
NEW YORK STATE
REGISTER

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State agencies must specify in each notice which proposes a rule the last date on which they will accept public comment. Agencies must always accept public comment: for a minimum of 60 days following publication in the *Register* of a Notice of Proposed Rule Making, or a Notice of Emergency Adoption and Proposed Rule Making; and for 45 days after publication of a Notice of Revised Rule Making, or a Notice of Emergency Adoption and Revised Rule Making in the *Register*. When a public hearing is required by statute, the hearing cannot be held until 60 days after publication of the notice, and comments must be accepted for at least 5 days after the last required hearing. When the public comment period ends on a Saturday, Sunday or legal holiday, agencies must accept comment through the close of business on the next succeeding workday.

For notices published in this issue:

- the 60-day period expires on December 6, 2020
- the 45-day period expires on November 21, 2020
- the 30-day period expires on November 6, 2020

**ANDREW M. CUOMO
GOVERNOR**

**ROSSANA ROSADO
SECRETARY OF STATE**

NEW YORK STATE DEPARTMENT OF STATE

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www.dos.ny.gov/info/register.htm



The *New York State Register* (ISSN 0197 2472) is published weekly. Subscriptions are \$80 per year for first class mailing and \$40 per year for periodical mailing. The *New York State Register* is published by the New York State Department of State, One Commerce Plaza, 99 Washington Avenue, Albany, NY 12231-0001. Periodical postage is paid at Albany, New York and at additional mailing offices.

POSTMASTER: Send address changes to NY STATE REGISTER, the Department of State, Division of Administrative Rules, One Commerce Plaza, 99 Washington Avenue, Albany, NY 12231-0001

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NEW YORK STATE REGISTER

Be a part of the rule making process!

The public is encouraged to comment on any of the proposed rules appearing in this issue. Comments must be made in writing and must be submitted to the agency that is proposing the rule. Address your comments to the agency representative whose name and address are printed in the notice of rule making. No special form is required; a handwritten letter will do. Individuals who access the online *Register* (www.dos.ny.gov) may send public comment via electronic mail to those recipients who provide an e-mail address in Notices of Proposed Rule Making. This includes Proposed, Emergency Proposed, Revised Proposed and Emergency Revised Proposed rule makings.

To be considered, comments should reach the agency before expiration of the public comment period. The law provides for a minimum 60-day public comment period after publication in the *Register* of every Notice of Proposed Rule Making, and a 45-day public comment period for every Notice of Revised Rule Making. If a public hearing is required by statute, public comments are accepted for at least five days after the last such hearing. Agencies are also required to specify in each notice the last date on which they will accept public comment.

When a time frame calculation ends on a Saturday or Sunday, the agency accepts public comment through the following Monday; when calculation ends on a holiday, public comment will be accepted through the following workday. Agencies cannot take action to adopt until the day after expiration of the public comment period.

The Administrative Regulations Review Commission (ARRC) reviews newly proposed regulations to examine issues of compliance with legislative intent, impact on the economy, and impact on affected parties. In addition to sending comments or recommendations to the agency, please do not hesitate to transmit your views to ARRC:

Administrative Regulations Review Commission
State Capitol
Albany, NY 12247
Telephone: (518) 455-5091 or 455-2731

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99 Washington Avenue
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KEY: (P) Proposal; (RP) Revised Proposal; (E) Emergency; (EP) Emergency and Proposal; (A) Adoption; (AA) Amended Adoption; (W) Withdrawal

Individuals may send public comment via electronic mail to those recipients who provided an e-mail address in Notices of Proposed Rule Making. This includes Proposed, Emergency Proposed, Revised Proposed and Emergency Revised Proposed rule makings. Choose pertinent issue of the *Register* and follow the procedures on the website (www.dos.ny.gov)

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- 1 / Technical Changes to Correct Cross-References in the Regulations (A)
- 2 / To Expressly Permit Veterinary Technicians to Practice in Horse Racing (P)

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- 3 / Hospital Indigent Care Pool Payment Methodology (EP)

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- 6 / Petitions for Rehearing, Reconsideration and Clarification (A)
- 6 / Gas Metering Equipment (A)
- 6 / Proposal for DLM Procurement (A)
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Each rule making is identified by an I.D. No., which consists of 13 characters. For example, the I.D. No. AAM-01-96-00001-E indicates the following:

AAM -the abbreviation to identify the adopting agency
01 -the *State Register* issue number
96 -the year
00001 -the Department of State number, assigned upon receipt of notice.
E -Emergency Rule Making—permanent action not intended (This character could also be: A for Adoption; P for Proposed Rule Making; RP for Revised Rule Making; EP for a combined Emergency and Proposed Rule Making; EA for an Emergency Rule Making that is permanent and does not expire 90 days after filing.)

Italics contained in text denote new material. Brackets indicate material to be deleted.

Office of Children and Family Services

NOTICE OF ADOPTION

To Implement and Enforce Emergency Health Guidance As Put Forward by the Executive Chamber and DOH

I.D. No. CFS-24-20-00014-A

Filing No. 610

Filing Date: 2020-09-21

Effective Date: 2020-10-07

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Addition of sections 414.15, 415.12, 416.15, 417.15, 418-1.15 and 418-2.15 to Title 18 NYCRR.

Statutory authority: Social Services Law, sections 20(3)(d), 390(2)(d), (2-a) and 410-x(3)

Subject: To implement and enforce emergency health guidance as put forward by the Executive Chamber and DOH.

Purpose: To implement and enforce emergency health guidance as put forward by the Executive Chamber and DOH.

Text or summary was published in the June 17, 2020 issue of the Register, I.D. No. CFS-24-20-00014-EP.

Final rule as compared with last published rule: No changes.

Text of rule and any required statements and analyses may be obtained from: Frank J. Nuara, Associate Attorney, New York State Office of Children and Family Services, 52 Washington Street, Rensselaer, New York 12144, (518) 474-9778, email: regcomments@ocfs.ny.gov

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2023, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

The agency received no public comment.

New York State Gaming Commission

NOTICE OF ADOPTION

Permit Harness Horses to Race Without Qualifying in Extraordinary Circumstances

I.D. No. SGC-22-20-00008-A

Filing No. 612

Filing Date: 2020-09-21

Effective Date: 2020-10-07

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of section 4113.5(a) of Title 9 NYCRR.

Statutory authority: Racing, Pari-Mutuel Wagering and Breeding Law, sections 103(2), 104(1) and (19)

Subject: Permit harness horses to race without qualifying in extraordinary circumstances.

Purpose: To enhance harness racing in New York and promote a reasonable return for government.

Text or summary was published in the June 3, 2020 issue of the Register, I.D. No. SGC-22-20-00008-P.

Final rule as compared with last published rule: No changes.

Text of rule and any required statements and analyses may be obtained from: Kristen M. Buckley, New York State Gaming Commission, One Broadway Center, PO Box 7500, Schenectady, New York 12031-7500, (518) 388-3332, email: gamingrules@gaming.ny.gov

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Technical Changes to Correct Cross-References in the Regulations

I.D. No. SGC-22-20-00009-A

Filing No. 614

Filing Date: 2020-09-22

Effective Date: 2020-10-07

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of sections 5300.1(i), 5325.2(b)(iii), (vii), (xii), 5325.3(a)(7) and 5329.34 of Title 9 NYCRR.

Statutory authority: Racing, Pari-Mutuel Wagering and Breeding Law, sections 103, 104(1), (19) and 1305(20)

Subject: Technical changes to correct cross-references in the regulations.

Purpose: To correct cross-references in the regulations.

Text or summary was published in the June 3, 2020 issue of the Register, I.D. No. SGC-22-20-00009-P.

Final rule as compared with last published rule: No changes.

Text of rule and any required statements and analyses may be obtained from: Kristen M. Buckley, New York State Gaming Commission, One Broadway Center, P.O. Box 7500, Schenectady, New York 12301-7500, (518) 388-3332, email: gamingrules@gaming.ny.gov

Assessment of Public Comment

The agency received no public comment.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

To Expressly Permit Veterinary Technicians to Practice in Horse Racing

I.D. No. SGC-40-20-00001-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: Amendment of sections 4002.1, 4002.7, 4002.8, 4002.11, 4002.14, 4002.20, 4005.1, 4005.5, 4012.1, 4012.4, 4043.11, 4101.24, 4101.37, 4120.6, 4120.9, and 4120.19 of Title 9 NYCRR.

Statutory authority: Racing, Pari-Mutuel Wagering and Breeding Law, sections 103(2), 104(1), (19) and 301(1)

Subject: To expressly permit veterinary technicians to practice in horse racing.

Purpose: To preserve the safety and integrity of pari-mutuel racing while generating reasonable revenue for the support of government.

Substance of proposed rule (Full text is posted at the following State website: <https://www.gaming.ny.gov>): In the Thoroughbred racing rules:

Section 4002.1, titled "Occupational licenses," is amended to add "veterinary technician" to the list of persons in subdivision (b) who may hold an occupational license in order to participate in any thoroughbred race meet; and subdivision (g) is amended to add "veterinary technician" to the list of occupations and to reference the statutory basis and fee amounts for occupational license fees in Racing, Pari-Mutuel Wagering and Breeding Law § 220(1). Original owners, owner renewal, jockey, trainer, assistant trainer, veterinarian and jockey agent are omitted from the list of occupations in the rule because they are in the statute.

Section 4002.7, titled "Term of license," is amended to add "veterinary technician" to the list of occupations whose license may be renewed for three years and to reference the statutory terms of occupational licenses in Racing, Pari-Mutuel Wagering and Breeding Law § 220(1). The statutory terms and payment of fees for applications submitted within six months of one's birthdate are omitted because they are in the statute.

Section 4002.8, titled "Qualifications for license," is amended to omit the statutory factors that should be considered in determining the fitness of an applicant for an occupational license and to reference the statute, Racing, Pari-Mutuel Wagering and Breeding Law § 220(2), which set forth these factors.

Section 4002.11, titled "Refund of fees," is amended to omit language regarding the refund of fees and to insert language that fee refunds are governed by Racing, Pari-Mutuel Wagering and Breeding Law § 220(4).

Section 4002.14, titled "Certain disqualifications," is amended to add "veterinarian technician" to the list of occupations that a licensed owner or trainer may not practice during the term of his or her license.

Section 4002.20, titled "Badge identification system," is amended to make technical revisions.

Section 4005.1, titled "Commission approval required," is amended to add "veterinarian technician" to the list of occupations that require written approval by the commission before the person can begin official duties.

Section 4005.5, titled "Veterinarians restricted," is amended to apply to veterinary technicians employed by the commission or a racetrack the restrictions that govern veterinarians, and to require that a veterinary technician may function only at the direction and under the supervision of a licensed veterinarian who is on the same premises, except that a veterinarian supervising a veterinary technician who is collecting biologic samples for the commission or a racetrack need not be on the premises.

Section 4012.1, titled "Possession of hypodermic equipment and controlled substances," is amended to permit a licensed veterinarian technician under the supervision of a veterinarian to possess hypodermic equipment on race track premises.

Section 4012.4, titled "Records of veterinarian," is amended to add "veterinarian technician" to subdivision (d) as a person who may record the administration of furosemide in a daily report to the commission.

Section 4043.11, titled "Use and disposal of hypodermic syringes and needles," is amended to include "veterinarian technician" among the persons who must ensure hypodermic needles are used only once and are collected, secured and disposed.

In the harness racing rules:

Section 4101.24, titled "Occupational licenses," is amended to add "veterinary technician" to the list of persons who may hold an occupational license in order to participate in any harness race meet, to add "veterinary technician" to the list of occupations, and to omit from the rule and instead reference the statutory basis, terms and fees for occupational licensing in Racing, Pari-Mutuel Wagering and Breeding Law § 309(1). Original owners, owner renewal, jockey, trainer, assistant trainer, veterinarian and jockey agent are omitted from the list of occupations in the rule because they are in the statute.

Section 4101.37, titled "Restrictions on veterinarians and farriers," is amended to apply to veterinary technicians the various restrictions that govern veterinarians, and to require that a veterinary technician may function only at the direction and under the supervision of a licensed veterinarian who is on the same premises, except that a veterinarian supervising a veterinary technician who is collecting biologic samples for the commission or a racetrack need not be on the premises.

Section 4120.6, titled "Possession of hypodermic equipment and controlled substances," is amended to permit a licensed veterinarian technician under the supervision of a veterinarian to possess hypodermic equipment on race track premises.

Section 4120.9, titled "Records of veterinarian," is amended to add "veterinarian technician" to subdivision (d) as a person who can record the administration of furosemide in a daily report to the commission.

Section 4120.19, titled "Use and disposal of hypodermic syringes and needles," is amended to include "veterinarian technician" among the persons who must ensure hypodermic needles are used only once and are collected, secured and disposed.

Non-substantive technical and grammatical amendments are also made to several of the sections.

Text of proposed rule and any required statements and analyses may be obtained from: Kristen M. Buckley, New York State Gaming Commission, 1 Broadway Center, PO Box 7500, Schenectady, New York 12301, (518) 338-3332, email: gamingrules@gaming.ny.gov

Data, views or arguments may be submitted to: Same as above.

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement

1. Statutory authority: The New York State Gaming Commission ("Commission") is authorized to promulgate these rules pursuant to Racing, Pari-Mutuel Wagering and Breeding Law ("Racing Law") Sections 103(2), 104(1, 19), and 301(1). Under Section 103(2), the Commission is responsible for supervising, regulating and administering all horse racing and pari-mutuel wagering activities in the State. Subdivision (1) of Section 104 confers upon the Commission general jurisdiction over all such gaming activities within the State and over the corporations, associations and persons engaged in such activities. Subdivision (19) of Section 104 authorizes the Commission to promulgate any rules and regulations that it deems necessary to carry out its responsibilities. Under Section 301(1), which applies to only harness racing, the Commission is authorized to supervise generally all harness race meetings and to adopt rules to prevent the circumvention or evasion of its regulatory purposes and provisions.

2. Legislative objectives: To preserve the safety and integrity of pari-mutuel racing while generating reasonable revenue for the support of government.

3. Needs and benefits. This rule making is needed to permit and regulate the profession of veterinary technician in horse racing.

Veterinary technician is a regulated profession subject to professional education and licensing requirements. See 8 NYCRR §§ 62.2 - 62.8 (Rules of New York State Department of Education). Veterinary technicians are not, however, mentioned in any current rule of the Commission.

The proposal would create a veterinary technician license category for horse racing, and the regulations that currently apply to veterinarians would be applied to veterinary technicians. The Thoroughbred rules to be amended are 9 NYCRR §§ 4002.1(b, g) (occupational license and fee), 4002.7 (license term); 4002.8 (qualifications), 4002.11 (fee refunds), 4002.14 (conflicts of interest), 4005.1 (Commission approval of racetrack employees), 4005.5 (supervision of veterinary technicians), 4012.1 (possession of hypodermic equipment and drugs at the racetrack), 4012.4 (veterinary records), and 4043.11 (use and disposal of hypodermic syringes and needles). The harness rules to be amended are 9 NYCRR §§ 4101.24(b, d, g) (occupational license and fee); 4101.37 (conflicts of interest and supervision of veterinary technicians), 4120.6 (possession of hypodermic equipment and drugs at the racetrack), 4120.9 (veterinary records) and 4120.19 (use and disposal of hypodermic syringes and needles).

The proposal would also restrict veterinary technicians to function only under the direction and supervision of a licensed veterinarian who is on the same premises. This means that the supervising veterinarian is aware of the horse being treated, has approved the administration of such treatment by the veterinary technician, and is present in the general vicinity. It does not require, however, that such veterinarian personally observe the delivery of the care. There is an exception to the requirement that the supervising veterinarian be on the same premises when the veterinary technician is only collecting biologic samples for the commission or a racetrack. These restrictions are set forth in a new subdivision (b) to NYCRR § 4005.5 (Thoroughbred) and subdivision (d) to NYCRR § 4101.37 (harness). They are referenced in the rules that govern who may possess hypodermic equipment and drugs on the racetrack, 9 NYCRR §§ 4012.1(a) (Thoroughbred) and 4120.6(a) (harness).

These amendments will make it more feasible for horsepersons and racetrack operators to provide appropriate veterinary services, and for the commission and racetracks to collect biologic samples, by permitting the use of less expensive, appropriately supervised veterinarian technicians.

The proposal also makes various technical and grammatical changes.

4. Costs:

(a) Costs to regulated parties for the implementation of and continuing compliance with the rule: These amendments will not add any new mandated costs to the existing rules. There is no cost to the regulated parties by allowing the use of less expensive veterinary technicians.

(b) Costs to the agency, the State and local governments for the implementation and continuation of the rule: None. The amendments will not add any new costs. There will be no costs to local government because the Commission is the only governmental entity authorized to regulate pari-mutuel harness racing.

(c) The information, including the source(s) of such information and the methodology upon which the cost analysis is based: N/A.

5. Local government mandates: None. The Commission is the only governmental entity authorized to regulate pari-mutuel thoroughbred racing activities.

6. Paperwork: There will be no additional paperwork.

7. Duplication: No relevant rules or other legal requirements of the state and/or federal government exist that duplicate, overlap or conflict with this rule.

8. Alternatives: There are no similarly practical alternatives.

9. Federal standards: There are no minimum standards of the Federal government for this or a similar subject area.

10. Compliance schedule: The Commission believes that regulated persons will be able to achieve compliance with the rule upon adoption of this rule.

Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

A regulatory flexibility analysis for small business and local governments, a rural area flexibility analysis, and a job impact statement are not required for this rulemaking proposal because it will not adversely affect small businesses, local governments, rural areas, or jobs.

The proposal will authorize the use of less expensive, appropriately supervised veterinary technicians to make it more feasible for horsepersons and racetrack operators to deliver veterinary care to horses engaged in racing or stabled on the grounds of a licensed racetrack. It will also authorize the use of veterinary technicians to collect biologic samples from race horses.

This rule will not impose an adverse economic impact or reporting, record keeping, or other compliance requirements on small businesses in rural or urban areas or on employment opportunities. No local government activities are involved.

Proposed Action: Amendment of section 86-1.47 of Title 10 NYCRR.

Statutory authority: Public Health Law, section 2807-k(5-d)

Finding of necessity for emergency rule: Preservation of public health.

Specific reasons underlying the finding of necessity: The proposed amendments implement an extension to the methodology that the Department of Health uses to determine the Indigent Care Pool payments, eliminates the transition payment afforded to all hospitals receiving the pool payments, and creates a transition payment pool for Enhanced Safety Net Hospitals as enacted in Public Health Law Sections 2807-k(5-d). Public Health Law Section 2807-k(5-d)(b) provide the Commissioner of Health with authority to issue emergency regulations in order to implement these amendments.

Subject: Hospital Indigent Care Pool Payment Methodology.

Purpose: To develop an indigent care distribution methodology for calendar years through 2022.

Text of emergency/proposed rule: Pursuant to the authority vested in the Commissioner of Health by section 2807-k(5-d) of the Public Health Law, section 86-1.47 of Title 10 (Health) of the Official Compilation of Codes, Rules and Regulations of the State of New York is amended, to be effective upon publication of a Notice of Adoption in the New York State Register, to read as follows:

Subdivision (i) of section 86-1.47 is repealed.

Subdivision (a) of section 86-1.47 is amended by adding paragraphs (1) and (2) to read as follows:

(a) Effective for periods on and after January 1, 2013, payments pursuant to subdivision 5-d of section 2807-k of the Public Health Law shall be made in accordance with the provisions of this section.

(1) *Funds reserved in the Financial Assistance Compliance Pool ("FACP") pursuant to § 2807-k(5-d)(b)(iv) of the Public Health Law for the calendar years 2014 through 2022 shall be distributed to hospitals which demonstrate substantial compliance, as determined by the Commissioner, with the provisions of § 2807-k(9-a) of the Public Health Law (the "financial assistance law" or "FAL").*

(2) *Hospitals which are determined to be in substantial FAL compliance by the end of each calendar year shall receive the following year's FACP funds as soon as practical in such year, in accordance with subdivision (b) of this section.*

Section 86-1.47 is amended by adding subdivisions (i) and (j) to read as follows:

(i) *For the 2019 calendar year, payments shall be made as follows:*

(1) *One hundred thirty nine million four hundred thousand dollars (\$139,400,000) shall be distributed as Medicaid disproportionate share hospital ("DSH") payments to major public general hospitals, including the hospitals operated by public benefit corporations, on the basis of each hospital's uncompensated care nominal need, as determined in accordance with the provisions of subdivision (b) of this section, as a share of the aggregate uncompensated care nominal need for all major public general hospitals, further adjusted by a transition factor that shall be calculated such that no hospital shall experience a reduction in payments pursuant to this section that is greater than seventeen and a half percent less than the average distributions such hospitals received pursuant to § 2807-k of the Public Health Law for the three year period January 1, 2010, through December 31, 2012.*

(2) *Nine hundred ninety four million nine hundred thousand dollars (\$994,900,000) shall be distributed as Medicaid DSH payments to eligible general hospitals, other than major public general hospitals, on the basis of each hospital's uncompensated care need share, as determined in accordance with the provisions of subdivision (b) of this section, further adjusted by a transition factor that shall be calculated such that no hospital shall experience a reduction in payments pursuant to this section that is greater than seventeen and a half percent less than the average distributions such hospitals received pursuant to § 2807-k and § 2807-w of the Public Health Law, excluding academic medical center grants received pursuant to § 2807-k(5-b)(b)(v) of the Public Health Law, and after any reductions made pursuant to § 2807-k(17) of the Public Health Law, for the three year period January 1, 2010, through December 31, 2012.*

(3) *Payments made pursuant to paragraphs (1) and (2) of this subdivision shall be further adjusted such that payments made to hospitals that experience increases in payments, as compared to the average of such payments made pursuant to this section for the three year period January 1, 2010 through December 31, 2012, shall be sufficient, as determined by the Commissioner, to ensure, in conjunction with such other funding as may be made available, the full funding of the transition adjustments described in paragraphs (1) and (2) of this subdivision.*

(j) *For the 2020 through 2022 calendar years, payments shall be made as follows:*

(1) *One hundred thirty nine million four hundred thousand dollars (\$139,400,000) shall be distributed as Medicaid disproportionate share*

Department of Health

EMERGENCY/PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Hospital Indigent Care Pool Payment Methodology

I.D. No. HLT-40-20-00002-EP

Filing No. 611

Filing Date: 2020-09-21

Effective Date: 2020-09-21

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

hospital ("DSH") payments to major public general hospitals, including the hospitals operated by public benefit corporations, on the basis of each hospital's uncompensated care nominal need, as determined in accordance with the provisions of subdivision (b) of this section, as a share of the aggregate uncompensated care nominal need for all major public general hospitals.

(2) The nine hundred sixty-nine million nine hundred thousand dollars (\$969,900,000) shall be distributed as Medicaid DSH payments to eligible general hospitals, other than major public general hospitals, on the basis of each hospital's uncompensated care need share, as determined in accordance with the provisions of subdivision (b) of this section, excluding any reductions made pursuant to § 2807-k(17) of the Public Health Law.

(3) Payments made pursuant to paragraph (2) of this subdivision shall be further adjusted such that such payments made to hospitals shall be subject to an aggregate reduction of one hundred fifty million dollars (\$150,000,000), provided that eligible general hospitals, other than major public general hospitals, that qualify as enhanced safety net hospitals under § 2807-c(34) of the Public Health Law for state fiscal year 2019-2020 shall not be subject to such reduction. The methodology to allocate the reduction shall take into account the payor mix of each voluntary hospital, including the percentage of inpatient days paid by Medicaid. Such methodology will calculate the total public payor mix of each facility and calculate an average public payor mix.

For the purposes of this subparagraph, public payor mix means the percentage of total reported Medicaid and Medicare inpatient days, as reported in Exhibit 32 of the Institutional Cost Report (ICR) for the reporting period two years prior to the distribution year, where Medicaid and Medicare were the primary payors, out of total reported inpatient days which includes all inpatient services but excludes Alternate Level of Care days.

Hospitals exceeding the calculated average of public payor mix will be exempt from reductions pursuant to this subparagraph. Hospitals that fall below the calculated average of public payor mix will be subject to a proportionate reduction pursuant to this subparagraph.

(4) Payments made pursuant to paragraph (2) shall be further adjusted such that sixty-four million six hundred thousand dollars (\$64,600,000) shall be distributed to eligible general hospitals, other than major public general hospitals, that qualify as Enhanced Safety Net Hospitals under § 2807-c(34) of the Public Health Law as of April 1, 2020, and that experience a reduction in indigent care pool payments pursuant to this subdivision when compared to their 2019 ICP payments. Such additional payments shall be calculated to equal the proportional reduction experienced by the facility out of the total decrease experienced by all qualifying Enhanced Safety Net Hospitals multiplied by the sixty-four million six hundred thousand dollars (\$64,600,000).

This notice is intended: to serve as both a notice of emergency adoption and a notice of proposed rule making. The emergency rule will expire December 19, 2020.

Text of rule and any required statements and analyses may be obtained from: Katherine Ceroalo, DOH, Bureau of Program Counsel, Reg. Affairs Unit, Room 2438, ESP Tower Building, Albany, NY 12237, (518) 473-7488, email: regsqna@health.ny.gov

Data, views or arguments may be submitted to: Same as above.

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement

Statutory Authority:

The statutory authorities for this regulation for calendar year (CY) 2019 are contained in Section 2807-k(5-d) of the Public Health Law (PHL), as amended by Section 2 of Part A of Chapter 57 of the Laws of 2018, and Section 3 of Part KK of Chapter 56 of the Laws of 2020. Such section of the Public Health Law requires the Commissioner to promulgate regulations, including emergency regulations, regarding the extension of a distribution methodology to make annual indigent care pool payments to general hospitals for the four-year period January 1, 2019 through December 31, 2022.

Legislative Objectives:

The legislative objective of PHL 2807-k(5-d) is to establish methodologies for the distribution of certain pools of funds to certain hospitals, including an indigent care pool.

Needs and Benefits:

The current regulation contains, for calendar years through 2018, the methodology required to determine a hospital's relative uncompensated care need. It incorporates both uninsured and Medicaid inpatient and outpatient volume, which form the basis for the allocation of a proportional share of the total available pool funds. The proposed amendment would extend this methodology to calendar years 2019 through 2022, in conformance with amendments to PHL Section 2807-k(5-d).

Further, for calendar years through 2022, the new methodology makes necessary spending amendments that conform to federal Disproportionate Share Hospital (DSH) reform guidelines by targeting payments to hospitals that provide a disproportionate share of uncompensated care to the uninsured and Medicaid inpatient and outpatient population. The reform guidelines also aim to strengthen hospital compliance with the Financial Aid Law contained in Section 2807-k(9-a) of the Public Health Law.

The current regulation also includes, for calendar year 2019 only, \$25M in transition payments. This transition payment establishes a minimum payment as a set percentage of the average indigent care pool payments received by the hospital in the years 2010-2012. Hospitals that experience gains have their distributions similarly capped by a set percentage of the average indigent care pool payments received in the years 2010-2012. The proposed amendment would extend the transition payments for another calendar year, in conformance with amendments to PHL Section 2807-k(5-d).

For calendar years 2020-2022, the proposed regulation eliminates the previously utilized transition collar and the corresponding \$25 million used to fund that transition collar. The Voluntary Pool will be reduced by an aggregate \$150 million based on hospitals with a low relative proportion of hospitals covered by public payors. Hospitals defined as Enhanced Safety Net Hospitals (ESNH) under Section 2807-c of the Public Health Law are exempt from this reduction. Additionally, beginning in CY 2020, the establishment of a new \$64.6 million Enhanced Safety Net Transition Collar Pool will ensure that no ESNH experiences severe financial instability resulting from the removal of the transition collar and its associated funding through the Voluntary hospital pool as a result of the updated indigent care distribution methodology for these years. This transition payment will be distributed by taking each voluntary ESNH and comparing its distribution year allocation to their CY 2019 allocation. ESNHs experiencing a reduction will receive a proportional distribution of the total \$64.6 million in funds available. The proposed amendment would extend the ESNH transition payments to calendar years 2020 through 2022, in conformance with amendments to PHL Section 2807-k(5-d).

The current regulation also requires, for calendar years 2019 through 2022, the Commissioner to withhold one percent of the total indigent care pool funds available to distribute to hospitals who demonstrate substantial compliance with the Financial Aid Law in accordance with PHL Section 2807-k(9-a). The proposed amendment would extend the one percent withholding and distribution to hospitals for calendar years 2019 through 2022, in conformance with amendments to PHL Section 2807-k(5-d).

This regulation amendment is necessary to preserve the integrity of the Medicaid program and maintain the Global Cap, while still protecting the facilities that provide necessary services to poor and uninsured patients.

Costs:

Costs to Private Regulated Parties:

There will be no additional costs to private regulated parties. The Department utilizes audited information contained in hospitals' Institutional Cost Reports, which the hospitals are already required to submit to the Department on an annual basis.

Costs to State Government:

There is no increase in Medicaid expenditures anticipated as a result of this proposed amendment. This proposal results in a net savings of \$110.4 million gross (\$55.2 million State share) for calendar years 2020 through 2022.

Costs to Local Government:

Local districts' share of Medicaid costs is statutorily capped; therefore, there will be no additional costs to local governments as a result of this proposed amendment.

Costs to the Department of Health:

There will be no additional administrative costs to the Department of Health as a result of this proposed amendment.

Local Government Mandates:

The proposed amendment does not impose any new programs, services, duties or responsibilities upon any county, city, town, village, school district, fire district or other special district.

Paperwork:

There are no new reporting requirements, forms or additional paperwork as a result of this proposed amendment.

Duplication:

This proposed amendment does not duplicate any existing federal, state or local regulations.

Alternatives:

The Department of Health could have chosen a different method; however, the Department developed the distribution methodology and incorporated recommendations from the ICP workgroup (including representatives from the industry associations representing the hospitals subject to the proposed amendment).

Federal Standards:

The proposed amendment does not exceed any minimum standards of the federal government for the same or similar subject area.

Compliance Schedule:

The proposed amendment grants the Commissioner of Health the authority to withhold one percent of the total indigent care pool funds available for years 2019 through 2022. Hospitals must demonstrate compliance with the provisions of the Financial Aid Law contained in Section 2807-k(9-a) of the Public Health Law to receive their share of the one percent withheld funds. There are no additional compliance efforts required by the hospitals.

Regulatory Flexibility Analysis

Effect of Rule:

For the purpose of this regulatory flexibility analysis, small businesses are general hospitals with 100 or fewer full-time equivalents. Based on recent financial and statistical data extracted from the Institutional Cost Report, five hospitals were identified as employing fewer than 100 employees.

Some hospitals subject to this regulation may see a decrease in their indigent care payments as a result of this regulation.

This rule will have no direct effect on local governments.

Compliance Requirements:

The proposed amendment requires the Commissioner of Health to withhold one percent of the total indigent care pool funds available for years 2019 through 2022. All hospitals must demonstrate compliance with the provisions of the Financial Aid Law as set forth in Section 2807-k(9-a) of the Public Health Law to receive their share of the funds held in this pool. No other compliance efforts are required.

The rule will have no direct effect on local governments.

Professional Services:

No new or additional professional services are required in order to comply with the proposed amendment.

Compliance Costs:

No additional compliance costs are anticipated as a result of this proposed amendment.

Economic and Technological Feasibility:

Small businesses will be able to comply with the economic and technological aspects of this proposed amendment because there are no technological requirements other than the use of existing technology, and the overall economic aspect of complying with the requirements is expected to be minimal.

Minimizing Adverse Impact:

A transition payment will be provided for calendar year 2019 to ensure that no hospital experiences severe financial instability resulting from the methodology. Changes made in calendar years 2020-2022 exclude hospitals defined as Enhanced Safety Net Hospitals and exclude hospitals which serve a high burden of public payor patients from the \$150 million reduction. Additionally, for calendar years 2020 through 2022, the Enhanced Safety Net Transition Collar provides funding to qualifying hospitals to mitigate funding reductions resulting from the removal of the transition collar.

Local districts' share of Medicaid costs is statutorily capped; therefore, there will be no adverse impact to local governments as a result of this proposal.

Small Business and Local Government Participation:

These proposed regulations arise from a change in State law pursuant to Chapter 56 of the Laws of 2020, Part MM. The initiatives were recommended by the MRT II, a group comprised with representatives of LDSS and MMCOs among others, following a series of public meetings where stakeholders had the opportunity to comment and collaborate on ideas to address the efficacy of these services. The State filed Federal Public Notices which were published in the State Register on May 8, 2019 and June 3, 2020, which served as clarifications of State Plan Amendment (SPA) 19-0001 and for SPA 20-0040, respectively. These Notices provide a summary of the action to be taken and instructions as to where the public, including small businesses and local governments, could locate copies of the corresponding proposed State Plan Amendments. The Notices further invited the public to review and comment on the related proposed State Plan Amendments. In addition, contact information for the Department of Health was provided for anyone interested in further information.

Rural Area Flexibility Analysis

Types and Estimated Numbers of Rural Areas:

This rule applies uniformly throughout the state, including rural areas. Rural areas are defined as counties with a population less than 200,000 and counties with a population of 200,000 or greater that have towns with population densities of 150 persons or fewer per square mile. The following 43 counties have a population of less than 200,000 based upon the United States Census estimated county populations for 2010 (<https://www.census.gov/quickfacts/>). Approximately 17% of small health care facilities are located in rural areas.

Allegany County	Greene County	Schoharie County
Cattaraugus County	Hamilton County	Schuyler County
Cayuga County	Herkimer County	Seneca County
Chautauqua County	Jefferson County	St. Lawrence County
Chemung County	Lewis County	Steuben County
Chenango County	Livingston County	Sullivan County
Clinton County	Madison County	Tioga County
Columbia County	Montgomery County	Tompkins County
Cortland County	Ontario County	Ulster County
Delaware County	Orleans County	Warren County
Essex County	Oswego County	Washington County
Franklin County	Otsego County	Wayne County
Fulton County	Putnam County	Wyoming County
Genesee County	Rensselaer County	Yates County
	Schenectady County	

The following counties have a population of 200,000 or greater and towns with population densities of 150 persons or fewer per square mile. Data is based upon the United States Census estimated county populations for 2010.

Albany County	Monroe County	Orange County
Broome County	Niagara County	Saratoga County
Dutchess County	Oneida County	Suffolk County
Erie County	Onondaga County	

Reporting, Recordkeeping and Other Compliance Requirements; and Professional Services:

No new additional professional services are required for providers in rural areas to comply with the proposed amendment. The proposed amendment requires the Commissioner of Health to withhold one percent of the total indigent care pool funds available for years 2019 through 2022. All hospitals must demonstrate compliance with the provisions of the Financial Aid Law as set forth in Section 2807-k(9-a) of the Public Health Law to receive their share of the funds held in this pool. No other compliance efforts are required.

Costs:

No additional compliance costs are anticipated as a result of this proposed amendment.

Minimizing Adverse Impact:

A transition payment will be provided for calendar year 2019 to ensure that no hospital experiences severe financial instability resulting from the methodology. Changes made in calendar years 2020 through 2022 exclude hospitals defined as Enhanced Safety Net Hospitals and exclude hospitals which serve a high burden of public payor patients from the \$150 million reduction. Additionally, for calendar years 2020-2022, the Enhanced Safety Net Transition Collar provides funding to qualifying hospitals to mitigate funding reductions resulting from the removal of the transition collar.

Local districts' share of Medicaid costs is statutorily capped; therefore, there will be no adverse impact to local governments as a result of this proposal.

Rural Area Participation:

The State has filed Federal Public Notices, published in the State Register on May 8, 2019, April 1, 2020, and June 3, 2020. The Notices provided a summary of the action to be taken and instructions as to where the public, including rural area members and local governments, could locate copies of the corresponding proposed State Plan Amendments. The Notices further invited the public to review and comment on the related proposed State Plan Amendments. In addition, contact information for the Department of Health was provided for anyone interested in further information.

Job Impact Statement

A Job Impact Statement is not required pursuant to Section 201-a(2)(a) of the State Administrative Procedure Act. The proposed rule extends the hospital indigent care pool payment methodology for the four-year period January 1, 2019 through December 31, 2022 and will not have a substantial adverse impact on jobs or employment opportunities, nor does it have adverse implications for job opportunities.

Public Service Commission

NOTICE OF ADOPTION

Increase in Annual Revenues

I.D. No. PSC-36-19-00011-A

Filing Date: 2020-09-18

Effective Date: 2020-09-18

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: On 9/17/20, the PSC adopted an order authorizing Fishers Island Electric Corporation (Fishers Island) to increase its annual revenues by \$267,281, an increase of approximately 13.57% in total revenues, effective October 1, 2020.

Statutory authority: Public Service Law, sections 65 and 66

Subject: Increase in annual revenues.

Purpose: To authorize Fishers Island for an increase in annual revenues.

Substance of final rule: The Commission, on September 17, 2020, adopted an order authorizing Fishers Island Electric Corporation (Fishers Island) to increase its annual revenues by \$267,281, an increase of approximately 13.57% in total revenues, effective October 1, 2020. Fishers Island is directed to file a cancellation supplement, effective on not less than one day's notice on or before September 25, 2020, cancelling the tariff amendments listed in Appendix A. Fishers Island is directed to file by September 28, 2020, to become effective on October 1, 2020, further tariff revisions establishing the approved rates and any other tariff changes consistent with the discussion in the body of the order, including, but not limited to Revise Leaf 58 to continue the Purchase Power Adjustment Clause (PPAC) annual reconciliation and discontinue the current collection of \$125,245 included in the PPAC annual reconciliation. Fishers Island shall defer, for the benefit of customers, the amount by which expenses associated with the linemen request fall below \$379,570, as detailed in the body of the order. Fishers Island shall submit a tariff filing, effectuating bill credits to pass back the deferred amount, referenced in Ordering Clause 3, to customers within 90 days of the balance reaching or exceeding \$30,000, subject to the terms and conditions set forth in the order.

Final rule as compared with last published rule: No changes.

Text of rule may be obtained from: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

Assessment of Public Comment

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(19-E-0525SA1)

NOTICE OF ADOPTION

Petitions for Rehearing, Reconsideration and Clarification

I.D. No. PSC-06-20-00017-A

Filing Date: 2020-09-18

Effective Date: 2020-09-18

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: On 9/17/20, the PSC adopted an order approving petitions requesting clarification and denying petitions for rehearing and reconsideration filed by multiple energy service companies (ESCOs) and ESCO entities.

Statutory authority: Public Service Law, sections 5(1), 22, 23, 65(1), (2), (3), 66(2), (3), (5), (8), (9) and (12)

Subject: Petitions for rehearing, reconsideration and clarification.

Purpose: To approve ESCOs' petition for clarification and deny petitions for rehearing and reconsideration.

Substance of final rule: The Commission, on September 17, 2020, adopted an order approving petitions requesting clarification and denying

petitions for rehearing and reconsideration filed by National Energy Marketers Association; Marathon Power LLC d/b/a Marathon Energy, Approved Energy LLC and S.J. Energy Partners, Inc., jointly; Retail Energy Supply Association; Direct Energy Services, LLC; American Power & Gas LLC, Censtar Energy Corp, Eligo Energy NY, LLC, Josco Energy Corp, Kiwi Energy NY LLC, Major Energy Services LLC, Major Energy Electrical Services LLC, Marathon Power LLC d/b/a Marathon Energy, Oasis Power, LLC, Residents Energy, LLC, Respond Power LLC, Spark Energy, LLC, Spark Energy Gas, LLC and Verde Energy USA New York, LLC, jointly; Starion Energy NY, Inc.; New York Retail Choice Coalition; and Family Energy, Inc., subject to the terms and conditions set forth in the order.

Final rule as compared with last published rule: No changes.

Text of rule may be obtained from: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

Assessment of Public Comment

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(15-M-0127SA9)

NOTICE OF ADOPTION

Gas Metering Equipment

I.D. No. PSC-09-20-00005-A

Filing Date: 2020-09-21

Effective Date: 2020-09-21

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: On 9/17/20, the PSC adopted an order approving, with conditions, Consolidated Edison Company of New York, Inc. (Con Edison) and Orange and Rockland Utilities, Inc.'s (O&R) petition to use the Itron 550G Encoder Receiver Transmitter in New York State.

Statutory authority: Public Service Law, section 67(1)

Subject: Gas metering equipment.

Purpose: To approve Con Edison's petition to use the Itron 550G Encoder Receiver Transmitter in New York State.

Substance of final rule: The Commission, on September 17, 2020, adopted an order approving, with conditions, Consolidated Edison Company of New York, Inc. (Con Edison) and Orange and Rockland Utilities, Inc.'s (O&R) petition to use the Itron 550G Encoder Receiver Transmitter for use in residential and commercial gas Advanced Metering Infrastructure metering applications in New York State. The Itron 550G Encoder Receiver Transmitter is not approved for use with Sensus R750 large diaphragm gas meters or Itron Metris residential diaphragm gas meters, subject to the terms and conditions set forth in the order.

Final rule as compared with last published rule: No changes.

Text of rule may be obtained from: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

Assessment of Public Comment

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(20-G-0007SA1)

NOTICE OF ADOPTION

Proposal for DLM Procurement

I.D. No. PSC-16-20-00003-A

Filing Date: 2020-09-17

Effective Date: 2020-09-17

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: On 9/17/20, the PSC adopted an order approving, with modifications, New York State Electric & Gas Corporation's (NYSEG)

proposal establishing consistent program names and requirements for the Dynamic Load Management (DLM) procurements.

Statutory authority: Public Service Law, sections 5(1), (2), 65(1), (5), 66(1), (12), (14) and 74

Subject: Proposal for DLM procurement.

Purpose: To approve, with modifications, NYSEG's proposal for DLM procurement.

Substance of final rule: The Commission, on September 17, 2020, adopted an order approving, with modifications, New York State Electric & Gas Corporation's (NYSEG) proposal establishing consistent statewide program names and requirements for the Dynamic Load Management (DLM) procurements. NYSEG is directed to file tariff amendments, with an effective date of December 1, 2020, detailing the Term- and Auto-DLM programs as cost recovery as described in the body of the order. The tariff amendments are to be made by November 16, 2020 and will go into effect on a temporary basis until made permanent by the Public Service Commission. NYSEG is directed to solicit resources for a 21-hour advance notice peak-shaving Term-DLM Program to be available throughout their service territories beginning in Summer 2021 using a sealed bid, pay as bid auction. NYSEG is directed to solicit resources for a 10 minute advance notice peak-shaving and reliability Auto-DLM Program to be available in utility-specified areas of their service territories beginning in Summer 2021 using a sealed bid, pay as bid auction. NYSEG is directed to annually report on effectiveness of the Term-DLM Program and Auto-DLM Program as described in the body of the order as part of their DLM Program Annual Reports beginning with the report filed to be filed on November 15, 2021. NYSEG is directed to consult with Department of Public Service Staff prior to publishing these solicitations to ensure compliance with the directives in the order, subject to the terms and conditions set forth in the order.

Final rule as compared with last published rule: No changes.

Text of rule may be obtained from: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

Assessment of Public Comment

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(18-E-0130SA5)

NOTICE OF ADOPTION

Proposal for DLM Procurement

I.D. No. PSC-16-20-00005-A

Filing Date: 2020-09-17

Effective Date: 2020-09-17

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: On 9/17/20, the PSC adopted an order approving, with modifications, Orange and Rockland Utilities, Inc.'s (O&R) proposal establishing consistent program names and requirements for the Dynamic Load Management (DLM) procurements.

Statutory authority: Public Service Law, sections 5(1), (2), 65(1), (5), 66(1), (12), (14) and 74

Subject: Proposal for DLM procurement.

Purpose: To approve, with modifications, O&R's proposal for DLM procurement.

Substance of final rule: The Commission, on September 17, 2020, adopted an order approving, with modifications, Orange and Rockland Utilities, Inc.'s (O&R) proposal establishing consistent statewide program names and requirements for the Dynamic Load Management (DLM) procurements. O&R is directed to file tariff amendments, with an effective date of December 1, 2020, detailing the Term- and Auto-DLM programs as cost recovery as described in the body of the order. The tariff amendments are to be made by November 16, 2020 and will go into effect on a temporary basis until made permanent by the Public Service Commission. O&R is directed to solicit resources for a 21-hour advance notice peak-shaving Term-DLM Program to be available throughout their service territories beginning in Summer 2021 using a sealed bid, pay as bid auction. O&R is directed to solicit resources for a 10 minute advance notice peak-shaving and reliability Auto-DLM Program to be available in utility-specified areas of their service territories beginning in Summer 2021 using

a sealed bid, pay as bid auction. O&R is directed to annually report on effectiveness of the Term-DLM Program and Auto-DLM Program as described in the body of the order as part of their DLM Program Annual Reports beginning with the report filed to be filed on November 15, 2021. O&R is directed to consult with Department of Public Service Staff prior to publishing these solicitations to ensure compliance with the directives in the order. O&R is also directed to file cancellation supplements, cancelling the tariff amendments listed in Appendix B, within five days of the issuance of the order, subject to the terms and conditions set forth in the order.

Final rule as compared with last published rule: No changes.

Text of rule may be obtained from: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

Assessment of Public Comment

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(18-E-0130SA3)

NOTICE OF ADOPTION

Proposal for DLM Procurement

I.D. No. PSC-16-20-00006-A

Filing Date: 2020-09-17

Effective Date: 2020-09-17

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: On 9/17/20, the PSC adopted an order approving, with modifications, Rochester Gas and Electric Corporation's (RG&E) proposal establishing consistent program names and requirements for the Dynamic Load Management (DLM) procurements.

Statutory authority: Public Service Law, sections 5(1), (2), 65(1), (5), 66(1), (12), (14) and 74

Subject: Proposal for DLM procurement.

Purpose: To approve, with modifications, RG&E's proposal for DLM procurement.

Substance of final rule: The Commission, on September 17, 2020, adopted an order approving, with modifications, Rochester Gas and Electric Corporation's (RG&E) proposal establishing consistent statewide program names and requirements for the Dynamic Load Management (DLM) procurements. RG&E is directed to file tariff amendments, with an effective date of December 1, 2020, detailing the Term- and Auto-DLM programs as cost recovery as described in the body of the order. The tariff amendments are to be made by November 16, 2020 and will go into effect on a temporary basis until made permanent by the Public Service Commission. RG&E is directed to solicit resources for a 21-hour advance notice peak-shaving Term-DLM Program to be available throughout their service territories beginning in Summer 2021 using a sealed bid, pay as bid auction. RG&E is directed to solicit resources for a 10 minute advance notice peak-shaving and reliability Auto-DLM Program to be available in utility-specified areas of their service territories beginning in Summer 2021 using a sealed bid, pay as bid auction. RG&E is directed to annually report on effectiveness of the Term-DLM Program and Auto-DLM Program as described in the body of the order as part of their DLM Program Annual Reports beginning with the report filed to be filed on November 15, 2021. RG&E is directed to consult with Department of Public Service Staff prior to publishing these solicitations to ensure compliance with the directives in the order, subject to the terms and conditions set forth in the order.

Final rule as compared with last published rule: No changes.

Text of rule may be obtained from: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

Assessment of Public Comment

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(18-E-0130SA6)

NOTICE OF ADOPTION

Proposal for DLM Procurement

I.D. No. PSC-16-20-00007-A

Filing Date: 2020-09-17

Effective Date: 2020-09-17

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: On 9/17/20, the PSC adopted an order approving, with modifications, Niagara Mohawk Power Corporation d/b/a National Grid's (National Grid) proposal establishing consistent program names and requirements for the Dynamic Load Management (DLM) procurements.

Statutory authority: Public Service Law, sections 5(1), (2), 65(1), (5), 66(1), (12), (14) and 74

Subject: Proposal for DLM procurement.

Purpose: To approve, with modifications, National Grid's proposal for DLM procurement.

Substance of final rule: The Commission, on September 17, 2020, adopted an order approving, with modifications, Niagara Mohawk Power Corporation d/b/a National Grid's (National Grid) proposal establishing consistent statewide program names and requirements for the Dynamic Load Management (DLM) procurements. National Grid is directed to file tariff amendments, with an effective date of December 1, 2020, detailing the Term- and Auto-DLM programs as cost recovery as described in the body of the order. The tariff amendments are to be made by November 16, 2020 and will go into effect on a temporary basis until made permanent by the Public Service Commission. National Grid is directed to solicit resources for a 21-hour advance notice peak-shaving Term-DLM Program to be available throughout their service territories beginning in Summer 2021 using a sealed bid, pay as bid auction. National Grid is directed to solicit resources for a 10 minute advance notice peak-shaving and reliability Auto-DLM Program to be available in utility-specified areas of their service territories beginning in Summer 2021 using a sealed bid, pay as bid auction. National Grid is directed to annually report on effectiveness of the Term-DLM Program and Auto-DLM Program as described in the body of the order as part of their DLM Program Annual Reports beginning with the report filed to be filed on November 15, 2021. National Grid is directed to consult with Department of Public Service Staff prior to publishing these solicitations to ensure compliance with the directives in the order, subject to the terms and conditions set forth in the order.

Final rule as compared with last published rule: No changes.

Text of rule may be obtained from: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

Assessment of Public Comment

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(18-E-0130SA4)

NOTICE OF ADOPTION

Petition for Amendments to the ESA

I.D. No. PSC-16-20-00008-A

Filing Date: 2020-09-18

Effective Date: 2020-09-18

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: On 9/17/20, the PSC adopted an order approving New York State Electric & Gas Corporation (NYSEG) and Nucor Steel Auburn, Inc.'s (Nucor) joint petition for the sixth amendment to the Electric Service Agreement (ESA) between NYSEG and Nucor.

Statutory authority: Public Service Law, sections 5(1)(b), 64, 65(1), (2), (3), 66(1), (5), (9), (10), (12) and (12-b)

Subject: Petition for amendments to the ESA.

Purpose: To approve NYSEG and Nucor's joint petition for the sixth amendment to the ESA.

Substance of final rule: The Commission, on September 17, 2020, adopted an order approving New York State Electric & Gas Corporation

(NYSEG) and Nucor Steel Auburn, Inc.'s (Nucor) joint petition for the sixth amendment to the Electric Service Agreement between NYSEG and Nucor, subject to the terms and conditions set forth in the order.

Final rule as compared with last published rule: No changes.

Text of rule may be obtained from: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

Assessment of Public Comment

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(20-E-0142SA1)

NOTICE OF ADOPTION

Proposal for DLM Procurement

I.D. No. PSC-16-20-00009-A

Filing Date: 2020-09-17

Effective Date: 2020-09-17

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: On 9/17/20, the PSC adopted an order approving, with modifications, Central Hudson Gas & Electric Corporation's (Central Hudson) proposal establishing consistent program names and requirements for the Dynamic Load Management (DLM) procurements.

Statutory authority: Public Service Law, sections 5(1), (2), 65(1), (5), 66(1), (12), (14) and 74

Subject: Proposal for DLM procurement.

Purpose: To approve, with modifications, Central Hudson's proposal for DLM procurement.

Substance of final rule: The Commission, on September 17, 2020, adopted an order approving, with modifications, Central Hudson Gas & Electric Corporation's (Central Hudson) proposal establishing consistent statewide program names and requirements for the Dynamic Load Management (DLM) procurements. Central Hudson is directed to file tariff amendments, with an effective date of December 1, 2020, detailing the Term- and Auto-DLM programs as cost recovery as described in the body of the order. The tariff amendments are to be made by November 16, 2020 and will go into effect on a temporary basis until made permanent by the Public Service Commission. Central Hudson is directed to solicit resources for a 21-hour advance notice peak-shaving Term-DLM Program to be available throughout their service territories beginning in Summer 2021 using a sealed bid, pay as bid auction. Central Hudson is directed to solicit resources for a 10 minute advance notice peak-shaving and reliability Auto-DLM Program to be available in utility-specified areas of their service territories beginning in Summer 2021 using a sealed bid, pay as bid auction. Central Hudson is directed to annually report on effectiveness of the Term-DLM Program and Auto-DLM Program as described in the body of the order as part of their DLM Program Annual Reports beginning with the report filed to be filed on November 15, 2021. Central Hudson is directed to consult with Department of Public Service Staff prior to publishing these solicitations to ensure compliance with the directives in the order, subject to the terms and conditions set forth in the order.

Final rule as compared with last published rule: No changes.

Text of rule may be obtained from: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

Assessment of Public Comment

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(18-E-0130SA7)

NOTICE OF ADOPTION

Proposal for DLM Procurement

I.D. No. PSC-16-20-00011-A

Filing Date: 2020-09-17

Effective Date: 2020-09-17

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: On 9/17/20, the PSC adopted an order approving, with modifications, Consolidated Edison Company of New York, Inc.'s (Con Edison) proposal establishing consistent program names and requirements for the Dynamic Load Management (DLM) procurements.

Statutory authority: Public Service Law, sections 5(1), (2), 65(1), (5), 66(1), (12), (14) and 74

Subject: Proposal for DLM procurement.

Purpose: To approve, with modifications, Con Edison's proposal for DLM procurement.

Substance of final rule: The Commission, on September 17, 2020, adopted an order approving, with modifications, Consolidated Edison Company of New York, Inc.'s (Con Edison) proposal establishing consistent statewide program names and requirements for the Dynamic Load Management (DLM) procurements. Con Edison is directed to file tariff amendments, with an effective date of December 1, 2020, detailing the Term- and Auto-DLM programs as cost recovery as described in the body of the order. The tariff amendments are to be made by November 16, 2020 and will go into effect on a temporary basis until made permanent by the Public Service Commission. Con Edison is directed to solicit resources for a 21-hour advance notice peak-shaving Term-DLM Program to be available throughout their service territories beginning in Summer 2021 using a sealed bid, pay as bid auction. Con Edison is directed to solicit resources for a 10 minute advance notice peak-shaving and reliability Auto-DLM Program to be available in utility-specified areas of their service territories beginning in Summer 2021 using a sealed bid, pay as bid auction. Con Edison is directed to annually report on effectiveness of the Term-DLM Program and Auto-DLM Program as described in the body of the order as part of their DLM Program Annual Reports beginning with the report filed to be filed on November 15, 2021. Con Edison is directed to consult with Department of Public Service Staff prior to publishing these solicitations to ensure compliance with the directives in the order. Con Edison is also directed to file cancellation supplements, cancelling the tariff amendments listed in Appendix B, within five days of the issuance of the order, subject to the terms and conditions set forth in the order.

Final rule as compared with last published rule: No changes.

Text of rule may be obtained from: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

Assessment of Public Comment

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(18-E-0130SA2)

NOTICE OF ADOPTION

Tariff Amendments

I.D. No. PSC-22-20-00006-A

Filing Date: 2020-09-18

Effective Date: 2020-09-18

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: On 9/17/20, the PSC adopted an order approving Niagara Mohawk Power Corporation, d/b/a National Grid's (National Grid) tariff amendments to Service Classification No. 4 (SC 4) of P.S.C. No. 220 - Electricity, to become effective October 1, 2020.

Statutory authority: Public Service Law, sections 65 and 66

Subject: Tariff amendments.

Purpose: To approve National Grid's tariff amendments.

Substance of final rule: The Commission, on September 17, 2020, adopted an order approving Niagara Mohawk Power Corporation, d/b/a

National Grid's tariff amendments to Service Classification No. 4 of P.S.C. No. 220 - Electricity, correcting the billing language associated with delivery of New York Power Authority (NYPA) Preservation Power by eliminating a demand ratchet in calculating the quantity of NYPA Preservation Power delivered to a customer, to become effective October 1, 2020, subject to the terms and conditions set forth in the order.

Final rule as compared with last published rule: No changes.

Text of rule may be obtained from: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

Assessment of Public Comment

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(20-E-0232SA1)

NOTICE OF ADOPTION

Tariff Amendments

I.D. No. PSC-24-20-00017-A

Filing Date: 2020-09-21

Effective Date: 2020-09-21

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: On 9/17/20, the PSC adopted an order approving City of Jamestown's (Jamestown) tariff amendments to P.S.C. No. 7—Electricity, to become effective on October 1, 2020.

Statutory authority: Public Service Law, sections 65, 66 and 66-p

Subject: Tariff amendments.

Purpose: To approve Jamestown's tariff amendments.

Substance of final rule: The Commission, on September 17, 2020, adopted an order approving City of Jamestown's (Jamestown) tariff amendments to P.S.C. No. 7 - Electricity, relating to billing information for residential rental premises, to become effective on October 1, 2020. Jamestown is directed to inform its residential customers about the tariff amendments via website postings, social media, and bill messaging. These communications shall occur within 90 days of the issuance of the order. Jamestown is also directed to update its communication material to include ongoing messaging regarding PSL § 66-p, within 90 days of the issuance of the order, subject to the terms and conditions set forth in the order.

Final rule as compared with last published rule: No changes.

Text of rule may be obtained from: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

Assessment of Public Comment

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(20-M-0029SA14)

NOTICE OF ADOPTION

Petition for Transfer of Control and Lightened Regulation

I.D. No. PSC-24-20-00019-A

Filing Date: 2020-09-21

Effective Date: 2020-09-21

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: On 9/17/20, the PSC adopted an order approving Enwave Syracuse LLC, et. al.'s (Enwave) petition to transfer control over the operation and maintenance of the Syracuse University Steam System (SUSS) and for a lightened regulatory regime.

Statutory authority: Public Service Law, sections 2(22), 5(1)(c), 78, 79, 80, 81, 82, 82-a, 83, 84, 85, 88, 89, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 114-a, 115, 117, 118, 119-a, 119-b and 119-c

Subject: Petition for transfer of control and lightened regulation.

Purpose: To approve Enwave, et. al.'s petition for transfer of control and lightened regulation.

Substance of final rule: The Commission, on September 17, 2020, adopted an order approving Enwave Syracuse LLC, Syracuse Energy Concessionaire LLC (collectively, the Concessionaire), Enwave USA Holdings LLC and Syracuse University's (SU) petition to transfer control over the operation and maintenance of the Syracuse University Steam System (SUSS), granting SU the right to exercise three additional municipal road use agreements, on a prospective basis, in connection with its continued ownership of the SUSS, and authorizing a lightened regulatory regime in connection with Concessionaires' operation of the SUSS, subject to the terms and conditions set forth in the order.

Final rule as compared with last published rule: No changes.

Text of rule may be obtained from: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

Assessment of Public Comment

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(20-S-0196SA1)

NOTICE OF ADOPTION

Tariff Amendments

I.D. No. PSC-25-20-00013-A

Filing Date: 2020-09-21

Effective Date: 2020-09-21

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: On 9/17/20, the PSC adopted an order approving Pennsylvania Electric Company's (Penn. Electric) tariff amendments to P.S.C. No. 7 — Electricity, to become effective on October 1, 2020.

Statutory authority: Public Service Law, sections 65, 66 and 66-p

Subject: Tariff amendments.

Purpose: To approve Penn. Electric's tariff amendments.

Substance of final rule: The Commission, on September 17, 2020, adopted an order approving Pennsylvania Electric Company's (Penn. Electric) tariff amendments to P.S.C. No. 7 — Electricity, relating to billing information for residential rental premises, to become effective on October 1, 2020. Penn. Electric is directed to inform its residential customers about the tariff amendments via website postings, social media, and bill messaging. These communications shall occur within 90 days of the issuance of the order. Penn. Electric is also directed to update its communication material to include ongoing messaging regarding PSL § 66-p, within 90 days of the issuance of the order, subject to the terms and conditions set forth in the order.

Final rule as compared with last published rule: No changes.

Text of rule may be obtained from: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

Assessment of Public Comment

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(20-M-0029SA15)

NOTICE OF ADOPTION

Transfer of Street Lighting Facilities

I.D. No. PSC-25-20-00020-A

Filing Date: 2020-09-18

Effective Date: 2020-09-18

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: On 9/17/20, the PSC adopted an order approving Niagara

Mohawk Power Corporation d/b/a National Grid's (National Grid) petition to transfer street lighting facilities located within the Village of Homer, to the Village of Homer.

Statutory authority: Public Service Law, sections 5, 65, 66 and 70(1)

Subject: Transfer of street lighting facilities.

Purpose: To approve National Grid's petition to transfer street lighting facilities to the Village of Homer.

Substance of final rule: The Commission, on September 17, 2020, adopted an order approving Niagara Mohawk Power Corporation d/b/a National Grid's petition to transfer street lighting facilities located within the Village of Homer, to the Village of Homer. The authority is granted for one year from the issuance of the order and shall expire if the transaction does not occur within that time period, subject to the terms and conditions set forth in the order.

Final rule as compared with last published rule: No changes.

Text of rule may be obtained from: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

Assessment of Public Comment

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(20-E-0242SA1)

NOTICE OF ADOPTION

Increase in Escrow Account Surcharge

I.D. No. PSC-26-20-00009-A

Filing Date: 2020-09-21

Effective Date: 2020-09-21

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: On 9/17/20, the PSC adopted an order approving, with modifications, River Road Water District's (River Road) petition to increase the maximum surcharge of its escrow account from \$50 semi-annually to \$100 semi-annually.

Statutory authority: Public Service Law, sections 4(1), 5(1)(f), 89-c(1), (3), (10)(a), (b) and (f)

Subject: Increase in escrow account surcharge.

Purpose: To approve, with modifications, River Road's petition for an increase in its escrow account surcharge.

Substance of final rule: The Commission, on September 17, 2020, adopted an order approving, with modifications, River Road Water District's (River Road) petition to increase the maximum surcharge of its escrow account from \$50 semi-annually to \$100 semi-annually. The Commission also denies the establishment of a one-time surcharge of \$137.48 and an increase to the escrow account's maximum balance from \$4,000 to \$8,000. River Road is directed to file, on not less than one day's notice and to become effective October 1, 2020, Escrow Account Statement No. 2 to P.S.C. No. 2 – Water, in the form shown in the Appendix to the order. River Road is authorized to apply the surcharge identified in Escrow Account Statement No. 2 to customer bills starting with the first billing period following the issuance of the order, which is the January 2021 billing period, subject to the terms and conditions set forth in the order.

Final rule as compared with last published rule: No changes.

Text of rule may be obtained from: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

Assessment of Public Comment

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(20-W-0269SA1)

NOTICE OF ADOPTION

Petition for Waiver

I.D. No. PSC-26-20-00010-A

Filing Date: 2020-09-22

Effective Date: 2020-09-22

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: On 9/17/20, the PSC adopted an order approving State Telephone Company's (State Tel) petition for a temporary waiver of 16 NYCRR 602.10(a) and 602.10(b), relating to the distribution of printed telephone directories.

Statutory authority: Public Service Law, section 94(2)

Subject: Petition for waiver.

Purpose: To approve State Tel's petition for a waiver.

Substance of final rule: The Commission, on September 17, 2020, adopted an order approving State Telephone Company's petition for a temporary waiver of 16 NYCRR 602.10(a) and 602.10(b) to temporarily discontinue hard copy blanket distribution of paper directories, while maintaining an option for customers to request paper delivery at no charge. The waiver is granted up to and including July 31, 2021, subject to the terms and conditions set forth in the order.

Final rule as compared with last published rule: No changes.

Text of rule may be obtained from: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

Assessment of Public Comment

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(20-C-0281SA1)

NOTICE OF ADOPTION

Tariff Amendments

I.D. No. PSC-27-20-00004-A

Filing Date: 2020-09-22

Effective Date: 2020-09-22

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: On 9/17/20, the PSC adopted an order approving National Fuel Gas Distribution Corporation's (NFG) tariff amendments to P.S.C. No. 9 — Gas, to become effective on October 1, 2020.

Statutory authority: Public Service Law, sections 65 and 66

Subject: Tariff amendments.

Purpose: To approve NFG's tariff amendments.

Text or summary was published in the July 8, 2020 issue of the Register, I.D. No. PSC-27-20-00004-P.

Substance of final rule: The Commission, on September 17, 2020, adopted an order approving National Fuel Gas Distribution Corporation's tariff amendments to P.S.C. No. 9 — Gas, to modify its proration methodology used to allocate customer usage when rate changes occur during a customer's billing period, to become effective on October 1, 2020, subject to the terms and conditions set forth in the order.

Text of rule may be obtained from: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

Assessment of Public Comment

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(20-G-0268SA1)

PROPOSED RULE MAKING
NO HEARING(S) SCHEDULEDNYSEG's Petition for a Proposed Non-Pipeline Alternatives
Portfolio of Projects and Associated Budget

I.D. No. PSC-40-20-00003-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: The Commission is considering a petition filed by New York State Electric & Gas Corporation (NYSEG) on September 1, 2020, seeking implementation and funding authorization from the Commission for non-pipeline alternatives in the Lansing Service Area.

Statutory authority: Public Service Law, sections 5(2), 65 and 66

Subject: NYSEG's petition for a proposed Non-Pipeline Alternatives portfolio of projects and associated budget.

Purpose: To provide for continued service reliability and to meet customer energy needs while addressing greenhouse gas reduction goals.

Substance of proposed rule: The Public Service Commission is considering a petition filed on September 1, 2020 by New York State Electric & Gas Corporation (NYSEG or Company) seeking implementation and funding authorization from the Commission for a Non-Pipe Alternative (NPA) portfolio of projects to address gas demand and reliability issues in its Ithaca division, and in particular, the Lansing service area.

The Commission through its November 16, 2017 Order (Compressor Project Order) in Case 17-G-0432, directed NYSEG to issue a Non-Pipe Alternatives Request for Proposals. The Company now seeks authorization to undertake the NPA portfolio of projects and recovery of the associated costs to address reliability issues associated in its Lansing service area. NYSEG proposes a \$9.6 million budget to fund a total of seven projects that include: (1) multiple heat pump proposals that are coupled with energy efficiency solutions for residential and commercial type customers; (2) a community loop ground source heat pump project coupled with additional gas energy efficiency solutions; (3) energy efficiency improvements for two local schools; (4) an individual industrial heat recovery project reducing existing gas demand; and (5) an education and outreach program through school-based education, as well as community outreach for customers switching to electric heat pumps for space and/or water heating needs.

The proposed budget includes the cost of proposals the Company seeks to implement, and each project would include measurement and verification requirements with specific performance measures. The Commission may grant or deny, in whole or in part, the Petition For Approval of Non-Pipe Alternatives, and will consider how reliability of the natural gas system in Tompkins County may be impacted by the projects and may address other related issues.

The full text of the petition and the full record of the proceeding may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject or modify, in whole or in part, the action proposed and may resolve related matters.

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov

Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: secretary@dps.ny.gov

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(17-G-0432SP2)

PROPOSED RULE MAKING
NO HEARING(S) SCHEDULED

Minor Rate Filing

I.D. No. PSC-40-20-00004-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: The Commission is considering a proposal filed by Bristol Water Works Corporation to increase its annual revenues by about \$139,009 or 104.1% and to request temporary rates during the pendency of the rate case.

Statutory authority: Public Service Law, sections 4(1), 5(1)(f), 89-c(1), (3), (10)(a), (b), (f) and 114

Subject: Minor rate filing.

Purpose: To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.

Substance of proposed rule: The Commission is considering a proposal filed by Bristol Water Works Corporation (Bristol or the Company) on August 21, 2020 to amend its tariff schedule, P.S.C. No. 3 – Water, to increase its annual revenues by approximately \$139,009 or 104.1%.

The Company states that the revenue increase is necessary to cover current and projected increases to operating expenses, which the Company believes was not correctly expressed in the last rate case. The Company states that, because of the lack of the funds necessary to cover operating costs, it has resorted to borrowing against a line-of-credit.

The Company also asserts that it is facing a significant revenue deficit due to the loss of a majority of the commercial customer base resulting from the loss of business related to the outbreak of COVID-19. The commercial customers in question make up a large percentage of the customer base in terms of revenues and have either already ceased operation or plan to do so by the end of 2020. The Company has also requested the implementation of temporary rates on an emergency basis for the pendency of the rate case review pursuant to Public Service Law § 114.

The full text of the minor rate filing and the full record of the proceeding may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject or modify, in whole or in part, the action proposed and may resolve related matters.

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov

Data, views or arguments may be submitted to: Michelle Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6517, email: secretary@dps.ny.gov

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(20-W-0423SP1)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Electric Generation Facility Cessation Mitigation Program Funding

I.D. No. PSC-40-20-00005-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: The Public Service Commission is considering a rulemaking action to develop a mechanism to provide a stable source of funding for the Electric Generation Facility Cessation Mitigation Program.

Statutory authority: Public Service Law, sections 4(1), 5(1)(b), 65(1), 66(1), (5) and (12)

Subject: Electric Generation Facility Cessation Mitigation Program Funding.

Purpose: To develop a funding mechanism for the Electric Generation Facility Cessation Mitigation Program.

Substance of proposed rule: The Public Service Commission (Commission) is considering a rulemaking action to develop a mechanism to provide a stable source of funding for the Electric Generation Facility Cessation Mitigation Program (Mitigation Program), following the recent April 8, 2020 amendment of the State Energy Plan.

As discussed in the State Energy Plan, New York's electric generation fleet will undergo a transition in the coming years as a result of market forces, State policies, and the advent of the Climate Leadership and Community Protection Act (CLCPA). Power plant host communities may apply to the Mitigation Program -- which was established by State law in

2015 and is administered by Empire State Development (ESD) in consultation with the New York State Energy Research and Development Authority (NYSERDA) -- for transitional support to alleviate financial losses associated with an electric generation facility's retirement and reduction in tax revenues or payments in lieu of taxes (PILOT). Given the transition, the Mitigation Program is expected to see more applications and distributions than were envisioned when it was initially established. While the size of any potential funding requests from communities, excluding those on Long Island and in LIPA's service territory, will depend on future closures and property tax impacts therefrom, preliminary projections based on currently known plant closures indicate that approximately \$12.5 million per year (or approximately 0.077% of annual electric revenues statewide) beginning in or about April 2022 will be necessary in order to provide eligible communities with financial support from the Mitigation Program; though it is anticipated that this amount may need to be adjusted from time to time as necessary to respond to future developments. To account for such changes since the onset of the Mitigation Program, the State Energy Planning Board recently amended the State Energy Plan to direct the Commission to develop a process to consider a mechanism for providing a stable source of funding for the Mitigation Program. This Mitigation Program will not apply to LIPA or its customers and host communities because LIPA and its customers do not contribute to this additional funding. LIPA has its own program to mitigate the impact of reduction in tax revenues in its service territory and has already offered that program to its host communities.

As part of this process, the Commission will consider whether to modify existing funding mechanisms or develop a new mechanism. Potential options that the Commission may consider include:

1. authorize the funding of the Mitigation Program within existing clean energy program collection levels, including uncommitted funds, that have been allocated to NYSERDA from the System Benefit Charge (SBC), supporting Clean Energy Fund (CEF) Portfolios as well as legacy portfolios (SBC III and IV, Renewable Portfolio Standard (RPS), and Energy Efficiency Portfolio Standard (EEPS));

2. authorize funding of the Mitigation Program through the renewable component of the Clean Energy Standard (CES) program administered by NYSERDA;

3. authorize additional incremental collections via the SBC surcharge the CEF to support the Mitigation Program;

4. some combination of options 1, 2, or 3 – a combination of existing funds and increased collections; or

5. development of an alternative, new means to collect funds to support the Mitigation Program.

Input is requested on these potential funding mechanisms as well as the following questions regarding the implementation and oversight of these funds. Responses may assist the Commission in determining what, if any, subsequent actions should be taken, which may include refinements to existing policies or establishing new policies.

1. Reporting and Controls: What type and frequency of financial reporting should be made to the Commission regarding the transfers of funds to, and award and distribution of funds from, the Mitigation Program? What financial controls should pertain to a specific, dedicated account at ESD for Mitigation Program funds supported by such a funding mechanism? What type of reconciliation process should be considered?

2. Annual Projections and Subsequent Commission Review: When should projections of the Mitigation Program's expected annual payments be prepared and submitted to the Commission? Should the Commission also establish a schedule for periodic review of the Mitigation Program and/or a financial percentage threshold for anticipated future program payments that, if exceeded, would result in additional Commission review and approval?

3. Sunset Date: Should the Commission establish a date by which the funding mechanism would end?

4. If the CEF funding mechanism were pursued, should a new portfolio be created therein or should a new program be created within in one of the existing portfolios to support the Mitigation Program in response to evolving market and regulatory changes?

The full text of the Clean Energy Fund (14-M-0094), the Clean Energy Standard (15-E-0302), and the full record of those proceedings may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. Information about the April 2020 State Energy Plan amendment is available at: <https://energyplan.ny.gov/The-Board/Board-Meetings>. Information about ESD's Mitigation Program is available at: <https://esd.ny.gov/electric-generation-facility-cessation-mitigation-program>.

The Commission may adopt, reject, or modify, in whole or in part, the action proposed and may resolve related matters.

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov

Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: secretary@dps.ny.gov

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(20-E-0473SP1)

**PROPOSED RULE MAKING
NO HEARING(S) SCHEDULED**

Waiver of Tariff Rules and a Related Commission Regulation

I.D. No. PSC-40-20-00006-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: The Public Service Commission is considering a petition filed by Cimato Enterprises Inc. for waiver of Niagara Mohawk Power Corporation d/b/a National Grid tariff rules regarding the extension of electric lines.

Statutory authority: Public Service Law, sections 65 and 66

Subject: Waiver of tariff rules and a related Commission regulation.

Purpose: To consider whether a waiver of tariff rules and a Commission regulation are just and reasonable and in the public interest.

Substance of proposed rule: The Public Service Commission (Commission) is considering a petition filed on September 2, 2020 by Cimato Enterprises Inc. (Petitioner), requesting a six to eight month extension of the time be allowed by Niagara Mohawk Power Corporation d/b/a National Grid (National Grid) to energize the remaining lots of the Petitioner's residential development, Evergreen Landing Phase 2.

The Commission's regulations at 16 NYCRR § 100.3 provide that a non-residing applicant for electric service must provide a deposit to the utility equal to the estimated cost of construction. The deposit is returned to the applicant, on a pro rata basis, as each new customer takes service from the utility. Part 100.3(b) provides that any portion of the deposit remaining unrefunded five years after the date the utility is first ready to render service shall be retained by the utility. Further, upon the mutual agreement of both a utility and an applicant, a bond may be posted in lieu of any deposit. National Grid's electric tariff, PSC 220, Rule 16.6, incorporates the Commission's regulation, and provides that the deposit can take the form of a letter of credit upon which National Grid can draw, if the lots are not energized within the five-year period.

The Evergreen landing Phase 2 development consists of 59 lots. The five-year development period expires on October 2, 2020. As of August 5, 2020, three lots have not yet been energized. The balance that National Grid would collect from the letter of credit related to these three lots is approximately \$4,160.88. Petitioner requests a six to eight month extension of the development period due to the shutdown of the construction industry in the Spring of 2020 as a result of COVID-19.

The full text of the petition and the full record of the proceeding may be viewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject, or modify, in whole or in part, the action proposed and may resolve related matters.

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov

Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: secretary@dps.ny.gov

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(20-E-0439SP1)

**PROPOSED RULE MAKING
NO HEARING(S) SCHEDULED**

Partial Waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process

I.D. No. PSC-40-20-00007-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: The Commission is considering a petition filed on September 9, 2020 by Mpower Energy LLC for a partial waiver of the Commission's December 12, 2019 Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.

Statutory authority: Public Service Law, sections 5(1)(b), 65(1), (2), (3), 66(1), (2), (3), (5) and (8)

Subject: Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.

Purpose: To consider whether the petitioner should be permitted to offer green gas and home warranty products to mass market customers.

Substance of proposed rule: The Public Service Commission (Commission) is considering a petition filed on September 9, 2020 by Mpower Energy LLC (Mpower) for a partial waiver of the Commission's Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process, issued on December 12, 2019 in Case 15-M-0127, et al. (December 2019 Order).

The December 2019 Order, among other things, limited the types of products that energy service companies (ESCOs) can offer to New York mass market customers to those products that: (1) include a guaranteed savings over the utility price, as reconciled on an annual basis; (2) are for a fixed-rate commodity product that is priced at no more than 5% greater than the trailing 12-month average utility supply rate; and, (3) are for a renewably sourced electric commodity product that (a) has a renewable mix that is at least 50% greater than the ESCO's current Renewable Energy Standard (RES) obligation, and (b) the ESCO complies with the RES locational and delivery requirements when procuring Renewable Energy Credits (RECs) or entering into bilateral contracts for renewable commodity supply. Additionally, the December 2019 Order allowed for an additional product to be offered by Agway Energy Services, LLC (Agway) who provides customers with its EnergyGuard service. The December 2019 Order provided a limited opportunity for other ESCOs to petition the Commission for the opportunity to sell a product/service similar to EnergyGuard.

Mpower requests that the Commission waive portions of the December 2019 Order and permit it to offer home warranty and green gas products to mass market customers in New York. Mpower also requests additional time to comply with the December 2019 Order.

With respect to green gas products, Mpower asserts that such products should be permitted under the December 2019 Order. Alternatively, Mpower requests a waiver from the Commission authorizing Mpower to sell any and all green gas products approved by the Commission in response to petitions filed by any ESCO in these proceedings. More specifically, Mpower describes one type of green gas product already proposed by other ESCOs that would match a percentage of a customer's natural gas consumption with carbon allowances from the Regional Greenhouse Gas Initiative (RGGI). Mpower proposes to multiply a customer's natural gas consumption in Million British Thermal Units by 117 to identify the number of pounds of carbon dioxide being produced by that customer. Then, Mpower continues, that number is divided by two to determine the total number of pounds of carbon dioxide needed to offset 50 percent of the customer's usage. Mpower proposes to aggregate customers and offset each ton of carbon dioxide with RGGI allowances. Mpower proposes to demonstrate its compliance with this voluntary commitment on annual basis by either retiring RGGI allowances or holding them in a designated segregated account used solely for RGGI allowances on green gas products. Mpower also describes a natural gas product that includes the purchase of RECs equivalent to half the energy content of natural gas usage at the home. To offer such a product, Mpower explains, natural gas usage is converted to electricity by an electrification factor equal to 0.293 MWh/dekatherm. Mpower asserts that green gas products allow consumers the ability to offset some of the environmental impacts associated with home energy usage.

Mpower further requests a waiver to offer any and all home warranty products approved by the Commission in the December 2019 Order and/or in response to petitions filed by any ESCO, including Mpower's home warranty product. It's home warranty product, Mpower asserts, is substantially similar to the Agway home warranty product approved in the December 2019 Order and likewise should be approved. According to

Mpower, its proposed home warranty product provides customers with a warranty covering parts and labor for certain repairs of heating and/or cooling equipment and household wiring in the event of mechanical failure. Mpower states that customers enrolled in its home warranty product would be able to contact Mpower directly by telephone, or online, 24 hours a day, 7 days a week, 365 days a year to report covered problems. Once a problem is reported, Mpower continues, a licensed, bonded, and thoroughly screened service technician in the vicinity of the customer's residence would then be dispatched to respond to the service request. Mpower further states that its home warranty product covers the cost of parts and labor up to \$1000 on an annual basis. Mpower explains that it charges a \$150 deductible as a deterrent against unwarranted service calls and to defray the parking costs associated with each service call.

Mpower asserts that its home warranty product provides measurable benefits in relation to its costs in that it provides free-of-charge repair and/or replacement of equipment up to \$1000 on an annual basis. Moreover, Mpower states that its home warranty product will be competitively priced at \$20-\$50 per month. While Mpower asserts that it does not anticipate increases to its existing rates in order to bundle this home warranty product with commodity service, it states that price increases may be necessary to offer such a product. According to Mpower, the proposed home warranty product enhances the value of traditional utility services to customers and offers quantifiable value through peace of mind by covering the cost of most parts and repairs to home energy equipment. Mpower argues that warranty protection is even more essential now in light of the ongoing coronavirus health crisis.

The full text of the petition and the full record of the proceeding may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject or modify, in whole or in part, the action proposed and may resolve related matters.

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov

Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6517, email: secretary@dps.ny.gov

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(15-M-0127SP28)

**PROPOSED RULE MAKING
NO HEARING(S) SCHEDULED**

A Benefit for Electric Utility Customers in Communities That Host a Major Renewable Energy Facility

I.D. No. PSC-40-20-00008-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: The Commission is considering the Department of Public Service Staff Host Community Benefit Proposal, filed on or about September 22, 2020.

Statutory authority: Public Service Law, sections 65, 66; Accelerated Renewable Energy Growth and Community Benefit Act, section 8

Subject: A benefit for electric utility customers in communities that host a major renewable energy facility.

Purpose: To consider a just and reasonable benefit for electric utility customers in renewable host communities.

Substance of proposed rule: The Public Service Commission (Commission) is considering the Staff Host Community Benefit Proposal (Proposal), filed on or about September 22, 2020. The Accelerated Renewable Energy Growth and Community Benefit Act (Act) requires the Commission to consider a "Host Community Benefit Program" to provide benefits to utility customers in Host Communities in which future "Major Renewable Energy Facilities" are located.

Under the Proposal, the term "Major Renewable Energy Facilities" would generally refer to generating facilities with a nameplate capacity of 25,000 kilowatts or more for which the New York state Energy Research

and Development Authority (NYSERDA) has executed an agreement for the acquisition of environmental attributes related to a solicitation issued by NYSERDA. The proposal also defines that term "Host Community" to mean a town or city in which a Major Renewable Energy Facility is located.

The Proposal describes a pathway towards implementing a program that would carry out the Act's directives while balancing the interests of stakeholders including Host Communities, the owners of Major Renewable Energy Facilities, and electric utility ratepayers statewide. Specifically, the Proposal states that residential electric utility customers residing in a Host Community would receive an annual bill credit for each of the first ten years that a Major Renewable Energy Facility operates in that community. Funding for the bill credits would be provided by the owners of the major solar and wind renewable energy facilities by paying an annual fee of \$500 per megawatt (MW) and \$1,000 per MW, respectively, of nameplate capacity. The fees paid by a Major Renewable Energy Facility would be distributed equally among the residential utility customers within the Host Community of the facility.

The full text of the proposal and the full record of the proceeding may be viewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject, or modify, in whole or in part, the action proposed and may resolve related matters.

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov

Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: secretary@dps.ny.gov

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(20-E-0249SP1)

**PROPOSED RULE MAKING
NO HEARING(S) SCHEDULED**

Amendments Clarifying the Sharing of Revenue from the Energy Storage Program

I.D. No. PSC-40-20-00009-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: The Commission is considering a petition by Consolidated Edison Company of New York, Inc. to modify its electric tariff regarding the sharing between customers and shareholders under the Energy Storage Program when wholesale revenues exceed contract costs.

Statutory authority: Public Service Law, sections 65 and 66

Subject: Amendments clarifying the sharing of revenue from the Energy Storage Program.

Purpose: To ensure that Con Edison's tariff is clear regarding sharing of revenue when annual wholesale revenues exceed contract costs.

Substance of proposed rule: The Commission is considering a petition filed by Consolidated Edison Company of New York, Inc. (Con Edison or the Company) on September 4, 2020, proposing to amend its electric tariff schedule, P.S.C. No. 10 and PASNY Tariff P.S.C. No. 12, regarding the cost recovery for the Energy Storage Program.

The Commission's Order Establishing Energy Storage Goals and Deployment Policy, issued December 13, 2018 in Case 18-E-0130 (2018 Order) directed the Company to file tariff amendments necessary to effectuate cost recovery of the contract costs related to the procurement of energy storage. In compliance with the 2018 Order, the Company filed tariff amendments on April 11, 2019 to provide for the recovery of all costs related to storage procurements.

By the proposed tariff amendments filed on September 4, 2020, Con Edison seeks to modify the tariff provisions related to such energy storage cost recovery by clarifying that when annual wholesale revenues exceed the contract costs, the difference in revenues will be shared between customers and shareholders with 70 percent shared with customers and 30 percent with shareholders, as authorized by the 2018 Order. The proposed amendments have an effective date of January 1, 2021.

The full text of the petition and the full record of the proceeding may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject or modify, in whole or in part, the action proposed and may resolve related matters.

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov

Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: secretary@dps.ny.gov

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(20-E-0444SP1)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Partial Waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process

I.D. No. PSC-40-20-00010-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: The Commission is considering a petition filed by Constellation NewEnergy—Gas Division, LLC and Constellation New Energy, Inc. for a partial waiver of the Commission's December 12, 2019 Order.

Statutory authority: Public Service Law, sections 5(1)(b), 65(1), (2), (3), 66(1), (2), (3), (5) and (8)

Subject: Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.

Purpose: To consider whether the petitioner should be permitted to offer green gas and home warranty products to mass market customers.

Substance of proposed rule: The Public Service Commission (Commission) is considering a petition filed on September 15, 2020 by Constellation NewEnergy – Gas Division, LLC and Constellation NewEnergy, Inc. (collectively, Constellation) for a partial waiver of the Commission's Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process, issued on December 12, 2019 in Case 15-M-0127, et al. (December 2019 Order).

The December 2019 Order, among other things, limited the types of products that energy service companies (ESCOs) can offer to New York mass market customers to those products that: (1) include a guaranteed savings over the utility price, as reconciled on an annual basis; (2) are for a fixed-rate commodity product that is priced at no more than 5% greater than the trailing 12-month average utility supply rate; and, (3) are for a renewably sourced electric commodity product that (a) has a renewable mix that is at least 50% greater than the ESCO's current Renewable Energy Standard (RES) obligation, and (b) the ESCO complies with the RES locational and delivery requirements when procuring Renewable Energy Credits (RECs) or entering into bilateral contracts for renewable commodity supply. Additionally, the December 2019 Order allowed for an additional product to be offered by Agway Energy Services, LLC (Agway) who provides customers with its EnergyGuard service. The December 2019 Order provided a limited opportunity for other ESCOs to petition the Commission for the opportunity to sell a product/service similar to EnergyGuard.

Constellation requests that the Commission waive portions of the December 2019 Order and permit it to offer a green gas product and two home warranty products to mass market customers in New York. With respect to green gas products, Constellation asserts that its green gas product provides customers with the opportunity to offset some of the negative environmental impacts created by burning natural gas. As part of this product, Constellation proposes to match one hundred percent of a customer's natural gas consumption with carbon allowances from the Regional Greenhouse Gas Initiative (RGGI). Constellation proposes to multiply a customer's natural gas consumption in Million British Thermal Units by 117 to identify the number of pounds of carbon dioxide being produced by

that customer. Constellation further proposes to aggregate customers and offset each ton of carbon dioxide with RGGI allowances. Constellation will demonstrate compliance with this commitment on an annual basis by placing the associated RGGI allowances in a designated segregated account used solely for RGGI allowances on green gas products. Constellation intends to conduct an annual internal audit to confirm the accuracy of the retired allowances in the account.

Constellation states that, in addition to providing this product to mass market customers as part of fixed and variable rate agreements, it intends to offer this product as part of a Community Choice Aggregation (CCA) where a community requests additional environmental attributes associated with the product offering. Constellation asserts that, since the Commission has permitted renewable electricity products without tethering them to the pricing restraints adopted in the December 2019 Order, it should provide similar treatment to green natural gas products that support the State's efforts in combating climate change.

With respect to home warranty products, Constellation seeks approval to offer two such products to residential customers as well as part of CCAs. The first product would bundle retail electric service with a heating, ventilation, and air conditioning protection plan and electronic surge protection. The second product would bundle retail natural gas service with water heater maintenance and gas line protection. Constellation explains that customers could enroll in either or both products. Constellation proposes to offer 24-hour call service and 24-hour emergency service in connection with both home warranty products, and when a claim is received, Constellation proposes to dispatch the appropriate vetted contractor to respond to the claim. Constellation states its intent to charge a deductible of \$100 for HVAC maintenance and \$50 for all other products, as well as to impose a cap of \$1,500 in total claims per twelve-month period per product.

The full text of the petition and the full record of the proceeding may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject or modify, in whole or in part, the action proposed and may resolve related matters.

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov

Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6517, email: secretary@dps.ny.gov

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(15-M-0127SP29)

State University of New York

EMERGENCY RULE MAKING

Tuition, Fees and Charges

I.D. No. SUN-28-20-00028-E

Filing No. 613

Filing Date: 2020-09-22

Effective Date: 2020-09-22

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of section 302.18 of Title 8 NYCRR.

Statutory authority: Education Law, section 355(2)(b) and (h)

Finding of necessity for emergency rule: Preservation of general welfare.

Specific reasons underlying the finding of necessity: This rule will waive the admissions application fee for active-duty military service members, and their dependents. It would also extend the application fee waiver to all dependents of military veterans who apply for admission to a State

University of New York (SUNY) State-operated campus. Based on the anticipated meeting schedule of the SUNY Board of Trustees, if the minimum periods for notice and comment under subdivision one of section 202 of the State Administrative Procedure Act were followed, the application cycle for the 2020-21 academic year would be nearly complete by the time this rule would take effect. By pursuing emergency adoption, SUNY can ensure that these admissions application fees are immediately waived for the remainder of this application cycle.

This rule will not impose any cost or negative impact on any member of the public or local governmental entity and will only benefit eligible active-duty military service members and their dependents and all dependents of military veterans. Accordingly, the SUNY Board of Trustees has determined that the immediate adoption of this rule is necessary for the preservation of the general welfare, and that compliance with the notice and comment requirements of subdivision one of section 202 of the State Administrative Procedure Act would be contrary to the public interest in this instance.

Subject: Tuition, Fees and Charges.

Purpose: To authorize the waiver of admission application fees for active-duty military service members and their dependents.

Text of emergency rule: Section 302.18. Waiver of application fees for military [veterans and spouses] and military-connected students.

The admissions application fee shall be waived for all eligible military veterans, *active-duty military, reserve and national guard members*, and spouses and dependents of such eligible individuals, [military veterans,] as defined by the chancellor or designee, who apply for admission to a SUNY State-operated campus.

This notice is intended to serve only as a notice of emergency adoption. This agency intends to adopt the provisions of this emergency rule as a permanent rule, having previously submitted to the Department of State a notice of proposed rule making, I.D. No. SUN-28-20-00028-EP, Issue of July 15, 2020. The emergency rule will expire November 20, 2020.

Text of rule and any required statements and analyses may be obtained from: Lisa S Campo, State University of New York, State University Plaza, Albany, NY 12246, (518) 320-1400, email: Lisa.Campo@SUNY.edu

Regulatory Impact Statement

1. Statutory Authority: Education Law, Sections 355(2)(b) and 355(2)(h). Section 355(2)(b) authorizes the State University Trustees to make and amend rules and regulations for the overall governance of the State University and institutions therein. Section 355(2)(h) authorizes the State University Trustees to regulate the admission of students, tuition charges, other fees and charges, curricula, and all other matters pertaining to the operation and administration of each State-operated institution of the State University.

2. Legislative Objectives: The Legislature authorized the State University Trustees to regulate all student fees, including admission application fees. By using this authority to require SUNY State-operated campuses to waive application fees for active-duty military service members, and their dependents, and all dependents of military veterans, the present measure is in accord with the public policy objectives of encouraging educational opportunities for members of the military, veterans, and their families.

3. Needs and Benefits: Current and former members of the military and their families make substantial personal and professional sacrifices during their service obligation. By waiving these application fees, the State University of New York can remove this initial financial barrier to accessing higher education and can help to ease the transition back to civilian life by encouraging educational advancement and opportunity.

4. Costs: No additional direct costs to the State. It is anticipated that any revenue impact from this action will be managed within existing SUNY budgets and/or budgetary actions.

5. Local Government Mandates: There are no local government mandates. The amendment does not affect students enrolled in the community colleges operating under the program of the State University of New York.

6. Paperwork: No parties will experience any new reporting responsibilities. SUNY publications and documents containing notices regarding costs of attendance will need to be revised to reflect these changes.

7. Duplication: None.

8. Alternatives: No significant alternative proposals were considered.

9. Federal Standards: None.

10. Compliance Schedule: It is anticipated that SUNY State-operated campuses will be able to come into compliance with this rule immediately upon enactment.

Regulatory Flexibility Analysis

No regulatory flexibility analysis is submitted with this notice because the proposed rule does not impose any requirements on small businesses and

local governments. This proposed rule making will not impose any adverse economic impact on small businesses and local governments or impose any reporting, recordkeeping or other compliance requirements on small businesses and local governments.

Rural Area Flexibility Analysis

No rural area flexibility analysis is submitted with this notice because the proposed rule does not impose any requirements on rural areas. The rule will not impose any adverse economic impact on rural areas or impose any reporting, recordkeeping, professional services or other compliance requirements on rural areas.

Job Impact Statement

No job impact statement is submitted with this notice because the proposed rule does not impose any adverse economic impact on existing jobs, employment opportunities, or self-employment. This regulation governs application fees for State University of New York and will not have any adverse impact on the number of jobs or employment.

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Tuition, Fees and Charges

I.D. No. SUN-28-20-00028-A

Filing No. 609

Filing Date: 2020-09-21

Effective Date: 2020-10-07

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of section 302.18 of Title 8 NYCRR.

Statutory authority: Education Law, section 355(2)(b) and (h)

Subject: Tuition, Fees and Charges.

Purpose: To authorize the waiver of admission application fees for active-duty military service members and their dependents.

Text or summary was published in the July 15, 2020 issue of the Register, I.D. No. SUN-28-20-00028-EP.

Final rule as compared with last published rule: No changes.

Text of rule and any required statements and analyses may be obtained from: Lisa S. Campo, State University of New York, State University Plaza, Albany, NY 12246, (518) 320-1400, email: Lisa.Campo@SUNY.edu.

Assessment of Public Comment

The agency received no public comment.

HEARINGS SCHEDULED FOR PROPOSED RULE MAKINGS

Agency I.D. No.	Subject Matter	Location—Date—Time
Environmental Conservation, Department of		
ENV-33-20-00007-P	Emissions Limits for 2030 and 2050, as a Percentage of 1990 Levels, Required by Climate Leadership and Community Protection Act	<p>Electronic webinar—Oct. 20, 2020, 2:00 p.m. and 6:00 p.m.</p> <p>A public comment hearing webinar for the proposed rule will be held before Administrative Law Judge (ALJ) Molly T. McBride via electronic webinar as follows and, accordingly, is reasonably accessible to persons with impaired mobility.</p> <p>Instructions on how to “join” the hearing webinar and provide an oral statement will be published in the Department’s electronic Environmental Notice Bulletin (ENB), and posted on the Department’s events calendar and proposed regulations webpage by Wednesday, October 7, 2020. The Department’s ENB may be accessed at https://www.dec.ny.gov/enb/enb.html. The Department’s events calendar may be accessed at https://www.dec.ny.gov/calendar/. The proposed regulations webpage for Part 496 may be accessed at https://www.dec.ny.gov/regulations/propregulations.html.</p> <p>Persons who wish to receive email instructions on how to join the hearing webinar via Webex may register at https://www.eventbrite.com/e/nysdec-hearing-webinar-re-regs-part-496-greenhouse-gas-emission-limits-registration-115516961341. Persons who wish to receive the instructions by mail or telephone may call the Department at 518-402-9003. Please provide your first and last name, address, and telephone number and reference the Part 496 public comment hearing.</p> <p>The Department will provide interpreter services for hearing impaired persons at no charge upon written request submitted no later than October 9, 2020. The written request must be addressed to ALJ McBride, NYS DEC Office of Hearings and Mediation Services, 625 Broadway, 1st Floor, Albany, NY 12233-1550 or emailed to ALJ McBride at ohms@dec.ny.gov.</p>
Long Island Power Authority		
LPA-37-20-00008-P	Authority’s Annual Budget, as Reflected in the Rates and Charges in the Tariff for Electric Service	<p>Long Island Power Authority, 333 Earle Ovington Blvd., 4th Fl., Uniondale, NY—November 18, 2020, 2:00 p.m.</p> <p>H. Lee Dennison Bldg., 100 Veterans Memorial Hwy., Hauppauge, NY—November 19, 2020, 10:00 a.m.</p>
LPA-37-20-00009-P	Consolidated Billing for Community Distributed Generation	<p>Long Island Power Authority, 333 Earle Ovington Blvd., 4th Fl., Uniondale, NY—November 18, 2020, 2:00 p.m.</p> <p>H. Lee Dennison Bldg., 100 Veterans Memorial Hwy., Hauppauge, NY—November 19, 2020, 10:00 a.m.</p>
LPA-37-20-00010-P	To Modify the RDM and DSA to Address the Unforeseen Impact of COVID-19	<p>Long Island Power Authority, 333 Earle Ovington Blvd., 4th Fl., Uniondale, NY—November 18, 2020, 2:00 p.m.</p>

LPA-37-20-00011-P	New Optional TOU Rates as Proposed in PSEG Long Island's 2018 Utility 2.0 Filing and Subsequent Filing Updates	H. Lee Dennison Bldg., 100 Veterans Memorial Hwy., Hauppauge, NY—November 19, 2020, 10:00 a.m.
LPA-37-20-00012-P	Authority's Implementation of Public Service Law Section 66-p in the Tariff for Electric Service	Long Island Power Authority, 333 Earle Ovington Blvd., 4th Fl., Uniondale, NY—November 18, 2020, 2:00 p.m.
LPA-37-20-00013-EP	Terms of Deferred Payment Agreements Available to LIPA's Commercial Customers	H. Lee Dennison Bldg., 100 Veterans Memorial Hwy., Hauppauge, NY—November 19, 2020, 10:00 a.m.
State, Department of		Long Island Power Authority, 333 Earle Ovington Blvd., 4th Fl., Uniondale, NY—November 18, 2020, 2:00 p.m.
DOS-37-20-00016-P	Siting Permits for Major Renewable Energy Facilities	H. Lee Dennison Bldg., 100 Veterans Memorial Hwy., Hauppauge, NY—November 19, 2020, 10:00 a.m.
		Jacqueline Vito LoRusso Alumni & Visitor Center, SUNY Buffalo State, 667 Grant St., Buffalo, NY—November 17, 2020, 5:00 p.m.*
		Rochester City Hall, City Council Chambers, 30 Church St., Rochester, NY—November 18, 2020, 5:00 p.m.*
		Clayton Opera House, 405 Riverside Dr., Clayton, NY—November 19, 2020, 5:00 p.m.*
		McDonough Sports Complex, Hudson Valley Community College, North Drive, Troy, NY—November 20, 2020, 5:00 p.m.*
		Suffolk County Legislature - William H. Rogers Building, Rose Y. Caracappa Auditorium, 725 Veterans Memorial Hwy., Smithtown, NY—November 23, 2020, 5:00 p.m.*
		To register for in-person public statement hearings: Any person wishing to comment on the proposed regulations on the record at the in-person hearings must register by sending an email to General@Ores.ny.gov no later than 5 P.M. on Friday, November 13, 2020. The Administrative Law Judge will use a registration list to call each person who has requested to provide a statement. The hearings will continue until everyone wishing to speak has been heard or other reasonable arrangements have been made to include their comments in the record. Reasonable time limits may be set for each speaker as necessary to afford all attendees an opportunity to be heard. It is recommended that lengthy comments be submitted in writing and summarized for oral presentation. A verbatim transcript of the hearings will be made for inclusion in the record.

Persons with disabilities requiring special accommodations should call (518) 474-2520 as soon as possible. TDD users may request a sign language interpreter by placing a call through the New York Relay Service at 711. Individuals with difficulty understanding or reading English are encouraged to call 1-800-342-3377 for free language assistance services regarding this notice.

Virtual Public Statement Hearings

Electronic Access: www.webex.com, Event Number: 173 227 2771, Password: 11.24PSH, Phone Access: 518-549-0500, Access Code: 173 227 2771—November 24, 2020, 5:00 p.m.*

Electronic Access: www.webex.com, Event Number: 173 845 2365, Password: 11.30PSH, Phone Access: 518-549-0500, Access Code: 173 845 2365—November 30, 2020, 5:00 p.m.*

To register for virtual public statement hearings electronically: Participants who would like login to a hearing electronically to provide a statement must register to do so by visiting www.webex.com by November 20, 2020, clicking “Join” at the top right-hand corner of the screen, and entering the appropriate event number listed above, and providing all requested information.

When logging in to a hearing on the appropriate date and time of the hearing, participants should visit www.webex.com, click “Join” at the top right-hand corner of the screen, and input the appropriate event number for the hearing. Participants will be asked to “select audio system.” It is recommended that participants opt to have the system “call me” or “call using computer.” The “call me” option will require participants to enter their phone numbers.

To register for virtual public statement hearings by phone: Any participant who is not able to login to a hearing electronically may participate by phone. Call-in participants wishing to provide a statement must register to do so by November 20, 2020 by calling 1-800-342-3330, where they should follow prompts to the appropriate hearing and provide the following information: first and last name, address, and phone number. On the appropriate date and time of a hearing, all call-in users should dial (518) 549-0500 and enter the relevant access code listed above to join the hearing.

All electronic and call-in participants will be muted upon entry into the hearing. The Administrative Law Judge will call each person who has requested to provide a statement to speak. Each public statement hearing will be held open until everyone who has registered to speak has been heard or other reasonable arrangements to submit comments into the record have been made. Time limits may be set for each speaker as necessary. It is recommended that lengthy comments be submitted in writing and summarized for oral presentation. A verbatim transcript of the hearing will be made for inclusion in the record.

Persons with disabilities requiring special accommodations should call (518) 474-2520 as soon as possible. TDD users may request a sign language interpreter by placing a call through the New York Relay Service at 711. Individuals with difficulty understanding or reading English are encouraged to call 1-800-342-3377 for free language assistance services regarding this notice.

Persons with disabilities requiring special accommodations should call (518) 474-2520 as soon as possible. TDD users may request a sign language interpreter by placing a call through the New York Relay Service at 711. Individuals with difficulty understanding or reading English are encouraged to call 1-800-342-3377 for free language assistance services regarding this notice.

*In the event that a public statement hearing needs to be canceled, rescheduled or postponed, notification of any changes will be available at the ORES Web Site (www.ores.ny.gov).

ACTION PENDING INDEX

The action pending index is a list of all proposed rules which are currently being considered for adoption. A proposed rule is added to the index when the notice of proposed rule making is first published in the *Register*. A proposed rule is removed from the index when any of the following occur: (1) the proposal is adopted as a permanent rule; (2) the proposal is rejected and withdrawn from consideration; or (3) the proposal's notice expires.

Most notices expire in approximately 12 months if the agency does not adopt or reject the proposal within that time. The expiration date is printed in the second column of the action pending index. Some notices, however, never expire. Those notices are identified by the word "exempt" in the second column. Actions pending for one year or more are preceded by an asterisk(*).

For additional information concerning any of the proposals

listed in the action pending index, use the identification number to locate the text of the original notice of proposed rule making. The identification number contains a code which identifies the agency, the issue of the *Register* in which the notice was printed, the year in which the notice was printed and the notice's serial number. The following diagram shows how to read identification number codes.

Agency code	Issue number	Year published	Serial number	Action Code
AAM	01	12	00001	P

Action codes: P — proposed rule making; EP — emergency and proposed rule making (expiration date refers to proposed rule); RP — revised rule making

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
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AGRICULTURE AND MARKETS, DEPARTMENT OF

AAM-12-20-00006-P	03/25/21	Calibrating and testing of certain weights and measures standards and devices.	To allow the Dept. to increase the fees it charges in calibrating and testing certain weights & measures standards and devices.
AAM-21-20-00002-P	05/27/21	Milk and Milk Products	To incorporate federal requirements applicable to the processing and manufacture of milk and milk products

ALCOHOLISM AND SUBSTANCE ABUSE SERVICES, OFFICE OF

ASA-19-20-00001-P	05/13/21	General service standards applicable to outpatient substance use disorder programs	To set-forth the minimum regulatory requirements for certified outpatient substance use disorder treatment programs.
ASA-28-20-00013-P	07/15/21	Patient Rights	To set-forth the minimum regulatory requirements for patient rights in OASAS certified, funded or otherwise authorized programs
ASA-28-20-00014-P	07/15/21	Specialized Services	To replace the term "chemical dependence" with "addiction"
ASA-28-20-00016-P	07/15/21	Designated Services	To set-forth the minimum regulatory requirements for certified programs to seek an Office designation

CHILDREN AND FAMILY SERVICES, OFFICE OF

CFS-46-19-00002-P	12/03/20	Behavioral health services, elimination of room isolation and authority to operate de-escalation rooms	To implement standards for behavioral health services and the operation of de-escalation rooms and to eliminate room isolation
CFS-49-19-00001-P	12/03/20	Limits on executive compensation	To remove the soft cap limit on executive compensation
CFS-04-20-00009-P	01/28/21	Host Family Homes	The proposed regulations would establish standards for the approval and administration of host family homes.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CHILDREN AND FAMILY SERVICES, OFFICE OF			
CFS-31-20-00001-EP	08/05/21	To require districts to authorize up to eight hours of child care assistance, as needed, to assist parents or caretakers	To require districts to authorize up to eight hours of child care assistance, as needed, to assist parents or caretakers
CFS-36-20-00001-EP	09/09/21	Define “non-school hours” and “those periods of the year in which school is not in session”	To include virtual and/or remote learning as in school hours
CFS-36-20-00003-P	09/09/21	Requires training on adverse childhood experiences (ACEs), focused on understanding trauma and on nurturing resiliency	Requires training on adverse childhood experiences (ACEs), focused on understanding trauma and on nurturing resiliency
CIVIL SERVICE, DEPARTMENT OF			
CVS-51-19-00002-P	01/02/21	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-51-19-00003-P	01/02/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-51-19-00004-P	01/02/21	Jurisdictional Classification	To classify positions in the exempt class
CVS-51-19-00005-P	01/02/21	Jurisdictional Classification	To classify positions in the exempt class
CVS-51-19-00006-P	01/02/21	Jurisdictional Classification	To classify positions in the exempt class
CVS-51-19-00007-P	01/02/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-51-19-00008-P	01/02/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-51-19-00009-P	01/02/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-51-19-00010-P	01/02/21	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-51-19-00011-P	01/02/21	Jurisdictional Classification	To delete a position from and classify a position in the exempt class
CVS-51-19-00012-P	01/02/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-51-19-00013-P	01/02/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-51-19-00014-P	01/02/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-03-20-00003-P	01/21/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-03-20-00004-P	01/21/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-03-20-00005-P	01/21/21	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-03-20-00006-P	01/21/21	Jurisdictional Classification	To classify a position in the non-competitive class

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-03-20-00007-P	01/21/21	Jurisdictional Classification	To delete positions from and classify positions in the exempt class
CVS-06-20-00001-P	02/11/21	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-06-20-00002-P	02/11/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-06-20-00003-P	02/11/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-06-20-00004-P	02/11/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-06-20-00005-P	02/11/21	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-06-20-00006-P	02/11/21	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-06-20-00007-P	02/11/21	Jurisdictional Classification	To delete a position from and classify a position in the exempt class and to delete positions from the non-competitive class
CVS-06-20-00008-P	02/11/21	Jurisdictional Classification	To delete a subheading and positions from and to classify a subheading and positions in the exempt and non-competitive classes
CVS-13-20-00002-P	04/01/21	Supplemental military leave benefits	To extend the availability of supplemental military leave benefits for certain New York State employees until December 31, 2020
CVS-13-20-00009-P	04/01/21	Jurisdictional Classification	To classify positions in the exempt class
CVS-13-20-00010-P	04/01/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-13-20-00011-P	04/01/21	Jurisdictional Classification	To delete positions from the exempt class
CVS-13-20-00012-P	04/01/21	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-13-20-00013-P	04/01/21	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-13-20-00014-P	04/01/21	Jurisdictional Classification	To classify positions in the exempt class
CVS-13-20-00015-P	04/01/21	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-13-20-00016-P	04/01/21	Jurisdictional Classification	To classify positions in the exempt class
CVS-13-20-00017-P	04/01/21	Jurisdictional Classification	To classify positions in the exempt class
CVS-13-20-00018-P	04/01/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-13-20-00019-P	04/01/21	Jurisdictional Classification	To classify positions in the exempt class
CVS-13-20-00020-P	04/01/21	Jurisdictional Classification	To delete positions in the non-competitive class

Action Pending Index**NYS Register/October 7, 2020**

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-13-20-00021-P	04/01/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-13-20-00022-P	04/01/21	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-13-20-00023-P	04/01/21	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-13-20-00024-P	04/01/21	Jurisdictional Classification	To classify positions in the exempt and the non-competitive classes.
CVS-13-20-00025-P	04/01/21	Jurisdictional Classification	To delete a position from and classify positions in the non-competitive class
CVS-18-20-00004-P	05/06/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-18-20-00005-P	05/06/21	Jurisdictional Classification	To classify positions in the exempt class
CVS-18-20-00006-P	05/06/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-18-20-00007-P	05/06/21	Jurisdictional Classification	To delete a position from and classify a position in the exempt class
CVS-18-20-00008-P	05/06/21	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-18-20-00009-P	05/06/21	Jurisdictional Classification	To classify positions in the exempt class
CVS-18-20-00010-P	05/06/21	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-24-20-00002-P	06/17/21	Jurisdictional Classification	To delete a position from and classify a position in the exempt class
CVS-24-20-00003-P	06/17/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-24-20-00004-P	06/17/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-24-20-00005-P	06/17/21	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-24-20-00006-P	06/17/21	Jurisdictional Classification	To classify positions in the exempt class
CVS-24-20-00007-P	06/17/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-24-20-00008-P	06/17/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-24-20-00009-P	06/17/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-24-20-00010-P	06/17/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-28-20-00004-P	07/15/21	Jurisdictional Classification	To classify positions in the exempt class

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-28-20-00005-P	07/15/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-28-20-00006-P	07/15/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-28-20-00007-P	07/15/21	Jurisdictional Classification	To delete a position from the exempt class
CVS-28-20-00008-P	07/15/21	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-28-20-00009-P	07/15/21	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-28-20-00010-P	07/15/21	Jurisdictional Classification	To classify positions in the non-competitive class.
CVS-28-20-00011-P	07/15/21	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-28-20-00012-P	07/15/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-32-20-00003-P	08/12/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-32-20-00004-P	08/12/21	Jurisdictional Classification	To classify positions in the exempt and the non-competitive classes
CVS-32-20-00005-P	08/12/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-32-20-00006-P	08/12/21	Jurisdictional Classification	To classify a position in the exempt class
CORRECTION, STATE COMMISSION OF			
*CMC-35-19-00002-P	01/02/21	Disciplinary and administrative segregation of inmates in special housing.	Prohibit the segregation of vulnerable inmates, and to standardize allowable uses and duration of special housing segregation.
CORRECTIONS AND COMMUNITY SUPERVISION, DEPARTMENT OF			
*CCS-35-19-00001-RP	12/03/20	Special Housing Units	Revisions have been made in order to be in compliance with new laws regarding special housing units and solitary confinement use
CCS-34-20-00001-P	08/26/21	Family Reunion Program	To clarify for logic and consistency, and make additional changes to the current Family Reunion Program
CCS-38-20-00002-P	09/23/21	Parole Revocation Process and Disposition	Harmonize revocation process with recent amendments to conditions and guidelines and clarify certain delinquency dates
CRIMINAL JUSTICE SERVICES, DIVISION OF			
*CJS-30-19-00010-ERP	01/02/21	Use of Force	Set forth use of force reporting and recordkeeping procedures
CJS-19-20-00010-P	05/13/21	Part 364 - Conditional release conditions.	Conform to the recent changes made by the Legislature by removing the term "gravity knife".

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
ECONOMIC DEVELOPMENT, DEPARTMENT OF			
EDV-09-20-00007-RP	03/04/21	Minority and Women-Owned Business Enterprise Program	Update the regulations of the Division of Minority and Women's Business Development
EDV-37-20-00003-P	09/16/21	Excelsior Jobs program	Update regulations to include newly enhanced tax credits for green economy projects
EDUCATION DEPARTMENT			
*EDU-17-19-00008-P	01/02/21	To require study in language acquisition and literacy development of English language learners in certain teacher preparation	To ensure that newly certified teachers enter the workforce fully prepared to serve our ELL population
*EDU-27-19-00010-P	01/02/21	Substantially Equivalent Instruction for Nonpublic School Students	Provide guidance to local school authorities to assist them in fulfilling their responsibilities under the Compulsory Ed Law
EDU-11-20-00013-RP	03/23/21	Special Education Impartial Hearing Officers and the Special Education Due Process System Procedures	To address volume of special education due process complaints in the New York City due process system
EDU-16-20-00002-ERP	04/22/21	Addressing the COVID-19 Crisis	To provide flexibility for certain regulatory requirements in response to the COVID-19 crisis
EDU-20-20-00008-ERP	05/20/21	Addressing the COVID-19 Crisis	To provide flexibility for certain regulatory requirements in response to the COVID-19 crisis
EDU-25-20-00008-ERP	06/24/21	Eligibility for Participation of Students With Section 504 or ADA Plans in Interschool Competition and Inclusive Athletics	To clarify the eligibility requirements for participation of students with section 504 or ADA plans in interschool competition
EDU-30-20-00002-P	07/29/21	Creating a transitional J Certificate for Military Spouses	To create a Transitional J certificate for spouses of individuals on full-time active duty with the Armed Forces
EDU-30-20-00003-P	07/29/21	Creating Safety Nets for the Arts Content Specialty Tests (CSTs)	To create a safety net for the Arts Content Specialty Tests (CSTs)
EDU-30-20-00004-ERP	07/29/21	Addressing the COVID-19 crisis and planning for the reopening of schools	To provide regulatory flexibility due to the COVID-19 crisis and to plan for the reopening of schools
EDU-30-20-00005-P	07/29/21	Creating a Safety Net for the School Building Leader Assessment	To create a safety net for the School Building Leader Assessment
EDU-39-20-00010-P	09/30/21	Financial Transparency Requirement Reporting Deadlines	To permit the Department to establish the financial transparency reporting requirement deadline administratively
EDU-39-20-00011-P	09/30/21	Continuing Education Requirements for Psychologists	To implement Chapter 436 of the 2018 requiring continuing education for psychologists
EDU-39-20-00012-EP	09/30/21	Addressing the COVID-19 Crisis and the Reopening of Schools	To address the COVID-19 crisis and to prepare for the reopening of schools
EDU-39-20-00013-P	09/30/21	Authorize NY higher education institutions to participate in SARA & the approval of out-of-state institutions to provide distance education	To align the Commissioner's regulations with national SARA policy and federal regulations

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
ENERGY RESEARCH AND DEVELOPMENT AUTHORITY, NEW YORK STATE			
ERD-19-20-00012-P	05/13/21	CO2 Allowance Auction Program	Continued administration and implementation of the CO2 allowance auctions and programs under Part 507
ENVIRONMENTAL CONSERVATION, DEPARTMENT OF			
*ENV-36-19-00003-P	01/02/21	Stationary Combustion Installations	Update permit references, rule citations, monitoring, record keeping, reporting requirements, and lower emission standards.
*ENV-37-19-00003-RP	03/03/21	Clarifying determination of jurisdiction under the Endangered and Threatened Fish and Wildlife regulations	To improve the review of projects by removing some project types that are known not to cause harm from the review stream
ENV-53-19-00016-P	03/09/21	Certain substances that contain hydrofluorocarbons, highly-potent greenhouse gases	Remove greenhouse gas emission sources that endanger public health and the environment
ENV-04-20-00004-EP	01/28/21	Regulations governing commercial fishing of quota managed species.	To improve efficiency, reduce waste, and increase safety in marine commercial fisheries.
ENV-05-20-00001-P	04/10/21	Use of Ultra Low Sulfur Diesel Fuel and Best Available Retrofit Technology for Heavy Duty Vehicles	Updating to meet with statutory deadline
ENV-05-20-00002-P	04/10/21	Sulfur-in Fuel Limitations	Limit sulfur in liquid and solid fuels throughout NYS
ENV-06-20-00018-P	04/16/21	The repeal and replacement of 6 NYCRR Part 230 Gasoline Dispensing Sites and Transport Vehicles	To further reduce harmful volatile organic compounds (VOCs) emitted into the atmosphere.
ENV-06-20-00019-P	04/16/21	Consumer Products	Reduce Volatile Organic Compound emissions from Consumer Products - those products used in the average household.
ENV-06-20-00020-P	04/16/21	New Source Review requirements for proposed new major facilities and major modifications to existing facilities.	To conform to federal NSR rule requirements and related court rulings, correct typographical errors, and clarify rule language.
ENV-12-20-00001-EP	03/25/21	Regulations governing commercial fishing of Tautog (blackfish).	To revise regulations concerning the commercial harvest of Tautog in New York State.
ENV-17-20-00005-P	04/29/21	The above referenced Parts make up the Department's air pollution control permitting program.	The purpose of this rulemaking is to improve the clarity and consistency of the Department's air pollution permitting program
ENV-17-20-00006-P	04/29/21	Emission Statements	The purpose of this rule making is to require electronic submittal of annual emission statements beginning in 2022.
ENV-17-20-00007-P	04/29/21	CO2 Budget trading program	To lower the emissions cap established under Part 242.
ENV-22-20-00004-P	06/03/21	Amendments to New York State mink, muskrat, and beaver trapping season dates	To align existing mink, muskrat and beaver trapping season start dates and adjust the seasons to trapper-preferred dates
ENV-33-20-00005-P	08/19/21	Repeal of Section 485.1	To remove outdated and redundant references in the Department's regulations

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
ENVIRONMENTAL CONSERVATION, DEPARTMENT OF			
ENV-33-20-00007-P	10/20/21	Emissions limits for 2030 and 2050, as a percentage of 1990 levels, required by Climate Leadership and Community Protection Act	To limit greenhouse gas emissions that endanger public health and the environment
ENV-36-20-00002-P	09/09/21	Deer Hunting Seasons	Establish a bow and muzzleloader deer hunting season in the Southern Zone during the Christmas and New Year holiday week
FINANCIAL SERVICES, DEPARTMENT OF			
*DFS-17-16-00003-P	exempt	Plan of Conversion by Commercial Travelers Mutual Insurance Company	To convert a mutual accident and health insurance company to a stock accident and health insurance company
*DFS-25-18-00006-P	exempt	Plan of Conversion by Medical Liability Mutual Insurance Company	To convert a mutual property and casualty insurance company to a stock property and casualty insurance company
*DFS-33-19-00004-RP	01/03/21	Minimum Standards for Form, Content, and Sale of Health Insurance, Including Standards for Full and Fair Disclosure	To set forth minimum standards for the content of health insurance identification cards.
DFS-43-19-00017-P	01/02/21	Independent Dispute Resolution for Emergency Services and Surprise Bills	To require notices and consumer disclosure information related to surprise bills and bills for emergency service to be provided
DFS-36-20-00007-P	09/09/21	Superintendent's Regulations: Information Subject to Confidential Treatment	Provide rules concerning publication or disclosure of information subject to confidential treatment
DFS-39-20-00025-P	09/30/21	Financial Statement Filings and Accounting Practices and Procedures	To make technical corrections and clarifications, add new subdivisions S. 83.4(t) and (u), and update incorporated references
GAMING COMMISSION, NEW YORK STATE			
SGC-33-20-00006-P	08/19/21	Agency rule for the protection of trade secrets submitted to the Gaming Commission	To prescribe the manner of safeguarding against any unauthorized access to records containing trade secrets
SGC-34-20-00009-P	08/26/21	Qualification time in harness racing	To improve harness pari-mutuel wagering and generate reasonable revenue for the support of government
SGC-35-20-00002-P	09/02/21	Addition of feature to the Quick Draw lottery game called "Money Dots"	To raise additional revenue for education
SGC-35-20-00003-P	09/02/21	Triple wager in harness racing	To improve harness pari-mutuel wagering and generate reasonable revenue for the support of government
SGC-35-20-00004-P	09/02/21	Restricting NSAID use in Thoroughbred racing	To improve integrity, health and safety of Thoroughbred horse racing
SGC-35-20-00005-P	09/02/21	Furosemide use and practice	To enhance horse racing in New York and generate reasonable revenue for the support of government

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
GAMING COMMISSION, NEW YORK STATE			
SGC-35-20-00006-P	09/02/21	Jackpot Super High Five wager for harness racing	To improve harness pari-mutuel wagering and generate reasonable revenue for the support of government
SGC-35-20-00007-P	09/02/21	EIPH protections for Thoroughbred horses	EIPH protections for Thoroughbred horses
SGC-35-20-00008-P	09/02/21	Medical fitness of Thoroughbred horse riders and Steeplechase jockey licensing	To improve the health and safety of Thoroughbred pari-mutuel racing
SGC-35-20-00009-P	09/02/21	Backstretch housing standards at racetracks	To enhance the integrity of racing and safety of pari-mutuel racing
SGC-35-20-00010-P	09/02/21	Log of drugs administered by Thoroughbred horse trainers	To enhance the integrity and safety of thoroughbred horse racing
SGC-35-20-00011-P	09/02/21	Pick-six jackpot wager for harness racing	To improve harness pari-mutuel wagering and generate reasonable revenue for the support of government
SGC-35-20-00012-P	09/02/21	Restrictions on wagering by key employees of casino vendors	To maintain the integrity of the gaming facilities
SGC-35-20-00014-P	09/02/21	Amend the out-of-competition testing rule for thoroughbred racing	To enhance the integrity and safety of thoroughbred horse racing
SGC-40-20-00001-P	10/07/21	To expressly permit veterinary technicians to practice in horse racing	To preserve the safety and integrity of pari-mutuel racing while generating reasonable revenue for the support of government
HEALTH, DEPARTMENT OF			
*HLT-14-94-00006-P	exempt	Payment methodology for HIV/AIDS outpatient services	To expand the current payment to incorporate pricing for services
*HLT-36-19-00006-P	01/02/21	Limits on Executive Compensation	Removes "Soft Cap" prohibition on covered executive salaries.
HLT-40-19-00004-P	01/02/21	Drug Take Back	To implement the State's drug take back program to provide for the safe disposal of drugs
HLT-46-19-00003-P	01/02/21	Tanning Facilities	To prohibit the use of indoor tanning facilities by individuals less than 18 years of age
HLT-47-19-00008-P	01/02/21	Hospital Medical Staff - Limited Permit Holders	To repeal extra years of training required for limited permit holders to work in New York State hospitals.
HLT-47-19-00009-P	01/02/21	Empire Clinical Research Investigator Program (ECRIP)	To expand the types of & change the time frames for past research grants that qualify staff to supervise the ECRIP project.
HLT-51-19-00001-P	01/02/21	Women, Infants and Children (WIC) Program	To support implementation of eWIC; clarify rules for violations, penalties & hearings & conform vendor authorization criteria.
HLT-53-19-00001-P	01/02/21	Prohibition on the Sale of Electronic Liquids with Characterizing Flavors	To prohibit the sale of electronic liquids with characterizing flavors

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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
HEALTH, DEPARTMENT OF			
HLT-53-19-00012-P	01/02/21	Consumer Directed Personal Assistance Program Reimbursement	To establish a program to pay home care services & establish a methodology framework for the payment of FI administrative costs.
HLT-04-20-00002-P	01/28/21	Reducing Annual Tuberculosis Testing of Health Care Workers	To replace annual tuberculosis testing of health care workers.
HLT-04-20-00003-P	01/28/21	Applied Behavior Analysis	To include Applied Behavior Analysis in the Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) benefit.
HLT-04-20-00011-P	01/28/21	Nursing Home Case Mix Rationalization	To authorize the Department of Health to change the case mix acuity process for all nursing homes.
HLT-11-20-00003-P	03/18/21	Adult Day Health Care (ADHC)	To allow for reimbursement of real property leases in certain situations when used for operations of an ADHC program
HLT-27-20-00005-P	07/08/21	Private Duty Nursing Services to Medically Fragile Children	To amend the Medicaid reimbursement for fee-for-service private duty nursing provided to medically fragile children
HLT-27-20-00006-P	07/08/21	Medicaid Managed Care State Fair Hearings and External Appeals Processes and Standards	To address & clarify rules of procedure & presentation of evidence for Medicaid managed care fair hearings & external appeals
HLT-28-20-00019-P	07/15/21	Personal Care Services (PCS) and Consumer Directed Personal Assistance Program (CDPAP)	To implement a revised assessment process and eligibility criteria for PCS and CDPAP
HLT-31-20-00012-EP	exempt	Hospital Non-comparable Ambulance Acute Rate Add-on	Prevents duplicate claiming by Article 28 hospitals for the ambulance add-on regarding participation in the program
HLT-32-20-00002-EP	08/12/21	Controlled Substances	To ensure access to medicine that was formerly classified as a controlled substance
HLT-32-20-00007-EP	exempt	Upper Payment Limit (UPL) Rate Add-ons	To include UPL rate add-ons in the rates of payment for acute, specialty long term care acute and emergency department services.
HLT-38-20-00006-P	09/23/21	Medicaid Transportation Program	Medicaid payment standards for emergency ambulance providers participating in an Emergency Triage, Treat & Transport (ET3) model
HLT-38-20-00008-EP	09/23/21	Revise Requirements for Collection of Blood Components	To facilitate the availability of human blood components while maintaining safety
HLT-39-20-00003-EP	09/30/21	Reduce Hospital Capital Rate Add-on and Reduce Hospital Capital Reconciliation Payment	To include a 5 percent reduction to the budgeted and actual capital add-on in Article 28 hospital inpatient reimbursement rates
HLT-40-20-00002-EP	10/07/21	Hospital Indigent Care Pool Payment Methodology	To develop an indigent care distribution methodology for calendar years through 2022

HOUSING AND COMMUNITY RENEWAL, DIVISION OF

*HCR-21-19-00019-P	01/02/21	Low-Income Housing Qualified Allocation Plan	To amend definitions, threshold criteria and application scoring for the allocation of flow-income housing tax credits.
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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
HOUSING AND COMMUNITY RENEWAL, DIVISION OF			
HCR-26-20-00012-EP	09/09/21	Schedule of Reasonable Costs for Major Capital Improvements in rent regulated housing accommodations	Provide a schedule of reasonable costs for Major Capital Improvements in rent regulated housing accommodations
HOUSING FINANCE AGENCY			
*HFA-21-19-00020-P	01/02/21	Low-Income Housing Qualified Allocation Plan	To amend definitions, threshold criteria and application scoring for the allocation of low-income housing tax credits
JOINT COMMISSION ON PUBLIC ETHICS, NEW YORK STATE			
JPE-28-20-00031-P	07/15/21	Source of funding reporting	Clarifying amendments to Source of Funding reporting
JPE-28-20-00032-P	07/15/21	Amendments to the lobbying regulations	To clarify the lobbying regulations that implement the provisions of the Lobbying Act
LABOR, DEPARTMENT OF			
LAB-46-19-00004-P	01/02/21	NY State Public Employees Occupational Safety and Health Standards	To incorporate by reference updates to OSHA standards into the NY State Public Employee Occupational Safety and Health Standards
LAKE GEORGE PARK COMMISSION			
LGP-29-20-00006-P	09/22/21	Amendment of Stormwater Regulations within the Lake George Park	To more adequately control and minimize the pollutants found in stormwater runoff from going into Lake George
LAW, DEPARTMENT OF			
LAW-15-20-00017-P	04/15/21	investment advisers defined under GBL § 359-eee	Harmonize regulations with federal law and national standards and facilitate anti-fraud activities and modernize registration.
LAW-15-20-00018-P	04/15/21	Brokers, dealers and salespersons defined under GBL § 359-e	Harmonize regulations with federal law and national standards and facilitate anti-fraud activities and modernize registration.
LAW-18-20-00002-P	05/06/21	Designation of a Privacy Officer	Removal of a named Privacy Officer., along with their contact information
LONG ISLAND POWER AUTHORITY			
*LPA-08-01-00003-P	exempt	Pole attachments and related matters	To approve revisions to the authority's tariff
*LPA-41-02-00005-P	exempt	Tariff for electric service	To revise the tariff for electric service
*LPA-04-06-00007-P	exempt	Tariff for electric service	To adopt provisions of a ratepayer protection plan
*LPA-03-10-00004-P	exempt	Residential late payment charges	To extend the application of late payment charges to residential customers

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
LONG ISLAND POWER AUTHORITY			
*LPA-15-18-00013-P	..... exempt	Outdoor area lighting	To add an option and pricing for efficient LED lamps to the Authority's outdoor area lighting
*LPA-37-18-00013-P	..... exempt	The net energy metering provisions of the Authority's Tariff for Electric Service	To implement PSC guidance increasing eligibility for value stack compensation to larger projects
*LPA-37-18-00017-P	..... exempt	The treatment of electric vehicle charging in the Authority's Tariff for Electric Service.	To effectuate the outcome of the Public Service Commission's proceeding on electric vehicle supply equipment.
*LPA-37-18-00018-P	..... exempt	The treatment of energy storage in the Authority's Tariff for Electric Service.	To effectuate the outcome of the Public Service Commission's proceeding on the NY Energy Storage Roadmap.
LPA-09-20-00010-P	..... exempt	To update and implement latest requirements for ESCOs proposing to do business within the Authority's service territory.	To strengthen customer protections and be consistent with Public Service Commission orders on retail energy markets.
LPA-28-20-00033-EP	..... exempt	LIPA's late payment charges, reconnection charges, and low-income customer discount enrollment	To allow waiver of late payment and reconnection charges and extend the grace period for re-enrolling in customer bill discounts
LPA-37-20-00008-P	..... exempt	The Authority's annual budget, as reflected in the rates and charges in the Tariff for Electric Service	To update the Tariff to implement the Authority's annual budget and corresponding rate adjustments
LPA-37-20-00009-P	..... exempt	Consolidated billing for community distributed generation	To modify the Tariff to offer consolidated billing options for community distributed generation consistent with the NY PSC
LPA-37-20-00010-P	..... exempt	To modify the RDM and DSA to address the unforeseen impact of COVID-19	To modify the Tariff to mitigate high bill impacts and allow for additional expense recovery related to a state of emergency
LPA-37-20-00011-P	..... exempt	New optional TOU rates as proposed in PSEG Long Island's 2018 Utility 2.0 Filing and subsequent filing updates	To incorporate best practices in TOU rate design, reduce peak load, and offer customers new rate options
LPA-37-20-00012-P	..... exempt	The Authority's implementation of PSL § 66-p in the Tariff for Electric Service	To update the Tariff to provide access to historical electric charges billed to a rental property
LPA-37-20-00013-EP	..... exempt	The terms of deferred payment agreements available to LIPA's commercial customers.	To expand eligibility for and ease the terms of deferred payment agreements for LIPA's commercial customers.
LONG ISLAND RAILROAD COMPANY			
LIR-20-20-00005-EP	..... 05/20/21	The conduct and safety of the public in the use of terminals, stations, and trains operated by The Long Island Railroad Company	To safeguard the public health and safety by amending rules concerning appropriate and safe uses of terminals and stations
LIR-39-20-00005-EP	..... 09/30/21	Requiring wearing masks over the nose and mouth when using terminals, stations, and trains operated by Long Island Rail Road	To safeguard the public health and safety on terminals, stations and trains operated by Long Island Rail Road

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
MANHATTAN AND BRONX SURFACE TRANSIT OPERATING AUTHORITY			
MBA-20-20-00002-EP	05/20/21	The conduct and safety of the public in the use of facilities and conveyances operated by the MaBSTOA	To safeguard the public health and safety by amending existing rules concerning appropriate and safe use of the transit system
MBA-39-20-00007-EP	09/30/21	Requiring mask wearing covering the nose and mouth when using facilities and conveyances operated by the MaBSTOA	To safeguard the public health and safety by amending existing rules to require use of masks when using the transit system
MEDICAID INSPECTOR GENERAL, OFFICE OF			
MED-28-20-00029-P	07/15/21	Monetary Penalties	To amend regulations governing the imposition of monetary penalties under the Medicaid program
MENTAL HEALTH, OFFICE OF			
OMH-47-19-00001-P	11/19/20	Limits on Executive Compensation	To eliminate "soft cap" restrictions on compensation.
OMH-12-20-00003-P	03/25/21	Uncompensated care funds issued pursuant to the Indigent Care Program.	To ensure the appropriate allocation of uncompensated care funds.
METRO-NORTH COMMUTER RAILROAD			
MCR-20-20-00004-EP	05/20/21	The conduct and safety of the public in the use of terminal, stations, and trains operated by Metro-North Commuter Railroad	To safeguard the public health and safety by amending rules concerning appropriate and safe uses of terminal and stations
MCR-39-20-00004-EP	09/30/21	Requiring mask wearing covering the nose and mouth when using terminals, stations, and trains operated by Metro-North Railroad	To safeguard the public health and safety by amending the rules to require use of masks when using Metro-North facilities
METROPOLITAN TRANSPORTATION AGENCY			
MTA-39-20-00009-EP	09/30/21	Requiring mask wearing covering the nose and mouth when using the facilities and conveyances operated by MTA Bus Company	To safeguard the public health and safety by amending rules to require use of masks when using MTA Bus facilities and conveyance
MOTOR VEHICLES, DEPARTMENT OF			
MTV-28-20-00001-P	07/15/21	Limited Use Vehicles - Equipment	Removes an obsolete, unnecessary requirement for seat height on 2 and 3 wheeled limited use motorcycles
MTV-28-20-00002-P	07/15/21	Safety Criteria for Registration - Motorcycles	removes an obsolete, unnecessary requirement for seat height on motorcycles
MTV-28-20-00030-P	07/15/21	Dealer and transporters -procedures used for certificates of sale	makes minor technical change removing an obsolete reference and conforms regulation with federal regulation
NEW YORK CITY TRANSIT AUTHORITY			
NTA-20-20-00001-EP	05/20/21	The conduct and safety of the public in the use of facilities and conveyances operated by New York City Transit Authority	To safeguard the public health and safety by amending existing rules concerning appropriate and safe use of the transit system

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
NEW YORK CITY TRANSIT AUTHORITY			
NTA-39-20-00006-EP	09/30/21	Requiring mask wearing covering the nose and mouth when using facilities and conveyances operated by NYC Transit Authority	To safeguard the public health and safety by amending existing rules to require use of masks when using the transit system
NIAGARA FALLS WATER BOARD			
*NFW-04-13-00004-EP	exempt	Adoption of Rates, Fees and Charges	To pay for the increased costs necessary to operate, maintain and manage the system, and to achieve covenants with bondholders
*NFW-13-14-00006-EP	exempt	Adoption of Rates, Fees and Charges	To pay for increased costs necessary to operate, maintain and manage the system and to achieve covenants with the bondholders
NIAGARA FRONTIER TRANSPORTATION AUTHORITY			
NFT-39-20-00023-P	09/30/21	Procurement Guidelines of the Niagara Frontier Transportation Authority and Niagara Frontier Transit Metro System, Inc	To amend procurement guidelines to reflect changes in law and clarifying language
OGDENSBURG BRIDGE AND PORT AUTHORITY			
*OBA-33-18-00019-P	exempt	Increase in Bridge Toll Structure	To increase bridge toll revenue in order to become financially self-supporting. Our bridge operations are resulting in deficit.
*OBA-07-19-00019-P	exempt	Increase in Bridge Toll Structure	To increase bridge toll revenue in order to become financially self-supporting. Our bridge operations are resulting in deficit
PARKS, RECREATION AND HISTORIC PRESERVATION, OFFICE OF			
PKR-29-20-00001-P	07/22/21	Listing of state parks, parkways, recreation facilities and historic sites (facilities). New York City Region	To update the listing of state parks, parkways, recreation facilities and historic sites in the New York City Region
PEOPLE WITH DEVELOPMENTAL DISABILITIES, OFFICE FOR			
PDD-29-20-00002-EP	07/22/21	Operating Certificates	Outlines the required operating certificates for providers who intend to provide care coordination and crisis intervention
PDD-35-20-00001-P	09/02/21	Medication regimen review	Provides increased flexibility for providers
PDD-37-20-00004-EP	09/16/21	Day Habilitation Duration	to help providers maintain capacity to operate during the public health emergency
POWER AUTHORITY OF THE STATE OF NEW YORK			
*PAS-01-10-00010-P	exempt	Rates for the sale of power and energy	Update ECSB Programs customers' service tariffs to streamline them/include additional required information
PUBLIC SERVICE COMMISSION			
*PSC-09-99-00012-P	exempt	Transfer of books and records by Citizens Utilities Company	To relocate Ogden Telephone Company's books and records out-of-state

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-15-99-00011-P	..... exempt	Electronic tariff by Woodcliff Park Corp.	To replace the company's current tariff with an electronic tariff
*PSC-12-00-00001-P	..... exempt	Winter bundled sales service election date by Central Hudson Gas & Electric Corporation	To revise the date
*PSC-44-01-00005-P	..... exempt	Annual reconciliation of gas costs by Corning Natural Gas Corporation	To authorize the company to include certain gas costs
*PSC-07-02-00032-P	..... exempt	Uniform business practices	To consider modification
*PSC-36-03-00010-P	..... exempt	Performance assurance plan by Verizon New York	To consider changes
*PSC-40-03-00015-P	..... exempt	Receipt of payment of bills by St. Lawrence Gas Company	To revise the process
*PSC-41-03-00010-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-41-03-00011-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-44-03-00009-P	..... exempt	Retail access data between jurisdictional utilities	To accommodate changes in retail access market structure or commission mandates
*PSC-02-04-00008-P	..... exempt	Delivery rates for Con Edison's customers in New York City and Westchester County by the City of New York	To rehear the Nov. 25, 2003 order
*PSC-06-04-00009-P	..... exempt	Transfer of ownership interest by SCS Energy LLC and AE Investors LLC	To transfer interest in Steinway Creek Electric Generating Company LLC to AE Investors LLC
*PSC-10-04-00005-P	..... exempt	Temporary protective order	To consider adopting a protective order
*PSC-10-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and VIC-RMTS-DC, L.L.C. d/b/a Verizon Avenue	To amend the agreement
*PSC-14-04-00008-P	..... exempt	Submetering of natural gas service to industrial and commercial customers by Hamburg Fairgrounds	To submeter gas service to commercial customers located at the Buffalo Speedway
*PSC-15-04-00022-P	..... exempt	Submetering of electricity by Glenn Gardens Associates, L.P.	To permit submetering at 175 W. 87th St., New York, NY
*PSC-21-04-00013-P	..... exempt	Verizon performance assurance plan by Metropolitan Telecommunications	To clarify the appropriate performance level
*PSC-22-04-00010-P	..... exempt	Approval of new types of electricity meters by Powell Power Electric Company	To permit the use of the PE-1250 electronic meter
*PSC-22-04-00013-P	..... exempt	Major gas rate increase by Consolidated Edison Company of New York, Inc.	To increase annual gas revenues
*PSC-22-04-00016-P	..... exempt	Master metering of water by South Liberty Corporation	To waive the requirement for installation of separate water meters

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-25-04-00012-P	..... exempt	Interconnection agreement between Frontier Communications of Ausable Valley, Inc., et al. and Sprint Communications Company, L.P.	To amend the agreement
*PSC-27-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-27-04-00009-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-28-04-00006-P	..... exempt	Approval of loans by Dunkirk & Fredonia Telephone Company and Cassadaga Telephone Corporation	To authorize participation in the parent corporation's line of credit
*PSC-31-04-00023-P	..... exempt	Distributed generation service by Consolidated Edison Company of New York, Inc.	To provide an application form
*PSC-34-04-00031-P	..... exempt	Flat rate residential service by Emerald Green Lake Louise Marie Water Company, Inc.	To set appropriate level of permanent rates
*PSC-35-04-00017-P	..... exempt	Application form for distributed generation by Orange and Rockland Utilities, Inc.	To establish a new supplementary application form for customers
*PSC-43-04-00016-P	..... exempt	Accounts receivable by Rochester Gas and Electric Corporation	To include in its tariff provisions for the purchase of ESCO accounts receivable
*PSC-46-04-00012-P	..... exempt	Service application form by Consolidated Edison Company of New York, Inc.	To revise the form and make housekeeping changes
*PSC-46-04-00013-P	..... exempt	Rules and guidelines governing installation of metering equipment	To establish uniform statewide business practices
*PSC-02-05-00006-P	..... exempt	Violation of the July 22, 2004 order by Dutchess Estates Water Company, Inc.	To consider imposing remedial actions against the company and its owners, officers and directors
*PSC-09-05-00009-P	..... exempt	Submetering of natural gas service by Hamlet on Olde Oyster Bay	To consider submetering of natural gas to a commercial customer
*PSC-14-05-00006-P	..... exempt	Request for deferred accounting authorization by Freeport Electric Inc.	To defer expenses beyond the end of the fiscal year
*PSC-18-05-00009-P	..... exempt	Marketer Assignment Program by Consolidated Edison Company of New York, Inc.	To implement the program
*PSC-20-05-00028-P	..... exempt	Delivery point aggregation fee by Allied Frozen Storage, Inc.	To review the calculation of the fee
*PSC-25-05-00011-P	..... exempt	Metering, balancing and cashout provisions by Central Hudson Gas & Electric Corporation	To establish provisions for gas customers taking service under Service Classification Nos. 8, 9 and 11
*PSC-27-05-00018-P	..... exempt	Annual reconciliation of gas costs by New York State Electric & Gas Corporation	To consider the manner in which the gas cost incentive mechanism has been applied

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-41-05-00013-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries by local distribution companies and municipalities	To consider the filings
*PSC-45-05-00011-P	..... exempt	Treatment of lost and unaccounted gas costs by Corning Natural Gas Corporation	To defer certain costs
*PSC-46-05-00015-P	..... exempt	Sale of real and personal property by the Brooklyn Union Gas Company d/b/a KeySpan Energy Delivery New York and Steel Arrow, LLC	To consider the sale
*PSC-47-05-00009-P	..... exempt	Transferral of gas supplies by Corning Natural Gas Corporation	To approve the transfer
*PSC-50-05-00008-P	..... exempt	Long-term debt by Saratoga Glen Hollow Water Supply Corp.	To obtain long-term debt
*PSC-04-06-00024-P	..... exempt	Transfer of ownership interests by Mirant NY-Gen LLC and Orange and Rockland Utilities, Inc.	To approve of the transfer
*PSC-06-06-00015-P	..... exempt	Gas curtailment policies and procedures	To examine the manner and extent to which gas curtailment policies and procedures should be modified and/or established
*PSC-07-06-00009-P	..... exempt	Modification of the current Environmental Disclosure Program	To include an attributes accounting system
*PSC-22-06-00019-P	..... exempt	Hourly pricing by National Grid	To assess the impacts
*PSC-22-06-00020-P	..... exempt	Hourly pricing by New York State Electric & Gas Corporation	To assess the impacts
*PSC-22-06-00021-P	..... exempt	Hourly pricing by Rochester Gas & Electric Corporation	To assess the impacts
*PSC-22-06-00022-P	..... exempt	Hourly pricing by Consolidated Edison Company of New York, Inc.	To assess the impacts
*PSC-22-06-00023-P	..... exempt	Hourly pricing by Orange and Rockland Utilities, Inc.	To assess the impacts
*PSC-24-06-00005-EP	..... exempt	Supplemental home energy assistance benefits	To extend the deadline to Central Hudson's low-income customers
*PSC-25-06-00017-P	..... exempt	Purchased power adjustment by Massena Electric Department	To revise the method of calculating the purchased power adjustment and update the factor of adjustment
*PSC-34-06-00009-P	..... exempt	Inter-carrier telephone service quality standards and metrics by the Carrier Working Group	To incorporate appropriate modifications
*PSC-37-06-00015-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-37-06-00017-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-43-06-00014-P	..... exempt	Electric delivery services by Strategic Power Management, Inc.	To determine the proper mechanism for the rate-recovery of costs
*PSC-04-07-00012-P	..... exempt	Petition for rehearing by Orange and Rockland Utilities, Inc.	To clarify the order
*PSC-06-07-00015-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for electric service
*PSC-06-07-00020-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for gas service
*PSC-11-07-00010-P	..... exempt	Investigation of the electric power outages by the Consolidated Edison Company of New York, Inc.	To implement the recommendations in the staff's investigation
*PSC-11-07-00011-P	..... exempt	Storm-related power outages by Consolidated Edison Company of New York, Inc.	To modify the company's response to power outages, the timing for any such changes and other related matters
*PSC-17-07-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and BridgeCom International, Inc.	To amend the agreement
*PSC-18-07-00010-P	..... exempt	Existing electric generating stations by Independent Power Producers of New York, Inc.	To repower and upgrade existing electric generating stations owned by Rochester Gas and Electric Corporation
*PSC-20-07-00016-P	..... exempt	Tariff revisions and making rates permanent by New York State Electric & Gas Corporation	To seek rehearing
*PSC-21-07-00007-P	..... exempt	Natural Gas Supply and Acquisition Plan by Corning Natural Gas Corporation	To revise the rates, charges, rules and regulations for gas service
*PSC-22-07-00015-P	..... exempt	Demand Side Management Program by Consolidated Edison Company of New York, Inc.	To recover incremental program costs and lost revenue
*PSC-23-07-00022-P	..... exempt	Supplier, transportation, balancing and aggregation service by National Fuel Gas Distribution Corporation	To explicitly state in the company's tariff that the threshold level of elective upstream transmission capacity is a maximum of 112,600 Dth/day of marketer-provided upstream capacity
*PSC-24-07-00012-P	..... exempt	Gas Efficiency Program by the City of New York	To consider rehearing a decision establishing a Gas Efficiency Program
*PSC-39-07-00017-P	..... exempt	Gas bill issuance charge by New York State Electric & Gas Corporation	To create a gas bill issuance charge unbundled from delivery rates
*PSC-41-07-00009-P	..... exempt	Submetering of electricity rehearing	To seek reversal
*PSC-42-07-00012-P	..... exempt	Energy efficiency program by Orange and Rockland Utilities, Inc.	To consider any energy efficiency program for Orange and Rockland Utilities, Inc.'s electric service
*PSC-42-07-00013-P	..... exempt	Revenue decoupling by Orange and Rockland Utilities, Inc.	To consider a revenue decoupling mechanism for Orange and Rockland Utilities, Inc.
*PSC-45-07-00005-P	..... exempt	Customer incentive programs by Orange and Rockland Utilities, Inc.	To establish a tariff provision

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-02-08-00006-P	..... exempt	Additional central office codes in the 315 area code region	To consider options for making additional codes
*PSC-03-08-00006-P	..... exempt	Rehearing of the accounting determinations	To grant or deny a petition for rehearing of the accounting determinations
*PSC-04-08-00010-P	..... exempt	Granting of easement rights on utility property by Central Hudson Gas & Electric Corporation	To grant easement rights to Millennium Pipeline Company, L.L.C.
*PSC-04-08-00012-P	..... exempt	Marketing practices of energy service companies by the Consumer Protection Board and New York City Department of Consumer Affairs	To consider modifying the commission's regulation over marketing practices of energy service companies
*PSC-08-08-00016-P	..... exempt	Transfer of ownership by Entergy Nuclear Fitzpatrick LLC, et al.	To consider the transfer
*PSC-12-08-00019-P	..... exempt	Extend the provisions of the existing electric rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-12-08-00021-P	..... exempt	Extend the provisions of the existing gas rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-13-08-00011-P	..... exempt	Waiver of commission policy and NYSEG tariff by Turner Engineering, PC	To grant or deny Turner's petition
*PSC-13-08-00012-P	..... exempt	Voltage drops by New York State Electric & Gas Corporation	To grant or deny the petition
*PSC-23-08-00008-P	..... exempt	Petition requesting rehearing and clarification of the commission's April 25, 2008 order denying petition of public utility law project	To consider whether to grant or deny, in whole or in part, the May 7, 2008 Public Utility Law Project (PULP) petition for rehearing and clarification of the commission's April 25, 2008 order denying petition of Public Utility Law Project
*PSC-25-08-00007-P	..... exempt	Policies and procedures regarding the selection of regulatory proposals to meet reliability needs	To establish policies and procedures regarding the selection of regulatory proposals to meet reliability needs
*PSC-25-08-00008-P	..... exempt	Report on Callable Load Opportunities	Rider U report assessing callable load opportunities in New York City and Westchester County during the next 10 years
*PSC-28-08-00004-P	..... exempt	Con Edison's procedure for providing customers access to their account information	To consider Con Edison's implementation plan and timetable for providing customers access to their account information
*PSC-31-08-00025-P	..... exempt	Recovery of reasonable DRS costs from the cost mitigation reserve (CMR)	To authorize recovery of the DRS costs from the CMR
*PSC-32-08-00009-P	..... exempt	The ESCO referral program for KEDNY to be implemented by October 1, 2008	To approve, reject or modify, in whole or in part, KEDNY's recommended ESCO referral program
*PSC-33-08-00008-P	..... exempt	Noble Allegany's request for lightened regulation	To consider Noble Allegany's request for lightened regulation as an electric corporation
*PSC-36-08-00019-P	..... exempt	Land Transfer in the Borough of Manhattan, New York	To consider petition for transfer of real property to NYPH

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-39-08-00010-P	..... exempt	RG&E's economic development plan and tariffs	Consideration of the approval of RG&E's economic development plan and tariffs
*PSC-40-08-00010-P	..... exempt	Loans from regulated company to its parent	To determine if the cash management program resulting in loans to the parent should be approved
*PSC-41-08-00009-P	..... exempt	Transfer of control of cable TV franchise	To determine if the transfer of control of Margaretville's cable TV subsidiary should be approved
*PSC-43-08-00014-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-46-08-00008-P	..... exempt	Property transfer in the Village of Avon, New York	To consider a petition for the transfer of street lighting and attached equipment to the Village of Avon, New York
*PSC-46-08-00010-P	..... exempt	A transfer of indirect ownership interests in nuclear generation facilities	Consideration of approval of a transfer of indirect ownership interests in nuclear generation facilities
*PSC-46-08-00014-P	..... exempt	The attachment of cellular antennae to an electric transmission tower	To approve, reject or modify the request for permission to attach cellular antennae to an electric transmission tower
*PSC-48-08-00005-P	..... exempt	A National Grid high efficiency gas heating equipment rebate program	To expand eligibility to customers converting from oil to natural gas
*PSC-48-08-00008-P	..... exempt	Petition for the master metering and submetering of electricity	To consider the request of Bay City Metering, to master meter & submeter electricity at 345 E. 81st St., New York, New York
*PSC-48-08-00009-P	..... exempt	Petition for the submetering of electricity	To consider the request of PCV/ST to submeter electricity at Peter Cooper Village & Stuyvesant Town, New York, New York
*PSC-50-08-00018-P	..... exempt	Market Supply Charge	A study on the implementation of a revised Market Supply Charge
*PSC-51-08-00006-P	..... exempt	Commission's October 27, 2008 Order on Future of Retail Access Programs in Case 07-M-0458	To consider a Petition for rehearing of the Commission's October 27, 2008 Order in Case 07-M-0458
*PSC-51-08-00007-P	..... exempt	Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078	To consider Petitions for rehearing of the Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078
*PSC-53-08-00011-P	..... exempt	Use of deferred Rural Telephone Bank funds	To determine if the purchase of a softswitch by Hancock is an appropriate use of deferred Rural Telephone Bank funds
*PSC-53-08-00012-P	..... exempt	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY
*PSC-53-08-00013-P	..... exempt	To transfer common stock and ownership	To consider transfer of common stock and ownership
*PSC-01-09-00015-P	..... exempt	FCC decision to redefine service area of Citizens/Frontier	Review and consider FCC proposed redefinition of Citizens/Frontier service area

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-02-09-00010-P	..... exempt	Competitive classification of independent local exchange company, and regulatory relief appropriate thereto	To determine if Chazy & Westport Telephone Corporation more appropriately belongs in scenario 1 rather than scenario 2
*PSC-05-09-00008-P	..... exempt	Revenue allocation, rate design, performance metrics, and other non-revenue requirement issues	To consider any remaining non-revenue requirement issues related to the Company's May 9, 2008 tariff filing
*PSC-05-09-00009-P	..... exempt	Numerous decisions involving the steam system including cost allocation, energy efficiency and capital projects	To consider the long term impacts on steam rates and on public policy of various options concerning the steam system
*PSC-06-09-00007-P	..... exempt	Interconnection of the networks between Frontier Comm. and WVT Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier Comm. and WVT Comm.
*PSC-07-09-00015-P	..... exempt	Transfer certain utility assets located in the Town of Montgomery from plant held for future use to non-utility property	To consider the request to transfer certain utility assets located in the Town of Montgomery to non-utility assets
*PSC-07-09-00017-P	..... exempt	Request for authorization to defer the incremental costs incurred in the restoration work resulting from the ice storm	To allow the company to defer the incremental costs incurred in the restoration work resulting from the ice storm
*PSC-07-09-00018-P	..... exempt	Whether to permit the submetering of natural gas service to an industrial and commercial customer at Cooper Union, New York, NY	To consider the request of Cooper Union, to submeter natural gas at 41 Cooper Square, New York, New York
*PSC-12-09-00010-P	..... exempt	Charges for commodity	To charge customers for commodity costs
*PSC-12-09-00012-P	..... exempt	Charges for commodity	To charge customers for commodity costs
*PSC-13-09-00008-P	..... exempt	Options for making additional central office codes available in the 718/347 numbering plan area	To consider options for making additional central office codes available in the 718/347 numbering plan area
*PSC-14-09-00014-P	..... exempt	The regulation of revenue requirements for municipal utilities by the Public Service Commission	To determine whether the regulation of revenue requirements for municipal utilities should be modified
*PSC-16-09-00010-P	..... exempt	Petition for the submetering of electricity	To consider the request of AMPS on behalf of Park Imperial to submeter electricity at 230 W. 56th Street, in New York, New York
*PSC-16-09-00020-P	..... exempt	Whether SUNY's core accounts should be exempt from the mandatory assignment of local distribution company (LDC) capacity	Whether SUNY's core accounts should be exempt from the mandatory assignment of local distribution company (LDC) capacity
*PSC-17-09-00010-P	..... exempt	Whether to permit the use of Elster REX2 solid state electric meter for use in residential and commercial accounts	To permit electric utilities in New York State to use the Elster REX2
*PSC-17-09-00011-P	..... exempt	Whether Brooklyn Navy Yard Cogeneration Partners, L.P. should be reimbursed by Con Edison for past and future use taxes	Whether Brooklyn Navy Yard Cogeneration Partners, L.P. should be reimbursed by Con Edison for past and future use taxes
*PSC-17-09-00012-P	..... exempt	Petition for the submetering of gas at commercial property	To consider the request of Turner Construction, to submeter natural gas at 550 Short Ave., & 10 South St., Governors Island, NY

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-17-09-00014-P	..... exempt	Benefit-cost framework for evaluating AMI programs prepared by the DPS Staff	To consider a benefit-cost framework for evaluating AMI programs prepared by the DPS Staff
*PSC-17-09-00015-P	..... exempt	The construction of a tower for wireless antennas on land owned by National Grid	To approve, reject or modify the petition to build a tower for wireless antennas in the Town of Onondaga
*PSC-18-09-00012-P	..... exempt	Petition for rehearing of Order approving the submetering of electricity	To consider the request of Frank Signore to rehear petition to submeter electricity at One City Place in White Plains, New York
*PSC-18-09-00013-P	..... exempt	Petition for the submetering of electricity	To consider the request of Living Opportunities of DePaul to submeter electricity at E. Main St. located in Batavia, New York
*PSC-18-09-00017-P	..... exempt	Approval of an arrangement for attachment of wireless antennas to the utility's transmission facilities in the City of Yonkers	To approve, reject or modify the petition for the existing wireless antenna attachment to the utility's transmission tower
*PSC-20-09-00016-P	..... exempt	The recovery of, and accounting for, costs associated with the Companies' advanced metering infrastructure (AMI) pilots etc	To consider a filing of the Companies as to the recovery of, and accounting for, costs associated with it's AMI pilots etc
*PSC-20-09-00017-P	..... exempt	The recovery of, and accounting for, costs associated with CHG&E's AMI pilot program	To consider a filing of CHG&E as to the recovery of, and accounting for, costs associated with it's AMI pilot program
*PSC-22-09-00011-P	..... exempt	Cost allocation for Consolidated Edison's East River Repowering Project	To determine whether any changes are warranted in the cost allocation of Consolidated Edison's East River Repowering Project
*PSC-25-09-00005-P	..... exempt	Whether to grant, deny, or modify, in whole or in part, the petition	Whether to grant, deny, or modify, in whole or in part, the petition
*PSC-25-09-00006-P	..... exempt	Electric utility implementation plans for proposed web based SIR application process and project status database	To determine if the proposed web based SIR systems are adequate and meet requirements needed for implementation
*PSC-25-09-00007-P	..... exempt	Electric rates for Consolidated Edison Company of New York, Inc	Consider a Petition for Rehearing filed by Consolidated Edison Company of New York, Inc
*PSC-27-09-00011-P	..... exempt	Interconnection of the networks between Vernon and tw telecom of new york l.p. for local exchange service and exchange access.	To review the terms and conditions of the negotiated agreement between Vernon and tw telecom of new york l.p.
*PSC-27-09-00014-P	..... exempt	Billing and payment for energy efficiency measures through utility bill	To promote energy conservation
*PSC-27-09-00015-P	..... exempt	Interconnection of the networks between Oriskany and tw telecom of new york l.p. for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Oriskany and tw telecom of new york l.p
*PSC-29-09-00011-P	..... exempt	Consideration of utility compliance filings	Consideration of utility compliance filings
*PSC-32-09-00009-P	..... exempt	Cost allocation for Consolidated Edison's East River Repowering Project	To determine whether any changes are warranted in the cost allocation of Consolidated Edison's East River Repowering Project

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-34-09-00016-P	..... exempt	Recommendations made in the Management Audit Final Report	To consider whether to take action or recommendations contained in the Management Audit Final Report
*PSC-34-09-00017-P	..... exempt	To consider the transfer of control of Plattsburgh Cablevision, Inc. d/b/a Charter Communications to CH Communications, LLC	To allow the Plattsburgh Cablevision, Inc. to distribute its equity interest in CH Communications, LLC
*PSC-36-09-00008-P	..... exempt	The increase in the non-bypassable charge implemented by RG&E on June 1, 2009	Considering exemptions from the increase in the non-bypassable charge implemented by RG&E on June 1, 2009
*PSC-37-09-00015-P	..... exempt	Sale of customer-generated steam to the Con Edison steam system	To establish a mechanism for sale of customer-generated steam to the Con Edison steam system
*PSC-37-09-00016-P	..... exempt	Applicability of electronic signatures to Deferred Payment Agreements	To determine whether electronic signatures can be accepted for Deferred Payment Agreements
*PSC-39-09-00015-P	..... exempt	Modifications to the \$5 Bill Credit Program	Consideration of petition of National Grid to modify the Low Income \$5 Bill Credit Program
*PSC-39-09-00018-P	..... exempt	The offset of deferral balances with Positive Benefit Adjustments	To consider a petition to offset deferral balances with Positive Benefit Adjustments
*PSC-40-09-00013-P	..... exempt	Uniform System of Accounts - request for deferral and amortization of costs	To consider a petition to defer and amortize costs
*PSC-51-09-00029-P	..... exempt	Rules and guidelines for the exchange of retail access data between jurisdictional utilities and eligible ESCOs	To revise the uniform Electronic Data Interchange Standards and business practices to incorporate a contest period
*PSC-51-09-00030-P	..... exempt	Waiver or modification of Capital Expenditure condition of merger	To allow the companies to expend less funds for capital improvement than required by the merger
*PSC-52-09-00006-P	..... exempt	ACE's petition for rehearing for an order regarding generator-specific energy deliverability study methodology	To consider whether to change the Order Prescribing Study Methodology
*PSC-52-09-00008-P	..... exempt	Approval for the New York Independent System Operator, Inc. to incur indebtedness and borrow up to \$50,000,000	To finance the renovation and construction of the New York Independent System Operator, Inc.'s power control center facilities
*PSC-05-10-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of University Residences - Rochester, LLC to submeter electricity at 220 John Street, Henrietta, NY
*PSC-05-10-00015-P	..... exempt	Petition for the submetering of electricity	To consider the request of 243 West End Avenue Owners Corp. to submeter electricity at 243 West End Avenue, New York, NY
*PSC-06-10-00022-P	..... exempt	The Commission's Order of December 17, 2009 related to redevelopment of Consolidated Edison's Hudson Avenue generating facility	To reconsider the Commission's Order of December 17, 2009 related to redevelopment of the Hudson Avenue generating facility
*PSC-07-10-00009-P	..... exempt	Petition to revise the Uniform Business Practices	To consider the RESA petition to allow rescission of a customer request to return to full utility service

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-08-10-00007-P	..... exempt	Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847	Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847
*PSC-08-10-00009-P	..... exempt	Consolidated Edison of New York, Inc. energy efficiency programs	To modify approved energy efficiency programs
*PSC-12-10-00015-P	..... exempt	Recommendations made by Staff intended to enhance the safety of Con Edison's gas operations	To require that Con Edison implement the Staff recommendations intended to enhance the safety of Con Edison's gas operations
*PSC-14-10-00010-P	..... exempt	Petition for the submetering of electricity	To consider the request of 61 Jane Street Owners Corporation to submeter Electricity at 61 Jane Street, Manhattan, NY
*PSC-16-10-00005-P	..... exempt	To consider adopting and expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-16-10-00007-P	..... exempt	Interconnection of the networks between TDS Telecom and PAETEC Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between TDS Telecom and PAETEC Communications
*PSC-16-10-00015-P	..... exempt	Interconnection of the networks between Frontier and Choice One Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier and Choice One Communications
*PSC-18-10-00009-P	..... exempt	Electric utility transmission right-of-way management practices	To consider electric utility transmission right-of-way management practices
*PSC-19-10-00022-P	..... exempt	Whether National Grid should be permitted to transfer a parcel of property located at 1 Eddy Street, Fort Edward, New York	To decide whether to approve National Grid's request to transfer a parcel of vacant property in Fort Edward, New York
*PSC-22-10-00006-P	..... exempt	Requirement that Noble demonstrate that its affiliated electric corporations operating in New York are providing safe service	Consider requiring that Noble demonstrate that its affiliated electric corporations in New York are providing safe service
*PSC-22-10-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of 48-52 Franklin Street to submeter electricity at 50 Franklin Street, New York, New York
*PSC-24-10-00009-P	..... exempt	Verizon New York Inc. tariff regulations relating to voice messaging service	To remove tariff regulations relating to retail voice messaging service from Verizon New York Inc.'s tariff
*PSC-25-10-00012-P	..... exempt	Reassignment of the 2-1-1 abbreviated dialing code	Consideration of petition to reassign the 2-1-1 abbreviated dialing code
*PSC-27-10-00016-P	..... exempt	Petition for the submetering of electricity	To consider the request of 9271 Group, LLC to submeter electricity at 960 Busti Avenue, Buffalo, New York
*PSC-34-10-00003-P	..... exempt	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program
*PSC-34-10-00005-P	..... exempt	Approval of a contract for \$250,000 in tank repairs that may be a financing	To decide whether to approve a contract between the parties that may be a financing of \$250,000 for tank repairs

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-34-10-00006-P	..... exempt	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program
*PSC-36-10-00010-P	..... exempt	Central Hudson's procedures, terms and conditions for an economic development plan	Consideration of Central Hudson's procedures, terms and conditions for an economic development plan
*PSC-40-10-00014-P	..... exempt	Disposition of a state sales tax refund	To determine how much of a state sales tax refund should be retained by National Grid
*PSC-40-10-00021-P	..... exempt	Whether to permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall	To permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall
*PSC-41-10-00018-P	..... exempt	Amount of hourly interval data provided to Hourly Pricing customers who have not installed a phone line to read meter	Allow Central Hudson to provide less than a years worth of interval data and charge for manual meter reading for some customers
*PSC-41-10-00022-P	..... exempt	Request for waiver of the individual living unit metering requirements at 5742 Route 5, Vernon, NY	Request for waiver of the individual living unit metering requirements at 5742 Route 5, Vernon, NY
*PSC-42-10-00011-P	..... exempt	Petition for the submetering of electricity	To consider the request of 4858 Group, LLC to submeter electricity at 456 Main Street, Buffalo, New York
*PSC-43-10-00016-P	..... exempt	Utility Access to Ducts, Conduit Facilities and Utility Poles	To review the complaint from Optical Communications Group
*PSC-44-10-00003-P	..... exempt	Third and fourth stage gas rate increase by Corning Natural Gas Corporation	To consider Corning Natural Gas Corporation's request for a third and fourth stage gas rate increase
*PSC-51-10-00018-P	..... exempt	Commission proceeding concerning three-phase electric service by all major electric utilities	Investigate the consistency of the tariff provisions for three-phase electric service for all major electric utilities
*PSC-11-11-00003-P	..... exempt	The proposed transfer of 55.42 acres of land and \$1.4 million of revenues derived from the rendition of public service	The proposed transfer of 55.42 acres of land and \$1.4 million of revenues derived from the rendition of public service
*PSC-13-11-00005-P	..... exempt	Exclude the minimum monthly bill component from the earnings test calculation	Exclude the minimum monthly bill component from the earnings test calculation
*PSC-14-11-00009-P	..... exempt	Petition for the submetering of electricity	To consider the request of 83-30 118th Street to submeter electricity at 83-30 118th Street, Kew Gardens, New York
*PSC-19-11-00007-P	..... exempt	Utility price reporting requirements related to the Commission's "Power to Choose" website	Modify the Commission's utility electric commodity price reporting requirements related to the "Power to Choose" website
*PSC-20-11-00012-P	..... exempt	Petition for the submetering of electricity	To consider the request of KMW Group LLC to submeter electricity at 122 West Street, Brooklyn, New York
*PSC-20-11-00013-P	..... exempt	Determining the reasonableness of Niagara Mohawk Power Corporation d/b/a National Grid 's make ready charges	To determine if the make ready charges of Niagara Mohawk Power Corporation d/b/a National Grid are reasonable

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-22-11-00004-P	..... exempt	Whether to permit the use of the Sensus accWAVE for use in residential gas meter applications	To permit gas utilities in New York State to use the Sensus accWAVE diaphragm gas meter
*PSC-26-11-00007-P	..... exempt	Water rates and charges	To approve an increase in annual revenues by about \$25,266 or 50%
*PSC-26-11-00009-P	..... exempt	Petition for the submetering of electricity at commercial property	To consider the request of by Hoosick River Hardwoods, LLC to submeter electricity at 28 Taylor Avenue, in Berlin, New York
*PSC-26-11-00012-P	..... exempt	Waiver of generation retirement notice requirements	Consideration of waiver of generation retirement notice requirements
*PSC-29-11-00011-P	..... exempt	Petition requesting the Commission reconsider its May 19, 2011 Order and conduct a hearing, and petition to stay said Order.	To consider whether to grant or deny, in whole or in part, Windstream New York's Petition For Reconsideration and Rehearing.
*PSC-35-11-00011-P	..... exempt	Whether to permit Consolidated Edison a waiver to commission regulations Part 226.8	Permit Consolidated Edison to conduct a inspection program in lieu of testing the accuracy of Category C meters
*PSC-36-11-00006-P	..... exempt	To consider expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-38-11-00002-P	..... exempt	Operation and maintenance procedures pertaining to steam trap caps	Adopt modified steam operation and maintenance procedures
*PSC-38-11-00003-P	..... exempt	Waiver of certain provisions of the electric service tariffs of Con Edison	Consideration of waiver of certain provisions of the electric service tariffs of Con Edison
*PSC-40-11-00010-P	..... exempt	Participation of regulated local exchange carriers in the New York Data Exchange, Inc. (NYDE)	Whether to partially modify its order requiring regulated local exchange carriers' participation NYDE
*PSC-40-11-00012-P	..... exempt	Granting of transfer of plant in-service to a regulatory asset	To approve transfer and recovery of unamortized plant investment
*PSC-42-11-00018-P	..... exempt	Availability of telecommunications services in New York State at just and reasonable rates	Providing funding support to help ensure availability of affordable telecommunications service throughout New York
*PSC-43-11-00012-P	..... exempt	Transfer of outstanding shares of stock	Transfer the issued outstanding shares of stock of The Meadows at Hyde Park Water-Works Corporation to HPWS, LLC
*PSC-47-11-00007-P	..... exempt	Remedying miscalculations of delivered gas as between two customer classes	Consideration of Con Edison's proposal to address inter-class delivery imbalances resulting from past Company miscalculations
*PSC-48-11-00007-P	..... exempt	Transfer of controlling interests in generation facilities from Dynegy to PSEG	Consideration of the transfer of controlling interests in electric generation facilities from Dynegy to PSEG
*PSC-48-11-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of To Better Days, LLC to submeter electricity at 37 East 4th Street, New York, New York
*PSC-01-12-00007-P	..... exempt	The New York State Reliability Council's revisions to its rules and measurements	To adopt revisions to various rules and measurements of the New York State Reliability Council

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-01-12-00008-P	..... exempt	Transfer of real property and easements from NMPNS to NMP3	Consideration of the transfer of real property and easements from NMPNS to NMP3
*PSC-01-12-00009-P	..... exempt	Recovery of expenses related to the expansion of Con Edison's ESCO referral program, PowerMove	To determine how and to what extent expenses related to the Expansion of Con Edison's ESCO referral program should be recovered
*PSC-11-12-00002-P	..... exempt	Whether to grant, deny or modify, in whole or part, Hegeman's petition for a waiver of Commission policy and Con Edison tariff	Whether to grant, deny or modify, in whole or part, Hegeman's petition for a waiver of Commission policy and Con Edison tariff
*PSC-11-12-00005-P	..... exempt	Transfer of land and water supply assets	Transfer the land and associated water supply assets of Groman Shores, LLC to Robert Groman
*PSC-13-12-00005-P	..... exempt	Authorization to transfer certain real property	To decide whether to approve the transfer of certain real property
*PSC-19-12-00023-P	..... exempt	Petition for approval pursuant to Section 70 for the sale of goods with an original cost of less than \$100,000	To consider whether to grant, deny or modify, in whole or in part, the petition filed by Orange and Rockland Utilities, Inc.
*PSC-21-12-00006-P	..... exempt	Tariff filing requirements and refunds	To determine if certain agreements should be filed pursuant to the Public Service Law and if refunds are warranted
*PSC-21-12-00011-P	..... exempt	Whether to grant, deny or modify, in whole or part, the petition for waiver of tariff Rules 8.6 and 47	Whether to grant, deny or modify, in whole or part, the petition for waiver of tariff Rules 8.6 and 47
*PSC-23-12-00007-P	..... exempt	The approval of a financing upon a transfer to Alliance of upstream ownership interests in a generation facility	To consider the approval of a financing upon a transfer to Alliance of upstream ownership interests in a generation facility
*PSC-23-12-00009-P	..... exempt	Over earnings sharing between rate payers and shareholders	To establish an Earnings Sharing Mechanism to be applied following the conclusion of Corning's rate plan
*PSC-27-12-00012-P	..... exempt	Implementation of recommendations made in a Management Audit Report	To consider implementation of recommendations made in a Management Audit Report
*PSC-28-12-00013-P	..... exempt	Exemption of reliability reporting statistics for the purpose of the 2012 Reliability Performance Mechanism	Consideration of Orange and Rockland Utilities request for exemption of the 2012 reliability reporting statistics
*PSC-29-12-00019-P	..... exempt	Waiver of 16 NYCRR 894.1 through 894.4	To allow the Town of Hamden to waive certain preliminary franchising procedures to expedite the franchising process.
*PSC-30-12-00010-P	..... exempt	Waiver of 16 NYCRR 894.1 through 894.4	To allow the Town of Andes to waive certain preliminary franchising procedures to expedite the franchising process
*PSC-33-12-00009-P	..... exempt	Telecommunications companies ability to attach to utility company poles	Consideration of Tech Valley's ability to attach to Central Hudson poles
*PSC-37-12-00009-P	..... exempt	Proposed modification by Con Edison of its procedures to calculate estimated bills to its customers	Proposed modification by Con Edison of its procedures to calculate estimated bills to its customers

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-42-12-00009-P	..... exempt	Regulation of Gipsy Trail Club, Inc.'s long-term financing agreements	To exempt Gipsy Trail Club, Inc. from Commission regulation of its financing agreements
*PSC-45-12-00008-P	..... exempt	Whether to grant, deny or modify, in whole or part, ESHG's petition for a waiver of Commission policy and RG&E tariff	Whether to grant, deny or modify, in whole or part, ESHG's petition for a waiver of Commission policy and RG&E tariff
*PSC-45-12-00010-P	..... exempt	Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District	Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District
*PSC-50-12-00003-P	..... exempt	Affiliate standards for Corning Natural Gas Corporation	To resolve issues raised by Corning Natural Gas Corporation in its petition for rehearing
*PSC-04-13-00006-P	..... exempt	Expansion of mandatory day ahead hourly pricing for customers of Orange and Rockland Utilities with demands above 100 kW	To consider the expansion of mandatory day ahead hourly pricing for customers with demands above 100 kW
*PSC-04-13-00007-P	..... exempt	Authorization to transfer certain real property.	To decide whether to approve the transfer of certain real property.
*PSC-06-13-00008-P	..... exempt	Verizon New York Inc.'s retail service quality	To investigate Verizon New York Inc.'s retail service quality
*PSC-08-13-00012-P	..... exempt	Filing requirements for certain Article VII electric facilities	To ensure that applications for certain electric transmission facilities contain pertinent information
*PSC-08-13-00014-P	..... exempt	Uniform System of Accounts - Request for Accounting Authorization	To allow the company to defer an item of expense or capital beyond the end of the year in which it was incurred
*PSC-12-13-00007-P	..... exempt	Protecting company water mains	To allow the company to require certain customers to make changes to the electrical grounding system at their homes
*PSC-13-13-00008-P	..... exempt	The potential waiver of 16 NYCRR 255.9221(d) completion of integrity assessments for certain gas transmission lines.	To determine whether a waiver of the timely completion of certain gas transmission line integrity assessments should be granted.
*PSC-18-13-00007-P	..... exempt	Whether Demand Energy Networks energy storage systems should be designated technologies for standby rate eligibility purposes	Whether Demand Energy Networks energy storage systems should be designated technologies for standby rate eligibility purposes
*PSC-21-13-00003-P	..... exempt	To consider policies that may impact consumer acceptance and use of electric vehicles	To consider and further develop policies that may impact consumer acceptance and use of electric vehicles
*PSC-21-13-00005-P	..... exempt	To implement an abandonment of Windover's water system	To approve the implementation of abandonment of Windover's water system
*PSC-21-13-00008-P	..... exempt	Rates of National Fuel Gas Distribution Corporation	To make the rates of National Fuel Gas Distribution Corporation temporary, subject to refund, if they are found to be excessive
*PSC-21-13-00009-P	..... exempt	Reporting requirements for natural gas local distribution companies	To help ensure efficient and economic expansion of the natural gas system as appropriate

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-22-13-00009-P	..... exempt	On remand from New York State court litigation, determine the recovery of certain deferred amounts owed NFG by ratepayers	On remand, to determine the recovery of certain deferral amounts owed NFG from ratepayers
*PSC-23-13-00005-P	..... exempt	Waiver of partial payment, directory database distribution, service quality reporting, and service termination regulations	Equalize regulatory treatment based on level of competition and practical considerations
*PSC-25-13-00008-P	..... exempt	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request.	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request.
*PSC-25-13-00009-P	..... exempt	Provision by utilities of natural gas main and service lines.	To help ensure efficient and economic expansion of the natural gas system as appropriate.
*PSC-25-13-00012-P	..... exempt	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request.	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request.
*PSC-27-13-00014-P	..... exempt	Columbia Gas Transmission Corporation Cost Refund	For approval for temporary waiver of tariff provisions regarding its Columbia Gas Transmission Corporation cost refund.
*PSC-28-13-00014-P	..... exempt	Provision for the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces	To consider the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces
*PSC-28-13-00016-P	..... exempt	The request of NGT for lightened regulation as a gas corporation.	To consider whether to approve, reject, or modify the request of Niagara gas transport of Lockport, NY LLC.
*PSC-28-13-00017-P	..... exempt	The request by TE for waiver of regulations requiring that natural gas be odorized in certain gathering line segments	Consider the request by TE for waiver of regulations that gas be odorized in certain lines
*PSC-32-13-00009-P	..... exempt	To consider the definition of "misleading or deceptive conduct" in the Commission's Uniform Business Practices	To consider the definition of "misleading or deceptive conduct" in the Commission's Uniform Business Practices
*PSC-32-13-00012-P	..... exempt	To consider whether NYSEG should be required to undertake actions to protect its name and to minimize customer confusion	To consider whether NYSEG should be required to undertake actions to protect its name and to minimize customer confusion
*PSC-33-13-00027-P	..... exempt	Waive underground facility requirements for new construction in residential subdivisions to allow for overhead electric lines.	Determine whether Chapin Lumberland, LLC subdivision will be allowed overhead electric distribution and service lines.
*PSC-33-13-00029-P	..... exempt	Deferral of incremental costs associated with the restoration of steam service following Superstorm Sandy.	To consider a petition by Con Edison to defer certain incremental steam system restoration costs relating to Superstorm Sandy.
*PSC-34-13-00004-P	..... exempt	Escrow account and surcharge to fund extraordinary repairs	To approve the establishment of an escrow account and surcharge
*PSC-42-13-00013-P	..... exempt	Failure to Provide Escrow Information	The closure of the Escrow Account
*PSC-42-13-00015-P	..... exempt	Failure to Provide Escrow Information	The closure of the Escrow Account
*PSC-43-13-00015-P	..... exempt	Petition for submetering of electricity	To consider the request of 2701 Kingsbridge Terrace L.P. to submeter electricity at 2701 Kingsbridge Terrace, Bronx, N.Y.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-45-13-00021-P	..... exempt	Investigation into effect of bifurcation of gas and electric utility service on Long Island.	To consider a Petition for an investigation into effect of bifurcation of gas and electric utility service on Long Island.
*PSC-45-13-00022-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4)	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00023-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00024-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4); waiver of filing deadlines.	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00025-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-47-13-00009-P	..... exempt	Petition for submetering of electricity.	To consider the request of Hegeman Avenue Housing L.P. to submeter electricity at 39 Hegeman Avenue, Brooklyn, N.Y.
*PSC-47-13-00012-P	..... exempt	Conditioning,restricting or prohibiting the purchase of services by NYSEG and RG&E from certain affiliates.	Consideration of conditioning,restricting or prohibiting the purchase of services by NYSEG and RG&E from certain affiliates.
*PSC-49-13-00008-P	..... exempt	Authorization to transfer all of Crystal Water Supply Company, Inc. stocks to Essel Infra West Inc.	To allow Crystal Water Supply Company, Inc to transfer all of its issued and outstanding stocks to Essel Infra West Inc.
*PSC-51-13-00009-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing.	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates.
*PSC-51-13-00010-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing.	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates.
*PSC-51-13-00011-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing.	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates.
*PSC-52-13-00012-P	..... exempt	The development of reliability contingency plan(s) to address the potential retirement of Indian Point Energy Center (IPEC).	To address the petition for rehearing and reconsideration/motion for clarification of the IPEC reliability contingency plan(s).
*PSC-52-13-00015-P	..... exempt	To enter into a loan agreement with the banks for up to an amount of \$94,000.	To consider allowing Knolls Water Company to enter into a long-term loan agreement.
*PSC-05-14-00010-P	..... exempt	The New York State Reliability Council's revisions to its rules and measurements	To adopt revisions to various rules and measurements of the New York State Reliability Council
*PSC-07-14-00008-P	..... exempt	Petition for submetering of electricity	To consider the request of Greater Centennial Homes HDFC, Inc. to submeter electricity at 102, 103 and 106 W 5th Street, et al.
*PSC-07-14-00012-P	..... exempt	Water rates and charges	Implementation of Long-Term Water Supply Surcharge to recover costs associated with the Haverstraw Water Supply Project

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-08-14-00015-P	..... exempt	Verizon New York Inc.'s service quality and Customer Trouble Report Rate (CTRR) levels at certain central office entities	To improve Verizon New York Inc.'s service quality and the Customer Trouble Report Rate levels at certain central office entities
*PSC-10-14-00006-P	..... exempt	Actions to facilitate the availability of ESCO value-added offerings, ESCO eligibility and ESCO compliance	To facilitate ESCO value-added offerings and to make changes to ESCO eligibility and to ensure ESCO compliance
*PSC-11-14-00003-P	..... exempt	Provision for the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces	To consider the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces
*PSC-16-14-00014-P	..... exempt	Whether to order NYSEG to provide gas service to customers when an expanded CPCN is approved and impose PSL 25-a penalties.	To order gas service to customers in the Town of Plattsburgh after approval of a town wide CPCN and to impose penalties.
*PSC-16-14-00015-P	..... exempt	Whether Central Hudson should be permitted to defer obligations of the Order issued on October 18, 2013 in Case 13-G-0336.	Consideration of the petition by Central Hudson to defer reporting obligations of the October 18, 2013 Order in Case 13-G-0336
*PSC-17-14-00003-P	..... exempt	Con Edison's Report on its 2013 performance under the Electric Service Reliability Performance Mechanism	Con Edison's Report on its 2013 performance under the Electric Service Reliability Performance Mechanism
*PSC-17-14-00004-P	..... exempt	To consider certain portions of petitions for rehearing, reconsideration and/or clarification	To consider certain portions of petitions for rehearing, reconsideration and/or clarification
*PSC-17-14-00007-P	..... exempt	To consider petitions for rehearing, reconsideration and/or clarification	To consider petitions for rehearing, reconsideration and/or clarification
*PSC-17-14-00008-P	..... exempt	To consider certain portions of petitions for rehearing, reconsideration and/or clarification	To consider certain portions of petitions for rehearing, reconsideration and/or clarification
*PSC-19-14-00014-P	..... exempt	Market Supply Charge	To make tariff revisions to the Market Supply Charge for capacity related costs
*PSC-19-14-00015-P	..... exempt	Whether to permit the use of the Sensus accuWAVE for use in residential and commercial gas meter applications	To permit gas utilities in New York State to use the Sensus accuWAVE 415TC gas meter
*PSC-22-14-00013-P	..... exempt	Petition to transfer and merge systems, franchises and assets.	To consider the Comcast and Time Warner Cable merger and transfer of systems, franchises and assets.
*PSC-23-14-00010-P	..... exempt	Whether to permit the use of the GE Dresser Series B3-HPC 11M-1480 rotary gas meter for use in industrial gas meter applications	To permit gas utilities in New York State to use the GE Dresser Series B3-HPC 11M-1480 rotary gas meter
*PSC-23-14-00014-P	..... exempt	Waiver of the negative revenue adjustment associated with KEDLI's 2013 Customer Satisfaction Performance Metric	Consideration of KEDLI's waiver request pertaining to its 2013 performance under its Customer Satisfaction Metric
*PSC-24-14-00005-P	..... exempt	To examine LDC's performance and performance measures.	To improve gas safety performance.
*PSC-26-14-00013-P	..... exempt	Waiver of RG&E's tariffed definition of emergency generator.	To consider waiver of RG&E's tariffed definition of emergency generator.
*PSC-26-14-00020-P	..... exempt	New electric utility backup service tariffs and standards for interconnection may be adopted.	To encourage development of microgrids that enhance the efficiency, safety, reliability and resiliency of the electric grid.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-26-14-00021-P	..... exempt	Consumer protections, standards and protocols pertaining to access to customer data may be established.	To balance the need for the information necessary to support a robust market with customer privacy concerns.
*PSC-28-14-00014-P	..... exempt	Petition to transfer systems, franchises and assets.	To consider the Comcast and Charter transfer of systems, franchise and assets.
*PSC-30-14-00023-P	..... exempt	Whether to permit the use of the Sensus iPERL Fire Flow Meter.	Pursuant to 16 NYCRR Part 500.3 , it is necessary to permit the use of the Sensus iPERL Fire Flow Meter.
*PSC-30-14-00026-P	..... exempt	Petition for a waiver to master meter electricity.	Considering the request of Renaissance Corporation of to master meter electricity at 100 Union Drive,Albany, NY.
*PSC-31-14-00004-P	..... exempt	To transfer 100% of the issued and outstanding stock from Vincent Cross to Bonnie and Michael Cross	To transfer 100% of the issued and outstanding stock from Vincent Cross to Bonnie and Michael Cross
*PSC-32-14-00012-P	..... exempt	Whether to grant or deny, in whole or in part, the Connect New York Coalition's petition	To consider the Connect New York Coalition's petition seeking a formal investigation and hearings
*PSC-35-14-00004-P	..... exempt	Regulation of a proposed electricity generation facility located in the Town of Brookhaven, NY	To consider regulation of a proposed electricity generation facility located in the Town of Brookhaven, NY
*PSC-35-14-00005-P	..... exempt	Whether to permit the use of the Sensus iConA electric meter	Pursuant to 16 NYCRR Parts 92 and 93, Commission approval is necessary to permit the use of the Sensus iConA electric meter
*PSC-36-14-00009-P	..... exempt	Modification to the Commission's Electric Safety Standards.	To consider revisions to the Commission's Electric Safety Standards.
*PSC-38-14-00003-P	..... exempt	Whether to approve, reject or modify, in whole or in part a time-sensitive rate pilot program.	Whether to approve, reject or modify, in whole or in part a time-sensitive rate pilot program.
*PSC-38-14-00004-P	..... exempt	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.
*PSC-38-14-00005-P	..... exempt	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.
*PSC-38-14-00007-P	..... exempt	Whether to expand Con Edison's low income program to include Medicaid recipients.	Whether to expand Con Edison's low income program to include Medicaid recipients.
*PSC-38-14-00008-P	..... exempt	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.
*PSC-38-14-00010-P	..... exempt	Inter-carrier telephone service quality standard and metrics and administrative changes.	To review recommendations from the Carrier Working Group and incorporate appropriate modifications to the existing Guidelines.
*PSC-38-14-00012-P	..... exempt	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-39-14-00020-P	..... exempt	Whether to permit the use of the Mueller Systems 400 Series and 500 Series of water meters	Pursuant to 16 NYCRR section 500.3, whether to permit the use of the Mueller Systems 400, and 500 Series of water meters
*PSC-40-14-00008-P	..... exempt	To consider granting authorization for Buy Energy Direct to resume marketing to residential customers.	To consider granting authorization for Buy Energy Direct to resume marketing to residential customers.
*PSC-40-14-00009-P	..... exempt	Whether to permit the use of the Itron Open Way Centron Meter with Hardware 3.1 for AMR and AMI functionality.	Pursuant to 16 NYCRR Parts 93, is necessary to permit the use of the Itron Open Way Centron Meter with Hardware 3.1.
*PSC-40-14-00011-P	..... exempt	Late Payment Charge.	To modify Section 7.6 - Late Payment Charge to designate a specific time for when a late payment charge is due.
*PSC-40-14-00013-P	..... exempt	Regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY.	To consider regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY.
*PSC-40-14-00014-P	..... exempt	Waiver of 16 NYCRR Sections 894.1 through 894.4(b)(2)	To allow the Town of Goshen, NY, to waive certain preliminary franchising procedures to expedite the franchising process.
*PSC-40-14-00015-P	..... exempt	Late Payment Charge.	To modify Section 6.6 - Late Payment Charge to designate a specific time for when a late payment charge is due.
*PSC-42-14-00003-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-42-14-00004-P	..... exempt	Winter Bundled Sales Service Option	To modify SC-11 to remove language relating to fixed storage charges in the determination of the Winter Bundled Sales charge
*PSC-48-14-00014-P	..... exempt	Considering the recommendations contained in Staff's electric outage investigation report for MNRR, New Haven Line.	To consider the recommendations contained in Staff's electric outage investigation report for MNRR, New Haven Line.
*PSC-52-14-00019-P	..... exempt	Petition for a waiver to master meter electricity.	Considering the request of 614 South Crouse Avenue, LLC to master meter electricity at 614 South Crouse Avenue, Syracuse, NY..
*PSC-01-15-00014-P	..... exempt	State Universal Service Fund Disbursements	To consider Edwards Telephone Company's request for State Universal Service Fund disbursements
*PSC-08-15-00010-P	..... exempt	Request pertaining to the lawfulness of National Grid USA continuing its summary billing program.	To grant, deny, or modify URAC Rate Consultants' request that National Grid cease its summary billing program.
*PSC-10-15-00007-P	..... exempt	Notification concerning tax refunds	To consider Verizon New York Inc.'s partial rehearing or reconsideration request regarding retention of property tax refunds
*PSC-10-15-00008-P	..... exempt	Whether to waive Policy on Test Periods in Major Rate Proceedings and provide authority to file tariff changes	Whether to waive Policy on Test Periods in Major Rate Proceedings and provide authority to file tariff changes

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-13-15-00024-P	..... exempt	Whether Leatherstocking should be permitted to recover a shortfall in earnings	To decide whether to approve Leatherstocking's request to recover a shortfall in earnings
*PSC-13-15-00026-P	..... exempt	Whether to permit the use of the Sensus Smart Point Gas AMR/AMI product	To permit the use of the Sensus Smart Point Gas AMR/AMI product
*PSC-13-15-00027-P	..... exempt	Whether to permit the use of the Measurlogic DTS 310 electric submeter	To permit the use of the Measurlogic DTS 310 submeter
*PSC-13-15-00028-P	..... exempt	Whether to permit the use of the SATEC EM920 electric meter	To permit necessary to permit the use of the SATEC EM920 electric meter
*PSC-13-15-00029-P	..... exempt	Whether to permit the use the Triacta Power Technologies 6103, 6112, 6303, and 6312 electric submeters	To permit the use of the Triacta submeters
*PSC-17-15-00007-P	..... exempt	To consider the petition of Leatherstocking Gas Company, LLC seeking authority to issue long-term debt of \$2.75 million	To consider the petition of Leatherstocking Gas Company, LLC seeking authority to issue long-term debt of \$2.75 million
*PSC-18-15-00005-P	..... exempt	Con Edison's Report on its 2014 performance under the Electric Service Reliability Performance Mechanism	Con Edison's Report on its 2014 performance under the Electric Service Reliability Performance Mechanism
*PSC-19-15-00011-P	..... exempt	Gas Safety Performance Measures and associated negative revenue adjustments	To update the performance measures applicable to KeySpan Gas East Corporation d/b/a National Grid
*PSC-22-15-00015-P	..... exempt	To consider the request for waiver of the individual residential unit meter requirements and 16 NYCRR 96.1(a)	To consider the request for waiver of the individual residential unit meter requirements and 16 NYCRR 96.1(a)
*PSC-23-15-00005-P	..... exempt	The modification of New York American Water's current rate plan	Whether to adopt the terms of the Joint Proposal submitted by NYAW and DPS Staff
*PSC-23-15-00006-P	..... exempt	The modification of New York American Water's current rate plan	Whether to adopt the terms of the Joint Proposal submitted by NYAW and DPS Staff
*PSC-25-15-00008-P	..... exempt	Notice of Intent to Submeter electricity.	To consider the request of 165 E 66 Residences, LLC to submeter electricity at 165 East 66th Street, New York, New York.
*PSC-29-15-00025-P	..... exempt	Joint Petition for authority to transfer real property located at 624 West 132nd Street, New York, NY	Whether to authorize the proposed transfer of real property located at 624 West 132nd Street, New York, NY
*PSC-32-15-00006-P	..... exempt	Development of a Community Solar Demonstration Project.	To approve the development of a Community Solar Demonstration Project.
*PSC-33-15-00009-P	..... exempt	Remote net metering of a demonstration community net metering program.	To consider approval of remote net metering of a demonstration community net metering program.
*PSC-33-15-00012-P	..... exempt	Remote net metering of a Community Solar Demonstration Project.	To consider approval of remote net metering of a Community Solar Demonstration Project.
*PSC-34-15-00021-P	..... exempt	Petition by NYCOM requesting assistance with obtaining information on CLECs and ESCOs	To consider the petition by NYCOM requesting assistance with obtaining information on CLECs and ESCOs

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-35-15-00014-P	..... exempt	Consideration of consequences against Light Power & Gas, LLC for violations of the UBP	To consider consequences against Light Power & Gas, LLC for violations of the UBP
*PSC-37-15-00007-P	..... exempt	Submetered electricity	To consider the request of 89 Murray Street Ass. LLC, for clarification of the submetering order issued December 20, 2007
*PSC-40-15-00014-P	..... exempt	Whether to permit the use of the Open Way 3.5 with cellular communications	To consider the use of the Open Way 3.5 electric meter, pursuant to 16 NYCRR Parts 92 and 93
*PSC-42-15-00006-P	..... exempt	Deferral of incremental expenses associated with NERC's new Bulk Electric System (BES) compliance requirements approved by FERC.	Consideration of Central Hudson's request to defer incremental expenses associated with new BES compliance requirements.
*PSC-44-15-00028-P	..... exempt	Deferral of incremental expenses associated with new compliance requirements	Consideration of Central Hudson's request to defer incremental expenses associated with new compliance requirements
*PSC-47-15-00013-P	..... exempt	Whitepaper on Implementing Lightened Ratemaking Regulation.	Consider Whitepaper on Implementing Lightened Ratemaking Regulation.
*PSC-48-15-00011-P	..... exempt	Proposal to retire Huntley Units 67 and 68 on March 1, 2016.	Consider the proposed retirement of Huntley Units 67 and 68.
*PSC-50-15-00006-P	..... exempt	The reduction of rates.	To consider the reduction of rates charged by Independent Water Works, Inc.
*PSC-50-15-00009-P	..... exempt	Notice of Intent to submeter electricity.	To consider the request to submeter electricity at 31-33 Lincoln Road and 510 Flatbush Avenue, Brooklyn, New York.
*PSC-51-15-00010-P	..... exempt	Modification of the EDP	To consider modifying the EDP
*PSC-01-16-00005-P	..... exempt	Proposed amendment to Section 5, Attachment 1.A of the Uniform Business Practices	To consider amendment to Section 5, Attachment 1.A of the Uniform Business Practices
*PSC-04-16-00007-P	..... exempt	Whether Hamilton Municipal Utilities should be permitted to construct and operate a municipal gas distribution facility.	Consideration of the petition by Hamilton Municipal Utilities to construct and operate a municipal gas distribution facility.
*PSC-04-16-00012-P	..... exempt	Proposal to mothball three gas turbines located at the Astoria Gas Turbine Generating Station.	Consider the proposed mothball of three gas turbines located at the Astoria Gas Turbine Generating Station.
*PSC-04-16-00013-P	..... exempt	Proposal to find that three gas turbines located at the Astoria Gas Turbine Generating Station are uneconomic.	Consider whether three gas turbines located at the Astoria Gas Turbine Generating Station are uneconomic.
*PSC-06-16-00013-P	..... exempt	Continued deferral of approximately \$16,000,000 in site investigation and remediation costs.	To consider the continued deferral of approximately \$16,000,000 in site investigation and remediation costs.
*PSC-06-16-00014-P	..... exempt	MEGA's proposed demonstration CCA program.	To consider MEGA's proposed demonstration CCA program.
*PSC-14-16-00008-P	..... exempt	Resetting retail markets for ESCO mass market customers.	To ensure consumer protections with respect to residential and small non-residential ESCO customers.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-18-16-00013-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs.	To ensure consumer protection for ESCO customers.
*PSC-18-16-00014-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs.	To ensure consumer protection for ESCO customers.
*PSC-18-16-00015-P	..... exempt	Petitions for rehearing of the Order Resetting Retail Energy Markets and Establishing Further Process.	To ensure consumer protections for ESCO customers.
*PSC-18-16-00016-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs.	To ensure consumer protection for ESCO customers.
*PSC-18-16-00018-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs.	To ensure consumer protection for ESCO customers.
*PSC-20-16-00008-P	..... exempt	Consideration of consequences against Global Energy Group, LLC for violations of the Uniform Business Practices (UBP).	To consider consequences against Global Energy Group, LLC for violations of the Uniform Business Practices (UBP).
*PSC-20-16-00010-P	..... exempt	Deferral and recovery of incremental expense.	To consider deferring costs of conducting leak survey and repairs for subsequent recovery.
*PSC-20-16-00011-P	..... exempt	Enetics LD-1120 Non-Intrusive Load Monitoring Device in the Statewide Residential Appliance Metering Study.	To consider the use of the Enetics LD-1120 Non-Intrusive Load Monitoring Device.
*PSC-24-16-00009-P	..... exempt	Petition to submeter gas service.	To consider the Petition of New York City Economic Development Corp. to submeter gas at Pier 17, 89 South Street, New York, NY.
*PSC-25-16-00009-P	..... exempt	To delay Companies' third-party assessments of customer personally identifiable information until 2018.	To extend the time period between the Companies' third-party assessments of customer personally identifiable information.
*PSC-25-16-00025-P	..... exempt	Acquisition of all water supply assets of Woodbury Heights Estates Water Co., Inc. by the Village of Kiryas Joel.	To consider acquisition of all water supply assets of Woodbury Heights Estates Water Co., Inc. by the Village of Kiryas Joel.
*PSC-25-16-00026-P	..... exempt	Use of the Badger E Series Ultrasonic Cold Water Stainless Steel Meter, in residential fire service applications.	To consider the use of the Badger E Series Ultrasonic Cold Water Stainless Steel Meter in fire service applications.
*PSC-28-16-00017-P	..... exempt	A petition for rehearing of the Order Adopting a Ratemaking and Utility Revenue Model Policy Framework.	To determine appropriate rules for and calculation of the distributed generation reliability credit.
*PSC-29-16-00024-P	..... exempt	Participation of NYPA customers in surcharge-funded clean energy programs.	To consider participation of NYPA customers in surcharge-funded clean energy programs.
*PSC-32-16-00012-P	..... exempt	Benefit-Cost Analysis Handbooks.	To evaluate proposed methodologies of benefit-cost evaluation.
*PSC-33-16-00001-EP	..... exempt	Use of escrow funds for repairs.	To authorize the use of escrow account funds for repairs.
*PSC-33-16-00005-P	..... exempt	Exemption from certain charges for delivery of electricity to its Niagara Falls, New York facility.	Application of System Benefits Charges, Renewable Portfolio Standard charges and Clean Energy Fund surcharges.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-35-16-00015-P	..... exempt	NYSRC's revisions to its rules and measurements	To consider revisions to various rules and measurements of the NYSRC
*PSC-36-16-00004-P	..... exempt	Recovery of costs for installation of electric service.	To consider the recovery of costs for installation of electric service.
*PSC-40-16-00025-P	..... exempt	Consequences pursuant to the Commission's Uniform Business Practices (UBP).	To consider whether to impose consequences on Smart One for its apparent non-compliance with Commission requirements.
*PSC-47-16-00009-P	..... exempt	Petition to use commercial electric meters	To consider the petition of Itron, Inc. to use the Itron CP2SO and CP2SOA in commercial electric meter applications
*PSC-47-16-00010-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00013-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00014-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00016-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-02-17-00010-P	..... exempt	Implementation of the four EAMs.	To consider the implementation of EAMs for RG&E.
*PSC-02-17-00012-P	..... exempt	Implementation of the four EAMs.	To consider the implementation of EAMs for NYSEG.
*PSC-18-17-00024-P	..... exempt	A petition for rehearing or reconsideration of the Order Addressing Public Policy Transmission Need for AC Transmission Upgrades	To determine whether Public Policy Transmission Need/Public Policy Requirements continue to exist.
*PSC-18-17-00026-P	..... exempt	Revisions to the Dynamic Load Management surcharge.	To consider revisions to the Dynamic Load Management surcharge.
*PSC-19-17-00004-P	..... exempt	NYAW's request to defer and amortize, for future rate recognition, pension settlement payout losses incurred in 2016.	Consideration of NYAW's petition to defer and amortize, for future rate recognition, pension payout losses incurred in 2016.
*PSC-20-17-00008-P	..... exempt	Compressed natural gas as a motor fuel for diesel fueled vehicles.	To consider a report filed by National Grid NY regarding the potential for adoption of compressed natural gas as a motor fuel.
*PSC-20-17-00010-P	..... exempt	Compressed natural gas as a motor fuel for diesel fueled vehicles.	To consider a report filed by National Grid regarding the potential for adoption of compressed natural gas as a motor fuel.
*PSC-21-17-00013-P	..... exempt	The establishment and implementation of Earnings Adjustment Mechanisms.	To consider the establishment and implementation of Earnings Adjustment Mechanisms.
*PSC-21-17-00018-P	..... exempt	Proposed agreement for the provision of water service by Saratoga Water Services, Inc.	To consider a waiver and approval of terms of a service agreement.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-22-17-00004-P	..... exempt	Financial incentives to create customer savings and develop market-enabling tools, with a focus on outcomes and incentives	To consider the proposed Interconnection Survey Process and Earnings Adjustment Mechanisms
*PSC-24-17-00006-P	..... exempt	Development of the Utility Energy Registry.	Improved data access.
*PSC-26-17-00005-P	..... exempt	Notice of Intent to submeter electricity.	To consider the Notice of Intent to submeter electricity at 125 Waverly Street, Yonkers, New York.
*PSC-34-17-00011-P	..... exempt	Waiver to permit Energy Cooperative of America to serve low-income customers	To consider the petition for a waiver
*PSC-37-17-00005-P	..... exempt	Financial incentives to create customer savings and develop market-enabling tools, with a focus on outcomes and incentives.	To consider the revised Interconnection Survey Process and Earnings Adjustment Mechanisms.
*PSC-39-17-00011-P	..... exempt	Whether to direct New York State Electric & Gas to complete electric facility upgrades at no charge to Hanehan.	To determine financial responsibility between NYSEG and Hanehan for the electric service upgrades to Hanehan.
*PSC-42-17-00010-P	..... exempt	Petition for rehearing of negative revenue adjustment and contents of annual Performance Report.	To consider NFGD's petition for rehearing.
*PSC-48-17-00015-P	..... exempt	Low Income customer options for affordable water bills.	To consider the Low Income Bill Discount and/or Energy Efficiency Rebate Programs.
*PSC-50-17-00017-P	..... exempt	New Wave Energy Corp.'s petition for rehearing.	To consider the petition for rehearing filed by New Wave Energy Corp.
*PSC-50-17-00018-P	..... exempt	Application of the Public Service Law to DER suppliers.	To determine the appropriate regulatory framework for DER suppliers.
*PSC-50-17-00019-P	..... exempt	Transfer of utility property.	To consider the transfer of utility property.
*PSC-50-17-00021-P	..... exempt	Disposition of tax refunds and other related matters.	To consider the disposition of tax refunds and other related matters.
*PSC-51-17-00011-P	..... exempt	Petition for recovery of certain costs related to the implementation of a Non-Wires Alternative Project.	To consider Con Edison's petition for the recovery of costs for implementing the JFK Project.
*PSC-04-18-00005-P	..... exempt	Notice of intent to submeter electricity.	To consider the notice of intent of Montante/ Morgan Gates Circle LLC to submeter electricity.
*PSC-05-18-00004-P	..... exempt	Lexington Power's ZEC compliance obligation.	To promote and maintain renewable and zero-emission electric energy resources.
*PSC-06-18-00012-P	..... exempt	To consider further proposed amendments to the original criteria to grandfathering established in the Transition Plan	To modify grandfathering criteria
*PSC-06-18-00017-P	..... exempt	Merger of NYAW and Whitlock Farms Water Corp.	To consider the merger of NYAW and Whitlock Farms Water Company into a single corporate entity
*PSC-07-18-00015-P	..... exempt	The accuracy and reasonableness of National Grid's billing for certain interconnection upgrades.	To consider AEC's petition requesting resolution of their billing dispute with National Grid.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-11-18-00004-P	..... exempt	New York State Lifeline Program.	To consider TracFone's petition seeking approval to participate in Lifeline.
*PSC-13-18-00015-P	..... exempt	Eligibility of an ESCO to market to and enroll residential customers.	To consider whether Astral should be allowed to market to and enroll residential customers following a suspension.
*PSC-13-18-00023-P	..... exempt	Reconciliation of property taxes.	To consider NYAW's request to reconcile property taxes.
*PSC-14-18-00006-P	..... exempt	Petition for abandonment	To consider the abandonment of Willsboro Bay Water Company's water system
*PSC-17-18-00010-P	..... exempt	Petition for use of gas metering equipment.	To ensure that consumer bills are based on accurate measurements of gas usage.
*PSC-18-18-00009-P	..... exempt	Transfer of control of Keene Valley Video Inc.	To ensure performance in accordance with applicable cable laws, regulations and standards and the public interest
*PSC-23-18-00006-P	..... exempt	Whether to impose consequences on Aspiry for its non-compliance with Commission requirements.	To ensure the provision of safe and adequate energy service at just and reasonable rates.
*PSC-24-18-00013-P	..... exempt	Implementation of program rules for Renewable Energy Standard and ZEC requirements.	To promote and maintain renewable and zero-emission electric energy resources.
*PSC-28-18-00011-P	..... exempt	Storm Hardening Collaborative Report.	To ensure safe and adequate gas service.
*PSC-29-18-00008-P	..... exempt	Participation in Targeted Accessibility Fund	To encourage enhanced services for low-income consumers
*PSC-29-18-00009-P	..... exempt	Overvaluing real property tax expense recovery in water rates	To prevent unjust and unreasonable water rates
*PSC-34-18-00015-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and energy efficiency protections are in place.
*PSC-34-18-00016-P	..... exempt	Deferral of pre-staging and mobilization storm costs.	To ensure just and reasonable rates for ratepayers and utility recovery of unexpected, prudently incurred costs.
*PSC-35-18-00003-P	..... exempt	Con Edison's 2018 DSIP and BCA Handbook Update.	To continue Con Edison's transition to a modern utility serving as a Distributed System Platform Provider.
*PSC-35-18-00005-P	..... exempt	NYSEG and RG&E's 2018 DSIP and BCA Handbook Update.	To continue NYSEG and RG&E's transition to modern utilities acting as Distributed System Platform Providers.
*PSC-35-18-00006-P	..... exempt	National Grid's 2018 DSIP and BCA Handbook Update.	To continue National Grid's transition to a modern utility serving as a Distributed System Platform Provider.
*PSC-35-18-00008-P	..... exempt	Central Hudson's 2018 DSIP and BCA Handbook Update.	To continue Central Hudson's transition to a modern utility serving as a Distributed System Platform Provider.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-35-18-00010-P	..... exempt	O&R's 2018 DSIP and BCA Handbook Update.	To continue O&R's transition to a modern utility acting as a Distributed System Platform Provider.
*PSC-39-18-00005-P	..... exempt	Participation in New York State Lifeline Program.	To encourage enhanced services for low-income customers.
*PSC-40-18-00014-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries.	To review the gas utilities' reconciliation of Gas Expenses and Gas Cost Recoveries for 2018.
*PSC-42-18-00011-P	..... exempt	Voluntary residential beneficial electrification rate design.	To provide efficient rate design for beneficial technologies in New York State that is equitable for all residential customers.
*PSC-42-18-00013-P	..... exempt	Petition for clarification and rehearing of the Smart Solutions Program Order.	To address the increased demand for natural gas in the Con Edison's service territory and the limited pipeline capacity.
*PSC-44-18-00016-P	..... exempt	Petition for approval of gas metering equipment.	To ensure that customer bills are based on accurate measurements of gas usage.
*PSC-45-18-00005-P	..... exempt	Notice of intent to submeter electricity and waiver of energy audit	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place
*PSC-47-18-00008-P	..... exempt	Proposed Public Policy Transmission Needs/ Public Policy Requirements, as defined under the NYISO tariff.	To identify any proposed Public Policy Transmission Needs/Public Policy Requirements for referral to the NYISO.
*PSC-01-19-00004-P	..... exempt	Advanced Metering Infrastructure.	To determine whether Niagara Mohawk Power Corporation d/b/a National Grid should implement advanced metering infrastructure.
*PSC-01-19-00013-P	..... exempt	Order of the Commission related to caller ID unblocking.	To require telephone companies to unblock caller ID on calls placed to the 311 municipal call center in Suffolk County.
*PSC-03-19-00002-P	..... exempt	DPS Staff White Paper for who must be trained in 16 NYCRR Part 753 requirements and how the Commission will approve trainings.	To reduce damage to underground utility facilities by requiring certain training and approving training curricula.
*PSC-04-19-00004-P	..... exempt	Con Edison's petition for the Gas Innovation Program and associated budget.	To pursue programs that continue service reliability and meet customer energy needs while aiding greenhouse gas reduction goals.
*PSC-04-19-00011-P	..... exempt	Update of revenue targets.	To ensure NYAW's rates are just and reasonable and accurately reflect the needed revenues.
*PSC-06-19-00005-P	..... exempt	Consideration of the Joint Utilities' proposed BDP Program.	To to expand opportunities for low-income households to participate in Community Distributed Generation (CDG) projects.
*PSC-07-19-00009-P	..... exempt	Whether to impose consequences on AAA for its non-compliance with Commission requirements.	To insure the provision of safe and adequate energy service at just and reasonable rates.
*PSC-07-19-00016-P	..... exempt	Participation in New York State Lifeline Program.	To encourage enhanced services for low-income customers.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-09-19-00010-P	..... exempt	Non-pipeline alternatives report recommendations.	To consider the terms and conditions applicable to gas service.
*PSC-12-19-00004-P	..... exempt	To test innovative pricing proposals on an opt-out basis.	To provide pricing structures that deliver benefits to customers and promote beneficial electrification technologies.
*PSC-13-19-00010-P	..... exempt	New Commission requirements for gas company operator qualification programs.	To make pipelines safer with improved training of workers who perform construction and repairs on natural gas facilities.
*PSC-19-19-00013-P	..... exempt	Proposed merger of three water utilities into one corporation.	To determine if the proposed merger is in the public interest.
*PSC-19-19-00014-P	..... exempt	Establishment of the regulatory regime applicable to an approximately 124 MW electric generating facility.	Consideration of a lightened regulatory regime for an approximately 124 MW electric generating facility.
*PSC-20-19-00008-P	..... exempt	Reporting on energy sources	To ensure accurate reporting and encourage clean energy purchases
*PSC-20-19-00010-P	..... exempt	Compensation policies for certain CHP projects	To consider appropriate rules for compensation of certain CHP resources
*PSC-20-19-00015-P	..... exempt	Establishment of the regulatory regime applicable to an approximately 105.8 MW electric generating facility	Consideration of a lightened regulatory regime for an approximately 105.8 MW electric generating facility
*PSC-31-19-00011-P	..... exempt	Electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
*PSC-31-19-00013-P	..... exempt	Implementation of Statewide Energy Benchmarking.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
*PSC-31-19-00015-P	..... exempt	Proposed major rate increase in KEDNY's gas delivery revenues by \$236.8 million (13.6% increase in total revenues).	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
*PSC-31-19-00016-P	..... exempt	Proposed major rate increase in KEDLI's gas delivery revenues of approximately \$49.4 million (or 4.1% in total revenues).	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
*PSC-32-19-00012-P	..... exempt	Standby Service Rates and Buyback Service Rates	To ensure just and reasonable rates, including compensation, for distributed energy resources
*PSC-34-19-00015-P	..... exempt	Major electric rate filing.	To consider a proposed increase in RG&E's electric delivery revenues of approximately \$31.7 million (or 4.1% in total revenues).
*PSC-34-19-00016-P	..... exempt	Major gas rate filing.	To consider a proposed increase in RG&E's gas delivery revenues of approximately \$5.8 million (or 1.4% in total revenues).
*PSC-34-19-00018-P	..... exempt	Major electric rate filing.	To consider a proposed increase in NYSEG's electric delivery revenues of approximately \$156.7 million (10.4% in total revenues).
*PSC-34-19-00020-P	..... exempt	Major gas rate filing.	To consider a proposed increase in NYSEG's gas delivery revenues of approximately \$6.3 million (or 1.4% in total revenues).

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-38-19-00002-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
*PSC-39-19-00018-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-41-19-00003-P	..... exempt	A voluntary residential three-part rate that would include fixed, usage and demand charges.	To provide qualifying residential customers with an optional three-part rate.
PSC-43-19-00014-P	..... exempt	Petition for the use of electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
PSC-44-19-00003-P	..... exempt	Proposed revisions to Standby Service Rates and Buyback Service Rates.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
PSC-44-19-00005-P	..... exempt	Proposed revisions to Standby Service Rates and Buyback Service Rates.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
PSC-44-19-00006-P	..... exempt	Proposed revisions to Standby Service Rates and Buyback Service Rates.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
PSC-44-19-00007-P	..... exempt	Proposed revisions to Standby Service Rates and Buyback Service Rates.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
PSC-44-19-00008-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-44-19-00009-P	..... exempt	Proposed revisions to Standby Service Rates and Buyback Service Rates.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
PSC-45-19-00012-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-46-19-00008-P	..... exempt	Wappingers Falls Hydroelectric LLC's facility located in Wappingers Falls, New York.	To promote and maintain renewable electric energy resources.
PSC-46-19-00010-P	..... exempt	To test innovative rate designs on an opt-out basis.	To implement alternative innovative rate designs intended to assess customer behaviors in response to price signals
PSC-48-19-00007-P	..... exempt	Extension of the State Universal Service Fund.	To continue to provide universal service at a reasonable rate in certain service territories.
PSC-50-19-00004-P	..... exempt	Petition to submeter electricity and waiver of energy audit.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-52-19-00001-P	..... exempt	SUEZ Water New York Inc.'s acquisition of 100% of Heritage Hills Water Works Corporation's assets.	To determine if the proposed acquisition is in the public interest.
PSC-52-19-00006-P	..... exempt	Authorization to defer pension settlement losses.	To address the ratemaking related to the pension settlement losses.
PSC-03-20-00009-P	..... exempt	Changes to the Utility Energy Registry	To determine appropriate rules for data availability
PSC-04-20-00014-P	..... exempt	Transfer of the Indian Point site, nuclear waste, and decommissioning and site restoration funds from Entergy to Holtec.	To protect the public interest.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-06-20-00013-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-06-20-00014-P	..... exempt	A program for the procurement of Renewable Energy Certificates from existing renewable resources.	To purchase Renewable Energy Certificates and maintain the State's baseline of existing renewable resources.
PSC-06-20-00016-P	..... exempt	Notice of intent to submeter electricity and waiver of energy audit.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-07-20-00008-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-08-20-00003-P	..... exempt	PSC regulation 16 NYCRR § 86.3(a)(2) and 86.3(b)(2).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting.
PSC-09-20-00002-P	..... exempt	Request for waiver of 16 NYCRR 96.5(k)(3).	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-09-20-00006-P	..... exempt	Petition for the use of an electric meter in submetering applications.	Whether to permit the use of the GG electric meter in submetering applications in New York State.
PSC-10-20-00003-P	..... exempt	The Commission's statewide low-income discount policy.	To consider modifications to certain conditions regarding utility low-income discount programs.
PSC-10-20-00005-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether Family Energy, Inc. should be granted a waiver to offer two "green gas" products to mass market customers.
PSC-11-20-00006-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-11-20-00008-P	..... exempt	Revisions to the proration tariff language.	To consider revisions to the proration tariff language under Leaf 18.1, 18 61 to 64 and Leaf 69.
PSC-11-20-00011-P	..... exempt	Application of the Public Service Law to owners of a proposed 345 kilovolt (kV) transmission line providing wholesale services.	To determine whether to apply a lightened regulatory regime to the owners of a proposed 345 kV transmission line.
PSC-12-20-00008-P	..... exempt	Delivery rates of Corning Natural Gas Corporation.	Whether to postpone the implementation of a change in rates that would otherwise become effective on June 1, 2020.
PSC-12-20-00010-P	..... exempt	Direct Energy, LLC's Green Gas Products.	To consider whether Direct Energy, LLC should be allowed to offer two Green Gas Products to mass market customers.
PSC-13-20-00006-P	..... exempt	Utility capital expenditure proposal.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-15-20-00011-P	..... exempt	To modify the terms and conditions under which gas utilities provide service to electric generators.	To provide clarity and uniformity to the provision of gas service to electric generators.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-15-20-00012-P	..... exempt	Tariff filing.	To ensure that the utility provides safe, adequate, and reliable service at just and reasonable rates.
PSC-15-20-00013-P	..... exempt	Ownership of New York American Water Company, Inc.	To consider whether a proposed transfer of ownership of New York American Water Company, Inc. is in the public interest.
PSC-15-20-00014-P	..... exempt	Tariff filing.	To ensure that the utility provides safe, adequate, and reliable service at just and reasonable rates.
PSC-16-20-00004-P	..... exempt	Disposition of a state sales tax refund.	To determine how much of a state sales tax refund should be retained by Central Hudson.
PSC-17-20-00008-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether Alpha Gas & Electric, LLC should be permitted to offer its Green Gas Program to mass market customers.
PSC-18-20-00012-P	..... exempt	The purchase price of electric energy and capacity from customers with qualifying on-site generation facilities.	To revise the price to be paid by the Company under Service Classification No. 10. for qualifying purchases of unforced capacity
PSC-18-20-00014-P	..... exempt	Tariff modifications to reduce customer costs related to relocating customer owned equipment for back-lot service relocations.	To facilitate the relocation of service lines owned by customers from the back of their lots to the front.
PSC-18-20-00015-P	..... exempt	Participation of Eligible Telecommunications Carriers (ETCs) in New York State Lifeline Program.	Commission will consider each petition filed by an ETCs seeking approval to participate in the NYS Lifeline program.
PSC-19-20-00004-P	..... exempt	Clarification of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether energy service companies should be permitted to bank RECs to satisfy their renewable energy requirements.
PSC-19-20-00005-P	..... exempt	Cost recovery associated with Day-Ahead-DLM and Auto-DLM programs, and elimination of double compensation.	To provide cost recovery for new DLM programs and prevent double compensation to participating customers.
PSC-19-20-00009-P	..... exempt	Cost recovery associated with Day-Ahead-DLM and Auto-DLM programs, and elimination of double compensation.	To consider revisions to P.S.C. No. 10 - Electricity, and P.S.C. No. 12 - Electricity.
PSC-21-20-00005-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether Kiwi Energy NY LLC should be permitted to offer its Green Gas Products to mass market customers.
PSC-21-20-00008-P	..... exempt	Waiver of tariff rules and a related Commission regulation.	To consider whether a waiver of tariff rules and a Commission regulation are just and reasonable and in the public interest.
PSC-21-20-00011-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether IGS Energy should be allowed to offer a Carbon-Neutral Gas Product and a Home Warranty Service Product.
PSC-23-20-00006-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether IDT Energy, Inc. and Residents Energy, LLC should be permitted to offer Green Gas Products in New York.
PSC-23-20-00007-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether American Power & Gas LLC should be permitted to offer its Green Gas Products to mass market customers.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-23-20-00008-P	..... exempt	Disposition of sales tax refund and other related matters.	To consider the appropriate allocation of the sales tax refund proceeds while balancing ratepayer and shareholder interests.
PSC-23-20-00010-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether AmeriChoice Energy should be permitted to offer its Green Gas Products to mass market customers.
PSC-24-20-00016-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether the NRG Retail Companies should be permitted to offer Green Gas Products in New York.
PSC-24-20-00018-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether Atlantic Energy, LLC should be permitted to offer Green Gas Products to mass market customers in New York.
PSC-24-20-00020-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether CenStar Energy, Major Energy Services, and Spark Energy Gas should be permitted to offer Green Gas Products.
PSC-25-20-00009-P	..... exempt	Petition for the use of electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
PSC-25-20-00010-P	..... exempt	Whitepaper regarding energy service company financial assurance requirements.	To consider the form and amount of financial assurances to be included in the eligibility criteria for energy service companies.
PSC-25-20-00011-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-25-20-00012-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-25-20-00014-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether South Bay Energy Corp. should be permitted to offer Green Gas Products to mass market customers in New York.
PSC-25-20-00015-P	..... exempt	Staff whitepaper on a Data Access Framework.	To standardize the necessary privacy and cybersecurity requirements for access to energy-related data.
PSC-25-20-00016-P	..... exempt	Modifications to the Low-Income Affordability program.	To address the economic impacts of the COVID-19 pandemic.
PSC-25-20-00017-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether Marathon Energy should be permitted to offer Green Gas Products to mass market customers in New York.
PSC-25-20-00018-P	..... exempt	Staff's whitepaper proposing an IEDR.	To collect and integrate a large and diverse set of energy-related information and data on one statewide platform.
PSC-25-20-00019-P	..... exempt	A Clean Energy Resources Development and Incentives Program.	To identify and develop renewable energy project sites for competitive auction to private developers.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-26-20-00011-P	..... exempt	NYSERDA and Staff whitepaper regarding a clean energy regulatory structure.	To develop a renewable energy program to meet Climate Leadership and Community Protection Act goals.
PSC-27-20-00003-P	..... exempt	To make the uniform statewide customer satisfaction survey permanent.	To encourage consumer protections and safe and adequate service.
PSC-28-20-00020-P	..... exempt	Compensation of distributed energy resources.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
PSC-28-20-00021-P	..... exempt	Waiver of tariff provisions.	To ensure just and reasonable rates charged to customers without undue preference.
PSC-28-20-00022-P	..... exempt	Compensation of distributed energy resources.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
PSC-28-20-00023-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-28-20-00024-P	..... exempt	Notice of intent to submeter electricity and request for waiver of 16 NYCRR § 96.5(k)(3).	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-28-20-00025-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-28-20-00026-P	..... exempt	Petition to implement Section 7(5) of the Accelerated Renewable Energy Growth and Community Benefit Act.	To develop the bulk transmission investments necessary to achieve the Climate Leadership and Community Protection Act goals.
PSC-28-20-00027-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether the petitioners should be permitted to offer Green Gas Products to mass market customers in New York.
PSC-28-20-00034-P	..... exempt	Petition to implement Section 7(5) of the Accelerated Renewable Energy Growth and Community Benefit Act	To develop the bulk transmission investments necessary to achieve the Climate Leadership and Community Protection Act goals
PSC-29-20-00007-P	..... exempt	Petition to transfer telephone and cable systems, franchises and assets.	Consider the proposed transfer of telephone and cable systems, franchises and assets.
PSC-29-20-00008-P	..... exempt	Modification to the Commission's Electric Safety Standards.	To consider revisions to the Commission's Electric Safety Standards.
PSC-29-20-00009-P	..... exempt	Niagara Mohawk Power Corporation d/b/a National Grid's economic development programs.	To consider modifications to Niagara Mohawk Power Corporation d/b/a National Grid's economic development assistance programs.
PSC-29-20-00011-P	..... exempt	Petition for waiver of the requirements of Opinion No. 76-17 and 16 NYCRR Part 96 regarding individual metering of living units.	To consider the petition of Opportunities for Broome, Inc for waiver of Opinion No. 76-17 and 16 NYCRR Part 96.
PSC-29-20-00012-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-29-20-00013-P	..... exempt	Transfer of street lighting facilities.	To determine whether to authorize the transfer of street lighting facilities and the proper accounting for the transaction.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-29-20-00014-P	..... exempt	Transfer of street lighting facilities.	To determine whether to authorize the transfer of street lighting facilities and the proper accounting for the transaction.
PSC-29-20-00015-P	..... exempt	Transfer of street lighting facilities.	To determine whether to authorize the transfer of street lighting facilities and the proper accounting for the transaction.
PSC-30-20-00006-P	..... exempt	Petition to submeter electricity and request for waiver of 16 NYCRR § 96.5(k)(3).	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-30-20-00007-P	..... exempt	Tariff modifications to include provisions to enter into negotiated agreements for billing services.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-31-20-00003-P	..... exempt	Authority to issue and sell promissory notes.	To consider the petition of National Fuel Gas Distribution Corporation to issue up to \$300 million in promissory notes.
PSC-31-20-00004-P	..... exempt	Submetering of electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-31-20-00005-P	..... exempt	Changes to PSL Section 66-p relating to billing information for residential rental premises.	To establish provisions as necessary to effectuate PSL Section 66-p.
PSC-31-20-00006-P	..... exempt	Authority to issue and sell Long-Term Indebtedness, Preferred Stock, Hybrid Securities and to enter into derivative instruments.	To consider RG&E's request for authority to issue and sell Long-Term Indebtedness
PSC-31-20-00007-P	..... exempt	Transfer of street lighting facilities.	To determine whether to authorize the transfer street of lighting facilities and the proper accounting for the transaction.
PSC-31-20-00008-P	..... exempt	Submetering of electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-31-20-00009-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether Kiwi Energy NY LLC should be permitted to offer its Kiwi Guard product to mass market customers in New York.
PSC-31-20-00010-P	..... exempt	Submetering of electricity and waiver of energy audit.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-31-20-00011-P	..... exempt	Submetering of electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-32-20-00009-P	..... exempt	Transfer of street light facilities.	To determine whether to authorize the transfer of street lighting facilities and the proper accounting for the transaction.
PSC-32-20-00010-P	..... exempt	Procurement of Tier 1 RECs.	Management of renewable energy procurements to meet state goals and benefit ratepayers.
PSC-32-20-00011-P	..... exempt	Sale of transmission line and related property rights.	To determine whether to authorize the transfer of a 1.42 mile transmission line and the proper accounting for the transaction.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-32-20-00012-P	..... exempt	Transfer of street lighting facilities.	To determine whether to authorize the transfer of street lighting facilities and the proper accounting for the transaction.
PSC-32-20-00013-P	..... exempt	Authorization for RED-Rochester, LLC to incur indebtedness of up to \$200 million.	To ensure that the proposed debt financing is within the public interest.
PSC-32-20-00014-P	..... exempt	The term for retention of a monetary crediting methodology.	To provide sufficient revenues to support financing, realize promised benefits from the project, and repay necessary re-work.
PSC-32-20-00015-P	..... exempt	Petition for waiver of the requirements of 16 NYCRR Part 96 regarding individual metering of living units.	To consider the petition of St. Paul's Center to master meter and for waiver of 16 NYCRR Part 96.
PSC-32-20-00016-P	..... exempt	Transfer of street lighting facilities.	To determine whether to authorize the transfer of street lighting facilities and the proper accounting for the transaction.
PSC-32-20-00017-P	..... exempt	Transfer of street light facilities.	To determine whether to authorize the transfer of street lighting facilities and the proper accounting for the transaction.
PSC-33-20-00003-P	..... exempt	Transfer of street lighting facilities.	To determine whether to authorize the transfer of street lighting facilities and the proper accounting for the transaction.
PSC-33-20-00004-P	..... exempt	Transfer of street lighting facilities.	To determine whether to authorize the transfer of street lighting facilities and the proper accounting for the transaction.
PSC-34-20-00004-P	..... exempt	Notice of intent to submeter electricity and waiver of energy audit requirement.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-34-20-00005-P	..... exempt	Petition to provide a renewable, carbon-free energy option to residential and small commercial full-service customers.	To increase customer access to renewable energy in the Consolidated Edison Company of New York, Inc. service territory.
PSC-34-20-00006-P	..... exempt	Waiver of tariff rules and a related Commission regulation.	To consider whether a waiver of tariff rules and a Commission regulation are just and reasonable and in the public interest.
PSC-34-20-00007-P	..... exempt	Transfer of street light facilities.	To consider the transfer of street lighting facilities to the Town of Bethel.
PSC-35-20-00015-P	..... exempt	Request for waiver of 16 NYCRR 96.5(k)(3).	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-35-20-00016-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-35-20-00017-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether petitioner should be permitted to offer green gas products to mass market customers in New York.
PSC-36-20-00004-P	..... exempt	Transfer of street lighting facilities.	To consider whether the transfer of street lighting facilities is in the public interest.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-36-20-00005-P	..... exempt	The petition relates to the proposed transfer of membership interests in companies providing gas transportation services.	To consider the requested transfer and, if approved, what regulatory conditions should apply.
PSC-36-20-00006-P	..... exempt	A debt financing arrangement with respect to a proposed 345 kilovolt (kV) transmission line providing wholesale services.	To consider the requested financing arrangement, and if approved, what regulatory conditions should apply.
PSC-37-20-00006-P	..... exempt	Con Edison's petition for a proposed Non-Pipeline Solutions portfolio and associated budget.	To provide for continued service reliability and to meet customer energy needs while addressing greenhouse gas reduction goals.
PSC-37-20-00014-EP	..... exempt	Postponement of delivery rate, System Improvement Charge (SIC) and RAC/PTR surcharge with make whole starting on April 1, 2021.	To assist customers in a time of hardship by delaying a rate increase and SIC increase and RAC/PTR surcharge implementation.
PSC-38-20-00003-P	..... exempt	Minor Rate Filing	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-38-20-00004-P	..... exempt	The annual Reconciliation of Gas Expenses and Gas Cost Recoveries.	To consider filings of LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries.
PSC-39-20-00014-P	..... exempt	Tariff filing.	To determine if New York State Electric & Gas Corporation's tariff filing is consistent with the law and in the public interest.
PSC-39-20-00015-P	..... exempt	Compensation of distributed energy resources.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
PSC-39-20-00016-P	..... exempt	Tariff filing.	To determine if Central Hudson Gas & Electric Corporation's tariff filing is consistent with the law and in the public interest.
PSC-39-20-00017-P	..... exempt	Tariff filing.	To determine if National Grid's tariff filing is consistent with the law and in the public interest.
PSC-39-20-00018-P	..... exempt	Tariff filing.	To determine if Rochester Gas and Electric Corporation's tariff filing is consistent with the law and in the public interest.
PSC-39-20-00019-P	..... exempt	Tariff filing.	To determine if Orange and Rockland Utilities, Inc.'s tariff filing is consistent with the law and in the public interest.
PSC-39-20-00020-P	..... exempt	Tariff filing.	To determine if Consolidated Edison Company of New York's tariff filing is consistent with the law and in the public interest.
PSC-39-20-00021-P	..... exempt	Authority to issue to long-term debt.	To consider Corning's request for authority to issue long-term debt.
PSC-39-20-00022-P	..... exempt	Notice of intent to submeter electricity and waiver of energy audit.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-40-20-00003-P	..... exempt	NYSEG's petition for a proposed Non-Pipeline Alternatives portfolio of projects and associated budget.	To provide for continued service reliability and to meet customer energy needs while addressing greenhouse gas reduction goals.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-40-20-00004-P	..... exempt	Minor rate filing.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-40-20-00005-P	..... exempt	Electric Generation Facility Cessation Mitigation Program Funding	To develop a funding mechanism for the Electric Generation Facility Cessation Mitigation Program.
PSC-40-20-00006-P	..... exempt	Waiver of tariff rules and a related Commission regulation.	To consider whether a waiver of tariff rules and a Commission regulation are just and reasonable and in the public interest.
PSC-40-20-00007-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether the petitioner should be permitted to offer green gas and home warranty products to mass market customers.
PSC-40-20-00008-P	..... exempt	A benefit for electric utility customers in communities that host a major renewable energy facility.	To consider a just and reasonable benefit for electric utility customers in renewable host communities.
PSC-40-20-00009-P	..... exempt	Amendments clarifying the sharing of revenue from the Energy Storage Program.	To ensure that Con Edison's tariff is clear regarding sharing of revenue when annual wholesale revenues exceed contract costs.
PSC-40-20-00010-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether the petitioner should be permitted to offer green gas and home warranty products to mass market customers.
STATE, DEPARTMENT OF			
DOS-26-20-00008-P	..... 07/01/21	Creation of a cease and desist zone within Kings County	To adopt a cease and desist zone for a designated area within Kings County
DOS-34-20-00003-P	..... 08/26/21	Access to domestic violence and sexual assault awareness education courses	To provide access to domestic violence and sexual assault awareness education courses as mandated by the General Business Law
DOS-37-20-00015-P	..... 09/16/21	Siting of major renewable energy facilities	To establish procedural requirements for permits for siting, construction and operation of major renewable energy facilities
DOS-37-20-00016-P	..... 11/29/21	Siting permits for major renewable energy facilities	To establish uniform standards and conditions for siting, design, construction & operation of major renewable energy facilities
STATE UNIVERSITY OF NEW YORK			
SUN-53-19-00005-P	..... 01/02/21	Proposed amendments to the traffic and parking regulations at State University Agricultural and Technical College at Morrisville	Amend existing regulations to update traffic and parking regulations
SUN-29-20-00004-EP	..... 07/22/21	State basic financial assistance for the operating expenses of community colleges under the program of SUNY and CUNY	To modify limitations formula for basic State financial assistance and remove an operating support "floor"
SUN-29-20-00005-EP	..... 07/22/21	Student Assembly Elections, Student Assembly Officers, Campus Government Elections, Student Activity Fees	To postpone voting on student activity fees and elections of Student Assembly representatives and officers until Fall 2020

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
STATE UNIVERSITY OF NEW YORK			
SUN-37-20-00002-EP	09/16/21	Appointment of Employees; Eligibility	To allow for the addition of one year to the service limits for current faculty to attain continuing appointment
STATEN ISLAND RAPID TRANSIT OPERATING AUTHORITY			
SIR-20-20-00003-EP	05/20/21	The conduct and safety of the public in the use of terminals, stations and trains operated by Staten Island Rapid Transit Auth	To safeguard the public health and safety by amending rules concerning appropriate and safe use of terminals and stations.
SIR-39-20-00008-EP	09/30/21	Requiring mask wearing covering the nose and mouth when using terminals, stations and trains operated by SIRTOA.	To safeguard the public health and safety by amending rules to require the use of masks when using terminals and stations.
TAXATION AND FINANCE, DEPARTMENT OF			
TAF-02-20-00001-EP	01/14/21	Property tax levy limits for school districts in relation to certain costs resulting from capital local expenditures	To implement Education Law 2023-a relating to certain costs resulting from capital local expenditures of school districts
TAF-33-20-00002-P	exempt	Fuel use tax on motor fuel and diesel motor fuel and the art. 13-A carrier tax jointly administered therewith	To set the sales tax component and the composite rate per gallon for the period October 1, 2020 through December 31, 2020
TAF-38-20-00005-P	09/23/21	New York State and City of Yonkers withholding tables and other methods	To provide current New York State and City of Yonkers withholding tables and other methods
TEMPORARY AND DISABILITY ASSISTANCE, OFFICE OF			
TDA-16-20-00012-P	04/22/21	New York State Combined Application Project (NYSCAP)	To implement the NYSCAP, a new combined application project for recipients of Supplemental Security Income benefits, who have been designated as Live-Alone by the Social Security Administration and the State-funded SSI State Supplement Program
TDA-26-20-00007-P	07/01/21	Supplemental Security Income (SSI) Additional State Payments	To clarify who participates, the intended uses for benefits, that benefits won't be issued once a death is verified, time frames to report and circumstances when underpayment/retroactive benefits will issue, and NYS operates SSP under State rules
TDA-39-20-00024-EP	09/30/21	Standard Utility Allowances (SUAs) for the Supplemental Nutrition Assistance Program (SNAP)	These regulatory amendments set forth the federally-approved SUAs as of 10/1/20
THOROUGHbred BREEDING AND DEVELOPMENT FUND			
TBD-34-20-00008-P	08/26/21	Residency requirement for dam of New York bred foal	To enable the Fund to improve agriculture and Thoroughbred horse breeding in New York
THRUWAY AUTHORITY, NEW YORK STATE			
THR-01-20-00003-P	01/07/21	Toll rate adjustments on the New York State Thruway system.	To provide for toll rate adjustments necessary to support the Authority's financial obligations.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
WORKERS' COMPENSATION BOARD			
WCB-23-20-00001-P	06/10/21	Submission of medical bills and reports	To allows the single mailing address and format prescribed by the chair for submission of bills and medical reports
WCB-23-20-00004-P	06/10/21	EDI system updates	To require carriers to report certain credits taken for payments to claimants; biannual reports; EDI 3.1 updates
WCB-28-20-00003-EP	07/15/21	Adding COVID-19 diagnosis by a health care provider as a serious health condition for purposes of Paid Family Leave	To clarify that employees may take PFL to care for a family member with COVID-19

ADVERTISEMENTS FOR BIDDERS/CONTRACTORS

SEALED BIDS

REPLACE RELIEF WELLS

Portville Flood Control Project
Portville, Cattaraugus County

Sealed bids for Project No. 45499-C, comprising a separate contract for Construction Work, Replace Relief Wells, Portville Flood Control Project, Village of Portville (Cattaraugus County) NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Department of Environmental Conservation- Water Resources, until 2:00 p.m. on Wednesday, October 14th, 2020 when they will be publicly opened and read. Each bid must be prepared and submitted in accordance with the Instructions to Bidders and must be accompanied by a certified check, bank check, or bid bond in the amount of \$62,500 for C.

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond pursuant to Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract estimated to be between \$1,000,000 and \$2,000,000 for C.

Pursuant to State Finance Law §§ 139-j and 139-k, this solicitation includes and imposes certain restrictions on communications between OGS D&C and a bidder during the procurement process. A bidder is restricted from making contacts from the earliest posting, on the OGS website, in a newspaper of general circulation, or in the Contract Reporter of written notice, advertisement or solicitation of offers through final award and approval of the contract by OGS D&C and the Office of the State Comptroller ("Restricted Period") to other than designated staff unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a). Designated staff are John Pupons, Jessica Hoffman and Pierre Alric in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862 and John Lewycky, Deputy Director, Design & Construction Group, telephone (518) 474-0201, fax (518) 486-1650. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the bidder pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a four-year period, the bidder is debarred from obtaining governmental Procurement Contracts. Bidders responding to this Advertisement must familiarize themselves with the State Finance Law requirements and will be expected to affirm that they understand and agree to comply on the bid form. Further information about these requirements can be found within the project manual or at: <http://www.ogs.ny.gov/aboutOGS/regulations/defaultAdvisoryCouncil.html>

The substantial completion date for this project is 266 days after the Agreement is approved by the Comptroller.

Pursuant to Public Buildings Law § 8(6), effective January 11, 2020, for any projects where the project design commenced on or after January 1, 2020 and for any contracts over \$5,000 for the work of construction, reconstruction, alteration, repair, or improvement of any State building, a responsible and reliable NYS-certified Minority or Women-Owned Business Enterprise that submits a bid within ten

percent of the lowest bid will be deemed the apparent low bidder provided that the bid is \$1,400,000 or less, as adjusted annually for inflation beginning January 1, 2020. If more than one responsible and reliable MWBE firm meets these requirements, the MWBE firm with the lowest bid will be deemed the apparent low bidder.

☒ Project commenced design before January 1, 2020. Not subject to provision.

☐ Project commenced design on or after January 1, 2020. Subject to provision.

The Office of General Services reserves the right to reject any or all bids.

The Bidding and Contract Documents for this Project are available on compact disc (CD) only, and may be obtained for an \$8.00 deposit per set, plus a \$2.00 per set shipping and handling fee. Pursuant to State Finance Law § 143(1), effective January 11, 2020, the required deposit will be waived upon request by any Minority- and Women-Owned Business Enterprise certified pursuant to Article 15-A of the Executive Law or any Service-Disabled Veteran-Owned Business Enterprise certified pursuant to Article 17-B of the Executive Law. Contractors and other interested parties can order CD's on-line through a secure web interface available 24 hours a day, 7 days a week. Please use the following link at the OGS website for ordering and payment instructions: <https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

For questions about purchase of bid documents, please send an e-mail to DCPlans@ogs.ny.gov, or call (518) 474-0203.

For additional information on this project, please use the link below and then click on the project number: <https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

By *John D. Lewycky*, Deputy Director
OGS - Design & Construction Group

REHABILITATE ELEVATORS

Creedmoor Psychiatric Center
Queens Village, Queens County

Sealed bids for Project Nos. 45834-C, 45834-U, 45834-H, 45834-E, comprising separate contracts for Construction Work, Elevator Work, HVAC Work, and Electrical Work to Rehabilitate Elevators, Building 40, Creedmoor Psychiatric Center, 80-45 Winchester Blvd, Queens Village (Queens County) NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Office of Mental Health, until 2:00 p.m. on Wednesday, October 21st, 2020 when they will be publicly opened and read. Each bid must be prepared and submitted in accordance with the Instructions to Bidders and must be accompanied by a bid security (i.e. certified check, bank check, or bid bond in the amount of 19,600 for C, \$94,100 for U, \$13,900 for H, and \$20,700 for E.).

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond in the statutory form of public bonds required by Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract estimated to be between

\$250,000 and \$500,000 for C, between \$3,000,000 and \$4,000,000 for U, between \$100,000 and \$250,000 for H, and between \$250,000 and \$500,000 for E.

Pursuant to State Finance Law §§ 139-j and 139-k, this solicitation includes and imposes certain restrictions on communications between OGS D&C and a bidder during the procurement process. A bidder is restricted from making contacts from the earliest posting, on the OGS website, in a newspaper of general circulation, or in the Contract Reporter of written notice, advertisement or solicitation of offers through final award and approval of the contract by OGS D&C and the Office of the State Comptroller ("Restricted Period") to other than designated staff unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a). Designated staff are John Pupons, Jessica Hoffman and Pierre Alric in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862 and John Lewyckyj, Deputy Director, Design & Construction Group, telephone (518) 474-0201, fax (518) 486-1650. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the bidder pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a four-year period, the bidder is debarred from obtaining governmental Procurement Contracts. Bidders responding to this Advertisement must familiarize themselves with the State Finance Law requirements and will be expected to affirm that they understand and agree to comply on the bid form. Further information about these requirements can be found within the project manual or at: <http://www.ogs.ny.gov/aboutOGS/regulations/defaultAdvisoryCouncil.html>

Pursuant to Public Buildings Law § 8(6), effective January 11, 2020, for any projects where the project design commenced on or after January 1, 2020 and for any contracts over \$5,000 for the work of construction, reconstruction, alteration, repair, or improvement of any State building, a responsible and reliable NYS-certified Minority or Women-Owned Business Enterprise that submits a bid within ten percent of the lowest bid will be deemed the apparent low bidder provided that the bid is \$1,400,000 or less, as adjusted annually for inflation beginning January 1, 2020. If more than one responsible and reliable MWBE firm meets these requirements, the MWBE firm with the lowest bid will be deemed the apparent low bidder.

 X Project commenced design before January 1, 2020. Not subject to provision.

 Project commenced design on or after January 1, 2020. Subject to provision.

As a condition of award, within 48 hours of receipt of the proposed Contract Agreement from the State, the apparent low bidder shall return the Contract Agreement to the State, properly executed, along with the Bonds if required by said Agreement. Low bidders who cannot meet these provisions may be subject to disqualification and forfeiture of the bid security.

The State intends to expedite award of this Contract and the Contractor shall be prepared to proceed with the Work accordingly. Bidders are warned that time is of the essence of the Contract and substantial completion of the Work must be within 989 days after the Agreement is approved by the Comptroller. Due to the tightness of the construction schedule, bidders should consider the necessity for an increased work force and shift operations.

Pursuant to New York State Executive Law Article 15-A and the rules and regulations promulgated thereunder, OGS is required to promote opportunities for the maximum feasible participation of New York State-certified Minority- and Women-owned Business Enterprises ("MWBEs") and the employment of minority group members and women in the performance of OGS contracts. All bidders are expected to cooperate in implementing this policy. OGS hereby establishes an overall goal of 30% for MWBE participation, 15% for Minority-Owned Business Enterprises ("MBE") participation and 15% for Women-Owned Business Enterprises ("WBE") participation (based on the current availability of qualified MBEs and WBEs) for Construction and HVAC Work and an overall goal of 14% for MWBE participation, 7% for Minority-Owned Business Enterprises ("MBE")

participation and 7% for Women-Owned Business Enterprises ("WBE") participation (based on the current availability of qualified MBEs and WBEs) for Electrical Work. The total contract goal can be obtained by utilizing any combination of MBE and/or WBE participation for subcontracting and supplies acquired under this Contract.

The Office of General Services reserves the right to reject any or all bids.

The Bidding and Contract Documents for this Project are available on compact disc (CD) only, and may be obtained for an \$8.00 deposit per set, plus a \$2.00 per set shipping and handling fee. Pursuant to State Finance Law § 143(1), effective January 11, 2020, the required deposit will be waived upon request by any Minority- and Women-Owned Business Enterprise certified pursuant to Article 15-A of the Executive Law or any Service-Disabled Veteran-Owned Business Enterprise certified pursuant to Article 17-B of the Executive Law. Contractors and other interested parties can order CD's on-line through a secure web interface available 24 hours a day, 7 days a week. Please use the following link at the OGS website for ordering and payment instructions: <https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

For questions about purchase of bid documents, please send an e-mail to DCPlans@ogs.ny.gov, or call (518) 474-0203.

For additional information on this project, please use the link below and then click on the project number: <https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

By *John D. Lewyckyj*, Deputy Director
OGS - Design & Construction Group

REHABILITATE PARKING LOTS/ROADWAYS New York City Children's Center – Queens Campus Bellerose, Queens County

Sealed bids for Project No. 46026-C, comprising of a single contract for Construction Work, Rehabilitate Parking Lots & Roadways, New York City Children's Center – Queens Campus, 74-03 Commonwealth Boulevard, Bellerose, (Queens County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Office of Mental Health, until 2:00 p.m. on Wednesday, October 28, 2020 when they will be publicly opened and read. Each bid must be prepared and submitted in accordance with the Instructions to Bidders and must be accompanied by a bid security (i.e. certified check, bank check, or bid bond in the amount of \$46,000 for C).

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond pursuant to Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract estimated to be between \$1,000,000 and \$2,000,000 for C.

Pursuant to State Finance Law §§ 139-j and 139-k, this solicitation includes and imposes certain restrictions on communications between OGS D&C and a bidder during the procurement process. A bidder is restricted from making contacts from the earliest posting, on the OGS website, in a newspaper of general circulation, or in the Contract Reporter of written notice, advertisement or solicitation of offers through final award and approval of the contract by OGS D&C and the Office of the State Comptroller ("Restricted Period") to other than designated staff unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a). Designated staff are John Pupons, Jessica Hoffman and Pierre Alric in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862 and John Lewyckyj, Deputy Director, Design & Construction Group, telephone (518) 474-0201, fax (518) 486-1650. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the bidder pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a four-year pe-

riod, the bidder is debarred from obtaining governmental Procurement Contracts. Bidders responding to this Advertisement must familiarize themselves with the State Finance Law requirements and will be expected to affirm that they understand and agree to comply on the bid form. Further information about these requirements can be found within the project manual or at: <http://www.ogs.ny.gov/aboutOGS/regulations/defaultAdvisoryCouncil.html>

Pursuant to Public Buildings Law § 8(6), effective January 11, 2020, for any projects where the project design commenced on or after January 1, 2020 and for any contracts over \$5,000 for the work of construction, reconstruction, alteration, repair, or improvement of any State building, a responsible and reliable NYS-certified Minority or Women-Owned Business Enterprise that submits a bid within ten percent of the lowest bid will be deemed the apparent low bidder provided that the bid is \$1,400,000 or less, as adjusted annually for inflation beginning January 1, 2020. If more than one responsible and reliable MWBE firm meets these requirements, the MWBE firm with the lowest bid will be deemed the apparent low bidder.

 X Project commenced design before January 1, 2020. Not subject to provision.

 Project commenced design on or after January 1, 2020. Subject to provision.

As a condition of award, within 48 hours of receipt of the proposed Contract Agreement from the State, the apparent low bidder shall return the Contract Agreement to the State, properly executed, along with the Bonds if required by said Agreement. Low bidders who cannot meet these provisions may be subject to disqualification and forfeiture of the bid security.

The State intends to expedite award of this Contract and the Contractor shall be prepared to proceed with the Work accordingly. Bidders are warned that time is of the essence of the Contract and substantial completion of the Work must be within 308 days after the Agreement is approved by the Comptroller. Due to the tightness of the construction schedule, bidders should consider the necessity for an increased work force and shift operations.

Pursuant to New York State Executive Law Article 15-A and the rules and regulations promulgated thereunder, OGS is required to promote opportunities for the maximum feasible participation of New York State-certified Minority- and Women-owned Business Enterprises ("MWBEs") and the employment of minority group members and women in the performance of OGS contracts. All bidders are expected to cooperate in implementing this policy. OGS hereby establishes an overall goal of 30% for MWBE participation, 15% for Minority-Owned Business Enterprises ("MBE") participation and 15% for Women-Owned Business Enterprises ("WBE") participation (based on the current availability of qualified MBEs and WBEs). The total contract goal can be obtained by utilizing any combination of MBE and /or WBE participation for subcontracting and supplies acquired under this Contract.

The Office of General Services reserves the right to reject any or all bids.

The Bidding and Contract Documents for this Project are available on compact disc (CD) only, and may be obtained for an \$8.00 deposit per set, plus a \$2.00 per set shipping and handling fee. Pursuant to State Finance Law § 143(1), effective January 11, 2020, the required deposit will be waived upon request by any Minority- and Women-Owned Business Enterprise certified pursuant to Article 15-A of the Executive Law or any Service-Disabled Veteran-Owned Business Enterprise certified pursuant to Article 17-B of the Executive Law. Contractors and other interested parties can order CD's on-line through a secure web interface available 24 hours a day, 7 days a week. Please use the following link at the OGS website for ordering and payment instructions: <https://ogs.ny.gov/design-construction/construction-contractors>

For questions about purchase of bid documents, please send an e-mail to DCPlans@ogs.ny.gov, or call (518) 474-0203.

For additional information on this project, please use the link below and then click on the project number: <https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

By *John D. Lewyckyj, Deputy Director*
OGS - Design & Construction Group

MISCELLANEOUS NOTICES/HEARINGS

Notice of Abandoned Property Received by the State Comptroller

Pursuant to provisions of the Abandoned Property Law and related laws, the Office of the State Comptroller receives unclaimed monies and other property deemed abandoned. A list of the names and last known addresses of the entitled owners of this abandoned property is maintained by the office in accordance with Section 1401 of the Abandoned Property Law. Interested parties may inquire if they appear on the Abandoned Property Listing by contacting the Office of Unclaimed Funds, Monday through Friday from 8:00 a.m. to 4:30 p.m., at:

1-800-221-9311
or visit our web site at:
www.osc.state.ny.us

Claims for abandoned property must be filed with the New York State Comptroller's Office of Unclaimed Funds as provided in Section 1406 of the Abandoned Property Law. For further information contact: Office of the State Comptroller, Office of Unclaimed Funds, 110 State St., Albany, NY 12236.

PUBLIC NOTICE

New York City

Deferred Compensation Plan & NYCE IRA

The New York City Deferred Compensation Plan & NYCE IRA (the "Plan") is seeking proposals from insurance consultants or brokers to provide a range of consulting services in the area of cyber insurance. The Request for Proposals ("RFP") will be available beginning on Wednesday, September 16, 2020. Responses are due no later than 4:30 p.m. Eastern Time on Wednesday, October 14, 2020. To obtain a copy of the RFP, please visit www1.nyc.gov/site/olr/about/about-rfp.page and download the RFP along with the applicable documents.

If you have any questions, please submit them via e-mail to Georgette Gestely, Director, at the following e-mail address: RPretax@nyceplans.org

Consistent with the policies expressed by the City, proposals from New York City certified minority-owned and/or women-owned businesses or proposals that include partnering arrangements with New York City certified minority-owned and/or women-owned firms are encouraged. Additionally, proposals from small and New York City-based businesses are also encouraged.

PUBLIC NOTICE

Deferred Compensation Board

Pursuant to the provisions of 9 NYCRR, Section 9003.2, authorized by Section 5 of the State Finance Law, the New York State Deferred Compensation Board, beginning Friday, October 9, 2020 is soliciting proposals from Financial Organizations to provide Stable Value Structure Management services. The Stable Value Structure Manager will be responsible for the aggregate risk characteristics of the Plan's Stable Income Fund. The Stable Income Fund is offered as an investment option under the Deferred Compensation Plan for Employees of the State of New York and Other Participating Public Jurisdictions, a plan meeting the requirements of Section 457 of the Internal Revenue

Code and Section 5 of the State Finance Law, including all rules and regulations issued pursuant thereto. *A copy of the request for proposals may be obtained from:* David Miller, Callan, LLC. at: miller@callan.com, or Tom Shingler, Callan, LLC. at: shingler@callan.com. All proposals must be received no later than the close of business on November 20, 2020.

PUBLIC NOTICE

Department of State

F-2020-0488

Date of Issuance – October 7, 2020

The New York State Department of State (DOS) is required by Federal regulations to provide timely public notice for the activities described below, which are subject to the consistency provisions of the Federal Coastal Zone Management Act (CZMA) of 1972, as amended.

The applicant has certified that the proposed activities comply with and will be conducted in a manner consistent with the federally approved New York State Coastal Management Program (NYSCMP). The applicant's consistency certification and accompanying public information and data are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York.

In F-2020-0488 the applicant, Kevin Babcock, is proposing to install 82 feet of locking concrete blocks (2'x2'x6' in size) in front of existing wooden bulkhead with install toe stone in front of bulkhead and an 8' return on the northern side of the property and tied into the neighbor on the southern side. This project is located at 42 Riverview Road, Town of Richland, Oswego County, Salmon River.

The applicant's consistency certification and supporting information are available for review at: <http://www.dos.ny.gov/opd/programs/pdfs/Consistency/F-2020-0488.pdf>

The proposed activity would be located within or has the potential to affect the following Special Management or Regulated Area(s):

- Salmon River Significant Coastal Fish and Wildlife Habitats: <https://www.dos.ny.gov/opd/programs/consistency/scfwhabitats.html>

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice or November 6, 2020.

Comments should be addressed to: Department of State, Office of Planning and Development and Community Infrastructure, Consistency Review Unit, One Commerce Plaza, Suite 1010, 99 Washington Ave., Albany, NY 12231, (518) 474-6000. Electronic submissions can be made by email at: CR@dos.ny.gov

This notice is promulgated in accordance with Title 15, Code of Federal Regulations, Part 930.

PUBLIC NOTICE

Department of State

F-2020-0744

Date of Issuance – October 7, 2020

The New York State Department of State (DOS) is required by Federal regulations to provide timely public notice for the activities

described below, which are subject to the consistency provisions of the Federal Coastal Zone Management Act of 1972, as amended.

The applicant has certified that the proposed activity complies with and will be conducted in a manner consistent with the approved New York State Coastal Management Program.

In F-2020-0744, Jefferson County Highway Department is proposing to raise the elevation of County Route 57 by ~1.5-3.0 feet. In addition, a heavy stone revetment is proposed on the Lake Ontario side of the road to add wave protection and rip rap armoring with live stake planting is proposed on the Chaumont Bay side of the road. The project will result in a ~1,522 cubic yards of rock fill being placed below the plane of Ordinary High Water of Lake Ontario and 84 cubic yards of rock fill being placed within ~1,100sf of state and federally regulated freshwater wetlands on the Chaumont Bay side of the roadway. The proposal is for an ~1,800 linear foot stretch of County Route 57 between Flanders Road and Beach Road. This stretch of the roadway connects Point Peninsula to the mainland and separates Lake Ontario from Chaumont Bay in the Town of Lyme, Jefferson County.

This proposal is part of the New York State Lake Ontario Resiliency & Economic Development Initiative (REDI). REDI is a program created to increase the resilience of shoreline communities and bolster economic development throughout the Lake Ontario and St. Lawrence River regions of New York State. Additional information about the REDI program including project profiles can be found at: <https://www.governor.ny.gov/programs/lake-ontario-resiliency-and-economic-development-initiative-redi>

The applicant's consistency certification and supporting information are available for review at: <http://www.dos.ny.gov/opd/programs/pdfs/Consistency/F-2020-0744ForPN.pdf>

Original copies of public information and data submitted by the applicant are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York.

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 15 days from the date of publication of this notice, or, October 22, 2020.

Comments should be addressed to: Consistency Review Unit, Department of State, Office of Planning, Development & Community Infrastructure, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-6000, Fax (518) 473-2464. Electronic submissions can be made by email at: CR@dos.ny.gov

This notice is promulgated in accordance with Title 15, Code of Federal Regulations, Part 930.

PUBLIC NOTICE

Department of State
Program Change Notice (NY-2020-02)

Pursuant to 15 C.F.R. Part 923 Subpart H, the New York State Department of State (DOS) has submitted to the National Oceanic and Atmospheric Administration's Office of Ocean and Coastal Resource Management (OCM) a Program Change to the New York State Coastal Management Program.

The Coastal Zone Management Act of 1972, as amended, and in accordance with 15 C.F.R. § 923.81(e), mandates that New York State provide public notice of its Program Change of New York State's Coastal Management Program to the general public, local governments, other state agencies, and regional offices of relevant federal agencies. This notice solicits comments on the proposed Program Change.

This Program Change to the New York State Coastal Management Program (NY-2020-02) alters the Necessary Data and Information required for the Department of State to undertake its review for those activities subject to review pursuant to 15 CFR Part 930 Subpart E (Consistency for Outer Continental Shelf Exploration, Development and Production Activities) by requiring Draft NEPA documentation including a draft Environmental Assessment or a Draft Environmental Impact Statement (when required by a federal agency) rather than

final NEPA documentation as is currently listed. The Program Change also includes other style and formatting edits improving readability, clarity and uniformity in language.

Copies of the Program Change document are available for review in Albany at the New York State Department of State Office of Planning and Development Offices at 99 Washington Avenue, Suite 1010, Albany, NY 12231, DOS website at: <https://www.dos.ny.gov/opd/publicNotices/notices.html> and the NOAA Program Change website at: <https://coast.noaa.gov/czmprogramchange/#/public/home>

Any comments on the Program Change should be submitted within 21 days of the date of this Notice to the NOAA Program Change website at <https://coast.noaa.gov/czmprogramchange/#/public/home> and reference NY-2020-02.

PUBLIC NOTICE

Department of State
Uniform Code Variance/Appeal Petitions

Pursuant to 19 NYCRR Part 1205, the variance and appeal petitions below have been received by the Department of State. Unless otherwise indicated, they involve requests for relief from provisions of the New York State Uniform Fire Prevention and Building Code. Persons wishing to review any petitions, provide comments, or receive actual notices of any subsequent proceeding may contact Brian Tollisen or Neil Collier, Building Standards and Codes, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2020-0245 Matter of 460 Broadway Darien Center located at 460 Broadway, Town of Darien Center (County of Genesee), NY, for a variance concerning sprinklers requirements. (Board Variance)

PUBLIC NOTICE

Department of State
Uniform Code Variance/Appeal Petitions

Pursuant to 19 NYCRR Part 1205, the variance and appeal petitions below have been received by the Department of State. Unless otherwise indicated, they involve requests for relief from provisions of the New York State Uniform Fire Prevention and Building Code. Persons wishing to review any petitions, provide comments, or receive actual notices of any subsequent proceeding may contact Brian Tollisen or Neil Collier, Building Standards and Codes, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2020-0436 Matter of Eastman Kodak Company located at 100 Latona Road, Town of Greece (County of Monroe), NY, for a variance concerning reuse of water pipes. (Board Variance)

PUBLIC NOTICE

Department of State
Uniform Code Variance/Appeal Petitions

Pursuant to 19 NYCRR Part 1205, the variance and appeal petitions below have been received by the Department of State. Unless otherwise indicated, they involve requests for relief from provisions of the New York State Uniform Fire Prevention and Building Code. Persons wishing to review any petitions, provide comments, or receive actual notices of any subsequent proceeding may contact Brian Tollisen or Neil Collier, Building Standards and Codes, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2020-0438 Matter of PJ Cools located at 6160 Transit Road, Village of Depew (County of Erie), NY, for a variance concerning bathroom requirements. (Board Variance)

PUBLIC NOTICE

Department of State
Uniform Code Variance/Appeal Petitions

Pursuant to 19 NYCRR Part 1205, the variance and appeal petitions below have been received by the Department of State. Unless other-

wise indicated, they involve requests for relief from provisions of the New York State Uniform Fire Prevention and Building Code. Persons wishing to review any petitions, provide comments, or receive actual notices of any subsequent proceeding may contact Brian Tollisen or Neil Collier, Building Standards and Codes, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2020-0446 Matter of Orville's Home Appliances located at 3979 Walden Avenue, Town of Lancaster (County of Erie), NY, for a variance concerning unlimited area of a building requirements. (Board Variance)

PUBLIC NOTICE

Susquehanna River Basin Commission

Actions Taken at September 18, 2020, Meeting

SUMMARY: As part of its regular business meeting held on September 18, 2020, from Harrisburg, Pennsylvania, the Commission approved the applications of certain water resources projects, and took additional actions, as set forth in the Supplementary Information below.

DATES: September 18, 2020.

ADDRESSES: Susquehanna River Basin Commission, 4423 N. Front Street, Harrisburg, PA 17110-1788.

FOR FURTHER INFORMATION CONTACT: Jason E. Oyler, General Counsel and Secretary, telephone: (717) 238-0423, ext. 1312, fax: (717) 238-2436; e-mail: joyler@srbc.net. Regular mail inquiries may be sent to the above address. See also Commission website at www.srbc.net.

SUPPLEMENTARY INFORMATION: In addition to the actions taken on projects identified in the summary above and the listings below, the following items were also presented or acted upon at the business meeting: (1) tabled action on a general permit; (2) rescission of Policy No. 98-03; (3) ratification of grants and agreements; (4) modifications to the Commission expense budget for fiscal year 2021; (5) adoption of the proposed expense budget for fiscal year 2022; (6) adoption of resolution regarding member allocation; (7) adoption of an updated Water Resources Program; (8) adoption of amendments to the Comprehensive Plan; (9) approval of two emergency certificate extensions; (10) approval of a request for waiver of 6-month renewal deadline; and (11) election of officers for FY2021.

Project Applications Approved:

1. Project Sponsor and Facility: Bloomfield Borough Water Authority, Centre Township, Perry County, Pa. Application for renewal of groundwater withdrawal of up to 0.056 mgd (30-day average) from Well 1 (Docket No. 19901103).

2. Project Sponsor: Byler Golf Management, Inc. Project Facility: Iron Valley Golf Club, Cornwall Borough, Lebanon County, Pa. Modification to change consumptive use mitigation method (Docket No. 19981206).

3. Project Sponsor and Facility: Cabot Oil & Gas Corporation, Eaton Township, Wyoming County, Pa. Application for renewal of groundwater withdrawal of up to 0.864 mgd (30-day average) from the Hatchery Wellfield (Wells 1, 2, and 3) (Docket No. 20160610).

4. Project Sponsor and Facility: Cabot Oil & Gas Corporation (Susquehanna River), Great Bend Township, Susquehanna County, Pa. Application for renewal of surface water withdrawal of up to 2.000 mgd (peak day) (Docket No. 20160902).

5. Project Sponsor and Facility: Chesapeake Appalachia, L.L.C. (Susquehanna River), Wilnot Township, Bradford County, Pa. Application for surface water withdrawal of up to 3.000 mgd (peak day).

6. Project Sponsor and Facility: Chesapeake Appalachia, L.L.C. (Susquehanna River), Windham Township, Wyoming County, Pa. Application for surface water withdrawal of up to 3.000 mgd (peak day).

7. Project Sponsor and Facility: Chesapeake Appalachia, L.L.C. (Wyalusing Creek), Wyalusing Township, Bradford County, Pa. Application for surface water withdrawal of up to 3.000 mgd (peak day).

8. Project Sponsor and Facility: Green Leaf Water LLC (Lycoming Creek), Lewis Township, Lycoming County, Pa. Application for re-

newal of surface water withdrawal of up to 0.900 mgd (peak day) (Docket No. 20160601).

9. Project Sponsor and Facility: Lake Meade Municipal Authority, Reading Township, Adams County, Pa. Application for groundwater withdrawal of up to 0.252 mgd (30-day average) from Well 3.

10. Project Sponsor and Facility: Meadia Heights Golf Club LLC, West Lampeter Township, Lancaster County, Pa. Modification to change consumptive use mitigation method (Docket No. 20000204).

11. Project Sponsor and Facility: Montgomery Water Authority, Clinton Township, Lycoming County, Pa. Application for renewal of groundwater withdrawal of up to 0.267 mgd (30-day average) from Well 1 (Docket No. 19881102).

12. Project Sponsor: Pixelle Specialty Solutions LLC. Project Facility: Spring Grove Mill (Codorus Creek and Unnamed Tributary to Codorus Creek), Spring Grove Borough, Jackson Township, and North Codorus Township, York County, Pa. Applications for existing surface water withdrawals (peak day) of up to 19,800 mgd (New Filter Plant Intake), 6,000 mgd (Old Filter Plant Intake), and 0.750 mgd (Kessler Pond Intake); consumptive use of up to 3.650 mgd (peak day); and existing groundwater withdrawals (30-day average) of up to 0.039 mgd (Well 1) and 0.021 mgd (Well 2). Proposed action to include combining all existing and new approvals into a single approval document with a single approval term.

13. Project Sponsor and Facility: Repsol Oil & Gas USA, LLC (Susquehanna River), Sheshequin Township, Bradford County, Pa. Application for renewal of surface water withdrawal of up to 1.500 mgd (peak day) (Docket No. 20160908).

14. Project Sponsor and Facility: S.T.L. Resources, LLC (West Branch Susquehanna River), Grugan Township, Clinton County, Pa. Application for surface water withdrawal of up to 3.450 mgd (peak day).

15. Project Sponsor and Facility: Shippensburg Borough Authority, Southampton Township, Cumberland County, Pa. Application for renewal of groundwater withdrawal of up to 1.280 mgd (30-day average) from Well 1 (Docket No. 19900713).

Commission Initiated Project Approval Modifications

16. Project Sponsor and Facility: The Municipal Authority of the Borough of Berlin, Allegheny Township, Somerset County, Pa. Conforming the grandfathering amount with the forthcoming determination for a groundwater withdrawal up to 0.030 mgd (30-day average) from Well 6 (Docket No. 19980702).

17. Project Sponsor and Facility: Iron Masters Country Club, Bloomfield Township, Bedford County, Pa. Conforming the grandfathering amount with the forthcoming determination for groundwater withdrawals up to 0.051 mgd (30-day average) from Well 10 and up to 0.061 mgd (30-day average) from Well 14 (Docket No. 20020813).

18. Project Sponsor and Facility: Sinking Valley Country Club, Tyrone Township, Blair County, Pa. Conforming the grandfathering amount with the forthcoming determination for groundwater withdrawals up to 0.081 mgd (30-day average) from the 14th Fairway Well and up to 0.099 mgd (30-day average) from the 8th Tee Well (Docket No. 20020811).

Project Application Tabled

19. Project Sponsor: Togg Mountain, LLC. Project Facility: Togg Mountain Winter Sports Center (West Branch Tioughnioga Creek), Town of Fabius, Onondaga County, N.Y. Modification to increase consumptive use (peak day) by an additional 0.505 mgd, for a total consumptive use of up to 0.990 mgd, and increase surface water withdrawal (peak day) by an additional 2.300 mgd, for a total surface water withdrawal of up to 4.500 mgd (Docket No. 20180911).

AUTHORITY: Pub. L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806, 807, and 808.

Dated: September 22, 2020

Jason E. Oyler

General Counsel and Secretary to the Commission

PUBLIC NOTICE

Susquehanna River Basin Commission

Projects Approved for Consumptive Uses of Water

SUMMARY: This notice lists the projects approved by rule by the

Susquehanna River Basin Commission during the period set forth in "DATES."

DATES: August 1-31, 2020

ADDRESSES: Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

FOR FURTHER INFORMATION CONTACT: Jason E. Oyler, General Counsel and Secretary to the Commission, telephone: (717) 238-0423, ext. 1312; fax: (717) 238-2436; e-mail: joyler@srbc.net. Regular mail inquiries May be sent to the above address.

SUPPLEMENTARY INFORMATION: This notice lists the projects, described below, receiving approval for the consumptive use of water pursuant to the Commission's approval by rule process set forth in 18 CFR § 806.22(f)(13) and 18 CFR § 806.22(f) for the time period specified above:

Water Source Approval – Issued Under 18 CFR 806.22(f):

1. Chesapeake Appalachia, L.L.C.; Pad ID: Slumber Valley; ABR-201008015.R2; Meshoppen Township, Wyoming County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: August 3, 2020.

2. XTO Energy, Inc.; Pad ID: Tome 8522H; ABR-20100556.R2; Moreland Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: August 4, 2020.

3. XTO Energy, Inc.; Pad ID: Moser 8521H; ABR-20100641.R2; Franklin Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: August 4, 2020.

4. BKV Operating, LLC; Pad ID: Sickler 5H; ABR-20100679.R2; Washington Township, Wyoming County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: August 6, 2020.

5. Chesapeake Appalachia, L.L.C.; Pad ID: Lattimer; ABR-201008038.R2; Litchfield Township, Bradford County, Pa.; Consumptive Use of Up to 7.50000 mgd; Approval Date: August 6, 2020.

6. Inflection Energy (PA), LLC.; Pad ID: Strouse Well Pad; ABR-201505002.R1; Hepburn Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: August 6, 2020.

7. XTO Energy, Inc.; Pad ID: Brown 8519H; ABR-20100604.R2; Moreland Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: August 6, 2020.

8. Chesapeake Appalachia, L.L.C.; Pad ID: Dave; ABR-201008107.R2; Albany Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: August 18, 2020.

9. Tilden Marcellus, LLC; Pad ID: Simonetti 817 (rev); ABR-20100545.R2; Gaines Township, Tioga County, Pa.; Consumptive Use of Up to 4.9900 mgd; Approval Date: August 18, 2020.

10. Tilden Marcellus, LLC; Pad ID: Coon Hollow 904; ABR-20100560.R2; West Branch Township, Potter County, Pa.; Consumptive Use of Up to 4.9900 mgd; Approval Date: August 18, 2020.

11. Range Resources – Appalachia, LLC; Pad ID: Harman, Lewis Unit #1H; ABR-20100554.R2; Moreland Township, Lycoming County, Pa.; Consumptive Use of Up to 0.1000 mgd; Approval Date: August 18, 2020.

12. ARD Operating, LLC; Pad ID: COP Tr 728 Pad A; ABR-20100631.R2; Watson Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: August 18, 2020.

13. ARD Operating, LLC; Pad ID: David C Duncan Pad A; ABR-20100635.R2; Cascade Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: August 18, 2020.

14. ARD Operating, LLC; Pad ID: COP Tr 289 C; ABR-20100636.R2; McHenry Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: August 19, 2020.

15. Chief Oil & Gas, LLC.; Pad ID: Bedford; ABR-201008139.R2; Elkland Township, Sullivan County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: August 21, 2020.

16. Chief Oil & Gas, LLC.; Pad ID: Hottenstein; ABR-201008148.R2; Forks Township, Sullivan County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: August 26, 2020.

17. Chief Oil & Gas, LLC.; Pad ID: Benspond; ABR-201008146.R2; Elkland Township, Sullivan County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: August 26, 2020.

18. Chesapeake Appalachia, L.L.C.; Pad ID: Fremar; ABR-201008147.R2; Fox Township, Sullivan County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: August 26, 2020.

19. Chesapeake Appalachia, L.L.C.; Pad ID: Roundtop; ABR-201008067.R2; Colley Township, Sullivan County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: August 26, 2020.

20. Repsol Oil & Gas USA, LLC; Pad ID: ROY (03 046) B; ABR-20100629.R2; Wells Township, Bradford County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: August 26, 2020.

21. Repsol Oil & Gas USA, LLC; Pad ID: LYON (01 078) S; ABR-20100696.R2; Troy Township, Bradford County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: August 26, 2020.

22. Tilden Marcellus, LLC; Pad ID: Pierson 810; ABR-20100633.R2; Gaines Township, Tioga County, Pa.; Consumptive Use of Up to 4.9900 mgd; Approval Date: August 26, 2020.

23. Range Resources – Appalachia, LLC; Pad ID: Shohocken Hunt Club Unit #1H - #6H; ABR-20100646.R2; Cummings Township, Lycoming County, Pa.; Consumptive Use of Up to 2.0000 mgd; Approval Date: August 26, 2020.

24. Repsol Oil & Gas USA, LLC; Pad ID: ROY (03 040) B; ABR-20100650.R2; Wells Township, Bradford County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: August 28, 2020.

25. Repsol Oil & Gas USA, LLC; Pad ID: SCHUCKER (03 006) A; ABR-20100654.R2; Columbia Township, Bradford County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: August 28, 2020.

26. Repsol Oil & Gas USA, LLC; Pad ID: FEUSNER (03 053) J; ABR-201006100.R2; Columbia Township, Bradford County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: August 28, 2020.

27. ARD Operating, LLC.; Pad ID: Larry's Creek F&G Pad D; ABR-20100684.R2; Cummings Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: August 28, 2020.

28. EXCO Resources (PA), LLC; Pad ID: Confer (Pad 32); ABR-20100699.R2; Burnside Township, Centre County, Pa.; Consumptive Use of Up to 3.0000 mgd; Approval Date: August 28, 2020.

Authority: Pub. L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806, 807, and 808.

Dated: September 22, 2020.

Jason E. Oyler,

General Counsel and Secretary to the Commission.

PUBLIC NOTICE

Susquehanna River Basin Commission

Grandfathering (GF) Registration Notice

SUMMARY: This notice lists Grandfathering Registration for projects by the Susquehanna River Basin Commission during the period set forth in DATES.

DATES: August 1-31, 2020.

ADDRESSES: Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

FOR FURTHER INFORMATION CONTACT: Jason E. Oyler, General Counsel and Secretary to the Commission, telephone: (717) 238-0423, ext. 1312; fax: (717) 238-2436; e-mail: joyler@srbc.net. Regular mail inquiries May be sent to the above address.

SUPPLEMENTARY INFORMATION: This notice lists GF Registration for projects, described below, pursuant to 18 CFR 806, Subpart E for the time period specified above:

Grandfathering Registration Under 18 CFR part 806, Subpart E:

1. Borough of Everett Area Municipal Authority – Public Water Supply System, GF Certificate No. GF-202008107, Everett Borough and West Providence Township, Bedford County, Pa.; Tatesville Tunnels, Well 1, and Well 2; Issue Date: August 12, 2020.

2. Carlisle Country Club, GF Certificate No. GF-202008108, Middlesex Township, Cumberland County, Pa.; Letort Spring Run and consumptive use; Issue Date: August 12, 2020.

3. Kerry, Inc. – Kerry Bio-Science, GF Certificate No. GF-202008109, Town of Norwich, Chenango County, N.Y.; Well 1, Well 2, and consumptive use; Issue Date: August 19, 2020.

4. Town of Owego – Water District #4, GF Certificate No. GF-202008110, Town of Owego, Tioga County, N.Y.; Well 1, Well 2, and Well 3; Issue Date: August 27, 2020.

Authority: Pub. L. 91-575, 84 Stat. 1509 et seq., 18 CFR parts 806 and 808.

Dated: September 22, 2020

Jason E. Oyler,

General Counsel and Secretary to the Commission.

EXECUTIVE ORDERS

Executive Order No. 202.60: Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency.

WHEREAS, on March 7, 2020, I issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York;

WHEREAS, the 2019 Novel Coronavirus (COVID-19) arrived in New York predominantly from Europe, with over 2.2 million travelers coming in between the end of January and March 16, 2020, when the federal government finally implemented a full European travel ban;

WHEREAS, during that period of time, 2.2 million travelers landed in the New York City metropolitan area and entered New York's communities, which, when combined with the density of our population, caused New York to have the highest infection rate of COVID-19 in the country;

WHEREAS, both cases of travel-related and community contact transmission of COVID-19 have been documented throughout New York State and, despite the persistent and diligent efforts of state and local governments to trace, test, and contain the virus, such transmission is expected to continue;

WHEREAS, New York has undertaken a cautious, incremental and evidence-based approach to reopening the State of New York;

WHEREAS, the dedication of New Yorkers to "flatten the curve" has successfully slowed the transmission of COVID-19, and these vigilant efforts must continue to protect ourselves and our friends, family members, neighbors, and community members;

WHEREAS, the State of New York had the highest infection rate, but has succeeded in reducing the rate to one of the lowest in the country, and New York is one of only a few states reported to be on track to contain COVID-19 transmission;

WHEREAS, other states that may have taken a less cautious approach are experiencing an increased prevalence of COVID-19 cases, and the prevalence of cases in other states continues to present a significant risk to New York's progress; and

WHEREAS, the federal government has failed to sufficiently address the causes and effects of the COVID-19 pandemic ravaging the nation by failing to, among other actions, establish a nation-wide testing strategy and impose a nation-wide face covering mandate;

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and the Laws of the State of New York, do hereby find that a disaster continues to exist for which affected state agencies and local governments are unable to respond adequately. Therefore, pursuant to the authority vested in me by the Constitution of the State of New York and Section 28 of Article 2-B of the Executive Law, I hereby continue the declaration of the State Disaster Emergency effective March 7, 2020, as set forth in Executive Order 202. This Executive order shall remain in effect until October 4, 2020.

IN ADDITION, I, Andrew M. Cuomo, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend or modify any statute, local law, ordinance, order, rule, or regulation, or parts thereof, of any agency during a State disaster emergency, if compliance with such statute, local law, ordinance, order, rule, or regulation would prevent, hinder, or delay action necessary to cope with the disaster emergency or if necessary to assist or aid in coping with such disaster, do hereby continue the suspensions, modifications, and direc-

tives, not superseded by a subsequent directive, made by Executive Orders 202 up to and including 202.21, and 202.27, 202.28, 202.29, 202.30, 202.38, 202.39, 202.40, 202.48, 202.49, 202.50, as extended, and Executive Order 202.55 and 202.55.1 for another thirty days through October 4, 2020 and do hereby suspend or modify the following:

- Section 2804 of the Public Authorities Law, to the extent necessary to permit public authorities to receive comments concerning a proposed toll adjustment through public hearings held remotely, use of telephone conference, video conference, and/or other means of transmission, including acceptance of public comments electronically or by mail, and to permit all required documentation and records to be available in an electronic format on the internet and upon request;
- Subdivision 4 of section 1 of chapter 25 of the laws of 2020 is modified to the extent necessary to provide that in addition to any travel to a country for which the Centers for Disease Control and Prevention has a level two or three travel health notice, an employee shall not be eligible for paid sick leave benefits or any other paid benefits pursuant to this chapter if such employee voluntarily travels to a state with a positive test rate higher than 10 per 100,000 residents, or higher than a 10% test positivity rate, over a seven day rolling average, and which the commissioner of the department of health has designated as meeting these conditions as outlined in the advisory issued pursuant to Executive Order 205, and the employee did not begin travel to such state before the commissioner of the department of health designated such state, and the travel was not taken as part of the employee's employment or at the direction of the employee's employer;
- The suspension contained in Executive Order 202.8, as continued and modified most recently in Executive Order 202.48 and 202.55 and 202.55.1, is hereby amended to provide that the tolling of civil statutes of limitation shall be lifted as it relates to any action to challenge the approval by any municipal government or public authority of a construction project that includes either affordable housing or space for use by not-for-profit organizations. The suspension of Section 30.30 of the Criminal Procedure Law, is hereby modified to require that speedy trial time limitations remain suspended in a jurisdiction until such time as petit criminal juries are reconvened in that jurisdiction; Criminal Procedure Law 170.70 is no longer suspended, and for any appearance which has been required to be in-person may continue to be conducted virtually with the consent of the parties.
- Rural Electric Cooperatives Law Section 17(d) to the extent necessary to eliminate the minimum in-person quorum requirements;
- Title 5 of Article 11 of the Real Property Tax Law, is suspended with respect to the ability of a municipality to sell liens.

IN ADDITION, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to issue any directive during a disaster emergency necessary to cope with the disaster, I do hereby issue the following directives through October 4, 2020:

- The directive contained in Executive Order 202.45, as extended, requiring closure of all schools statewide to in-person instruction, is hereby modified only insofar as to authorize

schools statewide to be open for instruction, effective September 1, 2020, subject to adherence to Department of Health issued guidance and directives, and provided further that school districts must continue plans to ensure the availability of meals, and the availability of child care for health care and emergency response workers, for any school district that is conducting its operations remotely and provided further that for any district which closes to in-person instruction, a contingency plan to immediately provide such services must be maintained;

- Whenever a coroner or medical examiner has a reasonable suspicion that COVID-19 or influenza was a cause of death, but no such tests were performed within 14 days prior to death in a nursing home or hospital, or by the hospice agency, the coroner or medical examiner shall administer both a COVID-19 and influenza test within 48 hours after death, whenever the body is received within 48 hours after death, in accordance with regulations promulgated by the Department of Health. The coroner or medical examiner shall report the death to the Department of Health immediately after and only upon receipt of both such test results through a means determined by the Department of Health. The State Department of Health shall provide assistance for any requesting coroner or medical examiner.
- Nassau County Administrative Code § 5-17.0(2) to the extent necessary to suspend the deadline to pay 2019-2020 second half general taxes appearing on the Nassau County tax roll without interest or penalties from August 10, 2020 to August 31, 2020 for residential property that was owned in whole or in part at the time of their death by healthcare workers and first responders in Nassau County who passed away after contracting the novel coronavirus and which is now owned by immediate family members or their estates.

Nassau County Administrative Code § 5-16.0(b) to the extent necessary to provide a discount of one percent on payments of second half 2020-2021 school district taxes which are made on or before December 10, 2020.

- The directive contained in Executive Order 202.3, as extended, that required closure to the public of any facility authorized to conduct video lottery gaming or casino gaming, is hereby modified to allow such facilities to open beginning on or after September 9, 2020, subject to adherence to Department of Health guidance.
- The directive contained in Executive Order 202.50, as amended by Executive Order 202.53, that allowed indoor common portions of retail shopping malls to open in regions of the state that are in Phase Four of the state's reopening, provided that such malls continue to be closed in the New York City region, is hereby amended to allow such malls to open in the New York City region, so long as such malls adhere to Department of Health issued guidance on and after September 9, 2020.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany this fourth day of September in the year two thousand twenty.

BY THE GOVERNOR

/s/ Andrew M. Cuomo

/s/ Melissa DeRosa

Secretary to the Governor

Executive Order No. 202.61: Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency.

WHEREAS, on March 7, 2020, I issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York; and

WHEREAS, both travel-related cases and community contact transmission of COVID-19 have been documented in New York State and are expected to continue;

NOW, THEREFORE, I, Andrew M. Cuomo, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend or modify any statute, local law, ordinance, order, rule, or regulation, or parts thereof, of any agency during a State disaster emergency, if compliance with such statute, local law, ordinance, order, rule, or regulation would prevent, hinder, or delay action necessary to cope with the disaster emergency or if necessary to assist or aid in coping with such disaster, I hereby temporarily suspend or modify, for the period from the date of this Executive Order through October 9, 2020 the following:

- Subdivision 1 of section 579 of the Public Health Law is modified to the extent necessary to require immediate reporting (not more than 3 hours) of results of COVID-19 and influenza testing by additional clinical laboratories, including those operated by a licensed physician, osteopath, dentist, midwife, nurse practitioner or optometrist who is authorized by the Food and Drug Administration (FDA) or Department of Health to administer a point of care COVID-19 test and registered with the Department of Health as a physician office laboratory, in accordance with section 576-c of the Public Health Law and Section 58-1.14 of Title 10 of the NYCRR; provided further as it relates to COVID-19 testing, containing information pertaining to attendance and employment in school as required by the below directives.

IN ADDITION, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to issue any directive during a disaster emergency necessary to cope with the disaster, I do hereby issue the following directives through October 9, 2020:

- Every licensed professional authorized by the Department of Health Physician Office Laboratory Evaluation Program to administer a test for COVID-19 or influenza, whether alone or in conjunction with any other test, shall report such results immediately (not more than 3 hours) to the Department of Health through the Electronic Clinical Laboratory Reporting System (ECLRS) when a result is received.
 - o Provided further that every professional authorized to administer a test for COVID-19 shall not take such sample or administer such test without inquiring, if such individual attends school, and if so, as to where such individual attends school and to report such data to ECLRS; and as to place of employment, and whether the individual works or volunteers in an elementary, secondary school, or post-secondary school, and if so, to report such data to ECLRS.
 - o Additionally, every professional authorized to administer a test for COVID-19 shall not take such sample or administer such test without inquiring as to the individual's local address, if such address differs from the individual's permanent address, and such local address must be reported to ECLRS.
- Every licensed laboratory in the state of New York shall require that, prior to processing any specimen for a COVID-19 test, alone or in conjunction with a test for any other communicable disease, information related to school of attendance, or place of employment or volunteer work for any adult, be transmitted to such laboratory along with such sample. Such information must be reported to the State Department of Health via ECLRS.
- Every local health department in the state of New York shall report to the Department of Health, on a daily basis, in a form and manner to be determined by the Department, all COVID-19 testing and diagnoses for any individual who is a student, teacher, and any other individual who is a school employee or volunteer, for both higher and lower education institutions and districts. Such daily report shall include any other data elements as the Commissioner of Health determines to be appropriate to track outbreaks of COVID-19 within higher and lower education institutions, schools and school districts.
- Every school and school district shall report to the Department of Health, on a daily basis, in a form and manner to be

determined by the Department, all COVID-19 testing and diagnoses among students, teaching staff, and any other employees or volunteers. Such daily report shall include any other data elements as the Commissioner of Health determines to be appropriate to track outbreaks of COVID-19 within such schools and school districts.

- Every higher education institution, including but not limited to community and junior colleges, universities, graduate and professional schools, medical schools, and technical schools, shall report to the Department of Health, on a daily basis, in a form and manner to be determined by the Department, all COVID-19 testing and diagnoses among any on-campus students, teaching staff, and any other employees or volunteers. Such daily report shall include any other data elements as the Commissioner of Health determines to be appropriate to track outbreaks of COVID-19 within such higher education institutions, and provided further, that additional notification to the Department of Health is required once an institution reaches 100 positive cases.
- Any directive, modification or suspension heretofore issued to authorize individuals to administer or process any COVID-19 test shall apply to any FDA approved method to test for COVID-19 in conjunction with any other communicable disease.
- All boards of elections shall develop a plan to allow a registered voter to drop off a completed absentee ballot at a board of election, early voting location, or election day voting location, without requiring they wait in line with in-person voters, to help minimize delays during in-person voting and promote contactless voting. Plans must be submitted to the State Board of Elections by September 21, 2020, and made publicly available in the county board of elections office and on their website when submitted.
- For any absentee ballot issued pursuant to Chapter 91 and Chapter 138 of the Laws of 2020 and/or the provisions of Executive Order 202.58 for which a paper application need not be returned by the voter because the voter applied for an absentee ballot by letter, email, facsimile, phone, internet or electronically, the board of elections shall not send such voter a paper absentee ballot application with their ballot, and such voter shall not be required to complete a paper application either prior to or simultaneously to receiving the ballot.
- The directive in Executive Order 202.48, which modified the directive contained in Executive Order 202.41, that prohibited indoor food services and dining as part of Phase Three in New York City, is hereby modified to allow indoor food services and dining in New York City beginning September 30, 2020, so long as Department of Health and any other applicable State-issued guidance is strictly adhered to.

(L.S.) GIVEN under my hand and the Privy Seal of the State in the City of Albany this ninth day of September in the year two thousand twenty.

BY THE GOVERNOR
/S/ Andrew M. Cuomo
/s/ Melissa DeRosa
Secretary to the Governor

Executive Order No. 202.62: Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency.

WHEREAS, on March 7, 2020, I issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York; and

WHEREAS, both travel-related cases and community contact transmission of COVID-19 have been documented in New York State and are expected to continue;

NOW THEREFORE, I, Andrew M. Cuomo, Governor of the State

of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to issue any directive during a disaster emergency necessary to cope with the disaster, I do hereby issue the following directives through October 10, 2020:

- The Metropolitan Transportation Authority (MTA) shall promulgate an enforcement plan to ensure compliance with all relevant Executive Orders and guidance applicable to its operations, including enforcement of face-covering requirements and ensuring availability of face-coverings for riders. The MTA, or any or all of its affiliates and subsidiaries, including New York City Transit Authority, the MTA Bus Company, the Long Island Rail Road, and the Metro-North Commuter Railroad may issue an emergency rule(s) to effectuate such plan.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany this tenth day of September in the year two thousand twenty.

BY THE GOVERNOR
/S/ Andrew M. Cuomo
/s/ Melissa DeRosa
Secretary to the Governor

Executive Order No. 202.63: Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency.

WHEREAS, on March 7, 2020, I issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York; and

WHEREAS, both travel-related cases and community contact transmission of COVID-19 have been documented in New York State and are expected to continue;

NOW, THEREFORE, I, Andrew M. Cuomo, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend or modify any statute, local law, ordinance, order, rule, or regulation, or parts thereof, of any agency during a State disaster emergency, if compliance with such statute, local law, ordinance, order, rule, or regulation would prevent, hinder, or delay action necessary to cope with the disaster emergency or if necessary to assist or aid in coping with such disaster, or to provide any directive necessary to respond to the disaster, do hereby continue the suspensions and modifications of law, and any directives not superseded by a subsequent directive contained in Executive Order 202.31, 202.41, 202.42, 202.43, 202.51, 202.52, as continued and contained in Executive Order 202.56 for another thirty days through October 11, 2020.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany this eleventh day of September in the year two thousand twenty.

BY THE GOVERNOR
/S/ Andrew M. Cuomo
/s/ Melissa DeRosa
Secretary to the Governor

CONCURRENT RESOLUTIONS

*Pursuant to the provisions of Section One of Article Nineteen of the Constitution of the State of New York, notice is hereby given that the following proposed amendments (one through five) to the Constitution of the State of New York are referred to the Legislature to be chosen at the next general election to be held on the third day of November 2020. New matter added is **bold** and underscored. **Bold** and ~~strikeout~~ matter in brackets is to be omitted.*

PROPOSED AMENDMENT NUMBER ONE

Senate 1048

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to section 5 of article 2 of the constitution, in relation to the ten day advance registration requirement

Section 1. Resolved (if the Assembly concur), That section 5 of article 2 of the constitution be amended to read as follows:

§ 5. Laws shall be made for ascertaining, by proper proofs, the citizens who shall be entitled to the right of suffrage hereby established, and for the registration of voters [~~; which registration shall be completed at least ten days before each election~~]. Such registration shall not be required for town and village elections except by express provision of law.

§ 2. Resolved (if the Assembly concur), That the foregoing amendment be referred to the first regular legislative session convening after the next succeeding general election of members of the assembly, and, in conformity with section 1 of article 19 of the constitution, be published for three months previous to the time of such election.

PROPOSED AMENDMENT NUMBER TWO

Senate 1049

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to section 2 of article 2 of the constitution, in relation to authorizing ballot by mail by removing cause for absentee ballot voting

Section 1. Resolved (if the Assembly concur), That section 2 of article 2 of the constitution be amended to read as follows:

§ 2. The legislature may, by general law, provide a manner in which, and the time and place at which, qualified voters [~~who, on the occurrence of any election, may be absent from the county of their residence or, if residents of the city of New York, from the city, and qualified voters who, on the occurrence of any election, may be unable to appear personally at the polling place because of illness or physical disability;~~] may vote and for the return and canvass of their votes in any election.

§ 2. Resolved (if the Assembly concur), That the foregoing amend-

ment be referred to the first regular legislative session convening after the next succeeding general election of members of the assembly, and, in conformity with section 1 of article 19 of the constitution, be published for 3 months previous to the time of such election.

PROPOSED AMENDMENT NUMBER THREE

Senate 2072

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to article 1 of the constitution, in relation to the right to clean air and water and a healthful environment

Section 1. Resolved (if the Assembly concur), That article 1 of the constitution be amended by adding a new section 19 to read as follows:

§ 19. Environmental rights. Each person shall have a right to clean air and water, and a healthful environment.

§ 2. Resolved (if the Assembly concur), That the foregoing amendment be referred to the first regular legislative session convening after the next succeeding general election of members of the assembly, and, in conformity with section 1 of article 19 of the constitution, be published for 3 months previous to the time of such election.

PROPOSED AMENDMENT NUMBER FOUR

Assembly 7714

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to section 15 of article VI of the constitution relating to the New York city civil court

Section 1. Resolved (if the Senate concur), That subdivision b of section 15 of article VI of the constitution be amended to read as follows:

b. The court of city-wide civil jurisdiction of the city of New York shall have jurisdiction over the following classes of actions and proceedings which shall be originated in such court in the manner provided by law: actions and proceedings for the recovery of money, actions and proceedings for the recovery of chattels and actions and proceedings for the foreclosure of mechanics liens and liens on personal property where the amount sought to be recovered or the value of the property does not exceed [~~twenty-five~~] fifty thousand dollars exclusive of interest and

costs, or such smaller amount as may be fixed by law; over summary proceedings to recover possession of real property and to remove tenants therefrom and over such other actions and proceedings, not within the exclusive jurisdiction of the supreme court, as may be provided by law. The court of city-wide civil jurisdiction shall further exercise such equity jurisdiction as may be provided by law and its jurisdiction to enter judgment upon a counterclaim for the recovery of money only shall be unlimited.

§ 2. Resolved (if the Senate concur), That the foregoing amendment be referred to the first regular legislative session convening after the next succeeding general election of members of the assembly, and, in conformity with section 1 of article 19 of the constitution, be published for 3 months previous to the time of such election.

PROPOSED AMENDMENT
NUMBER FIVE

Senate 8833

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to sections 2, 4, 5, 5-a and 5-b of article 3 of the constitution, in relation to the number of state senators and inclusion of incarcerated persons in the federal census for population determination for redistricting purposes and to the functioning of the independent redistricting commission in the determination of district lines for congressional and state legislative offices; and to repeal section 3 of article 3 of the constitution relating thereto

Section 1. Resolved (if the Assembly concur), That section 2 of article 3 of the constitution be amended to read as follows:

§ 2. The senate shall consist of ~~[fifty]~~ **sixty-three** members ~~[, except as hereinafter provided]~~. The senators elected in the year one thousand eight hundred and ninety-five shall hold their offices for three years, and their successors shall be chosen for two years. The assembly shall consist of one hundred and fifty members. The assembly members elected in the year one thousand nine hundred and thirty-eight, and their successors, shall be chosen for two years.

§ 2. Resolved (if the Assembly concur), That section 3 of article 3 of the constitution be REPEALED.

§ 3. Resolved (if the Assembly concur), That section 4 of article 3 of the constitution be amended to read as follows:

§ 4. (a) Except as herein otherwise provided, the federal census taken in the year nineteen hundred thirty and each federal census taken decennially thereafter shall be controlling as to the number of inhabitants in the state or any part thereof for the purposes of the apportionment of members of assembly and readjustment or alteration of senate and assembly districts next occurring, in so far as such census and the tabulation thereof purport to give the information necessary therefor. The legislature, by law, shall provide for the making and tabulation by state authorities of an enumeration of the inhabitants of the entire state to be used for such purposes, instead of a federal census, if the taking of a federal census in any tenth year from the year nineteen hundred thirty be omitted or if the federal census fails to show the **total number of inhabitants of the entire state, including the** number of aliens ~~(or)~~ **and** Indians not taxed. If a federal census, though giving the requisite information as to the state at large, fails to give the information as to any civil or territorial divisions which is required to be known for such purposes, the legislature, by law, shall provide for such an enumeration of the inhabitants of such parts of the state only as may be necessary, which shall supersede in part the federal census and be used in connection therewith for such purposes. **If a federal census fails to provide enumeration and identification of incarcerated persons, the appropriate state entities shall provide information sufficient to re-enumerate incarcerated persons to their place of last residence for the purposes of drawing district lines, no later than September first**

of any year ending in one. The legislature, by law, may provide in its discretion for an enumeration by state authorities of the inhabitants of the state, to be used for such purposes, in place of a federal census, when the return of a decennial federal census is delayed so that it is not available at the beginning of the regular session of the legislature in the second year after the year nineteen hundred thirty or after any tenth year therefrom, or if an apportionment of members of assembly and readjustment or alteration of senate districts is not made at or before such a session. At the regular session in the year nineteen hundred thirty-two, and at the first regular session after the year nineteen hundred forty and after each tenth year therefrom the senate districts shall be readjusted or altered, but if, in any decade, counting from and including that which begins with the year nineteen hundred thirty-one, such a readjustment or alteration is not made at the time above prescribed, it shall be made at a subsequent session occurring not later than the sixth year of such decade, meaning not later than nineteen hundred thirty-six, nineteen hundred forty-six, nineteen hundred fifty-six, and so on; provided, however, that if such districts shall have been readjusted or altered by law in either of the years nineteen hundred thirty or nineteen hundred thirty-one, they shall remain unaltered until the first regular session after the year nineteen hundred forty. No town, except a town having more than a full ratio of apportionment ~~[, and no block in a city enclosed by streets or public ways,]~~ shall be divided in the formation of senate districts. ~~[In the reapportionment of senate districts, no district shall contain a greater excess in population over an adjoining district in the same county, than the population of a town or block therein adjoining such district. Counties, towns or blocks which, from their location, may be included in either of two districts, shall be so placed as to make said districts most nearly equal in number of inhabitants, excluding aliens.]~~

No county shall have four or more senators unless it shall have a full ratio for each senator. No county shall have more than one-third of all the senators; and no two counties or the territory thereof as now organized, which are adjoining counties, or which are separated only by public waters, shall have more than one-half of all the senators.

(b) The independent redistricting commission established pursuant to section five-b of this article shall prepare a redistricting plan to establish senate, assembly, and congressional districts every ten years commencing in two thousand twenty-one, and shall submit to the legislature such plan and the implementing legislation therefor on or before ~~[January]~~ **November** first or as soon as practicable thereafter but no later than ~~[January]~~ **November** fifteenth in the year ending in ~~[two beginning in two thousand twenty-two]~~ **one**. The redistricting plans for the assembly and the senate shall be contained in and voted upon by the legislature in a single bill, and the congressional district plan may be included in the same bill if the legislature chooses to do so. The implementing legislation shall be voted upon, without amendment, by the senate or the assembly and if approved by the first house voting upon it, such legislation shall be delivered to the other house immediately to be voted upon without amendment. If approved by both houses, such legislation shall be presented to the governor for action.

If either house shall fail to approve the legislation implementing the first redistricting plan, or the governor shall veto such legislation and the legislature shall fail to override such veto, each house or the governor if he or she vetoes it, shall notify the commission that such legislation has been disapproved. Within fifteen days of such notification and in no case later than ~~[February twenty-eighth]~~ **January first**, the redistricting commission shall prepare and submit to the legislature a second redistricting plan and the necessary implementing legislation for such plan. Such legislation shall be voted upon, without amendment, by the senate or the assembly and, if approved by the first house voting upon it, such legislation shall be delivered to the other house immediately to be voted upon without amendment. If approved by both houses, such legislation shall be presented to the governor for action. **In the year two thousand twenty-two only, the commission shall submit to the legislature a first redistricting plan no later than January first, two thousand twenty-two. If either house shall fail to approve the legislation implementing the first redistricting plan, or the governor shall veto such legislation and the legislature shall fail to override such veto, each house or the governor if he or she vetoes it, shall promptly notify the commission that such legislation has been**

disapproved. No later than January fifteen, two thousand twenty-two, the redistricting commission shall prepare and submit to the legislature a second redistricting plan and the necessary implementing legislation for such plan. Such legislation shall be voted upon, without amendment, by the senate or the assembly and, if approved by the first house voting upon it, such legislation shall be delivered to the other house immediately to be voted upon without amendment. If approved by both houses, such legislation shall be presented to the governor for action.

If either house shall fail to approve the legislation implementing the second redistricting plan, or the governor shall veto such legislation and the legislature shall fail to override such veto, or the redistricting commission fails to vote on a redistricting plan and implementing legislation by the required deadline and makes a submission to the legislature pursuant to subdivision (g-1) of section five-b of this article, each house shall introduce such implementing legislation with any amendments each house of the legislature deems necessary. All such amendments shall comply with the provisions of this article. If approved by both houses, such legislation shall be presented to the governor for action.

All votes by the senate or assembly on any redistricting plan legislation pursuant to this article shall be conducted in accordance with the following rules:

(1) [In the event that the speaker of the assembly and the temporary president of the senate are members of two different political parties, approval] Approval of legislation submitted by the independent redistricting commission pursuant to subdivision (f) of section five-b of this article shall require the vote in support of its passage by at least a majority of the members elected to each house.

(2) [In the event that the speaker of the assembly and the temporary president of the senate are members of two different political parties, approval] Approval of legislation submitted by the independent redistricting commission pursuant to subdivision (g) of section five-b of this article shall require the vote in support of its passage by at least sixty percent of the members elected to each house.

[(3) In the event that the speaker of the assembly and the temporary president of the senate are members of the same political party, approval of legislation submitted by the independent redistricting commission pursuant to subdivision (f) or (g) of section five-b of this article shall require the vote in support of its passage by at least two-thirds of the members elected to each house.]

(c) Subject to the requirements of the federal constitution and statutes and in compliance with state constitutional requirements, the following principles shall be used in the creation of state senate and state assembly districts and congressional districts:

(1) When drawing district lines, the commission shall consider whether such lines would result in the denial or abridgement of racial or language minority voting rights, and districts shall not be drawn to have the purpose of, nor shall they result in, the denial or abridgement of such rights. Districts shall be drawn so that, based on the totality of the circumstances, racial or minority language groups do not have less opportunity to participate in the political process than other members of the electorate and to elect representatives of their choice.

(2) To the extent practicable, districts shall contain as nearly as may be an equal number of inhabitants. For each district that deviates from this requirement, the commission shall provide a specific public explanation as to why such deviation exists.

(3) Each district shall consist of contiguous territory.

(4) Each district shall be as compact in form as practicable.

(5) Districts shall not be drawn to discourage competition or for the purpose of favoring or disfavoring incumbents or other particular candidates or political parties. The commission shall consider the maintenance of cores of existing districts, of pre-existing political subdivisions, including counties, cities, and towns, and of communities of interest.

(6) [In drawing senate districts, towns or blocks which, from their location may be included in either of two districts, shall be so placed as to make said districts most nearly equal in number of inhabitants. The requirements that senate districts not divide counties or towns,

as well as the 'block-on-border' and 'town-on-border' rules, shall remain in effect] To the extent practicable, all incarcerated persons shall be re-numerated to their place of last residence for the purposes of drawing district lines.

During the preparation of the redistricting plan, the independent redistricting commission shall conduct not less than one public hearing on proposals for the redistricting of congressional and state legislative districts in each of the following (i) cities: Albany, Buffalo, Syracuse, Rochester, and White Plains; and (ii) counties: Bronx, Kings, New York, Queens, Richmond, Nassau, and Suffolk. Notice of all such hearings shall be widely published using the best available means and media a reasonable time before every hearing. At least thirty days prior to the first public hearing and in any event no later than September fifteenth of the year ending in one or as soon as practicable thereafter, the independent redistricting commission shall make widely available to the public, in print form and using the best available technology, its draft redistricting plans, relevant data, and related information. Such plans, data, and information shall be in a form that allows and facilitates their use by the public to review, analyze, and comment upon such plans and to develop alternative redistricting plans for presentation to the commission at the public hearings. The independent redistricting commission shall report the findings of all such hearings to the legislature upon submission of a redistricting plan.

(d) The ratio for apportioning senators shall always be obtained by dividing the number of inhabitants~~[, excluding aliens,]~~ by ~~[fifty]~~ sixty-three, and the senate shall always be composed of ~~[fifty]~~ sixty-three members~~[, except that if any county having three or more senators at the time of any apportionment shall be entitled on such ratio to an additional senator or senators, such additional senator or senators shall be given to such county in addition to the fifty senators, and the whole number of senators shall be increased to that extent].~~

The senate districts, including the present ones, as existing immediately before the enactment of a law readjusting or altering the senate districts, shall continue to be the senate districts of the state until the expirations of the terms of the senators then in office, except for the purpose of an election of senators for full terms beginning at such expirations, and for the formation of assembly districts.

(e) The process for redistricting congressional and state legislative districts established by this section and sections five and five-b of this article shall govern redistricting in this state except to the extent that a court is required to order the adoption of, or changes to, a redistricting plan as a remedy for a violation of law.

A reapportionment plan and the districts contained in such plan shall be in force until the effective date of a plan based upon the subsequent federal decennial census taken in a year ending in zero unless modified pursuant to court order.

§ 4. Resolved (if the Assembly concur), That sections 5-a and 5-b of article 3 of the constitution be amended to read as follows:

[§ 5-a. For the purpose of apportioning senate and assembly districts pursuant to the foregoing provisions of this article, the term "inhabitants, excluding aliens" shall mean the whole number of persons:]

§ 5-b. (a) On or before February first of each year ending with a zero and at any other time a court orders that congressional or state legislative districts be amended, an independent redistricting commission shall be established to determine the district lines for congressional and state legislative offices. The independent redistricting commission shall be composed of ten members, appointed as follows:

(1) two members shall be appointed by the temporary president of the senate;

(2) two members shall be appointed by the speaker of the assembly;

(3) two members shall be appointed by the minority leader of the senate;

(4) two members shall be appointed by the minority leader of the assembly;

(5) two members shall be appointed by the eight members appointed pursuant to paragraphs (1) through (4) of this subdivision by a vote of not less than five members in favor of such appointment, and these two members shall not have been enrolled in the preceding five years in ei-

ther of the two political parties that contain the largest or second largest number of enrolled voters within the state;

(6) one member shall be designated chair of the commission by a majority of the members appointed pursuant to paragraphs (1) through (5) of this subdivision to convene and preside over each meeting of the commission.

(b) The members of the independent redistricting commission shall be registered voters in this state. No member shall within the last three years:

(1) be or have been a member of the New York state legislature or United States Congress or a statewide elected official;

(2) be or have been a state officer or employee or legislative employee as defined in section seventy-three of the public officers law;

(3) be or have been a registered lobbyist in New York state;

(4) be or have been a political party chairman, as defined in paragraph (k) of subdivision one of section seventy-three of the public officers law;

(5) be the spouse of a statewide elected official or of any member of the United States Congress, or of the state legislature.

(c) To the extent practicable, the members of the independent redistricting commission shall reflect the diversity of the residents of this state with regard to race, ethnicity, gender, language, and geographic residence and to the extent practicable the appointing authorities shall consult with organizations devoted to protecting the voting rights of minority and other voters concerning potential appointees to the commission.

(d) Vacancies in the membership of the commission shall be filled within thirty days in the manner provided for in the original appointments.

(e) The legislature shall provide by law for the compensation of the members of the independent redistricting commission, including compensation for actual and necessary expenses incurred in the performance of their duties.

(f) A minimum of five members of the independent redistricting commission shall constitute a quorum for the transaction of any business or the exercise of any power of such commission prior to the appointment of the two commission members appointed pursuant to paragraph (5) of subdivision (a) of this section, and a minimum of seven members shall constitute a quorum after such members have been appointed, and no exercise of any power of the independent redistricting commission shall occur without the affirmative vote of at least a majority of the members, provided that ~~in order to approve any redistricting plan and implementing legislation, the following rules shall apply:~~

~~(1) In the event that the speaker of the assembly and the temporary president of the senate are members of the same political party, approval of a redistricting plan and implementing legislation by the commission for submission to the legislature shall require the vote in support of its approval by at least seven members including at least one member appointed by each of the legislative leaders.~~

~~(2) In the event that the speaker of the assembly and the temporary president of the senate are members of two different political parties, approval of a redistricting plan and implementing legislation by the commission for submission to the legislature shall require the vote in support of its approval by at least seven members [including at least one member appointed by the speaker of the assembly and one member appointed by the temporary president of the senate].~~

(g) In the event that the commission is unable to obtain seven votes to approve a redistricting plan on or before ~~January~~ **November** first in the year ending in ~~[two]~~ **one** or as soon as practicable thereafter, the commission shall submit to the legislature that redistricting plan and implementing legislation that garnered the highest number of votes in support of its approval by the commission with a record of the votes taken. In the event that more than one plan received the same number of votes for approval, and such number was higher than that for any other plan, then the commission shall submit all plans that obtained such number of votes. The legislature shall consider and vote upon such implementing legislation in accordance with the voting rules set forth in subdivision (b) of section four of this article.

(g-1) If the commission does not vote on any redistricting plan or

plans, for any reason, by the date required for submission of such plan by this article, the commission shall submit to the legislature all plans in its possession, both completed and in draft form, and the data upon which such plans are based.

(h) (1) The independent redistricting commission shall appoint two co-executive directors by a majority vote of the commission ~~[in accordance with the following procedure:~~

~~(i) In the event that the speaker of the assembly and the temporary president of the senate are members of two different political parties, the co-executive directors shall be approved by a majority of the commission that includes at least one appointee by the speaker of the assembly and at least one appointee by the temporary president of the senate.~~

~~(ii) In the event that the speaker of the assembly and the temporary president of the senate are members of the same political party, the co-executive directors shall be approved by a majority of the commission that includes at least one appointee by each of the legislative leaders].~~

~~(2) [One of the co-executive directors shall be enrolled in the political party with the highest number of enrolled members in the state and one shall be enrolled in the political party with the second highest number of enrolled members in the state.]~~ The co-executive directors shall appoint such staff as are necessary to perform the commission's duties, except that the commission shall review a staffing plan prepared and provided by the co-executive directors which shall contain a list of the various positions and the duties, qualifications, and salaries associated with each position.

~~[(3) In the event that the commission is unable to appoint one or both of the co-executive directors within forty-five days of the establishment of a quorum of seven commissioners, the following procedure shall be followed:~~

~~(i) In the event that the speaker of the assembly and the temporary president of the senate are members of two different political parties, within ten days the speaker's appointees on the commission shall appoint one co-executive director, and the temporary president's appointees on the commission shall appoint the other co-executive director. Also within ten days the minority leader of the assembly shall select a co-deputy executive director, and the minority leader of the senate shall select the other co-deputy executive director.~~

~~(ii) In the event that the speaker of the assembly and the temporary president of the senate are members of the same political party, within ten days the speaker's and temporary president's appointees on the commission shall together appoint one co-executive director, and the two minority leaders' appointees on the commission shall together appoint the other co-executive director.~~

~~(4) In the event of a vacancy in the offices of co-executive director or co-deputy executive director, the position shall be filled within ten days of its occurrence by the same appointing authority or authorities that appointed his or her predecessor.]~~

(i) The state budget shall include necessary appropriations for the expenses of the independent redistricting commission, provide for compensation and reimbursement of expenses for the members and staff of the commission, assign to the commission any additional duties that the legislature may deem necessary to the performance of the duties stipulated in this article, and require other agencies and officials of the state of New York and its political subdivisions to provide such information and assistance as the commission may require to perform its duties.

§ 5. Resolved (if the Assembly concur), That section 5 of article 3 of the constitution be amended to read as follows:

§ 5. The members of the assembly shall be chosen by single districts and shall be apportioned pursuant to this section and sections four and five-b of this article at each regular session at which the senate districts are readjusted or altered, and by the same law, among the several counties of the state, as nearly as may be according to the number of their respective inhabitants~~[excluding aliens]~~. Every county heretofore established and separately organized, except the county of Hamilton, shall always be entitled to one member of assembly, and no county shall

hereafter be erected unless its population shall entitle it to a member. The county of Hamilton shall elect with the county of Fulton, until the population of the county of Hamilton shall, according to the ratio, entitle it to a member. But the legislature may abolish the said county of Hamilton and annex the territory thereof to some other county or counties.

The quotient obtained by dividing the whole number of inhabitants of the state, ~~[excluding aliens,]~~ by the number of members of assembly, shall be the ratio for apportionment, which shall be made as follows: One member of assembly shall be apportioned to every county, including Fulton and Hamilton as one county, containing less than the ratio and one-half over. Two members shall be apportioned to every other county. The remaining members of assembly shall be apportioned to the counties having more than two ratios according to the number of inhabitants~~[-excluding aliens]~~. Members apportioned on remainders shall be apportioned to the counties having the highest remainders in the order there-of respectively. No county shall have more members of assembly than a county having a greater number of inhabitants~~[-excluding aliens]~~.

The assembly districts, including the present ones, as existing immediately before the enactment of a law making an apportionment of members of assembly among the counties, shall continue to be the assembly districts of the state until the expiration of the terms of members then in office, except for the purpose of an election of members of assembly for full terms beginning at such expirations.

In any county entitled to more than one member, the board of supervisors, and in any city embracing an entire county and having no board of supervisors, the common council, or if there be none, the body exercising the powers of a common council, shall assemble at such times as the legislature making an apportionment shall prescribe, and divide such counties into assembly districts as nearly equal in number of inhabitants, ~~[excluding aliens,]~~ as may be, of convenient and contiguous territory in as compact form as practicable, each of which shall be wholly within a senate district formed under the same apportionment, equal to the number of members of assembly to which such county shall be entitled, and shall cause to be filed in the office of the secretary of state and of the clerk of such county, a description of such districts, specifying the number of each district and of the inhabitants thereof, ~~[excluding aliens,]~~ according to the census or enumeration used as the population basis for the formation of such districts; and such apportionment and districts shall remain unaltered until after the next reapportionment of members of assembly, except that the board of supervisors of any county containing a town having more than a ratio of apportionment and one-half over may alter the assembly districts in a senate district containing such town at any time on or before March first, nineteen hundred forty-six. In counties having more than one senate district, the same number of assembly districts shall be put in each senate district, unless the assembly districts cannot be evenly divided among the senate districts of any county, in which case one more assembly district shall be put in the senate district in such county having the largest, or one less assembly district shall be put in the senate district in such county having the smallest number of inhabitants, ~~[excluding aliens,]~~ as the case may require. Nothing in this section shall prevent the division, at any time, of counties and towns and the erection of new towns by the legislature.

An apportionment by the legislature, or other body, shall be subject to review by the supreme court, at the suit of any citizen, under such reasonable regulations as the legislature may prescribe; and any court before which a cause may be pending involving an apportionment, shall give precedence thereto over all other causes and proceedings, and if said court be not in session it shall convene promptly for the disposition of the same. The court shall render its decision within sixty days after a petition is filed. In any judicial proceeding relating to redistricting of congressional or state legislative districts, any law establishing congressional or state legislative districts found to violate the provisions of this article shall be invalid in whole or in part. In the event that a court finds such a violation, the legislature shall have a full and reasonable opportunity to correct the law's legal infirmities.

§ 6. Resolved (if the Assembly concur), That the foregoing amendments be referred to the first regular legislative session convening after the next succeeding general election of members of the assembly, and, in conformity with section 1 of article 19 of the constitution, be published for 3 months previous to the time of such election.

2021 SCHEDULE REGISTER

DEADLINE
Tuesday

ISSUE DATE
Wednesday

JANUARY

December 22 January 6
December 29 January 13
January 5 January 20
January 12 January 27

FEBRUARY

January 19 February 3
January 26 February 10
February 2 February 17
February 9 February 24

MARCH

February 16 March 3
February 23 March 10
March 2 March 17
March 9 March 24
March 16 March 31

APRIL

March 23 April 7
March 30 April 14
April 6 April 21
April 13 April 28

MAY

April 20 May 5
April 27 May 12
May 4 May 19
May 11 May 26

JUNE

May 18 June 2
May 25 June 9
June 1 June 16
June 8 June 23
June 15 June 30

DEADLINE
Tuesday

ISSUE DATE
Wednesday

JULY

June 22 July 7
June 29 July 14
July 6 July 21
July 13 July 28

AUGUST

July 20 August 4
July 27 August 11
August 3 August 18
August 10 August 25

SEPTEMBER

August 17 September 1
August 24 September 8
August 31 September 15
September 7 September 22
September 14 September 29

OCTOBER

September 21 October 6
September 28 October 13
October 5 October 20
October 12 October 27

NOVEMBER

October 19 November 3
October 26 November 10
November 2 November 17
November 9 November 24

DECEMBER

November 16 December 1
November 23 December 8
November 30 December 15
December 7 December 22
December 14 December 29

NYS DEPARTMENT OF STATE & DIVISION OF ADMINISTRATIVE RULES
99 WASHINGTON AVE., ALBANY, NY 12231-0001

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Revised, October 2020

2021 RULE MAKING CALENDAR *(2022 dates in italic)*

VOL. XLIII (Revised October 2020)

REGISTER							
NO.	DATE	30 DAYS	45 DAYS	60 DAYS	90 DAYS	120 DAYS	365 DAYS
1	JAN 6	FEB 5	FEB 20	MAR 7	APR 6	MAY 6	JAN 6
2	13	12	27	14	13	13	13
3	20	19	MAR 6	21	20	20	20
4	27	26	13	28	27	27	27
5	FEB 3	MAR 5	20	APR 4	MAY 4	JUN 3	FEB 3
6	10	12	27	11	11	10	10
7	17	19	APR 3	18	18	17	17
8	24	26	10	25	25	24	24
9	MAR 3	APR 2	17	MAY 2	JUN 1	JUL 1	MAR 3
10	10	9	24	9	8	8	10
11	17	16	MAY 1	16	15	15	17
12	24	23	8	23	22	22	24
13	31	30	15	30	29	29	31
14	APR 7	MAY 7	22	JUN 6	JUL 6	AUG 5	APR 7
15	14	14	29	13	13	12	14
16	21	21	JUN 5	20	20	19	21
17	28	28	12	27	27	26	28
18	MAY 5	JUN 4	19	JUL 4	AUG 3	SEP 2	MAY 5
19	12	11	26	11	10	9	12
20	19	18	JUL 3	18	17	16	19
21	26	25	10	25	24	23	26
22	JUN 2	JUL 2	17	AUG 1	31	30	JUN 2
23	9	9	24	8	SEP 7	OCT 7	9
24	16	16	31	15	14	14	16
25	23	23	AUG 7	22	21	21	23
26	30	30	14	29	28	28	30
27	JUL 7	AUG 6	21	SEP 5	OCT 5	NOV 4	JUL 7
28	14	13	28	12	12	11	14
29	21	20	SEP 4	19	19	18	21
30	28	27	11	26	26	25	28
31	AUG 4	SEP 3	18	OCT 3	NOV 2	DEC 2	AUG 4
32	11	10	25	10	9	9	11
33	18	17	OCT 2	17	16	16	18
34	25	24	9	24	23	23	25
35	SEP 1	OCT 1	16	31	30	30	SEP 1
36	8	8	23	NOV 7	DEC 7	JAN 6	8
37	15	15	30	14	14	13	15
38	22	22	NOV 6	21	21	20	22
39	29	29	13	28	28	27	29
40	OCT 6	NOV 5	20	DEC 5	JAN 4	FEB 3	OCT 6
41	13	12	27	12	11	10	13
42	20	19	DEC 4	19	18	17	20
43	27	26	11	26	25	24	27
44	NOV 3	DEC 3	18	JAN 2	FEB 1	MAR 3	NOV 3
45	10	10	25	9	8	10	10
46	17	17	JAN 1	16	15	17	17
47	24	24	8	23	22	24	24
48	DEC 1	31	15	30	MAR 1	31	DEC 1
49	8	JAN 7	22	FEB 6	8	APR 7	8
50	15	14	29	13	15	14	15
51	22	21	FEB 5	20	22	21	22
52	29	28	12	27	29	28	29

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POSTAL SERVICE®**

**Statement of Ownership, Management, and Circulation
(All Periodicals Publications Except Requester Publications)**

1. Publication Title New York State Register		2. Publication Number 554810		3. Filing Date 09/16/2020	
4. Issue Frequency Weekly		5. Number of Issues Published Annually 52		6. Annual Subscription Price \$40 2nd Class, \$80 1st Class	
7. Complete Mailing Address of Known Office of Publication (Not printer) (Street, city, county, state, and ZIP+4®) NYS Department of State, One Commerce Plaza, 99 Washington Avenue Albany, NY 12231-0001				Contact Person Jane Hamm Telephone (Include area code) (518) 474-6957	
8. Complete Mailing Address of Headquarters or General Business Office of Publisher (Not printer) NYS Department of State, One Commerce Plaza, 99 Washington Avenue, Albany, NY 12231-0001					
9. Full Names and Complete Mailing Addresses of Publisher, Editor, and Managing Editor (Do not leave blank)					
Publisher (Name and complete mailing address) NYS Department of State, One Commerce Plaza, 99 Washington Avenue, Albany, NY 12231-0001					
Editor (Name and complete mailing address) Jane Hamm, NYS Department of State, One Commerce Plaza, 99 Washington Avenue, Albany, NY 12231-0001					
Managing Editor (Name and complete mailing address) New York State Department of State, One Commerce Plaza, 99 Washington Ave Albany, NY 12231-0001					
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13. Publication Title New York State Register		14. Issue Date for Circulation Data Below 09/03/2020		
15. Extent and Nature of Circulation		Average No. Copies Each Issue During Preceding 12 Months	No. Copies of Single Issue Published Nearest to Filing Date	
a. Total Number of Copies (<i>Net press run</i>)				
b. Paid Circulation (<i>By Mail and Outside the Mail</i>)	(1)	Mailed Outside-County Paid Subscriptions Stated on PS Form 3541 (Include paid distribution above nominal rate, advertiser's proof copies, and exchange copies)	146	145
	(2)	Mailed In-County Paid Subscriptions Stated on PS Form 3541 (<i>Include paid distribution above nominal rate, advertiser's proof copies, and exchange copies</i>)	0	0
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g. Copies not Distributed (<i>See Instructions to Publishers #4 (page #3)</i>)		14	15	
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