners Corp.	8MDR of Queens, Inc.	Adam Muskatt	Notices sent on 11/25/2013 & 02/07/2014	A	A
20	10-12 NAMEOKE ST	QUEENS	60	1012 Nameoke Realty LLC	Ulmor Management	Morris Lieberman	Notices sent on 11/25/2013 & 02/07/2014	A	A
21	115 W 172 ST	BRONX	62	Highbridge Community Housing Development		Mark Mazzella	Notices sent on 08/30/2013 & 01/28/2014	P	B
22	314 79 ST	BROOKLYN	63	Peter & Marina Kokonakos LLC		Peter Kokonakos	Notices sent on 12/10/2013 & 02/07/2014	A	B
23	784 PARK AV	MANHATTAN	63	784 Park Avenue Realty Inc.	Douglas Elliman Property Management	Neil Rappaport	Notices sent on 01/20/2014 & 02/07/2014	A	A
24	2816 ROEBLING AV	BRONX	64	2816 Roebling Avenue LLC		Palush Marku	Notices sent on 05/24/2013 & 12/10/2013	P	H
25	1325 WALTON AV	BRONX	65	Naica Housing Development	Lemie & Wolff, Inc.	Christopher Anelante	Notices sent on 11/13/2013 & 02/07/2014	P	A
26	1105 SOYNTON AV	BRONX	67	11 P LLC	L.D. Property Management	Doug Pelinkovic	Notices sent on 08/21/2013 & 01/28/2014	A	H
27	41 ELIJAH PL	BRONX	70	Ende Associates LLC		Dawn DaAndrade	Notices sent on 07/12/2013 & 02/07/2014	P	H
28	76-35 GRAND CENTRAL PKWY	QUEENS	72	Forest Hills South Owners Inc.	John B. Lovett & Associates	Ken Lovett	Notices sent on 10/24/2013 & 02/07/2014	P	A
29	1530 JESUP AV	BRONX	77	Jesup Avenue Associates, L.P.	Highbridge Community Housing Development	Mark Mazzella	Notices sent on 08/27/2013 & 01/28/2014	P	A
30	1967 MARMION AV	BRONX	77	1967 Marmion Avenue Owner LLC	Colonial Management	Jack Garber	Notices sent on 01/03/2014 & 02/07/2014	A	H
31	143-55 41 AV	QUEENS	77	Cameo Owner Corp.	Murray Hill Management	Tony Lekic	Notices sent on 12/18/2013 & 02/07/2014	A	A

A	B	C	D	E	F	G	H	I	J
Unit	Address	Municipality	Units	Owner/Co-Owner	Property Management Co.	Contact Name	Meeting Dates	Color	Color
32	275 ROCKAWAY PKWY	BROOKLYN	78	275-277 Realty LLC		Jay Gold	Notices sent on 12/18/2013 & 02/07/2014	P	A
33	1402 BRISTOW ST	BRONX	80	Bristow Stebbins Owners LLC	C&C Affordable Management LLC	Nick Papakostopoulos	Notices sent on 07/09/2013 & 02/07/2014	P	D
34	140 E 7 ST	MANHATTAN	80	Tompkin Square Park Apts. LLC	JRC Management	Richard Podpirka	Notices sent on 12/09/2013 & 01/28/2014	P	A
35	1148 BOYNTON AV	BRONX	83	Kemer Realty Corp.		Kemal Catto	Notices sent on 10/02/2013 & 02/07/2014	P	A
36	140-11 ASH AV	QUEENS	83	Queen S Jade Inc.		Benjamin Wai	Notices sent on 12/20/2013 & 02/07/2014	A	A
37	77-35 113 ST	QUEENS	84	Forest Hills South Owners Inc	John B. Lovett & Associates	Ken Lovett	Notices sent on 10/24/2013 & 02/07/2014	P	A
38	1285 MERRIAM AV	BRONX	85	University Avenue Senior HDFC	Highbridge Community Housing Development	Mark Mazzella	Notices sent on 09/17/2013 & 01/28/2014	P	A
39	36-20 BOWNE ST	QUEENS	87	36-20 Frey LLC	Frey Management	Staven Frey	Notices sent on 12/12/2013 & 02/07/2014	A	A
40	125-16 83 DR	QUEENS	96	Camil Apartments Inc.	Norcor Management Corp.	Jean Spera	Notices sent on 09/11/2013 & 02/07/2014	P	A
41	189 14 CROCHERON AV	QUEENS	109	Quickfoot Realty LLC	Yani Realty LLC	Jerry Papafloras	Notices sent on 01/16/2014 & 02/07/2014	A	B
42	76-36 113 ST	QUEENS	114	Forest Hills South Owners Inc.	John B. Lovett & Associates	Ken Lovett	Notices sent on 09/11/2013 & 02/07/2014	P	A
43	1270 GERARD AV	BRONX	118	North State Realty Associates, LLC		Steve Finkelstein	Notices sent on 09/10/2013 & 02/07/2014	P	A
44	150 CORBIN PL	BROOKLYN	118	Empire Realty of Corbin LLC		Benjamin Bernstein	Notices sent on 12/03/2013 & 02/07/2014	P	A
45	633 UNION AV	BRONX	122	Abeken Apartments, L.P.	Abeken Management LLC	Kenneth Bergstol	Notices sent on 01/31/2013 & 02/07/2014	P	A
46	1404 JESUP AV	BRONX	126	Kensington Houses Associates, L.P.	Highbridge Community Housing Development	Mark Mazzella	Notices sent on 07/23/2013 & 01/28/2014	P	A
47	45 E 25 ST	MANHATTAN	127	The Stanford Condominium	Halstead Management Co. LLC	Alfredo Sanchez	Notices sent on 04/02/2013 & 02/07/2014	P	D
48	66-15 THORNTON PL	QUEENS	127	66-15 Equities Inc.	First Management Corporation	James Demetriou	Notices sent on 12/09/2013 & 02/07/2014	A	A
49	155-15 N CONDUIT AV	QUEENS	160	Kennedy Plaza LLC	Diversified Building Corporation	Kevin Cullen	Notices sent on 12/12/2013 & 02/07/2014	A	A
50	10 PARK AV	MANHATTAN	268	10 Park Avenue Tenants Corp.	AKAM Associates, Inc.	Andrew Leight	Notices sent on 03/04/2013 & 02/07/2014	P	B
51	175-01 HILLSIDE AV	QUEENS	349	175-20 Wexford Terrace Owners Inc.	Northern Management, Inc.	Bruce Rubel	Notices sent on 11/12/2013 & 02/07/2014	P	A
52	560 W 43 ST	MANHATTAN	448	Mass Mutual Life Insurance Company	Roseland Management	George LaRzas	Notices sent on 09/27/2013 & 02/07/2014	P	A
53	1201 2 AV	MANHATTAN	547	Regency Towers LLC	Carlye Construction Corp.	Piet Quackenbush	Notices sent on 11/07/2013 & 05/23/2011	P	B

LEGEND

REFUSAL CODE

- A Active Refusal
- P Passive Refusal

BUILD TYPES

A Adhesive Fiber Cables

Verizon will install fiber optic feeder cable approximately .5" in diameter between a Verizon manhole in the street and the basement of the building, using existing entrance conduit. A fiber terminal (approximately 17"x20"x16") will be installed in the basement. Fiber distribution cables approximately .5" in diameter will be connected to the fiber terminal and will be run horizontally through the basement, using strand wire or 3-4" metallic conduit to a vertical riser path. Vertical risers consisting of one or more fiber cables approximately .5" or less in diameter will be placed in 3-4" metallic conduit, which will be run through newly created holes drilled in the stairwell. 8" pull boxes will be established on the stairwell landing on each floor to house the pulled-through fiber cables. Where warranted, 20"x16"x8" lock boxes will be installed on the floor to house fiber distribution terminals. Horizontal fiber connections to each living unit ("drops") will be established with self-adhesive fiber cables. Small (4"x1.5"x.25") fiber termination boxes will be installed outside each living unit; the fiber drop will be extended into the living unit from this box at the time of installation. All Verizon work will be conducted in conformity with the property work requirements and with consideration for the safety of the residents and the proper functioning of the building. Impact to building aesthetics will be minimized by the use of materials smaller than those that typically serve the building at present.

B Existing Hallway Moldings

Verizon will install fiber optic feeder cable approximately .5" in diameter between a Verizon manhole in the street and the basement of the building, using existing entrance conduit. A fiber terminal (approximately 17"x20"x16") will be installed in the basement. Fiber distribution cables approximately .5" in diameter will be connected to the fiber terminal and will be run horizontally through the basement, using strand wire or 3-4" metallic conduit to a vertical riser path. Vertical risers consisting of one or more fiber cables approximately .5" or less in diameter will be placed in 3-4" metallic conduit, which will be run through newly created holes drilled in the stairwell. 8" pull boxes will be established on the stairwell landing on each floor to house the pulled-through fiber cables. Where warranted, 20"x16"x8" lock boxes will be installed on the floor to house fiber distribution terminals. Horizontal fiber drops to each living unit will be provided via bundled drops utilizing the existing hallway molding infrastructure. Excess fiber cables ("slack") will be coiled in the molding in front of each living unit for penetration into the unit at the time of service order. All Verizon work will be conducted in conformity with the property work requirements and with consideration for the safety of the residents and the

proper functioning of the building. Impact to building aesthetics will be minimized by the use of materials smaller than those that typically serve the building at present.

C Microducts and Access Panels

Verizon will install fiber optic feeder cable approximately .5" in diameter between a Verizon manhole in the street and the basement of the building, using existing entrance conduit. A fiber terminal (approximately 17"x20"x16") will be installed in the basement. Fiber distribution cables approximately .5" in diameter will be connected to the fiber terminal and will be run horizontally through the basement, using strand wire or 3-4" metallic conduit to a vertical riser path. Vertical risers consisting of one or more fiber cables approximately .5" or less in diameter will be placed in 3-4" metallic conduit, which will be run through newly created holes drilled in the stairwell. 8" pull boxes will be established on the stairwell landing on each floor to house the pulled-through fiber cables. Where warranted, 20"x16"x8" lock boxes will be installed on the floor to house fiber distribution terminals. Horizontal fiber drops to each living unit will be provided via 12.7mm micro duct that are run through existing soffits or in the ceiling, to the front of each unit. Approximately 8"x8" access panels will be installed to enable penetration into the living unit at the time of service order. All Verizon work will be conducted in conformity with the property work requirements and with consideration for the safety of the residents and the proper functioning of the building. Impact to building aesthetics will be minimized by the use of materials smaller than those that typically serve the building at present.

D Microducts in Dropped Ceilings

Verizon will install fiber optic feeder cable approximately .5" in diameter between a Verizon manhole in the street and the basement of the building, using existing entrance conduit. A fiber terminal (approximately 17"x20"x16") will be installed in the basement. Fiber distribution cables approximately .5" in diameter will be connected to the fiber terminal and will be run horizontally through the basement, using strand wire or 3-4" metallic conduit to a vertical riser path. Vertical risers consisting of one or more fiber cables approximately .5" or less in diameter will be placed in 3-4" metallic conduit, which will be run through newly created holes drilled in the stairwell. 8" pull boxes will be established on the stairwell landing on each floor to house the pulled-through fiber cables. Where warranted, 20"x16"x8" lock boxes will be installed on the floor to house fiber distribution terminals. Horizontal fiber drops to each living unit will be provided via 12.7mm micro duct that run through dropped ceilings; the fiber drops will be coiled close to each apartment. At the time of service order, penetration will be made into the living unit and a fiber drop will be pulled through the micro duct. All Verizon work will be conducted in conformity with the property work requirements and with consideration for the safety of the residents and the proper functioning of the building. Impact to building aesthetics will be minimized by the use of materials smaller than those that typically serve the building at present.

E Existing Conduit to Living Unit

Verizon will install fiber optic feeder cable approximately .5" in diameter between a Verizon manhole in the street and the basement of the building, using existing entrance conduit. A fiber terminal (approximately 17"x20"x16") will be installed in the basement. Fiber distribution cables approximately .5" in diameter will be connected to the fiber terminal and will be run horizontally through the basement, using strand wire or 3-4" metallic conduit to a vertical riser

path. Vertical risers consisting of one or more fiber cables approximately .5" or less in diameter will be placed in 3-4" metallic conduit, which will be run through newly created holes drilled in the stairwell. 8" pull boxes will be established on the stairwell landing on each floor to house the pulled-through fiber cables. Where warranted, 20"x16"x8" lock boxes will be installed on the floor to house fiber distribution terminals. Horizontal fiber drops to each living unit will be provided via existing building conduit, from the fiber distribution terminals directly into the living unit. At the time of service order, a fiber drop will be pulled through the conduit, possibly within a micro duct, where space allows. All Verizon work will be conducted in conformity with the property work requirements and with consideration for the safety of the residents and the proper functioning of the building. Impact to building aesthetics will be minimized by the use of materials smaller than those that typically serve the building at present.

F New Hallway Molding

Verizon will install fiber optic feeder cable approximately .5" in diameter between a Verizon manhole in the street and the basement of the building, using existing entrance conduit. A fiber terminal (approximately 17"x20"x16") will be installed in the basement. Fiber distribution cables approximately .5" in diameter will be connected to the fiber terminal and will be run horizontally through the basement, using strand wire or 3-4" metallic conduit to a vertical riser path. Vertical risers consisting of one or more fiber cables approximately .5" or less in diameter will be placed in 3-4" metallic conduit, which will be run through newly created holes drilled in the stairwell. 8" pull boxes will be established on the stairwell landing on each floor to house the pulled-through fiber cables. Where warranted, 20"x16"x8" lock boxes will be installed on the floor to house fiber distribution terminals. Horizontal fiber drops will be placed in newly installed hallway molding running from the fiber distribution terminal to the end of the hallway on each floor. Extra slack will be left coiled in the molding in front of each unit for penetration into the unit at the time of service order. All Verizon work will be conducted in conformity with the property work requirements and with consideration for the safety of the residents and the proper functioning of the building. Impact to building aesthetics will be minimized by the use of materials smaller than those that typically serve the building at present.

G Fiber Drops Installed Directly into Unit from Riser

Verizon will install fiber optic feeder cable approximately .5" in diameter between a Verizon manhole in the street and the basement of the building, using existing entrance conduit. A fiber terminal (approximately 17"x20"x16") will be installed in the basement. Fiber distribution cables approximately .5" in diameter will be connected to the fiber terminal and will be run horizontally through the basement, using strand wire or 3-4" metallic conduit to a vertical riser path. Vertical risers consisting of one or more fiber cables approximately .5" or less in diameter will be placed in 3-4" metallic conduit, which will be run through newly created holes drilled in the stairwell. 8" pull boxes will be established on the stairwell landing on each floor to house the pulled-through fiber cables. Where warranted, 20"x16"x8" lock boxes will be installed on the floor to house fiber distribution terminals. Fiber drops will be run directly into the living unit from the distribution terminal in the riser closet or stairwell. All Verizon work will be conducted in conformity with the property work requirements and with consideration for the safety of the residents and the proper functioning of the building. Impact to building aesthetics will be minimized by the use of materials smaller than those that typically serve the building at present.

H Exterior Bundled Drops

4.8mm Indoor/Outdoor drop wires will be run vertically on the exterior of the building, passing closely by the window line for each set of stacked apartments in the building. The drop wires are attached to a metal cable that is fastened at the 1st floor level and at the rooftop level. Each wire is coiled outside the living unit it has been earmarked to serve. At the time of service order, the Verizon technician releases the coiled slack, drills a hole in the window sill and brings the drop wire into the unit. All Verizon work will be conducted in conformity with the property work requirements and with consideration for the safety of the residents and the proper functioning of the building. Impact to building aesthetics will be minimized by the use of materials smaller than those that typically serve the building at present.

I Multi-Customer Fiber Terminal

Verizon will install fiber optic feeder cable approximately .5" in diameter between a Verizon manhole in the street and the basement of the building, using existing entrance conduit. A fiber terminal (approximately 17"x20"x16") will be installed in the basement. Fiber distribution cables approximately .5" in diameter will be connected to the fiber terminal and will be run horizontally through the basement, using strand wire or 3-4" metallic conduit to a vertical riser path. Vertical risers consisting of one or more fiber cables approximately .5" or less in diameter will run via 3-4" metallic conduit through either newly created core drills or existing vertical path in the communications/utility/media closets on designated floors. Verizon will mount Multi-Customer Fiber Terminals with average dimensions of 23"x19"x4" (wall mounted) or 84"x26"x15" (floor mounted). This terminal serves up to eight subscribers, with two (2) voice lines and one (1) data line each, and a common video jack. The units will be installed in the building's common utility area, using the existing copper wiring, CAT 5 and/or coax infrastructure to deliver service going to each living unit on serving floors. Building power needed to support MC-ONT design and battery backup is the responsibility of Verizon. All Verizon work will be conducted in conformity with the property work requirements and with consideration for the safety of the residents and the proper functioning of the building. Impact to building aesthetics will be minimized by the use of materials smaller than those that typically serve the building at present.

J In-Line Risers

Verizon will install fiber optic feeder cable approximately .5" in diameter between a Verizon manhole in the street and the basement of the building, using existing entrance conduit. A fiber terminal (approximately 17"x20"x16") will be installed in the basement. Fiber distribution cables approximately .5" in diameter will be connected to the fiber terminal and will be run horizontally through the basement, using strand wire or 3-4" metallic conduit to a vertical riser path. Vertical risers consisting of one or more 12.7 mm micro ducts will be run through newly created holes drilled in closets within each living unit. A single 12.7 mm micro duct will terminate within each living unit resulting in a dedicated pathway between the living unit and the basement. At the time of service order, a fiber drop will be pulled through the micro duct. All Verizon work will be conducted in conformity with the property work requirements and with consideration for the safety of the residents and the proper functioning of the building. Impact to building aesthetics will be minimized by the use of materials smaller than those that typically serve the building at present.

EXHIBIT 2

Available at:

http://www22.verizon.com/about/community/nypsc_petitions.htm

EXHIBIT 2

14-0759
RECEIVED
PUBLIC SERVICE
COMMISSION
EXEC-FILES-ALBANY

2014 JUN 11 AM 10:44

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NEW YORK, N.Y. 10020

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June 10, 2014

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ERIC J. SCHMERTZ
1925-2010

* ADMITTED TO N.Y., CONN. AND FLA. BARS
** ADMITTED TO N.Y., AND PA. BARS
*** ADMITTED TO N.Y., AND N.J. BARS

VIA FEDEX

Hon. Kathleen Hughes
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 53 Multiple Dwelling Unit Buildings
in the City of New York**

Dear Secretary Burgess::

The undersigned attorneys represent Diego Beekman Mutual Housing Fund Development Corporation, HDPC, one of the respondents in the above referenced Petition.

Enclosed please find Respondent's Answer to the Petition with Defenses. Inasmuch as no docket number has been issued to date, I enclose a copy of the petition as well.

Also enclosed is a notice of appearance by my law firm.

Respectfully Submitted,

THE DWECK LAW FIRM, LLP


H.P. Sean Dweck

HPSD:gs

cc: Richard Fipphen, Esq.
Counsel For Verizon

Diego Beekman Mutual Housing Association Inc.
Attn.: Arline Parks

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VIA FEDEX

Hon. Kathleen Hughes
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 53 Multiple Dwelling Unit Buildings
in the City of New York**

Dear Secretary Burgess::

The undersigned attorneys represent Diego Beekman Mutual Housing Fund Development Corporation, HDFC, one of the respondents in the above referenced Petition.

Enclosed please find Respondent's Answer to the Petition with Defenses. Inasmuch as no docket number has been issued to date, I enclose a copy of the petition as well.

Also enclosed is a notice of appearance by my law firm.

Respectfully Submitted,

THE DWECK LAW FIRM, LLP

H.P. Sean Dweck

HPSD:gs

cc: Richard Fipphen, Esq.
Counsel For Verizon

Diego Beekman Mutual Housing Association Inc.
Attn.: Arline Parks

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

-----X
In the Matter of the Petition of

VERIZON NEW YORK, INC.,

Case # 14-V-_____

Petitioner,

Notice of Appearance

For Orders of Entry for 53 Multiple Dwelling
Unit Buildings in the City of New York.

-----X
PLEASE TAKE NOTICE, that The Dweck Law Firm, LLP hereby appears in this proceeding on behalf of Respondent Diego Beekman Mutual Housing Fund Development Corporation, HDFC.

Please forward all notices and communications to the undersigned.

Dated: New York, New York
June 10, 2014

THE DWECK LAW FIRM, LLP
*Attorneys for Respondent Diego Beekman
Mutual Housing Fund Development Corp
HDFC*

By: _____

H.P. Sean Dweck

10 Rockefeller Plaza, Ste 1015
New York, New York 10020
(212) 687-8200
hpsdweck@dwecklaw.com

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

-----X
In the Matter of the Petition of

VERIZON NEW YORK, INC.,

Petitioner,

For Orders of Entry for 53 Multiple Dwelling
Unit Buildings in the City of New York.

Case # 14-V-_____

ANSWER TO PETITION

-----X
PLEASE TAKE NOTICE that Respondent Diego Beekman Mutual Housing Association Housing Development Fund Corporation, HDFC, incorrectly named in the Petition Diego Beekman Mutual Housing Assoc., (hereinafter "Respondent"), appears in this proceeding by The Dweck Law Firm,LLP and demands that all papers and documents be henceforth served upon the address stated below.

PLEASE TAKE NOTICE that said Respondent hereby interposes the following answer to the Petition herein:

1. Deny knowledge or information sufficient to form a belief as to the allegations in paragraph 1, and specifically deny that Respondent failed to respond.
2. Deny knowledge or information sufficient to form a belief as to the allegations in Paragraph 2 except admit that Respondent is the current owner of the buildings identified in Exhibit 1 as 11, 13 and 17.
3. Deny knowledge or information sufficient to form a belief as to the allegations in Paragraph 3.

4. Deny knowledge or information sufficient to form a belief as to the allegations in Paragraph 4.

5. Deny knowledge or information sufficient to form a belief as to the allegations in Paragraph 5.

6. Deny knowledge or information sufficient to form a belief as to the allegations in Paragraph 6.

7. Deny knowledge or information sufficient to form a belief as to the allegations in Paragraph 7.

8. Deny knowledge or information sufficient to form a belief as to the allegations in Paragraph 8.

9. Deny knowledge or information sufficient to form a belief as to the allegations in Paragraph 9.

FIRST DEFENSE

10. The description of the work that Petitioner proposes to undertake is taken from a boilerplate form and contains no information specific to Respondent's properties .

11. As such, the Petition fails to set forth sufficient particulars regarding the description of the equipment to be installed; the exact location of the proposed installation; the method of installation; the anticipated costs; the time needed for the installation and the measures taken to minimize the anesthetic impact of the installation.

12. As such, the Petition is defective pursuant to 16 NYCRR 898.4(b)(4).

SECOND DEFENSE

13. The Petition includes no proof of insurance and no other evidence of Petitioner's ability to indemnify Respondent for any damages caused by Petitioner's installation, operation or

removal of its equipment .

14. Further, Petitioner does not even represent in the petition that it will indemnify respondent from damages caused by the operation or removal of its equipment. Only damages caused by installation are mentioned in the Petition.

15. As such, the Petition is defective pursuant to 16 NYCRR 898.4 (b) (6), and must be denied and dismissed.

THIRD DEFENSE

16. Petitioner has made no meaningful attempt to ensure that, in its installation, and later in the operation and removal of its equipment, it will adequately protect the safety, function and appearance of the subject buildings.

FOURTH DEFENSE

17. Respondent anticipates various construction projects within the premises, and as such, Petitioner's installation and operation of its equipment will unnecessarily interfere with the anticipated construction projects and operation of Respondent's premises.

FIFTH DEFENSE

18. Petitioner has not acted in good faith , inasmuch as Respondent has attempted engage in good faith discussions with representatives of the Petitioner, and Petitioner has not negotiated in good faith .

SIXTH DEFENSE

19. Petitioner is not entitled to an order of entry for the purpose of installing voice telephone equipment inasmuch as the new Your Public Service Law Section 228 pertains to "cable television facilities" and not voice telephone.

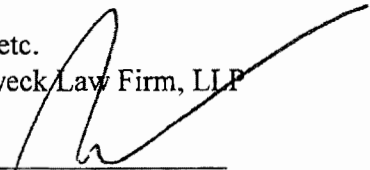
WHEREFORE, Respondent requests that the Petition be dismissed in its entirety and that the Commission grant such other and further relief as may be just and proper .

Respondent reserves the right to supplement this submission and/or to supply further evidence. Further, Respondent expressly reserves its right to seek just compensation for any taking, including but not limited to such rights as are set forth in 16 NYCRR 898.5.

Dated : New York, New York
June 10, 2014

Yours, etc.
The Dweck Law Firm, LLP

By: _____


H.P. Sean Dweck
10 Rockefeller Plaza, Suite 1015
New York, NY 10020
(212) 687-8200
hpsdweck@dwecklaw.com

To: Richard Fipphen, Esq.
Counsel for Verizon New York, Inc.
140 West Street, 6th Floor
New York, New York 10007
(212) 519-4718

Honorable Kathy H. Burgess
Secretary
New York State Public Service Commission
Three Empire State Plaza
Albany, New York 12223

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

-----X
In the Matter of the Petition of

VERIZON NEW YORK, INC.,

Case # 14-V-_____

Petitioner,

VERIFICATION

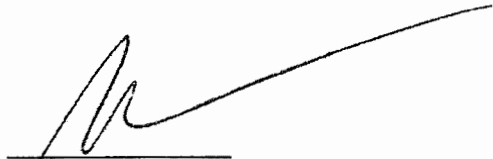
For Orders of Entry for 53 Multiple Dwelling
Unit Buildings in the City of New York.

-----X
I, the undersigned, am an attorney admitted to practice in the Courts of the State of New York, and say that I am a member of The Dweck Law Firm, LLP, the attorneys of record for the Respondent herein. I have read the annexed Answer to the Petition with Defenses, know the contents thereof and the same are true to my knowledge, except those matters therein which are stated alleged on information and belief, and as to those matters, I believe them to be true. My belief as to those matters therein not stated upon knowledge, is based upon conversations with the representatives of Respondent and a review of the files.

The reason I make this verification instead of the Plaintiffs is because the Respondent maintains its offices outside the county where I maintain my office.

I affirm the foregoing statements are true under the penalties of perjury.

Dated: New York, New York
June 10, 2014



H.P. Sean Dweck

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

-----X

In the Matter of the Petition of

VERIZON NEW YORK, INC.,

Case # 14-V-_____

Petitioner,

Affirmation of Service

For Orders of Entry for 53 Multiple Dwelling
Unit Buildings in the City of New York.


-----X

I, the undersigned, am an attorney admitted to practice in the Courts of the State of New York, and say that I am a member of The Dweck Law Firm, LLP, the attorneys of record for the Respondent herein.

On June 10, 2014 I served the Respondent's Answer to Petition with Defenses, Verification and Notice of Appearance upon the New York State Public Service Commission, Three Empire State Plaza, Albany New York 12223 via Federal Express and upon Petitioners counsel, Richard Fipphen, Esq. via email at richard.fipphen@verizon.com.

I affirm the foregoing statements are true under the penalties of perjury.

Dated: New York, New York
June 10, 2014



H.P. Sean Dweck

EXHIBIT 3

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

Richard C. Fipphen
Assistant General Counsel



August 8, 2014

14-01622

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 27 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 27 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,

A handwritten signature in black ink, appearing to read "Richard C. Fipphen".

Richard C. Fipphen

**STATE OF NEW YORK
PUBLIC SERVICE COMMISSION**

**Petition of Verizon New York Inc. for Limited
Orders of Entry for 27 Multiple-Dwelling Unit
Buildings in the City of New York**

Matter 14-_____

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 27 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 27 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 pre-installation 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.

Proof of Service of Notice of Intention to Install Cable Television Facilities 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, including proof of delivery (if available), 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.

Pre-Installation Survey Work will be Conducted Without Prejudice to the Owner's Right to Receive Just Compensation

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.

Summary of Verizon's Efforts to Gain Entry to the Buildings for the 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,



RICHARD C. FIPPEN
140 West Street, 6th Floor
New York, New York 10007
(212) 519-4718

Counsel for Verizon New York Inc.

Dated: New York, New York
August 8, 2014

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

Petition of Verizon New York Inc. for Limited
Orders of Entry for 27 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.



KEEFE B. CLEMONS

Dated: New York, New York
August 8, 2014

**STATE OF NEW YORK
PUBLIC SERVICE COMMISSION**

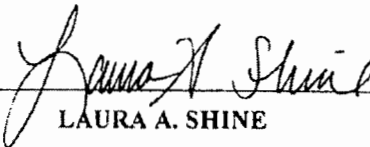
**Petition of Verizon New York Inc. for Limited
Orders of Entry for 27 Multiple-Dwelling Unit
Buildings in the City of New York**

Matter 14-_____

DECLARATION OF LAURA A. SHINE

A copy of the Petition of Verizon New York Inc. for Limited Orders of Entry for 27 Multiple-Dwelling Unit Buildings in the City of New York was sent on August 8, 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
August 8, 2014

SERVICE LIST

Horace H. Wilson
c/o Citi Urban Management
Attn: Nathan Halequa
6 Grace Avenue, Suite 400
Great Neck, NY 11021

440 East 81st Street LLC
Attn: Rita Kalimian Sakhale
600 Lexington Avenue, Suite 14
New York, NY 10022

Tsismenakis West 6th LLC
c/o Atlas Sales Realty
Attn: Artemios Tsismenakis
2086 East 19th Street
Brooklyn, NY 11229

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

Brookford, LLC
Attn: Cozette Dotson
315 Central Park West, Suite 1200
New York, NY 10025

Pelham 1130 LLC
c/o Goldfarb Properties
Attn: Thomas J. Frye
524 North Avenue
New Rochelle, NY 10801

1119 Foster LLC
c/o Arm Capital Resources
Attn: Arthur Verschleiser
20 Ocean Court
Brooklyn, NY 11223

1439 Realty LLC
c/o Lilmor Management
Attn: Morris Lieberman
2003 Avenue J, Suite 1C
Brooklyn, NY 11210

102-10 30 66th Road Cooperative Owners Inc.
c/o Halstead Management Company LLC
Attn: Jack Terebelo
770 Lexington Avenue, 7th Floor
New York, NY 10065

H & K Firm, LLC
Attn: Paul Young
39-01 Main Street, Suite 412
Flushing, NY 11354

Tennessee Leasing, L.P.
c/o Kings & Queens Residential LLC
Attn: Gary Flamenbaum
97-77 Queens Boulevard, Suite 1210
Rego Park, NY 11374

65-61 Saunders Street Associates LLC
c/o Weinreb Management LLC
Attn: Jacob Weinreb
276 Riverside Drive, Suite 2G
New York, NY 10025

Hecuba Holding Corp.
c/o Impact Management
Attn: Gregory Cohen
45-18 Court Square, Suite 401
Long Island City, NY 11101

Washington Court Condominium
c/o Maxwell Kates
Attn: Michael Skidmore
9 East 38th Street, 6th Floor
New York, NY 10016

Villford Realty Corp.
Attn: Robert Iuso
6 Furler Street
Totowa, NJ 07512

Trinity 3 in 1 HDFC
Attn: Flynn Halsey
2003 Southern Boulevard, Office
Bronx, NY 10460

NYC Housing Development Corp.
c/o The Wavecrest Management Team
Attn: Avi Slansky
87-14 116th Street
Richmond Hill, NY 11418

1048 Sheridan Ave LLC
Attn: Maurice Mckenzie
507 West 186th Street, Room A4
New York, NY 10033

Diego Beekman Mutual Housing Association HDFC
c/o The Dweck Law Firm, LLP
Attn: H.P. Sean Dweck
10 Rockefeller Plaza
New York, NY 10020

535 E. 148 St. Corp.
Attn: Melania Gonzalez
535 East 148th Street, Apt. 2C
Bronx, NY 10455

2224 Adams Realty LLC
c/o Schur Management Co. Ltd.
Attn: William Schur
2432 Grand Concourse, Suite 400
Bronx, NY 10458

Gastonia, LLC
Attn: James Gaston
200 East 75th Street, Apt. 2A
New York, NY 10021

Fraydun Enterprises, LLC
c/o Pan Am Equities Inc.
Attn: John Cacaj
18 East 50th Street, 10th Floor
New York, NY 10022

320 Equities LLC
c/o Taube Management Corp.
Attn: Milton Taube
244 East 60th Street, Suite 1D
New York, NY 10022

Second and Third LLC
Attn: Chester Pechock
63 Avenue A
New York, NY 10003

Orion Realty LLC
c/o SR Nager Management
Attn: Sanford Nager
106 South Elliot Place
Brooklyn, NY 11217

Danielle Realty LLC
c/o Katz Realty Group
Attn: Lennard Katz
45-17 Marathon Parkway
Little Neck, NY 11362

EXHIBIT 1

A	B	C	D	E	F	G	H	I
Property No	MDU Property Address	Municipality	No. of Living Units	MDU Owner (Landlord)	MDU Managing Agent Co.	Contact Name	Mailing Notes	Refusal Code*
7008504	300 E 50 ST	MANHATTAN	26	Horace H. Wilson	Citi Urban Management	Nathan Halequa	Notices sent on 10/24/2012 & 04/24/2014	P
7062642	440 EAST B1 ST	MANHATTAN	66	440 East B1st Street LLC		Rita Kalimian Sakhale	Notices sent on 01/14/2013 & 04/24/2014	P
7063859	1602 W 6 ST	BROOKLYN	30	Tsismenakis West 6th LLC	Atlas Sales Realty	Artemios Tsismenakis	Notices sent on 01/12/2012 & 04/09/2013	A
7064226	2611 E 13 ST	BROOKLYN	64	Westwood Leasing Limited Partnership	Kings & Queens Residential LLC	Gary Flamenbaum	Notices sent on 04/07/2010 & 07/21/2010	A
7064636	315 CENTRAL PARK W	MANHATTAN	51	Brookford, LLC		Cozette Dotson	Notices sent on 06/12/2013 & 05/20/2014	A
7066086	1130 PELHAM PKWY S	BRONX	60	Pelham 1130 LLC	Goldfarb Properties	Thomas J. Frye	Notices sent on 04/09/2013 & 06/27/2014	A
8071623	1119 FOSTER AV	BROOKLYN	72	1119 Foster LLC	Arm Capital Resources	Arthur Verschleiser	Notices sent on 11/21/2012 & 05/17/2013	A
8071695	1439 OCEAN AV	BROOKLYN	72	1439 Realty LLC	Limor Management	Morris Lieberman	Notices sent on 04/07/2010 & 07/21/2010	A
8072497	102-10 86 RD	QUEENS	498	102-10-30 66th Road Cooperative Owners Inc.	Halstead Management Company LLC	Jack Terebelo	Notices sent on 12/06/2012 & 03/11/2014	P
8072525	108-20 62 DR	QUEENS	64	H & K Firm, LLC		Paul Young	Notices sent on 04/09/2013 & 05/20/2014	P
8072669	65-44 SAUNDERS ST	QUEENS	98	Tennessee Leasing, L.P.	Kings & Queens Residential LLC	Gary Flamenbaum	Notices sent on 11/22/2012 & 04/01/2014	A
8072673	65-61 SAUNDERS ST	QUEENS	178	65-61 Saunders Street Associates LLC	Weinreb Management LLC	Jacob Weinreb	Notices sent on 04/09/2013 & 05/20/2014	P
8073115	36-40 BOWNE ST	QUEENS	120	Hecuba Holding Corp.	Impact Management	Gregory Cohen	Notices sent on 07/05/2012 & 04/24/2014	A
8089000	126 WAVERLY PL	MANHATTAN	28	Washington Court Condominium	Maxwell Kates	Michael Skidmore	Notices sent on 12/20/2013 & 04/24/2014	P
8098892	26 E 200 ST	BRONX	79	Villford Realty Corp.		Robert Iuso	Notices sent on 03/25/2014 & 06/27/2014	P
8100266	855 E 178 ST	BRONX	107	Trinity 3 in 1 HDPC		Flynn Halsey	Notices sent on 04/08/2014 & 06/27/2014	A
8182091	1055 ST JOHNS PL	BROOKLYN	153	NYC Housing Development Corp.	The Wavecrest Management Team	Avi Slansky	Notices sent on 04/09/2013 & 10/21/2013	P
8213667	1048 SHERIDAN AV	BRONX	16	1048 Sheridan Ave LLC		Maurice Mckenzie	Notices sent on 06/10/2014 & 03/25/2014	A
8215282	351 BEEKMAN AV	BRONX	16	Diego Beekman Mutual Housing Association HDPC		Sharon Holder	Notices sent on 01/10/2014 & 06/27/2014	A
8216164	535 E 148 ST	BRONX	17	535 E. 148 St. Corp.		Melania Gonzalez	Notices sent on 04/09/2013 & 10/21/2013	P
8217855	2224 ADAMS PL	BRONX	16	2224 Adams Realty LLC	Schur Management Co. Ltd.	William Schur	Notices sent on 08/14/2012 & 09/20/2013	P
8229002	1307 3 AV	MANHATTAN	60	Gastonia, LLC		James Gaston	Notices sent on 11/22/2012 & 04/24/2014	A
8229414	1433 YORK AV	MANHATTAN	46	Fraydun Enterprises, LLC	Pan Am Equities Inc.	John Cacaj	Notices sent on 01/14/2013 & 04/24/2014	A
8255590	320 E 85 ST	MANHATTAN	40	320 Equities LLC	Taube Management Corp.	Milton Taube	Notices sent on 01/14/2013 & 04/24/2014	P
8265963	50 2 AV	MANHATTAN	14	Second and Third LLC		Chester Pechock	Notices sent on 04/26/2011 & 09/29/2010	P
9322745	417 ST JOHNS PL	BROOKLYN	30	Orion Realty LLC	SR Nager Management	Sanford Nager	Notices sent on 01/12/2012 & 04/09/2013	A
9351236	55 92 ST	BROOKLYN	43	Danielle Realty LLC	Katz Realty Group	Lennard Katz	Notices sent on 02/29/2012 & 04/24/2014	P

Refusal Code*

A = Active Refusal

P = Passive Refusal

EXHIBIT 2

Available at:

http://www22.verizon.com/about/community/nypsc_petitions.htm

EXHIBIT 4

JACK S. DWECK*
H.P. SEAN DWECK**
COREY STARK***

CHRISTOPHER FRASER***

ERIC J. SCHMERTZ
1925-2010

* ADMITTED TO N.Y., CONN. AND FLA. BARS
** ADMITTED TO N.Y., AND PA. BARS
*** ADMITTED TO N.Y., AND N.J. BARS

THE DWECK LAW FIRM, LLP
10 ROCKEFELLER PLAZA
NEW YORK, N.Y. 10020

TELEPHONE: (212) 687-8200
FACSIMILE: (212) 697-2521
(212) 949-7477

WWW.DWECKLAW.COM

August 15, 2014

RECEIVED
DEPT. PUBLIC SERVICE
2014 AUG 20 PM 12: 01

EXEMPT FROM PAYMENT OF STATE TAXES
WESTCHESTER OFFICE
907 NORTH BROADWAY
NORTH WHITE PLAINS, N.Y. 10603

NOT FOR SERVICE OF PAPERS

CONNECTICUT OFFICE
GRAVEL ISLAND ROAD
NEW CANAAN, CT 06840

(203) 972-3000

NOT FOR SERVICE OF PAPERS

VIA FEDEX

Hon. Kathleen Hughes
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
Limited Orders of Entry for 27 Multiple Dwelling Unit
Buildings in the City of New York**

Dear Secretary Burgess::

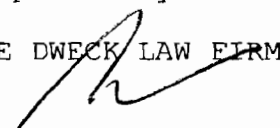
The undersigned attorneys represent Diego Beekman Mutual Housing Fund Development Corporation, HDFC, one of the respondents in the above referenced Petition.

Enclosed please find Respondent's Answer to the Petition with Defenses. Inasmuch as no docket number has been issued to date, I enclose a copy of the petition as well.

Also enclosed is a notice of appearance by my law firm.

Respectfully Submitted,

THE DWECK LAW FIRM, LLP


H.P. Sean Dweck

HPSD:gs

cc: Richard Fipphen, Esq.
Counsel For Verizon

Diego Beekman Mutual Housing Association Inc.
Attn.: Arline Parks

THE DWECK LAW FIRM, LLP
10 ROCKEFELLER PLAZA
NEW YORK, N.Y. 10020

JACK S. DWECK*
H.P. SEAN DWECK**
COREY STARK***

CHRISTOPHER FRASER***

ERIC J. SCHMERTZ
1925-2010

* ADMITTED TO N.Y., CONN. AND FLA. BARS
** ADMITTED TO N.Y., AND PA. BARS
*** ADMITTED TO N.Y., AND N.J. BARS

TELEPHONE: (212) 687-8200

FACSIMILE: (212) 697-2521
(212) 949-7477

WWW.DWECKLAW.COM

August 15, 2014

WESTCHESTER OFFICE
901 NORTH BROADWAY
NORTH WHITE PLAINS, N.Y. 10603

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CONNECTICUT OFFICE
GRAVEL ISLAND ROAD
NEW CANAAN, CT 06840

(203) 972-3000

NOT FOR SERVICE OF PAPERS

VIA FEDEX

Hon. Kathleen Hughes
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
Limited Orders of Entry for 27 Multiple Dwelling Unit
Buildings in the City of New York***

Dear Secretary Burgess::

The undersigned attorneys represent Diego Beekman Mutual Housing Fund Development Corporation, HDFC, one of the respondents in the above referenced Petition.

Enclosed please find Respondent's Answer to the Petition with Defenses. Inasmuch as no docket number has been issued to date, I enclose a copy of the petition as well.

Also enclosed is a notice of appearance by my law firm.

Respectfully Submitted,

THE DWECK LAW FIRM, LLP

H.P. Sean Dweck

HPSD:gs

cc: Richard Fipphen, Esq.
Counsel For Verizon

Diego Beekman Mutual Housing Association Inc.
Attn.: Arline Parks

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

-----X
In the Matter of the Petition of

VERIZON NEW YORK, INC.,

Case # 14-V-_____

Petitioner,

Notice of Appearance

For Limited Orders of Entry for 27 Multiple Dwelling
Unit Buildings in the City of New York.

-----X
PLEASE TAKE NOTICE, that The Dweck Law Firm, LLP hereby appears in this
proceeding on behalf of Respondent Diego Beekman Mutual Housing Fund Development
Corporation, HDFC.

Please forward all notices and communications to the undersigned.

Dated: New York, New York
August 15, 2014

THE DWECK LAW FIRM, LLP
*Attorneys for Respondent Diego Beekman
Mutual Housing Fund Development Corp
HDFC*

By:  _____

H.P. Sean Dweck
10 Rockefeller Plaza, Ste 1015
New York, New York 10020
(212) 687-8200
hpsdweck@dwecklaw.com

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

-----X
In the Matter of the Petition of

VERIZON NEW YORK, INC.,

Case # 14-V-_____

Petitioner,

ANSWER TO PETITION

For Limited Orders of Entry for 27 Multiple Dwelling
Unit Buildings in the City of New York.

-----X
PLEASE TAKE NOTICE that Respondent Diego Beekman Mutual Housing Association Housing Development Fund Corporation, HDFC, incorrectly named in the Petition Diego Beekman Mutual Housing Assoc., (hereinafter "Respondent"), appears in this proceeding by The Dweck Law Firm, LLP and demands that all papers and documents be henceforth served upon the address stated below.

PLEASE TAKE NOTICE that said Respondent hereby interposes the following answer to the Petition herein:

1. Deny knowledge or information sufficient to form a belief as to the allegations in paragraph 1, and specifically deny that Respondent failed to respond.

2. Deny knowledge or information sufficient to form a belief as to the allegations in Paragraph 2 except admit that Respondent is the current owner of 1 of the buildings identified in Exhibit 1 as 8215282 (351 Beekman Avenue, Bronx, New York).

3. Deny knowledge or information sufficient to form a belief as to the allegations in Paragraph 3.

4. Deny knowledge or information sufficient to form a belief as to the allegations in Paragraph 4.

5. Deny knowledge or information sufficient to form a belief as to the allegations in Paragraph 5.

6. Deny knowledge or information sufficient to form a belief as to the allegations in Paragraph 6.

7. Deny knowledge or information sufficient to form a belief as to the allegations in Paragraph 7.

8. Deny knowledge or information sufficient to form a belief as to the allegations in Paragraph 8.

9. Deny knowledge or information sufficient to form a belief as to the allegations in Paragraph 9.

FIRST DEFENSE

10. The description of the work that Petitioner proposes to undertake is taken from a boilerplate form and contains no information specific to Respondent's property .

11. As such, the Petition fails to set forth sufficient particulars regarding the description of the survey to be conducted, the equipment to be installed; the exact location of the proposed installation/survey; the method of installation/survey; the anticipated costs; the time needed for the installation/survey and the measures taken to minimize the anesthetic or other impacts of the installation/survey.

12. As such, the Petition is defective pursuant to 16 NYCRR 898.4(b)(4).

SECOND DEFENSE

13. The Petition includes no proof of insurance and no other evidence of Petitioner's ability to indemnify Respondent for any damages caused by Petitioner's survey, installation, operation or removal of its equipment .

14. Further, Petitioner does not even represent in the petition that it will indemnify respondent from damages caused by the operation or removal of its equipment. Only damages caused by installation are mentioned in the Petition.

15. As such, the Petition is defective pursuant to 16 NYCRR 898.4 (b) (6), and must be denied and dismissed.

THIRD DEFENSE

16. Petitioner has made no meaningful attempt to ensure that, in its installation/survey, and later in the operation and removal of its equipment, it will adequately protect the safety, function and appearance of the subject buildings.

FOURTH DEFENSE

17. Respondent anticipates various construction projects within the premises, and as such, Petitioner's survey, installation and operation of its equipment will unnecessarily interfere with the anticipated construction projects and operation of Respondent's premises.

FIFTH DEFENSE

18. Petitioner has not acted in good faith , inasmuch as Respondent has attempted engage in good faith discussions with representatives of the Petitioner, and Petitioner has not negotiated in good faith . Further, Petitioner has failed to combine all properties owned by Respondent for purposes of proposed survey/installation and therefore has caused and continues to cause

Respondent great inconvenience and unnecessary expenses for which Respondent will seek to recover.

SIXTH DEFENSE

19. Petitioner is not entitled to an order of entry for the purpose of srveying/installing voice telephone equipment inasmuch as the new Your Public Service Law Section 228 pertains to "cable television facilities" and not voice telephone.

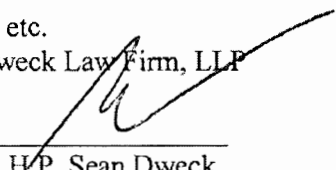
WHEREFORE, Respondent requests that the Petition be dismissed in its entirety and that the Commission grant such other and further relief as may be just and proper .

Respondent reserves the right to supplement this submission and/or to supply further evidence. Further, Respondent expressly reserves its right to seek just compensation for any taking, including but not limited to such rights as are set forth in 16 NYCRR 898.5.

Respondent expressly reserves its rights to interpose additional defenses or intitute additional proceedings as may be necessary to combine all of Respondents properties into one proceeding so as to avoid wasting unnecessary time, expense and inconvenience.

Dated : New York, New York
August 15, 2014

Yours, etc.
The Dweck Law Firm, LLP

By: 
H.P. Sean Dweck
10 Rockefeller Plaza, Suite 1015
New York, NY 10020
(212) 687-8200
hpsdweck@dwecklaw.com

To: Richard Fipphen, Esq.
Counsel for Verizon New York, Inc.
140 West Street, 6th Floor
New York, New York 10007
(212) 519-4718

Honorable Kathy H. Burgess
Secretary
New York State Public Service Commission
Three Empire State Plaza
Albany, New York 12223

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

-----X

In the Matter of the Petition of

VERIZON NEW YORK, INC.,

Case # 14-V-_____

Petitioner,

VERIFICATION

For Limited Orders of Entry for 27 Multiple Dwelling
Unit Buildings in the City of New York.


-----X

I, the undersigned, am an attorney admitted to practice in the Courts of the State of New York, and say that I am a member of The Dweck Law Firm, LLP, the attorneys of record for the Respondent herein. I have read the annexed Answer to the Petition with Defenses, know the contents thereof and the same are true to my knowledge, except those matters therein which are stated alleged on information and belief, and as to those matters, I believe them to be true. My belief as to those matters therein not stated upon knowledge, is based upon conversations with the representatives of Respondent and a review of the files.

The reason I make this verification instead of the Plaintiffs is because the Respondent maintains its offices outside the county where I maintain my office.

I affirm the foregoing statements are true under the penalties of perjury.

Dated: New York, New York
August 15, 2014



H.P./Sean Dweck

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

-----X
In the Matter of the Petition of

VERIZON NEW YORK, INC.,

Case # 14-V-_____

Petitioner,

Affirmation of Service


For Limited Orders of Entry for 27 Multiple Dwelling
Unit Buildings in the City of New York.

-----X
I, the undersigned, am an attorney admitted to practice in the Courts of the State of New York, and say that I am a member of The Dweck Law Firm, LLP, the attorneys of record for the Respondent herein.

On August 15, 2014 I served the Respondent's Answer to Petition with Defenses, Verification and Notice of Appearance upon the New York State Public Service Commission, Three Empire State Plaza, Albany New York 12223 via Federal Express and upon Petitioners counsel, Richard Fipphen, Esq. via email at richard.fipphen@verizon.com.

I affirm the foregoing statements are true under the penalties of perjury.

Dated: New York, New York
August 15, 2014



H.P. Sean Dweck

EXHIBIT 5

140 West Street
6th Floor
New York, NY 10007
Tel (212) 519-4718
Fax (212) 963-1687
richard.fipphen@verizon.com

Richard C. Fipphen
Assistant General Counsel



August 27, 2014

14-01725

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 54 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 54 Multiple-Dwelling Unit Buildings in the City of New York.

Verizon has completed pre-installation surveys at each of the 54 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,

A handwritten signature in black ink, appearing to read "Richard C. Fipphen".

Richard C. Fipphen

**STATE OF NEW YORK
PUBLIC SERVICE COMMISSION**

Petition of Verizon New York Inc. for Orders of
Entry for 54 Multiple-Dwelling Unit Buildings in the
City of New York

Case 14-V-_____

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 54 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 54 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, including proof of delivery (if available), 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.

Installation Work Will Be Conducted without Prejudice to the Owner's Right to Receive Just Compensation

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

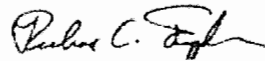
and managing agents by telephone and/or e-mail to secure access to the properties, without success.

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,



RICHARD C. FIPPHEN
140 West Street, 6th Floor
New York, New York 10007
(212) 519-4718

Counsel for Verizon New York Inc.

Dated: August 27, 2014

**STATE OF NEW YORK
PUBLIC SERVICE COMMISSION**

Petition of Verizon New York Inc. for Orders of
Entry for 54 Multiple-Dwelling Unit Buildings in the
City of New York

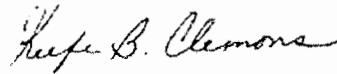
Case 14-V-_____

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
August 27, 2014

**STATE OF NEW YORK
PUBLIC SERVICE COMMISSION**

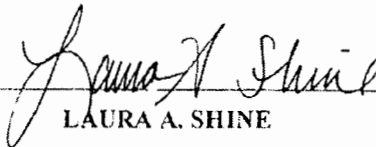
Petition of Verizon New York Inc. for Orders of
Entry for 54 Multiple-Dwelling Unit Buildings in the
City of New York

Case 14-V-_____

DECLARATION OF LAURA A. SHINE

A copy of the Petition of Verizon New York Inc. for Orders of Entry for 54 Multiple-Dwelling Unit Buildings in the City of New York was sent on August 27, 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
August 27, 2014

SERVICE LIST

Rego Realty LLC
Attn: Robert Simone
63-07 Saunders Street, Suite 1F
Rego Park, NY 11374

Karen Gardens Corp.
c/o New Bedford Management Corp.
Attn: Sanjiv Diwan
210 East 23rd Street, 5th Floor
New York, NY 10010

Li En Laundromat Corporation
c/o 88-20 Whitney Realty
Attn: Rong Chen
88-20 Whitney Avenue, #LD
Elmhurst, NY 11373

118-80 Metropolitan Realty LLC
c/o SW Management
Attn: Stanley Wasserman
145 Huguenot Street, Suite 503
New Rochelle, NY 10801

119-21 Metropolitan Avenue Holdings, LLC
c/o A&E Real Estate Holdings LLC
Attn: Sean Wynne
106S Avenue of the Americas, 31st Floor
New York, NY 10018

Austin Apartments LLC
c/o Rego Realty LLC
Attn: Robert Simone
63-07 Saunders Street, Suite 1F
Rego Park, NY 11374

Eden Rock Owners, Inc.
c/o Gerard J. Picaso, Inc.
Attn: Robert McCarthy
1133 Broadway, 4th Floor
New York, NY 10010

Kew Court Owners Corp.
c/o Kaled Management
Attn: Michael Raviner
7001 Brush Hollow Road, Suite 200
Westbury, NY 11590

Leamas Realty LLC
c/o Matel Realty LLC
Attn: Sol Eiferman
303 East 6th Street
New York, NY 10003

Tockwotten Associates, LLC
Attn: Beata Jachimski
350 Fifth Avenue, Suite 4304
New York, NY 10118

140 East 95 St. Owners Corp.
c/o Mautner-Glick Corp.
Attn: Charlie Pisani
1345 3rd Avenue, 2nd Floor
New York, NY 10075

HAF Associates LLC
Attn: David Kaplan
111 Brook Street, 2nd Floor
Scarsdale, NY 10583

RBD Realty Consultants
Attn: Beatriz Melendez
2465 Arthur Avenue
Bronx, NY 10458

Promesa Court Residences Limited Partnership
Attn: Nick Loizou
1776 Clay Avenue
Bronx, NY 10457

B6B Partners, L.P.
c/o Leeds Associates LLC
Attn: Stacey Shurgin
215 West 83rd Street, Lobby
New York, NY 10024

1264 LLC
c/o Chestnut Holdings of New York
Attn: Jonathan Wiener
5676 Riverdale Avenue, Suite 307
Bronx, NY 10471

Jang Management, LLC
c/o QV Management
Attn: Keyou Keypour
125 Mineola Avenue, Suite 302
Roslyn Heights, NY 11577

Walton Avenue Associates LLC
c/o Tryax Realty Management
Attn: Michael Schmelzer
60 Cuttermill Road, Suite 208
Great Neck, NY 11021

1380 HDFC
c/o Winn Residential (NY) LLC
Attn: Phillip Lavoie
79 Alexander Avenue, 6th Floor
Bronx, NY 10454

Diego Beekman Mutual Housing Association HDFC
c/o The Dweck Law Firm, LLP
Attn: H.P. Sean Dweck
10 Rockefeller Plaza
New York, NY 10020

Improvement Council Holding Corp.
c/o Mereda Realty Corp.
Attn: Steven Levine
393 Old Country Road, Suite 204
Carle Place, NY 11514

Croes Nest Realty, L.P.
c/o Almarc Realty Corp.
Attn: Sheik Saddick
8605 Bay Parkway, 2nd Floor
Brooklyn, NY 11214

Onew More Time Realty Corp.
c/o Milchman Properties Corp.
Attn: Luz Ocasio
655 Pelham Parkway North
Bronx, NY 10467

1158 Boynton Associates LLC
Attn: Moses Podolski
3153 Perry Avenue
Bronx, NY 10467

1025 Boynton Ave Realty LLC
Attn: Moshe Piller
1276 50th Street, Suite 175
Brooklyn, NY 11219

1564 Mayflower LLC
Attn: Lash Kocovic
1755 Jarvis Avenue
Bronx, NY 10461

321 East 48th Street Associates
c/o Halstead Management
Attn: Adam Eichner
770 Lexington Avenue, 7th Floor
New York, NY 10065

626 Emmut Properties Ltd.
c/o Emmut Properties
Attn: John Young
626 10th Avenue, Suite 1A
New York, NY 10036

Felix Bernardo
c/o EBB Realty
323 West 14th Street
New York, NY 10014

216 West 22 St. Tenant Owners Corp.
c/o Argo Real Estate LLC
Attn: Jill Reinitz
50 West 17th Street, 6th Floor
New York, NY 10011

Chelsea Royale Condominiums
c/o TKR Property Management Services
Attn: Enrique Navarrete
430 16th Street
Brooklyn, NY 11215

Beautiful Village Assoc. Redevelopment Co.
c/o Metropolitan Realty Group
Attn: Scott Jaffee
15 West 39th Street, 7th Floor
New York, NY 10018

955 Tenant Stockholders Inc.
c/o Brown Harris Stevens Residential Management LLC
Attn: Les Mance
770 Lexington Avenue, 5th Floor
New York, NY 10065

Ataloss LLC
c/o Leeds Associates LLC
Attn: Arthur Leeds
215 West 83rd Street
New York, NY 10024

The Allegro Condominium
c/o Maxwell-Kates, Inc.
Attn: Neil Wishnia
9 East 38th Street, 6th Floor
New York, NY 10016

Mascot Flats, HDFC
Attn: Ann Rupel
742 East 6th Street, 9th Floor
New York, NY 10009

200 West 79th Street Condo
c/o Douglas Elliman Property Management
Attn: Patricia Pettway-Brown
675 Third Avenue
New York, NY 10017

TYR Property Svds Inc.
c/o Gumley Haft Inc.
Attn: James Colon
415 Madison Avenue, 5th Floor
New York, NY 10017

751 St. Marks Limited Liability Co.
c/o Malek Management
Attn: Michael Malek
1491 Coney Island Avenue
Brooklyn, NY 11230

24537 Owners Corp.
c/o ABC Realty
Attn: Seth Weinstein
152 West 57th Street, 12th Floor
New York, NY 10019

126 West 73rd Owners Corp.
c/o Sirius LLC
Attn: Marc Lippman
2109 Broadway, Suite L01
New York, NY 10023

Brick House Owners Corp.
c/o Synoptic Management
Attn: David Steinberg
136 West 92nd Street, Suite 1A
New York, NY 10025

Simry Realty Corp.
Attn: Arthur Haruvi
114 East 71st Street
New York, NY 10021

465 West End Avenue Owners Corp.
c/o Orsid Realty Corp.
Attn: Neil Daviowitz
1740 Broadway, 2nd Floor
New York, NY 10019

The Stanton Condominium
c/o All Area Realty Services
Attn: Spyro Kyrou
99 Tulip Avenue, Suite 302
Floral Park, NY 11001

Tribor Management, Inc.
Attn: Ning Jiang
45-62 162nd Street
Flushing, NY 11358

Baxter House Condo
c/o First Management
Attn: James Demetriou
34-03 Broadway
Long Island City, NY 11106

The Manhattan Place Condo
c/o AJ Clarke Real Estate
Attn: Steve Kaplan
1881 Broadway, 4th Floor
New York, NY 10023

The Bromley Condominium
c/o Brown Harris Stevens Residential Management LLC
Attn: Eamon Early
770 Lexington Avenue, 5th Floor
New York, NY 10065

The 251 Condominium
c/o New Bedford Management Corp.
Attn: Greg Bazhdari
210 East 23rd Street, 5th Floor
New York, NY 10010

West 90th Owners Corp.
c/o Gerard J. Picaso, Inc.
Attn: Ken Ryan
1133 Broadway, Suite 426
New York, NY 10010

The Sun House Condominium
c/o Norcor Management
Attn: Vincent Lo
40-14 72nd Street, Suite B
Woodside, NY 11377

2057-59 Story Avenue LLC
Attn: Frank Loughran
2247 Hermany Avenue
Bronx, NY 10473

Renee Owners, Inc.
c/o Tedpin Realty Management Inc.
Attn: Gerald Pindus
78-40 164th Street, Suite Aa
Flushing, NY 11366

EXHIBIT 1

A	B	C	D	E	F	G	H	I	J
Property No.	MDU Property Address	Municipality	No. of Living Units	MDU Owner (Landlord)	MDU Managing Agent Co.	Contact Name	Mailing Notes	Refusal Code*	Build Code*
8074358	62-95 SAUNDERS ST	QUEENS	102	Rego Realty LLC		Robert Simone	Notices sent on 02/27/2014 & 04/24/2014	P	A
8074455	86-05 60 RD	QUEENS	68	Karen Gardens Corp.	New Bedford Management Corp.	Sanjiv Diwan	Notices sent on 04/02/2014 & 05/20/2014	A	A
8074495	88-20 WHITNEY AV	QUEENS	59	Li En Laundromat Corporation	88-20 Whitney Realty	Rong Chen	Notices sent on 01/30/2014 & 04/24/2014	P	A
8074612	118-80 METROPOLITAN AV	QUEENS	66	118-80 Metropolitan Realty LLC	SW Management	Stanley Wasserman	Notices sent on 02/18/2014 & 05/20/2014	A	A
8074614	119-21 METROPOLITAN AV	QUEENS	59	119-21 Metropolitan Avenue Holdings, LLC	A & E Real Estate Holdings LLC	Sean Wynne	Notices sent on 04/02/2014 & 05/20/2014	P	A
8074645	82-67 AUSTIN ST	QUEENS	147	Austin Apartments LLC	Rego Realty LLC	Robert Simone	Notices sent on 08/26/2013 & 05/13/2014	P	B
8074677	84-01 MAIN ST	QUEENS	200	Eden Rock Owners, Inc.	Gerard J. Picaso, Inc.	Robert McCarthy	Notices sent on 02/27/2014 & 05/20/2014	P	B
8074695	85-11 LEFFERTS BLVD	QUEENS	66	Kew Court Owners Corp.	Kaled Management	Michael Raviner	Notices sent on 02/27/2014 & 04/24/2014	A	A
8086464	206 E 6 ST	MANHATTAN	20	Leumas Realty LLC	Matel Realty LLC	Sol Eiferman	Notices sent on 04/29/2014 & 06/27/2014	A	A
8086556	174 W HOUSTON ST	MANHATTAN	25	Tockwotten Associates, LLC		Beata Jachimski	Notices sent on 01/30/2014 & 05/13/2014	P	A
8087932	1466 LEXINGTON AV	MANHATTAN	27	140 East 95 St. Owners Corp	Mautner-Glick Corp.	Charlie Pisani	Notices sent on 03/18/2014 & 05/13/2014	P	A
8088517	2 MINERVA PL	BRONX	54	HAF Associates LLC		David Kaplan	Notices sent on 04/08/2014 & 05/20/2014	P	B
8099046	2760 CRESTON AV	BRONX	45	RBD Realty Consultants Promesa Court Residences Limited Partnership		Beatriz Melendez	Notices sent on 02/25/2014 & 05/20/2014	P	H
8099198	190 BROWN PL	BRONX	22			Nick Lozou	Notices sent on 10/02/2013 & 11/10/2013	P	A
8099319	309 E 154 ST	BRONX	69	B&B Partners, L.P.	Leeds Associates LLC	Stacey Shurgin	Notices sent on 02/28/2014 & 06/27/2014	P	B
8099361	1264 SHERIDAN AV	BRONX	56	1264 LLC	Chestnut Holdings of New York	Jonathan Wiener	Notices sent on 10/20/2012 & 12/10/2013	P	B
8099615	751 E 156 ST	BRONX	24	Jang Management, LLC	GV Management	Keyou Keypour	Notices sent on 02/05/2014 & 05/20/2014	P	B
8099820	1454 WALTON AV	BRONX	79	Walton Avenue Associates LLC	Tryax Realty Management	Michael Schmelzer	Notices sent on 04/24/2014 & 06/27/2014	A	B
8100489	1380 DR M L KING JR BLVD	BRONX	140	1380 HDFC	Winn Residential (NY) LLC	Phillip Lavoie	Notices sent on 06/27/2013 & 09/20/2013	A	B
8100636	354 CYPRESS AV	BRONX	89	Diago Beekman Mutual Housing Association HDFC	Winn Residential (NY) LLC	Phillip Lavoie	Notices sent on 03/18/2014 & 05/20/2014	P	H
8100859	665 E 163 ST	BRONX	63	Improvement Council Holding Corp.	Mereda Realty Corp.	Steven Levine	Notices sent on 10/23/2013 & 11/18/2013	P	B
8101492	1710 CROES AV	BRONX	191	Croes Nest Realty, L.P.	Almarc Realty Corp.	Sheik Saddiek	Notices sent on 01/30/2014 & 03/25/2014	P	B
8101522	1180 EVERGREEN AV	BRONX	65	Cnew More Time Realty Corp.	Milchman Properties Corp.	Luz Ocasio	Notices sent on 02/17/2014 & 06/27/2014	A	H
8101547	1158 BOYNTON AV	BRONX	66	1158 Boynton Associates LLC		Moses Podolski	Notices sent on 02/07/2014 & 06/27/2014	P	A
8101754	1025 BOYNTON AV	BRONX	61	1025 Boynton Ave Realty LLC		Maxine Piller	Notices sent on 02/12/2014 & 06/27/2014	P	A
8194005	1564 MAYFLOWER AV	BRONX	13	1564 Mayflower LLC		Lash Kocovic	Notices sent on 02/13/2014 & 04/24/2014	P	B
8230821	321 E 48 ST	MANHATTAN	133	321 East 48th Street Associates	Halstead Management	Adam Eichner	Notices sent on 11/13/2013 & 03/09/2012	P	B
8231931	624 10 AV	MANHATTAN	33	625 Enmut Properties Ltd.	Enmut Properties	John Young	Notices sent on 01/27/2014 & 05/20/2014	P	F
8234730	259 W 15 ST	MANHATTAN	29	Felix Bernardo	EBB Realty	Felix Bernardo	Notices sent on 01/20/2014 & 04/01/2014	P	A
8234869	261 W 22 ST	MANHATTAN	36	216 West 22 St. Tenant Owners Corp.	Argo Real Estate LLC	Jill Reinitz	Notices sent on 03/26/2014 & 05/13/2014	P	A

A	B	C	D	E	F	G	H	I	J
Property No	MDU Property Address	Municipality	No. of Living Units	MDU Owner (Landlord)	MDU Managing Agent Co.	Contact Name	Mailing Notes	Refusal Code*	Build Code*
8234287	200 W 24 ST	MANHATTAN	21	Chelsea Royale Condominiums	TKR Property Management Services	Enrique Navarrete	Notices sent on 01/09/2014 & 04/01/2014	P	C
8254760	21 E 107 ST	MANHATTAN	778	Beautiful Village Assoc. Redevelopment Co.	Metropolitan Realty Group	Scott Jaffee	Notices sent on 12/20/2013 & 07/22/2010	P	F
8255114	951 PARK AV	MANHATTAN	27	955 Tenant Stockholders Inc	Brown Harris Stevens Residential Management LLC	Les Mance	Notices sent on 04/23/2014 & 05/20/2014	P	H
8256071	424 W 53 ST	MANHATTAN	12	Ataloss LLC	Leeds Associates LLC	Arthur Leeds	Notices sent on 02/13/2014 & 05/13/2014	P	F
8256133	1871 BROADWAY	MANHATTAN	124	The Allegro Condominium	Maxwell-Kates, Inc	Neil Wishnia	Notices sent on 06/24/2013 & 12/20/2013	A	A
8256766	742 E 6 ST	MANHATTAN	24	Moscat Flats, HDPC		Ann Ruzel	Notices sent on 11/04/2013 & 04/08/2014	P	A
8268262	200 W 79 ST	MANHATTAN	272	200 West 79th Street Condo	Douglas Eilman Property Management	Patricia Pettway-Brown	Notices sent on 06/29/2011 & 07/22/2010	A	F
9308421	30 MAIN ST	BROOKLYN	85	TYR Property Svcs Inc.	Gumley Haft Inc.	James Colon	Notices sent on 02/16/2014 & 03/25/2014	P	A
9323294	751 ST MARKS AV	BROOKLYN	126	751 St Marks Limited Liability Co	Malek Management	Michael Malek	Notices sent on 05/16/2014 & 05/27/2014	A	A
9358918	245 E 37 ST	MANHATTAN	49	24537 Owners Corp.	ABC Realty	Seth Weinstein	Notices sent on 01/29/2014 & 04/01/2014	P	B
9359597	126 W 73 ST	MANHATTAN	37	126 West 73rd Owners Corp.	Sirius LLC	Marc Lippman	Notices sent on 03/12/2014 & 05/13/2014	P	A
9359685	136 W 75 ST	MANHATTAN	30	Brick House Owners Corp.	Synoptic Management	David Steinberg	Notices sent on 03/12/2014 & 05/13/2014	P	F
9359968	244 W 74 ST	MANHATTAN	39	Simry Realty Corp.		Arthur Haruvi	Notices sent on 05/17/2012 & 08/15/2012	A	H
9361439	465 WEST END AV	MANHATTAN	45	465 West End Avenue Owners Corp.	Orsid Realty Corp.	Neil Davidowitz	Notices sent on 04/27/2012 & 04/09/2013	P	F
9379885	41-40 UNION ST	QUEENS	371	The Stanton Condominium	All Area Realty Services	Spyro Kyrcu	Notices sent on 02/18/2014 & 04/24/2014	P	A
9379887	41-07 BOWNE ST	QUEENS	85	Tribor Management, Inc.		Ning Jiang	Notices sent on 02/10/2014 & 05/20/2014	P	A
9379937	137-10 FRANKLIN AV	QUEENS	93	Baxter House Condo	First Management	James Demetriou	Notices sent on 02/27/2014 & 04/24/2014	P	A
9405642	630 1 AV	MANHATTAN	500	The Manhattan Place Condo	A J Clarke Real Estate	Steve Kaplan	Notices sent on 02/03/2014 & 04/08/2014	P	F
9405979	275 W 83 ST	MANHATTAN	298	The Bromley Condominium	Brown Harris Stevens Residential Management LLC	Eamon Early	Notices sent on 06/22/2012 & 11/21/2012	A	A
9405994	751 W 89 ST	MANHATTAN	75	The 251 Condominium	New Bedford Management Corp.	Greg Bazhdari	Notices sent on 05/15/2012 & 04/09/2013	P	F
9405995	255 W 90 ST	MANHATTAN	40	West 90th Owners Corp.	Gerard J. Picaso, Inc.	Ken Ryan	Notices sent on 01/28/2014 & 04/01/2014	A	A
9550809	35-91 161 ST	QUEENS	77	The Sun House Condominium	Norcor Management	Vincent Lo	Notices sent on 02/10/2014 & 05/20/2014	P	A
10079199	2059 STORY AV	BRONX	17	2057-59 Story Avenue LLC		Frank Loughran	Notices sent on 08/20/2012 & 04/24/2014	P	I
10089228	78-40 164 ST	QUEENS	120	Renee Owners, Inc.	Tedpin Realty Management Inc.	Gerald Pindus	Notices sent on 01/20/2014 & 05/20/2014	A	A

LEGEND

REFUSAL CODE

- A Active Refusal
- P Passive Refusal

BUILD TYPES

A Adhesive Fiber Cables

Verizon will install fiber optic feeder cable approximately .5" in diameter between a Verizon manhole in the street and the basement of the building, using existing entrance conduit. A fiber terminal (approximately 17"x20"x16") will be installed in the basement. Fiber distribution cables approximately .5" in diameter will be connected to the fiber terminal and will be run horizontally through the basement, using strand wire or 3-4" metallic conduit to a vertical riser path. Vertical risers consisting of one or more fiber cables approximately .5" or less in diameter will be placed in 3-4" metallic conduit, which will be run through newly created holes drilled in the stairwell. 8" pull boxes will be established on the stairwell landing on each floor to house the pulled-through fiber cables. Where warranted, 20"x16"x8" lock boxes will be installed on the floor to house fiber distribution terminals. Horizontal fiber connections to each living unit ("drops") will be established with self-adhesive fiber cables. Small (4"x1.5"x.25") fiber termination boxes will be installed outside each living unit; the fiber drop will be extended into the living unit from this box at the time of installation. All Verizon work will be conducted in conformity with the property work requirements and with consideration for the safety of the residents and the proper functioning of the building. Impact to building aesthetics will be minimized by the use of materials smaller than those that typically serve the building at present.

B Existing Hallway Moldings

Verizon will install fiber optic feeder cable approximately .5" in diameter between a Verizon manhole in the street and the basement of the building, using existing entrance conduit. A fiber terminal (approximately 17"x20"x16") will be installed in the basement. Fiber distribution cables approximately .5" in diameter will be connected to the fiber terminal and will be run horizontally through the basement, using strand wire or 3-4" metallic conduit to a vertical riser path. Vertical risers consisting of one or more fiber cables approximately .5" or less in diameter will be placed in 3-4" metallic conduit, which will be run through newly created holes drilled in the stairwell. 8" pull boxes will be established on the stairwell landing on each floor to house the pulled-through fiber cables. Where warranted, 20"x16"x8" lock boxes will be installed on the floor to house fiber distribution terminals. Horizontal fiber drops to each living unit will be provided via bundled drops utilizing the existing hallway molding infrastructure. Excess fiber cables ("slack") will be coiled in the molding in front of each living unit for penetration into the unit at the time of service order. All Verizon work will be conducted in conformity with the property work requirements and with consideration for the safety of the residents and the

proper functioning of the building. Impact to building aesthetics will be minimized by the use of materials smaller than those that typically serve the building at present.

C Microducts and Access Panels

Verizon will install fiber optic feeder cable approximately .5" in diameter between a Verizon manhole in the street and the basement of the building, using existing entrance conduit. A fiber terminal (approximately 17"x20"x16") will be installed in the basement. Fiber distribution cables approximately .5" in diameter will be connected to the fiber terminal and will be run horizontally through the basement, using strand wire or 3-4" metallic conduit to a vertical riser path. Vertical risers consisting of one or more fiber cables approximately .5" or less in diameter will be placed in 3-4" metallic conduit, which will be run through newly created holes drilled in the stairwell. 8" pull boxes will be established on the stairwell landing on each floor to house the pulled-through fiber cables. Where warranted, 20"x16"x8" lock boxes will be installed on the floor to house fiber distribution terminals. Horizontal fiber drops to each living unit will be provided via 12.7mm micro duct that are run through existing soffits or in the ceiling, to the front of each unit. Approximately 8"x8" access panels will be installed to enable penetration into the living unit at the time of service order. All Verizon work will be conducted in conformity with the property work requirements and with consideration for the safety of the residents and the proper functioning of the building. Impact to building aesthetics will be minimized by the use of materials smaller than those that typically serve the building at present.

D Microducts in Dropped Ceilings

Verizon will install fiber optic feeder cable approximately .5" in diameter between a Verizon manhole in the street and the basement of the building, using existing entrance conduit. A fiber terminal (approximately 17"x20"x16") will be installed in the basement. Fiber distribution cables approximately .5" in diameter will be connected to the fiber terminal and will be run horizontally through the basement, using strand wire or 3-4" metallic conduit to a vertical riser path. Vertical risers consisting of one or more fiber cables approximately .5" or less in diameter will be placed in 3-4" metallic conduit, which will be run through newly created holes drilled in the stairwell. 8" pull boxes will be established on the stairwell landing on each floor to house the pulled-through fiber cables. Where warranted, 20"x16"x8" lock boxes will be installed on the floor to house fiber distribution terminals. Horizontal fiber drops to each living unit will be provided via 12.7mm micro duct that run through dropped ceilings; the fiber drops will be coiled close to each apartment. At the time of service order, penetration will be made into the living unit and a fiber drop will be pulled through the micro duct. All Verizon work will be conducted in conformity with the property work requirements and with consideration for the safety of the residents and the proper functioning of the building. Impact to building aesthetics will be minimized by the use of materials smaller than those that typically serve the building at present.

E Existing Conduit to Living Unit

Verizon will install fiber optic feeder cable approximately .5" in diameter between a Verizon manhole in the street and the basement of the building, using existing entrance conduit. A fiber terminal (approximately 17"x20"x16") will be installed in the basement. Fiber distribution cables approximately .5" in diameter will be connected to the fiber terminal and will be run horizontally through the basement, using strand wire or 3-4" metallic conduit to a vertical riser

path. Vertical risers consisting of one or more fiber cables approximately .5" or less in diameter will be placed in 3-4" metallic conduit, which will be run through newly created holes drilled in the stairwell. 8" pull boxes will be established on the stairwell landing on each floor to house the pulled-through fiber cables. Where warranted, 20"x16"x8" lock boxes will be installed on the floor to house fiber distribution terminals. Horizontal fiber drops to each living unit will be provided via existing building conduit, from the fiber distribution terminals directly into the living unit. At the time of service order, a fiber drop will be pulled through the conduit, possibly within a micro duct, where space allows. All Verizon work will be conducted in conformity with the property work requirements and with consideration for the safety of the residents and the proper functioning of the building. Impact to building aesthetics will be minimized by the use of materials smaller than those that typically serve the building at present.

F New Hallway Molding

Verizon will install fiber optic feeder cable approximately .5" in diameter between a Verizon manhole in the street and the basement of the building, using existing entrance conduit. A fiber terminal (approximately 17"x20"x16") will be installed in the basement. Fiber distribution cables approximately .5" in diameter will be connected to the fiber terminal and will be run horizontally through the basement, using strand wire or 3-4" metallic conduit to a vertical riser path. Vertical risers consisting of one or more fiber cables approximately .5" or less in diameter will be placed in 3-4" metallic conduit, which will be run through newly created holes drilled in the stairwell. 8" pull boxes will be established on the stairwell landing on each floor to house the pulled-through fiber cables. Where warranted, 20"x16"x8" lock boxes will be installed on the floor to house fiber distribution terminals. Horizontal fiber drops will be placed in newly installed hallway molding running from the fiber distribution terminal to the end of the hallway on each floor. Extra slack will be left coiled in the molding in front of each unit for penetration into the unit at the time of service order. All Verizon work will be conducted in conformity with the property work requirements and with consideration for the safety of the residents and the proper functioning of the building. Impact to building aesthetics will be minimized by the use of materials smaller than those that typically serve the building at present.

G Fiber Drops Installed Directly into Unit from Riser

Verizon will install fiber optic feeder cable approximately .5" in diameter between a Verizon manhole in the street and the basement of the building, using existing entrance conduit. A fiber terminal (approximately 17"x20"x16") will be installed in the basement. Fiber distribution cables approximately .5" in diameter will be connected to the fiber terminal and will be run horizontally through the basement, using strand wire or 3-4" metallic conduit to a vertical riser path. Vertical risers consisting of one or more fiber cables approximately .5" or less in diameter will be placed in 3-4" metallic conduit, which will be run through newly created holes drilled in the stairwell. 8" pull boxes will be established on the stairwell landing on each floor to house the pulled-through fiber cables. Where warranted, 20"x16"x8" lock boxes will be installed on the floor to house fiber distribution terminals. Fiber drops will be run directly into the living unit from the distribution terminal in the riser closet or stairwell. All Verizon work will be conducted in conformity with the property work requirements and with consideration for the safety of the residents and the proper functioning of the building. Impact to building aesthetics will be minimized by the use of materials smaller than those that typically serve the building at present.

H Exterior Bundled Drops

4.8mm Indoor/Outdoor drop wires will be run vertically on the exterior of the building, passing closely by the window line for each set of stacked apartments in the building. The drop wires are attached to a metal cable that is fastened at the 1st floor level and at the rooftop level. Each wire is coiled outside the living unit it has been earmarked to serve. At the time of service order, the Verizon technician releases the coiled slack, drills a hole in the window sill and brings the drop wire into the unit. All Verizon work will be conducted in conformity with the property work requirements and with consideration for the safety of the residents and the proper functioning of the building. Impact to building aesthetics will be minimized by the use of materials smaller than those that typically serve the building at present.

I Multi-Customer Fiber Terminal

Verizon will install fiber optic feeder cable approximately .5" in diameter between a Verizon manhole in the street and the basement of the building, using existing entrance conduit. A fiber terminal (approximately 17"x20"x16") will be installed in the basement. Fiber distribution cables approximately .5" in diameter will be connected to the fiber terminal and will be run horizontally through the basement, using strand wire or 3-4" metallic conduit to a vertical riser path. Vertical risers consisting of one or more fiber cables approximately .5" or less in diameter will run via 3-4" metallic conduit through either newly created core drills or existing vertical path in the communications/utility/media closets on designated floors. Verizon will mount Multi-Customer Fiber Terminals with average dimensions of 23"x19"x4" (wall mounted) or 84"x26"x15" (floor mounted). This terminal serves up to eight subscribers, with two (2) voice lines and one (1) data line each, and a common video jack. The units will be installed in the building's common utility area, using the existing copper wiring, CAT 5 and/or coax infrastructure to deliver service going to each living unit on serving floors. Building power needed to support MC-ONT design and battery backup is the responsibility of Verizon. All Verizon work will be conducted in conformity with the property work requirements and with consideration for the safety of the residents and the proper functioning of the building. Impact to building aesthetics will be minimized by the use of materials smaller than those that typically serve the building at present.

J In-Line Risers

Verizon will install fiber optic feeder cable approximately .5" in diameter between a Verizon manhole in the street and the basement of the building, using existing entrance conduit. A fiber terminal (approximately 17"x20"x16") will be installed in the basement. Fiber distribution cables approximately .5" in diameter will be connected to the fiber terminal and will be run horizontally through the basement, using strand wire or 3-4" metallic conduit to a vertical riser path. Vertical risers consisting of one or more 12.7 mm micro ducts will be run through newly created holes drilled in closets within each living unit. A single 12.7 mm micro duct will terminate within each living unit resulting in a dedicated pathway between the living unit and the basement. At the time of service order, a fiber drop will be pulled through the micro duct. All Verizon work will be conducted in conformity with the property work requirements and with consideration for the safety of the residents and the proper functioning of the building. Impact to building aesthetics will be minimized by the use of materials smaller than those that typically serve the building at present.

EXHIBIT 2

Available at:

http://www22.verizon.com/about/community/nypsc_petitions.htm

EXHIBIT 6

JACK S. DWECK*
H.P. SEAN DWECK**
COREY STARK***

CHRISTOPHER FRASER***

ERIC J. SCHMERTZ
1925-2010

* ADMITTED TO N.Y., CONN. AND FLA. BARS
** ADMITTED TO N.Y., AND PA. BARS
*** ADMITTED TO N.Y., AND N.J. BARS

THE DWECK LAW FIRM, LLP
10 ROCKEFELLER PLAZA
NEW YORK, N.Y. 10020

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FACSIMILE: (212) 697-2521
(212) 949-7477

WWW.DWECKLAW.COM

September 5, 2014

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(203) 972-3000

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VIA FEDEX

Hon. 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 54 Multiple Dwelling Unit Buildings
in the City of New York**

Dear Secretary Burgess::

The undersigned attorneys represent Diego Beekman Mutual Housing Fund Development Corporation, HDFC, one of the respondents in the above referenced Petition.

Enclosed please find Respondent's Answer to the Petition with Defenses. Inasmuch as no docket number has been issued to date, I enclose a copy of the petition as well.

Also enclosed is a notice of appearance by my law firm.

Respectfully Submitted,

THE DWECK LAW FIRM, LLP

H.P. Sean Dweck

HPSD:gs

cc: Richard Fipphen, Esq.
Counsel For Verizon

Diego Beekman Mutual Housing Association Inc.
Attn.: Arline Parks

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

-----X

In the Matter of the Petition of

VERIZON NEW YORK, INC.,

Case # 14-V-_____

Petitioner,

Notice of Appearance

For Orders of Entry for 54 Multiple Dwelling
Unit Buildings in the City of New York.

-----X

PLEASE TAKE NOTICE, that The Dweck Law Firm, LLP hereby appears in this proceeding on behalf of Respondent Diego Beekman Mutual Housing Fund Development Corporation, HDFC.

Please forward all notices and communications to the undersigned.

Dated: New York, New York
September 5, 2014

THE DWECK LAW FIRM, LLP
*Attorneys for Respondent Diego Beekman
Mutual Housing Fund Development Corp
HDFC*

By: _____

H.P. Sean Dweck

10 Rockefeller Plaza, Ste 1015
New York, New York 10020
(212) 687-8200
hpsdweck@dwecklaw.com

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

-----X
In the Matter of the Petition of

VERIZON NEW YORK, INC.,

Case # 14-V-_____

Petitioner,

ANSWER TO PETITION

For Orders of Entry for 54 Multiple Dwelling
Unit Buildings in the City of New York.

-----X
PLEASE TAKE NOTICE that Respondent Diego Beekman Mutual Housing Association Housing Development Fund Corporation, HDFC, incorrectly named in the Petition Diego Beekman Mutual Housing Assoc.. (hereinafter "Respondent"), appears in this proceeding by The Dweck Law Firm.LLP and demands that all papers and documents be henceforth served upon the address stated below.

PLEASE TAKE NOTICE that said Respondent hereby interposes the following answer to the Petition herein:

1. Deny knowledge or information sufficient to form a belief as to the allegations in paragraph 1, and specifically deny that Respondent failed to respond.

2. Deny knowledge or information sufficient to form a belief as to the allegations in Paragraph 2 except admit that Respondent is the current owner of the buildings identified in Exhibit 1 as 11, 13 and 17.

3. Deny knowledge or information sufficient to form a belief as to the allegations in Paragraph 3.

4. Deny knowledge or information sufficient to form a belief as to the allegations in Paragraph 4.

5. Deny knowledge or information sufficient to form a belief as to the allegations in Paragraph 5.

6. Deny knowledge or information sufficient to form a belief as to the allegations in Paragraph 6.

7. Deny knowledge or information sufficient to form a belief as to the allegations in Paragraph 7.

8. Deny knowledge or information sufficient to form a belief as to the allegations in Paragraph 8.

9. Deny knowledge or information sufficient to form a belief as to the allegations in Paragraph 9.

FIRST DEFENSE

10. The description of the work that Petitioner proposes to undertake is taken from a boilerplate form and contains no information specific to Respondent's properties .

11. As such, the Petition fails to set forth sufficient particulars regarding the description of the equipment to be installed; the exact location of the proposed installation; the method of installation; the anticipated costs; the time needed for the installation and the measures taken to minimize the anesthetic impact of the installation.

12. As such, the Petition is defective pursuant to 16 NYCRR 898.4(b)(4).

SECOND DEFENSE

13. The Petition includes no proof of insurance and no other evidence of Petitioner's ability to indemnify Respondent for any damages caused by Petitioner's installation, operation or

removal of its equipment .

14. Further, Petitioner does not even represent in the petition that it will indemnify respondent from damages caused by the operation or removal of its equipment. Only damages caused by installation are mentioned in the Petition.

15. As such, the Petition is defective pursuant to 16 NYCRR 898.4 (b) (6), and must be denied and dismissed.

THIRD DEFENSE

16. Petitioner has made no meaningful attempt to ensure that, in its installation, and later in the operation and removal of its equipment, it will adequately protect the safety, function and appearance of the subject buildings.

FOURTH DEFENSE

17. Respondent anticipates various construction projects within the premises, and as such, Petitioner's installation and operation of its equipment will unnecessarily interfere with the anticipated construction projects and operation of Respondent's premises.

FIFTH DEFENSE

18. Petitioner has not acted in good faith , inasmuch as Respondent has attempted engage in good faith discussions with representatives of the Petitioner, and Petitioner has not negotiated in good faith .

SIXTH DEFENSE

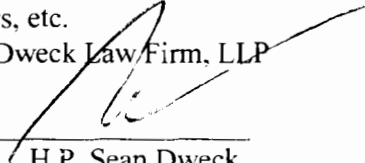
19. Petitioner is not entitled to an order of entry for the purpose of installing voice telephone equipment inasmuch as the new Your Public Service Law Section 228 pertains to "cable television facilities" and not voice telephone.

WHEREFORE, Respondent requests that the Petition be dismissed in its entirety and that the Commission grant such other and further relief as may be just and proper .

Respondent reserves the right to supplement this submission and/or to supply further evidence. Further, Respondent expressly reserves its right to seek just compensation for any taking, including but not limited to such rights as are set forth in 16 NYCRR 898.5.

Dated : New York, New York
September 5, 2014

Yours, etc.
The Dweck Law Firm, LLP

By: 
H.P. Sean Dweck
10 Rockefeller Plaza, Suite 1015
New York, NY 10020
(212) 687-8200
hpsdweck@dwecklaw.com

To: Richard Fipphen, Esq.
Counsel for Verizon New York, Inc.
140 West Street, 6th Floor
New York, New York 10007
(212) 519-4718

Honorable Kathleen H. Burgess
Secretary
New York State Public Service Commission
Three Empire State Plaza
Albany, New York 12223

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

-----X

In the Matter of the Petition of

VERIZON NEW YORK, INC.,

Case # 14-V-_____

Petitioner.

VERIFICATION

For Orders of Entry for 54 Multiple Dwelling
Unit Buildings in the City of New York.

-----X

I, the undersigned, am an attorney admitted to practice in the Courts of the State of New York, and say that I am a member of The Dweck Law Firm, LLP, the attorneys of record for the Respondent herein. I have read the annexed Answer to the Petition with Defenses, know the contents thereof and the same are true to my knowledge, except those matters therein which are stated alleged on information and belief, and as to those matters, I believe them to be true. My belief as to those matters therein not stated upon knowledge, is based upon conversations with the representatives of Respondent and a review of the files.

The reason I make this verification instead of the Plaintiffs is because the Respondent maintains its offices outside the county where I maintain my office.

I affirm the foregoing statements are true under the penalties of perjury.

Dated: New York, New York
September 5, 2014



H.P. Sean Dweck

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

-----X
In the Matter of the Petition of

VERIZON NEW YORK, INC.,

Case # 14-V-_____

Petitioner,

Affirmation of Service


For Orders of Entry for 54 Multiple Dwelling
Unit Buildings in the City of New York.

-----X
I, the undersigned, am an attorney admitted to practice in the Courts of the State of New York, and say that I am a member of The Dweck Law Firm, LLP, the attorneys of record for the Respondent herein.

On September 5, 2014 I served the Respondent's Answer to Petition with Defenses, Verification and Notice of Appearance upon the New York State Public Service Commission, Three Empire State Plaza, Albany New York 12223 via Federal Express and upon Petitioners counsel, Richard Fipphen, Esq. via email at richard.fipphen@verizon.com.

I affirm the foregoing statements are true under the penalties of perjury.

Dated: New York, New York
September 10, 2014



H.P. Sean Dweck

EXHIBIT 7

Sean Dweck

From: Sean Dweck
Sent: Friday, September 5, 2014 3:32 PM
To: richard.fipphen@verizon.com
Subject: Verizon Petition for Entry 54 Units
Attachments: SKMBT_42314090515070.pdf

Richard,

Attached is the response from Diego Beekman to your latest Petition.

As I previously mentioned to you, Diego Beekman owns multiple units in the Bronx. They are all relatively close to each other. I believe I already provided you with a list.

Verizon now has 3 separate Petitions on file with the New York State Public Service Commission.

By this email I am requesting that you combine all of the properties owned by Diego Beekman into one Petition before the Commission and/or consent to consolidation of the pending Petitions with an agreement that all future Petitions would be consolidated as well.

In the event you do not consent, then I will be constrained to file the appropriate motion with the Commission.

Please let me know.

Very truly yours,

H.P. Sean Dweck
The Dweck Law Firm, LLP
10 Rockefeller Plaza
New York, New York 10020
Tel. 212-687-8200 ext.203
Fax 212-697-2521
Email: hpsdweck@dwecklaw.com
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