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NEW YORK STATE  
**REGISTER**

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***INSIDE THIS ISSUE:***

- Implementation of Rules Pertaining to Gaming Facility Request for Application and Gaming Facility License Application
- Signs Displayed by Dealers
- Regulations Relating to Review of Original Applications

**Regulatory Agenda**

**Rule Review**

**Notice of Availability of State and Federal Funds**

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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 45 days following publication in the *Register* of a Notice of Proposed Rule Making or a Notice of Emergency Adoption and Proposed Rule Making for which full text was included in the Notice or posted on a state web site, or which is a consensus rule or a rule defined in SAPA § 102(2)(a)(ii); or 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 for which a summary of the text of the rule was included in the Notice and the full text of which was not published on a state web site; and for 30 days after publication of a Notice of Revised Rule Making in the *Register*. When a public hearing is required by statute, the hearing cannot be held until 45 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 May 3, 2015
- the 45-day period expires on April 18, 2015
- the 30-day period expires on April 3, 2015

**ANDREW M. CUOMO  
GOVERNOR**

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**NEW YORK STATE DEPARTMENT OF STATE**

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# NEW YORK STATE REGISTER

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## 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](http://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 must reach the agency before the proposed rule is adopted. The law provides for a minimum 45-day public comment period after publication in the *Register* of every Notice of Proposed Rule Making for which full text was included or posted on a state web site, or which is a consensus rule or a rule defined in SAPA § 102(2)(a)(ii); a minimum 60-day public comment period after publication in the *Register* of a Notice of Proposed Rule Making for which a summary of the text of the rule was included in the Notice and the full text of which was not published on a state web site; and a 30-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 public comments are due.

The Administrative Regulations Review Commission (ARRC) is charged with the task of reviewing newly proposed regulations to examine the 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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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](http://www.dos.ny.gov))

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# RULE MAKING ACTIVITIES

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.

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## New York State Gaming Commission

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### EMERGENCY RULE MAKING

#### Implementation of Rules Pertaining to Gaming Facility Request for Application and Gaming Facility License Application

**I.D. No.** SGC-28-14-00006-E

**Filing No.** 120

**Filing Date:** 2015-02-13

**Effective Date:** 2015-02-13

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

**Action taken:** Addition of sections 5300.1 through 5300.5 to Title 9 NYCRR.

**Statutory authority:** Racing, Pari-Mutuel Wagering and Breeding Law, sections 104(19), 1305(20) and 1307(2)

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

**Specific reasons underlying the finding of necessity:** The Gaming Commission (“Commission”) has determined that immediate adoption of these rules is necessary for the preservation of the general welfare. On March 31, 2014, the Gaming Facility Location Board, which the Commission established pursuant to section 109-a of the Racing, Pari-Mutuel Wagering and Breeding Law, issued a Request for Applications (“RFA”) for applicants seeking a license to develop and operate a gaming facility in New York State pursuant to the Upstate New York Gaming Economic Development Act of 2013, as amended by Chapter 175 of the Laws of 2013 (the “Act”). The Act authorizes four upstate destination gaming resorts to

enhance economic development in upstate New York, completed applications were due to the Gaming Facility Location Board by June 30, 2014. The immediate re-adoption of these rules is necessary to prescribe the form of the RFA and the information required to be submitted in response to the RFA. Standard rule making procedures would prevent the Commission from commencing the fulfillment of its statutory duties.

**Subject:** Implementation of rules pertaining to gaming facility request for application and gaming facility license application.

**Purpose:** To facilitate a fair and transparent process for applying for a license to operate a gaming facility.

**Substance of emergency rule:** This addition of Part 5300 of Subtitle T of Title 9 NYCRR will add new Sections 5300.1 through 5300.5 to allow the New York State Gaming Commission (“Commission”) to prescribe the form of the application for a gaming facility license.

The new Part of the Gaming Commission regulations describes the form of application for applicants seeking a gaming facility license and the information the applicant must provide. Section 5300.1 sets forth the form of the application including disclosure of identifying information, finance and capital structure of the proposed gaming facility, economic and market analysis, proposed land and design of facility space, assessment of local support and plans to address regional tourism, problem gambling, workforce development and resource management. Section 5300.2 describes the scope of background information the applicant and related parties must provide in three disclosure forms, the Gaming Facility License Application Form, the Multi-Jurisdictional Personal History Disclosure Form and the Multi-Jurisdictional Personal History Disclosure Supplemental Form. Section 5300.3 describes the process by which all applicants for a gaming facility license shall submit fingerprints as part of a background investigation. Section 5300.4 describes the applicant’s duty to update its application as necessary, following submission of the application. Section 5300.5 describes the application fee and procedure for refunding a portion of such fee in certain circumstances.

**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. SGC-28-14-00006-EP, Issue of July 16, 2014. The emergency rule will expire April 13, 2015.

**Text of rule and any required statements and analyses may be obtained from:** Kristen Buckley, New York State Gaming Commission, 1 Broadway Center, PO Box 7500, Schenectady, New York 12301-7500, (518) 388-3407, email: gamingrules@gaming.ny.gov

#### Regulatory Impact Statement

1. STATUTORY AUTHORITY: Racing, Pari-Mutuel Wagering and Breeding Law (“Racing Law”) section 104(19) grants authority to the Gaming Commission (“Commission”) to promulgate rules and regulations that it deems necessary to carry out its responsibilities. Racing Law section 1305(2) grants rule making authority to the Commission to implement, administer and enforce the provisions of Racing Law Article 13.

Racing Law section 1306(1) and section 1312(1) prescribe that the Gaming Facility Location Board (“Board”), which is established by the Commission, shall issue a request for applications (“RFA”) for applicants seeking a license to develop and operate gaming facilities in New York State. On March 31, 2014, the Gaming Facility Location Board issued the RFA.

Racing Law section 1307(2) prescribes that the Commission regulate, among other things, the method and form of the application; the methods, procedures and form for delivery of information concerning an applicant’s family, habits, character, associates, criminal record, business activities, and financial affairs; and the procedures for the fingerprinting of an applicant.

2. LEGISLATIVE OBJECTIVES: This emergency rule making carries out the legislative objectives of the above-referenced statutes by implementing the requirements of Racing Law section 1307(2).



3. **NEEDS AND BENEFITS:** This emergency rule making is necessary to enable the Board to carry out its statutory duty of issuing the RFA for applicants seeking a license to develop and operate a gaming facility in New York State.

4. **COSTS:**

(a) Costs to the regulated parties for the implementation of and continuing compliance with the rule: Those parties who choose to seek a gaming facility license will bear some costs. There is an application fee of \$1 million that is prescribed by Racing Law section 1316(8) to defray the costs of processing the application and investigating the applicant. The extent of other costs incurred by applicants will depend upon the efforts that they put into completing and submitting the application.

(b) Costs to the regulating agency, the State, and local governments for the implementation of and continued administration of the rule: The rules will impose some costs on the Commission in reviewing gaming facility applications and in issuing licenses, but it is anticipated that the \$1 million application fee paid by each applicant will offset such costs. The rules will not impose any additional costs on local governments.

(c) The information, including the source or sources of such information, and methodology upon which the cost analysis is based: The cost estimates are based on the Commission's experience regulating racing and gaming activities within the State.

5. **PAPERWORK:** The rules set forth the content of the application for a gaming facility license. The requirements apply only to those parties that choose to seek a gaming facility license.

6. **LOCAL GOVERNMENT:** The rules do not impose any mandatory program, service, duty, or responsibility upon local government because the licensing of gaming facilities is strictly a matter of State law.

7. **DUPLICATION:** The rules do not duplicate, overlap or conflict with any existing State or federal requirements.

8. **ALTERNATIVES:** The Commission is required to create these rules under Racing Law section 1307(2). Therefore, no alternatives were considered.

9. **FEDERAL STANDARDS:** There are no federal standards applicable to the licensing of gaming facilities in New York because such licensing is solely in accordance with New York State law.

10. **COMPLIANCE SCHEDULE:** The Commission anticipates that affected parties will be able to achieve compliance with the rules upon the adoption of the rules, which will occur upon filing.

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

This emergency rule making will not have any adverse impact on small businesses, local governments, jobs or rural areas. The rules prescribe the method and form of the application for a gaming facility license; the methods, procedures and form for delivery of information concerning an applicant's family, habits, character, associates, criminal record, business activities, and financial affairs; and the procedures for fingerprinting an applicant. It is not expected that any small business or local government will apply for a gaming facility license.

The rules impose no adverse economic impact or reporting, recordkeeping, or other compliance requirements on small businesses in rural or urban areas or on employment opportunities. It is anticipated that the opening of up to four gaming facilities in upstate New York will create new job opportunities. The rules apply uniformly throughout the State to any applicant seeking a license to develop and operate a gaming facility in the State.

The proposal will not adversely impact small businesses, local governments, jobs, or rural areas. It does not require a full Regulatory Flexibility Analysis, Rural Area Flexibility Analysis, or Job Impact Statement.

**Assessment of Public Comment**

The agency received no public comment since publication of the last assessment of public comment.

**Action taken:** Amendment of section 44.4 of Title 15 NYCRR.

**Statutory authority:** Vehicle and Traffic Law, sections 215(a) and 375(41)

**Subject:** Colored lights on fire vehicles, ambulances, emergency ambulance service vehicles and county emergency medical service vehicles.

**Purpose:** To make a technical correction to align the regulation with the statute.

**Text or summary was published** in the December 24, 2014 issue of the Register, I.D. No. MTV-51-14-00001-P.

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

**Text of rule and any required statements and analyses may be obtained from:** Heidi Bazicki, Department of Motor Vehicles, 6 Empire State Plaza, Rm. 526, Albany, NY 12228, (518) 474-0871, email: heidi.bazicki@dmv.ny.gov

**Assessment of Public Comment**

The agency received no public comment.

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

**Signs Displayed by Dealers**

**I.D. No.** MTV-09-15-00002-P

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

**Proposed Action:** This is a consensus rule making to amend section 78.26 of Title 15 NYCRR.

**Statutory authority:** Vehicle and Traffic Law, sections 215(a) and 415(9)(d)

**Subject:** Signs displayed by dealers.

**Purpose:** Gives dealers more flexibility in the display of required signage.

**Text of proposed rule:** Paragraph (1) of subdivision (d) of section 78.26 is amended to read as follows:

(1) Every retail dealer shall display either an official dealer sign or a sign of a permanent nature, at least three feet by two feet in size, visible at all times from the nearest street or highway, which sign clearly and unequivocally indicates to the general public that the business is one which sells motor vehicles. *If it is impracticable for a retail dealer to display such sign so that it is visible from the nearest street or highway, then the commissioner may grant approval for such sign to be posted in an alternate location, if the alternate location provides notice to the general public in a manner that meets or exceeds the notice provided if such sign were visible from the nearest street or highway.*

**Text of proposed rule and any required statements and analyses may be obtained from:** Heidi Bazicki, Department of Motor Vehicles, 6 Empire State Plaza, Rm. 522A, Albany, NY 12228, (518) 474-0871, email: heidi.bazicki@dmv.ny.gov

**Data, views or arguments may be submitted to:** Ida L. Traschen, Department of Motor Vehicles, 6 Empire State Plaza, Rm. 522A, Albany, NY 12228, (518) 474-0871, email: ida.traschen@dmv.ny.gov

**Public comment will be received until:** 45 days after publication of this notice.

**Consensus Rule Making Determination**

Currently, Part 78.26 requires a motor vehicle dealer's sign to be "of a permanent nature, at least three feet by two feet in size, visible at all times from the nearest street or highway." This requirement is not functional for a dealer applicant who wishes to locate in an interior location – a shopping mall, office building, or office tower. These locations may not allow for or may have limited ability for exterior signage. For example, a recent applicant attempted to open a dealership in a New York City office tower found that signage could not be permanent (signage space rotates users according to leasing codes) and that fees were excessive.

The proposed amendment will give dealerships necessary flexibility in posting mandatory signage. However, the public will still be on notice that the business is a registered motor vehicle dealership.

The Department anticipates no opposition to this rulemaking, which provides flexibility to businesses attempting to open dealerships in non-traditional settings.

**Job Impact Statement**

A Job Impact Statement is not submitted with this rule because it will not have an adverse impact on job creation or development.

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## Department of Motor Vehicles

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### NOTICE OF ADOPTION

#### Colored Lights on Fire Vehicles, Ambulances, Emergency Ambulance Service Vehicles and County Emergency Medical Service Vehicles

**I.D. No.** MTV-51-14-00001-A

**Filing No.** 119

**Filing Date:** 2015-02-13

**Effective Date:** 2015-03-04

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



## Public Service Commission

### PROPOSED RULE MAKING HEARING(S) SCHEDULED

#### Recovery of Costs Related to a Reliability Support Services Agreement for Services from R.E. Ginna Nuclear Power Plant, LLC

I.D. No. PSC-09-15-00003-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 from RG&E and others seeking approval of recovery of costs related to a Reliability Support Services Agreement for services from R.E. Ginna Nuclear Power Plant, LLC.

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

**Subject:** The recovery of costs related to a Reliability Support Services Agreement for services from R.E. Ginna Nuclear Power Plant, LLC.

**Purpose:** The recovery of costs related to a Reliability Support Services Agreement for services from R.E. Ginna Nuclear Power Plant, LLC.

**Public hearing(s) will be held at:** 10:00 a.m., April 20, 2015 and continuing daily as needed at Department of Public Service, Three Empire State Plaza, 3rd Fl. Hearing Rm., Albany, NY.\*

\*On occasion, there are requests to reschedule or postpone hearing dates. If such a request is granted, notification of any subsequent scheduling changes will be available at the DPS website ([www.dps.ny.gov](http://www.dps.ny.gov)) under Case 14-E-0270.

**Interpreter Service:** Interpreter services will be made available to hearing impaired persons, at no charge, upon written request submitted within reasonable time prior to the scheduled public hearing. The written request must be addressed to the agency representative designated in the paragraph below.

**Accessibility:** All public hearings have been scheduled at places reasonably accessible to persons with a mobility impairment.

**Substance of proposed rule:** The Public Service Commission is considering a petition filed by Rochester Gas & Electric Corporation (RG&E) on February 13, 2015, seeking acceptance of a Reliability Support Services Agreement (RSSA) entered into between RG&E and R.E. Ginna Nuclear Power Plant, LLC and approval of the recovery of costs related to the RSSA. The Commission may adopt, reject or modify, in whole or in part, the relief proposed or may adopt alternative relief.

**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:** Elaine Agresta, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2660, email: [Elaine.Agresta@dps.ny.gov](mailto:Elaine.Agresta@dps.ny.gov)

**Data, views or arguments may be submitted to:** Kathleen H. Burgess, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov)

**Public comment will be received until:** 45 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.

(14-E-0270SP2)

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

#### Refinancing and Issuance of Long-Term Debt Securities

I.D. No. PSC-09-15-00004-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 the petition of New

York American Water Company, Inc. for the authorization to refinance up to \$22,600,000 of existing long-term debt and issue up to \$45,300,000 of new long-term debt securities through December 31, 2017.

**Statutory authority:** Public Service Law, section 89-f

**Subject:** Refinancing and issuance of long-term debt securities.

**Purpose:** To authorize New York American Water Company, Inc. to refinance up to \$22,600,000 and issue up to \$45,300,000 of long-term debt.

**Substance of proposed rule:** The Public Service Commission is considering whether to approve, deny, or modify, in whole or in part, a petition by New York American Water Company, Inc. to refinance up to \$22,600,000 of existing long-term debt and issue up to \$45,300,000 of new long-term debt in one or more offerings from time to time, with maturity(s) of no more than 30 years and issued no later than December 31, 2017. The proposed action would allow New York American Water Company, Inc. to restructure existing obligations and manage continual operations.

**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:** Elaine Agresta, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2660, email: [Elaine.Agresta@dps.ny.gov](mailto:Elaine.Agresta@dps.ny.gov)

**Data, views or arguments may be submitted to:** Kathleen H. Burgess, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov)

**Public comment will be received until:** 45 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-W-0045SP1)

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

#### Late Payment Charge

I.D. No. PSC-09-15-00005-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 Orange and Rockland Utilities, Inc. to make changes to the rates, charges, rules and regulations contained in its Schedule for Gas Service P.S.C. No. 4.

**Statutory authority:** Public Service Law, section 66(12)

**Subject:** Late Payment Charge.

**Purpose:** To modify Section 6.6 - Late Payment Charge to designate a specific time for when a late payment charge is due.

**Substance of proposed rule:** The Public Service Commission is considering whether to approve, modify or reject, in whole or in part, a tariff filing by Orange and Rockland Utilities, Inc. (O&R) to modify its tariff for gas service. Specifically, O&R proposes to modify General Information Section 6.6 - Late Payment Charge, to designate a specific time for when the late payment charge is due. O&R proposes to revise its tariff and bill message to state that a late payment charge will begin to be assessed if payment is not received on or before 11:59 pm local time of the past due date indicated on the bill. The amendments have an effective date of May 18, 2015. The Commission may also consider other 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:** Elaine Agresta, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2660, email: [elaine.agresta@dps.ny.gov](mailto:elaine.agresta@dps.ny.gov)

**Data, views or arguments may be submitted to:** Kathleen H. Burgess, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov)

**Public comment will be received until:** 45 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-G-0093SP1)

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

**Petition for Submetering of Electricity****I.D. No.** PSC-09-15-00006-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 whether to grant, deny or modify, in whole or part, the petition filed by 315 East 68th Street Corporation to submeter electricity at 315 East 68th Street, New York, New York.

**Statutory authority:** Public Service Law, sections 2, 4(1), 30, 32-48, 52, 53, 65(1), 66(1), (2), (3), (4), (12) and (14)

**Subject:** Petition for submetering of electricity.

**Purpose:** To consider the request of 315 East 68th Street Corporation to submeter electricity at 315 East 68th Street, New York, N.Y.

**Substance of proposed rule:** The Public Service Commission is considering whether to grant, deny or modify, in whole or part, the petition filed by 315 East 68th Street Corporation to submeter electricity at 315 East 68th Street, New York, New York, located in the territory of Consolidated Edison Company of New York, Inc., and to take other actions necessary to address the petition.

**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:** Elaine Agresta, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2660, email: Elaine.Agresta@dps.ny.gov

**Data, views or arguments may be submitted to:** Kathleen H. Burgess, 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:** 45 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-E-0052SP1)

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

**Late Payment Charge****I.D. No.** PSC-09-15-00007-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 proposal filed by Orange and Rockland Utilities, Inc. to make changes to the rates, charges, rules and regulations contained in its Schedule for Electric Service P.S.C. No. 3.

**Statutory authority:** Public Service Law, section 66(12)

**Subject:** Late Payment Charge.

**Purpose:** To modify Section 7.6 – Late Payment Charge to designate a specific time for when a late payment charge is due.

**Substance of proposed rule:** The Public Service Commission is considering whether to approve, modify or reject, in whole or in part, a tariff filing by Orange and Rockland Utilities, Inc. (O&R) to modify its tariff for electric service. Specifically, O&R proposes to modify General Information Section 7.6 - Late Payment Charge, to designate a specific time for when the late payment charge is due. O&R proposes to revise its tariff and bill message to state that a late payment charge will begin to be assessed if payment is not received on or before 11:59 pm local time of the past due date indicated on the bill. The amendments have an effective date of May 18, 2015. The Commission may also consider other 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:** Elaine Agresta, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2660, email: elaine.agresta@dps.ny.gov

**Data, views or arguments may be submitted to:** Kathleen H. Burgess, 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:** 45 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-E-0092SP1)

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**Department of State**

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

**Regulations Relating to Review of Original Applications****I.D. No.** DOS-09-15-00001-P

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

**Proposed Action:** Addition of section 160.13 to Title 19 NYCRR.

**Statutory authority:** General Business Law, section 402(5)

**Subject:** Regulations relating to review of original applications.

**Purpose:** To clarify the Department's review procedures for new applicants seeking licensure pursuant to art. 27 of the GBL.

**Text of proposed rule:** Section 160.13 is added to Title 19 of the NYCRR to read as follows:

a) *In determining qualifications and fitness of an applicant for original licensure pursuant to article 27 of the New York General Business Law, the Secretary shall conduct a review of factors unrelated to prior criminal history, including, but not limited to:*

- (1) *findings of violations related to any provision of Article 27 or any regulation adopted thereunder;*
- (2) *findings of unlicensed practice of nail specialty, waxing, natural hair styling, esthetics or cosmetology;*
- (3) *findings of failure to pay taxes or of tax liens; and*
- (4) *findings of failure to pay child support.*

**Text of proposed rule and any required statements and analyses may be obtained from:** David A. Mossberg, Esq., New York State Dept. of State, 123 William Street, 20th Fl., New York, NY 10038, (212) 417-2063, email: david.mossberg@dos.ny.gov

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

**Public comment will be received until:** 45 days after publication of this notice.

**This rule was not under consideration at the time this agency submitted its Regulatory Agenda for publication in the Register.**

**Regulatory Impact Statement**

1. **Statutory authority:**

Section 402(5) of the New York General Business Law ("GBL") authorizes the Secretary of State (the "Secretary") to "[a]dopt such rules and regulations not inconsistent with the provisions of this article, as may be necessary with respect to the form and content of applications for licenses, the reception thereof, the investigation and examination of applicants and of prospective applicants taking examinations and their qualifications, and the other matters incidental or appropriate to the powers and duties of the secretary as prescribed by this article and for the proper administration and enforcement of the provisions of this article."

2. **Legislative objectives:**

The purpose of Article 27 of the GBL is to protect the health and safety of the consumers of the services of the appearance enhancement industry and does so, in part, by establishing a system of licensure requiring adequate levels of training, examinations which test the fitness to perform licensed activities, and adequate health and safety requirements for licensees and appearance enhancement businesses. The Department finds that providing further clarity about what factors it considers in determining fitness would be helpful to applicants. The Department finds that an applicant's prior criminal history is not sufficiently probative of such fitness as to warrant its consideration on an original application for licensure.

3. **Needs and benefits:**

The Department of State (the "Department") has issued approximately 221,782 licenses pursuant to Article 27 of the GBL. Approximately 22,814 of these licenses are original licenses following submission of a non-renewal application. After reviewing the various types of documentation required for original licensure, the Department found that providing advance notice and clarity about the types of documentation required would be helpful. The Department also found that by restricting inquiry into prior criminal convictions the review time between submission and licensure could be shortened while maintaining adequate assurances of fitness to perform licensed activities. Accordingly, this regulation will benefit new applicants seeking licensure.

4. Costs:  
 a. Costs to regulated parties:  
 The Department does not anticipate that this proposal will impose any costs to the regulated parties.

b. Costs to the Department of State:  
 The Department does not anticipate any additional costs to implement the rule. Existing staff will address any inquiries regarding new application procedures.

5. Local government mandates:  
 The rule does not impose any program, service, duty or responsibility upon any county, city, town, village, school district or other special district.

6. Paperwork:  
 Section 406 of the GBL currently requires all applicants seeking licensure to submit an application in a form and manner prescribed by the Secretary. The proposed rule will ease current obligations on original applicants by clarifying the sort of information the Department would be considering. The rule also clarifies that applicants for original licensure will no longer be required to collect and submit documentation regarding past criminal convictions. Accordingly, this regulation will not impose any new paperwork obligations on the regulated parties.

7. Duplication:  
 This rule does not duplicate, overlap or conflict with any other state or federal requirement.

8. Alternatives:  
 It was determined that there were no existing regulations providing clarity on what sort of information the Department would consider when reviewing an original application for licensure. The Department therefore believes that this rulemaking is the best course of action to bring about the desired result, i.e., providing additional clarity to original applicants.

9. Federal standards:  
 There are no federal standards relating to this rule.

10. Compliance schedule:  
 These regulations will be effective upon publication of a Notice of Adoption in the New York State Register.

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

As is evident by the nature of this rulemaking, this proposal affects applicants seeking original licensure pursuant to Article 27 of the New York General Business Law and will not adversely impact rural areas, jobs, small businesses or local governments and therefore does not require a Regulatory Flexibility Statement, Rural Area Flexibility Statement or Job Impact Statement.

This rule is intended to provide advance notice and clarity to original applicants seeking licensure of the information the Department of State will consider when reviewing applications. The rule will have a positive impact on interested parties seeking licenses by providing advance notice and clarity regarding the application review process, thereby possibly expediting the issuance of licenses. 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.

**Action taken:** Amendment of sections 352.1 and 352.2 of Title 18 NYCRR.

**Statutory authority:** Social Services Law, sections 20(3)(d), 34(3)(f), 131(1), 131-a(2)(a-1)-(a-4), 131-a(3) and (a-1)-(a-4)

**Subject:** Public Assistance Schedules.

**Purpose:** To update certain public assistance schedules to comply with the schedules in Social Services Law section 131-a.

**Text or summary was published** in the December 10, 2014 issue of the Register, I.D. No. TDA-49-14-00003-P.

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

**Text of rule and any required statements and analyses may be obtained from:** Richard P. Rhodes, Jr., New York State Office of Temporary and Disability Assistance, 40 North Pearl Street, 16C, Albany, NY 12243-0001, (518) 486-7503, email: richard.rhodesjr@otda.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 2018, 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.

**Triborough Bridge and Tunnel Authority**

**NOTICE OF ADOPTION**

**To Establish a New Crossing Charge Schedule for Use of Bridges and Tunnels Operated by Triborough Bridge and Tunnel Authority**

**I.D. No.** TBA-48-14-00004-A

**Filing No.** 107

**Filing Date:** 2015-02-11

**Effective Date:** 2015-02-11

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

**Action taken:** Repeal of Part 1021.1; and addition of new Part 1021.1 to Title 21 NYCRR.

**Statutory authority:** Public Authorities Law, section 553(5)

**Subject:** To establish a new crossing charge schedule for use of bridges and tunnels operated by Triborough Bridge and Tunnel Authority.

**Purpose:** To raise additional revenue.

**Text of final rule:** Triborough Bridge and Tunnel Authority Crossing Charges

*A. E-ZPass Charges for E-ZPass New York Customer Service Center Customers*

Verrazano-Narrows Bridge (a)	Robert F. Kennedy, Bronx-Whitestone, and Throgs Neck Bridges and Queens Midtown and Hugh L. Carey Tunnels	Henry Hudson Bridge	Marine Parkway-Gil Hodges Memorial, and Cross Bay Veterans Memorial Bridges
	Classification		Crossing Charges

1 Two-axle vehicles, including: passenger vehicles, station wagons, self-propelled mobile homes, ambulances, hearses, vehicles with seating capacity of not more than 15 adult persons (including the driver) and trucks with maximum gross weight (MGW) of 7,000 lbs. and under	\$5.54	\$5.54	\$2.54	\$2.08
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**Office of Temporary and Disability Assistance**

**NOTICE OF ADOPTION**

**Public Assistance Schedules**

**I.D. No.** TDA-49-14-00003-A

**Filing No.** 121

**Filing Date:** 2015-02-17

**Effective Date:** 2015-03-04

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



*Registered Staten Island Residents using an eligible vehicle taking 3 or more trips per month	\$3.12			
*Registered Staten Island Residents using an eligible vehicle taking less than 3 trips per month	\$3.30			
*Registered Rockaway Residents using an eligible vehicle			\$1.36	
*Each additional axle costs	\$3.25	\$3.25	\$2.50	\$2.50
2 All vehicles with MGW greater than 7,000 lbs. and buses (other than franchise buses using E-ZPass and motor homes)				
*Two-axle vehicles	\$10.00	\$10.00		\$5.00
*Three-axle vehicles	\$16.39	\$16.39		\$8.20
*Four-axle vehicles	\$20.95	\$20.95		\$10.48
*Five-axle vehicles	\$27.31	\$27.31		\$13.66
*Six-axle vehicles	\$31.87	\$31.87		\$15.94
*Seven-axle vehicles	\$38.23	\$38.23		\$19.12
*Each additional axle	\$6.39	\$6.39		\$3.20
3 Two-axle franchise buses	\$4.01	\$4.01		\$2.00
4 Three-axle franchise buses	\$4.76	\$4.76		\$2.51
5 Motorcycles	\$2.41	\$2.41	\$1.73	\$1.73
*Each additional axle	\$1.50	\$1.50	\$1.50	\$1.50

The Authority reserves the right to determine whether any vehicle is of unusual or unconventional design, weight or construction and therefore not within any of the listed categories. The Authority also reserves the right to determine the crossing charge for any such vehicle of unusual or unconventional design, weight or construction.

Bicycles are not permitted over Bronx-Whitestone, Throgs Neck, and Verrazano-Narrows Bridges, or through the tunnels. Such vehicles may cross the Robert F. Kennedy, Henry Hudson, Marine Parkway-Gil Hodges Memorial and Cross Bay Veterans Memorial Bridges without payment of crossing charge, but must be walked across the pedestrian paths of such bridges.

Only vehicles authorized to use parkways are authorized to use the Henry Hudson Bridge. An unauthorized vehicle using the Henry Hudson Bridge must pay the Marine Parkway-Gil Hodges Memorial Bridge rate.

E-ZPass crossing charges apply to New York E-ZPass Customer Service Center customers only and are available subject to terms, conditions and agreements established by the Authority.

There are no residential restrictions with regard to enrollment as a TBTA Customer in the New York Customer Service Center.

(a) Under Verrazano-Narrows one-way crossing charge collection program, all per crossing charges shown should be doubled. Presently paid in westbound direction only.

B. For Fare Media Other Than E-ZPass Charges for E-ZPass New York Customer Service Center Customers

Classification	Verrazano-Narrows Bridge (a)	Robert F. Kennedy, Bronx-Whitestone, and Throgs Neck Bridges and Queens Midtown and Hugh L. Carey Tunnels	Henry Hudson Bridge	Marine Parkway-Gil Hodges Memorial, and Cross Bay Veterans Memorial Bridges
	Crossing Charges			
1 Two-axle vehicles, including: passenger vehicles, station wagons, self-propelled mobile homes, ambulances, hearses, vehicles with seating capacity of not more than 15 adult persons (including the driver) and trucks with maximum gross weight (MGW) of 7,000 lbs. and under	\$8.00	\$8.00	\$5.50	\$400

The following discounted charges are available for eligible class 1 vehicles (f):

*Prepaid charges through discount token roll purchase (f)				\$2.6667(d)
*Prepaid charges per crossing for registered Staten Island residents using an eligible vehicle with three or more occupants (HOV)	\$1.54(b)			
*Prepaid charges per crossing for registered Staten Island Residents using an eligible vehicle through token roll purchase (f)	\$4.4373(c)			
*Prepaid charges per crossing for registered Rockaway Peninsula/Broad Channel Residents using an eligible vehicle through token roll purchase				\$1.857(e)
*Each additional axle costs	\$3.25	\$3.25	\$2.50	\$2.50
2 All vehicles with MGW greater than 7,000 lbs. and buses (other than franchise buses using E-ZPass and motor homes)				
*Two-axle vehicles	\$16.00	\$16.00		\$8.00
*Three-axle vehicles	\$26.00	\$26.00		\$13.00
*Four-axle vehicles	\$33.00	\$33.00		\$16.50
*Five-axle vehicles	\$43.00	\$43.00		\$21.50
*Six-axle vehicles	\$50.00	\$50.00		\$25.00
*Seven-axle vehicles	\$62.00	\$62.00		\$31.00
*Each additional axle	\$9.00	\$9.00		\$4.50
3 Two-axle franchise buses	\$6.75	\$6.75		\$3.25
4 Three-axle franchise buses	\$7.75	\$7.75		\$4.00
5 Motorcycles	\$3.25	\$3.25	\$3.25	\$3.25
*Each additional axle	\$1.50	\$1.50	\$1.50	\$1.50

The Authority reserves the right to determine whether any vehicle is of unusual or unconventional design, weight or construction and therefore not within any of the listed categories. The Authority also reserves the right to determine the crossing charge for any such vehicle of unusual or unconventional design, weight or construction.

Bicycles are not permitted over Bronx-Whitestone, Throgs Neck, and Verrazano-Narrows Bridges, or through the tunnels. Such vehicles may cross the Robert F. Kennedy, Henry Hudson, Marine Parkway-Gil Hodges Memorial and Cross Bay Veterans Memorial Bridges without payment of crossing charge, but must be walked across the pedestrian paths of such bridges.

Only vehicles authorized to use parkways are authorized to use the Henry Hudson Bridge. An unauthorized vehicle using the Henry Hudson Bridge must pay the Marine Parkway-Gil Hodges Memorial Bridge rate.

(a) Under Verrazano-Narrows one-way crossing charge collection program, all per crossing charges shown should be doubled. Presently paid in westbound direction only.

(b) Sold as mail order 24 round trips for \$73.92.

(c) Sold in-lane as 10 round trips for \$88.75.

(d) Sold in-lane as 15 trips for \$40.00.

(e) Sold in-lane as 14 trips for \$26.00.

(f) Prepaid discount token roll sales may be discontinued when permissible.

**Final rule as compared with last published rule:** Substantial revisions were made in 1021.1.

**Text of rule and any required statements and analyses may be obtained from:** M. Margaret Terry, Senior Vice President and General Counsel, Triborough Bridge and Tunnel Authority, 2 Broadway, 24th Floor, New York, New York 10004, (646) 252-7619, email:mterry@mtabt.org.

**Revised Regulatory Impact Statement**

A revised regulatory impact statement 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.

**Revised Regulatory Flexibility Analysis**

A revised regulatory flexibility analysis 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.

***Revised Rural Area Flexibility Analysis***

A revised rural area flexibility analysis 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.

***Revised Job Impact Statement***

A revised job impact statement 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.

***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.

**HEARINGS SCHEDULED  
FOR PROPOSED RULE MAKINGS**

Agency I.D. No.	Subject Matter	Location—Date—Time
<b>Adirondack Park Agency</b>		
APA-05-15-00006-P .....	Emergency projects	Adirondack Park Agency, 1133 Rte. 86, Ray Brook, NY—March 4, 2015, 6:00 p.m. Department of Environmental Conservation, 625 Broadway, Rm. 129, Albany, NY—March 5, 2015, 2:00 p.m.
<b>Environmental Conservation, Department of</b>		
ENV-48-14-00005-P .....	Water quality standards for Class I and Class 5D waters in New York City and Suffolk County	U.S. Environmental Protection Agency, 290 Broadway, Rm. 27A, New York, NY—March 9, 2015, 12:00 p.m.
<b>Liquor Authority, State</b>		
LQR-02-15-00002-P .....	Signage, services and gifts to retailers	State Liquor Authority, 317 Lenox Ave., New York, NY—March 10, 2015, 10:00 a.m.
<b>Long Island Power Authority</b>		
LPA-02-15-00006-P .....	Provisions of LIPA’s tariff for adjustment to rates and changes of service classifications	Long Island Power Authority, H. Lee Denison Bldg., 100 Veterans Memorial Hwy., Happaugue, NY—March 4, 2015, 10:00 a.m. Long Island Power Authority, 333 Earle Ovington Blvd., 4th Fl., Uniondale, NY—March 4, 2015, 2:00 p.m.
<b>Public Service Commission</b>		
PSC-04-15-00012-P .....	Disposition of tax refunds and other related matters	Department of Public Service, Three Empire State Plaza, 3rd Fl. Hearing Rm., Albany, NY—April 8, 2015, 10:30 a.m. (Evidentiary Hearing)* *On occasion there are requests to reschedule or postpone evidentiary hearing dates. If such a request is granted, notification of any subsequent scheduling changes will be available at the DPS website ( <a href="http://www.dps.ny.gov">www.dps.ny.gov</a> ) under Case 14-G-0503.
PSC-07-15-00005-P .....	Major electric rate increase filing	Department of Public Service, Three Empire State Plaza, 3rd Fl. Hearing Rm., Albany, NY—May 4, 2015 and continuing daily as needed, 10:00 a.m. (Evidentiary Hearing)* *On occasion, there are requests to reschedule or postpone evidentiary hearing dates. If such a request is granted, notification of any subsequent scheduling changes will be available at the DPS website ( <a href="http://www.dps.ny.gov">www.dps.ny.gov</a> ) under Cases 14-E-0493 and 14-G-0494.
PSC-07-15-00007-P .....	Major gas rate increase filing	Department of Public Service, Three Empire State Plaza, 3rd Fl. Hearing Rm., Albany, NY—May 4, 2015 and continuing daily as needed, 10:00 a.m. (Evidentiary Hearing)* *On occasion, there are requests to reschedule or postpone evidentiary hearing dates. If such a request is granted, notification of any subsequent scheduling changes will be available at the DPS website ( <a href="http://www.dps.ny.gov">www.dps.ny.gov</a> ) under Cases 14-E-0493 and 14-G-0494.
PSC-09-15-00003-P .....	Recovery of costs related to a Reliability Support Services Agreement for services from R.E. Ginna Nuclear Power Plant, LLC	Department of Public Service, Three Empire State Plaza, 3rd Fl. Hearing Rm., Albany, NY—April 20, 2015 and continuing daily as needed, 10:00 a.m.*

\*On occasion, there are requests to reschedule or postpone hearing dates. If such a request is granted, notification of any subsequent scheduling changes will be available at the DPS website ([www.dps.ny.gov](http://www.dps.ny.gov)) under Case 14-E-0270.

**State, Department of**

DOS-04-15-00004-EP .....	Issuance of an order to remedy a violation of the Uniform Code	Department of State, 99 Washington Ave., Rm. 505, Albany, NY—March 20, 2015, 9:00 a.m.
DOS-05-15-00007-EP .....	Addition of provisions relating to “sparkling devices” to the State Uniform Fire Prevention and Building Code	Department of State, 99 Washington Ave., Rm. 505, Albany, NY—March 24, 2015, 9:00 a.m.





**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
<b>AAM</b>	<b>01</b>	<b>12</b>	<b>00001</b>	<b>P</b>

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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**ADIRONDACK PARK AGENCY**

APA-05-15-00006-P	..... 03/04/16	Emergency projects	The purpose of the proposed rule is to define when jurisdictional land use and development constitutes an emergency project
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**AGRICULTURE AND MARKETS, DEPARTMENT OF**

AAM-05-15-00002-P	..... 02/04/16	Incorporation by reference of the 2013 edition of the Grade A Pasteurized Milk Ordinance ("PMO")	To require certain producers, processors and manufacturers of milk and milk products to comply with the 2013 edition of the PMO
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**CABLE TELEVISION, COMMISSION ON**

*CTV-23-94-00009-P	..... exempt	Rates for basic service and equipment of Adelphia Communications - Aurora system	To determine whether the company's rates for basic service and equipment are justified
*CTV-23-94-00010-P	..... exempt	Rates for basic service and equipment of Adelphia Communications - Chautauqua system	To determine whether the company's rates for basic service and equipment are justified
*CTV-23-94-00011-P	..... exempt	Rates for basic service and equipment of Adelphia Communications - Grand Island system	To determine whether the company's rates for basic service and equipment are justified
*CTV-23-94-00012-P	..... exempt	Rates for basic service and equipment of Adelphia Communications - Riverview system	To determine whether the company's rates for basic service and equipment are justified
*CTV-23-94-00030-P	..... exempt	Rates for basic service and equipment of Cablevision Systems Corp. - Long Island/V-Cable/Shelter Island system	To determine whether the company's rates for basic service and equipment are justified
*CTV-23-94-00035-P	..... exempt	Rates for basic service and equipment of C-TEC Corp. - C-TEC Cable system	To determine whether the company's rates for basic service and equipment are justified
*CTV-24-94-00013-P	..... exempt	Rates for basic service and equipment of Cablevision Systems Corp. - Long Island - Riverhead system	To determine whether the company's rates for basic service and equipment are justified

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>CABLE TELEVISION, COMMISSION ON</b>			
*CTV-24-94-00026-P	..... exempt	Rates for basic service and equipment of Cablevision Systems Corp. - Long Island system	To determine whether the company's rates for basic service and equipment are justified
*CTV-24-94-00034-P	..... exempt	Rates for basic service and equipment of Cablevision System Corp. - Long Island/V-Cable system	To determine whether the company's rates for basic service and equipment are justified
*CTV-24-94-00037-P	..... exempt	Rates for basic service and equipment of Adelphia Communications - International system	To determine whether the company's rates for basic service and equipment are justified
*CTV-24-94-00042-P	..... exempt	Rates for basic service and equipment of Adelphia Communications/Resort system	To determine whether the company's rates for basic service and equipment are justified
*CTV-24-94-00043-P	..... exempt	Rates for basic service and equipment of Adelphia Communications - Hoosick system	To determine whether the company's rates for basic service and equipment are justified
*CTV-24-94-00051-P	..... exempt	Rates for basic service and equipment of Cablevision Systems Corp. - Long Island/Great Neck system	To determine whether the company's rates for basic service and equipment are justified
*CTV-25-94-00015-P	..... exempt	Rates for basic service and equipment of Selectavision of Cazenovia - Cazenovia system	To determine whether the company's rates for basic service and equipment are justified
*CTV-25-94-00021-P	..... exempt	Rates for basic service and equipment of Cablevision Systems Corp. - A-R Cable Services-NY, Inc. Lynbrook system	To determine whether the company's rates for basic and equipment are justified
*CTV-25-94-00023-P	..... exempt	Rates for basic service and equipment of Cablevision Systems Corp. - Dutchess system	To determine whether the company's rates for basic service and equipment are justified
*CTV-25-94-00026-P	..... exempt	Rates for basic service and equipment of Adelphia Communications - Harbor Vue system	To determine whether the company's rates for basic service and equipment are justified
*CTV-25-94-00033-P	..... exempt	Rates for basic service and equipment of Cablevision Systems Corp. - East Hampton system	To determine whether the company's rates for basic service and equipment are justified
*CTV-27-94-00029-P	..... exempt	Rates for basic service and equipment of Cablevision Systems Corp.-Huntington system	To determine whether the company's rates for basic service and equipment are justified
*CTV-27-94-00031-P	..... exempt	Rates for basic service and equipment of Adelphia Communications-Niagara system	To determine whether the company's rates for basic service and equipment are justified
*CTV-39-94-00017-P	..... exempt	Rates for basic service and equipment of Time Warner - ATC - ACC Dryden system	To determine whether the company's rates for basic service and equipment are justified
*CTV-39-94-00018-P	..... exempt	Rates for basic service and equipment of Adelphia Communications-Aurora, Chautauqua, Grand Island, Harbor Vue, Hoosick, International, Niagara, Resort and River Valley systems	To determine whether the company's rates for basic service and equipment are justified
*CTV-39-94-00019-P	..... exempt	Rates for basic service and equipment of C-Tec Cable Corp.-C-Tec Cable system	To determine whether the company's rates for basic service and equipment are justified
*CTV-39-94-00023-P	..... exempt	Rates for basic service and equipment of United Video Cablevision of New York-Community Cable system	To determine whether the company's rates for basic service and equipment are justified

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>CABLE TELEVISION, COMMISSION ON</b>			
*CTV-39-94-00033-P	..... exempt	Rates for basic service and equipment of Simmons Communications-Simmons Cable-Salamanca system	To determine whether the company's rates for basic service and equipment are justified
*CTV-39-94-00035-P	..... exempt	Rates for basic service and equipment of TKR Cable Company-Ramapo, Rockland and Warwick systems	To determine whether the company's rates for basic service and equipment are justified
*CTV-39-94-00037-P	..... exempt	Rates for basic service and equipment of U.S. Cable Corp.-Evangola, Westfield and Tri - County/Arcade systems	To determine whether the company's rates for basic service and equipment are justified
*CTV-39-94-00039-P	..... exempt	Rates for basic service and equipment of Time Warner-Warner Communications/Olean system	To determine whether the company's rates for basic service and equipment are justified
*CTV-45-94-00010-P	..... exempt	Rates for basic service and equipment of Cablevision Industries, Inc.-Genesee/Tri-County/Medina system	To determine whether the company's rates for basic service and equipment are justified
<b>CIVIL SERVICE, DEPARTMENT OF</b>			
CVS-20-14-00003-P	..... 05/21/15	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-25-14-00003-P	..... 06/25/15	Jurisdictional Classification	To classify a position in the exempt class
CVS-30-14-00001-P	..... 07/30/15	Jurisdictional Classification	To classify positions in the exempt class and to delete positions from the non-competitive class
CVS-30-14-00002-P	..... 07/30/15	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-30-14-00003-P	..... 07/30/15	Jurisdictional Classification	To classify a position in the exempt class and to delete positions from and classify positions in the non-competitive class
CVS-30-14-00004-P	..... 07/30/15	Jurisdictional Classification	To delete and classify positions in the exempt class and to delete and classify positions in the non-competitive class
CVS-30-14-00005-P	..... 07/30/15	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-30-14-00006-P	..... 07/30/15	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-30-14-00007-P	..... 07/30/15	Jurisdictional Classification	To delete a position from the non-competitive class
CVS-30-14-00008-P	..... 07/30/15	Jurisdictional Classification	To classify a position in the exempt class
CVS-30-14-00009-P	..... 07/30/15	Jurisdictional Classification	To classify a position in the exempt class
CVS-30-14-00010-P	..... 07/30/15	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-30-14-00011-P	..... 07/30/15	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-30-14-00012-P	..... 07/30/15	Jurisdictional Classification	To classify a position in the exempt class

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<b>CIVIL SERVICE, DEPARTMENT OF</b>			
CVS-30-14-00013-P	07/30/15	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-44-14-00005-P	11/05/15	Jurisdictional Classification	To classify a position in the exempt class
CVS-44-14-00006-P	11/05/15	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-44-14-00007-P	11/05/15	Jurisdictional Classification	To classify a position in the exempt class
CVS-44-14-00008-P	11/05/15	Jurisdictional Classification	To classify a position in the exempt class
CVS-44-14-00009-P	11/05/15	Jurisdictional Classification	To classify positions in the exempt class
CVS-44-14-00010-P	11/05/15	Jurisdictional Classification	To classify positions in the exempt class
CVS-44-14-00011-P	11/05/15	Jurisdictional Classification	To classify a position in the exempt class
CVS-44-14-00012-P	11/05/15	Jurisdictional Classification	To delete a heading and positions from the exempt class
CVS-44-14-00013-P	11/05/15	Jurisdictional Classification	To delete a position from and classify positions in the exempt class
CVS-44-14-00014-P	11/05/15	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-44-14-00015-P	11/05/15	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-44-14-00016-P	11/05/15	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-44-14-00017-P	11/05/15	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-44-14-00018-P	11/05/15	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-47-14-00002-P	11/26/15	Jurisdictional Classification	To delete positions from and classify positions in the exempt class
CVS-47-14-00003-P	11/26/15	Jurisdictional Classification	To delete a position from and classify a position in the exempt class
CVS-47-14-00004-P	11/26/15	Jurisdictional Classification	To classify a position in the exempt class
CVS-47-14-00005-P	11/26/15	Jurisdictional Classification	To classify a position in the exempt class
CVS-47-14-00006-P	11/26/15	Jurisdictional Classification	To delete a subheading and positions from the exempt class
CVS-47-14-00007-P	11/26/15	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-01-15-00004-P	01/07/16	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-01-15-00005-P	01/07/16	Jurisdictional Classification	To classify a position in the exempt class

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>CIVIL SERVICE, DEPARTMENT OF</b>			
CVS-01-15-00006-P	01/07/16	Jurisdictional Classification	To delete a position from and classify a position in the exempt class
CVS-01-15-00007-P	01/07/16	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-01-15-00008-P	01/07/16	Jurisdictional Classification	To delete positions from and classify positions in the exempt class
CVS-01-15-00009-P	01/07/16	Jurisdictional Classification	To delete a position from and classify a position in the exempt class
CVS-01-15-00021-P	01/07/16	Jurisdictional Classification	To classify a position in the exempt class
CVS-01-15-00022-P	01/07/16	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-01-15-00023-P	01/07/16	Jurisdictional Classification	To classify a position in the non-competitive class
<b>CORRECTIONS AND COMMUNITY SUPERVISION, DEPARTMENT OF</b>			
CCS-08-15-00002-P	02/25/16	Rochester Correctional Facility	To correct the address for Rochester Correctional facility
<b>ECONOMIC DEVELOPMENT, DEPARTMENT OF</b>			
EDV-46-14-00001-EP	11/19/15	Empire State Musical and Theatrical Production Tax Credit Program	Establish application procedures for the Empire State Musical and Theatrical Production Tax Credit Program
EDV-03-15-00001-P	01/21/16	Empire State Post Production Tax Credit Program	Establish application procedure for the Empire State Post Production Tax Credit Program
<b>EDUCATION DEPARTMENT</b>			
*EDU-08-14-00020-P	02/26/15	Hearings on charges of tenured school employees	To allow, under certain circumstances, tenured teachers and principals to raise as a defense in a section 3020-a hearing that their school district failed to timely implement the Common Core in the 2012-2013 and/or 2013-2014 school years
EDU-19-14-00009-P	05/14/15	Mandatory reporting of information regarding possession, sale, use or manufacture of illegal drugs on school property/functions	To establish a mandatory reporting requirement for school personnel, sanctions for noncompliance, and protection for school personnel who report
EDU-27-14-00013-EP	07/09/15	Elementary and Secondary Education Act (ESEA) Flexibility and school and school district accountability	Conform regulations to State's ESEA Flexibility Waiver Renewal with respect to school and district removal criteria
EDU-48-14-00008-P	12/03/15	Field tests for State assessments, alternate assessments and Regents examinations	To clarify that school districts must administer field tests in the schools for which they are assigned
EDU-52-14-00012-P	12/31/15	Local high school equivalency diplomas based upon experimental programs	To extend until 6/30/17 the provision for awarding local high school equivalency diplomas based upon experimental programs

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<b>EDUCATION DEPARTMENT</b>			
EDU-52-14-00014-EP	12/31/15	Determination of student residency	Clarify requirements on student enrollment, particularly as to procedures for unaccompanied minors and other undocumented youth
EDU-52-14-00015-EP	12/31/15	Profession of Applied Behavior Analysis	To implement Chapter 554 of the Laws of 2013 and Chapter 8 of the Laws of 2014
EDU-52-14-00028-P	12/31/15	Certification requirements for teaching assistants	To provide extensions in one year increments on the validity of a Level II teaching assistant certificate for candidates pursuing citizenship; define "school year"; and eliminate the words "without fee" in the definition of internship certificate
EDU-01-15-00011-P	01/07/16	Epinephrine auto-injectors	Prescribe standards for provision, maintenance, and administration of epinephrine auto-injectors in the event of an emergency
EDU-04-15-00007-P	01/28/16	Use of Department Facilities in the Cultural Education Center	To prescribe standards for the use of Cultural Education Center facilities
EDU-05-15-00008-P	02/04/16	Requirements for teacher certification	To provide teacher candidates with additional flexibility to use the safety net for the teacher performance assessment.(edTPA)
EDU-05-15-00009-P	02/04/16	Tuition Assistance Program	Establishment of standards for a student to regain good academic standing for the purposes of receiving awards under TAP
EDU-08-15-00006-EP	02/25/16	Appeals process on Regents exams passing score for English Language Learners (ELLs)	To extend ability to graduate with a Local Diploma via appeal process to qualifying English Language Learner (ELL) students who satisfy all other graduation requirements (including those who satisfy such requirements via available alternative pathways)
EDU-08-15-00007-EP	02/25/16	Teacher certification	To provide for a time extension of up to one-year for an expired initial certificate, transitional certificate and/or a conditional initial certificate to provide time for the revised Content Specialty Test (CST) results to be released by the Department
<b>ENVIRONMENTAL CONSERVATION, DEPARTMENT OF</b>			
ENV-31-14-00006-P	10/14/15	Petroleum Bulk Storage (PBS) and Used Oil Management	To harmonize existing State requirements with overlapping Federal requirements
ENV-31-14-00007-P	10/14/15	Chemical Bulk Storage	To amend existing CBS rule to be at least as stringent as EPA federal rule (40 CFR 280) and include NYS 2008 statutory changes
ENV-41-14-00003-P	10/15/15	Sportfish activities and associated activities	To revise sportfishing regulations & associated activities including the commercial collection, sale and use of baitfish
ENV-47-14-00001-P	11/26/15	The management of coastal sharks	Make state regulations consistent with federal rules and maintain compliance with the ASMFC Interstate FMP for Coastal Sharks
ENV-48-14-00005-P	01/27/16	Water quality standards for Class I and Class SD waters in New York City and Suffolk County	To amend New York's water quality standards for Class I and Class SD waters to meet the "swimmable" goal of the Clean Water Act



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>ENVIRONMENTAL CONSERVATION, DEPARTMENT OF</b>			
ENV-52-14-00027-P	02/09/16	The control of criteria air contaminants and toxic air contaminants from general process air pollution sources	To clearly define the federal and state requirements of the existing Part 212 rule, General Process Emission Sources
ENV-04-15-00006-P	01/28/16	Regulations governing the recreational harvest of winter flounder	Extend the recreational winter flounder fishing open season from April 1 - May 30 to March 1 - December 31
ENV-07-15-00002-EP	02/18/16	Revised closed season for the harvest and landing of lobster from Lobster Management Area 4 and repeal of mandatory V-notch rule	To implement ASMFC American Lobster Fishery Management Plan Addendum XVII and allow the lobster stock to rebuild
<b>FINANCIAL SERVICES, DEPARTMENT OF</b>			
DFS-29-14-00014-P	07/23/15	Title insurance agents, affiliated relationships, and title insurance business	To implement requirements of Chapter 57 of Laws of NY 2014 re: title insurance agents and placement of title insurance business
DFS-29-14-00015-RP	07/23/15	Regulation of the conduct of virtual currency businesses	Regulate retail-facing virtual currency business activity in order to protect New York consumers and users and ensure the safety and soundness of New York licensed providers of virtual currency products and services
DFS-46-14-00013-P	11/19/15	Reports to Central Organization	To remove an outdated references to "PILR" in the title of section 62-2.2
DFS-52-14-00009-P	12/31/15	Independent Dispute Resolution for Emergency Services and Surprise Bills	To establish a dispute resolution process and standards for that process
DFS-04-15-00005-P	01/28/16	Life insurance reserves	To modernize the current regulatory scheme with respect to universal life insurance with secondary guarantee reserves
DFS-07-15-00004-P	02/18/16	Mandatory Underwriting Inspection Requirement for Private Passenger Automobiles	Revise requirements regarding the inspection of private passenger automobiles for physical damage coverage
<b>GAMING COMMISSION, NEW YORK STATE</b>			
SGC-28-14-00006-EP	07/16/15	Implementation of rules pertaining to gaming facility request for application and gaming facility license application	To facilitate a fair and transparent process for applying for a license to operate a gaming facility
<b>GENERAL SERVICES, OFFICE OF</b>			
GNS-36-14-00001-P	09/10/15	Procurement of New York State food products	To provide guidance to State Agencies as to how they procure food
<b>HEALTH, DEPARTMENT OF</b>			
*HLT-14-94-00006-P	exempt	Payment methodology for HIV/AIDS outpatient services	To expand the current payment to incorporate pricing for services
*HLT-08-14-00001-RP	02/26/15	Physician Assistants and Specialist Assistants	Allows LPAs to prescribe controlled substances (including Schedule II) to patients under the care of the supervising physician

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<b>HEALTH, DEPARTMENT OF</b>			
HLT-28-14-00008-RP	07/16/15	Immediate Needs for Personal Care Services	To provide for meeting the immediate needs of Medicaid applicants and recipients for personal care services
HLT-28-14-00015-ERP	07/16/15	Rate Rationalization – Intermediate Care Facilities for Persons with Developmental Disabilities	To amend the new rate methodology effective July 1, 2014
HLT-28-14-00016-ERP	07/16/15	Rate Rationalization for Community Residences/Individualized Residential Alternatives Habilitation and Day Habilitation	To amend the new rate methodology effective July 1, 2014
HLT-29-14-00013-P	07/23/15	Amendment of Certificate of Need (CON) Applications	To eliminate requirement for Public Health & Health Planning Council review of certain types of amendments to CON applications
HLT-31-14-00002-P	08/06/15	Outpatient Services Licensed Under the Mental Hygiene Law	Creates methodology for adjusting provider reimbursement in OPWDD, OHM & OASAS certified clinics based on annual patient visits
HLT-32-14-00001-P	08/13/15	Blood Banks	Update practice standards, reflect changes and provide clarification of reg. provisions for blood banks and transfusion services
HLT-35-14-00002-P	09/03/15	Statewide Health Information Network for New York (SHIN-NY)	To promulgate regulations, consistent with federal law and policies, that govern the Statewide Health Information Network for NY
HLT-36-14-00012-P	09/10/15	Personal Care Services Program (PCSP) and Consumer Directed Personal Assistance Program (CDPAP)	To establish definitions, criteria and requirements associated with the provision of continuous PC and continuous CDPA services
HLT-37-14-00003-RP	09/17/15	Emergency Medical Services	To clarify terminology, eliminate vagueness, address legal statutes/crimes & incorp. modern professional, ethical & moral standards
HLT-39-14-00018-P	10/01/15	Medical Records Access Review Committees (MRARCs)	To designate rather than appoint MRARCs to hear appeals from the denial of access to patient information
HLT-40-14-00016-P	10/08/15	Inpatient Rate for Language Assistance Services	To establish hospital inpatient payment rate to reimburse hospitals for the costs of providing language interpretation services
HLT-40-14-00017-P	10/08/15	Nursing Home (NH) Transfer and Discharge Rights	To clarify requirements governing NH transfers and discharges so that facilities will uniformly comply with federal regulations
HLT-40-14-00018-P	10/08/15	Managed Care Organizations	To lower the contingent reserve requirement applied to the Medicaid Managed Care, Family Health Plus & HIV SNP Programs
HLT-41-14-00002-P	10/15/15	Certificate of Need (CON) Requirements	Simplify CON review requirements for projects involving nonclinical infrastructure, equipment replacement & repair & maintenance
HLT-42-14-00001-P	10/22/15	Audited Financial Statements for Managed Care Organizations	To extend audit and reporting standards to all managed care organizations (MCOs), including PHSPs, HIV SNPs and MLTCPs

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>HEALTH, DEPARTMENT OF</b>			
HLT-43-14-00001-P	10/29/15	Hospital Observation Services	To amend current observation services provisions to be in compliance with changes in Public Health Law, Section 2805-v
HLT-50-14-00001-P	12/17/15	Transgender Related Care and Services	To authorize Medicaid coverage for transgender related care and services
HLT-52-14-00013-P	12/31/15	Medical Use of Marihuana	To comprehensively regulate the manufacture, sale and use of medical marihuana
HLT-08-15-00003-P	02/25/16	Supplementary Reports of Certain Congenital Anomalies for Epidemiological Surveillance; Filing	To increase maximum age of reporting certain birth defects to the Congenital Malformations Registry
HLT-08-15-00005-EP	02/25/16	Opioid Overdose Programs	Modification of the rule consistent with new statutory language and with the emergency nature of opioid overdose response
<b>HIGHER EDUCATION SERVICES CORPORATION</b>			
ESC-52-14-00016-P	12/31/15	Default fee	To repeal section 2101.5 of Title 8 of the NYCRR as obsolete
ESC-52-14-00017-P	12/31/15	New York State Math and Science Teaching Incentive Program	To delete an outdated and incorrect reference
ESC-52-14-00018-P	12/31/15	Volunteer Recruitment Service Scholarships Program	To repeal section 2201.11 of Title 8 of the NYCRR as obsolete
ESC-01-15-00003-P	01/07/16	Adjustments to income	To delete incorrect references
<b>LIQUOR AUTHORITY, STATE</b>			
LQR-02-15-00002-P	03/09/16	Signage, Services and Gifts to Retailers	To enact business friendly amendments; eliminate interior sign restrictions; and increase annual dollar limits for advertising
<b>LONG ISLAND POWER AUTHORITY</b>			
*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
LPA-02-15-00006-P	exempt	The provisions of LIPA's Tariff for adjustment to rates and changes of service classifications	To modify and add to the Tariff in order to implement revenue-neutral changes required to maintain the 3-year LIPA rate freeze
LPA-07-15-00003-P	exempt	The rates and charges set forth in LIPA's Tariff for Electric Service	To set rates and charges at the lowest level consistent with sound fiscal and operating practices and safe and adequate service

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<b>MENTAL HEALTH, OFFICE OF</b>			
OMH-02-15-00003-P	01/14/16	Clinic Treatment Programs	Amend reimbursement structure for delivery of psychotherapy services; eliminate utilization threshold for court-mandated svcs
OMH-04-15-00002-P	01/28/16	Prevention of Influenza Transmission	Provide clarification and flexible system for documentation
<b>MOTOR VEHICLES, DEPARTMENT OF</b>			
MTV-08-15-00004-P	02/25/16	Electronic insurance identification cards	Authorize insurance companies to issue electronic insurance identification cards
MTV-09-15-00002-P	03/03/16	Signs displayed by dealers	Gives dealers more flexibility in the display of required signage
<b>NIAGARA FALLS WATER BOARD</b>			
*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
<b>NIAGARA FRONTIER TRANSPORTATION AUTHORITY</b>			
NFT-04-15-00015-P	01/28/16	Smoking	To clarify where smoking is prohibited at NFTA locations
<b>PARKS, RECREATION AND HISTORIC PRESERVATION, OFFICE OF</b>			
PKR-06-15-00002-P	02/11/16	Resident Curator Program	To rehabilitate vacant and unused buildings at no cost to the State by leasing the buildings to private individuals
<b>PEOPLE WITH DEVELOPMENTAL DISABILITIES, OFFICE FOR</b>			
PDD-02-15-00007-EP	03/08/16	Direct Care and Clinical Compensation Payments	To amend rate-setting for eligible services in order to implement increases in direct care and clinical compensation
PDD-02-15-00008-EP	03/02/16	Updates to SSI offset and SNAP benefit offset	To adjust reimbursement to affected providers for rent and food costs
<b>POWER AUTHORITY OF THE STATE OF NEW YORK</b>			
*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
PAS-01-15-00012-P	exempt	Rates for the Sale of Power and Energy	To recover the Authority's Fixed Costs
PAS-01-15-00013-P	exempt	Rates for the Sale of Power and Energy	To align rates and costs

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-28-97-00032-P	..... exempt	General service by Central Hudson Gas & Electric Corporation	To limit certain special provisions
*PSC-34-97-00009-P	..... exempt	Collection agency fees by Consolidated Edison Company of New York, Inc.	To pass collection agency fees on to the customer
*PSC-04-98-00015-P	..... exempt	Interconnection service overcharges by Niagara Mohawk Power Corporation	To consider a complaint by Azure Mountain Power Co.
*PSC-19-98-00008-P	..... exempt	Call forwarding by CPU Industries Inc./MKL Net, et al.	To rehear the petition
*PSC-02-99-00006-EP	..... exempt	Intralata freeze plan by New York Telephone Company	To approve the plan
*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
*PSC-15-99-00011-P	..... exempt	Electronic tariff by Woodcliff Park Corp.	To replace the company's current tariff with an electronic tariff
*PSC-50-99-00009-P	..... exempt	Retail access uniform business practices by The Brooklyn Union Gas Company and KeySpan Gas East Corporation d/b/a Brooklyn Union of Long Island	To approve a joint petition requesting a waiver extension of a requirement set forth in the commission's order
*PSC-52-99-00006-P	..... exempt	Wide area rate center calling	To implement number conservation measures
*PSC-12-00-00001-P	..... exempt	Winter bundled sales service election date by Central Hudson Gas & Electric Corporation	To revise the date
*PSC-14-00-00004-EP	..... exempt	NXX code in the 716 NPA by Broadview Networks	To assign an NXX code in Buffalo
*PSC-14-00-00026-P	..... exempt	Interconnection agreement between New York Telephone Company d/b/a Bell Atlantic-New York and Media Log, Inc.	To review the terms and conditions of the negotiated agreement
*PSC-14-00-00027-P	..... exempt	Interconnection agreement between New York Telephone Company d/b/a Bell Atlantic-New York and Pilgrim Telephone, Inc.	To review the terms and conditions of the negotiated agreement
*PSC-14-00-00029-P	..... exempt	Interconnection agreement between New York Telephone Company d/b/a Bell Atlantic-New York and CoreComm New York, Inc.	To review the terms and conditions of the negotiated agreement
*PSC-16-00-00012-P	..... exempt	Termination of local telecommunications traffic by Hyperion Communications of New York, Inc.	To determine appropriate compensation levels
*PSC-21-00-00007-P	..... exempt	Initial tariff schedule by Drew Road Association	To set forth the rates, charges, rules and regulations
*PSC-31-00-00026-P	..... exempt	Water service by Windover Water Works	To abandon the water system
*PSC-33-00-00010-P	..... exempt	Electric rate and restructuring plan by Rochester Gas and Electric Corporation	To evaluate possible modifications
*PSC-36-00-00039-P	..... exempt	Steam increase by Consolidated Edison Company of New York, Inc.	To provide for an annual increase in the first year of a proposed four-year rate plan

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-37-00-00001-EP	..... exempt	Interruptible gas customers	To ensure customers have an adequate supply of alternative fuel available
*PSC-39-00-00004-P	..... exempt	Blockable central office codes by PaeTec Communications, Inc.	To review the commission's requirements for assignment of numbering resources
*PSC-44-00-00014-P	..... exempt	Recovery of costs through adjustment mechanisms by Consolidated Edison Company of New York, Inc.	To permit the recovery of certain costs
*PSC-49-00-00007-P	..... exempt	Gas sales and purchases by Corning Natural Gas Corporation	To determine whether certain gas sales and purchases were in the public interest and whether customers should bear the resulting costs
*PSC-01-01-00023-P	..... exempt	Installation, maintenance and ownership of service laterals by Rochester Gas and Electric Corporation	To update and clarify the provisions
*PSC-06-01-00009-P	..... exempt	Uniform system of accounts by Rochester Gas and Electric Corporation	To defer an item of expense beyond the end of the year in which it was incurred
*PSC-13-01-00001-P	..... exempt	Request for accounting authorization by Rochester Gas and Electric Corporation	To defer an item of expense beyond the end of the year in which it was incurred
*PSC-13-01-00002-P	..... exempt	Request for accounting authorization by Rochester Gas and Electric Corporation	To defer an item of expense beyond the end of the year in which it was incurred
*PSC-13-01-00003-P	..... exempt	Request for accounting authorization by Rochester Gas and Electric Corporation	To defer an item of expense beyond the end of the year in which it was incurred
*PSC-15-01-00012-P	..... exempt	Transfer of a controlling leasehold interest by Huntley Power LLC	To approve the transfer
*PSC-22-01-00006-P	..... exempt	Con Edison's phase 4 plan for retail access by AES Energy, Inc.	To review the request for rehearing
*PSC-26-01-00012-P	..... exempt	Interconnection of networks between Sprint PCS and Verizon New York Inc.	To review the terms and conditions of the negotiated agreement
*PSC-36-01-00010-P	..... exempt	Competitive metering by eBidenergy.com	To clarify meter ownership rules and requirements
*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-01-02-00007-P	..... exempt	Accounting and rate treatment of proceeds by Consolidated Edison Company of New York, Inc.	To consider proceeds from sale of nuclear generating facilities
*PSC-05-02-00005-P	..... exempt	Uniform system of accounts by Consolidated Edison Company of New York, Inc.	To defer expenditures incurred in connection with emergency response services affected by the World Trade Center disaster
*PSC-06-02-00015-P	..... exempt	Network reliability performance mechanism by Consolidated Edison Company of New York, Inc.	To earn rewards for meeting the targets of the network reliability performance mechanism
*PSC-07-02-00032-P	..... exempt	Uniform business practices	To consider modification
*PSC-29-02-00014-P	..... exempt	Financing by Valley Energy, Inc.	To issue a note and allocate costs

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-49-02-00021-P	..... exempt	Requests for lightened regulation by PSEG Power Bellport, LLC	To consider the company's request
*PSC-08-03-00009-P	..... exempt	Provision of gas service to World Kitchen Incorporated	To establish terms and conditions
*PSC-09-03-00012-P	..... exempt	Incremental service line installations by New York State Electric & Gas Corporation	To revise the current flat rate per foot charged
*PSC-09-03-00014-P	..... exempt	Deferral accounting by Consolidated Edison Company of New York, Inc. and Orange and Rockland Utilities, Inc.	To defer expense items beyond the end of the year(s) in which they were incurred
*PSC-11-03-00012-P	..... exempt	Economic development plan by New York State Electric & Gas Corporation	To consider the plan
*PSC-18-03-00004-P	..... exempt	Lightened regulation by East Hampton Power and Light Corporation (EHPLC)	To provide for lightened regulation and grant financing approval
*PSC-22-03-00020-P	..... exempt	Inter-departmental gas pricing by Consolidated Edison Company of New York, Inc.	To revise the method used in steam and steam-electric generating stations
*PSC-32-03-00020-P	..... exempt	Issuance of debt and approval of surcharge by Rainbow Water Company	To approve necessary financing
*PSC-34-03-00019-P	..... exempt	Issuance of securities by KeySpan East Corporation d/b/a KeySpan Energy Delivery Long Island	To obtain authorization to issue securities
*PSC-35-03-00009-P	..... exempt	Interconnection agreement between Verizon New York Inc. and MCIMetro Access Transmission Services LLC	To amend the agreement
*PSC-36-03-00010-P	..... exempt	Performance assurance plan by Verizon New York	To consider changes
*PSC-39-03-00013-P	..... exempt	Complaint by State University of New York (SUNY) regarding a NYSEG operating agreement	To consider the complaint
*PSC-40-03-00015-P	..... exempt	Receipt of payment of bills by St. Lawrence Gas Company	To revise the process
*PSC-41-03-00008-P	..... exempt	Lightened regulation by Sterling Power Partners, L.P.	To consider granting lightened regulation
*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-42-03-00005-P	..... exempt	Interest rate by the Bath Electric, Gas, and Water Systems	To use an alternate interest rate
*PSC-43-03-00036-P	..... exempt	Merchant function backout credit and transition balancing account by KeySpan Gas East Corporation	To continue the credit and account until May 31, 2005



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-43-03-00037-P	..... exempt	Merchant function backout credit and transition balancing account by The Brooklyn Union Gas Company	To continue the credit and account until May 31, 2005
*PSC-44-03-00009-P	..... exempt	Retail access data between jurisdictional utilities	To accommodate changes in retail access market structure or commission mandates
*PSC-47-03-00024-P	..... exempt	Lightened regulation and financing approval by Medford Energy LLC	To consider the requests
*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
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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
*PSC-39-06-00018-P	..... exempt	Order establishing rate plan by Central Hudson Gas & Electric Corporation and the Consumer Protection Board	To consider the petitions for rehearing
*PSC-39-06-00019-P	..... exempt	Investigation of Richard M. Osborne by Corning Natural Gas Corporation	To determine the interests, plans and commitments that will be in place if he is successful in blocking the merger of Corning Gas and C&T Enterprises
*PSC-39-06-00022-P	..... exempt	Uniform business practices and related matters by U.S. Energy Savings Corporation	To establish a contest period
*PSC-40-06-00005-P	..... exempt	Orion Integral automatic meter reading transmitter by New York State Electric and Gas Corporation	To permit gas utilities in NYS to use the Badger Meter Incorporated Orion Integral transmitters
*PSC-42-06-00011-P	..... exempt	Submetering of electricity by 225 5th LLC	To submeter electricity at 255 Fifth Ave., New York, NY
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-44-06-00014-P	..... exempt	Electric power outages in Northwest Queens by Consolidated Edison Company of New York, Inc.	To review the terms and conditions of the agreement
*PSC-45-06-00007-P	..... exempt	Alleged failure to provide electricity by Robert Andrews	To assess validity of allegations and appropriateness of fines
*PSC-01-07-00031-P	..... exempt	Enforcement mechanisms by National Fuel Gas Distribution Corporation	To modify enforcement mechanisms
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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
*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-23-08-00009-P	..... exempt	The transfer of certain real property with an original cost under \$100,000 in the Town of Throop	To consider the filing for the transfer of certain real property in the Town of Throop
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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
*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



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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
*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.

## Action Pending Index

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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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-29-09-00006-P	..... exempt	Petition for the submetering of electricity at a residential senior citizen facility	To consider the request of Shinda Management Corp. to submeter electricity at 107-37 166th Street, Jamaica, New York
*PSC-29-09-00011-P	..... exempt	Consideration of utility compliance filings	Consideration of utility compliance filings
*PSC-30-09-00010-P	..... exempt	Additional funding for interim gas energy efficiency programs currently being implemented by Niagara Mohawk	To fund the continued operation of Niagara Mohawk's interim gas energy efficiency programs through October 31, 2009
*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
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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
*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-11-10-00011-P	..... exempt	Niagara Mohawk's EEPS "Fast Track" Residential Electric HVAC Program	To encourage cost effective electric energy conservation in the State
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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-25-10-00015-P	..... exempt	To allow NYWC to defer and amortize, for future rate recognition, pension settlement payout losses incurred in 2009	Consideration of NYWC's petition to defer and amortize, for future rate recognition, pension payout losses incurred in 2009
*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-31-10-00007-P	..... exempt	Waiver of the Attachment 23 requirement in 2001 Rate Order that NMPC Board of Directors consist of "outside directors"	To consider the waiver of the requirement that a majority of NMPC Board of directors consist of "outside directors"
*PSC-31-10-00008-P	..... exempt	KEDNY's Interim Low Income Energy Efficiency Program	Consideration of KEDNY's request for approval of costs related to large multifamily energy efficiency services
*PSC-31-10-00009-P	..... exempt	KEDLI's Interim Low Income Energy Efficiency Program	Consideration of KEDLI's request for approval of costs related to low income large multifamily energy efficiency services
*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
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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-50-10-00005-P	..... exempt	Metered gas deliveries and lost and unaccounted for gas	To allow BEGWS to recover a refund from Corning for overcharges of gas deliveries
*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-12-11-00008-P	..... exempt	To allow NYWC to defer and amortize, for future rate recognition, pension settlement payout losses incurred in 2010	Consideration of NYWC's petition to defer and amortize, for future rate recognition, pension payout losses incurred in 2010
*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-13-11-00007-P	..... exempt	Budget allocations and use of System Benefits Charge funds to pay State Cost Recovery Fee	To encourage cost effective gas and electric energy conservation in the State
*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-16-11-00010-P	..... exempt	The Energy Efficiency Portfolio Standard	To promote gas and electricity energy conservation programs in New York
*PSC-16-11-00011-P	..... exempt	The Energy Efficiency Portfolio Standard	To promote gas and electricity energy conservation programs in 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
*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-23-11-00018-P	..... exempt	NYSERDA's energy efficiency program for low-income customers	To promote energy conservation in New York State

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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-33-11-00017-P	..... exempt	Petition for the submetering of electricity	To consider the request of 56-7th Avenue LLC to submeter electricity at 56-7th Avenue, New York, New York
*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-51-11-00010-P	..... exempt	The Total Resource Cost (TRC) test, used to analyze measures in the Energy Efficiency Portfolio Standard program	Petitioners request that the TRC test and/or its application to measures should be revised

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-52-11-00017-P	..... exempt	Reparations and refunds	Reparations and refunds
*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
*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-17-12-00007-P	..... exempt	Whether a proposed agreement for the provision of water service by Saratoga Water Services, Inc. is in the public interest	Whether the Commission should issue an order approving the proposed provision of water service
*PSC-17-12-00008-P	..... exempt	Whether a proposed agreement for the provision of water service by Saratoga Water Services, Inc. is in the public interest	Whether the Commission should issue an order approving the proposed provision of water service
*PSC-17-12-00009-P	..... exempt	Whether a proposed agreement for the provision of water service by Saratoga Water Services, Inc. is in the public interest	Whether the Commission should issue an order approving the proposed provision of water service
*PSC-19-12-00019-P	..... exempt	EEPS programs administered by New York State Electric & Gas Corporation and Rochester Gas and Electric Corporation	To modify the C&I sector by combining multiple approved C&I programs into a single C&I program for each PA
*PSC-19-12-00022-P	..... exempt	Approval of a combined heat and power performance program funding plan administered by NYSERDA	Modify NYSERDA's EEPS programs budget and targets to fund the CHP program
*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-23-12-00005-P	..... exempt	EEPS multifamily programs administered by Consolidated Edison Company of New York, Inc.	To redesign the multifamily electric and gas programs and modify the budgets and targets



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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-35-12-00014-P	..... exempt	To implement an abandonment of White Knight's water system	To approve the implementation of abandonment of White Knight's water system
*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
*PSC-42-12-00007-P	..... exempt	Petition for the submetering of electricity	To consider the request of 215 West 91st Street Corp. to submeter electricity at 215 West 91st Street, New York, New York
*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



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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-14-13-00005-P	..... exempt	Recovery of incremental expense.	To consider petition for recovery of incremental expense.
*PSC-17-13-00008-P	..... exempt	Provision of historical utility pricing information for comparison purposes for residential ESCO customers	Provision of historical utility pricing information for comparison purposes for residential ESCO customers
*PSC-17-13-00010-P	..... exempt	Provision of historical pricing information for comparison purposes for residential ESCO customers	Provision of historical pricing information for comparison purposes for residential ESCO customers
*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-20-13-00008-P	..... exempt	Relief of the exhausting 315 Area Code	To reinstate the relief process for the 315 area code region beyond 2015
*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
*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-24-13-00009-P	..... exempt	Repowering options for the Cayuga generating station located in Lansing, New York, and alternatives	To establish whether utility plans should include repowering options for the Cayuga generating station, or other alternatives

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-24-13-00010-P	..... exempt	Repowering options for the Dunkirk generating station located in Dunkirk, New York, and alternatives	To establish whether utility plans should include repowering options for the Dunkirk generating station, or other alternatives
*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-25-13-00011-P	..... exempt	Waiver of certain Commission requirements related to provision of customer information to credit reporting agencies.	To waive a utility's right to provide information to credit reporting agencies related to customers' payment histories.
*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-32-13-00010-P	..... exempt	Permission to write off and eliminate record keeping for regulatory reserves for Pensions and Other Post Retirement Benefits	To allow write off and eliminate record keeping of Pension and Other Post Retirement Benefits Reserves
*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-37-13-00007-P	..... exempt	Dissolution of Garrow Water Works Company, Inc..	To allow for the dissolution of Garrow Water Works Company, Inc.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-39-13-00010-P	..... exempt	NY-Sun initiative within the Customer-Sited Tier of the RPS Program.	To increase the statewide adoption of customer sited photovoltaic solar generation through the NY-Sun Initiative.
*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.
*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-46-13-00007-P	..... exempt	Whether to permit the use of the GE/Dresser ES3 Index Assembly for use in commercial and industrial gas meter applications.	To permit gas utilities in New York State to use the GE/Dresser ES3 Index Assembly.
*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.

## Action Pending Index

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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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-01-14-00017-P	..... exempt	Residential Time-of-Use Rates	To establish residential optional time of use delivery and commodity rates
*PSC-03-14-00009-P	..... exempt	disposition of tax refunds and other related matters	to determine the disposition of tax refunds and other related matters
*PSC-04-14-00005-P	..... exempt	National Fuel Gas Corporation's Conservation Incentive Programs.	To modify National Fuel Gas Corporation's Non-Residential Conservation Incentive Program.
*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
*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-12-14-00007-P	..... exempt	Transfer of water supply assets.	Transfer the water supply assets of Yellow Barn Water Company, Inc. to the Town of Dryden.
PSC-14-14-00016-P	..... exempt	Whether to permit the use of the Leviton Series 8000 electric submeter.	Pursuant to 16 NYCRR Parts 93 and 96, is necessary to permit the use of the Leviton Series 8000 electric submeter.
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-16-14-00016-P	..... exempt	Waiver of Commission regulations governing termination of service.	Consider United Water New York Inc.'s proposal to expand termination of service provisions.
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
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-19-14-00018-P	..... exempt	Uniform System of Accounts, deferral of an expense item	Authorization of a deferral for an expense item beyond the end of the year in which it was incurred
PSC-20-14-00011-P	..... exempt	Petitioners request an order approving enhanced benefits under the Renewable Portfolio Standard Program.	To enable continued operation of a 51 MW biomass fueled electric generating facility in Niagara Falls, New York.
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 met 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-23-14-00012-P	..... exempt	Whether to permit the use of the Elster Instromet Q.Sonic Plus Ultrasonic meter for use in industrial gas meter applications	To permit gas utilities in New York State to use the Elster Instromet Q.Sonic Plus Ultrasonic 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-24-14-00004-P	..... exempt	Approval of asset transfer.	To allow or disallow transfer of assets from Heritage Hills Water Works Corp. to Community Utilities of New York, Inc.
PSC-24-14-00005-P	..... exempt	To examine LDC's performance and performance measures.	To improve gas safety performance.
PSC-25-14-00014-P	..... exempt	Whether to permit the use of the SATEC Branch Feeder Monitor BFM-136 electric submeter	Pursuant to 16 NYCRR Parts 93 and 96, is necessary to permit the use of the SATEC Branch Feeder Monitor BFM electric submeter
PSC-25-14-00015-P	..... exempt	Surcharges related to the System Benefits Charge, Energy Efficiency Portfolio Standard, Retail Renewable Portfolio Standard	To reduce the public benefit surcharge applicable to large industrial, commercial and institutional energy consumers
PSC-26-14-00010-P	..... exempt	Petitioner requests an order authorizing its participation in the next Main Tier solicitation offered under the RPS Program.	To enable continued operation of a 21 MW biomass fueled electric generating facility in Chateaugay, New York.
PSC-26-14-00012-P	..... exempt	The Commission's framework for regulating utilities and methods of ratemaking will be revised.	To allow energy efficiency and other distributed resources to take a primary role in the planning and operation of the grid.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
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-26-14-00015-P	..... exempt	Whether to order natural gas distribution companies to expand their public education programs.	To improve gas safety by ordering natural gas distribution companies to expand their public education programs.
PSC-26-14-00016-P	..... exempt	The Commission's regulatory framework will be revised to create a flexible platform for new energy products and services.	To allow energy efficiency and other distributed resources to take a primary role in the planning and operation of the grid.
PSC-26-14-00017-P	..... exempt	Existing ratemaking and rate design practices will be revised with a focus on outcomes and incentives.	To use the Commission's ratemaking authority to foster a DER-intensive system.
PSC-26-14-00018-P	..... exempt	Rules regarding ownership and/or operation of the DSPPs will be created.	To best enable system-wide efficiency and market-based deployment of distributed energy resources and load management.
PSC-26-14-00019-P	..... exempt	Prohibitions or restrictions regarding the DSPPs ownership of DER will be created.	To protect against abuses associated with imbalances in market power.
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.
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-30-14-00019-P	..... exempt	Uniform System of Accounts - Request for Accounting Authorization	To allow the company deferred accounting treatment for expenses related to the change in corporate leadership.
PSC-30-14-00020-P	..... exempt	Uniform System of Accounts - Request for Accounting Authorization	To allow the company deferred accounting treatment for expenses related to the change in corporate leadership.
PSC-30-14-00021-P	..... exempt	Uniform System of Accounts - Request for Accounting Authorization	To allow the company deferred accounting treatment for expenses related to the change in corporate leadership.
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-30-14-00025-P	..... exempt	Allocation of uncommitted Technology and Market Development Funds to the Combined Heat & Power Performance Program.	To consider allocation of uncommitted Technology & Market Development Funds to the Combined Heat & Power Performance Program.
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-32-14-00009-P	..... exempt	Refueling options for the Dunkirk generating station located in Dunkirk, New York, and alternatives	To address the joint petition for rehearing of the Commission's Order related to refueling the Dunkirk generating station
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-32-14-00013-P	..... exempt	Petition for submetering of electricity	To consider the request of 1 John Street LLC to submeter electricity at 1 John Street, Brooklyn, New York
PSC-32-14-00015-P	..... exempt	Revisions to modify and clarify provisions related to electric generators taking transportation service under SC Nos. 7 and 14	To modify and clarify provisions related to electric generators taking transportation service under SC Nos. 7 and 14
PSC-32-14-00017-P	..... exempt	Transfer of Franchise or stocks and Issuance of Securities	To allow or disallow the merger of United Water Resources and United Water Mid-Atlantic Inc into United Water Works
PSC-32-14-00018-P	..... exempt	Modifications to provisions related to electric generators and cogeneration facilities	Revisions related to electric generators and cogeneration facilities and align KEDNY's tariff provisions with those of KEDLI
PSC-34-14-00006-P	..... exempt	Authorization of long-term loan	To allow or disallow Forever Wild Water Company to enter into long-term loan agreement.
PSC-34-14-00009-P	..... exempt	Whether to approve the Quadlogic S10N residential submeter.	Approval of the Quadlogic S10N Smart Meter for use in residential electric submetering is required by 16 NYCRR Parts 93 and 96.
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-35-14-00008-P	..... exempt	Whether to approve, modify or reject in whole or in part an increase in annual revenues of approximately \$264,166 or 25%	Whether to approve, modify or reject in whole or in part an increase in annual revenues of approximately \$264,166 or 25%
PSC-36-14-00008-P	..... exempt	The Commission's regulatory framework will be revised to create a flexible platform for new energy products and services.	To allow energy efficiency and other distributed resources to take a primary role in the planning and operation of the grid.
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-36-14-00010-P	..... exempt	The procurement of Main Tier renewable resources will become the responsibility of the State's electric utilities.	To ensure the development of large-scale renewables in New York State to promote fuel diversity and reduce carbon emissions.
PSC-36-14-00011-P	..... exempt	To defer pension settlement losses associated with retirements in the year ended March 31, 2014.	To resolve the ratemaking of the pension settlement loss.
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.



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
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.
PSC-38-14-00018-P	..... exempt	New electric utility demand response tariffs may be adopted.	To develop mature DER markets by enabling the development and use of DR as an economic system resource.
PSC-38-14-00019-P	..... exempt	Whether to approve, modify or reject in whole or in part an increase in annual revenues of approximately \$18,356 or 17.8%.	Whether to approve, modify or reject in whole or in part an increase in annual revenues of approximately \$18,356 or 17.8%.
PSC-38-14-00020-P	..... exempt	Various tariff revisions to the rates, charges, rules and regulations.	For approval to make various tariff revisions to P.S.C. No. 4 - Steam.
PSC-38-14-00021-P	..... 09/24/15	Service lines, leakage surveys, testing req'ts., MAOP, odorization, 16 NYCRR §§ 255.3(29); 255.723; 255.507; 255.619, 255.625.	To align State gas safety rules with federal gas safety requirements.
PSC-39-14-00012-P	..... exempt	Minor electric rate filing.	For approval to increase total annual revenues by about \$300,000 or 8.1%.
PSC-39-14-00014-P	..... exempt	Whether to permit the use of the SATEC EM133 electric submeter.	Pursuant to 16 NYCRR Parts 93 and 96, is necessary to permit the use of the SATEC EM133 electric submeter.
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.



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
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-41-14-00009-P	..... exempt	Establishment of a Clean Energy Fund and related actions	Consideration of proposal by NYSERDA for the establishment of a Clean Energy Fund and related actions
PSC-41-14-00010-P	..... exempt	Reallocation of EEPS and SBC funds	Consideration of proposal by NYSERDA for reallocation of EEPS and SBC funds
PSC-41-14-00011-P	..... exempt	Establishment of annual collections caps and collection and spending mechanisms as described in the Clean Energy Fund Proposal	Consideration of proposal by NYSERDA for the establishment of annual collections caps and collection and spending mechanisms
PSC-41-14-00012-P	..... exempt	Funding and management of the NY-Sun program as described in the Clean Energy Fund Proposal	Consideration of proposal by NYSERDA for the funding and management of the NY-Sun program
PSC-41-14-00013-P	..... exempt	Funding and management of the New York Green Bank as described in the Clean Energy Fund Proposal and NY Green Bank Petition	Consideration of proposal by NYSERDA for the funding and management of the New York Green Bank
PSC-41-14-00014-P	..... exempt	Funding and management of a Market Development program as described in the Clean Energy Fund Proposal	Consideration of proposal by NYSERDA for the funding and management of a Market Development program
PSC-41-14-00015-P	..... exempt	Funding and management of a Technology and Business Innovation program as described in the Clean Energy Fund Proposal	Consideration of proposal by NYSERDA for the funding and management of a Technology and Business Innovation program
PSC-41-14-00016-P	..... exempt	Inter-carrier telephone service quality standards and metrics	To review recommendations from the Carrier Working Group and incorporate modifications to the existing Guidelines
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-44-14-00020-P	..... exempt	LDC inspection and remediation plans for plastic fusions	Whether to order LDCs to comply with their filed plans that address any safety risks associated with plastic fusions
PSC-44-14-00021-P	..... exempt	Define incremental cost of gas	To define the incremental cost of gas and to streamline the Definitions and Abbreviations section
PSC-44-14-00023-P	..... exempt	Petition for rehearing filed by West Valley Crystal Water Company, Inc. on October 9, 2014	Petition for rehearing filed by West Valley Crystal Water Company, Inc. on October 9, 2014

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-45-14-00002-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-45-14-00003-P	..... exempt	Notice of Intent to Submeter electricity	To consider the request of Bedford-Stuyvesant South One LLC to submeter electricity at 27 Albany Avenue, Brooklyn, NY
PSC-45-14-00004-P	..... exempt	Petition for submetering of electricity	To consider the request of C B Frontier LLC, to submeter electricity at 200 East 39th Street, New York, New York
PSC-46-14-00008-P	..... exempt	Funding and eligibility rules for the Green Bank program as described in the Green Bank Petition.	Consideration of proposal by NYSEDA for the funding and eligibility rule changes for the Green Bank program.
PSC-46-14-00009-P	..... exempt	Continuation of exemptions from standby rates for beneficial forms of distributed generation and small combined heat and power.	To continue the exemptions from standby rates for beneficial forms of distributed generation and small combined heat and power.
PSC-46-14-00012-P	..... exempt	To consider proposals for changes to the Electronic Data Interchange standards.	To consider proposals for changes to the Electronic Data Interchange standards.
PSC-47-14-00012-P	..... exempt	Consideration of the National Grid Implementation Plan and audit recommendations	To approve, modify or reject, in whole or in part, National Grid's Implementation Plan
PSC-48-14-00010-P	..... exempt	Major gas rate increase filing.	To establish rates and practices for gas service.
PSC-48-14-00011-P	..... exempt	Major electric rate increase filing.	To establish rates and practices for electric service.
PSC-48-14-00012-P	..... exempt	Authority to update its System Improvement Charge (SIC Mechanism).	To allow or disallow New York American Water Company to update its System Improvement Charge (SIC Mechanism).
PSC-48-14-00013-P	..... exempt	Petition for submetering of electricity.	To consider the request of Albee Tower 1 Owners LLC to submeter electricity at 70 Fleet Street, Brooklyn, New York.
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-49-14-00002-P	..... exempt	Whether to make revisions to Rider S - Commercial System Relief Program and Rider U - Distribution Load Relief Program	Whether to make revisions to Rider S - Commercial System Relief Program and Rider U - Distribution Load Relief Program
PSC-51-14-00005-P	..... exempt	Petitioner requests an order modifying its existing maintenance tier contract offered under the RPS Program	To resume operation of a 21 MW biomass fueled electric generating facility in Chateaugay, New York
PSC-51-14-00006-P	..... exempt	The Northeast Power Coordinating Council, Inc's A-Criteria documents and Criteria	To adopt revisions to various rules and measurements of the Northeast Power Coordinating Council, Inc.
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..

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-52-14-00020-P	..... exempt	The New York State Reliability Council's establishment of an Installed Reserve Margin of 17.0%.	To adopt an Installed Reserve Margin for the Capability Year beginning May 1, 2015, and ending April 30, 2016.
PSC-52-14-00021-P	..... exempt	Requirements and conditions for the net metering of customer-sited generation facilities.	To consider requirements and conditions for the net metering of customer-sited generation facilities.
PSC-52-14-00022-P	..... exempt	Petition for submetering of electricity.	To consider the request of Kingsview Homes, Inc. to submeter electricity at 125 Ashland Place, Brooklyn, New York.
PSC-52-14-00023-P	..... exempt	LDC inspection and remediation plans for plastic fusions.	Whether to order Con Ed and ORU to comply with their filed plans that address any safety risks associated with plastic fusions.
PSC-52-14-00024-P	..... exempt	Distributed Generation (DG), Natural Gas Vehicle (NGV) and Prime-WNY programs.	To extend the DG and NGV programs to March 31, 2018 and for authorization of the Prime-WNY program.
PSC-52-14-00025-P	..... exempt	Whether to approve, modify or reject in whole or in part an increase in annual revenues of approximately \$24,000 or 48%.	Whether to approve, modify or reject in whole or in part an increase in annual revenues of approximately \$24,000 or 48%.
PSC-52-14-00026-P	..... exempt	Community Choice Aggregation.	To consider action related to Community Choice Aggregation.
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-01-15-00015-P	..... exempt	NYSEG is seeking waivers from certain regulatory requirements contained in an Order issued in Case 14-G-0197 on October 6, 2014	NYSEG is seeking waivers because it cannot certify the existing propane distribution system complies with certain regulations
PSC-01-15-00016-P	..... exempt	State Universal Service Fund Disbursements	To consider Port Byron Telephone Company's request for State Universal Service Fund disbursements
PSC-01-15-00017-P	..... exempt	Reimbursement of costs for construction under 16 NYCRR 230	To determine proper reimbursement for costs related to trenching and construction
PSC-01-15-00018-P	..... exempt	State Universal Service Fund Disbursements	To consider Township Telephone Company's request for State Universal Service Fund disbursements
PSC-01-15-00019-P	..... exempt	Rule 50 - Reliability Support Services (RSS) Surcharge.	To make a clarifying revision to Rule 50 - Reliability Support Services (RSS) Surcharge.
PSC-01-15-00020-P	..... exempt	A Pilot Community Choice Aggregation Program	To consider approval of a Pilot Community Choice Program and customer information transfer
PSC-02-15-00005-P	..... exempt	Approving the 2014 electric emergency response plans for New York's six major electric utilities.	Approving the 2014 electric emergency response plans for New York's six major electric utilities.
PSC-03-15-00002-P	..... exempt	Waiver of tariff provisions related to SC 14 Non-Core Transportation Services for Electric Generation	To determine whether a waiver is warranted

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-03-15-00003-P	..... exempt	To allow residential customers to opt out of AMR metering for gas and make other tariff changes related to gas metering	To allow residential customers to opt out of AMR metering for gas and make other tariff changes related to gas metering
PSC-03-15-00004-P	..... exempt	To allow residential customers a one time election to opt out of AMR metering and make other tariff changes related to metering	To allow residential customers a one time election to opt out of AMR metering and make other changes related to metering
PSC-03-15-00005-P	..... exempt	Minor electric rate filing	For approval to increase annual revenues by about \$300,000 or 17.96%
PSC-04-15-00008-P	..... exempt	Re-billing SC No. 2 customers from March 2008 through March 2014.	To determine whether re-billing SC No. 2 customers by the Companies' proposed methodology customers is appropriate.
PSC-04-15-00009-P	..... exempt	To start and finish construction of distribution and service lines in certain municipalities in Clinton County by dates certain.	To require NYSEG to start and complete construction of distribution and service lines in municipalities in Clinton County.
PSC-04-15-00010-P	..... exempt	To modify the retail access program under SC No. 19 - Seller Transportation Aggregation Service.	To modify the retail access program to implement Tier 2A - Storage Capacity Release and make other tariff changes.
PSC-04-15-00011-P	..... exempt	To modify the retail access program under SC No. 8 - Seller Services.	To modify the retail access program to implement Tier 2A - Storage Capacity Release and make other tariff changes.
PSC-04-15-00012-P	..... exempt	Disposition of tax refunds and other related matters.	To determine the disposition of tax refunds and other related matters.
PSC-04-15-00013-P	..... exempt	Rider L - Direct Load Control Program (DLC) and Residential Smart Appliance Program (RSAP)	To expand the DLC program, replace failed control devices, and to expand the RSAP pilot.
PSC-04-15-00014-P	..... exempt	Request for waiver of 6 NYCRR Part 501 and United Water's tariff provisions governing main extensions.	To grant, deny or modify a petition for a waiver of 6 NYCRR Part 501 and related United Water's tariff provisions.
PSC-05-15-00003-P	..... exempt	Whether to grant, deny or modify in whole or in part the petition of Consolidated Edison for rehearing and clarification	Whether to grant, deny or modify in whole or in part the petition of Consolidated Edison for rehearing and clarification
PSC-05-15-00004-P	..... exempt	Whether to permit the use of the Eaton Power Xpert Multi-Point Meter for submeter applications	Pursuant to 16 NYCRR Parts 93 and 96, the Commission must approve the Eaton Power Xpert Multi-Point for electric submetering
PSC-05-15-00005-P	..... exempt	Cost recovery surcharge and gas safety performance standards	To determine issues related to gas safety surcharge implementation
PSC-06-15-00003-P	..... exempt	Petition for submetering of electricity	To consider the request of City Point Residential LLC, to submeter electricity at 366 Flatbush Avenue Ext, Brooklyn, New York
PSC-06-15-00004-P	..... exempt	Whether to make revisions to Rider S - Commercial System Relief Program and Rider U - Distribution Load Relief Program	Whether to make revisions to Rider S - Commercial System Relief Program and Rider U - Distribution Load Relief Program
PSC-07-15-00005-P	..... exempt	Major electric rate increase filing	To establish rates and practices for electric service
PSC-07-15-00006-P	..... exempt	Whether to order a remand regarding payphone rates	Whether to order a remand regarding payphone rates and award refunds

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-07-15-00007-P	..... exempt	Major gas rate increase filing	To establish rates and practices for gas service
PSC-08-15-00008-P	..... exempt	Approval of a loan, an ownership transfer, and continuation of lightened regulation.	Approval of a loan, an ownership transfer, and continuation of lightened regulation.
PSC-08-15-00009-P	..... exempt	Approval of a surcharge.	To allow or disallow Emerald Green Lake Louise Marie Water Company, Inc. for a surcharge.
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-08-15-00011-P	..... exempt	Implementation of community net metering.	To consider implementation of community net metering.
PSC-09-15-00003-P	..... exempt	The recovery of costs related to a Reliability Support Services Agreement for services from R.E. Ginna Nuclear Power Plant, LLC.	The recovery of costs related to a Reliability Support Services Agreement for services from R.E. Ginna Nuclear Power Plant, LLC.
PSC-09-15-00004-P	..... exempt	Refinancing and issuance of long-term debt securities	To authorize New York American Water Company, Inc. to refinance up to \$22,600,000 and issue up to \$45,300,000 of long-term debt.
PSC-09-15-00005-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-09-15-00006-P	..... exempt	Petition for submetering of electricity.	To consider the request of 315 East 68th Street Corporation to submeter electricity at 315 East 68th Street, New York, N.Y.
PSC-09-15-00007-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.
<b>STATE, DEPARTMENT OF</b>			
DOS-41-14-00001-P	..... 10/20/15	Minimum standards for code enforcement training	To establish minimum training standards so as to increase the level of competency and reliability of code enforcement personnel
DOS-02-15-00004-EP	..... 03/01/16	Use of truss type, pre-engineered wood or timber construction in residential structures	To implement the provisions of new section 382-b of the Executive Law, as added by chapter 353 of the Laws of 2014
DOS-04-15-00004-EP	..... 03/19/16	Issuance of an order to remedy a violation of the Uniform Code	Fix the time for compliance with an order to remedy any condition found to exist in buildings in violation of the Uniform Code
DOS-05-15-00007-EP	..... 03/23/16	Addition of provisions relating to "sparkling devices" to the State Uniform Fire Prevention and Building Code	To amend the Uniform Code to provide additional requirements applicable to buildings and structures where "sparkling devices" are manufactured, stored or used and add other restrictions on the use of "sparkling devices"
DOS-09-15-00001-P	..... 03/03/16	Regulations relating to review of original applications	To clarify the Department's review procedures for new applicants seeking licensure pursuant to Art. 27 of the GBL

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>TAXATION AND FINANCE, DEPARTMENT OF</b>			
TAF-08-15-00012-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 April 1, 2015 through June 30, 2015
<b>TEMPORARY AND DISABILITY ASSISTANCE, OFFICE OF</b>			
TDA-49-14-00001-P	..... 12/10/15	Local Advisory Councils	Repeal the regulatory requirement that social services districts establish and maintain local advisory councils
TDA-52-14-00001-P	..... 12/31/15	"Food Stamp Program" renamed "Supplemental Nutrition Assistance Program" (SNAP); Food Assistance Program (FAP) repealed; certain public assistance employment program reporting requirements modified	To render subject State regulations consistent with cited statutory authority and chapter 360 of the Laws of 2003, part C of chapter 57 of the Laws of 2005 and chapter 41 of the Laws of 2012

# REGULATORY AGENDA

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## Department of Health

The following regulatory actions are under consideration for submission as a Notice of Proposed Rulemaking from January through June 2015:

### DESCRIPTION OF THE RULE SUBJECT MATTER

#### Title 10 NYCRR (Health)

2.1 Communicable Diseases - Modify the list of reportable diseases defined in the New York State Sanitary code (10 NYCRR 2) in response to new emerging infections and changing priorities for disease surveillance. The addition of new or emerging cases to the list of reportable communicable diseases allows public health officials to prevent secondary transmission, identify new emerging infections, identify outbreaks and evaluate the effectiveness of control measures. The list may also be updated to remove diseases that do not require a public health response.

2.5 Communicable Diseases - Revise the list of reportable diseases in 10 NYCRR, section 2.5 (list of diseases for which physicians have a duty to submit specimens) to be consistent with those listed in section 2.1.

2.14 Communicable Diseases - Update the rabies regulations to be consistent with changes enacted to the Public Health Law. The regulations will provide definitions and requirements for reporting human exposures, confinement of animals exposing people to rabies, quarantine of animals exposed to rabies, and county responsibility for establishing provisions for animal control related to rabies.

5-1 Public Water Systems - Amend the regulation to incorporate federal regulations pertaining to control of lead and copper in public water supply systems, under the Lead and Copper Rule (LCR) for both the minor revisions (LCRMR) and short-term revisions (LCRSTR) regulations; incorporate mandatory federal regulations to improve control of microbial pathogens as prescribed by the Long Term 2 Enhanced Surface Water Treatment Rule (LT2SWTR), while limiting risks associated with the formation of and exposure to disinfection byproducts required under the Stage 2 Disinfectant/Disinfection Byproducts Rule (Stage 2 D/DBPR); incorporate mandatory federal regulations applicable to variances and exemptions (V&E); conform to changes to Public Health Law (PHL) § 1125 pertaining to water supply emergency plans and PHL § 225 pertaining to backflow device tester certification requirements; as well as incorporate several minor changes to update and clarify specific code references, correct typographic errors, and restructure Appendix C to update and simplify listings of approved analytical methods for drinking water. The revisions to make the regulations consistent with federal regulation do not add or change any of the requirements for State public drinking water systems, as the affected public water systems already must comply with the federal regulations.

5-1 Public Water Systems – Amend the regulation to incorporate the Revised Total Coliform Rule (RTCR) that was promulgated by the United States Environmental Protection Agency (EPA), and that will be effective April 1, 2016, to make New York's regulations consistent with EPA requirements.

7-2 Children's Camps - Amend the regulation to conform to Chapter 501 of the Laws of 2012 Chapter 501, which established the New

York State Justice Center for the Protection of People with Special Needs (Justice Center) to strengthen and standardize the safety of vulnerable people that receive care from New York's Human Services Agencies and Programs. The legislation includes children's camps for children with developmental disabilities as a type of facility within the oversight of the Justice Center and requires the Department to promulgate regulations pertaining to staff hiring, staff training and incident management.

14 Food Protection - Amend the regulation to consolidate all current subparts by adopting Chapters one through seven of the U.S. Food and Drug Administration (FDA) Model Food Code. Adopting the technical content of the Model Food Code will address requirements of NYS Chapter Laws of 2001 and 2007, modernize Part 14 which was last amended in 1997, and provide consistency with national standards. The amendments will also promote uniformity among local health departments, many of which have already established local requirements more consistent with the FDA Model Food Code.

16 Ionizing Radiation - Amend the regulation for consistency with federal requirements applicable to industrial use of radioactive material, radiation protection standards and license termination/decommissioning standards; update the quality assurance requirements for diagnostic x-ray equipment, including computed tomography, to align with current equipment and imaging modalities to ensure patient safety; consolidate current requirements in 12 NYCRR 38 (NYS DOL Ionizing Radiation) into 10 NYCRR 16, consistent with the merger of the NYS DOL Radiological Health unit into the DOH/CEH/BERP program in 2006.

19 Clinical Laboratory Directors - Revise qualifications for directors of clinical laboratories to recognize professional boards accepted as qualifying under the federal Clinical Laboratory Improvement Amendments; codify the definition of assistant director; and establish qualifications for directors of forensic identity and other categories not currently specified in the regulation.

22.3 Supplementary Reports of Certain Congenital Anomalies for Epidemiological Surveillance; Filing - Amend the regulation by requiring reporting to the Congenital Malformations Registry of children up to 10 years of age with certain birth defects, as well as fetuses diagnosed with defects prior to birth. Reporting of cytogenetic test results confirming presence of a birth defect will also be required. Changes will support an improved ability to accurately document prevalence rates for certain birth defects and help monitor the impact of environmental factors or preventive measures.

22.7 Reportable Levels of Heavy Metals in Blood and Urine - Amend the regulation to remove the threshold levels for reporting cadmium, mercury and arsenic. All laboratory tests for cadmium, mercury and arsenic will be submitted to enable case monitoring to assist in assessing interventions and education to reduce elevated exposures.

23.2 Sexually Transmitted Diseases Treatment Facilities - Update the billing requirement related to local health department providing to STD services to conform to recent statutory changes, and make other technical modifications.

34-2 Laboratory Business Practices - Amend the regulation to be consistent with the recently published Federal rules that permit



HIPAA-covered laboratories to provide, upon the request of a patient, or the patient's personal representative, copies of completed test reports.

46 Physically Handicapped Children - Amend the existing regulations to update and clarify current policy regarding coverage of medical and orthodontic services to children under the age of 21 years under the Physically Handicapped Children's Program. The proposed amendments will allow the inclusion of specific orthodontic procedures and criteria in the Department's Medicaid Dental Provider Manual.

52 Tissue Banks and Nontransplant Anatomic Banks - Revise requirements for procurement of tissue from deceased donors, including setting restrictions on banks' ownership and business relationships with funeral directors and funeral firms, and limiting recovery of tissue to hospitals and appropriately licensed banks, and update technical requirements to reflect advances in technology and changes in industry standards and enhance monitoring and enforcement of restrictions on the sale of human tissue for transplant.

55-2 Approval of Laboratories Performing Environmental Analysis - Amend the regulation to accommodate a tiered level of certification pertaining to types of analysis performed, application requirements, requirements for on-site assessment and proficiency testing as well as requisite qualification of technical directors, and to clarify that regulated analytes exclude analytes considered process controls by the NYS Department of Environmental Conservation (DEC); amend certificates of approvals to include the category of medical marijuana; add a new section describing requirements for laboratories performing testing for medical marijuana.

55-3 Environmental Laboratory Approval Fee - Amend the regulation to revise the timeline for setting fees charged to environmental laboratories to reflect the State budget process.

57 Rabies - Dogs at Large in Rabies Areas - Repeal this regulation as it is outdated since rabies is endemic in wildlife in New York. Important provisions are being included in section 2.14.

58-1 Clinical Laboratories - Revise laboratory personnel requirements to reflect industry standards and NY SED licensure requirements; clarify mandatory on-site presence requirements for laboratory directors; clarify enforcement actions for failure to notify the Department of changes in laboratory directorship; consolidate existing requirements for clarity; codify quality systems, performance testing and other requirements as necessary to align with federal CLIA standards; clarify assistant director responsibilities; establish standards for tracking and referral of critical agent and communicable disease specimens; establish standards for demonstrating the technical and clinical validity of test methods; codify the requirements for retention of work product used in diagnostic interpretation; revise cytotechnologist workload standards to comply with federal CLIA standards; require that the address of the patient be captured on the accessioning records and the laboratory report to comply with Chapter 10 of NYCRR Part 2 for reporting of communicable diseases; and amend the regulation to be consistent with the recently published Federal rules that will permit HIPAA-covered laboratories to provide, upon the request of a patient, or the patient's personal representative, copies of completed test reports.

58-2 Blood Banks - Amend the regulations to permit emergency medical technicians, with additional training, to administer transfusions during inter-facility transport; enhance donor and patient safeguards; update technical requirements; eliminate obsolete requirements; clarify regulatory intent; meet federal requirements as directed by the Centers for Medicare and Medicaid Services; provide regulated parties with greater flexibility in complying with regulations regarding emergency transfusions, qualifying donors over 75 and apheresis donors, and provide options for equivalent electronic records.

58-5 Hematopoietic Progenitor Cell Banks - Update requirements for donor suitability determination, infectious disease testing, and record keeping related to hematopoietic progenitor cell (HPC) donation and transplantation. Amend the regulations to require the HPC bank medical director to establish a policy regarding testing allogeneic donors for West Nile virus, Trypanosoma cruzi, and hemoglobinopathies.

58-8 Human Immunodeficiency Virus (HIV) Testing - Amend the regulation to create consistency with the HIV testing law and supporting regulations in Part 63. Address updated technologies and revise testing algorithms for the management of HIV.

59 Chemical Analysis of Blood, Urine, Breath or Saliva for Alcoholic Content - Amend the regulation pertaining to the certification of ignition interlock devices to comply with model specifications adopted by National Highway Traffic Safety Act (NHTSA) as published in the Federal Register on May 8, 2013 (78 Fed. Reg. 26849 - 26867); the requirements for the issuance of permits for blood, urine, and saliva alcohol analysis; and the requirements for the issuance of permits for breath analysis operators.

60-1.13 Vendor Applicant Enrollment Criteria - Amend the regulation to maintain compliance with USDA program requirements regarding vendor authorization and management including vendor participant ratio, geographic proximity and transaction volume of nearby vendors.

63.3 HIV-related testing - Amend the regulation related to consent for HIV testing. This amendment makes NYS law consistent with Centers for Disease Control and Prevention (CDC) recommendations for routine HIV screening in healthcare settings. Expanded testing is needed to identify as many individuals as possible and link them to care and treatment. Removing the requirement for written consent (except in correctional facilities) eliminates a barrier to expanded testing. The proposed modification to these regulations is required to conform to amendments contained in the 2014-15 enacted State.

63.4 Filing of reports - Amend the regulation to describe exceptions that allow for sharing of identifying information with providers. Broader sharing of data will enable health departments and health care providers to work together to determine which patients are truly not currently receiving care and what kind of assistance is needed for them to return to receiving care. This amendment would allow local and state health departments to share HIV surveillance information with health care providers for purposes of patient linkage and retention in care. The proposed modification is required to be consistent with statutory amendments to PHL section 2135.

69-1 Testing for Phenylketonuria and Other Diseases and Conditions - Amend 69-1.2(b) of the regulation to include Adrenoleukodystrophy (XALD) and Pompe disease to the list of diseases or conditions for newborn testing.

69-4 Early Intervention Program - Amend the regulations, as needed, to comply with 34 CFR Parts 300 and 303. Amendments are also needed to comply with statutory changes enacted with the SFY 2012-13 budget. Section 10 NYCRR Section 69-4.30 will be amended to clarify the commissioner's authority to establish a fixed payment methodology for service coordination services. Amendments may also be needed to address other areas of regulation to ensure quality and consistency of EI service delivery.

69-8 Newborn Hearing Screening - Amend the regulation to specify follow-up where conditions of the screening are considered to contribute to invalid results; require reporting of individualized, identifiable data to the department; require staff involved in newborn hearing screenings to complete training; require that infants who fail an initial screening receive at least one additional screening prior to discharge; require that a re-screening post discharge from a facility occur within 8 weeks of discharge; require that an infant be referred to the early intervention program as an at-risk child, unless the parent objects, if the results of a follow-up outpatient screening are not returned to the facility within 45 days post discharge; and require reporting to an electronic data system.

72-2 Body Piercing and Tattooing - Amend the regulations to conform with Public Health Law Article 4-A - Regulation of Body Piercing and Tattooing. The regulations will provide definitions and requirements for permit, inspection, and operation of tattooing and body piercing studios and the permitting of body piercing specialists and tattooists.

73 Asbestos Safety Training Program Requirements - Amend the regulations to incorporate changes made by the New York State Department of Labor to Code Rule 56 as well as changes that have occurred in the industry that should be reflected in the training programs.



74 Approval of Realty Subdivisions - Amend the regulation to update and clarify requirements for plan submittals and approvals of realty subdivisions.

75 Standards for Individual Water Supplies and Individual Sewage Treatment Systems and Appendix 75C - Individual Water Well Quality Standards - Amend the individual water supplies and sewage treatment system regulations to clarify design submittal and approval procedures; add new regulations for individual water wells in order to establish water quality reference standards for individual household wells.

77 Funeral Establishments, Registrations, Funeral Directing, and Misconduct - Amend the regulations to prohibit the recovery of tissue within a funeral establishment, prohibit non-transplant anatomical banks from operating within such establishments, and prohibit a funeral director or employees of a funeral firm from requesting consent for an anatomical donation.

80 Controlled Substances - Amend the regulations to reflect recent statutory changes pertaining to the implementation of an upgraded Prescription Monitoring Program (PMP) Registry for collecting, monitoring and reporting data concerning the prescribing and dispensing of controlled substances. The amended regulations will address the statutory requirements for prescribing controlled substances, including consulting the PMP Registry prior to prescribing controlled substances, providing pharmacists and designees access to the PMP Registry, and providing for more timely reporting of prescription information. The amended regulations will supplement recently adopted regulations that reflect statutory changes requiring the use of electronic prescribing for all prescriptions with limited exceptions; will relate to the treatment of narcotic addiction and associated requirements to allow for the ability to treat a greater number of patients by authorized physicians; will update reporting requirements for Methadone Maintenance Treatment Programs enacted by Public Health Law section 3352 statutory changes; will relate to the storage, surrender and disposal of controlled substances; will outline the training requirements associated with certification of Euthanasia technicians (for animals) as required by section 374(3)(b) of the Agriculture and Markets Law; will allow for interstate sharing of PMP information; and will update exceptions, reclassification and exemptions of scheduled controlled substances.

80-1 Medical Use of Marihuana – Add new regulations to implement Title 5-A of Article 33 of the Public Health Law related to the medical use of marihuana.

80.137 Sale and Possession of Hypodermic Syringes and Hypodermic Needles Without a Prescription Under the Expanded Syringe Access Demonstration Project (ESAP) - Amend section 80.137 by removing “Demonstration” from the title of the program and formally adopt “Expanded Syringe Access Program” as the name of the program since the program has become permanent.

80.138 Opioid Overdose Prevention Programs – Public Health Law (PHL) Section 3309 was amended in 2014 to permit prescribing and dispensing of an opioid antagonist pursuant to a non-patient specific prescription. The amended law also permits the shared access to—and use of—an opioid antagonist by trained individuals. Emergency regulations which amended 10 NYCRR 80.138 was published on February 25, 2014 to address changes in the law warranting immediate action. The Department intends to proceed with a Notice of Proposed Rulemaking to make the regulations permanent.

85.13 Physically Handicapped Children - Delete the regulation thereby allowing providers outside of the Physically Handicapped Children’s Program to provide hearing assessments and order hearing aids for Medicaid eligible children.

86-1 Rebase Hospital Inpatient Rates - Amend the regulation to rebase current hospital inpatient rates.

86-1.45 Language Assistance Medicaid Reimbursement for Hospital Inpatient Services - Add regulations and develop rates for the payment of Language Assistance services provided by hospitals to inpatients.

86-2 Nursing Home Quality Incentive - Amend the regulation to provide an incentive for nursing homes to improve quality by linking payments to quality.

86-2.9 Adult Day Health Care in Residential Health Communities – Amend the regulations describing reimbursement for adult day health care (ADHC) programs based in residential health care facilities (RHCFs) to include a subsection specific to reimbursement for AIDS ADHC programs. The proposed amendment to Section 86-2.9 is intended to establish a new reimbursement model that is based on the assessed needs of the client. Other modifications are necessary to conform the regulation to proposed changes to Part 759, and to add program guidelines.

86-4.41 Computation of basic rates for day health care services provided to patients with acquired immune deficiency syndrome (AIDS) and other human immunodeficiency virus (HIV) related illnesses by freestanding ambulatory care facilities – Amend the regulations to describe reimbursement for AIDS adult day health care (ADHC) programs based in freestanding ambulatory care programs. The proposed amendment to Section 86-4.41 is intended to establish a new model of reimbursement that is based on the assessed needs of the client. Other modifications are necessary to conform the regulation to proposed changes to Part 759, and add program guidelines.

86-7 ALPs Billing for Assessment - Add regulations to provide for reimbursement of the cost of preadmission assessments conducted directly by assisted living programs.

86-4.9, 86-8.14, 401.2 Physician Home Visits for Hospitals and Clinic - Amend the regulations to establish Medicaid rates and billing policies to allow hospitals and clinics to be reimbursed for physician home visits for chronically ill patients.

94.1 Physician Assistants - Amend the regulation to allow a Physician Assistant (PA) to prescribe controlled substances, including Schedule II substances, for patient’s under the care of the supervising physician in conformance with Public Health Law section 3703(3). Update to conform with recent changes in the Education Law regarding licensure and physician supervision including allowing physicians to supervise up to four PAs instead of up to 2 PAs in the private practice setting.

98-1 Various Technical Amendments - Revise the regulations, making technical corrections: 1) 98-1.9(b)(3), requiring managed care organizations (MCOs) to provide assurances of continuing compliance with Article 49 of the Public Health Law, in addition to Article 44 and Part 98; 2) 98-1.11(h), restoring language that prohibits health maintenance organizations (HMOs) from discriminating in enrollments and services provisions; 3) 98-1.11(k)(4), clarifying that the MCO is responsible for monitoring contractors’ fiscal stability; 4) 98-1.11(q), clarifying that MCOs must comply with Article 49 of the Public Health Law, in addition to Article 44 and Part 98; 5) 98-1.13(c)(iii), correcting a 2005 change which inadvertently limited provider contract assignments to within one year of promulgation of the rule to reflect that the rule applies prospectively; and 6) amending 98-1.5(6)(e)(2) the MCO management functions to reflect that if an IPA is delegated MCO management functions, then a separate management contract is required and it must be separate from the delivery of service contract.

98-1.5 Application for a Certificate of Authority - Amend the regulations to require electronic submission of the managed care organization’s provider network, consistent with the filing requirements in 98-1.16(j). Modify section (b)(6)(vii)(e)(2) to specify that an independent provider association (IPA) performing management functions should have requirements detailed in a contract separate and apart from the IPA provider agreement.

98-1.6 Issuance of the Certificate of Authority - Amend the regulations to add a provision requiring managed care organizations (MCOs) to maintain a complete file on each request for health care services or benefits and associated appeals pursuant to Article 49 of the Public Health Law and federal law and regulations.

98-1.8 Continuance of a Certificate of Authority - Amend the regulations to clarify that managed care organizations must maintain compliance with the requirements of PHL Articles 44 and 49 and 10 NYCRR Part 98, including provisions related to initial application and certification standards, in order to maintain their certificate of authority.

98-1.11(e) Operational and Financial Requirements for MCOs -

Amend Section 98-1.11(e) to extend the lower contingent reserve requirement applied to revenues from the Medicaid managed care, Family Health Plus and HIV SNP programs.

98-1.13 Assurance of Access to Care - Amend the regulations to: 1) require that managed care organizations (MCOs) ensure each member has selected a primary care provider from which the member receives all primary care services; 2) address requirements related to subdivision 5-d to section 4406-c which imposes a "cooling off" period after termination or non renewal of a contract between an MCO and a hospital; 3) amend regulations to clarify that certain out-of-network service denial notices must include internal MCO and external appeal rights afforded by section 4904(1-a); and 4) promote consistency of initial adverse determination notices issued in accordance with section 4903(5) by clarifying notice content requirements.

98-1.16(c) Preparation and Filing of Audited Financial Statements - Amend this part and new section 98-3 to establish standards for the preparation and filing of audited financial statements by Prepaid Health Services Plans, HIV Special Needs Plans, and managed long term care plans that are consistent with the National Association of Insurance Commissioners (NAIC) model audit rules already adopted by the Department of Financial Services for other insurers.

98-1.18(a) MCO Agreements - Amend the regulations to add this section as it applies to MCO agreements with licensed pharmacies and laboratories acting as benefit managers arranging for services, equipment and supplies.

114.20 Watershed Rules and Regulations for the Town of Schroon Lake Water and Its Sources - Repeal the regulation to remove provisions designed to protect Horseshoe Pond which was previously used as a source of drinking water for the Town of Schroon Lake in Essex County (Town). In 2001, the Town developed and began using groundwater wells for their drinking water supply. The existing Watershed Rules and Regulations (WRR) for Horseshoe Pond are no longer serving their intended purpose.

128 New York City Watershed Rules and Regulations - Amend the regulations to incorporate requirements intended to protect NYC's Watersheds and preserve NYC's Filtration Avoidance Determination by providing various limitations on watershed activities and construction.

300 Statewide Health Information Network for New York (SHIN-NY) - Promulgate regulations as required under Public Health Law section 206(18-a)(b).

405 Federal Conditions of Participation - Amend the regulation to include recent federal conditions of participation.

405.9 Admission/Discharge - Amend the regulation to clarify that all donor and procurement responsibilities must be carried out before a dead body is removed from a hospital.

405.11 Infection Control - Amend the regulations to conform to PHL section 2819(2). The proposed regulation would define requirements for hospitals to report select hospital acquired infections using methods, definitions and protocols defined by the Department, ensures patient privacy in collection and release of data and creates standards for publication and release of the data reported.

405.19 Emergency Services Observation Units - Repeal the provisions in subdivision (g) regarding Observation Units.

405.19, 700.2, 709 Emergency Services - Amend existing regulations to allow hospitals to operate emergency services at a location that is geographically separate from the main hospital campus and that does not operate inpatient beds.

405.21 Perinatal Services - Amend the regulations in Section 405.21 to encourage breastfeeding through policies and procedures, consistent with U.S. and international recommendations; and to add a new section to inform the mother of community services, including the Special Supplemental Nutrition Program for Women, Infants and Children (WIC), and to make referrals to such community services as appropriate.

405.21 Perinatal Services - Amend the regulations relating to billing and transfer. Technical amendments are required in Section 405.21 Perinatal Services. A specialty hospital releasing a neonate back to the hospital of birth would be entitled to billing as a discharge, while

transfer to another community hospital would be considered a transfer and therefore reimbursed at a lower rate. Transfer back to the hospital of birth or another lower level perinatal service hospital is strongly encouraged to ensure proximity to parents, and to ensure that neonates who no longer need the higher level of care do not use higher level resources. It is anticipated that 86-1.15 will be amended as well. Therefore, to ensure consistency, amend the perinatal services regulations to conform to Sections 86-1.15 and current language in Section 721.4(c)(1).

405.21 Perinatal Services - Amend the regulations in Section 405.21(c)(2)(ii) to cross reference 405.9(b)(12) of this Part, which is the correct regulatory reference instead of 405.9(b)(11).

405.25 Organ and Tissue Donation Anatomical Gifts - Amend the regulation to reflect changes to Article 43 of the Public Health Law made by Chapter 348 of the Laws of 2009.

405.27 Information, Policy and Other Reporting Requirements - Amend the regulations to repeal this section because the authority for the reporting requirements are detailed in either section 400.18 (SPARCS data) or section 86-1.2 and 86-1.3 (Uniform financial report and uniform statistical reports).

405.32 Observation Services - Amend the regulation to update operational standards for observation services. This will conform the regulation with recent legislation, help ease administrative burdens by increasing consistency with Medicare rules, reduce unnecessary emergency room visits by allowing direct referrals and reduce unnecessary inpatient admissions by increasing the maximum time allowed in observation status.

405.33 Trauma Centers - Add a new section to the Hospital (General) Minimum Standards providing standards for trauma centers.

407 Federal Conditions of Participation - Amend the regulation to incorporate federal conditions of participation for Critical Access Hospitals (CAHs).

415.3(h) Resident Rights - Amend the regulations to require nursing home providers to issue a valid written transfer/discharge notice to the resident and his or her designated representative. Such notice shall include date of notice, resident's identity, effective date of proposed transfer/discharge, reason for proposed discharge or transfer, notice of the resident's right to an evidentiary hearing to appeal the proposed discharge, contact information for the NYS Long Term Care Ombudsman, contact information for the agency responsible for the protection and advocacy of individuals with mental illness or development disabilities, and notice of the resident's right to remain in the facility (except in cases of imminent danger), pending the appeal hearing decision. The proposed amendment outlines the Department's interim policy in effect since December 1, 2004.

415.18 Pharmacy Services - Amend the regulation so that it is consistent with the provisions of 8 NYCRR 29.7(a) (Special provisions for the profession of pharmacy) regarding re-dispensing medications.

425.18 Adult Day Health Care (Services for Registrants with Acquired Immune Deficiency Syndrome) - Amend the regulations to create a more flexible model appropriate to the clinical state of the HIV/AIDS epidemic and for inclusion into the Medicaid Managed Care benefit package.

600.1, 600.3 - 600.7; 610.1 - 610.2; 620.1 - 620.3; 630.1; 640.2 - 640.3; 650.1 - 650.2; 670.1 - 670.6; 680.2; 680.4 - 680.6; 680.8 - 680.10, 705.9 Public Health and Health Planning Council (PHHPC) - Amend the regulations to change references to the Public Health Council to the Public Health and Health Planning Council; and to delete references to the State Hospital Review and Planning Council.

600.2 - Amend the regulation to require review of the members of a nonprofit corporation proposing to operate a hospital, whether or not such members are proposed to exercise powers under section 405.1, except for members proposed to exercise powers set forth in subdivision (d) of section 405.1.

600.3 Certificate of Need (CON) Applications - Amend the regulation to simplify the process for review of amendments to Certificate of Need (CON) applications that have received approval for establishment by the Public Health and Health Planning Council (PHHPC) but which have not yet proceeded to actual establishment.

610 Special Requirements for Nonprofit Corporations - Add a section to require a previously established nonprofit corporation seeking to add a member that will not exercise powers set forth in section 405.1 to submit a notice to the Department describing the background and qualifications of such member, and the benefits and scope of the proposed member's relationship to the corporation, as evidenced by organizational documents; except for members appointed to exercise powers set forth in subdivision (d) of section 405.1. If not recommended for disapproval by the Department within 90 days, the proposed addition shall be deemed approved.

700.2, 717, 793 and 794 Hospices - Amend the regulations to make them consistent with federal conditions of participation; incorporate Medicaid Redesign Team initiatives; and update them consistent with section 4002 of the Public Health Law.

705.7, 708.1, 710.1, 710.2, 710.5 Public Health and Health Planning Council (PHHPC) - Amend the regulations to change references to the State Hospital Review and Planning Council to the Public Health and Health Planning Council.

708 Appropriateness Review - Repeal the regulations regarding the Trauma Center Designation Standards.

709.6 Extracorporeal Shockwave Lithotripters - Repeal this regulation, which is the need methodology for extracorporeal shock wave lithotripters. Under amendments filed in 2010, these devices are subject only to limited review, which does not involve consideration of public need. This section is therefore obsolete.

710.1 Medical Facility Construction - Amend the regulation to reflect amendments to PHL 2802 that substitute written notice for limited review, CON administrative review and CON full review for projects confined to non-clinical infrastructure, repair and maintenance, and one-for-one equipment replacement and further amend to allow greater flexibility in the relocation of extension clinics in rural areas.

710.5 Certificate of Need (CON) Applications - Amend the regulation to simplify the process for review of amendments to Certificate of Need (CON) applications that have received approval for construction by the Public Health and Health Planning Council (PHHPC) but which have not yet proceeded to actual construction.

710.7 Approval to Start Construction - Amend the regulation to repeal current provisions and replace with an expedited construction process.

711.3 General Standards of Construction - Site Requirements - Amend the regulation to require health facilities to install flood resistant emergency generators and fuel supplies, readily accessible generators and fuel pumps, external pre-connections in power systems for use in the event of an emergency power system failure and on HVAC systems for temporary boiler and chiller back-up and ensure that the emergency power generation capacity is capable of powering the HVAC system during a power outage. Also amend to increase the flood crest level year from 100 to 500.

711, 712, 713, 714, 715 and 716 Architectural, Engineering and Construction Standards for Hospitals, Nursing Homes, Diagnostic and Treatment Centers, and Other Facilities Subject to Article 28 of the Public Health Law - Amend the regulations to require that future health care facility construction projects conform to the 2014 edition of Guidelines for Design and Construction of Health Care Facilities.

721.4 Patient Care and Patient Transfers - Amend the regulations to allow release to "the sending hospital or other hospital providing a lower level of perinatal services....." to conform with proposed changes to Section 86-1.15, 405.21 and current language in Section 721.4(c)(1).

722 Sexual Assault Forensic Examiner (SAFE) Program - Amend existing regulations related to the review and approval of licensed Article 28 hospitals as Sexual Assault Forensic Examiner (SAFE) programs. This includes the standards for approving SAFE hospital programs, approving programs that train individual SAFE examiners, and certifying individual SAFE examiners and criteria for continuous quality improvement program activities. The SAFE program provides a specialized standard of medical care and evidence collection to victims of sexual assault.

750-759 Treatment Center and Diagnostic Center Operation - Amend to update the regulations.

757 Chronic Renal Dialysis Services - Amend the regulations to be consistent with federal changes to 42 CFR regarding Medicare and Medicaid Programs; Conditions for Coverage for End-Stage Renal Disease Facilities.

759 Adult Day Health Care (Services for Registrants with AIDS) - Amend the regulations to create a more flexible model appropriate to the clinical state of the HIV/AIDS epidemic and for inclusion into the Medicaid Managed Care benefit package.

800 Emergency Medical Services (EMS) - General - Amend the regulations to conform with federal requirements/recommendations, current medical practice and national safety standards. Add regulations related to the use and application by members of the public of automatic external defibrillators; codify regulatory requirements for Advance Life support First Response Agencies; codify regulatory requirements for Basic Life Support Providers; make updates to EMS certification and training regulations. Modernize course sponsors provisions to address the current environment and technology as well as reflecting the current EMS education curricula. Strengthen the surveillance portions of these provisions to appropriately address issues of quality, student rights and safety. Establish a new section on the mobilization and/or sharing of resources in the event of a declared disaster. Amend to reflect current ambulance vehicle construction requirements, technology and safety for the patients and EMS providers.

800.3, 800.6, 800.8, 800.9, 800.15 and 800.16 Emergency Medical Services - Amend regulations as they relate to certification, recertification and continuing medical education recertification requirements, required conduct of every person certified under Part 800 and the suspension or revocation of certification.

Title 18 NYCRR (Social Services)

360 Medicaid - Amend the regulations as necessary to conform to statutory changes made by Part D of Chapter 56 of the Laws of 2013 with respect to Medicaid applications and determinations, financial eligibility methodologies, and covered benefits.

485, 486, 487, 488, 490, 494 and 1001 Adult Homes, Enriched Housing Programs, Residences for Adults, Assisted Living Programs and Assisted Living Residences - Amend the regulations to consolidate and streamline provisions relating to adult homes, enriched housing programs, residences for adults, assisted living programs and assisted living residences to reflect recent legislative changes and the changing environments of these types of facilities. Amendments will provide clarification and consistency to residents, operators and the public with regards to adult care facilities, including role of nurse practitioners and physician assistants, as well as modifications to the assisted living program, including changes to the admission, assessment and medication management processes.

505.3 Drugs - Amend existing regulations, in conformance with Part C of Chapter 60 of the Laws of 2014, with respect to developing a new methodology for the Medicaid reimbursement of pharmacies.

505.3(b)(1) Drugs - Amend the regulations to conform to the provisions of the Affordable Care Act (ACA) requiring prescribers to be enrolled in state Medicaid programs to be eligible to order or refer services reimbursed by the fee-for-service (FFS) Medicaid program.

505.3(b)(1) Drugs - Amend the regulations to allow pharmacies to dispense non-prescription emergency contraceptive drugs in accordance with FDA guidelines.

505.10 Transportation for Medical Care and Services - Amend the regulations to reflect current policy: definitions will be modified, quality standards for transportation will be introduced, trip documentation requirements will be revised, and existing information regarding the involvement of local county departments of social services in the administration of the transportation benefit will be removed.

505.11 Rehabilitation Services - Amend the regulations to align with State Education law, federal guidelines, and current standards of practice; clarify who can order rehabilitation services, particularly speech-language pathology services provided to Medicaid recipients; clarify supervision requirements for services provided "under the



direction of” speech-language pathologists, occupational therapists, and physical therapists.

505.12 Podiatry Services - Amend the regulation to expand podiatry coverage to Medicaid eligible adults with a diagnosis of Diabetes Mellitus. This will align the regulation with 2012 changes made to state social service laws.

505.14 Personal Care Services Program - Amend the regulations to reflect the statutory change regarding the limitation of housekeeping services to 8 hours weekly, and to clarify eligibility requirements for continuous and live-in personal care services.

505.15 Psychiatric Care - Amend the regulations to align with federal requirements regarding who may provide school supportive health services.

505.18 Clinical Psychological Services - Amend the regulations to align with federal guidelines and current standards of practice and clarify which practitioners are qualified to provide services in the Preschool/School Supportive Health Services Program to Medicaid recipients.

505.28 Consumer Directed Personal Assistance Program (CDPAP) - Amend the regulations to reflect the statutory change regarding the limitation of housekeeping services to 8 hours weekly, and to clarify eligibility requirements for continuous and live-in consumer directed personal assistance.

505.31(d)(e)(1) Audiology, Hearing Aid Services and Products - Amend the regulations to align Medicaid regulations with federal guidelines, State Education Law and current standards of practice and clarify who can order audiology services.

505.33 Personal Emergency Response Services (PERS) - Amend the regulations to allow for annual authorizations and to delete the requirement that authorization of PERS be contingent upon a reduction/elimination of personal care aide/home health aide hours.

*Contact Person:* Katherine Ceroalo, Department of Health, Bureau of House Counsel, Regulatory Affairs Unit, Empire State Plaza, Corning Tower Bldg., Rm. 2438, Albany, NY 12237, (518) 473-7488, (518) 473-2019 FAX, or e-mail: REGSQNA@health.ny.gov

# RULE REVIEW

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## Department of Health

Pursuant to the State Administrative Procedure Act Section 207 and 202-d, the Department of Health invites public comment on the continuation or modification of the following rules. Public comments will be accepted for 45 days from the date of publication in the State Register and should be submitted to Katherine Ceroalo, Bureau of House Counsel, Regulatory Affairs Unit, Corning Tower, Room 2438, Empire State Plaza, Albany, NY 12237 by email at REGSQNA@health.ny.gov.

Title 10 NYCRR - Five Year Review

Amendment of Subpart 6-2 of Title 10

(Ocean Surf Bathing Beaches and Automated External Defibrillators (AEDs))

Statutory Authority:

Public Health Law Section 225

Description of the regulation:

The regulation requires automated external defibrillation (AED) equipment and at least one lifeguard trained in the use of an AED at regulated surf beaches during all hours of operation. The regulation further requires all ocean surf beaches operated by a homeowners association to have qualified surf lifeguards on duty, and to comply with Subpart 6-2 of the State Sanitary Code. The regulation should continue without modification.

Addition of Section 23.5 to Part 23 of Title 10

(Expedited Partner Therapy to Treat Chlamydia Trachomatis)

Statutory Authority:

Public Health Law Section 2312

Description of the regulation:

The regulation permits health care providers to provide Chlamydia trachomatis patients with antibiotics or a written prescription for antibiotics to deliver to his or her sexual partner(s) without prior clinical assessment of those partners. The regulation furthers an important goal to reduce the incidence of Chlamydia re-infection and augments provider options for managing the care of Chlamydia patients. The regulation should continue without modification.

Amendment of Part 40 of Title 10

(State Aid for Public Health Services: Counties and Cities)

Statutory Authority:

Public Health Law Section 602(3)(a)

Description of the regulation:

10 NYCRR Part 40 establishes regulations regarding State Aid to local health departments for general public health work. Subpart 40-1 establishes the administrative aspects of the State Aid program.

In 2010, certain Subpart 40-1 regulations relating to State Aid eligibility were amended. Effective December 31, 2014, Subpart 40-1 was repealed and a new Subpart 40-1 was issued. The new Subpart 40-1 clarifies, simplifies and modernizes certain regulations related to the administrative aspects of the State Aid program.

Part 42 establishes regulations for State Aid for public health

laboratories. Part 42 was also amended in 2010 to eliminate State Aid for laboratory services that do not support public health programs. The Part 42 regulations should continue without modification.

Amendment of Sections 40-1 & 40-3 of Title 10

(State Aid for Public Health Services: Counties and Cities - Reimbursement to Municipalities per PHL Article 6 for Home Health Services)

Statutory Authority:

Public Health Law Section 602(3)(a)

Description of the regulation:

10 NYCRR Part 40 establishes regulations regarding State Aid to local health departments for general public health work. Subpart 40-1 establishes the administrative aspects of the State Aid program. In 2010, certain regulations relating to State Aid for home health services provided by the local health department were amended.

Effective December 31, 2014, Subpart 40-1 was repealed and a new Subpart 40-1 was issued. The new Subpart 40-1 clarifies, simplifies and modernizes the regulations related to the administrative aspects of the State Aid program, including those for home health services provided by the local health departments.

Subpart 40-3, related to optional programs reimbursable for State Aid, was also repealed effective December 31, 2014.

Amendment of Subpart 43-2 of Title 10

(HIV Uninsured Care Programs)

Statutory Authority:

Public Health Law Sections 2776(1)(e), 201(1)(h) & (p) & 206(3)

Description of the regulation:

The regulation supports access to medications, primary care and insurance premium assistance for uninsured and underinsured New Yorkers. The regulation must be retained without modification to assure continued access to life saving treatments and health care. The regulation should continue without modification.

Addition of New Part 48 to Title 10

(Palliative Care Certified Medical Schools and Residency Programs)

Statutory Authority:

Public Health Law Sections 2807-n

Description of the regulation:

Section 48.10 establishes the criteria for New York Medical Schools and Residency programs to become certified. The regulation provides that in order to become NYS certified the school must be accredited by the Liaison Committee on Medical Education or the American Osteopathic Association.

Section 48.20 provides for the Commissioner or his/her designee to award designation upon receipt of an application from a NYS Medical School or residency program which meets the criteria in 48.10

The regulations should continue without modification.

Amendment of Subpart 55-2 of Title 10

(Environmental Testing for Critical Agents Using Autonomous Detection Systems (ADS))

## Statutory Authority:

Public Health Law Section 502

## Description of the regulation:

This amendment to Subpart 55-2, which revised Sections 55-2.10 and 55-2.13, as well as added a new Section 55-2.14, established standards for the certification and operation of environmental laboratories that seek approval to engage in critical agent testing by means of new technologies, including polymerase chain reaction (PCR)-based methods and immune-based bioassays employed at a fixed-base facility, or by use of an autonomous detection system (ADS) deployed in the field. An ADS is, generally speaking, an automated, real-time, self-contained sampling and analytical system for detection of critical agents situated outside a fixed-base laboratory. The regulations should continue without modification.

Amendment of Section 60-1.13 of Title 10

(WIC Vendor Minimum Stocking Requirements)

## Statutory Authority:

Public Health Law Section 2500

## Description of the regulation:

10 NYCRR 60.1.13 sets forth the criteria that a retail vendor must meet in order to become an approved vendor for the New York State Women, Infant and Children's (WIC) supplemental food program.

The regulations, as they pertain to minimum stocking requirements, should continue without modification. However, the Department intends to propose amendments to other provisions of the existing regulation to conform to U.S. Department of Agriculture (USDA) program requirements regarding vendor authorization and management including vendor participant ratio, geographic proximity and transaction volume of nearby vendors.

Amendment of Subpart 69-4 of Title 10

(Early Intervention Program)

## Statutory Authority:

Public Health Law Sections 2540 - 2559-b

## Description of the regulation:

These regulations set forth State requirements, in conformance with federal requirements, for New York's Early Intervention Program for infants and toddlers ages birth to three years and their families. The regulations include definitions, child find to identify potentially eligible children, provider qualifications and standards, multidisciplinary evaluations, initial and ongoing eligibility criteria, individualized family service plans, service delivery options and standards, monitoring of providers, procedural safeguards, transition, content and retention of records, and computation of reimbursement rates for program services. These regulations must be revised to conform to revised federal regulations and amendments to state statute.

Amendment of Appendix 75-A of Part 75 of Title 10 - Wastewater Standard-Residential Onsite Systems

## Statutory Authority:

Public Health Law Section 201(1)(l)

## Description of the regulation:

The regulation sets forth design standards to be met in the construction of residential onsite wastewater treatment systems. These design standards provide for the safe, sanitary means of treating and dispersing wastewater. The Department intends to propose amendments to the regulations to delete reference to obsolete standards.

Amendment of Subpart 86-8 of Title 10

(Ambulatory Patient Groups (APGs) Methodology)

## Statutory Authority:

Public Health Law Section 2807(2-a)

## Description of the regulation:

Modifies existing APG transition provisions for new providers and the listing of APG reimbursable and non-reimbursable services. The regulation should continue without modification.

Amendment of Subpart 86-8 of Title 10

(Ambulatory Patient Groups (APGs) Outpatient Rate Setting Methodology)

## Statutory Authority:

Public Health Law Section 2807(2-a)(e)

## Description of the regulation:

To refine APG payment methodology regarding new APG weights, new procedure-based weights & minor changes in APG payment rules. The regulation should continue without modification.

Amendment of Parts 405, 410, 420, 600, 703, 705, 709 and 710 of Title 10

(Revisions to Certificate of Need (CON) Process for Threshold Levels)

## Statutory Authority:

Public Health Law Sections 2802 and 2803(2)(a)

## Description of the regulation:

The regulations set forth the dollar cost thresholds that determine the various levels of CON review—limited, administrative or full review—for construction projects by health care facilities subject to Article 28 of the Public Health Law. The regulations should continue without modification.

Amendment of Sections 405.3, 405.9, 405.10, 415.26, 751.6, 763.13, 766.11, and 793.5 of Title 10

(Personnel Health Amendments and Medicare Conditions of Participation)

## Statutory Authority:

Public Health Law Sections 2800, 2803, 3612 and 4010

## Description of the regulation:

The regulations were amended to permit the use of the FDA-approved blood assays for the detection of latent TB infection, as an alternative to the skin test as a condition of employment or affiliation in general hospitals, diagnostic and treatment centers, nursing homes, certified home health agencies, long term home health care programs or AIDS home care programs, licensed home care service agencies, and hospices. In addition, the amendments were made to update the regulations to be consistent with federal requirements (Medicare Conditions of Participation) regarding the timeframe for completion of the hospital admission history and physical examinations, and for authentication of verbal orders and persons who may authenticate verbal orders in hospitals. The regulations should continue without modification.

Amendment of Sections 405.6, 405.7, 405.19, 708.5 of Title 10

(Hospital Minimum Standards and Appropriateness Review)

## Statutory Authority:

Public Health Law Section 2803

## Description of the regulation:

The regulations were amended to allow hospitals a five year "look back" period of a person's employment instead of ten years when granting privileges to physicians, podiatrists and dentists. The existing regulation concerning patient's rights prohibited hospitals from discriminating against patients on the basis of race, color, religion, sex, national origin, disability, sexual orientation, or source of payment. This amendment added a prohibition against discrimination based on age. In addition, hospital emergency department requirements were amended to allow hospitals with less than 15,000 emergency department visits a year to staff their emergency departments with a supervising or attending physician who is not present, but is available within 30 minutes, instead of the previous requirement of 20 minutes, provided that a nurse practitioner or physician assistant is on site. The regulations should continue without modification.

Amendment of Section 405.12 of Title 10

(Circulating Nursing Required)

## Statutory Authority:

Public Health Law Sections 2800, 2803(2) and 2805-s

## Description of the regulation:

The regulation was amended to implement Chapter 158 of the Laws of 2008. This chapter law requires general hospitals to employ a registered nurse, qualified by training and experience, to be present as a circulating nurse, in any and each separate operating room where

surgery is performed for the duration of the operative procedure. The regulation should continue without modification.

Amendment of Section 709.3 of Part 709 of Title 10

(Residential Health Care Facility (RHCF) Bed Need Methodology)

Statutory Authority:

Public Health Law Section 2803(2)

Description of the regulation:

The regulation lists the factors and formulas used in the calculation of the public need for residential health care facility beds as reviewed in the Certificate of Need (CON) process under Article 28 of the Public Health Law. The regulation should continue without modification.

Amendment of Parts 711, 712, 713, 714, 715 & 716 of Title 10

(Standards of Construction for Health Care Facilities)

Statutory Authority:

Public Health Law Section 2803(2)

Description of the regulation:

These regulations establish architectural, engineering and construction standards for hospitals, nursing homes, diagnostic and treatment centers and other facilities subject to Article 28 of the Public Health Law. The Department intends to amend these parts to require that future health care facility construction projects conform to the 2014 edition of Guidelines for Design and Construction of Health Care Facilities.

Amendment of Section 755.6 of Part 755 of Title 10

(Post Anesthesia Evaluations at Freestanding and Hospital Off-Site Ambulatory Surgery Centers (ASCs))

Statutory Authority:

Public Health Law Section 2803

Description of the regulation:

This amendment was made to conform the regulation with a federal regulatory change (42 CFR 416.42), which specifies that in the ambulatory surgery center (ASC) setting the post anesthesia assessment must be completed and documented by a physician, anesthetist, or certified registered nurse anesthetist (CRNA). Previously, the regulation only authorized a physician to evaluate each patient for proper anesthesia recovery in ASCs. The regulation now permits CRNAs and dentists (the federal definition of physicians includes dentists) to conduct the post-anesthesia evaluation. The regulation should continue without modification.

Title 18 NYCRR - Five Year Review

OFFICE OF HEALTH INSURANCE PROGRAMS, DIVISION OF LONG TERM CARE

Amendment of Section 505.23 of Title 18

(Certified Home Health Agency Program)

(RAU # 10-08)

Effective: 11/17/10

Statutory Authority:

Social Services Law Sections 363-a(2), SSL 365-a(2)(d)

Description of the regulation:

Sets forth the requirements for Medicaid payment for home health services provided by a certified home health agency. The regulation should continue without modification.

Title 10 NYCRR - Ten Year Review

Amendment of Section 2.1(a) of Title 10 (Communicable Diseases-Addition of Laboratory Confirmed Influenza)

Statutory Authority:

Public Health Law (PHL) §§ 225(4) and (5)(a), (g) and (h)

Description of the regulation:

This amendment to the regulation added laboratory confirmed influenza to the NYS list of reportable communicable diseases. This initiative protected the public health by permitting closer monitoring of communicable diseases. This addition was the basis for the Department's enhanced monitoring of influenza and has been instrumental in the prompt identification and surveillance of unusual strains

of influenza circulating in NYS such as the novel A influenza H1N1 virus. Requiring laboratories to electronically submit confirmed influenza laboratory data via the NYSDOH electronic clinical laboratory reporting system (ECLRS) permitted adequate disease monitoring without unnecessarily burdening the disease reporting system. During the 2008-2009 influenza season there were 30,144 laboratory reports of confirmed influenza received via ECLRS which has more than doubled the number of cases previously reported. This data allowed the department to characterize the outbreak, watch for changes in transmission, monitor for antiviral resistance, determine geographic and temporal changes and mount an appropriate public health response. For these reasons, amending the list of reportable communicable diseases to add laboratory confirmed influenza, should be retained. The Department intends to further amend the list of reportable diseases set forth in the regulation in the future.

Revisions to Subparts 5-1, 5-2, Repeal existing Appendix 5-B and add a new Appendix 5-B, and addition of a new Appendix 5-D to Part 5 of Title 10 (Water Well Construction)

Statutory Authority:

PHL §§ 201, 206(18), 225 and 1120

Description of the regulation:

Section 206 of Public Health Law was amended in 1999 to require the Department to promulgate standards for water wells, including drilling, construction, abandonment, repair, maintenance, water flow and pumps. Extensive outreach to water well drillers, other interested parties and also to other states with long-standing water well programs was conducted to assure that all directives of the law were implemented. Appendix 5-B was promulgated, containing standards for all water supply wells, including both residential and public water supply wells. Appendix 5-D was promulgated to include supplementary and complementary requirements for public water supply wells. Subparts 5-1 and 5-2 were revised to accommodate 5-B and 5-D as reference standards. These rules should continue without modification.

Amendment of Section 5-1.52 and 5-1.91 of Subpart 5-1 of Title 10 (Treatment, Monitoring and Reporting for Radionuclides)

Statutory Authority:

PHL § 225

Description of the regulation:

These referenced sections of Subpart 5-1 were amended to incorporate and reflect federal regulations promulgated by the U.S. Environmental Protection Agency. New maximum containment levels, monitoring frequencies, notification and compliance requirements for various radionuclide contaminants were established, as were provisions for variances from specified treatment techniques. In order for the NYSDOH to maintain primacy for the Public Water Supervision Program and to insure continued public health protection, these regulations must continue to be implemented and enforced. These regulations should continue without modification.

Amendment of Sections 69-1.1, 69-1.2 and 69-1.3 of Subpart 69-1 of Title 10 (Newborn Screening Panel)

Statutory Authority:

PHL § 2500-a

Description of the regulation:

The regulation designates diseases or conditions which must be included in the state's newborn screening panel, and enumerates the responsibilities of the hospital CEO with regard to such screening, in accordance with the Department's mandate to prevent infant and child mortality, morbidity and diseases and disorders of childhood. The rule implemented the public health aims of early identification and timely medical intervention for all the State's youngest citizens. These regulations should continue without modification.

Addition of new Subpart 69-9 to Title 10 (Standardized Autopsy Protocols for Unanticipated Infant Deaths)

Statutory Authority:

PHL § 4210, as amended by Chapter 58 of the Laws of 2002

Description of the regulation:

The regulation was established to provide standardized autopsy protocols. The Infant Autopsy Protocol is intended to:



- Ensure comprehensive postmortem examinations of infants who die suddenly and unexpectedly.
- Provide findings to correlate with the decedent's medical history.
- Provide findings to correlate with the death scene investigation.
- Develop documentation that justifies the autopsy diagnoses.
- Establish accurate causes of death.
- Develop accurate vital statistics, information and records.
- Assist in prioritizing the allocation of health care resources.
- Fulfill criteria to make a diagnosis of Sudden Infant Death Syndrome (SIDS)
- Allow comparison of SIDS and sudden, unexpected death cases in different locales.

It is recommended that the regulation continue without modification.

Amendment of 86-1.89 of Part 86 of Title 10 (Supplemental Distributions of Regional Professional Education Pools)

Statutory Authority:

PHL § 2807-m(5)

Description of the regulation:

This regulation defined "reform goals" for the Supplemental Distribution of Regional Education Pools and specified the method of distributing funds to the pools. This rule was eliminated in 2011 as part of the 2009/2010 Executive Budget implementation.

Addition of Subpart 86-8 of Part 86 of Title 10 (Rates of Payment for Limited Home Care Agencies)

Statutory Authority:

Laws of 1995, Chapter 81, section 105-d as amended by Laws of 1997, Chapter 433, section 69

Description of the regulation:

The regulation establishes a rate of payment for limited home care services agencies to reduce Medicaid expenditures for certain personal care services furnished to eligible residents of an adult home or enriched housing program. It provides reimbursement directly to the limited home care services agency rather than an outside personal care provider or certified home health agency. The regulation should continue without modification.

Amendment of Subpart 98-1 of Title 10 (Managed Care Organizations)

Statutory Authority:

PHL Article 44

Description of the regulation:

Article 44 was amended by Chapter 649 and 705 of the Laws of 1996, Chapter 433 of the Laws of 1997 and Chapter 659 of the Laws of 1997 in relation to Medicaid managed care, managed care consumer rights and managed long term care programs. The amendments changed the title and clarified the department's authority over specified forms of managed care organizations, including primary care partial capitation providers, HIV special needs plans and managed long term care plans. The regulations removed obsolete provisions and provided clearer guidance to the health care industry concerning certification and operational requirements for managed care organizations. This regulation should continue without modification because it is necessary for the operation of managed care programs in NYS.

Amendment of Sections 128-1.6 and 128-3.8 of Title 10 (New York City Watershed Rules and Regulations)

Statutory Authority:

PHL §§ 1100-1103

Description of the regulation:

The Department adopted amendments to NYC's Watershed Rules and Regulations at New York City's request for the purpose of protecting the water quality of NYC reservoir sources. These amendments were also necessary for NYC to maintain the "filtration avoidance" issued by U.S. Environmental Protection Administration and NYSDOH for the City's Catskill/Delaware sources. Due to recent federal and state regulatory changes and in order to implement new "filtration

avoidance" mandates, these regulations should be amended. The Department plans to propose amendments to this regulation that will continue to protect NYC's watersheds and preserve NYC's Filtration Avoidance Determination (FAD). This regulation should continue until the proposed amendments are adopted.

Amendment of Section 131.1 of Title 10 (City of Syracuse-Watershed Rules and Regulations)

Statutory Authority:

PHL § 1100

Description of the regulation:

The Department adopted amendments to the City of Syracuse's Watershed Rules and Regulations at Syracuse's request for the purpose of protecting the water quality of Syracuse's Skaneateles Lake source. These amendments were also necessary for the City of Syracuse to maintain "filtration avoidance," previously issued by NYS-DOH for this source. These regulations should continue without modification.

Addition of new Section 400.10 to Part 400; Addition of new subdivision (f) to 763.11, new subdivision (o) to 766.9 and new subdivision (n) to 793.1 of Title 10 (Health Provider Network (HPN) Access and Reporting Requirements)

Statutory Authority:

PHL §§ 2800, 2803, 3612 and 4010

Description of the regulation:

This regulation required Article 28 facilities, home care facilities and hospices to establish and maintain health provider network (HPN) accounts with the Department of Health for the purpose of exchanging information with the Department in a rapid and efficient manner in times of emergency or urgent matters. The HPN is a secure web-based application that can be utilized by facilities to receive current and up-to-date information as well as submit data to specialized programs for reporting or surveillance purposes. In times of emergencies or urgent matters, such as disease outbreaks, it is imperative that facilities receive from and submit to the Department information in a rapid, efficient manner. The HPN, a free service, is the best means to ensure this exchange of information. These regulations should continue without modification.

Amendment of Section 400.18, Appendix C-4 & C-5 of 400.18 and Section 405.27 (Emergency Department Data Collection by SPARCS)

Statutory Authority:

PHL § 2816

Description of the regulation:

Section 400.18 regulates the operation of the Statewide Planning and Research Cooperative System (SPARCS). The Department intends to repeal the current Section 400.18 and a new Section 400.18 will be promulgated. The reasons for the complete revision are to delete obsolete language and to update the regulation. The new Section 400.18 will authorize SPARCS to collect additional outpatient data not currently being collected by SPARCS from general hospitals and diagnostic and treatment centers licensed under Article 28 of the Public Health Law. This regulation should continue until it is amended.

Amendment of Sections 405.21, 407.14, 708.2, 708.5, 711.4 and Addition of new Part 721 of Title 10 (Perinatal Regionalization)

Statutory Authority:

PHL §§ 2500, 2800, 2803(2) and 2803-j

Description of the regulation:

These regulatory changes updated previous requirements for maternal and newborn care, and formalized perinatal regionalization and designation requirements. The new Part 721 was added to collect in one section all the regulations governing the perinatal regionalization system, which had been divided among several sections of the New York State Hospital Code. The regulatory changes also described the kinds of resources that should be available for different levels of hospitals, and deleted outdated appropriateness-review standards used in the 1985 designation of hospitals at different levels of high-risk neonatal care.

These regulations govern the perinatal regionalization system, in

which Regional Perinatal Centers (RPCs) coordinate the perinatal delivery system within their region; provide critical care and transport of pregnant women and infants; provide specialty care, including pediatric open heart surgery; and oversight of quality improvement activities within affiliate hospitals. Perinatal regionalization plays a critical role in reducing maternal and newborn morbidity and mortality.

Section 405.21 for hospital-based perinatal services was amended to support perinatal regionalization efforts, and to clarify and simplify some other existing regulatory requirements.

Sections 407.14, 711.4(d)(21) and (e)(10) were amended to reflect the change in terminology in section 405.21 in which hospital-based “maternity and newborn” services began to be referred to as “perinatal” services.

Section 708.2(b)(6) and Section 708.5(f) were repealed since new Part 721 integrated the requirements for perinatal re-designation and regionalization in one section.

Part 721 defines the perinatal regionalization system including requirements for affiliation agreements between Levels I, II and III hospitals and regional perinatal centers (RPCs), staffing requirements and quality improvement activities. The regulations formalize the designation process, update the Department of Health expectations for resources to be available at each level of care, and clarify the relationship between Levels I, II, and III programs and RPCs.

These regulations should continue without modification.

Amendment of Sections 703.6 and 710.1 of Title 10 (Part-Time Clinics)

Statutory Authority:

PHL § 2803(2)

Description of the regulation:

Since its issuance in 2005, the current regulation has proven adequate to help ensure that services provided in part-time clinics are appropriate to those settings, and that the existing number of part-time clinics is sufficient to promote access to needed care. The regulation has also guarded against the operation of an excess number of part-time clinics, which occurred in some parts of the State prior to the amendment of the rule. The regulations should continue without modification.

Amendment of Sections 708.2, 708.5 and 709.16 of Title 10 (Review Criteria for Therapeutic Radiology)

Statutory Authority:

PHL § 2803(2)

Description of the regulation:

The regulations establish a methodology to be used to evaluate public need for therapeutic radiology devices as affected by prevailing medical practice in the use of these devices for curative and palliative care. The regulations should continue without modification.

Amendment of Sections 709.16 and 709.17 of Title 10 (Need Methodology for Long-Term Ventilator Beds in Nursing Homes)

Statutory Authority:

PHL § 2803(2)

Description of the regulation:

The current regulation provides a methodology to be used in the evaluation of certificate of need applications for certification of long term ventilator beds. Since its issuance in 2005, the regulation has ensured that long-term ventilator beds are distributed throughout the State in a manner that both provided sufficient access to care and guarded against the costs associated with the operation and maintenance of beds in excess of those needed. The regulation should continue without modification.

Amendment of Section 763.13, Section 766.11 and addition of new Section 400.32 to Title 10 and amendment of Section 505.14 of Title 18 (Criminal History Record Check)

Statutory Authority:

PHL §§ 201, 2803 and 3612 and Social Services Law (SSL) § 363-a

Description of the regulation:

Section 400.23 related to the criminal history record check program

and was repealed on December 19, 2007. It was replaced by Section 402 which implemented the statutory criminal history record check program defined in PHL Article 28-E. Sections 763.13, 766.11 of Title 10, and the amendment of Section 505.14 of Title 18 added a criminal background check requirement under Section 402. Although the CHRC program had been covered by emergency regulations since August 2006, permanent regulations became effective on December 2, 2009. The regulation should continue without modification.

Title 18 NYCRR - Ten Year Review

Amendment of 360-4.10(a)(9) of Title 18 (Spousal Impoverishment Budgeting)

Statutory Authority:

SSL § 366-c (2)(d)

Description of the regulation:

This regulation clarified that the community spouse’s pension/retirement funds are resources of the community spouse which are to be included for purposes of determining the community spouse resource allowance and determining the institutionalized spouse’s Medicaid eligibility. These funds are considered otherwise available to the community spouse under spousal impoverishment budgeting rules. This regulation should continue without modification.

Amendment of Section 486.2 and 486.5 of Part 486 of Title 18 (Adult Care Facility Inspection Reports)

Statutory Authority:

SSL §§ 460 and 461

Description of the regulation:

These amendments changed the requirement that an adult care facility inspection report include areas where the facility met or exceeded compliance with regulation and also steps for rectification of violations. The amendment provides that a report need only include a statement attesting that areas reviewed are deemed to be in compliance with applicable requirements if no violation is noted. The report may also include directions as may be appropriate as to the manner and time in which compliance with applicable requirements of law and regulation of the Department shall be effected. The regulations should continue without modification.

Addition of new subdivision (k) to Section 487.12, new subdivision (m) to Section 488.12 and new subdivision (k) to Section 490.12 of Title 18 (Health Provider Network (HPN) Access and Reporting Requirements – Adult Facilities)

Statutory Authority:

SSL §§ 460 and 461

Description of the regulation:

This regulation required adult homes, enriched housing programs and residences for adults to establish and maintain health provider network (HPN) accounts with the Department of Health for the purpose of exchanging information with the Department in a rapid and efficient manner in times of emergency or urgent matters. The HPN is a secure web-based application that can be utilized by facilities to receive current and up-to-date information as well as submit data to specialized programs for reporting or surveillance purposes. In times of emergencies or urgent matters, such as disease outbreaks, it is imperative that facilities exchange information with the Department in a rapid, efficient manner. The HPN, a free service, is the best means to ensure this exchange of information. This regulation should continue without modification.

Amendment of Section 505.5 of Part 505 of Title 18 (Medicaid Enteral Nutrition Reimbursement Methodology)

Statutory Authority:

PHL § 230(1)(a)

Description of the regulation:

This methodology remains appropriate and consistent with the payment policy of other medical care insurers on this subject. This regulation should continue without modification.

Title 10 NYCRR – Fifteen Year Review

Amendment of Parts 2 and 23 of Title 10 (Communicable Diseases)

Statutory Authority:

PHL §§ 225(4) and (5)(a), (g) and (h)

Description of the regulation:

This regulation protected the public health by permitting closer monitoring of communicable diseases. Diseases and infections of substantial public health importance were added to the list of communicable diseases that must be reported to public health authorities and/or require specimen submission for laboratory testing. These changes facilitated the diagnosis and treatment of disease and implementation of preventive measures to stop the spread of disease. In addition, the regulation eliminated from both the reporting list and the list of diseases requiring specimen submission diseases that were no longer of significance. In addition to rabies, clarification of reporting, prevention and control measures and treatment procedures were also made for emerging infections such as West Nile virus, and Severe Acute Respiratory Syndrome (SARS). The regulation was amended in 2005 to add confirmed influenza to the list of reportable communicable disease. These regulations should be retained without modification. The Department intends to amend the list of reportable communicable diseases in Part 2 in the future.

Amendment of Subparts 6-1 and 6-2 of Title 10 (Swimming Pools and Bathing Beaches)

Statutory Authority:

PHL §§ 225(4) and 225(5)

Description of the regulation:

Prior to the amendments, the regulation stated that temporary residence/campground bathing facilities were not required to provide lifeguards for their bathing facilities in 1991 or 1992 and may provide supervision through patron use rules and signage or a responsible person, depending on the level of supervision required at that time. The amendments allowed all temporary residence and campground operators, except those with ocean surf beaches, to select the level of supervision at swimming pools and bathing beaches operated as part of their temporary residence or campground, regardless of the supervision level provided in 1991 or 1992. The amendments provided a uniform standard allowing the same opportunity for selection of bathing facility supervision at all regulated temporary residences and campgrounds in the state, eliminating the differential standards that existed in the State. Also, the amendments clarified the intent, by specifying that parents, guardians, or similar adults must accompany children less than 16 years of age to a Supervision Level IV bathing facility. The regulation should continue without modification.

Amendment of Sections 12.2, 12.3, 12.13 and 23 of Title 10 (Regulation Affecting Nurse Practitioners, Licensed Nurses and Midwives)

Statutory Authority:

PHL § 225

Description of the regulation:

Amendments to these regulations were adopted to bring these provisions into conformance with amendments to Articles 139 (Nursing) and 140 of the Education Law (Midwife Practice Act). Article 140 of the Education Law, enacted in 1992, defined and established licensure and practice standards for the practice of midwifery. Those amendments rendered several provisions of the Department's regulations either obsolete or inconsistent with the new law. The regulations should continue without modification.

Repeal of Subpart 24-1 of Title 10 (AIDS Reporting)

Statutory Authority:

PHL §§ 225(4) and 225 (5)(a)

Description of the regulation:

This regulation deleted provisions to conform to Part 63 amendments requiring HIV and AIDS case reporting. The deletions continue to be necessary. The regulation should continue without modification.

Amendment of Parts 36, 58, 66, 69, 82, 85 and 766 of Title 10 (Nurse Midwives)

Statutory Authority:

PHL §§ 576, 2164, 2500-a, 2522(6) and 4175; SSL §§ 364(2) and 365-a

Description of the regulation:

Amendments to these regulations were adopted to bring these regulations into conformance with the amendments to Articles 139 (Nursing) and 140 of the Education Law (Midwife Practice Act). Article 140 of the Education Law, enacted in 1992 defined and established licensure and practice standards for the practice of midwifery. Those amendments rendered several provisions of the Department's regulations either obsolete or inconsistent with the new law. This regulation should continue without modification.

Amendment of Part 52 of Title 10 (Tissue Banks and Nontransplant Anatomic Banks)

Statutory Authority:

Article 43-B of the PHL

Description of the regulation:

This regulation details administrative and technical requirements pertaining to the collection, processing, storage, and distribution of tissue and nontransplant anatomic parts so as to protect the health of donors and recipients and advance the safety and utility of tissue and nontransplant anatomic parts for transplant, therapy, education, and research, as applicable. The regulations are consistent with scientific and technological advances, and should continue without modification.

Amendment of Subpart 58-2 of Title 10 (Blood Banks)

Statutory Authority:

PHL Article 31

Description of the regulation:

Subpart 58-2 amendments provided technical standards for NYS-permitted blood banks that collect, process, store, distribute and/or transfuse blood and blood components, and laboratories that perform related testing. The Department's efforts to ensure the safety of the blood supply and prevent adverse reactions in donors and transfusion recipients must be maintained through continuation of Subpart 58-2. The regulation should continue without modification.

Amendment of Part 63 of Title 10 (HIV/AIDS Testing, Reporting and Confidentiality of HIV Related Information)

Statutory Authority:

PHL §§ 2786 and 2139

Description of the regulation:

This regulation described the protocols and procedures required for HIV/AIDS testing, reporting and confidentiality of HIV related information. Revisions to specific sections of Part 63 are being proposed currently to implement revisions to PHL sections 2781 and 2135.

Addition of Section 68.6 of Title 10 (Distributions from the Health Care Initiatives Pool for Poison Control Center Operations)

Statutory Authority:

PHL §§ 2500-d(7) and 2807-1(l)(c)(iv)

Description of the regulation:

This regulation described the methodology for distributing funds from the Health Care Initiatives Pool to regional poison control centers. The regulation should continue without modification.

Amendment of Section 80.132 of Title 10 (Hypodermic Syringes and Needles)

Statutory Authority:

PHL §§ 3308 and 3381

Description of the regulation:

This regulation designates persons or classes of persons who may obtain and possess hypodermic needles and syringes without a prescription for use within the scope of their professions or activities, subject to additional conditions as specified. The regulation implements Public Health Law section 3381(1)(b), which authorizes the Commissioner to designate such persons, and eliminates unnecessary barriers in the provision of care to patients and animals. This regulation should continue without modification.

Amendment of Section 86-2.30 of Title 10 (PRI Instructions)

Statutory Authority:

PHL §§ 2803(2), 2807(3) and 2808

Description of the regulation:

This regulation modified the instructions for completing the PRI form to recognize certain medical treatments provided to persons newly admitted as nursing facility residents, and services provided by nurse practitioners and physician assistants. The regulation should continue without modification.

Amendment of Sections 401.1 and 710.1 of Title 10 (CON Requirements for Acute Care Beds and Major Medical Equipment)

Statutory Authority:

PHL § 2803(2)

Description of the regulation:

This regulation addressed the removal of certificate of need review of transfers of beds and equipment within established Article 28 hospital networks. This regulation should continue without modification.

Amendment of Section 405.25 of Title 10 (Organ and Tissue Donation Anatomical Gifts)

Statutory Authority:

PHL §§ 2803 and 4351

Description of the regulation:

This regulation sets forth a hospital's responsibilities with regard to organ and tissue donation. It requires the hospital to establish appropriate protocols for contacting the proper organ procurement organizations (OPOs) when a patient is at or near death, and for selecting an OPO and eye and tissue banks, as well as a designated requester, with whom the hospital will work. It also provides additional procedural detail with regard to the hospital's obligations under current law with regard to the means by which the designated requester is selected, the means by which consent must be obtained for the donation, and determination of the patient's suitability for donation. Medicare Federal Conditions of Participation were considered when the regulation was developed, and the regulations reflect those conditions as well as the requirements of Article 43 of the Public Health Law. The Department intends to amend the regulations to conform to changes made to Article 43.

Amendment of Sections 600.3 and 710.5 of Title 10 (Requirements for Amendment of Approved CON Applications)

Statutory Authority:

PHL §§ 280-1-a(10)(a), 2808(2) and 2803(2)(a)

Description of the regulation:

This regulation simplified the certificate of need (CON) process related to the requirements for amendment of approved CON applications. Sections 600.3 and 710.5 have been further amended to reclassify additional changes which currently constitute "amendments" and thus require full review, so that they are instead considered to be "modifications" which are reviewed only by the Commissioner. The regulations should continue without modification.

Amendment of Section 710.1 of Title 10 (CON Requirements for Acquisition of Major Medical Equipment)

Statutory Authority:

PHL §§ 2808(2) and 2803(2)(a)

Description of the regulation:

This regulation amended CON requirements for acquisition of major medical equipment to simplify the purchase of additional equipment and replacement of such equipment by Article 28 facilities. This regulation should continue without modification.

Title 18 NYCRR - Fifteen Year Review

Amendment of Section 360-3.2 of Title 18 (Finger Imaging for Medicaid Applicants/Recipients)

Statutory Authority:

Chapter 436 of the Laws of 1997

Description of the regulation:

This regulatory amendment made finger imaging an eligibility requirement for adults who apply for Medicaid and who are subject to the photo identification requirements established by the Department

of Health. Chapter 58 of the Laws of 2009 eliminated the finger imaging requirement for Medicaid applicants/recipients. This amendment needs to be repealed.





# SECURITIES OFFERINGS

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## STATE NOTICES

Published pursuant to provisions of General Business Law  
[Art. 23-A, § 359-e(2)]

## DEALERS; BROKERS

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5 Star Strategic Fund I, LP  
19019 Hwy. 71 W, Spicewood, TX 78669  
*Partnership* — The R. David Hoover Revocable Trust, Henry & Eleni Johnson, Waheed Akbar, A.M. Malik Family Limited Partnership, Spicewood Energy Fund I, LP and Robert D. Page

2014 Mieka PA/Johnson Oil Proj II  
600 Parker Sq., Suite 250, Flower Mound, TX 75028  
*Partnership* — Mieka Energy Corporation

ApplePie Finance, LLC  
One Sutter St., Suite 900, San Francisco, CA 94104  
*State or country in which incorporated* — Delaware

Associated Microbreweries, Ltd.  
5965 Santa Fe St., Suite E, San Diego, CA 92109  
*Partnership* — Associated Microbreweries, Inc.

BioVentures Investors IV Limited Partnership  
70 Walnut St., Suite 302, Wellesley, MA 02481  
*Partnership* — BioVentures Investors IV Management LLC

Caro-Kann Capital Fund LP  
680 Mission St., #25R, San Francisco, CA 94105  
*Partnership* — Caro-Kann Capital LLC

Classwork Co.  
1201 Orange St., Suite 600, One Commerce Center, Wilmington, DE 19899  
*State or country in which incorporated* — Delaware

EcoR1 Special Opportunity Fund I, L.P.  
409 Illinois St., San Francisco, CA 94158  
*Partnership* — EcoR1 Capital, LLC

EnGeneIC Limited  
Building 2, 25 Sirius Rd., Lane Cove, New South Wales, Australia 2066  
*State or country in which incorporated* — Bermuda

FRB Bancshares, Inc.  
13013 W. Alameda Pkwy., Lakewood, CO 80228  
*State or country in which incorporated* — Colorado

Greenmont Timber Partners, LP  
455 2nd St. NE, Suite 402, Charlottesville, VA 22902  
*Partnership* — Greenmont Timber GP LLC

GS Euclid Class A, LLC  
4630 Montgomery Ave., Suite 600, Bethesda, MD 20814  
*State or country in which incorporated* — Maryland

Harbor Light Securities LLC  
5504 Keeler Oak St., Lithia, FL 33547  
*State or country in which incorporated* — North Carolina limited liability company

Honeygo Capital Management, LLC  
41 Madison Ave., 31st Fl., New York, NY 10010

Lanx Concentrated Fund I, LP  
c/o Lanx Capital, LLC, 99 Park Ave., Suite 830, New York, NY 10016  
*Partnership* — Lanx Capital, LLC

Maritime Capital Partners Offshore Ltd  
c/o Maritime Capital LLC, 60 E. 42nd St., Suite 2301, New York, NY 10165  
*State or country in which incorporated* — Cayman Islands

MJIC, Inc.  
26475 Rancho Pkwy. S, Lake Forest, CA 92630  
*State or country in which incorporated* — California

NCG Capital Partners, LLC  
1274 RXR Plaza, Uniondale, NY 11556

Norwich Partners Fund XII LLC  
2330 Palm Ridge Rd., Unit 10, No. 305, Sanibel, FL 33957  
*State or country in which incorporated* — Delaware

Postmedia Network Canada Corp.  
365 Bloor St. E, 12th Fl., Toronto, Ontario M4W 3L4  
*State or country in which incorporated* — Canada

S&W Seed Company  
25552 S. Butte Ave., Five Points, CA 93624  
*State or country in which incorporated* — Nevada

SiGNa Chemistry, Inc.  
445 Park Ave., Suite 937, New York, NY 10022  
*State or country in which incorporated* — Delaware

Skylight Broadway LP  
c/o Joey Parnes Productions LLC, 234 W. 44th St., Suite 800, New York, NY 10036  
*State or country in which incorporated* — Delaware

Tava Indian Kitchen, LLC  
778 El Camino Real, San Carlos, CA 94070  
*State or country in which incorporated* — California

Texas Securities, Inc.  
4024 Nazarene Dr., Suite B, Carrollton, TX 75010  
*State or country in which incorporated* — Texas





# NOTICE OF AVAILABILITY OF STATE AND FEDERAL FUNDS

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Division of Homeland Security and Emergency  
Services  
1220 Washington Ave.  
State Office Bldg. Campus, Bldg. 7A  
Albany, NY 12242

## COUNTY GOVERNMENTS

### **Development, Consolidation and/or Improved Operation of Public Safety Communications to Support and Enhance Statewide Interoperable Communications for First Responders**

The New York State Office of Interoperable and Emergency Communications (OIEC) seeks applications for up to \$3,500,000 from New York State County Governments for awards to facilitate the development, consolidation and/or improved operation of public safety communications to support and enhance statewide interoperable communications for first responders.

Subject to State appropriation authority, a total of \$50 million in funding is available for awards to New York State county governments for the purposes noted above, as outlined in the RFA. Funding for this grant program is supported by the Statewide Public Safety Communications Account.

Applications will be accepted from February 12, 2015 through 5:00 p.m. on April 15, 2015 via e-mail to [grants@dhses.ny.gov](mailto:grants@dhses.ny.gov).

For the Request for Applications (RFA) please visit the Division of Homeland Security and Emergency Services (DHSES) website at <http://www.dhses.ny.gov/oiec/grants/> or DHSES's Grant Hotline at (866) 837-9133.

tion of hurricane-damaged properties. Only hurricane-related damage is eligible for grant assistance. Acquisition of real property is not an eligible cost of assistance from this emergency funding. There is no match required for this grant program.

Municipalities and not-for profit organizations with an ownership interest in property located within the counties of New York, Queens, Kings, Bronx, Richmond, Nassau, Suffolk, Westchester, Rockland, Putnam, Orange, Ulster or Sullivan may apply. Religious organizations are now eligible for capital funding under this program.

For a copy of the Program Guidelines, Application Instructions and Application for Round 2, go to:  
<http://www.nysparks.com/shpo/> or contact:

Merrill Hesch  
212-866-2599  
[Merrill.Hesch@parks.ny.gov](mailto:Merrill.Hesch@parks.ny.gov)

or

Stacey Matson-Zuvic  
845-786-2701, Ext. 220  
[Stacey.Matson-Zuvic@parks.ny.gov](mailto:Stacey.Matson-Zuvic@parks.ny.gov)

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Office of Parks, Recreation  
and Historic Preservation  
Albany, NY 12238

MUNICIPALITIES AND NOT-FOR-PROFIT ORGANIZATIONS  
WITH AN OWNERSHIP INTEREST IN PROPERTY LOCATED  
WITHIN THE COUNTIES OF NEW YORK, QUEENS, KINGS,  
BRONX, RICHMOND, NASSAU, SUFFOLK, WESTCHESTER,  
ROCKLAND, PUTNAM, ORANGE, ULSTER OR SULLIVAN

### **Hurricane Sandy Disaster Relief Assistance Grant for Historic Properties**

Competitive applications to receive aid are required and will be accepted through May 1, 2015 for grants made available under this program.

Funds have been made available through the National Park Service from the Historic Preservation Fund (HPF) under Public Law 113-2, the Disaster Relief Appropriations Act, 2013 for the preservation of historic resources damaged by hurricane Sandy that are listed in or eligible for listing in the National Register of Historic Places.

The purpose of this funding is to provide preservation technical assistance and emergency repairs to historic and archeological resources impacted by Hurricane Sandy including, but not limited to, architectural/engineering plans and specifications, economic feasibility studies, survey and damage assessments, construction work to stabilize and repair historic and archeological properties, and recorda-



# 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](http://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 Division of Criminal Justice Services Commission on Forensic Science

Pursuant to Public Officers Law section 104, the Division of Criminal Justice Services gives notice of a meeting of the New York State Commission on Forensic Science to be held on:

Date: Wednesday, April 15, 2015  
Time: 1:00 pm-5:00 pm  
Place: Division of Criminal Justice Services  
Alfred E. Smith Office Bldg.  
CrimeStat Rm. 118  
80 S. Swan St.  
Albany, NY

### Video Conference Site:

Empire State Development Corporation (ESDC)  
633 3rd Ave.  
37th Fl./Conference Rm.  
New York, NY  
\*Identification and sign-in required

\*Identification and sign-in is required at this location. For further information, or if you need a reasonable accommodation to attend this meeting, contact Catherine White, Division of Criminal Justice Services, Office of Forensic Services, 80 Swan St., Albany NY 12210 (518) 485-5052.

## PUBLIC NOTICE REVISED Division of Criminal Justice Services DNA Subcommittee

Pursuant to Public Officers Law section 104, the Division of Criminal Justice Services gives notice of a meeting of the DNA Subcommittee to be held on:

Date: March 13, 2015  
Time: 8:30 A.M.-11:30 A.M.  
Place: Empire State Development Corporation (ESDC)  
633 3rd Ave.  
37th Fl./Conference Rm.  
New York, NY

Identification and sign-in are required at this location. For further information, or if you need a reasonable accommodation to attend this meeting, contact Catherine White, Division of Criminal Justice Services, Office of Forensic Services, 80 S. Swan St., Albany NY 518-485-5052.

## PUBLIC NOTICE Division of Criminal Justice Services Law Enforcement Agency Accreditation Council

Pursuant to Public Officers Law § 104, the Division of Criminal Justice Services gives notice of a meeting of the Law Enforcement Agency Accreditation Council to be held on:

Date: March 19, 2015  
Time: 10:00 AM  
Place: Division of Criminal Justice Services  
Alfred E. Smith Office Bldg.  
80 S. Swan St.  
CrimeStat Rm. (Rm. 118)  
Albany, NY 12210

Identification and sign-in are required at this location. For further information, or if you need a reasonable accommodation to attend this meeting, please contact: Division of Criminal Justice Services, Office of Public Safety, Alfred E. Smith Office Building, 80 S. Swan St., Albany, NY 12210, 518-457-2667.

## PUBLIC NOTICE Division of Criminal Justice Services Municipal Police Training Council

Pursuant to Public Officers Law section 104, the Division of Criminal Justice Services gives notice of a meeting of the New York State Municipal Police Training Council to be held on:

Date: Wednesday, March 4, 2015  
Time: 10:00 AM-12:00 PM

Place: Division of Criminal Justice Services  
Alfred E. Smith Office Bldg.  
80 S. Swan St.  
CrimeStat Rm. 118  
Albany, NY 12210

## Video Conference Site:

Division of Criminal Justice Services  
Alfred E. Smith Office Bldg.  
80 S. Swan St.  
CrimeStat Rm. 118  
Albany, NY 12210

\*Identification and sign-in is required at this location. For further information, or if you need a reasonable accommodation to attend this meeting, contact the Division of Criminal Justice Services, Office of Public Safety, 80 Swan St. Albany, NY 12210 (518) 457-2666.

**PUBLIC NOTICE**

## Department of Environmental Conservation

The New York State Department of Environmental Conservation (DEC) announces the availability of a new permit application for invasive species regulated under 6 NYCRR Part 575 Prohibited and Regulated Invasive Species. These regulations are intended to reduce the introduction and spread of invasive species by limiting commerce in such species. Under section 575.9, a person may possess, with intent to sell, import, purchase, transport or introduce a prohibited or regulated invasive species only if the person has been issued a permit by the Department for research, education, or other approved activity. The permit application, instructions and standard conditions is available on DEC's website at: <http://www.dec.ny.gov/permits/100696.html>

Questions regarding this new permit may be directed to (518)402-9405 or [isinfo@dec.ny.gov](mailto:isinfo@dec.ny.gov)

**PUBLIC NOTICE**

## Office of Parks, Recreation and Historic Preservation

Pursuant to Title 3, Article 49 of the Environmental Conservation Law, the Office of Parks, Recreation and Historic Preservation hereby gives public notice of the following:

Notice is hereby given, pursuant to Section 49-0305 (9) of the Environmental Conservation Law, of the Office of Parks, Recreation and Historic Preservation's intent to acquire a Conservation Easement from Black Rock Forest Preserve over certain lands located at 129 Continental Avenue, Cornwall, in the County of Orange and the State of New York.

*For further information contact:* Carol Clark, Deputy Commissioner, Real Property and Legislative Affairs, Office of Parks, Recreation and Historic Preservation, Albany, NY 12238, (518) 474-0440, or e-mail: [Carol.Clark@parks.ny.gov](mailto:Carol.Clark@parks.ny.gov)

**PUBLIC NOTICE**

## Office of Parks, Recreation and Historic Preservation

Pursuant to Title 3, Article 49 of the Environmental Conservation Law, the Office of Parks, Recreation and Historic Preservation hereby gives public notice of the following:

Notice is hereby given, pursuant to Section 49-0305 (9) of the Environmental Conservation Law, of the Office of Parks, Recreation and Historic Preservation's intent to acquire a Conservation Easement from Edgar M. Masters over certain lands located at 206 High Valley Road, Copake Falls, in the County of Columbia and the State of New York.

*For further information contact:* Carol Clark, Deputy Commis-

sioner, Real Property and Legislative Affairs, Office of Parks, Recreation and Historic Preservation, Albany, NY 12238, (518) 474-0440, or e-mail: [Carol.Clark@parks.ny.gov](mailto:Carol.Clark@parks.ny.gov)

**PUBLIC NOTICE**

Department of State  
F-2015-0082 (DA)

Date of Issuance – March 4, 2015

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 National Science Foundation has determined that the proposed activity will be undertaken in a manner consistent to the maximum extent practicable with the enforceable policies of the New York State Coastal Management Program. The applicant's consistency determination and accompanying supporting 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.

The National Science Foundation, in collaboration with Rutgers University, proposes to conduct a 3-D seismic survey in federal waters, approximately 50-72 nautical miles outside of NY state waters, for approximately 30 days between June and August 2015 on the NSF owned R/V Marcus G. Langseth (operated by Columbia University's Lamont-Doherty Earth Observatory). The proposed purpose of the activity is to collect and analyze data on the arrangement of sediments deposited during times of changing global sea level from approximately 60 million years ago to the present. The procedures proposed involve deploying two pairs of subarrays of 4 airguns to fire alternately with a total volume of ~700 inch (in)<sup>3</sup>. The proposed receiving system consists of four 3000-m hydrophone streamers at 75-m spacing, or, a combination of two 3000-m hydrophone streamers and a Geometrics P-Cable system. The airgun array will be towed along a total of ~4900 km of 3-D survey lines, including turns, to be conducted in an area of 12 x 50 km with a line spacing of 150 m in two 6-m wide race-track patterns. Additionally, a multibeam echosounder and a sub-bottom profiler will be operated continuously but not during transit. Monitoring and mitigation measures are proposed including use of protected species visual observers, passive acoustic monitoring, exclusion zones for each airgun source and tow depths, speed or course alterations, power or shut downs, and ramp-up procedures.

Any interested parties and/or agencies desiring to express their views concerning the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 10 days from the date of publication of this notice, or, March 14th, 2015.

Comments should be addressed to the New York State Department of State, ATTN: Consistency Review Unit, One Commerce Plaza, Suite 1010, 99 Washington Avenue, Albany, New York 12231. Telephone (518) 474-6000; Fax (518) 473-2464. Comments can also be submitted electronically via e-mail at: [CR@dos.ny.gov](mailto:CR@dos.ny.gov).

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