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Via Electronic Filing

March 8, 2016

Hon. Kathleen H. Burgess
Secretary
State of New York Department
of Public Service
Three Empire State Plaza
Albany, NY 12223-1350

RE: CASE 06-E-1427 - Proceeding on Motion of the Commission to Determine Pole Attachment Rates for Municipal-Owned Poles.

Dear Secretary Burgess:

The Penn Yan Municipal Utilities Board ("Penn Yan") hereby submits for filing revisions to its PSC NO: 1 ELECTRICITY Concurrence Tariff to establish a default pole attachment rate pursuant to the Order on Municipal Pole Attachment Rates ("Rate Order") issued in the above-captioned case on May 9, 2007. The Rate Order established that an \$8.51 proxy pole attachment rate for municipal electric companies is just and reasonable and would be allowed for those municipalities that file tariffs with such proxy rate subject to rebuttal. The Rate Order further held that "if attachers and municipalities agree on a negotiated rate, that rate can be presumed to be just and reasonable and no tariff filing would be required." The instant filing establishes the \$8.51 proxy rate as the default rate for Penn Yan for those instances where the municipality and an attacher cannot agree on a negotiated rate.

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Penn Yan hereby requests a waiver of the requirements of newspaper publication pursuant to Public Service Law (PSL) §66(12)(b) and 16 NYCRR §720-8.1 for this tariff filing because it is, and will continue to be in direct contact with potential pole attachers, each of which is a sophisticated business entity aware of pole attachment procedures and rates.

Please contact the undersigned should you have any questions.

Respectfully submitted,

READ AND LANIADO, LLP
Attorneys for the Penn Yan Municipal
Utilities Board

By: /s/
Konstantin Podolny

Attachment