
NEW YORK STATE
REGISTER

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Notice of Availability of State and Federal Funds

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 June 7, 2015
- the 45-day period expires on May 23, 2015
- the 30-day period expires on May 8, 2015

**ANDREW M. CUOMO
GOVERNOR**

**CESAR A. PERALES
SECRETARY OF STATE**

NEW YORK STATE DEPARTMENT OF STATE

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

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

 printed on recycled paper

NEW YORK STATE REGISTER

Be a part of the rule making process!

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

To be considered, comments 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

Each paid subscription to the *New York State Register* includes one weekly issue for a full year and four "Quarterly Index" issues. The Quarterly is a cumulative list of actions that shows the status of every rule making action in progress or initiated within a calendar year.

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Albany, NY 12231-0001
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KEY: (P) Proposal; (RP) Revised Proposal; (E) Emergency; (EP) Emergency and Proposal; (A) Adoption; (AA) Amended Adoption; (W) Withdrawal

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

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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.

Department of Civil Service

NOTICE OF ADOPTION

Jurisdictional Classification

I.D. No. CVS-30-14-00001-A
Filing No. 203
Filing Date: 2015-03-20
Effective Date: 2015-04-08

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

Action taken: Amendment of Appendixes 1 and 2 of Title 4 NYCRR.

Statutory authority: Civil Service Law, section 6(1)

Subject: Jurisdictional Classification.

Purpose: To classify positions in the exempt class and to delete positions from non-competitive class.

Text or summary was published in the July 30, 2014 issue of the Register, I.D. No. CVS-30-14-00001-P.

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

Text of rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: jennifer.paul@cs.ny.gov

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Jurisdictional Classification

I.D. No. CVS-30-14-00002-A
Filing No. 197
Filing Date: 2015-03-20
Effective Date: 2015-04-08

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

Action taken: Amendment of Appendix 2 of Title 4 NYCRR.

Statutory authority: Civil Service Law, section 6(1)

Subject: Jurisdictional Classification.

Purpose: To classify a position in the non-competitive class.

Text or summary was published in the July 30, 2014 issue of the Register, I.D. No. CVS-30-14-00002-P.

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

Text of rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: jennifer.paul@cs.ny.gov

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Jurisdictional Classification

I.D. No. CVS-30-14-00004-A
Filing No. 201
Filing Date: 2015-03-20
Effective Date: 2015-04-08

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

Action taken: Amendment of Appendixes 1 and 2 of Title 4 NYCRR.

Statutory authority: Civil Service Law, section 6(1)

Subject: Jurisdictional Classification.

Purpose: To delete and classify positions in the exempt and non-competitive classes.

Text of final rule: Amend Appendix 1 of the Rules for the Classified Service, listing positions in the exempt class, in the Department of Corrections and Community Supervision, by deleting therefrom the position of Secretary and in the Executive Department under the subheading "Office of the Governor," by decreasing the number of positions of Program Associate from 9 to 8; and, in the Department of Corrections and Community Supervision under the subheading "State Board of Parole," by adding thereto the position of Secretary and in the Executive Department under the subheading "Division of the Budget," by increasing the number of positions of Program Associate from 5 to 6; and

Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Department of Corrections and Community Supervision under the subheading "State Board of Parole," by deleting therefrom the position of øSecretary 2 (1); and, in the Department of Corrections and Community Supervision, by increasing the number of positions of øSecretary 2 from 1 to 2.

*Originally had been submitted as including "in the Department of Agriculture and Markets, by decreasing the number of positions of

øAgricultural Policy Analyst from 2 to 1; and, in the Department of Economic Development, by adding thereto the position of øAgricultural Policy Analyst (1)" in the non-competitive class.

Final rule as compared with last published rule: Nonsubstantive changes were made in Appendix 2.

Text of rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: jennifer.paul@cs.ny.gov

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

Changes made to the last published rule do not necessitate revision to the previously published RIS, RFA, RAFA, and JIS.

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Jurisdictional Classification

I.D. No. CVS-30-14-00005-A

Filing No. 205

Filing Date: 2015-03-20

Effective Date: 2015-04-08

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

Action taken: Amendment of Appendix 2 of Title 4 NYCRR.

Statutory authority: Civil Service Law, section 6(1)

Subject: Jurisdictional Classification.

Purpose: To classify a position in the non-competitive class.

Text or summary was published in the July 30, 2014 issue of the Register, I.D. No. CVS-30-14-00005-P.

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

Text of rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: jennifer.paul@cs.ny.gov

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Jurisdictional Classification

I.D. No. CVS-30-14-00008-A

Filing No. 202

Filing Date: 2015-03-20

Effective Date: 2015-04-08

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

Action taken: Amendment of Appendix 1 of Title 4 NYCRR.

Statutory authority: Civil Service Law, section 6(1)

Subject: Jurisdictional Classification.

Purpose: To classify a position in the exempt class.

Text or summary was published in the July 30, 2014 issue of the Register, I.D. No. CVS-30-14-00008-P.

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

Text of rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: jennifer.paul@cs.ny.gov

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Jurisdictional Classification

I.D. No. CVS-30-14-00009-A

Filing No. 200

Filing Date: 2015-03-20

Effective Date: 2015-04-08

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

Action taken: Amendment of Appendix 1 of Title 4 NYCRR.

Statutory authority: Civil Service Law, section 6(1)

Subject: Jurisdictional Classification.

Purpose: To classify a position in the exempt class.

Text or summary was published in the July 30, 2014 issue of the Register, I.D. No. CVS-30-14-00009-P.

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

Text of rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: jennifer.paul@cs.ny.gov

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Jurisdictional Classification

I.D. No. CVS-30-14-00010-A

Filing No. 199

Filing Date: 2015-03-20

Effective Date: 2015-04-08

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

Action taken: Amendment of Appendix 2 of Title 4 NYCRR.

Statutory authority: Civil Service Law, section 6(1)

Subject: Jurisdictional Classification.

Purpose: To delete positions from and classify positions in the non-competitive class.

Text or summary was published in the July 30, 2014 issue of the Register, I.D. No. CVS-30-14-00010-P.

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

Text of rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: jennifer.paul@cs.ny.gov

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Jurisdictional Classification

I.D. No. CVS-30-14-00012-A

Filing No. 198

Filing Date: 2015-03-20

Effective Date: 2015-04-08

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

Action taken: Amendment of Appendix 1 of Title 4 NYCRR.

Statutory authority: Civil Service Law, section 6(1)

Subject: Jurisdictional Classification.

Purpose: To classify a position in the exempt class.

Text or summary was published in the July 30, 2014 issue of the Register, I.D. No. CVS-30-14-00012-P.

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

Text of rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: jennifer.paul@cs.ny.gov

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Jurisdictional Classification

I.D. No. CVS-30-14-00013-A

Filing No. 204

Filing Date: 2015-03-20

Effective Date: 2015-04-08

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

Action taken: Amendment of Appendix 2 of Title 4 NYCRR.

Statutory authority: Civil Service Law, section 6(1)

Subject: Jurisdictional Classification.

Purpose: To classify positions in the non-competitive class.

Text or summary was published in the July 30, 2014 issue of the Register, I.D. No. CVS-30-14-00013-P.

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

Text of rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: jennifer.paul@cs.ny.gov

Assessment of Public Comment

The agency received no public comment.

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

Jurisdictional Classification

I.D. No. CVS-14-15-00005-P

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

Proposed Action: Amendment of Appendix 1 of Title 4 NYCRR.

Statutory authority: Civil Service Law, section 6(1)

Subject: Jurisdictional Classification.

Purpose: To classify positions in the exempt class.

Text of proposed rule: Amend Appendix 1 of the Rules for the Classified Service, listing positions in the exempt class, in the Department of Labor under the subheading "Administration – General," by increasing the number of positions of Special Assistant from 13 to 17.

Text of proposed rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: jennifer.paul@cs.ny.gov

Data, views or arguments may be submitted to: Ilene Lees, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: ilene.lees@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously

printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

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

Jurisdictional Classification

I.D. No. CVS-14-15-00006-P

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

Proposed Action: Amendment of Appendix 1 of Title 4 NYCRR.

Statutory authority: Civil Service Law, section 6(1)

Subject: Jurisdictional Classification.

Purpose: To classify positions in the exempt class.

Text of proposed rule: Amend Appendix 1 of the Rules for the Classified Service, listing positions in the exempt class, in the Department of Financial Services, by increasing the number of positions of Assistant Counsel from 16 to 20 and Special Assistant from 18 to 24.

Text of proposed rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: jennifer.paul@cs.ny.gov

Data, views or arguments may be submitted to: Ilene Lees, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: ilene.lees@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

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

Jurisdictional Classification

I.D. No. CVS-14-15-00007-P

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

Proposed Action: Amendment of Appendix 2 of Title 4 NYCRR.

Statutory authority: Civil Service Law, section 6(1)

Subject: Jurisdictional Classification.

Purpose: To classify a position in the non-competitive class.

Text of proposed rule: Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Education Department, by increasing the number of positions of State Education Psychometrician from 1 to 2.

Text of proposed rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: jennifer.paul@cs.ny.gov

Data, views or arguments may be submitted to: Ilene Lees, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: ilene.lees@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Jurisdictional Classification

I.D. No. CVS-14-15-00008-P

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

Proposed Action: Amendment of Appendix 1 and 2 of Title 4 NYCRR.

Statutory authority: Civil Service Law, section 6(1)

Subject: Jurisdictional Classification.

Purpose: To delete positions from the exempt and non-competitive classes.

Text of proposed rule: Amend Appendix 1 of the Rules for the Classified Service, listing positions in the exempt class, in the Executive Department under the subheading "Office of Information Technology Services," by deleting therefrom the positions of Confidential Assistant (2), Director Office Cyber Security, Employee Program Assistant (4), Employee Program Associate (6), Employee Relations Associate (2) and Information Technology Specialist (JCOPE) (3) and by decreasing the number of positions of Confidential Stenographer from 2 to 1 and Manager Information Services from 2 to 1; and

Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Executive Department under the subheading "Office of Information Technology Services," by deleting therefrom the positions of Cyber Security Associate Director (1) and Director Rehabilitation Information Technology (1).

Text of proposed rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: jennifer.paul@cs.ny.gov

Data, views or arguments may be submitted to: Ilene Lees, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: ilene.lees@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was

previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-01-15-00005-P, Issue of January 7, 2015.

Department of Economic Development

EMERGENCY RULE MAKING

Empire Zones Reform

I.D. No. EDV-14-15-00001-E

Filing No. 206

Filing Date: 2015-03-23

Effective Date: 2015-03-23

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

Action taken: Amendment of Parts 10 and 11; renumbering and amendment of Parts 12-14 to Parts 13, 15 and 16; and addition of new Parts 12 and 14 to Title 5 NYCRR.

Statutory authority: General Municipal Law, art. 18-B, section 959; L. 2000, ch. 63; L. 2005, ch. 63; L. 2009, ch. 57

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

Specific reasons underlying the finding of necessity: Regulatory action is needed immediately to implement the statutory changes contained in Chapter 57 of the Laws of 2009. The emergency rule also clarifies the administrative procedures of the program, improves efficiency and helps make it more cost-effective and accountable to the State's taxpayers, particularly in light of New York's current fiscal climate. It bears noting that General Municipal Law section 959(a), as amended by Chapter 57 of the Laws of 2009, expressly authorizes the Commissioner of Economic Development to adopt emergency regulations to govern the program.

Subject: Empire Zones reform.

Purpose: Allow department to continue implementing Zones reforms and adopt changes that would enhance program's strategic focus.

Substance of emergency rule: The emergency rule is the result of changes to Article 18-B of the General Municipal Law pursuant to Chapter 63 of the Laws of 2000, Chapter 63 of the Laws of 2005, and Chapter 57 of the Laws of 2009. These laws, which authorize the empire zones program, were changed to make the program more effective and less costly through higher standards for entry into the program and for continued eligibility to remain in the program. Existing regulations fail to address these requirements and the existing regulations contain several outdated references. The emergency rule will correct these items.

The rule contained in 5 NYCRR Parts 10 through 14 (now Parts 10-16 as amended), which governs the empire zones program, is amended as follows:

1. The emergency rule, tracking the requirements of Chapter 63 of the Laws of 2005, requires placement of zone acreage into "distinct and separate contiguous areas."

2. The emergency rule updates several outdated references, including: the name change of the program from Economic Development Zones to Empire Zones, the replacement of Standard Industrial Codes with the North American Industrial Codes, the renaming of census-tract zones as investment zones, the renaming of county-created zones as development zones, and the replacement of the Job Training Partnership Act (and private industry councils) with the Workforce Investment Act (and local workforce investment boards).

3. The emergency rule adds the statutory definition of "cost-benefit analysis" and provides for its use and applicability.

4. The emergency rule also adds several other definitions (such as applicant municipality, chief executive, concurring municipality, empire zone capital tax credits or zone capital tax credits, clean energy research and development enterprise, change of ownership, benefit-cost ratio, capital investments, single business enterprise and regionally significant

project) and conforms several existing regulatory definitions to statutory definitions, including zone equivalent areas, women-owned business enterprise, minority-owned business enterprise, qualified investment project, zone development plans, and significant capital investment projects. The emergency rule also clarifies regionally significant project eligibility. Additionally, the emergency rule makes reference to the following tax credits and exemptions: the Qualified Empire Zone Enterprise ("QEZE") Real Property Tax Credit, QEZE Tax Reduction Credit, and the QEZE Sales and Use Tax Exemption. The emergency rule also reflects the eligibility of agricultural cooperatives for Empire Zone tax credits and the QEZE Real Property Tax Credit.

5. The emergency rule requires additional statements to be included in an application for empire zone designation, including (i) a statement from the applicant and local economic development entities pertaining to the integration and cooperation of resources and services for the purpose of providing support for the zone administrator, and (ii) a statement from the applicant that there is no viable alternative area available that has existing public sewer or water infrastructure other than the proposed zone.

6. The emergency rule amends the existing rule in a manner that allows for the designation of nearby lands in investment zones to exceed 320 acres, upon the determination by the Department of Economic Development that certain conditions have been satisfied.

7. The emergency rule provides a description of the elements to be included in a zone development plan and requires that the plan be resubmitted by the local zone administrative board as economic conditions change within the zone. Changes to the zone development plan must be approved by the Commissioner of Economic Development ("the Commissioner").

Also, the rule adds additional situations under which a business enterprise may be granted a shift resolution.

8. The emergency rule grants discretion to the Commissioner to determine the contents of an empire zone application form.

9. The emergency rule tracks the amended statute's deletion of the category of contributions to a qualified Empire Zone Capital Corporation from those businesses eligible for the Zone Capital Credit.

10. The emergency rule reflects statutory changes to the process to revise a zone's boundaries. The primary effect of this is to limit the number of boundary revisions to one per year.

11. The emergency rule describes the amended certification and decertification processes. The authority to certify and decertify now rests solely with the Commissioner with reduced roles for the Department of Labor and the local zone. Local zone boards must recommend projects to the State for approval. The labor commissioner must determine whether an applicant firm has been engaged in substantial violations, or pattern of violations of laws regulating unemployment insurance, workers' compensation, public work, child labor, employment of minorities and women, safety and health, or other laws for the protection of workers as determined by final judgment of a judicial or administrative proceeding. If such applicant firm has been found in a criminal proceeding to have committed any such violations, the Commissioner may not certify that firm.

12. The emergency rule describes new eligibility standards for certification. The new factors which may be considered by the Commissioner when deciding whether to certify a firm is (i) whether a non-manufacturing applicant firm projects a benefit-cost ratio of at least 20:1 for the first three years of certification, (ii) whether a manufacturing applicant firm projects a benefit-cost ratio of at least 10:1 for the first three years of certification, and (iii) whether the business enterprise conforms with the zone development plan.

13. The emergency rule adds the following new justifications for decertification of firms: (a) the business enterprise, that has submitted at least three years of business annual reports, has failed to provide economic returns to the State in the form of total remuneration to its employees (i.e. wages and benefits) and investments in its facility greater in value to the tax benefits the business enterprise used and had refunded to it; (b) the business enterprise, if first certified prior to August 1, 2002, caused individuals to transfer from existing employment with another business enterprise with similar ownership and located in New York state to similar employment with the certified business enterprise or if the enterprise acquired, purchased, leased, or had transferred to it real property previously owned by an entity with similar ownership, regardless of form of incorporation or organization; (c) change of ownership or moving out of the Zone, (d) failure to pay wages and benefits or make capital investments as represented on the firm's application, (e) the business enterprise makes a material misrepresentation of fact in any of its business annual reports, and (f) the business enterprise fails to invest in its facility substantially in accordance with the representations contained in its application. In addition, the regulations track the statute in permitting the decertification of a business enterprise if it failed to create new employment or prevent a loss of employment in the zone or zone equivalent area, and deletes the condition that such failure was not due to economic cir-

cumstances or conditions which such business could not anticipate or which were beyond its control. The emergency rule provides that the Commissioner shall revoke the certification of a firm if the firm fails the standard set forth in (a) above, or if the Commissioner makes the finding in (b) above, unless the Commissioner determines in his or her discretion, after consultation with the Director of the Budget, that other economic, social and environmental factors warrant continued certification of the firm. The emergency rule further provides for a process to appeal revocations of certifications based on (a) or (b) above to the Empire Zones Designation Board. The emergency rule also provides that the Commissioner may revoke the certification of a firm upon a finding of any one of the other criteria for revocation of certification set forth in the rule.

14. The emergency rule adds a new Part 12 implementing record-keeping requirements. Any firm choosing to participate in the empire zones program must maintain and have available, for a period of six years, all information related to the application and business annual reports.

15. The emergency rule clarifies the statutory requirement from Chapter 63 of the Laws of 2005 that development zones (formerly county zones) create up to three areas within their reconfigured zones as investment (formerly census tract) zones. The rule would require that 75% of the acreage used to define these investment zones be included within an eligible or contiguous census tract. Furthermore, the rule would not require a development zone to place investment zone acreage within a municipality in that county if that particular municipality already contained an investment zone, and the only eligible census tracts were contained within that municipality.

16. The emergency rule tracks the statutory requirements that zones reconfigure their existing acreage in up to three (for investment zones) or six (for development zones) distinct and separate contiguous areas, and that zones can allocate up to their total allotted acreage at the time of designation. These reconfigured zones must be presented to the Empire Zones Designation Board for unanimous approval. The emergency rule makes clear that zones may not necessarily designate all of their acreage into three or six areas or use all of their allotted acreage; the rule removes the requirement that any subsequent additions after their official redesignation by the Designation Board will still require unanimous approval by that Board.

17. The emergency rule clarifies the statutory requirement that certain defined "regionally significant" projects can be located outside of the distinct and separate contiguous areas. There are four categories of projects: (i) a manufacturer projecting the creation of fifty or more net new jobs in the State of New York; (ii) an agri-business or high tech or biotech business making a capital investment of ten million dollars and creating twenty or more net new jobs in the State of New York, (iii) a financial or insurance services or distribution center creating three hundred or more net new jobs in the State of New York, and (iv) a clean energy research and development enterprise. Other projects may be considered by the empire zone designation board. Only one category of projects, manufacturers projecting the creation of 50 or more net new jobs, are allowed to progress before the identification of the distinct and separate contiguous areas and/or the approval of certain regulations by the Empire Zones Designation Board. Regionally significant projects that fall within the four categories listed above must be projects that are exporting 60% of their goods or services outside the region and export a substantial amount of goods or services beyond the State.

18. The emergency rule clarifies the status of community development projects as a result of the statutory reconfiguration of the zones.

19. The emergency rule clarifies the provisions under Chapter 63 of the Laws of 2005 that allow for zone-certified businesses which will be located outside of the distinct and separate contiguous areas to receive zone benefits until decertified. The area which will be "grandfathered" shall be limited to the expansion of the certified business within the parcel or portion thereof that was originally located in the zone before redesignation. Each zone must identify any such business by December 30, 2005.

20. The emergency rule elaborates on the "demonstration of need" requirement mentioned in Chapter 63 of the Laws of 2005 for the addition (for both investment and development zones) of an additional distinct and separate contiguous area. A zone can demonstrate the need for a fourth or, as the case may be, a seventh distinct and separate contiguous area if (1) there is insufficient existing or planned infrastructure within the three (or six) distinct and separate contiguous areas to (a) accommodate business development and there are other areas of the applicant municipality that can be characterized as economically distressed and/or (b) accommodate development of strategic businesses as defined in the local development plan, or (2) placing all acreage in the other three or six distinct and separate contiguous areas would be inconsistent with open space and wetland protection, or (3) there are insufficient lands available for further business development within the other distinct and separate contiguous areas.

The full text of the emergency rule is available at www.empire.state.ny.us

This notice is intended to serve only as an emergency adoption, to be valid for 90 days or less. This rule expires June 20, 2015.

Text of rule and any required statements and analyses may be obtained from: Thomas P Regan, NYS Department of Economic Development, 625 Broadway, Albany NY 12245, (518) 292-5123, email: tregan@esd.ny.gov

Regulatory Impact Statement
STATUTORY AUTHORITY:

Section 959(a) of the General Municipal Law authorizes the Commissioner of Economic Development to adopt on an emergency basis rules and regulations governing the criteria of eligibility for empire zone designation, the application process, the certification of a business enterprises as to eligibility of benefits under the program and the decertification of a business enterprise so as to revoke the certification of business enterprises for benefits under the program.

LEGISLATIVE OBJECTIVES:

The rulemaking accords with the public policy objectives of the Legislature sought to advance because the majority of such revisions are in direct response to statutory amendments and the remaining revisions either conform the regulations to existing statute or clarify administrative procedures of the program. These amendments further the Legislative goals and objectives of the Empire Zones program, particularly as they relate to regionally significant projects, the cost-benefit analysis, and the process for certification and decertification of business enterprises. The proposed amendments to the rule will facilitate the administration of this program in a more efficient, effective, and accountable manner.

NEEDS AND BENEFITS:

The emergency rule is required in order to implement the statutory changes contained in Chapter 57 of the Laws of 2009. The emergency rule also clarifies the administrative procedures of the program, improves efficiency and helps make it more cost-effective and accountable to the State's taxpayers, particularly in light of New York's current fiscal climate.

COSTS:

A. Costs to private regulated parties: None. There are no regulated parties in the Empire Zones program, only voluntary participants.

B. Costs to the agency, the state, and local governments: There will be additional costs to the Department of Economic Development associated with the emergency rule making. These costs pertain to the addition of personnel that may need to be hired to implement the Empire Zones program reforms. There may be savings for the Department of Labor associated with the streamlining of the State's administration and concentration of authority within the Department of Economic Development. There is no additional cost to local governments.

C. Costs to the State government: None. There will be no additional costs to New York State as a result of the emergency rule making.

LOCAL GOVERNMENT MANDATES:

None. Local governments are not mandated to participate in the Empire Zones program. If a local government chooses to participate, there is a cost associated with local administration that local government officials agreed to bear at the time of application for designation as an Empire Zone. One of the requirements for designation was a commitment to local administration and an identification of local resources that would be dedicated to local administration.

This emergency rule does not impose any additional costs to the local governments for administration of the Empire Zones program.

PAPERWORK:

The emergency rule imposes new record-keeping requirements on businesses choosing to participate in the Empire Zones program. The emergency rule requires all businesses that participate in the program to establish and maintain complete and accurate books relating to their participation in the Empire Zones program for a period of six years.

DUPLICATION:

The emergency rule conforms to provisions of Article 18-B of the General Municipal Law and does not otherwise duplicate any state or federal statutes or regulations.

ALTERNATIVES:

No alternatives were considered with regard to amending the regulations in response to statutory revisions.

FEDERAL STANDARDS:

There are no federal standards in regard to the Empire Zones program. Therefore, the emergency rule does not exceed any Federal standard.

COMPLIANCE SCHEDULE:

The period of time the state needs to assure compliance is negligible, and the Department of Economic Development expects to be compliant immediately.

Regulatory Flexibility Analysis

1. Effect of rule

The emergency rule imposes new record-keeping requirements on small businesses and large businesses choosing to participate in the Empire

Zones program. The emergency rule requires all businesses that participate in the program to establish and maintain complete and accurate books relating to their participation in the Empire Zones program for a period of six years. Local governments are unaffected by this rule.

2. Compliance requirements

Each small business and large business choosing to participate in the Empire Zones program must establish and maintain complete and accurate books, records, documents, accounts, and other evidence relating to such business's application for entry into the Empire Zone program and relating to existing annual reporting requirements. Local governments are unaffected by this rule.

3. Professional services

No professional services are likely to be needed by small and large businesses in order to establish and maintain the required records. Local governments are unaffected by this rule.

4. Compliance costs

No initial capital costs are likely to be incurred by small and large businesses choosing to participate in the Empire Zones program. Annual compliance costs are estimated to be negligible for both small and large businesses. Local governments are unaffected by this rule.

5. Economic and technological feasibility

The Department of Economic Development ("DED") estimates that complying with this record-keeping is both economically and technologically feasible. Local governments are unaffected by this rule.

6. Minimizing adverse impact

DED finds no adverse economic impact on small or large businesses with respect to this rule. Local governments are unaffected by this rule.

7. Small business and local government participation

DED is in full compliance with SAPA Section 202-b(6), which ensures that small businesses and local governments have an opportunity to participate in the rule-making process. DED has conducted outreach within the small and large business communities and maintains continuous contact with small businesses and large businesses with regard to their participation in this program. Local governments are unaffected by this rule.

Rural Area Flexibility Analysis

The Empire Zones program is a statewide program. Although there are municipalities and businesses in rural areas of New York State that are eligible to participate in the program, participation by the municipalities and businesses is entirely at their discretion. The emergency rule imposes no additional reporting, record keeping or other compliance requirements on public or private entities in rural areas. Therefore, the emergency rule will not have a substantial adverse economic impact on rural areas or reporting, record keeping or other compliance requirements on public or private entities in such rural areas. Accordingly, a rural area flexibility analysis is not required and one has not been prepared.

Job Impact Statement

The emergency rule relates to the Empire Zones program. The Empire Zones program itself is a job creation incentive, and will not have a substantial adverse impact on jobs and employment opportunities. In fact, the emergency rule, which is being promulgated as a result of statutory reforms, will enable the program to continue to fulfill its mission of job creation and investment for economically distressed areas. Because it is evident from its nature that this emergency rule will have either no impact or a positive impact on job and employment opportunities, no further affirmative steps were needed to ascertain that fact and none were taken. Accordingly, a job impact statement is not required and one has not been prepared.

Education Department

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Self-Administration of Certain Medications by Students

I.D. No. EDU-14-15-00003-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 136.7 to Title 8 NYCRR.

Statutory authority: Education Law, sections 207(not subdivided), 305(1), (2), 902-a(1), (2), 902-b(1), (2), 916-a(1), (2), 916-b(1), (2), 921(1) and (2); L. 2014, ch. 423

Subject: Self-administration of certain medications by students.

Purpose: To establish standards for the self-administration by students of certain prescribed medications on school property and at school functions; and to establish standards for the training of unlicensed school personnel to administer prescribed epinephrine auto injectors and glucagon to specific students under specified conditions.

Substance of proposed rule (Full text is posted at the following State website: http://www.p12.nysed.gov/sss/schoolhealth/schoolhealthservices/PROPOSED&NYCRRS136_7.html): The Commissioner of Education proposes to add a new section 136.7 of the Regulations of the Commissioner to establish standards for the self-administration by students of certain prescribed medications on school property and at school functions; and establish standards for the training of unlicensed school personnel to administer prescribed epinephrine auto injectors and glucagon to specific students under specified conditions, consistent with Chapter 423 of the Laws of 2015. The following is a summary of the substance of the proposed rule.

Section 136.7(a) sets forth definitions of “inhaled rescue medications”, “epinephrine auto-injector”, “ketone test”, “blood glucose test”, “insulin”, “glucagon”, “duly authorized health care provider”, “cumulative health record”, “emergency action plan”, “diabetes management plan”, “school day”, “school property”, and “school function”.

Section 136.7(b) sets forth standards for the self-administration by students of prescribed inhaled rescue medications during the school day on school property or at a school function, including requirements for:

- (1) written consent from the parent or person in parental relation; and
- (2) written permission (also referred to as an order) and an attestation from a duly authorized health care provider of the following:
 - (i) that the student has a diagnosis of asthma or other respiratory disease for which inhaled rescue medications are prescribed;
 - (ii) that the student has demonstrated that he/she can self-administer the prescribed medication effectively; and
 - (iii) the expiration date of the order, name and dose of prescribed medication, times when medication is to be self-administered, and circumstances which may warrant the use of the medication.

A record of the written consents shall be maintained in the student’s cumulative health record.

Upon written request of a parent or person in parental relation, the school district or board of cooperative educational services (BOCES) shall allow the student to maintain an extra inhaled rescue medication in the care and custody of a licensed nurse, nurse practitioner, physician assistant, or physician employed by the district or BOCES.

Such medication provided by the parent or person in parental relation shall be made available to the student as needed in accordance with school policy and the written permission provided by the duly authorized health provider.

Each student who is permitted to self-administer medication should have an emergency action plan on file with the district or BOCES.

Section 136.7(c) sets forth standards for the self-administration by students of prescribed epinephrine auto-injectors during the school day on school property or at a school function, including requirements for:

- (1) written consent of the parent or person in parental relation; and
- (2) written permission (also referred to as an order) and an attestation from a duly authorized health care provider of the following:
 - (i) the student has a diagnosis of an allergy for which an epinephrine auto-injector is needed;
 - (ii) the student has demonstrated that he/she can self-administer the epinephrine auto-injector effectively; and
 - (iii) the expiration date of the order, name and dose of prescribed medication, times when medication is to be self-administered, and circumstances which may warrant the use of the medication.

A record of such written consents shall be maintained in the student’s cumulative health record.

Upon written request of a parent or person in parental relation, the school district or board of cooperative educational services (BOCES) shall allow the student to maintain an extra epinephrine auto-injector in the care and custody of a licensed nurse, nurse practitioner, physician assistant, or physician employed by the district or BOCES.

Such epinephrine auto-injector provided by the parent or person in parental relation shall be made available to the student as needed in accordance with school policy and the orders prescribed by the duly authorized health provider.

Each student who is permitted to self-administer an epinephrine auto-injector should have an emergency action plan on file with the district or BOCES.

Section 136.7(d) sets forth standards for allowing students to carry and self-administer prescribed insulin, carry glucagon, and carry and use equipment and supplies necessary to check blood glucose and/or ketone levels during the school day on school property or at a school function, including requirements for:

- (1) written consent of the parent or person in parental relation; and
- (2) written permission (also referred to as an order) and an attestation from a duly authorized health care provider of the following:
 - (i) that the student has a diagnosis of diabetes for which insulin and glucagon, and the use of equipment and supplies to check glucose and/or ketone levels are necessary;
 - (ii) that the student has demonstrated that he/she can self-administer the insulin effectively, can self-check glucose or ketone levels independently, and can independently follow prescribed treatment orders; and
 - (iii) the expiration date of the order, name of the prescribed insulin or glucagon, the type of insulin delivery system, the dose of insulin to be administered, the times when the insulin is to be self-administered, the dose of glucagon to be administered, and the circumstances which may warrant the administration of insulin or glucagon.
 - (iv) The written permission must also identify the prescribed blood glucose or ketone test, the times testing is to be done, and any circumstances which warrant testing.

A written diabetes management plan shall be provided. A record of the written consents shall be maintained in the student’s cumulative health record.

Upon written request of a parent or person in parental relation, the school district or board of cooperative educational services (BOCES) shall allow the student to maintain extra insulin, insulin delivery system, glucagon, blood glucose meter and related supplies in the care and custody of a licensed nurse, nurse practitioner, physician assistant, or physician employed by the district or BOCES.

Such insulin, insulin delivery system, glucagon, blood glucose meter and related supplies provided by the parent or person in parental relation shall be made available to the student as needed in accordance with school policy and the orders prescribed by the duly authorized health provider.

Students with diabetes may also carry food, oral glucose, or other similar substances necessary to treat hypoglycemia pursuant to district policy, provided such policy shall not unreasonably interfere with a student’s ability to treat hypoglycemia.

A record of such written consents shall be maintained in the student’s cumulative health record.

Each student who is permitted to self-administer and self-test should have an emergency action plan on file with the district or BOCES.

Licensed nurses, nurse practitioners, physician assistants, or physicians employed by school districts or BOCES are authorized to calculate prescribed insulin dosages, administer prescribe insulin, program the prescribed insulin pump, refill the reservoir in the insulin pump, change the infusion site, inject prescribed glucagon, teach an unlicensed person to administer glucagon, and perform other authorized services within their scope of practice to students diagnosed with diabetes and who are permitted to self-administer and self-test.

Section 136.7(f)(1) establishes standards for the training of unlicensed school personnel to administer prescribed epinephrine auto-injectors to a student. Such training must be provided and documented by an authorized licensed health professional and include, but not be limited to:

- (i) identification of the specific allergen(s) of the student, review of each student’s emergency action plan if available;
- (ii) signs and symptoms of a severe allergic reaction warranting administration of epinephrine;
- (iii) how to access emergency services per school policy;
- (iv) steps for administering the prescribed epinephrine auto-injector;
- (v) observation of the trainee using an auto-injector training device;
- (vi) steps for providing ongoing care while waiting for emergency services;
- (vii) notification of appropriate school personnel; and
- (viii) methods of safely storing, handling and disposing of auto-injectors.

Section 136.7(2) establishes standards for the training of unlicensed school personnel to administer prescribed glucagon to a student. Such training must be provided and documented by an authorized licensed health professional and include, but not be limited to:

- (i) overview of diabetes and hypoglycemia per Department of Health approved webinar;
- (ii) review of student’s emergency action plan if available, including treatment of mild or moderate hypoglycemia;
- (iii) signs and symptoms of a severe hypoglycemia warranting administration of glucagon;
- (iv) how to access emergency services per school policy;
- (v) steps for mixing and administering the prescribed glucagon;
- (vi) observation of the trainee using a glucagon training device;
- (vii) steps for providing ongoing care while waiting for emergency services;
- (viii) notification of appropriate school personnel; and
- (ix) methods of safely storing, handling, and disposing of glucagon and used needles and syringes.

Text of proposed rule and any required statements and analyses may be obtained from: Kirti Goswami, State Education Department, Office of Counsel, State Education Building, Room 148, 89 Washington Ave., Albany, NY 12234, (518) 474-6400, email: legal@mail.nysed.gov

Data, views or arguments may be submitted to: Cosimo Tangorra, Jr., Deputy Commissioner, State Education Department, Office of P-12 Education, State Education Building 2M West, 89 Washington Ave., Albany, NY 12234, (518) 474-5520, email: NYSEDP12@nysed.gov

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:

Education Law section 207 empowers the Board of Regents and the Commissioner of Education to adopt rules and regulations to carry out the laws of the State regarding education and the functions and duties conferred on the State Education Department by law.

Education Law section 305(1) and (2) provide the Commissioner, as chief executive officer of the State's education system, with general supervision over all schools and institutions subject to the Education Law, or any statute relating to education, and responsibility for executing all educational policies of the Regents.

Chapter 423 of the Laws of 2014 amended section 916 of the Education Law and added new sections 916-a, 916-b, 902-a, and 902-b, effective July 1, 2015, to establish standards for the self-administration by students of certain prescribed medications on school property and at school functions. Additionally, Chapter 423 of the Laws of 2014 added a new section 921 to authorize, but not obligate, boards of education or trustees of each school district and boards of cooperative educational services (BOCES) and nonpublic schools to have certain specified licensed professionals to train unlicensed school personnel to inject prescribed glucagon or epinephrine auto-injectors to specific students under specified conditions during the school day on school property or at school functions. Training must be provided by a physician or other duly authorized licensed health care professional in a competent manner and must be completed in a form and manner prescribed by the Commissioner in regulation.

2. LEGISLATIVE OBJECTIVES:

The proposed rule is consistent with the above statutory authority and is necessary to implement Education Law sections 916, 916-a, 916-b, 902-a, 902-b and 921, as added and amended by Chapter 423 of the Laws of 2014.

3. NEEDS AND BENEFITS:

The proposed rule is necessary to set forth standards for the self-administration by students of prescribed inhaled rescue medications and epinephrine auto-injectors, and standards for allowing students to carry and self-administer prescribed insulin, carry glucagon, and carry and use equipment and supplies necessary to check blood glucose and/or ketone levels, during the school day on school property and at a school function, including requirements for the written consent of the parent or person in parental relation and written permission (also referred to as an order) and an attestation from a duly authorized health care provider providing certain specified information including the expiration date of the order, name and dose of prescribed medication, times when medication is to be self-administered, and circumstances which may warrant the use of the medication.

The proposed rule is also necessary to establish standards for the training of unlicensed school personnel to administer prescribed epinephrine auto-injectors and glucagon to specific students under specified conditions, consistent with Chapter 423 of the Laws of 2014, for those school districts and BOCES that choose to provide such training.

4. COSTS:

(a) Costs to State: none.

(b) Costs to local governments: in general, the proposed rule does not impose any costs beyond those inherent in Chapter 423 of the Laws of 2014. Consistent with the statute, school districts, BOCES, and non-public schools may, but are not required to, provide training to unlicensed school personnel to inject prescribed glucagon or epinephrine auto-injectors to specific students under specified conditions during the school day on school property or at school functions. Furthermore, any costs associated with maintaining the written consents in the student's cumulative health record are anticipated to be minimal and capable of being absorbed using existing district staff and resources.

(c) Costs to private regulated parties: there may be costs associated with the written permission/order and attestation of the authorized health care provider, and documentation of training by such health professional, but these costs are expected to be minimal and capable of being absorbed using existing staff and resources.

(d) Costs to regulating agency for implementation and continued administration of this rule: none.

5. LOCAL GOVERNMENT MANDATES:

The proposed rule does not impose any mandatory program, service, duty, or responsibility upon local government, including school districts or BOCES. Consistent with the statute, school districts, BOCES and non-public schools may, but are not required to, provide training to unlicensed school personnel to inject prescribed glucagon or epinephrine auto-injectors to specific students under specified conditions during the school day on school property or at school functions.

6. PAPERWORK:

A record of the written consents shall be maintained in the student's cumulative health record. Training of unlicensed school personnel under section 136.7(f) must be documented.

7. DUPLICATION:

The proposed rule does not duplicate any existing State or Federal requirements, and is necessary to implement Education Law sections 916, 916-a, 916-b, 902-a, 902-b and 921, as added and amended by Chapter 423 of the Laws of 2014.

8. ALTERNATIVES:

The proposed rule is necessary to implement Education Law sections 916, 916-a, 916-b, 902-a, 902-b and 921, as added and amended by Chapter 423 of the Laws of 2014. There were no significant alternatives and none were considered.

9. FEDERAL STANDARDS:

There are no applicable Federal standards.

10. COMPLIANCE SCHEDULE:

It is anticipated that regulated parties can achieve compliance with the proposed rule by its effective date. Consistent with the statute, school districts, BOCES and non-public schools may, but are not required to, provide training to unlicensed school personnel to inject prescribed glucagon or epinephrine auto-injectors to specific students under specified conditions during the school day on school property or at school functions. The proposed rule also merely provides definitions and otherwise clarifies the circumstances regarding the proper self-administration by students of prescribed inhaled rescue medications and epinephrine auto-injectors, and the proper self-administration and self-testing by students with diabetes, during the school day on school property or at a school function.

Regulatory Flexibility Analysis

(a) Small businesses:

The purpose of the proposed rule is to establish standards for the self-administration by students of certain prescribed medications on school property and at school functions; and establish standards for the training of unlicensed school personnel to administer prescribed epinephrine auto-injectors and glucagon to specific students under specified conditions, consistent with Chapter 423 of the Laws of 2015. The proposed rule does not impose any economic impact, or other compliance requirements on small businesses. Because it is evident from the nature of the proposed rule that it does not affect small businesses, no further measures were needed to ascertain that fact and none were taken. Accordingly, a regulatory flexibility analysis for small businesses is not required and one has not been prepared.

(b) Local governments:

1. EFFECT OF RULE:

The rule applies to each of the 695 school districts and 37 BOCES in the State.

2. COMPLIANCE REQUIREMENTS:

The proposed rule generally does not impose any compliance requirements upon local governments. Consistent with the statute, school districts and BOCES may, but are not required to, provide training to unlicensed school personnel to inject prescribed glucagon or epinephrine auto-injectors to specific students under specified conditions during the school day on school property or at school functions.

The proposed rule also merely provides definitions and otherwise clarifies the circumstances regarding the proper self-administration by students of prescribed inhaled rescue medications and epinephrine auto-injectors, and the proper self-administration and self-testing by students with diabetes, during the school day on school property or at a school function. A record of the written consents obtained pursuant to the proposed rule shall be maintained in the student's cumulative health record.

3. PROFESSIONAL SERVICES:

The proposed rule does not impose any additional professional services requirements on local governments.

4. COMPLIANCE COSTS:

In general, the proposed rule does not impose any costs beyond those inherent in Chapter 423 of the Laws of 2014. Consistent with the statute, school districts and BOCES may, but are not required to, provide training to unlicensed school personnel to inject prescribed glucagon or epinephrine auto-injectors to specific students under specified conditions during the school day on school property or at school functions. Furthermore, any costs associated with maintaining the written consents in the student's cumulative health record are anticipated to be minimal and capable of being absorbed using existing district staff and resources.

5. ECONOMIC AND TECHNOLOGICAL FEASIBILITY:

The proposed rule does not impose any additional costs or technological requirements on local governments.

6. MINIMIZING ADVERSE IMPACT:

Consistent with the statute, school districts and BOCES may, but are not required to, provide training to unlicensed school personnel to inject prescribed glucagon or epinephrine auto-injectors to specific students under specified conditions during the school day on school property or at school functions. The proposed rule also merely provides definitions and otherwise clarifies the circumstances regarding the proper self-administration by students of prescribed inhaled rescue medications and epinephrine auto-injectors, and the proper self-administration and self-testing by students with diabetes, during the school day on school property or at a school function. Any costs associated with maintaining the written consents in the student's cumulative health record are anticipated to be minimal and capable of being absorbed using existing district staff and resources.

7. LOCAL GOVERNMENT PARTICIPATION:

Comments on the proposed rule were solicited from school districts through the offices of the district superintendents of each supervisory district in the State, and from the chief school officers of the five big city school districts.

8. INITIAL REVIEW OF RULE (SAPA § 207):

Pursuant to State Administrative Procedure Act section 207(1)(b), the State Education Department proposes that the initial review of this rule shall occur in the fifth calendar year after the year in which the rule is adopted, instead of in the third calendar year. The justification for a five year review period is that the proposed rule is necessary to implement the statutory requirements of Chapter 423 of the Laws of 2014, and, therefore, the substantive provisions of the proposed rule cannot be repealed or modified unless there is a further statutory change. Accordingly, there is no need for a shorter review period. The Department invites public comment on the proposed five year review period for this rule. Comments should be sent to the agency contact listed in item 10 of the Notice of Proposed Rule Making published herewith, and must be received within 45 days of the State Register publication date of the Notice.

Rural Area Flexibility Analysis**1. TYPES AND ESTIMATED NUMBER OF RURAL AREAS:**

The proposed rule applies to school districts, boards of cooperative educational services (BOCES), and nonpublic elementary and secondary schools, including those located in the 44 rural counties with fewer than 200,000 inhabitants and the 71 towns and urban counties with a population density of 150 square miles or less.

2. REPORTING, RECORDKEEPING, AND OTHER COMPLIANCE REQUIREMENTS; AND PROFESSIONAL SERVICES:

The proposed rule generally does not impose any compliance requirements upon local governments. Consistent with the statute, school districts, BOCES and nonpublic schools may, but are not required to, provide training to unlicensed school personnel to inject prescribed glucagon or epinephrine auto-injectors to specific students under specified conditions during the school day on school property or at school functions.

The proposed rule also merely provides definitions and otherwise clarifies the circumstances regarding the proper self-administration by students of prescribed inhaled rescue medications and epinephrine auto-injectors, and the proper self-administration and self-testing by students with diabetes, during the school day on school property or at a school function. A record of the written consents obtained pursuant to the proposed rule shall be maintained in the student's cumulative health record.

The proposed rule does not require any additional professional services upon entities in rural areas.

3. COSTS:

In general, the proposed rule does not impose any costs beyond those inherent in Chapter 423 of the Laws of 2014. Consistent with the statute, school districts, BOCES and nonpublic schools may, but are not required to, provide training to unlicensed school personnel to inject prescribed glucagon or epinephrine auto-injectors to specific students under specified conditions during the school day on school property or at school functions. Furthermore, any costs associated with maintaining the written consents in the student's cumulative health record, or costs associated with the written permission/order and attestation of the authorized health care provider, and documentation of training by such health professional, are anticipated to be minimal and capable of being absorbed using existing district staff and resources.

4. MINIMIZING ADVERSE IMPACT:

Consistent with the statute, school districts, BOCES and nonpublic schools may, but are not required to, provide training to unlicensed school personnel to inject prescribed glucagon or epinephrine auto-injectors to specific students under specified conditions during the school day on school property or at school functions. The proposed rule also merely provides definitions and otherwise clarifies the circumstances regarding

the proper self-administration by students of prescribed inhaled rescue medications and epinephrine auto-injectors, and the proper self-administration and self-testing by students with diabetes, during the school day on school property or at a school function. Any costs associated with maintaining the written consents in the student's cumulative health record, or costs associated with the written permission/order and attestation of the authorized health care provider, and documentation of training by such health professional, are anticipated to be minimal and capable of being absorbed using existing district staff and resources.

Because the Regents policy and statute upon which the proposed amendment is based applies to all school districts and BOCES in the State, it is not possible to establish differing compliance or reporting requirements or timetables or to exempt schools in rural areas from coverage by the proposed amendment.

5. RURAL AREA PARTICIPATION:

The proposed amendment was submitted for review and comment to the Department's Rural Education Advisory Committee, which includes representatives of school districts in rural areas.

6. INITIAL REVIEW OF RULE (SAPA § 207):

Pursuant to State Administrative Procedure Act section 207(1)(b), the State Education Department proposes that the initial review of this rule shall occur in the fifth calendar year after the year in which the rule is adopted, instead of in the third calendar year. The justification for a five year review period is that the proposed rule is necessary to implement the statutory requirements of Chapter 423 of the Laws of 2014, and, therefore, the substantive provisions of the proposed rule cannot be repealed or modified unless there is a further statutory change. Accordingly, there is no need for a shorter review period. The Department invites public comment on the proposed five year review period for this rule. Comments should be sent to the agency contact listed in item 10 of the Notice of Proposed Rule Making published herewith, and must be received within 45 days of the State Register publication date of the Notice.

Job Impact Statement

The purpose of the proposed rule is to establish standards for the self-administration by students of certain prescribed medications on school property and at school functions; and to establish standards for the training of unlicensed school personnel to administer prescribed epinephrine auto injectors and glucagon to specific students under specified conditions, consistent with Chapter 423 of the Laws of 2015. Because it is evident from the nature of the proposed rule that it will have no impact on the number of jobs or employment opportunities in New York State, no further steps were needed to ascertain that fact and none were taken. Accordingly, a job impact statement is not required and one has not been prepared.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Pupils with Limited English Proficiency

I.D. No. EDU-14-15-00004-P

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

Proposed Action: Amendment of section 154-2.3(h) of Title 8 NYCRR.

Statutory authority: Education Law, sections 207(not subdivided), 208(not subdivided), 215(not subdivided), 305(1), (2), 2117(1), 2854(1)(b), 3204(2), (2-a), (3) and (6)

Subject: Pupils with Limited English Proficiency.

Purpose: Technical amendments relating to Units of Study and Provision of Credits For English As A New Language and Native Language Arts.

Text of proposed rule: Subdivision (h) of section 154-2.3 of the Regulations of the Commissioner of Education is amended, effective July 1, 2015, as follows:

(h) Provision of programs. For purposes of this subdivision, a unit of study and a unit of credit shall be as defined in section 100.1(a) and (b), respectively, of this Title.

(1) English as new language [K-B] K-8. Each school district shall provide an English as a new language program in grades K-8, based on a student's English language proficiency level, as identified by the Statewide English language proficiency identification assessment or the annual English language proficiency assessment, as follows:

(i) beginner/entering. Students shall receive at least two units of study or its equivalent of English as a new language instruction. At least one unit of study or its equivalent shall be stand-alone English as a new language instruction and at least one unit of study or its equivalent shall be Integrated English as a new language [and] in English language arts instruction.

(ii) low intermediate/emerging. Students shall receive at least two units of study or its equivalent of English as new language instruction. At least one half of a unit of study or its equivalent shall be in stand-alone English as a new language, at least one unit of study or its equivalent shall be Integrated English as a new language [and] in English Language Arts instruction, and one half of a unit of study or its equivalent shall be either Integrated English as a new language or stand-alone English as a new language instruction.

(iii) intermediate/transitioning. Students shall receive at least one unit of study or its equivalent of English as a new language. At least one half of a unit of study or its equivalent shall be in integrated English as a new language [and] in English language arts instruction, and at least one half of a unit of study or its equivalent shall be either Integrated English as a new language or stand-alone English as a new language instruction.

(iv) advanced/expanding. Students shall receive at least one unit of study or its equivalent of integrated English as a new language [and] in English language arts or another content area.

(v) proficient/commanding. For at least two school years following the school year in which a student is exited from English language learner status, as prescribed in subdivision (m) of this section, such student shall receive at least one half of one unit of study or its equivalent of integrated English as a new language [and] in English language arts or another content area, or such other services that monitor and support the student's language development and academic progress, as shall be approved by the Commissioner to assist Former English language learners once they have exited from an English as a new language or bilingual education program.

(2) English as a new language 9-12. Each school district shall, provide an English as a new language program in grades 9-12, based on a student's English language proficiency level, as identified by the Statewide English language proficiency identification assessment or the annual English language proficiency assessment, as follows:

(i) beginner/entering. Students shall receive at least three units of study or its equivalent of English as a new language instruction. At least one unit of study or its equivalent shall be stand-alone English as a new language instruction; at least one unit of study or its equivalent shall be integrated English as a new language [and] in English language arts; and one unit of study or its equivalent shall be either integrated English as a new language or stand-alone English as a new language instruction. A student shall earn one unit of English language arts credit for successful completion of an integrated English as a new language [and] in English language arts unit of study, one unit of credit in the content area for successful completion of each integrated English as a new language unit of study; and one unit of elective credit for successful completion of a second stand-alone English as a new language unit of study.

(ii) low Intermediate/emerging. Students shall receive at least two units of study or its equivalent of English as a new language instruction. At least one half of a unit of study or its equivalent shall be in stand-alone English as a new language, at least one unit of study or its equivalent shall be integrated English as a new language [and] in English language arts instruction, and one half of a unit of study or its equivalent shall be either integrated English as a new language or stand-alone English as a new language instruction. A student shall earn one unit of English language arts credit for successful completion of integrated English as a new language [and] in English language arts unit of study or one unit of credit in the content area for successful completion of an integrated English as a new language unit of study, or one unit of elective credit for successful completion of stand-alone English as a new language unit of study.

(iii) intermediate/transitioning. Students shall receive at least one unit of study or its equivalent of English as a new language instruction. At least one half of a unit of study or its equivalent shall be in integrated English as a new language instruction and at least one half of a unit of study or its equivalent shall be either integrated English as a new language instruction or stand-alone English as a new language instruction. A student shall earn one unit of English language arts credit for successful completion of integrated English as a new language [and] in English language arts unit of study or one unit of credit in the content area for successful completion of an integrated English as a new language unit of study, or one unit of elective credit for successful completion of stand-alone English as a new language unit of study.

(iv) advanced/expanding. Students shall receive at least one unit of study or its equivalent of integrated English as a new language instruction. A student shall earn one unit of credit in a content area for successful completion of the integrated English as a new language unit of study in a content area [other than] which may include English language arts.

(v) proficient/commanding. For at least two school years following the school year in which a student is exited from English language learner status, as prescribed in subdivision (m) of this section, such student shall receive at least one half of one unit of study or its equivalent of integrated English as a new language or such other services that monitor

and support their language development and academic progress, as shall be approved by the Commissioner to assist former English language learners once they have exited from an English as a new language or bilingual education program.

(3) Bilingual education programs. A bilingual education program in grades K-12 shall provide:

(i) two units of study or its equivalent in language arts, one in English and one in the student's home language. English language arts may be provided through integrated English as a new language as prescribed in paragraphs (1) and (2) of this subdivision. A student shall earn one [half] *English language arts or home language arts/languages other than English* credit for each language arts unit of study, for a total of [one combined] *two* total [credit] *credits* for language arts each year.

(ii) content area instruction in the required content area subjects in the home language and in English (including all bilingual core content areas, i.e. math, science, and social studies, depending on the bilingual education program model and the student's level of English language development). [, but must include] *Beginner/entering and low intermediate/emerging students must receive a minimum of two bilingual core content areas other than language arts taught in both the student's home language and English[]*, in accordance with section 100.1(a) and (b) of this Title. *Intermediate/transitioning and advanced/expanding students must receive a minimum of one bilingual core content area other than language arts taught in both the student's home language and English, in accordance with section 100.1(a) and (b) of this Title.*

(iii) English as a new language instruction, as prescribed in paragraphs (1) and (2) of this subdivision.

Text of proposed rule and any required statements and analyses may be obtained from: Kirti Goswami, State Education Department, Office of Counsel, State Education Building, Room 148, 89 Washington Ave., Albany, NY 12234, (518) 474-6400, email: legal@mail.nysed.gov

Data, views or arguments may be submitted to: Cosimo Tangorra, Jr., Deputy Commissioner, State Education Department, Office of P-12 Education, State Education Building 2M West, 89 Washington Ave., Albany, NY 12234, (518) 474-5520, email: NYSEDP12@nysed.gov

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

STATUTORY AUTHORITY:

Education Law section 207 empowers the Board of Regents and the Commissioner of Education to adopt rules and regulations to carry out the laws of the State regarding education and the functions and duties conferred on the State Education Department by law.

Education Law section 208 authorizes the Regents to establish examinations as to attainments in learning and to award and confer suitable certificates, diplomas and degrees on persons who satisfactorily meet the requirements prescribed.

Education Law section 215 authorizes the Board of Regents and the Commissioner of Education to require school districts to prepare and submit reports containing such information as they may prescribe.

Education Law section 305 (1) and (2) provide that the Commissioner, as chief executive officer of the State system of education and of the Board of Regents, shall have general supervision over all schools and institutions subject to the provisions of the Education Law, or of any statute relating to education, and shall execute all educational policies determined by the Board of Regents.

Education Law section 2117(1) empowers the Board of Regents and the Commissioner of Education to require school districts to submit any information they deem appropriate.

Education Law section 3204(2) and (2-a) provide for instructional programs for pupils with limited English proficiency to be conducted in accordance with regulations of the Commissioner. Education Law section 3204(3) authorizes the Commissioner to establish standards for the instruction of children with limited English proficiency, and section 3204(6) requires the Commissioner to establish such standards by regulation.

LEGISLATIVE OBJECTIVES:

The proposed amendment is consistent with the above statutory authority, and is necessary to clarify the units of study mandated for and credits given to English Language Learners (ELLs) for Integrated English as a New Language (ENL) instruction, and clarify the units of study mandated for and credits given to ELLs in Bilingual Education Programs for ENL and bilingual core content area instruction. The proposed amendment also corrects certain terminology used in section 154-2.3(h).

NEEDS AND BENEFITS:

The proposed amendment enacts technical amendments to § 154-2.3(h) of the Commissioner's Regulations, relating to units of study and provision of credits For English as a New Language and Native Language Arts, to:

- clarify the units of study mandated for and credits given to all English Language Learners (ELLs) for Integrated English as a New Language (ENL) instruction;

- clarify the units of study mandated for and credits given to ELLs in Bilingual Education programs for ENL and bilingual core content area instruction; and

- change the phrase “Integrated English as a New Language and English Language Arts instruction” to “Integrated English as a New Language in English Language Arts instruction.”

Pursuant to Subpart 154-2, beginning with the 2015-2016 school year, all school districts must provide ELLs with an ENL (previously called “English As a Second Language” or “ESL”) program (in addition to providing Bilingual Education when 20 or more ELL students of the same grade speak the same home language district-wide). An ENL program is a research-based program comprised of two components:

- Integrated ENL, which is a content area (e.g., English language arts, math, science, social studies) instructional component in English with home language supports and appropriate scaffolds; and

- Stand-alone ENL, which is an English language development component.

Section 154-2.3(h)(1) and (2) sets forth the units of study mandated for and credits given to ELLs for ENL coursework, based on a student’s level of English proficiency as identified by the statewide English language proficiency identification assessment or annual English language proficiency assessment. Under § 154-2.3(h)(2), ENL program and crediting requirements for students in grades 9-12 are as follows, broken down by English proficiency level:

- Beginner/Entering: Beginner/Entering students get at least 3 units of ENL in total, of which 1 unit shall be Stand-alone ENL, 1 unit shall be Integrated ENL, and the remaining 1 unit shall be either Stand-alone or Integrated ENL;

- Low Intermediate/Emerging: Low Intermediate/Emerging students get at least 2 units of ENL in total, of which .5 unit shall be Stand-alone ENL, 1 unit shall be in Integrated ENL in English language arts, and the remaining .5 unit shall be either Stand-alone or Integrated ENL;

- Intermediate/Transitioning: Intermediate/Transitioning students get at least 1 unit of ENL in total, of which .5 unit shall be Integrated ENL, and the other .5 unit shall be either Stand-alone or Integrated ENL;

- Advanced/Expanding: Advanced/Expanding students get at least 1 unit of ENL in total, and that unit shall be Integrated ENL;

- Proficient/Commanding: For 2 years after exiting from ELL status, Proficient/Commanding students get at least .5 unit of ENL in total, and that .5 unit shall be Integrated ENL or other such services that monitor and support their language development and academic progress, as approved by the Commissioner.

Section 154-2.3(h) also sets forth program requirements for Bilingual Education programs, including units of study mandated for and credits given to ELLs. Under § 154-2.3(h)(3), students in Bilingual Education programs receive 2 units of study or its equivalent in Language Arts, 1 in English and 1 in the student’s home language. The English component of Language Arts is provided through Integrated ENL in English language arts, as described above. Students earn one half credit for successful completion of each credit of Language Arts study. Students in Bilingual Education programs must also receive instruction in both the student’s home language and English in a minimum of two bilingual core content areas other than Language Arts (i.e., math, science, and social studies).

The proposed amendment provides that Integrated ENL coursework for Advanced/Expanding ELLs in grades 9-12 may be in English Language Arts or in another content area.

The proposed amendment also provides that students in Bilingual Education programs shall earn one English Language Arts credit for each English As a New Language unit of study, and one Native Language Arts or Languages Other Than English (LOTE) credit for each unit of Language Arts study in the student’s home language.

Furthermore, the proposed amendment provides that students in a Bilingual Education Program at the Beginning/Entering and Low Intermediate/Emerging levels must receive instruction in both the student’s home language and English in a minimum of two bilingual core content areas other than Language Arts (i.e., math, science, and social studies). It also provides that students in a Bilingual Education Program at the Intermediate/Transitioning and Advanced/Expanding levels must receive instruction in both the student’s home language and English in a minimum of one bilingual core content area other than Language Arts (i.e., math, science, and social studies).

Finally, the proposed amendment makes a technical amendment to replace the phrase “Integrated English as a New Language and English Language Arts instruction” throughout § 154-2.3(h) with “Integrated English as a New Language in English Language Arts instruction” (emph. added).

COSTS:

- (a) Costs to the State: none.
- (b) Costs to local governments: none.
- (c) Cost to private regulated parties: none.
- (d) Costs to regulating agency for implementation and continued administration of this rule: none.

The proposed amendment does not impose any costs on the State, local governments, private regulated parties or the State Education Department. It merely enacts technical amendments to clarify the units of study mandated for and credits given to all ELLs for Integrated ENL instruction; clarify the units of study mandated for and credits given to ELLs in Bilingual Education programs for ENL and bilingual core content area instruction; and change the phrase “Integrated English as a New Language and English Language Arts instruction” to “Integrated English as a New Language in English Language Arts instruction.”

LOCAL GOVERNMENT MANDATES:

The proposed amendment does not impose any additional program, service, duty or responsibility upon local governments. It merely enacts technical amendments to clarify the units of study mandated for and credits given to all ELLs for Integrated ENL instruction; clarify the units of study mandated for and credits given to ELLs in Bilingual Education programs for ENL and bilingual core content area instruction; and change the phrase “Integrated English as a New Language and English Language Arts instruction” to “Integrated English as a New Language in English Language Arts instruction.”

PAPERWORK:

The proposed amendment does not impose any additional reporting or other paperwork requirements.

DUPLICATION:

The proposed amendment does not duplicate existing State or Federal requirements.

ALTERNATIVES:

There were no significant alternatives and none were considered. The proposed amendment merely enacts technical amendments to clarify the units of study mandated for and credits given to all ELLs for Integrated ENL instruction; clarify the units of study mandated for and credits given to ELLs in Bilingual Education programs for ENL and bilingual core content area instruction; and change the phrase “Integrated English as a New Language and English Language Arts instruction” to “Integrated English as a New Language in English Language Arts instruction.”

FEDERAL STANDARDS:

The proposed amendment is necessary to ensure compliance with Title I and III of the ESEA, Title IV of the Civil Rights Act of 1964, and the EEOA.

COMPLIANCE SCHEDULE:

It is anticipated that regulated parties can achieve compliance with the proposed amendment by its effective date. The proposed amendment merely enacts technical amendments to clarify the units of study mandated for and credits given to all ELLs for Integrated ENL instruction; clarify the units of study mandated for and credits given to ELLs in Bilingual Education programs for ENL and bilingual core content area instruction; and change the phrase “Integrated English as a New Language and English Language Arts instruction” to “Integrated English as a New Language in English Language Arts instruction.”

Regulatory Flexibility Analysis

Small Businesses:

The proposed amendment enacts technical amendments to § 154-2.3(h) of the Commissioner’s Regulations to clarify the units of study mandated for and credits given to all English Language Learners (ELLs) for Integrated English as a New Language (ENL) instruction; clarify the units of study mandated for and credits given to ELLs in Bilingual Education programs for ENL and bilingual core content area instruction; and change the phrase “Integrated English as a New Language and English Language Arts instruction” to “Integrated English as a New Language in English Language Arts instruction.” The proposed amendment does not impose any adverse economic impact, reporting, record keeping or other compliance requirements on small businesses. No further steps were needed to ascertain that fact and none were taken. Accordingly, a regulatory flexibility analysis for small businesses is not required and one has not been prepared.

Local Governments:

1. EFFECT OF RULE:

The proposed amendment applies to each of the 689 public school districts and 37 boards of cooperative educational services (BOCES) in the State.

2. COMPLIANCE REQUIREMENTS:

The proposed amendment does not impose any additional compliance requirements on local governments. The proposed amendment merely enacts technical amendments to clarify the units of study mandated for and credits given to all English Language Learners (ELLs) for Integrated English as a New Language (ENL) instruction; clarify the units of study

mandated for and credits given to ELLs in Bilingual Education programs for ENL and bilingual core content area instruction; and change the phrase “Integrated English as a New Language and English Language Arts instruction” to “Integrated English as a New Language in English Language Arts instruction.”

3. PROFESSIONAL SERVICES:

The proposed amendment does not impose any additional professional service requirements.

4. COMPLIANCE COSTS:

The proposed amendment does not impose any costs on local governments. It merely enacts technical amendments to clarify the units of study mandated for and credits given to all ELLs for ENL instruction; clarify the units of study mandated for and credits given to ELLs in Bilingual Education programs for ENL and bilingual core content area instruction; and change the phrase “Integrated English as a New Language and English Language Arts instruction” to “Integrated English as a New Language in English Language Arts instruction.”

5. ECONOMIC AND TECHNOLOGICAL FEASIBILITY:

The proposed amendment does not impose any additional costs or technological requirements on local governments.

6. MINIMIZE ADVERSE IMPACT:

The proposed amendment does not impose any additional compliance requirements or costs on local governments. It merely enacts technical amendments to clarify the units of study mandated for and credits given to all ELLs for ENL instruction; clarify the units of study mandated for and credits given to ELLs in Bilingual Education programs for ENL and bilingual core content area instruction; and change the phrase “Integrated English as a New Language and English Language Arts instruction” to “Integrated English as a New Language in English Language Arts instruction.”

7. LOCAL GOVERNMENT PARTICIPATION:

Copies of the proposed amendment have been provided to District Superintendents with the request that they distribute them to school districts within their supervisory districts for review and comment. Copies were also provided for review and comment to the chief school officers of the five big city school districts.

8. INITIAL REVIEW OF RULE (SAPA § 207):

Pursuant to State Administrative Procedure Act section 207(1)(b), the State Education Department proposes that the initial review of the proposed amendment shall occur in the fifth calendar year after the year in which the rule is adopted, instead of in the third calendar year. The justification for a five year review period is that the proposed rule is necessary to implement long-range Regents policy relating to bilingual education and English as a New Language programs for students who are English Language Learners. Accordingly, there is no need for a shorter review period.

The Department invites public comment on the proposed five year review period for this rule. Comments should be sent to the agency contact listed in item 10. of the Notice of Proposed Rule Making published herewith, and must be received within 45 days of the State Register publication date of the Notice.

Rural Area Flexibility Analysis

1. TYPES AND ESTIMATED NUMBER OF RURAL AREAS:

The proposed amendment applies to all school districts and boards of cooperative educational services (BOCES) in the State, including those located in the 44 rural counties with less than 200,000 inhabitants and the 71 towns in urban counties with a population density of 150 per square mile or less.

2. REPORTING, RECORDKEEPING AND OTHER COMPLIANCE REQUIREMENTS; AND PROFESSIONAL SERVICES:

The proposed amendment does not impose any additional compliance requirements on entities in rural areas. The proposed amendment merely enacts technical amendments to clarify the units of study mandated for and credits given to all English Language Learners (ELLs) for Integrated English as a New Language (ENL) instruction; clarify the units of study mandated for and credits given to ELLs in Bilingual Education programs for ENL and bilingual core content area instruction; and change the phrase “Integrated English as a New Language and English Language Arts instruction” to “Integrated English as a New Language in English Language Arts instruction.”

The proposed amendment does not impose any additional professional service requirements on entities in rural areas.

3. COMPLIANCE COSTS:

The proposed amendment does not impose any costs on entities in rural areas. It merely enacts technical amendments to clarify the units of study mandated for and credits given to all ELLs for ENL instruction; clarify the units of study mandated for and credits given to ELLs in Bilingual Education programs for ENL and bilingual core content area instruction; and change the phrase “Integrated English as a New Language and English Language Arts instruction” to “Integrated English as a New Language in English Language Arts instruction.”

4. MINIMIZING ADVERSE IMPACT:

The proposed amendment does not impose any additional compliance requirements or costs on entities in rural areas. It merely enacts technical amendments to clarify the units of study mandated for and credits given to all ELLs for ENL instruction; clarify the units of study mandated for and credits given to ELLs in Bilingual Education programs for ENL and bilingual core content area instruction; and change the phrase “Integrated English as a New Language and English Language Arts instruction” to “Integrated English as a New Language in English Language Arts instruction.”

The proposed amendment is necessary to implement Regents policy on standards for instruction of English Language Learners (ELL), to ensure compliance with Education Law sections 3204 and 4403, and Title I and III of the Elementary and Secondary Education Act (ESEA), Title IV of the Civil Rights Act of 1964, Equal Educational Opportunities Act of 1974 (EEOA). Since these requirements apply to all school districts and BOCES in the State, it is not possible to adopt different standards for those located in rural areas.

5. RURAL AREA PARTICIPATION:

The proposed amendment was submitted for review and comment to the Department’s Rural Education Advisory Committee, which includes representatives of school districts in rural areas.

6. INITIAL REVIEW OF RULE (SAPA § 207):

Pursuant to State Administrative Procedure Act section 207(1)(b), the State Education Department proposes that the initial review of the proposed amendment shall occur in the fifth calendar year after the year in which the rule is adopted, instead of in the third calendar year. The justification for a five year review period is that the proposed rule is necessary to implement long-range Regents policy relating to bilingual education and English as a New Language programs for students who are English Language Learners. Accordingly, there is no need for a shorter review period.

The Department invites public comment on the proposed five year review period for this rule. Comments should be sent to the agency contact listed in item 10. of the Notice of Proposed Rule Making published herewith, and must be received within 45 days of the State Register publication date of the Notice.

Job Impact Statement

The proposed amendment enacts technical amendments to § 154-2.3(h) of the Commissioner’s Regulations to clarify the units of study mandated for and credits given to all English Language Learners (ELLs) for Integrated English as a New Language (ENL) instruction; clarify the units of study mandated for and credits given to ELLs in Bilingual Education programs for ENL and bilingual core content area instruction; and change the phrase “Integrated English as a New Language and English Language Arts instruction” to “Integrated English as a New Language in English Language Arts instruction.” The proposed rule will not have a substantial impact on jobs and employment opportunities. Because it is evident from the nature of the amendment that it will not affect job and employment opportunities, no affirmative steps were needed to ascertain that fact and none were taken. Accordingly, a job impact statement is not required, and one has not been prepared.

REVISED RULE MAKING NO HEARING(S) SCHEDULED

Tuition Assistance Program

I.D. No. EDU-05-15-00009-RP

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

Proposed Action: Repeal of section 145-2.2(b)(2)(ii); and addition of new section 145-2.2(b)(2)(ii) to Title 8 NYCRR.

Statutory authority: Education Law, sections 101, 207 (not subdivided), 305(1), (2), 602(2), 661(2) and 665(6)

Subject: Tuition Assistance Program.

Purpose: Establishment of standards for a student to regain good academic standing for the purposes of receiving awards under TAP.

Text of revised rule: Subparagraph (ii) of paragraph (2) of subdivision (b) of section 145-2.2 of the Regulations of the Commissioner of Education is repealed and a new subparagraph is added, effective June 3, 2015, to read as follows:

(ii) *Following a determination that the recipient of an award has lost good academic standing, further payments of any award under article 13 or 14 of the Education Law shall be suspended until the student is restored to good academic standing by either:*

(a) a waiver from the required cumulative C average or its equivalent, for a student having completed his or her second academic year, for undue hardship pursuant to section 661(4)(c) of the Education Law;

(b) a one-time certification by an institution that a waiver from the good standing requirement is in the best interests of the student pursuant to subparagraph (v) of this paragraph;

(c) establishing, to the satisfaction of the Commissioner, evidence of the student's ability to successfully complete an approved program through one of the following options:

(1) demonstrating that the student has made up any deficiencies in his/her program and achieved academic progress and has achieved good academic standing without the benefit of the tuition assistance program, or other State financial aid support;

(2) applying for and being readmitted to the same institution after withdrawing as a student from such institution for at least one academic year; or

(3) transferring to another higher education institution and meeting the new institution's admissions' requirements.

Revised rule compared with proposed rule: Substantial revisions were made in section 145-2.2(b)(2).

Text of revised proposed rule and any required statements and analyses may be obtained from Kirti Goswami, New York State Education Department, 89 Washington Avenue, Room 148, Albany, New York 12234, (518) 474-6400, email: legal@nysed.gov

Data, views or arguments may be submitted to: Peg Rivers, New York State Education Department, 89 Washington Avenue, Room 148, Albany, New York 12234, (518) 486-3633, email: regcomments@nysed.gov

Public comment will be received until: 30 days after publication of this notice.

Revised Regulatory Impact Statement

Since publication of a Notice of Emergency Adoption and Proposed Rule Making in the State Register on February 4, 2015, the proposed rule has been substantially revised as follows.

Based on field feedback, the proposed revised emergency regulation clarifies the requirements for regaining good academic standing for recipients of an award who lost good standing.

Specifically, section 145-2.2(b)(2)(ii) is repealed and a new subparagraph (ii) is added to eliminate the requirement that payments be suspended for a semester, or the equivalent, as the previous proposed rule required and to allow a recipient's status to be restored if he/she receives a waiver of the cumulative C average pursuant to Education Law § 661(4)(c) or if a recipient receives a one-time certification by an institution that a waiver from the good standing requirement is in the best interests of the student pursuant to subparagraph (v) of this paragraph. The revised amendment also addresses public comment by defining the evidence needed to demonstrate to the satisfaction of the Commissioner a student's ability to successfully complete an approved program by either demonstrating that the student has made up any deficiencies in his/her program and achieved academic progress and has achieved good academic standing without the benefit of the tuition assistance program, or other State financial aid support; applying for and being readmitted to the same institution after withdrawing as a student from such institution for at least one academic year; or transferring to another higher education institution and meeting the new institution's admissions' requirements.

The above revision requires that the Needs and Benefits and Costs sections in the previously published Regulatory Impact Statement be revised to read as follows.

3. NEEDS AND BENEFITS:

The New York State Tuition Assistance Program (TAP) provides for an annual award of up to \$5,165, payable over two semesters, to help eligible New York residents pay tuition at approved colleges and universities in New York State.

Education Law § 661 sets forth the eligibility requirements and conditions for receiving a TAP award. For a student to continue to receive an award under the TAP, Education Law § 665(6) requires that the student maintain good academic standing: (1) by meeting or exceeding minimum cumulative grade point average requirements; and (2) by making satisfactory progress toward the completion of his or her program's academic requirements, measured by credit hour accumulation. This section also establishes minimum thresholds for each of these two requirements based on the year the student first receives aid, the length of the student's program and whether the student is a remedial student. However, institutions may establish and apply stricter standards of satisfactory academic progress, provided such standards include the required levels of achievement to be measured at the statutory intervals. If an institution implements stricter criteria for satisfactory academic progress, the criteria must include a minimum number of credit hours to be earned and a minimum cumulative grade point average, and must be measured at set intervals, such as

semesters or trimesters. If a student fails to make satisfactory progress toward the completion of the program's academic requirements, or fails to maintain the minimum cumulative GPA, the student will not be in good academic standing and, thus, will become ineligible for awards under the TAP.

Regaining Good Academic Standing

When a student does not meet the good academic standing requirement to continue receiving a TAP award, further payments of any state award(s) is/are also suspended until the student is reinstated in good standing within a reasonable time set by the Commissioner. Currently, section 145-2.2(b)(1)(ii) of the Commissioner's regulations provides that a student may be restored to good academic standing by:

(a) pursuing the program of study in which he or she is enrolled and making satisfactory progress toward the completion of his or her program's academic requirements; or

(b) establishing in some other way, to the satisfaction of the Commissioner, evidence of his or her ability to successfully complete an approved program.

In order to provide clarity to the field, the proposed amendment provides if there is a determination that the recipient of an award has lost good standing, further payments of any award under article 13 or 14 of the Education Law shall be suspended until the student is restored to good academic standing by either:

(a) a waiver from the required cumulative C average or its equivalent, for a student having completed his or her second academic year, for undue hardship pursuant to section 661(4)(c) of the Education Law;

(b) a one-time certification by an institution that a waiver from the good standing requirement is in the best interests of the student pursuant to subparagraph (v) of this paragraph;

(c) establishing, to the satisfaction of the Commissioner, evidence of the student's ability to successfully complete an approved program through one of the following options:

(1) demonstrating that the student has made up any deficiencies in his/her program and achieved academic progress and has achieved good academic standing without the benefit of the tuition assistance program, or other State financial aid support;

(2) applying for and being readmitted to the same institution after withdrawing as a student from such institution for at least one academic year; or

(3) transferring to another higher education institution and meeting the new institution's admissions' requirements.

4. COSTS:

(a) Costs to State government. The proposed amendment may result in additional costs on State government as a result of more students regaining TAP eligibility.

(b) Costs to local government. None.

(c) Costs to private regulated parties. The proposed amendment will not impose any additional costs upon public or nonpublic colleges and universities, education opportunity centers, or other postsecondary institutions beyond the minimal costs to such institutions to update information materials concerning the number of credits and minimum grade point average a student must have completed before the school's certification for payment on the student's award.

(d) Costs to the regulatory agency. As stated above under Costs to State Government, the proposed amendment may impose additional costs on the State government, but not the Education Department specifically.

Revised Regulatory Flexibility Analysis

The purpose of the proposed amendment is to provide clarity to the field by establishing standards for reinstatement to the status of good academic standing in order to resume receiving awards that were previously suspended under the Tuition Assistance Program.

It is evident from the subject matter of the proposed amendment that it will have no effect on local governments or small businesses. The amendment will not impose any adverse economic impact or any additional recordkeeping, reporting, or other compliance requirements on small businesses or local governments. Because it is evident from the nature of the proposed amendment that it will not affect small businesses or local governments, no further steps were needed to ascertain that fact and none were taken. Accordingly, a regulatory flexibility analysis is not required and one has not been prepared.

Revised Rural Area Flexibility Analysis

Since publication of a Notice of Emergency Adoption and Proposed Rule Making in the State Register on February 4, 2015, the proposed rule has been substantially revised as set forth in the Revised Regulatory Impact Statement submitted herewith.

The revision requires that the Reporting, Recordkeeping and Other Compliance Requirements and the Costs sections in the previously published Rural Area Flexibility Analysis be revised to read as follows.

2. REPORTING, RECORDKEEPING AND OTHER COMPLIANCE REQUIREMENTS; AND PROFESSIONAL SERVICES:

The New York State Tuition Assistance Program (TAP) provides for an annual award of up to \$5,165, payable over two semesters, to help eligible New York residents pay tuition at approved colleges and universities in New York State.

Education Law § 661 sets forth the eligibility requirements and conditions for receiving a TAP award. For a student to continue to receive an award under the TAP, Education Law § 665(6) requires that the student maintain good academic standing: (1) by meeting or exceeding minimum cumulative grade point average requirements; and (2) by making satisfactory progress toward the completion of his or her program's academic requirements, measured by credit hour accumulation. This section also establishes minimum thresholds for each of these two requirements based on the year the student first receives aid, the length of the student's program and whether the student is a remedial student. However, institutions may establish and apply stricter standards of satisfactory academic progress, provided such standards include the required levels of achievement to be measured at the statutory intervals. If an institution implements stricter criteria for satisfactory academic progress, the criteria must include a minimum number of credit hours to be earned and a minimum cumulative grade point average, and must be measured at set intervals, such as semesters or trimesters. If a student fails to make satisfactory progress toward the completion of the program's academic requirements, or fails to maintain the minimum cumulative GPA, the student will not be in good academic standing and, thus, will become ineligible for awards under the TAP.

Regaining Good Academic Standing

When a student does not meet the good academic standing requirement to continue receiving a TAP award, further payments of any state award(s) is/are also suspended until the student is reinstated in good standing within a reasonable time set by the Commissioner. Currently, section 145-2.2(b)(1)(ii) of the Commissioner's regulations provides that a student may be restored to good academic standing by:

(a) pursuing the program of study in which he or she is enrolled and making satisfactory progress toward the completion of his or her program's academic requirements; or

(b) establishing in some other way, to the satisfaction of the Commissioner, evidence of his or her ability to successfully complete an approved program.

In order to provide clarity to the field, the proposed amendment provides if there is a determination that the recipient of an award has lost good standing, further payments of any award under article 13 or 14 of the Education Law shall be suspended until the student is restored to good academic standing by either:

(a) a waiver from the required cumulative C average or its equivalent, for a student having completed his or her second academic year, for undue hardship pursuant to section 661(4)(c) of the Education Law;

(b) a one-time certification by an institution that a waiver from the good standing requirement is in the best interests of the student pursuant to subparagraph (v) of this paragraph;

(c) establishing, to the satisfaction of the Commissioner, evidence of the student's ability to successfully complete an approved program through one of the following options:

(1) demonstrating that the student has made up any deficiencies in his/her program and achieved academic progress and has achieved good academic standing without the benefit of the tuition assistance program, or other State financial aid support;

(2) applying for and being readmitted to the same institution after withdrawing as a student from such institution for at least one academic year; or

(3) transferring to another higher education institution and meeting the new institution's admissions' requirements.

3. COSTS:

The proposed amendment may impose additional costs on State government if additional students regain eligibility under the TAP program. There will be no additional costs on TAP recipients.

Revised Job Impact Statement

Since publication of a Notice of Emergency Adoption and Proposed Rule Making in the State Register on January 20, 2015, the proposed rule has been substantially revised as set forth in the Revised Regulatory Impact Statement submitted herewith.

The purpose of the proposed amendment is to provide clarity to the field by establishing standards for reinstatement to the status of good academic standing in order to resume receiving awards that were previously suspended under the Tuition Assistance Program. Because it is evident from the nature of the revised amendment that it will have a positive impact, or no impact, on jobs or employment opportunities, no further steps were needed to ascertain those facts and none were taken. Accordingly, a job impact statement is not required and one has not been prepared.

Assessment of Public Comment

Since publication of a Notice of Proposed Rule Making in the February 4, 2015 State Register, the State Education Department received the following comments:

1. COMMENT:

One commenter expressed concern regarding the proposed amendment to section 145-2.2(b)(2)(ii) which would suspend awards for a minimum of one semester or its equivalent.

The commenter expressed concern that "semester" is not defined as to length, credits, results or even enrollment and had the following questions: What actions must the student take during this semester of suspended TAP? Can a non-traditional semester (summer, winter or intersession) qualify? a one-credit course? Must the student successfully complete the course? In fact, the proposed change does not state whether students must enroll during the semester of suspended aid. Can a student meet this requirement by merely staying out of school for the semester?

Another commenter indicated that a minimum of one semester or its equivalent - is potentially problematic. If the student has an incomplete course which causes them to fail SAP and finishes it - now they would have to sit out a full term. For schools with rolling start dates or multiple start date opportunities during a term now we would be forced to make the student sit out for at least 15 weeks. Ex. Student has an incomplete the Fall 1 2014 term (sept- dec) which puts them in bad SAP for the Spring 1 term (Jan- May) The student completes the course- passing it and is now in good standing as of the end of January. Empire has a March term (Spring 2 term March- June) but this student would still be "failing" in your interpretation?

DEPARTMENT RESPONSE:

The issue of the length of ineligibility for loss of good academic standing has resulted in a revision to eliminate the proscribed length of ineligibility in favor of a standard that indicates that the student is ineligible unless they have received a waiver, as allowed by law or regulation, or has taken specific steps to remediate their academic deficiencies without the benefit of state financial aid, or if the student withdrew from the institution and reapplied, or was admitted to another institution. In this way, the student who takes immediate steps to remediate their academic deficiency will not be adversely penalized, and indeed will regain eligibility as soon as they have regained good academic standing. The goal is not to penalize students, but to encourage them to regain in good academic standing, and to regain that status as quickly as possible should they lose that status.

Because the revised proposed regulation no longer carries a specific period of ineligibility, the discussion of semester versus other academic terms are unnecessary as the student may be able to regain good academic standing through the completion of adequate coursework during one or more of these alternative academic periods.

2. COMMENT:

The commenter also questioned the language in 145-2.2(b)(2)(ii)(a) and requested clarification in what was meant by pursuing the program of study in which he or she is enrolled and making satisfactory progress toward completion of his or her program's academic requirements. The commenter indicated that words such as "pursuing" and "making" communicate a process - rather than a demonstrated result determined when the student gets grades at the end of the semester.

The commenter also questioned the difference between 145-2.2(b)(2)(ii)(a) and 145-2.2(b)(2)(ii)(b)(1) however (ii)(b)(1).

The commenter also indicates that the language in section 145-2.2(b)(2)(ii)(b)(4) which states: "providing other evidence satisfactory to the Commissioner that the student will successfully complete the program" is unclear and vague and does not provide clear guidance to schools, students, as to what the Commissioner considers "evidence satisfactory." It also requested that SED's requirements for "evidence satisfactory" to the Commissioner be communicated so that all parties viewing the same facts can reach similar determinations. If not, schools will be left to make these determinations as they see fit; and OSC will lack criteria against which to determine compliance. Importantly, the evidence required is of a future event - that the student "will" successfully complete the program. It is a challenge to envision what would constitute satisfactory evidence to demonstrate that a future event will happen.

DEPARTMENT RESPONSE:

These comments were extremely helpful and resulted in several revisions to the proposed regulation in an effort to clarify and streamline the issues raised by the commenter. The concerns surrounding what constitutes satisfactory evidence of a student's ability to successfully complete an approved program have been clarified in regulation to include (1) demonstration that the student has made up any deficiencies in his/her program and achieved academic progress and has achieved good academic standing without the benefit of the tuition assistance program, or other State financial support; (2) applying for and being readmitted to the same institution after withdrawing as a student from such institution for at least one academic year; or (3) transferring to another higher education institution and meeting the new institution's admissions' requirements.

3. COMMENT:

A commenter indicated that the options to regain good academic standing omit mention of use of waivers currently used to regain good academic standing, including:

- a. The C average waiver is in section 661(4)(c) of the Education Law.
b. The one-time TAP waiver provided for in regulations.

DEPARTMENT RESPONSE:

The Department agrees with the commenter and has revised the proposed amendment to add these two existing waivers to the list of options to regain good academic standing.

4. COMMENT

One commenter expressed concern that the Regulatory Impact Statement refers to “promise” often - referring to a student’s “promise to successfully complete a program”;

The role of a “promise” is not provided for in the Proposed Amendment. This needs to be deleted or clarified. It raises questions as to whether a “promise” is sufficient to meet 145-2.2(b)(2)(ii)(b).

The commenter also notes that the costs section in the regulatory impact statement is incorrect, in that the proposed amendment may have costs on State government if students regain TAP eligibility faster.

DEPARTMENT RESPONSE:

This comment is correct and the proposed amendment has been revised to focus specifically on the actions taken by the student to regain good academic standing and not their ‘promise’ to successfully complete an academic program. Therefore, the word ‘promise’ has also been eliminated from the Regulatory Impact Statement.

The Costs section of the Regulatory Impact Statement has also been revised to clarify that there may be additional costs to State government if more students regain their TAP eligibility.

5. COMMENT

“For Applying to and being readmitted...”. Am I interpreting this correctly then that the student who simply “sits out” for a year (doesn’t officially withdraw) would not be eligible for state aid then? At non-traditional schools such as ESC or community colleges where the student is not living on campus, students often don’t officially withdraw from the school instead they just take time off so would an unofficial leave of absence (“sitting out”) be an unacceptable approach?

DEPARTMENT RESPONSE:

A student cannot simply sit out a semester and through this absence from the institution somehow regain good academic standing. The student must engage in an affirmative process of obtaining a waiver, as allowed by law or regulation, complete sufficient academic coursework to regain good academic standing, or withdraw and reapply after a year, or be admitted to a different institution. A student who simply “takes time off” has not met the requirement for regaining good academic standing.

Department of Financial Services

EMERGENCY RULE MAKING

Assessment of Entities Regulated by the Banking Division of the Department of Financial Services

I.D. No. DFS-14-15-00002-E

Filing No. 207

Filing Date: 2015-03-23

Effective Date: 2015-03-23

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

Action taken: Addition of Part 501 to Title 3 NYCRR.

Statutory authority: Banking Law, section 17; Financial Services Law, section 206

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

Specific reasons underlying the finding of necessity: Pursuant to the Financial Services Law (“FSL”), the New York State Banking Department (“Banking Department”) and the New York State Insurance Department were consolidated, effective October 3, 2011, into the Department of Financial Services (“Department”).

Prior to the consolidation, assessments of institutions subject to the Banking Law (“BL”) were governed by Section 17 of the BL; effective on October 3, 2011, assessments are governed by Section 206 of the Financial Services Law, provided that Section 17 continues to apply to assessments for the fiscal year which commenced April 1, 2011.

Both Section 17 of the Banking Law and Section 206 of the Financial Services Law provide that all expenses (compensation, lease costs and other overhead) of the Department in connection with the regulation and

supervision (including examination) of any person or entity licensed, registered, incorporated or otherwise formed pursuant to the BL are to be charged to, and paid by, the regulated institutions subject to the supervision of in the Banking Division of the Department (the “Banking Division”). Under both statutes, the Superintendent is authorized to assess regulated institutions in the Banking Division in such proportions as the Superintendent shall deem just and reasonable.

Litigation commenced in June, 2011 challenged the methodology used by the Banking Department to assess mortgage bankers. On May 3, 2012, the Appellate Division invalidated this methodology for the 2010 State Fiscal Year, finding that the former Banking Department had not followed the requirements of the State Administrative Procedures Act.

In response to this ruling, the Department has determined to adopt this new rule setting forth the assessment methodology applicable to all entities regulated by the Banking Division for fiscal years beginning with fiscal year 2011.

The emergency adoption of this regulation is necessary to implement the requirements of Section 17 of the Banking Law and Section 206 of the Financial Services Law in light of the determination of the Court and the ongoing need to fund the operations of the Department without interruption.

Subject: Assessment of entities regulated by the Banking Division of the Department of Financial Services.

Purpose: To set forth the basis for allocating all costs and expenses among and between any person or entity licensed, registered, incorporated or otherwise formed pursuant the Banking Law.

Text of emergency rule: Part 501*Superintendent’s Regulations**(Banking Division Assessments)*

(Statutory authority: Banking Law § 17; Financial Services Law § 206)

§ 501.1 Background.

Pursuant to the Financial Services Law (“FSL”), the New York State Banking Department (“Banking Department”) and the New York State Insurance Department were consolidated on October 3, 2011 into the Department of Financial Services (“Department”).

Prior to the consolidation, assessments of institutions subject to the Banking Law (“BL”) were governed by Section 17 of the BL. Effective October 3, 2011, assessments are governed by Section 206 of the FSL, provided that Section 17 of the BL continues to apply to assessments for the fiscal year commencing on April 1, 2011.

Both Section 17 of the BL and Section 206 of the FSL provide that all expenses (including, but not limited to, compensation, lease costs and other overhead costs) of the Department attributable to institutions subject to the BL are to be charged to, and paid by, such regulated institutions. These institutions (“Regulated Entities”) are now regulated by the Banking Division of the Department. Under both Section 17 of the BL and Section 206 of the FSL, the Superintendent is authorized to assess Regulated Entities for its total costs in such proportions as the Superintendent shall deem just and reasonable.

The Banking Department has historically funded itself entirely from industry assessments of Regulated Entities. These assessments have covered all direct and indirect expenses of the Banking Department, which are activities that relate to the conduct of banking business and the regulatory concerns of the Department, including all salary expenses, fringe benefits, rental and other office expenses and all miscellaneous and overhead costs such as human resource operations, legal and technology costs.

This regulation sets forth the basis for allocating such expenses among Regulated Entities and the process for making such assessments.

§ 501.2 Definitions.

The following definitions apply in this Part:

(a) “Total Operating Cost” means for the fiscal year beginning on April 1, 2011, the total direct and indirect costs of operating the Banking Division. For fiscal years beginning on April 1, 2012, “Total Operating Cost” means (1) the sum of the total operating expenses of the Department that are solely attributable to regulated persons under the Banking Law and (2) the proportion deemed just and reasonable by the Superintendent of the other operating expenses of the Department which under Section 206(a) of the Financial Services Law may be assessed against persons regulated under the Banking Law and other persons regulated by the Department.

(b) “Industry Group” means the grouping to which a business entity regulated by the Banking Division is assigned. There are three Industry Groups in the Banking Division:

(1) The Depository Institutions Group, which consists of all banking organizations and foreign banking corporations licensed by the Department to maintain a branch, agency or representative office in this state;

(2) The Mortgage-Related Entities Group, which consists of all mortgage brokers, mortgage bankers and mortgage loan servicers; and

(3) *The Licensed Financial Services Providers Group, which consists of all check cashers, budget planners, licensed lenders, sales finance companies, premium finance companies and money transmitters.*

(c) *“Industry Group Operating Cost” means the amount of the Total Operating Cost to be assessed to a particular Industry Group. The amount is derived from the percentage of the total expenses for salaries and fringe benefits for the examining, specialist and related personnel represented by such costs for the particular Industry Group.*

(d) *“Industry Group Supervisory Component” means the total of the Supervisory Components for all institutions in that Industry Group.*

(e) *“Supervisory Component” for an individual institution means the product of the average number of hours attributed to supervisory oversight by examiners and specialists of all institutions of a similar size and type, as determined by the Superintendent, in the applicable Industry Group, or the applicable sub-group, and the average hourly cost of the examiners and specialists assigned to the applicable Industry Group or sub-group.*

(f) *“Industry Group Regulatory Component” means the Industry Group Operating Cost for that group minus the Industry Group Supervisory Component and certain miscellaneous fees such as application fees.*

(g) *“Industry Financial Basis” means the measurement tool used to distribute the Industry Group Regulatory Component among individual institutions in an Industry Group.*

The Industry Financial Basis used for each Industry Group is as follows:

(1) *For the Depository Institutions Group: total assets of all institutions in the group;*

(2) *For the Mortgage-Related Entities Group: total gross revenues from New York State operations, including servicing and secondary market revenues, for all institutions in the group; and*

(3) *For the Licensed Financial Services Providers Group: (i.) for budget planners, the number of New York customers; (ii.) for licensed lenders, the dollar amount of New York assets; (iii.) for check cashers, the dollar amount of checks cashed in New York; (iv.) for money transmitters, the dollar value of all New York transactions; (v.) for premium finance companies, the dollar value of loans originated in New York; and (vi.) for sales finance companies, the dollar value of credit extensions in New York.*

(h) *“Financial Basis” for an individual institution is that institution’s portion of the measurement tool used in Section 501.2(g) to develop the Industry Financial Basis. (For example, in the case of the Depository Institutions Group, an entity’s Financial Basis would be its total assets.)*

(i) *“Industry Group Regulatory Rate” means the result of dividing the Industry Group Regulatory Component by the Industry Financial Basis.*

(j) *“Regulatory Component” for an individual institution is the product of the Financial Basis for the individual institution multiplied by the Industry Group Regulatory Rate for that institution.*

§ 501.3 Billing and Assessment Process.

The New York State fiscal year begins April 1 and ends March 31 of the following calendar year. Each institution subject to assessment pursuant to this Part is billed five times for a fiscal year: four quarterly assessments (each approximately 25% of the anticipated annual amount) based on the Banking Division’s estimated annual budget at the time of the billing, and a final assessment (or “true-up”), based on the Banking Division’s actual expenses for the fiscal year. Any institution that is a Regulated Entity for any part of a quarter shall be assessed for the full quarter.

§ 501.4 Computation of Assessment.

The total annual assessment for an institution shall be the sum of its Supervisory Component and its Regulatory Component.

§ 501.5 Penalties/Enforcement Actions.

All Regulated Entities shall be subject to all applicable penalties, including late fees and interest, provided for by the BL, the FSL, the State Finance law or other applicable laws. Enforcement actions for nonpayment could include suspension, revocation, termination or other actions.

§ 501.6 Effective Date.

This Part shall be effective immediately. It shall apply to all State Fiscal Years beginning with the Fiscal Year starting on April 1, 2011.

This notice is intended to serve only as a notice of emergency adoption. This agency intends to adopt this emergency rule as a permanent rule and will publish a notice of proposed rule making in the *State Register* at some future date. The emergency rule will expire June 20, 2015.

Text of rule and any required statements and analyses may be obtained from: Hadas A. Jacobi, Esq., Department of Financial Services, One State Street, New York, NY 10004, (212) 480-5890, email: hadas.jacobi@dfs.ny.gov

Regulatory Impact Statement

1. Statutory Authority

Pursuant to the Financial Services Law (“FSL”), the New York State Banking Department (the “Banking Department”) and the New York State Insurance Department were consolidated, effective October 3, 2011, into the Department of Financial Services (the “Department”).

Prior to the consolidation, assessments of institutions subject to the

Banking Law (“BL”) were governed by Section 17 of the BL; effective on October 3, 2011, assessments are governed by Section 206 of the Financial Services Law, provided that Section 17 continues to apply to assessments for the fiscal year which commenced April 1, 2011.

Both Section 17 of the BL and Section 206 of the FSL provide that all expenses (compensation, lease costs and other overhead) of the Department in connection with the regulation and supervision of any person or entity licensed, registered, incorporated or otherwise formed pursuant to the BL are to be charged to, and paid by, the regulated institutions subject to the supervision of the Banking Division of the Department (the “Banking Division”). Under both statutes, the Superintendent is authorized to assess regulated institutions in the Banking Division in such proportions as the Superintendent shall deem just and reasonable.

In response to a court ruling, *In the Matter of Homestead Funding Corporation v. State of New York Banking Department et al.*, 944 N.Y.S.2d 649 (2012) (“Homestead”), that held that the Department should adopt changes to its assessment methodology for mortgage bankers through a formal assessment rule pursuant to the requirements of the State Administrative Procedures Act (“SAPA”), the Department has determined to adopt this new regulation setting forth the assessment methodology applicable to all entities regulated by the Banking Division for fiscal years beginning with fiscal year 2011.

2. Legislative Objectives

The BL and the FSL make the industries regulated by the former Banking Department (and now by the Banking Division of the new Department) responsible for all the costs and expenses of their regulation by the State. The assessments have covered all direct and indirect expenses of the Banking Department, which are activities that relate to the conduct of banking business and the regulatory concerns of the Department, including all salary expenses, fringe benefits, rental and other office expenses and all miscellaneous and overhead costs such as human resource operations, legal and technology costs.

This reflects a long-standing State policy that the regulated industries are the appropriate parties to pay for their supervision in light of the financial benefits it provides to them to engage in banking and other regulated businesses in New York. The statute specifically provides that these costs are to be allocated among such institutions in the proportions deemed just and reasonable by the Superintendent.

While this type of allocation had been the practice of the former Banking Department for many decades, Homestead found that a change to the methodology for mortgage bankers to include secondary market and servicing income should be accomplished through formal regulations subject to the SAPA process. Given the nature of the Banking Division’s assessment methodology - - the calculation and payment of the assessment is ongoing throughout the year and any period of uncertainty as to the applicable rule would be extremely disruptive - - the Department has determined that it is necessary to adopt the rule on an emergency basis so as to avoid any possibility of disrupting the funding of its operations.

3. Needs and Benefits

The Banking Division regulates more than 250 state chartered banks and licensed foreign bank branches and agencies in New York with total assets of over \$2 trillion. In addition, it regulates a variety of other entities engaged in delivering financial services to the residents of New York State. These entities include: licensed check cashers; licensed money transmitters; sales finance companies; licensed lenders; premium finance companies; budget planners; mortgage bankers and brokers; mortgage loan servicers; and mortgage loan originators.

Collectively, the regulated entities represent a spectrum, from some of the largest financial institutions in the country to the smallest, neighborhood-based financial services providers. Their services are vital to the economic health of New York, and their supervision is critical to ensuring that these services are provided in a fair, economical and safe manner.

This supervision requires that the Banking Division maintain a core of trained examiners, plus facilities and systems. As noted above, these costs are by statute to be paid by all regulated entities in the proportions deemed just and reasonable by the Superintendent. The new regulation is intended to formally set forth the methodology utilized by the Banking Division for allocating these costs.

4. Costs

The new regulation does not increase the total costs assessed to the regulated industries or alter the allocation of regulatory costs between the various industries regulated by the Banking Division. Indeed, the only change from the allocation methodology used by the Banking Department in the previous state fiscal years is that the regulatory costs assessed to the mortgage banking industry will be divided among the entities in that group on a basis which includes income derived from secondary market and servicing activities. The Department believes that this is a more appropriate basis for allocating the costs associated with supervising mortgage banking entities.

5. Local Government Mandates

None.

6. Paperwork

The regulation does not change the process utilized by the Banking Division to determine and collect assessments.

7. Duplication

The regulation does not duplicate, overlap or conflict with any other regulations.

8. Alternatives

The purpose of the regulation is to formally set forth the process employed by the Department to carry out the statutory mandate to assess and collect the operating costs of the Banking Division from regulated entities. In light of Homestead, the Department believes that promulgating this formal regulation is necessary in order to allow it to continue to assess all of its regulated institutions in the manner deemed most appropriate by the Superintendent. Failing to formalize the Banking Division's allocation methodology would potentially leave the assessment process open to further judicial challenges.

9. Federal Standards

Not applicable.

10. Compliance Schedule

The emergency regulations are effective immediately. Regulated institutions will be expected to comply with the regulation for the fiscal year beginning on April 1, 2011 and thereafter.

Regulatory Flexibility Analysis

1. Effect of the Rule:

The regulation does not have any impact on local governments.

The regulation simply codifies the methodology used by the Banking Division of the Department of Financial Services (the "Department") to assess all entities regulated by it, including those which are small businesses. The regulation does not increase the total costs assessed to the regulated industries or alter the allocation of regulatory costs between the various industries regulated by the Banking Division.

Indeed, the only change from the allocation methodology used by the Banking Department in the previous state fiscal years is that the regulatory costs assessed to the mortgage banking industry will be divided among the entities in that group on a basis which includes income derived from secondary market and servicing activities. The Department believes that this is a more appropriate basis for allocating the costs associated with supervising mortgage banking entities. It is expected that the effect of this change will be that larger members of the mortgage banking industry will pay an increased proportion of the total cost of regulating that industry, while the relative assessments paid by smaller industry members will be reduced.

2. Compliance Requirements:

The regulation does not change existing compliance requirements. Both Section 17 of the Banking Law and Section 206 of the Financial Services Law provide that all expenses (compensation, lease costs and other overhead) of the Department in connection with the regulation and supervision of any person or entity licensed, registered, incorporated or otherwise formed pursuant to the Banking Law are to be charged to, and paid by, the regulated institutions subject to the supervision of the Banking Division. Under both statutes, the Superintendent is authorized to assess regulated institutions in the Banking Division in such proportions as the Superintendent shall deem just and reasonable.

3. Professional Services:

None.

4. Compliance Costs:

All regulated institutions are currently subject to assessment by the Banking Division. The regulation simply formalizes the Banking Division's assessment methodology. It makes only one change from the allocation methodology used by the Banking Department in the previous state fiscal years. That change affects only one of the industry groups regulated by the Banking Division. Regulatory costs assessed to the mortgage banking industry are now divided among the entities in that group on a basis which includes income derived from secondary market and servicing activities. Even within the one industry group affected by the change, additional compliance costs, if any, are expected to be minimal.

5. Economic and Technological Feasibility:

All regulated institutions are currently subject to the Banking Division's assessment requirements. The formalization of the Banking Division's assessment methodology in a regulation will not impose any additional economic or technological burden on regulated entities which are small businesses.

6. Minimizing Adverse Impacts:

Even within the mortgage banking industry, which is the one industry group affected by the change in assessment methodology, the change will not affect the total amount of the assessment. Indeed, it is anticipated that this change may slightly reduce the proportion of mortgage banking industry assessments that is paid by entities that are small businesses.

7. Small Business and Local Government Participation:

This regulation does not impact local governments.

This regulation simply codifies the methodology which the Banking Division uses for determining the just and reasonable proportion of the Banking Division's costs to be charged to and paid by each regulated institution, including regulated institutions which are small businesses. The overall methodology was adopted in 2005 after extensive discussion with regulated entities and industry associations representing groups of regulated institutions, including those that are small businesses.

Thereafter, the Banking Department applied assessments against all entities subject to its regulation. In addition, for fiscal 2010, the Banking Department changed its overall methodology slightly with respect to assessments against the mortgage banking industry to include income derived from secondary market and servicing activities. Litigation was commenced challenging this latter change, and in a recent decision, *In the Matter of Homestead Funding Corporation v. State of New York Banking Department et al.*, 944 N.Y.S. 2d 649 (2012), the court determined that the Department should adopt a change to its assessment methodology for mortgage bankers through a formal assessment rule promulgated pursuant to the requirements of the State Administrative Procedures Act. The challenged change in methodology had the effect of increasing the proportion of assessments against the mortgage banking industry paid by its larger members, while reducing the assessments paid by smaller participants, including those which are small businesses.

Rural Area Flexibility Analysis

Types and Estimated Numbers: There are entities regulated by the New York State Department of Financial Services (formerly the Banking Department) located in all areas of the State, including rural areas. However, this rule simply codifies the methodology currently used by the Department to assess all entities regulated by it. The regulation does not alter that methodology, and thus it does not change the cost of assessments on regulated entities, including regulated entities located in rural areas.

Compliance Requirements: The regulation would not change the current compliance requirements associated with the assessment process.

Costs: While the regulation formalizes the assessment process, it does not change the amounts assessed to regulated entities, including those located in rural areas.

Minimizing Adverse Impacts: The regulation does not increase the total amount assessed to regulated entities by the Department. It simply codifies the methodology which the Superintendent has chosen for determining the just and reasonable proportion of the Department's costs to be charged to and paid by each regulated institution.

Rural Area Participation: This rule simply codifies the methodology which the Department currently uses for determining the just and reasonable proportion of the Department's costs to be charged to and paid by each regulated institution, including regulated institutions located in rural areas. The overall methodology was adopted in 2005 after extensive discussion with regulated entities and industry associations representing groups of regulated institutions, including those located in rural areas. It followed the loss of several major banking institutions that had paid significant portions of the former Banking Department's assessments.

Thereafter, the Department applied assessments against all entities subject to its regulation. In addition, for fiscal 2010, the Department changed this overall methodology slightly with respect to assessments against the mortgage banking industry to include income derived from secondary market income and servicing income. This latter change was challenged by a mortgage banker, and in early May, the Appellate Division determined that the latter change should have been made in conformity with the State Administrative Procedures Act. The challenged part of the methodology had the effect of increasing the proportion of assessments against the mortgage banking industry paid by its larger members, while reducing the assessments paid by smaller participants.

Job Impact Statement

The regulation is not expected to have an adverse effect on employment.

All institutions regulated by the Banking Division (the "Banking Division") of the Department of Financial Services are currently subject to assessment by the Department. The regulation simply formalizes the assessment methodology used by the Banking Division. It makes only one change from the allocation methodology used by the former Banking Department in the previous state fiscal years.

That change affects only one of the industry groups regulated by the Banking Division. It somewhat alters the way in which the Banking Division's costs of regulating mortgage banking industry are allocated among entities within that industry. In any case, the total amount assessed against regulated entities within that industry will remain the same.

Public Service Commission

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Sale of Utility Property

I.D. No. PSC-14-15-00010-P

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

Proposed Action: The Commission is considering whether to grant, reject or modify the petition of New York State Electric & Gas Corporation to sell street lighting facilities to the Town of West Seneca.

Statutory authority: Public Service Law, section 70

Subject: Sale of utility property.

Purpose: Whether to authorize the sale of street lighting facilities to the Town of West Seneca.

Substance of proposed rule: On March 11, 2015, New York State Electric & Gas Corporation (NYSEG) filed a petition seeking authorization under Public Service Law (PSL) § 70 to sell street lighting infrastructure to the Town of West Seneca, Erie County (Town). The petition states that the property to be sold consists of street lighting poles, luminaries, lamps, and associated hardware installed in the Town. The petition also states that, under the agreement between NYSEG and the Town, the property would be sold for \$804,866, which is characterized fair market value. NYSEG also requests waiver of the newspaper publication requirement of PSL § 66(12)(b), arguing that the proposed sale will not affect the provision of service to NYSEG ratepayers. The Commission may accept, reject or modify the petition and consider any related items.

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-M-0142SP1)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Refinancing Proposed by East River Housing Corporation

I.D. No. PSC-14-15-00011-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 whether to approve East River Housing Corporation's proposed refinancing of a \$23.5 million mortgage and addition of a \$5 million line of credit.

Statutory authority: Public Service Law, section 82

Subject: Refinancing proposed by East River Housing Corporation.

Purpose: To consider refinancing proposed by East River Housing Corporation.

Substance of proposed rule: The Public Service Commission is considering a petition filed by East River Housing Corporation on March 13, 2014, requesting approval, pursuant to Public Service Law (PSL) § 82, of the proposed refinancing of a \$23.5 million mortgage and the addition of a \$5 million line of credit. The Commission may adopt, reject or modify, in whole or in part, the relief proposed and may resolve related matters.

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: 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-S-0150SP1)

Workers' Compensation Board

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Health Insurance Matching Program (HIMP)

I.D. No. WCB-14-15-00009-P

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

Proposed Action: Repeal of Subparts 325-5 and 325-6; and addition of new Subparts 325-5 and 325-6 to Title 12 NYCRR.

Statutory authority: Workers' Compensation Law, sections 117, 13(d) and (h)

Subject: Health Insurance Matching Program (HIMP).

Purpose: Provide the process for health insurers to recover from workers' compensation carriers.

Substance of proposed rule (Full text is posted at the following State website: wcb.ny.gov):

Subparts 325-5 and 325-6 are repealed and new Subparts 325-5 and 325-6 are added.

Section 325-5.1 is unchanged.

Section 325-5.2 has been added that includes the definitions contained in 325-6.1, amends the definition of health insurer to clarify that provisions related to a health insurer include a health insurer "when acting directly or through a HIMP agent." Section 325-5.2 adds a new definition for a HIMP agent at subparagraph (h).

Section 325-5.3 has minor changes to reflect changes in the HIMP process.

Section 325-5.4, formerly 325-5.2, describes eligibility to participate in the program and clarifies the roles of insurers and HIMP agents.

Section 325-5.5, formerly Section 325-5.6, subparagraph (a) permits the Chair to prescribe the format and content for computer searches. Subparagraph (b) sets forth a time limitation for the insurer to obtain a computer match of 360 days between the date of accident for the compensation injury and the date of treatment for which the health insurer seeks reimbursement. Subparagraph (c) defines what constitutes a "full match" and subparagraph (d) defines what constitutes a "partial match." Subparagraph (g) describes the process for access to the Board's electronic case files and for manual searches of archived paper files by Board staff.

Section 325-5.6, formerly Section 325-5.7, increases the fee for each search from \$.043 to \$.045. The new 325-5.6 increases the fee for manual review of an archived Board file from \$1.795 to \$2.50, and requires the health insurer to pay the copying costs for such file. Section 325-5.6 eliminates the \$25 fee for a manual search for Board records. Copying costs are as prescribed in the Public Officer's Law, section 87(1)(b)(iii).

In addition to requiring the insurer to report the total amount recovered under the HIMP program each year, section 325-5.7, formerly Section 5.11, requires reporting of the total amount of reimbursement requested, the number of arbitrations requested and the number of arbitrations resolved in favor of the insurer, and the names of medical providers who received duplicate payments from the insurer and the carrier.

Section 325-5.8, formerly Section 325-5.5(a), imposes a penalty of \$10,000 for misuse of confidential information as provided in subdivision (h) of section thirteen of the Workers' Compensation Law.

The cross-references in Section 325-5.9 have been updated.

Section 325-6.1 is now in alphabetical order and a definition for HIMP agent has been added.

In Section 325-6.2 clarifies that when a health insurer receives a full match on a claim, the health insurer does not need to resubmit subsequent

treatments for that claimant to the Board seeking a new full match on the identical case. Section 325-6.3 has been revised to clarify and simplify the process and time limitations for filing a HIMP-1 claim form filed by a health insurer with a compensation carrier. In addition, the health insurer must now include standard medical codes, such as ICD, CPT and DRG codes, on the HIMP-1 claim form to enhance the carrier's ability to compare the request for reimbursement against the information in the matching workers' compensation case. Section 325-6.3 also describes the process for a carrier to obtain clarifying medical records.

Section 325-6.4 has been amended to provide that the carrier may object to requests for reimbursement (1) if the treatment was provided on or after the date that the Board approved a waiver on the part of the claimant to the right to medical treatment in connection with a settlement under WCL Section 32; (2) if the carrier would not be obligated to pay for the treatment pursuant to WCL Section 29 because the claimant recovered proceeds from a third party and the corresponding carrier lien or offset has not been extinguished; 3) if the treatment was not made in accordance with the medical treatment guidelines; and 4) when authorization for the treatment had been previously sought by the medical provider from the compensation carrier and the authorization was denied.

Section 325-6.5 has minor updates in the terms used.

Section 325-6.6 describes the timelines pertaining to requests for arbitration. While the substantive provisions have not been modified, the text has been clarified.

Section 325-6.7, formerly Section 325-6.11, describes the process for initiating arbitration.

Section 325-6.8, formerly Section 325-6.12, describes the process for withdrawing arbitration requests.

In Section 325-6.9, formerly Section 325-6.11, in subparagraph (b) the time to request oral hearing for arbitration has been changed from 10 business days to 14 days and the Board no longer plays a role in selecting the location for such arbitration. Subparagraph (c) reiterates that the dispute forum shall set the date, time and location of an oral hearing and permits such hearings to take place via video-conference.

Section 325-6.10, formerly Section 325-6.15, increases the fee for a desk arbitration from \$150 to \$175. Subparagraph (c) provides for a \$150 fee for requests for reconsideration made pursuant to the Section 325-6.12. The fees for oral hearing are unchanged.

Section 325-6.11, formerly Section 325-6.13, subparagraph (a) adds a sentence permitting a party to seek reconsideration pursuant to Section 325-6.12. In addition to updating the cross-references in subparagraph (c) the time for service has been changed from 10 business days to 14 calendar days. Subparagraph (d) has been updated to remove the reference to a "stenographic" record. The fees charged when an adjournment is requested are unchanged.

Section 325-6.12, formerly Section 325-6.14, incorporates the new means of service defined in Section 325-6.15. Subparagraph (b) permits recovery of the fee for manual searches by the health insurer in arbitration when the health insurer prevails. Subparagraph (c) permits the arbitrator to impose a fee of a \$1000 for a frivolous or bad faith request for arbitration or request for reconsideration of an arbitration decision. Subparagraph (d) describes a process for filing an application for reconsideration of the arbitrator's decision when it is believed that there is a mistake of law or fact in the arbitrator's decision.

Section 325-6.13, formerly Section 325-6.16, describes the process for enforcement and appeals of arbitrator's decisions.

Section 325-6.14, formerly Section 325-6.17, sets forth that the parties are subject to the dispute forum's rules.

Section 325-6.15 sets forth acceptable methods of service for pre-arbitration service and service of documents related to arbitration. Section 325-6.15 clarifies and expands the methods of service that are available to the parties for requests for reimbursement, payment, and objections, and for requests for arbitration. The language of the regulation contemplates and allows for other means of service of documents that may become available due to further technological advances.

Section 325-6.16 is added to permit health insurers and carriers to modify HIMP processes upon agreement.

Section 325-6.17 establishes a term of three years for arbitrators appointed by the Chair of the Workers' Compensation Board.

Text of proposed rule and any required statements and analyses may be obtained from: Heather MacMaster, Workers' Compensation Board, 328 State Street, Schenectady, NY 12305-2318, (518) 486-9564, email: regulations@wcb.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.

Summary of Regulatory Impact Statement

1. Statutory Authority:

The Workers' Compensation Board (Board) is authorized to repeal and

add new Subparts 325-5 and 325-6. WCL Section 13(h)(3) authorizes the Chair to adopt rules and regulations to carry out the provisions of WCL Section 13(d)(1) and (2) and WCL Section 13(h).

2. Legislative Objective:

By Chapter 924 of the Laws of 1990, and amended by Chapter 364 of the Laws of 1992, the Legislature created a mechanism whereby health insurers that made payments for medical and/or hospital services for workers' compensation injuries would be entitled to reimbursement for such payments from the workers' compensation carrier or employer (carrier) (WCL Section 13[d] and [h]).

3. Needs and Benefits:

Section 325-5 governs the process that is used to assist insurers in identifying claims that the insurers have paid which may be the responsibility of the carrier. Section 325-6 sets forth the procedures for reimbursement requests, arbitration procedures and other rules applicable to disputed requests for reimbursement. The proposal repeals Subparts 325-5 and 325-6 and adds new Subparts 325-5 and 325-6 in order to make changes to the large scale order of these sections.

In addition, the proposal makes substantive changes to sections 325-5 and 325-6 that reflect how the HIMP process actually operates; to add provisions regarding HIMP agents and electronic access to claimant case folders; to increase the annual reporting requirements for HIMP agents to improve the Board's ability to understand how well the system is functioning; and to modestly increase fees and impose a penalty for misuse of the arbitration process. Substantive changes are described in detail in the complete RIS.

4. Costs:

There are no additional costs to the Board in the added Subparts 325-5 and 325-6.

Health insurers and HIMP agents will be subject to an increase from \$.043 to \$.045 in the fees for a computer search request. Health insurers and HIMP agents will also be subject to an increase from \$1.795 to \$2.50 for a manual search of Board records. Copying charges for manual searches will be governed by the fees set forth in the Public Officer's Law. The Board has eliminated the requirements for duplicate computer searches for subsequent medical bills, thus the proposed rule should reduce the number of computer searches requested by health insurers and HIMP agents. The Board has eliminated the fee of \$25 for a search of Board records due to increases in the efficiency of conducting these searches. Health insurers and HIMP agents will also be subject to increased fees to request a desk arbitration for disputed claims from \$150 to \$175. There is no increase in the fee for an oral hearing. Health insurers, HIMP agents, and carriers will be subject to a fee of \$150 for filing a request for reconsideration of an arbitrator's decision. The request for reconsideration is a new process and is not available in the current regulation. Health insurers, HIMP agents, and carriers will also be subject to a \$1000 penalty for each frivolous or bad faith request for arbitration.

5. Local Government Mandates:

Under WCL Section 13(d)(1) the definition of a health insurer or health benefits plan includes a self-insured or self-funded health care benefits plan operated by or on behalf of any business, municipality or other entity. There is only one self-funded or self-insured municipalities for health care benefits currently participating in HIMP using a HIMP agent. If the health insurer is successful at the arbitration, the amount paid to the health insurer is increased by the filing fee paid for the arbitration. This increase is required by statute, WCL Section 13(h)(3), rather than by the regulation.

6. Paperwork:

The repeal and addition of these sections does not add or eliminate any paperwork requirements.

7. Duplication:

HIMP is a unique program administered solely by the Board and therefore there is no duplication.

8. Alternatives:

An alternative to repealing Subparts 325-5 and 325-6 and adding new Subparts 325-5 and 325-6 would be to keep the current regulation in place. However, several of the changes being proposed more accurately reflect the current practices of the Board, as well as the practices of the health insurers and HIMP agents. Keeping the current regulation in place will result in provisions which are inconsistent with current Board practices. The Board seeks to implement the simplest process to assist health insurers in identifying claims for reimbursement, and in resolving disputed requests for reimbursement.

An alternative to the increased fees for search requests would be to keep the current fees in place. However, the proposed increase in the fee for computer search requests (\$.045, up from \$.043) and manual searches (\$2.50, up from \$1.795) is only a slight increase from when the initial fees were set in 1993. The fee of \$25 for manual searches of a Board file has been eliminated. The health insurer pays for copying costs of the Board file.

As to the proposed increase in the fees associated with the arbitration

process, an alternative to amending section 325-6.15 would be to keep the current arbitration fees in place. This alternative has proved unsatisfactory and has resulted in an arbitration process that does not adequately meet the present demands of HIMP, and is vulnerable to sharp increases in arbitration filings.

As to the \$1,000 penalty which is proposed for each frivolous request for arbitration and for each frivolous request for reconsideration of an arbitrator's decision, the alternative would be to do nothing. However, the penalty will promote efficiency in the arbitration process by discouraging parties from filing requests for arbitration and/or reconsideration without having a legitimate basis for doing so.

Another alternative would be for the Board to set the penalty at a lower amount. However, setting the penalty at an amount that is lower than \$1,000 is less likely to provide a disincentive to those parties who have no legitimate basis for a request for arbitration or reconsideration.

9. Federal Standards:

There are no federal standards applicable.

10. Compliance Schedule:

Affected parties will be able to achieve compliance with the rule upon its adoption.

Regulatory Flexibility Analysis

1. Effect of rule: The proposed rule will affect only those small businesses that participate in the Health Insurance Matching Program (HIMP) and the reimbursement process. The proposed rule will affect all local governments, including the approximately 2300 that are self-insured for workers' compensation purposes, inasmuch as they may be subject to reimbursement requests by health insurers. However, the proposed rule does not impose any new obligations on either small businesses or local governments. In addition, if a small business or local government is not self-insured, the insurance carrier or State Insurance Fund is responsible for ensuring compliance with this rule. Neither the State Insurance Fund nor private insurance carriers are small businesses. However, other participants in the HIMP process such as attorneys, third party administrators who handle claims for self-insured local governments, group self-insured trusts, HIMP agents and insurance carriers may be small businesses.

2. Compliance requirements: This proposed rule does not require self-insured local governments or small businesses to submit any additional documentation to the Board. The proposed rule clarifies and simplifies the existing requirements and processes for health insurers to seek reimbursement from worker's compensation carriers and self-insured employers including self-insured local governments.

3. Professional services: In order to comply with the proposed rule, small businesses and self-insured local governments will not be required to hire or utilize any new professional services. As stated above, small businesses must be covered for workers' compensation by the State Insurance Fund, private insurance carrier or group self-insured, whose responsibility it is to either handle such matters or the services of attorneys or third party administrators. In addition, the clarifications and simplifications to the current regulations will not change current procedures and practice in such a manner to require any additional professional services. It is not anticipated that small businesses and self-insured local governments will have to secure additional professional services in order to comply with the rule changes.

4. Compliance costs: Compliance costs associated with the proposed rule should be minimal as small businesses and self-insured local governments are already participating in this HIMP program. The only additional costs imposed by the rule are a modest increase of \$.002 per computer match by a health insurer or HIMP agent, an increase of \$.705 per manual search, an increase of \$25 in the cost of requesting a desk arbitration and the imposition of a \$1000 penalty for the filing of a frivolous request for arbitration. It is noted that the penalty is easily avoided by good business practice. In addition the cost of arbitration and manual searches is recoverable to the party prevailing in the arbitration.

5. Economic and technological feasibility: It will be economically and technologically feasible for self-insured local governments to comply with the proposed rule. The proposed rule is intended to allow for more flexibility in the technological solutions health insurers and workers' compensation carriers are able to employ throughout the reimbursement process. The proposed rule does not mandate any economic or technological changes by small businesses or local governments.

6. Minimizing adverse impact: The proposed rule will not cause an adverse impact on any small business or self-insured local government. The repeal of Subparts 325-5 and 325-6 and addition of Subparts 325-5 and 325-6 is intended to clarify and simplify the existing rules that have been operating since 1993. The Board has used its own experience with the operation of HIMP, has worked with stakeholders over the years and has sought stakeholder input into the development of the proposed rule, to clarify and simplify the process to ensure that it is administered efficiently and fairly. Procedures on how and when a health insurer may seek

reimbursement are already part of the current Subparts 325-5 and 325-6 and WCL § 13(d) and (h).

7. Small business and local government participation: The Chair sought the participation of local governments in the drafting of this rule by meeting with and providing early drafts of the proposed rule to the City of New York. The Chair also sought the participation of small businesses by meeting with various HIMP agents and meeting with insurance carriers who represent small businesses in the HIMP process.

Rural Area Flexibility Analysis

1. Types and estimated numbers of rural areas: The rule applies to all health insurers in all areas of the state, including rural areas, when they participate in the Workers' Compensation Board's Health Insurance Matching Program (HIMP) for the purpose of obtaining reimbursement from workers' compensation carriers and self-insured employers for payment for medical treatment. In addition it applies to workers' compensation carriers and self-insured employers in rural areas that may be subject to reimbursement requests.

2. Reporting, recordkeeping and other compliance requirements; and professional services: This proposed rule does not increase the reporting, recordkeeping or other compliance requirements from the existing rule. The sole increase in reporting is in the items contained in the health insurer's annual report to the Board to include the total number of HIMP-1 forms submitted for reimbursement, the total number of requests for arbitration submitted in the prior calendar year, and the number of arbitrations resolved in favor of the health insurer. It is believed that this additional information is maintained by health insurers and HIMP agents in the regular course of business and will not impose any additional recordkeeping burden. This proposed rule diminishes reporting requirements inasmuch as it permits multiple reimbursement requests to be submitted on a single HIMP-1 form.

3. Costs: Costs to health insurers, including those located in rural areas, include modest increases to the fees for participation in the program. Since 1993 the only increase in any of the fees associated to the HIMP program was an increase in the fees for desk arbitrations in 2008. On December 24, 2008, the fee for desk arbitrations was increased from \$75 (with \$15 payable to the arbitrator) to \$150 (with \$40 payable to the arbitrator). The increase in fees appear to be justified based on the work associated at the Workers' Compensation Board and at the American Arbitration Association. In addition, the costs for manual searches and arbitration may be recoverable from the workers' compensation carrier if the health insurer prevails at the arbitration. The proposed rule also includes a penalty for filing a frivolous claim.

4. Minimizing adverse impact: The proposed rule implements the requirements set forth in WCL section 13(d) and (h). The proposed rule essentially coordinates benefits between two insurance carriers, the health insurer and the workers' compensation carrier. In this new version, the rule creates an opportunity to request reconsideration in arbitration and permits recovery of fees paid for manual searches, to more accurately allocate costs on the appropriate party. In addition, penalties will be imposed when a health insurer files a frivolous reimbursement request, and the Board will collect data regarding the number of requests made each year, the amount recovered and the times when the health insurer prevailed in an effort to determine how well the system is functioning.

5. Rural area participation: The Chair sought the participation of the regulated parties from across the state, including rural areas, in the drafting of this rule by providing early drafts to and meeting with the AFL-CIO, the New York State Business Council, the State Insurance Fund, the City of New York, health insurers and their representatives including, MRM, HCSG, and Wellpoint, as well as the American Arbitration Association.

Job Impact Statement

The purpose for the rescission and adoption of new Subparts 325-5 and 325-6 is to clarify and update the process for a health insurer to request reimbursement from a workers' compensation carrier and resolve disputes between the health insurer and the workers' compensation carrier. The nature of the reimbursement will not be impacted by the regulation and thus the business practices of health insurers and workers' compensation carriers will remain the same. It is anticipated that adoption of new Subparts-325-5 and 325-6 will have no impact on jobs in New York State. It is apparent from the nature and purpose of the rule that it will not have a substantial adverse impact on jobs or employment, and therefore a Job Impact Statement is not required.

**HEARINGS SCHEDULED
FOR PROPOSED RULE MAKINGS**

Agency I.D. No.	Subject Matter	Location—Date—Time
People with Developmental Disabilities, Office for		
PDD-10-15-00005-P	Consolidated fiscal report penalty amendments	Office for People with Developmental Disabilities, 44 Holland Ave., 3rd Fl., Counsel’s Office Conference Rm., Albany, NY—April 27 and 28, 2015, 10:30 a.m.
Public Service Commission		
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 (www.dps.ny.gov) 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 (www.dps.ny.gov) 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 (www.dps.ny.gov) 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) under Case 14-E-0270.

ACTION PENDING INDEX

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

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

For additional information concerning any of the proposals listed

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

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
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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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BATTERY PARK CITY AUTHORITY

BPA-11-15-00018-P 03/17/16	Proposed action is the amendment of the rules and regulations of Battery Park City parks	To remain consistent with the rules of other parks in New York City and to incorporate activities previously not addressed
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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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CABLE TELEVISION, COMMISSION ON			
*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
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CABLE TELEVISION, COMMISSION ON			
*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
*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

CHILDREN AND FAMILY SERVICES, OFFICE OF

CFS-11-15-00011-P	..... 03/17/16	Implementation of the federal Preventing Sex Trafficking and Strengthening Families Act (P.L. 113-183)	Implementation of the federal Preventing Sex Trafficking and Strengthening Families Act (P.L. 113-183)
CFS-12-15-00010-P	..... 03/24/16	Implementation of legislation for destitute children	To implement legislation for destitute children, re-entry into foster care and to make other technical amendments

CIVIL SERVICE, DEPARTMENT OF

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-30-14-00003-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-30-14-00006-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-30-14-00011-P	..... 07/30/15	Jurisdictional Classification	To classify a position 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

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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
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
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
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
CVS-11-15-00002-P	03/17/16	Jurisdictional Classification	To classify a position in the exempt class
CVS-11-15-00003-P	03/17/16	Jurisdictional Classification	To classify a position in the exempt class
CVS-11-15-00004-P	03/17/16	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-11-15-00005-P	03/17/16	Jurisdictional Classification	To classify positions in the exempt class
CVS-11-15-00006-P	03/17/16	Jurisdictional Classification	To delete positions from and classify positions in the exempt class
CVS-11-15-00007-P	03/17/16	Jurisdictional Classification	To delete a position from and classify a position in the non-competitive class
CVS-11-15-00008-P	03/17/16	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-11-15-00009-P	03/17/16	Jurisdictional Classification	To delete a position from and classify positions in the non-competitive class
CVS-11-15-00010-P	03/17/16	Jurisdictional Classification	To delete subheadings and positions from and classify positions in the non-competitive class
CVS-13-15-00003-P	03/31/16	Jurisdictional Classification	To classify a position in the exempt class
CVS-13-15-00004-P	03/31/16	Jurisdictional Classification	To delete a subheading and positions from and classify positions in the exempt class
CVS-13-15-00005-P	03/31/16	Jurisdictional Classification	To classify a position in the non-competitive class.
CVS-13-15-00006-P	03/31/16	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-13-15-00007-P	03/31/16	Jurisdictional Classification	To classify positions in the exempt class
CVS-13-15-00014-P	03/31/16	Supplemental military leave benefits	To extend the availability of supplemental military leave benefits for certain New York State employees until December 31, 2015
CVS-14-15-00005-P	04/07/16	Jurisdictional Classification	To classify positions in the exempt class
CVS-14-15-00006-P	04/07/16	Jurisdictional Classification	To classify positions in the exempt class

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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-14-15-00007-P	04/07/16	Jurisdictional Classification	To classify a position in the non-competitive class.
CVS-14-15-00008-P	04/07/16	Jurisdictional Classification	To delete positions from the exempt and non-competitive classes.
CORRECTIONS AND COMMUNITY SUPERVISION, DEPARTMENT OF			
CCS-08-15-00002-P	02/25/16	Rochester Correctional Facility	To correct the address for Rochester Correctional facility
CRIMINAL JUSTICE SERVICES, DIVISION OF			
CJS-13-15-00023-P	03/31/16	Statement of purpose for medical and physical fitness standards and procedures for police officer candidates	To clarify the purpose for the physical fitness standards for police officer candidates
ECONOMIC DEVELOPMENT, DEPARTMENT OF			
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
EDUCATION DEPARTMENT			
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-52-14-00014-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-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-RP	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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
EDUCATION DEPARTMENT			
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
EDU-10-15-00003-P	03/10/16	Requirements for medical physics education programs and eligibility for limited permits in specialty areas of medical physics	To reflect changes in national accreditation requirements for medical physics education programs and repeal obsolete provisions
EDU-10-15-00004-P	03/10/16	Continuing education requirements for optometrists certified to use therapeutic pharmaceutical agents	To provide more flexibility in satisfying continuing education requirements by expanding the list of acceptable study methods
EDU-10-15-00011-P	03/10/16	Off-premises delivery of prescription medications by New York resident pharmacies	To require pharmacies to obtain patient consent before automatically delivering new or refilled prescriptions
EDU-13-15-00021-P	03/31/16	Supplementary Teaching Certificates in Bilingual Education and English to Speakers of Other Languages (ESOL)	To provide additional pathways for teacher certification candidates to obtain supplementary bilingual education extension and the ESOL supplementary certificate, for a three year period to conclude on June 30, 2018
EDU-13-15-00022-EP	03/31/16	Pathways to Graduation and Regents Diploma Advanced Designation	(1) to clarify requirements for earning a Regents Diploma with advanced designation by students who elect to meet the requirements for a Regents diploma through the mathematics or science pathway options; and (2) to allow students to earn a Regents diploma
EDU-13-15-00030-P	03/31/16	Special Education Itinerant Services (SEIS)	To revise the SEIS tuition reimbursement methodology
EDU-14-15-00003-P	04/07/16	Self-administration of certain medications by students	See attached.
EDU-14-15-00004-P	04/07/16	Pupils with Limited English Proficiency	Technical amendments relating to Units of Study and Provision of Credits For English As A New Language and Native Language Arts

ENVIRONMENTAL CONSERVATION, DEPARTMENT OF

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-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
ENVIRONMENTAL CONSERVATION, DEPARTMENT OF			
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
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
ENV-13-15-00031-EP	03/31/16	To amend 6 NYCRR Parts 10 and 40 pertaining to commercial and recreational regulations for striped bass	Reduce fishing mortality of striped bass to promote stable fish populations, and to remain in compliance with the ASMFC FMP
FINANCIAL SERVICES, DEPARTMENT OF			
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-ERP	12/31/15	Independent Dispute Resolution for Emergency Services and Surprise Bills	To establish a dispute resolution process and standards for that process
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
GAMING COMMISSION, NEW YORK STATE			
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
GENERAL SERVICES, OFFICE OF			
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
HEALTH, DEPARTMENT OF			
*HLT-14-94-00006-P	exempt	Payment methodology for HIV/AIDS outpatient services	To expand the current payment to incorporate pricing for services

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
HEALTH, DEPARTMENT OF			
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-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
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-52-14-00013-P	12/31/15	Medical Use of Marihuana	To comprehensively regulate the manufacture, sale and use of medical marihuana

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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
HEALTH, DEPARTMENT OF			
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
HLT-11-15-00019-P	03/17/16	Standards for Individual Onsite Water Supply and Individual Onsite Wastewater Treatment Systems	Establishes minimum water quality standards for individual onsite water supply systems
HLT-11-15-00020-P	03/17/16	School Immunization Requirements	Update regulations to ensure children entering grades kindergarten through 12 receive adequate number of required immunizations
LIQUOR AUTHORITY, STATE			
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
LQR-13-15-00002-P	03/31/16	Updated application processes for various licenses and permits	To update permit filing procedures and contact information at the authority
LONG ISLAND POWER AUTHORITY			
*LPA-08-01-00003-P	exempt	Pole attachments and related matters	To approve revisions to the authority's tariff
*LPA-41-02-00005-P	exempt	Tariff for electric service	To revise the tariff for electric service
*LPA-04-06-00007-P	exempt	Tariff for electric service	To adopt provisions of a ratepayer protection plan
*LPA-03-10-00004-P	exempt	Residential late payment charges	To extend the application of late payment charges to residential customers
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
MENTAL HEALTH, OFFICE OF			
OMH-04-15-00002-P	01/28/16	Prevention of Influenza Transmission	Provide clarification and flexible system for documentation
OMH-10-15-00002-P	03/10/16	Patients Committed to the Custody of the Commissioner Pursuant to CPL Article 730	Conform regulatory provisions to statute with respect to the performance of competency reports
OMH-11-15-00013-P	03/17/16	Medical Assistance Rates of Payment for Residential Treatment Facilities for Children and Youth	Amend date of trend factor elimination to December 31, 2014 instead of June 30, 2015

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
MOTOR VEHICLES, DEPARTMENT OF			
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
MTV-11-15-00017-P	03/17/16	Commercial learner's permits and commercial driver's licenses	Conforms state licensing requirements to federal requirements
MTV-12-15-00009-P	03/24/16	Physician assistants performing medical review after loss of consciousness	To allow physician assistants to perform a medical review after a loss of consciousness
MTV-13-15-00011-P	03/31/16	Registration of pick up trucks	To allow the registration of pick up trucks in the passenger class up to 6,000 pounds
MTV-13-15-00012-P	03/31/16	Off premise sales of motor vehicles	Provides guidance of off premise sales of motor vehicles by registered dealers
MTV-13-15-00013-P	03/31/16	Montgomery County motor vehicle use tax	To impose a Montgomery County motor vehicle use tax
NIAGARA FALLS WATER BOARD			
*NFW-04-13-00004-EP	exempt	Adoption of Rates, Fees and Charges	To pay for the increased costs necessary to operate, maintain and manage the system, and to achieve covenants with bondholders
*NFW-13-14-00006-EP	exempt	Adoption of Rates, Fees and Charges	To pay for increased costs necessary to operate, maintain and manage the system and to achieve covenants with the bondholders
NIAGARA FRONTIER TRANSPORTATION AUTHORITY			
NFT-04-15-00015-P	01/28/16	Smoking	To clarify where smoking is prohibited at NFTA locations
PARKS, RECREATION AND HISTORIC PRESERVATION, OFFICE OF			
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
PEOPLE WITH DEVELOPMENTAL DISABILITIES, OFFICE FOR			
PDD-10-15-00005-P	04/27/16	Consolidated Fiscal Report Penalty Amendments	To change requirements for imposing a penalty on providers that fail to meet filing deadlines for cost reports
POWER AUTHORITY OF THE STATE OF NEW YORK			
*PAS-01-10-00010-P	exempt	Rates for the sale of power and energy	Update ECSB Programs customers' service tariffs to streamline them/include additional required information
PAS-01-15-00012-P	exempt	Rates for the Sale of Power and Energy	To recover the Authority's Fixed Costs

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
POWER AUTHORITY OF THE STATE OF NEW YORK			
PAS-01-15-00013-P	..... exempt	Rates for the Sale of Power and Energy	To align rates and costs
PAS-11-15-00016-P	..... exempt	Rates for the Sale of Power and Energy	To improve the net metering services currently offered by the Authority to its New York City and Westchester Customers
PUBLIC SERVICE COMMISSION			
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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
*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

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

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PUBLIC SERVICE COMMISSION			
*PSC-50-05-00008-P exempt	Long-term debt by Saratoga Glen Hollow Water Supply Corp.	To obtain long-term debt
*PSC-04-06-00024-P	..... exempt	Transfer of ownership interests by Mirant NY-Gen LLC and Orange and Rockland Utilities, Inc.	To approve of the transfer
*PSC-06-06-00015-P	..... exempt	Gas curtailment policies and procedures	To examine the manner and extent to which gas curtailment policies and procedures should be modified and/or established
*PSC-07-06-00009-P	..... exempt	Modification of the current Environmental Disclosure Program	To include an attributes accounting system
*PSC-22-06-00019-P	..... exempt	Hourly pricing by National Grid	To assess the impacts
*PSC-22-06-00020-P	..... exempt	Hourly pricing by New York State Electric & Gas Corporation	To assess the impacts
*PSC-22-06-00021-P	..... exempt	Hourly pricing by Rochester Gas & Electric Corporation	To assess the impacts
*PSC-22-06-00022-P	..... exempt	Hourly pricing by Consolidated Edison Company of New York, Inc.	To assess the impacts
*PSC-22-06-00023-P	..... exempt	Hourly pricing by Orange and Rockland Utilities, Inc.	To assess the impacts
*PSC-24-06-00005-EP	..... exempt	Supplemental home energy assistance benefits	To extend the deadline to Central Hudson's low-income customers
*PSC-25-06-00017-P	..... exempt	Purchased power adjustment by Massena Electric Department	To revise the method of calculating the purchased power adjustment and update the factor of adjustment
*PSC-34-06-00009-P	..... exempt	Inter-carrier telephone service quality standards and metrics by the Carrier Working Group	To incorporate appropriate modifications
*PSC-37-06-00015-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-37-06-00017-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-39-07-00017-P	..... exempt	Gas bill issuance charge by New York State Electric & Gas Corporation	To create a gas bill issuance charge unbundled from delivery rates
*PSC-41-07-00009-P	..... exempt	Submetering of electricity rehearing	To seek reversal
*PSC-42-07-00012-P	..... exempt	Energy efficiency program by Orange and Rockland Utilities, Inc.	To consider any energy efficiency program for Orange and Rockland Utilities, Inc.'s electric service
*PSC-42-07-00013-P	..... exempt	Revenue decoupling by Orange and Rockland Utilities, Inc.	To consider a revenue decoupling mechanism for Orange and Rockland Utilities, Inc.
*PSC-45-07-00005-P	..... exempt	Customer incentive programs by Orange and Rockland Utilities, Inc.	To establish a tariff provision
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-25-08-00008-P	..... exempt	Report on Callable Load Opportunities	Rider U report assessing callable load opportunities in New York City and Westchester County during the next 10 years
*PSC-28-08-00004-P	..... exempt	Con Edison's procedure for providing customers access to their account information	To consider Con Edison's implementation plan and timetable for providing customers access to their account information
*PSC-31-08-00025-P	..... exempt	Recovery of reasonable DRS costs from the cost mitigation reserve (CMR)	To authorize recovery of the DRS costs from the CMR
*PSC-32-08-00009-P	..... exempt	The ESCO referral program for KEDNY to be implemented by October 1, 2008	To approve, reject or modify, in whole or in part, KEDNY's recommended ESCO referral program
*PSC-33-08-00008-P	..... exempt	Noble Allegany's request for lightened regulation	To consider Noble Allegany's request for lightened regulation as an electric corporation
*PSC-36-08-00019-P	..... exempt	Land Transfer in the Borough of Manhattan, New York	To consider petition for transfer of real property to NYPH
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-51-08-00006-P	..... exempt	Commission's October 27, 2008 Order on Future of Retail Access Programs in Case 07-M-0458	To consider a Petition for rehearing of the Commission's October 27, 2008 Order in Case 07-M-0458
*PSC-51-08-00007-P	..... exempt	Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078	To consider Petitions for rehearing of the Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078
*PSC-53-08-00011-P	..... exempt	Use of deferred Rural Telephone Bank funds	To determine if the purchase of a softswitch by Hancock is an appropriate use of deferred Rural Telephone Bank funds
*PSC-53-08-00012-P	..... exempt	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY
*PSC-53-08-00013-P	..... exempt	To transfer common stock and ownership	To consider transfer of common stock and ownership
*PSC-01-09-00015-P	..... exempt	FCC decision to redefine service area of Citizens/Frontier	Review and consider FCC proposed redefinition of Citizens/Frontier service area
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-16-09-00010-P	..... exempt	Petition for the submetering of electricity	To consider the request of AMPS on behalf of Park Imperial to submeter electricity at 230 W. 56th Street, in New York, New York
*PSC-16-09-00020-P	..... exempt	Whether SUNY's core accounts should be exempt from the mandatory assignment of local distribution company (LDC) capacity	Whether SUNY's core accounts should be exempt from the mandatory assignment of local distribution company (LDC) capacity
*PSC-17-09-00010-P	..... exempt	Whether to permit the use of Elster REX2 solid state electric meter for use in residential and commercial accounts	To permit electric utilities in New York State to use the Elster REX2
*PSC-17-09-00011-P	..... exempt	Whether Brooklyn Navy Yard Cogeneration Partners, L.P. should be reimbursed by Con Edison for past and future use taxes	Whether Brooklyn Navy Yard Cogeneration Partners, L.P. should be reimbursed by Con Edison for past and future use taxes
*PSC-17-09-00012-P	..... exempt	Petition for the submetering of gas at commercial property	To consider the request of Turner Construction, to submeter natural gas at 550 Short Ave., & 10 South St., Governors Island, NY
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-27-09-00011-P	..... exempt	Interconnection of the networks between Vernon and tw telecom of new york l.p. for local exchange service and exchange access.	To review the terms and conditions of the negotiated agreement between Vernon and tw telecom of new york l.p.
*PSC-27-09-00014-P	..... exempt	Billing and payment for energy efficiency measures through utility bill	To promote energy conservation
*PSC-27-09-00015-P	..... exempt	Interconnection of the networks between Oriskany and tw telecom of new york l.p. for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Oriskany and tw telecom of new york l.p.
*PSC-29-09-00006-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-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
PUBLIC SERVICE COMMISSION			
*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-12-10-00015-P	..... exempt	Recommendations made by Staff intended to enhance the safety of Con Edison's gas operations	To require that Con Edison implement the Staff recommendations intended to enhance the safety of Con Edison's gas operations
*PSC-14-10-00010-P	..... exempt	Petition for the submetering of electricity	To consider the request of 61 Jane Street Owners Corporation to submeter Electricity at 61 Jane Street, Manhattan, NY
*PSC-16-10-00005-P	..... exempt	To consider adopting and expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-16-10-00007-P	..... exempt	Interconnection of the networks between TDS Telecom and PAETEC Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between TDS Telecom and PAETEC Communications
*PSC-16-10-00015-P	..... exempt	Interconnection of the networks between Frontier and Choice One Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier and Choice One Communications
*PSC-18-10-00009-P	..... exempt	Electric utility transmission right-of-way management practices	To consider electric utility transmission right-of-way management practices
*PSC-19-10-00022-P	..... exempt	Whether National Grid should be permitted to transfer a parcel of property located at 1 Eddy Street, Fort Edward, New York	To decide whether to approve National Grid's request to transfer a parcel of vacant property in Fort Edward, New York
*PSC-22-10-00006-P	..... exempt	Requirement that Noble demonstrate that its affiliated electric corporations operating in New York are providing safe service	Consider requiring that Noble demonstrate that its affiliated electric corporations in New York are providing safe service
*PSC-22-10-00008-P exempt	Petition for the submetering of electricity	To consider the request of 48-52 Franklin Street to submeter electricity at 50 Franklin Street, New York, New York

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PUBLIC SERVICE COMMISSION			
*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-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
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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-16-11-00011-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
*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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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
*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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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
*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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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.
*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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-45-13-00022-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4)	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00023-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00024-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4); waiver of filing deadlines.	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00025-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-47-13-00009-P	..... exempt	Petition for submetering of electricity.	To consider the request of Hegeman Avenue Housing L.P. to submeter electricity at 39 Hegeman Avenue, Brooklyn, N.Y.
*PSC-47-13-00012-P	..... exempt	Conditioning,restricting or prohibiting the purchase of services by NYSEG and RG&E from certain affiliates.	Consideration of conditioning,restricting or prohibiting the purchase of services by NYSEG and RG&E from certain affiliates.
*PSC-49-13-00008-P	..... exempt	Authorization to transfer all of Crystal Water Supply Company, Inc. stocks to Essel Infra West Inc.	To allow Crystal Water Supply Company, Inc to transfer all of its issued and outstanding stocks to Essel Infra West Inc.
*PSC-51-13-00009-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing.	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates.
*PSC-51-13-00010-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing.	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates.
*PSC-51-13-00011-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing.	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates.
*PSC-52-13-00012-P	..... exempt	The development of reliability contingency plan(s) to address the potential retirement of Indian Point Energy Center (IPEC).	To address the petition for rehearing and reconsideration/motion for clarification of the IPEC reliability contingency plan(s).
*PSC-52-13-00015-P	..... exempt	To enter into a loan agreement with the banks for up to an amount of \$94,000.	To consider allowing Knolls Water Company to enter into a long-term loan agreement.
*PSC-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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-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
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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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-25-14-00015-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.
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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-26-14-00021-P	..... exempt	Consumer protections, standards and protocols pertaining to access to customer data may be established.	To balance the need for the information necessary to support a robust market with customer privacy concerns.
PSC-28-14-00014-P	..... exempt	Petition to transfer systems, franchises and assets.	To consider the Comcast and Charter transfer of systems, franchise and assets.
PSC-30-14-00019-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
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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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-36-14-00009-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.
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-38-14-00020-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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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.
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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
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 NYSERDA 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-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).

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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..
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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-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
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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
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
PSC-10-15-00006-P	..... exempt	Amendment of submetering order(s) to allow Queens Fresh Meadows LLC and others to terminate electric service for failure to pay	Whether to amend Queens Fresh Meadows LLC submetering order and others to allow termination of electric service
PSC-10-15-00007-P	..... exempt	Notification concerning tax refunds	To consider Verizon New York Inc.'s partial rehearing or reconsideration request regarding retention of property tax refunds

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-10-15-00008-P	..... exempt	Whether to waive Policy on Test Periods in Major Rate Proceedings and provide authority to file tariff changes	Whether to waive Policy on Test Periods in Major Rate Proceedings and provide authority to file tariff changes
PSC-10-15-00009-P	..... exempt	Contingency Tariffs regarding demand response issues	To consider Contingency Tariffs regarding demand response issues
PSC-10-15-00010-P	..... exempt	Notification concerning tax refunds	To consider Verizon New York Inc.'s request to retain a portion of a property tax refund
PSC-11-15-00021-P	..... exempt	Utility gas energy efficiency programs, targets, budgets and administration	To encourage the conservation of natural gas
PSC-11-15-00022-P	..... exempt	Petition for submetering of electricity	To consider the request of 160 Madison Ave LLC to submeter electricity at 160 Madison Avenue, New York, New York
PSC-11-15-00023-P	..... exempt	Petition for submetering of electricity	To consider the request of Renaissance Corporation of Albany to submeter electricity at 100 Union Drive, Albany, New York
PSC-11-15-00024-P	..... exempt	Notice of Intent to submeter electricity	To consider the request to submeter electricity at the Island House Apartments at 551, 555, 575 Main Street, N.Y., N.Y.
PSC-11-15-00025-P	..... exempt	LED Street Lighting	To update tariff leaves to reflect LED lighting options contained in P.S.C. No. 15 - Electricity
PSC-12-15-00005-P	..... exempt	Reliability Support Services Agreement for electric service reliability	Consideration of an extension of the Reliability Support Services Agreement for electric service reliability
PSC-12-15-00006-P	..... exempt	To consider a stock purchase for the cable system and related assets	To allow Adams CATV to purchase 100% of the stock of Oquaga Lake Cable System
PSC-12-15-00007-P	..... exempt	The Annual Reconciliation of Gas Expenses and Gas Cost Recoveries codified at Title 16 NYCRR Section 720.6.5	Examine the Annual Reconciliation of Gas Expenses and Gas Cost Recoveries mechanism
PSC-12-15-00008-P	..... exempt	Minor electric rate filing	To approve an increase in annual electric revenues by approximately \$299,966 or 3.2%
PSC-13-15-00024-P	..... exempt	Whether Leatherstocking should be permitted to recover a shortfall in earnings	To decide whether to approve Leatherstocking's request to recover a shortfall in earnings
PSC-13-15-00025-P	..... exempt	Whether to permit the use of the Quadlogic Controls S-10T electric submeter	To permit the use of the Quadlogic S-10T submeter
PSC-13-15-00026-P	..... exempt	Whether to permit the use of the Sensus Smart Point Gas AMR/AMI product	To permit the use of the Sensus Smart Point Gas AMR/AMI product
PSC-13-15-00027-P	..... exempt	Whether to permit the use of the Measurlogic DTS 310 electric submeter	To permit the use of the Measurlogic DTS 310 submeter
PSC-13-15-00028-P	..... exempt	Whether to permit the use of the SATEC EM920 electric meter	To permit necessary to permit the use of the SATEC EM920 electric meter
PSC-13-15-00029-P	..... exempt	Whether to permit the use the Triacta Power Technologies 6103, 6112, 6303, and 6312 electric submeters	To permit the use of the Triacta submeters

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-14-15-00010-P	..... exempt	The sale of utility property	Whether to authorize the sale of street lighting facilities to the Town of West Seneca
PSC-14-15-00011-P	..... exempt	Refinancing proposed by East River Housing Corporation	To consider refinancing proposed by East River Housing Corporation
STATE, DEPARTMENT OF			
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
DOS-11-15-00001-P	..... 03/17/16	Real estate brokers and salespersons	To update obsolete and outdated regulations
TAXATION AND FINANCE, DEPARTMENT OF			
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
TEMPORARY AND DISABILITY ASSISTANCE, OFFICE OF			
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-12-15-00004-P	..... 03/24/16	Delete regulatory references to the Learnfare Program	Make technical amendments to reflect that the statutory authority to operate the Learnfare Program has expired
TRANSPORTATION, DEPARTMENT OF			
TRN-11-15-00014-P	..... 03/17/16	Use of rest areas (section 156.3) and safe operation of commercial motor vehicles (section 820.14)	To update applicable regulations in 17 NYCRR 156.3(c) and 820.14
TRN-11-15-00015-P	..... 03/17/16	Safe operation of commercial motor vehicles by motor carriers and drivers	To update applicable regulations in 17 NYCRR Part 820, added 12/12/2004

Action Pending Index

NYS Register/April 8, 2015

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
WORKERS' COMPENSATION BOARD			
WCB-14-15-00009-P	..... 04/07/16	Health Insurance Matching Program (HIMP)	Provide the process for health insurers to recover from workers' compensation carriers

SECURITIES OFFERINGS

STATE NOTICES

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

DEALERS; BROKERS

235 East Second Street Partners, LLC
c/o Oak Tree Management, Ltd., 264 Sixth Ave., Brooklyn, NY 11215
State or country in which incorporated — New York

A&Q Alternative Fixed-Income Strategies Fund LLC
677 Washington Blvd., Stamford, CT 06901
State or country in which incorporated — Delaware

Alphaeon Corporation
18191 Von Karman Ave., Suite 500, Irvine, CA 92612
State or country in which incorporated — Delaware

Asia Realty Fund III (SO), L.P.
c/o Angelo, Gordon & Co., 245 Park Ave., New York, NY 10167
Partnership — AG Asia III LLC

BSP II LLC
1129 Pennsylvania St., Denver, CO 80203

CloudTalk LLC
325 Pembroke Rd., Bala Cynwyd, PA, 19004
State or country in which incorporated — Pennsylvania limited liability company

DashBid Venture, LLC
One Landmark Sq., Suite 620, Stamford CT 06901
State or country in which incorporated — Delaware

DOOFL MGMT, INC.
1400 Key Blvd., Suite 100, Arlington, VA 22209
State or country in which incorporated — Virginia

GlyEco, Inc.
4802 E. Ray Rd., Suite 23-408, Phoenix, AZ 85044
State or country in which incorporated — Nevada

Hudson Valley Property Group LLC
277 Broadway, 13th Fl., New York, NY 10007
State or country in which incorporated — New York limited liability company

Indio 3D Development, LP
188 Cal Batsel Rd., Suite 2, Bowling Green, KY 42104
Partnership — High Gravity Resources, LLC

Investec plc
Two Gresham St., London, England EC2V7QP
State or country in which incorporated — United Kingdom

Kensho Technologies Inc.
17 Dunster St., Cambridge, MA 02138
State or country in which incorporated — Delaware

La Salle Royalties LLC
8214 Westchester Dr., Suite 740, Dallas, TX 75225
Partnership — Resource Royalty, LLC

Lightspeed Technologies, Inc.
11509 SW. Herman Rd., Tualatin, OR 97062
State or country in which incorporated — Oregon

MentorcliQ, LLC
1275 Kinnear Rd., Suite 212, Columbus, OH 43212

Metropolitan Partners Fund III, LP
70 E. 55th St., New York, NY 10022
Partnership — MPF III GP, LLC

Montserrat Healthcare Fund, LP
c/o Montserrat Healthcare GP LLC, 60 E. 42nd St., Suite 3730, New York, NY 10165
Partnership — Montserrat Healthcare GP LLC

Montserrat Healthcare Fund Offshore, Ltd.
c/o Montserrat Global Advisers, LP, 60 E. 42nd St., Suite 3730, New York, NY 10165
State or country in which incorporated — Cayman Islands

New Highland Park Associates, L.P.
308 E. Lancaster Ave., Suite 235, Wynnwood, PA 19096
Partnership — New Highland Park GP, LLC

Pensato European Equity Fund Limited
P.O. Box 309, Uglad House, George Town, Grand Cayman, Cayman Islands KY1-1104
State or country in which incorporated — Cayman Islands

Pensato European Equity Fund LP
c/o Corporation Service Company, 2711 Centerville Rd., Suite 400, Wilmington DE 19808
Partnership — Pensato General Partner Limited

Presidium USA, Inc.
100 First Stamford Place, Stamford, CT 06902
State or country in which incorporated — Delaware

Q Technologies Incorporated
3200 Stuck River Dr., Auburn, WA 98092
State or country in which incorporated — Washington

Regal Resources Ltd.
Ground Fl., 11 Ventnor Ave., Perth, Western Australia, Australia 6005
State or country in which incorporated — Australia

Riverview Bank
200 Front St., Marysville, PA 17053

SoftNAS, LLC
9211 West Rd., Suite 143, Houston, TX 77064
State or country in which incorporated — Delaware

Stakeholder Ventures, LP
1877 Broadway, Suite 100, Boulder, CO 80302
Partnership — Stakeholder Ventures Capital Management, LLC

TDR Capital Lincoln Co-Investment L.P.
20 Bentinck St., London, United Kingdom W1U 2EU
Partnership — TDR Capital Lincoln Co-Investment L.P.

Weathervane Capital Partners Fund VI, L.P.
1055 Westlakes Dr., 3rd Fl., Berwyn, PA 19312
Partnership — Weathervane Capital Partners, LLC

William Goldberg
40 West St., Asheville, NC 28801

NOTICE OF AVAILABILITY OF STATE AND FEDERAL FUNDS

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.

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.

MISCELLANEOUS NOTICES/HEARINGS

Notice of Abandoned Property Received by the State Comptroller

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

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

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

PUBLIC NOTICE Department of Agriculture And Markets

In the Matter of Considering the Continuation of the New York State Onion Research and Development Program Pursuant to Article 25 of the Agriculture and Markets Law and 1 NYCRR Part 203.13

NOTICE OF REFERENDUM

To: New York State Onion Growers:
PLEASE TAKE NOTICE OF A REFERENDUM to be conducted by the Commissioner of Agriculture and Markets of the State of New York, pursuant to Article 25 of the Agriculture and Markets Law and section 203.13 of the Official Compilation of Codes, Rules and Regulations of the State of New York (1 NYCRR) on whether the New York State Onion Research and Development Program should be continued. The continuation of the order is subject to the approval of not less than 50 percent of all New York State onion growers participating in the referendum.

Any person who, in 2014, produced or caused to be produced onions in the State of New York for any market is a grower entitled to vote in this referendum. Each producer is entitled to one vote.

Copies of the New York State Onion Research and Development Program (1 NYCRR Part 203), which is the subject of this referendum, will be provided upon request to Dan McCarthy, Market Order Administrator, Department of Agriculture and Markets, 10B Airline Drive, Albany, New York 12235; (518) 457-4921.

Please use the enclosed ballot and pre-addressed envelope to return your vote. All ballots must be received no later than May 15, 2015.

RICHARD A. BALL
Commissioner of Agriculture and
Markets of the State of New York

Dated and Sealed at the Town of
Colonie, New York this 19th
day of March, 2015

PUBLIC NOTICE City of Auburn

The City of Auburn, New York is soliciting proposals from administrative service agencies relating to trust service, and administration and/or funding of a Deferred Compensation Plan for the employees of the City of Auburn, New York. They must meet the requirements of section 457 of the Internal Revenue Code and Section 5 of the State Finance Law, including all rules and regulations issued pursuant thereto.

A copy of the proposal questionnaire may be obtained from City of Auburn, Attn: Laura Wills, Comptroller, 24 South St., Auburn, NY 13021, (315) 255-4138, lwills@auburnny.gov.

All proposals must be received no later than 30 days from the date of publication in the New York State Register.

PUBLIC NOTICE Monroe County Water Authority

The Monroe County Water Authority is requesting proposals from qualified accounting firms relating to audit services for a 457 deferred compensation plan for employees of The Monroe County Water Authority meeting the requirements of Section 457 of the Internal Revenue Code and Section 5 of the State Finance Law, including all rules and regulations issued pursuant thereto.

A copy of the proposal may be obtained from: Kathleen Lomb, Monroe County Water Authority, Attn: Kathleen Lomb, 475 Norris Dr., Rochester, NY 14610, (585) 442-2001, extension 219, or e-mail: kathy.lomb@mcwa.com

All proposals must be submitted no later than 4:30 p.m. on Friday, May 8, 2015.

PUBLIC NOTICE New York State and Local Retirement System

Pursuant to Retirement and Social Security Law, the New York State and Local Employees' Retirement System hereby gives public notice of the following:

The persons whose names and last known addresses are set forth below appear from records of the above named Retirement System to be entitled to accumulated contributions held by said retirement system whose membership terminated pursuant to Section 340, Subdivision f, of the Retirement and Social Security Law on or before October 31, 2004. This notice is published pursuant to Section 109 of the Retirement and Social Security Law of the State of New York. A list of the names contained in this notice is on file and open to public inspection at the office of the New York State and Local Retirement System located at the 110 State St, in the City of Albany, New York. At the expiration of six months from the date of the publication of this notice. The accumulated contributions of the persons so listed shall be deemed abandoned and shall be placed in the pension accumulation

fund to be used for the purpose of said fund. Any accumulated contributions so deemed abandoned and transferred to the pension accumulation fund may be claimed by the persons who made such accumulated contributions or, in the event of his death, by his estate or such person as he shall have nominated to receive such accumulated contributions, by filing a claim with the State Comptroller in such form and in such a manner as may be prescribed by him, seeking the return of such abandoned contributions. In the event such claim is properly made the State Comptroller shall pay over to the person or persons or estate making the claim such amount of such accumulated contributions without interest.

Wood, John J - Fair Haven, VT

For further information contact: Mary Ellen Kutey, New York State Retirement Systems, 110 State St., Albany, NY 12244, (518) 474-3502

PUBLIC NOTICE

New York State and Local Retirement System

Pursuant to Retirement and Social Security Law, the New York State and Local Employees' Retirement System hereby gives public notice of the following:

The persons whose names and last known addresses are set forth below appear from records of the above named Retirement System to be entitled to accumulated contributions held by said retirement system whose membership terminated pursuant to Section 517-a of the Retirement and Social Security Law on or before February 28, 2014. This notice is published pursuant to Section 109 of the Retirement and Social Security Law of the State of New York. A list of the names contained in this notice is on file and open to public inspection at the office of the New York State and Local Retirement System located at the 110 State St, in the City of Albany, New York. At the expiration of six months from the date of the publication of this notice. The accumulated contributions of the persons so listed shall be deemed abandoned and shall be placed in the pension accumulation fund to be used for the purpose of said fund. Any accumulated contributions so deemed abandoned and transferred to the pension accumulation fund may be claimed by the persons who made such accumulated contributions or, in the event of his death, by his estate or such person as he shall have nominated to receive such accumulated contributions, by filing a claim with the State Comptroller in such form and in such a manner as may be prescribed by him, seeking the return of such abandoned contributions. In the event such claim is properly made the State Comptroller shall pay over to the person or persons or estate making the claim such amount of such accumulated contributions without interest.

Cook, John M - Wake Forest, NC

Feeney, David H - Blasdell, NY

Fenton, Mark A - Edwards, NY

Fuller, Anthony M - Warrensburg, NY

Guerrero, Ralph W - Ellenville, NY

Huff, Joshua W - North Charleston, SC

Manning, Amy L - Massena, NY

Matteson, Tracy L - Port Saint Lucie, FL

Moylan, Matthew E - Lockport, NY

Myers, Elonda L - Marion, OH

Norman, Ronald J - Eden, NY

Sajdak, Jason M - Cheektowaga, NY

Semrau, Matthew D - N Tonawanda, NY

White, Matthew E - Plattsburgh, NY

For further information contact: Mary Ellen Kutey, New York State Retirement Systems, 110 State St., Albany, NY 12244, (518) 474-3502

PUBLIC NOTICE

New York State and Local Retirement System

Pursuant to Retirement and Social Security Law, the New York State and Local Employees' Retirement System hereby gives public notice of the following:

The persons whose names and last known addresses are set forth below appear from records of the above named Retirement System to be entitled to accumulated contributions held by said retirement system whose membership terminated pursuant to Section 613 of the Retirement and Social Security Law on or before March 15, 2013. This notice is published pursuant to Section 109 of the Retirement and Social Security Law of the State of New York. A list of the names contained in this notice is on file and open to public inspection at the office of the New York State and Local Retirement System located at the 110 State St., in the City of Albany, New York. At the expiration of six months from the date of the publication of this notice. The accumulated contributions of the persons so listed shall be deemed abandoned and shall be placed in the pension accumulation fund to be used for the purpose of said fund. Any accumulated contributions so deemed abandoned and transferred to the pension accumulation fund may be claimed by the persons who made such accumulated contributions or, in the event of his death, by his estate or such person as he shall have nominated to receive such accumulated contributions, by filing a claim with the State Comptroller in such form and in such a manner as may be prescribed by him, seeking the return of such abandoned contributions. In the event such claim is properly made the State Comptroller shall pay over to the person or persons or estate making the claim such amount of such accumulated contributions without interest.

Aaron, Carolyn - Summerville, SC

Abbott, Sheryl L - Carthage, NY

Abdullahi, Abdifatah M - Memphis, TN

Acinelli, Nicole C - Clifton Park, NY

Acosta, Esther - Brentwood, NY

Adriance, Patrick J - Durham, NC

Alcindor, Marie C - Monroe, NY

Alderfer, Daya - New York, NY

Alexander, Melissa G - Plattsburgh, NY

Alexander, Michelle A - Webster, NY

Alexander, Terry - Staten Island, NY

Allen, Timothy P - Elba, NY

Alleyn, David J - Delhi, NY

Allie, Khadijatu - New York, NY

Alves, Caprice - Yonkers, NY

Aman, Susan - Staten Island, NY

Ambrose, Ryerson K - Pearl River, NY

Anclam, Susan E - Camden, NY

Anderson, Claudette - Brooklyn, NY

Arcara, John J - Tonawanda, NY

Arvanaghi, Loretta - Patterson, NY

Avellino, Joey L - Greenville, SC

Babcock-Ellis, Aimee Y - Rockville, MD

Badu, Janet J - Woodbridge, VA

Bailey, Edna M - Amsterdam, NY

Balsari, Robert - Huntington Station, NY

Bamigboye, Sheba O - Greenlawn, NY

Barclay, Lynette D - Arlington, TX

Barros, Darlene E - Prattsburgh, NY

Barrows, Debra A - Ilion, NY

Bartlett, Cheryl E - Sparrow Bush, NY

Batt, Sarah M - Sanborn, NY

Bauccio, Peter M - Lindenhurst, NY

Belott, Jennifer L - Schenectady, NY

Benain, Melissa C - Deer Park, NY

Bench, Valerie M - Cicero, NY

Bergman, Molly M - Rochester, NY

Bhatt, Gaurang T - Jericho, NY

Bien-Aime, Jalna - White Plains, NY

Billotti, Matthew T - West Islip, NY
Blowers, Randy H - Troy, NY
Boer, William J - Brentwood, NY
Bolt, Jason D - Cohoes, NY
Bonacasa, Louis M - Hanford, CA
Bonadonna, Thomas J - Webster, NY
Bonanno, Andrew J - Rochester, NY
Bordewich, Jean Parvin - Washington, DC
Bosco-Ruggiero, Stephanie A - Wappingers Fl, NY
Boyle, Amy R - Little Falls, NY
Brasier, Theresa M - Millis, MA
Brassil, Jocelyn M - Kings Park, NY
Breon-Milliman, Jill M - Webster, NY
Bridges, Wendy L - Groveland, FL
Brienza, Felicia - Shoreham, NY
Brissette, Renee C - Latham, NY
Broderick, Susan C - Greenlawn, NY
Brown, Jennifer K - Brooklyn, NY
Brown, Paul A - Trumansburg, NY
Bruno, Jesus - Huntington Station, NY
Bryant, Marie L - Port Henry, NY
Buckley, Barbara A - Grand Island, NY
Bullock, Davyd T - Poughkeepsie, NY
Bunchuck, Samantha M - Patchogue, NY
Burdick, Christina L - W Sand Lake, NY
Burger, James W - Troy, NY
Burns, Nicholas - North Babylon, NY
Burrus, Elizabeth B - Yonkers, NY
Burton, Deborah L - Cortland, NY
Caligiuri, Kathleen M - Penfield, NY
Callahan, Jeanne P - Albany, NY
Cameron, Jessica M - Brushton, NY
Campbell, Jesse A - Minoa, NY
Campbell, Shaneeka T - Newburgh, NY
Campbell, Stephanie M - Chatham, NY
Canestraro, Amanda L - Delanson, NY
Cangemi, Salvatore - Lincolnton, NC
Capozzi-Gross, Maria L - Lynbrook, NY
Carbone, Keith P - Denver, CO
Carbonell-Medina, Doris A - Buffalo, NY
Carls, Jason H - San Francisco, CA
Carmody, Joseph T - Valhalla, NY
Carmona, Darlene - Schenectady, NY
Carr, Jeffrey J - Clifton Park, NY
Carreras, Maritza - Brentwood, NY
Cash, Carol M - Buffalo, NY
Castillo, Gaspar M - Albany, NY
Ceus, Jean-Pierre - Spring Valley, NY
Chanan-Khan, Suneeta - Ponte Vedra, FL
Chaves, Cristiano - Portland, OR
Cheng, Denise M - Floral Park, NY
Chiasera, Melissa M - Lutherville, MD
Chyla, Kenneth - Schenectady, NY
Cipriano, Marisa - Croton-On-Hudson, NY
Cohen, Janet C - Pine Bush, NY
Cohill, Sylvia - Bronx, NY
Collins, Thomas J - Smithtown, NY
Conaty, Philip E - Monticello, NY
Conroy, Daniel P - Liverpool, NY
Converse, Robert P - New Berlin, NY
Conway, Rose - Yonkers, NY
Coon, Mary F - Trumansburg, NY
Coone, Anita M - Jamestown, NY
Cooper, Erin E - Buffalo, NY
Cordova, Annette D - Pawling, NY
Cornish, Suzette M - Simpsonville, SC
Coscette, Dona R - Middletown, NY
Cozzens, Diana L - Glens Falls, NY
Craft, Andrea L - Weedsport, NY
Cristo, Suzanne - Grosse Pointe, MI
Crocker, Kathleen - Buffalo, NY
Croft, Benjamin J - Schodack Landing, NY
Cruz, Aurelio - Brooklyn, NY
Cunningham, Janise R - Buffalo, NY
Curley, Jennifer D - Bay Shore, NY
Dailey, Christina M - Farmingville, NY
Dalley, Rannylin S - New York, NY
Dandridge, Sylvester T - Hewlett, NY
Darling, Lisa M - Gloversville, NY
Davidson, Yvonne K - Skaneateles, NY
Davis, Alison R - Brooklyn, NY
Davis, Camille A - Buffalo, NY
Davis, Karen R - Buffalo, NY
Davis, Nashaw P - Rochester, NY
Dawson, Catherine M - Selkirk, NY
Daye, Christine A - Delhi, NY
De Carlo, Alan P - Poughkeepsie, NY
De Fazio, Nichole F - Harlem River Dr, NY
De Lalla, Eileen F - Valhalla, NY
De Lorenzo, Kim M - Houston, TX
De Shaw, Jeffrey S - Indian Lake, NY
Demetropolis, Kristen A - Glen Cove, NY
Derenzo, Elizabeth A - Troy, NY
Derrick, Sonia E - Binghamton, NY
Devine, Joseph J - San Jose, CA
Dexter, Temika E - Niagara Falls, NY
Di Blasi, Stephanie A - Lawtons, NY
Dickerson, Isaiah E - Haverstraw, NY
Dinarte, Dermidio - West Islip, NY
Dittmer, Courtney M - Cohoes, NY
Dole, Julie A - West Jordan, UT
Dominy, Joseph E - Fort Edward, NY
Donovan, Marueen - Phoenix, AZ
Dorsey, Wayne A - Albany, NY
Dougherty, Bradley J - Kirkville, NY
Downs, Elizabeth A - Albany, NY
Dreger, Reo X - Phoenix, AZ
Driscoll, Emily R - Brooklyn, NY
Du Bois, Jill I - Ravena, NY
Du Bow, Barbara Bernardino - Long Beach, NY
Dukes, Cassanda A - Rochester, NY
Dunlap, Joewand D - Albany, NY
Duquette, Robert S - Peru, NY
Durlacher, Glenn A - Glens Falls, NY
Durnion, Rosemarie E - Perry, NY
Durr, James P - Kirkville, NY
Durrant, Phyllis M - Rochester, NY
Earle, James - Bayport, NY

Easterling, Edgar B - Mount Vernon, NY
Edmonds, Kenneth M - Far Rockaway, NY
Edwards, Theresa - Middletown, NY
Elmer, Everett E - Syracuse, NY
Emile, Karl M - Roosevelt, NY
Esterguard, Lisa D - Marcellus, NY
Faison, Alvarez D - Jamaica, NY
Fasce, Shannon M - Red Hook, NY
Fede, Andrea M - Stamford, CT
Feeny, Roxana E - Pomona, CA
Ferguson, William J - Schenectady, NY
Fernandez, Claribel - Farmingdale, NY
Ferrito, Robert M - Yonkers, NY
Filighera, Deanna M - Blasdel, NY
Fisher, Donna - Cortlandt Manor, NY
Fitch, David H - Pittsford, NY
Fitzpatrick, Kathleen M - Yorktown, NY
Forsythe, Layota D - Buffalo, NY
Fox, Mindy L - Deruyter, NY
Franco, Oneida - Staten Island, NY
Francois, Guerline - Spring Valley, NY
Franzese, Lenore T - Warwick, NY
Friedson, Andrew I - Schenectady, NY
Frischia, Alphonse - Brooklyn, NY
Fuentes, Debora - Buffalo, NY
Fulsom, Robert W - Blasdel, NY
Galeano, Raquel - Miami Gardens, FL
Galey, Ellen J - Hamburg, NY
Gamble, Allyson C - Amagansett, NY
Garafola, Mary Ellen - East Moriches, NY
Gershbein, Steven L - Brooklyn, NY
Giles, Kyna L - Elmont, NY
Giles, Charles S - White Plains, NY
Gillim, Robert J - Churubusco, IN
Giordano, Rita A - Poughkeepsie, NY
Goldfine, Irene M - Rochester, NY
Goldman, Michael - Great Neck, NY
Gonzalez, Ricardo - Central Islip, NY
Gransbury, Lisa M - Walton, NY
Gravanda, Vincent J - Leroy, NY
Green, Tyhisha - Schenectady, NY
Grimm, Heather M - Bethany, CT
Grippi, Adam M - Westbury, NY
Grishaber, Jill T - Jeffersonville, NY
Grossman, Michael F - Burnt Hills, NY
Guobadia, Anthony I - Deer Park, NY
Gutschow, Nathan W - Rochester, NY
Guzman, Viviana - Yonkers, NY
Gydesen, Joseph M - Port Leyden, NY
Haff, Rosalind J - Farmingville, NY
Haight, Heather L - Hilton, NY
Hallinan, Mary D - New York, NY
Hamilton, Dwight S - Mount Vernon, NY
Hannes, Robert - New City, NY
Hargrove, Jennifer E - Shirley, NY
Harris, Shanina D - Newburgh, NY
Hart, Stephanie A - South Cairo, NY
Hartwick, Jeremy - Chester, NY
Hassler Gould, Lori J - Camillus, NY

Hathaway, Kristina - Cape Vincent, NY
Hayes, Diane C - Rochester, NY
Hebert, Cory B - Alexandria Bay, NY
Henderson, Charles A - Chambersburg, PA
Henry, Taryn M - Batavia, NY
Heredia, Freddy F - Uniondale, NY
Hernandez, Pedro J - Beacon, NY
Heslor, Ashley L - Albion, NY
Hicks, Diane M - Sherburne, NY
Hicks, Raymond S - Fredonia, NY
Hoffmeister, Matthew R - Walton, NY
Hogan, Leslie A - Pearl River, NY
Holl, William J - Bay Port, NY
Holmes, Daniel W - Black Hawk, CO
Holmes, Elizabeth A - Martville, NY
Hopkins, David D - Sidney, NY
Horan, Sarah E - Arkport, NY
Howes, Christopher A - Pittsfield, MA
Hricay, James F - White Plains, NY
Hulbert, Richard F - Dexter, NY
Hunter, Arthur C - Troy, NY
Ilacqua, John J - Marlboro, NY
Irizarry, Tony J - Amsterdam, NY
Ishak, Rana - Yorktown Heights, NY
Iwasko, Mark D - Rochester, NY
Jackson, Michael L - Baldwinsville, NY
Jacob, Julie V - Brooklyn, NY
Jerla, Aaron J - Albion, NY
Johnson, Jill A - Southold, NY
Johnson, Lisa M - Stokesdale, NC
Johnson, Patricia L - New York, NY
Johnson, Romilla - White Plains, NY
Johnson, Tineka S - Bellport, NY
Jolly, Simritha N - Staten Island, NY
Jones, Cerena E - Troy, NY
Jones, Michelle R - Buffalo, NY
Joseph, Deborah G - N Tonawanda, NY
Kaczynski, Richard E - Penn Yan, NY
Kadian, Dennis E - Parsippany, NJ
Kading, Cheryl E - Stanfordsville, NY
Kahlow, Evelyn - Scarsdale, NY
Keough, Shawn G - Pomona, NY
Kerwood, Daniel J - Johnstown, NY
Khalil, Laura M - Red Lion, PA
Kilburn, Debra A - Wynantskill, NY
King, Kirstin L - Constantia, NY
Kinsella, John F - Hicksville, NY
Kirkland, Therese A - Saint Albans, NY
Kirshner, Patricia A - East Syracuse, NY
Kline, Travis L - Queensbury, NY
Knapp, Adria M - Kingston, NY
Kovarnik, Gloria A - Cazenovia, NY
Kowalczyk, Thomas J - Valley Stream, NY
Krakowiak, Joan H - Depew, NY
Kurup, Reveendra N - Spring Valley, NY
Kutner, Stephen D - Valley Stream, NY
La Barge, Jesse R - West Chazy, NY
La Clair, Shawn - Sodus, NY
La Mere, Holly L - Constable, NY

La Varnway, Heather A - Lake Placid, NY
Lai, Chui-Hun - Larchmont, NY
Lambeth, Michelle E - Hopewell Jct, NY
Langdon, David R - East Greenbush, NY
Langendorfer, Karen J - Barker, NY
Lavene, Dawn E - Morrisonville, NY
Lavolette, Marie A - Cambria Heights, NY
Leahy, Nora - Westtown, NY
Leahy, Thomas L - Dickinson Center, NY
Lee, Heather M - Amsterdam, NY
Leibowitz, Margaret A - Mamaroneck, NY
Levandoski, Theresa M - Lakewood, NY
Levine, Geoffrey J - Rockaway Park, NY
Lewis, Elisabeth A - Minoa, NY
Liebenow, Francis B - New Lebanon, NY
Linnick, Matthew E - La Plata, MD
Londono, Luz M - White Plains, NY
Loppe, Erwen E - Brooklyn, NY
Loretto, Mario J - Lancaster, NY
Luo, Xiao L - Bronx, NY
Magliola, Susan A - Accord, NY
Mahandru, Varinder - Floral Park, NY
Malcolm, Cathy C - Fairport, NY
Maldonado, Jose N - Huntington, NY
Malicki, Stephanie - Cheektowaga, NY
Maltseva, Anna - Brooklyn, NY
Manculich, Damelis D - Arlington, VA
Manke, Colleen M - Ridgewood, NJ
Manneh, Lafayette J - Staten Island, NY
Martin, Kevin M - Silver Creek, NY
Martinez, Robert N - North Baldwin, NY
Masesie, Bridget M - North Middletown, NJ
Mason, Tammy L - Pitcher, NY
Masterson, Laura G - Manchester, NH
Mathew, Bibby - New City, NY
Mathews, Preetha - Yonkers, NY
Mayhan, Shameerah M - Irvington, NJ
Mazzola, Joann - Monroeville, NY
Mc Bean, Sherice K - Brooklyn, NY
Mc Carthy, Deserae L - Millerton, PA
Mc Carthy, Thomas F - Canastota, NY
Mc Cary, Kathryn - Scotia, NY
Mc Mahon, Patrick W - Nassau, NY
Mears, David W - Hornell, NY
Medicis, Nicholas J - Liverpool, NY
Mejia, Victor O - Port Jefferson Stat, NY
Melendez, Jessica C - Shirley, NY
Melino, Jenna C - Hudson, NY
Mendes, Luis F - Mamaroneck, NY
Meng, Jimmy K - Flushing, NY
Merced, Dianna L - Amsterdam, NY
Merz, Claire E - Babylon, NY
Meyer, Jill S - Holliswood, NY
Michael, Robert L - Roslyn Heights, NY
Michel, Caroline - Nyack, NY
Middendorf, Maria - Centereach, NY
Miller, Colin M - Cary, NC
Miller, David G - North Collins, NY
Miller, Jesse - Buffalo, NY
Miller, Paul E - Kerhonkson, NY
Miller, Richard A - Lockport, NY
Miller, Roger W - Jamaica, NY
Millus, Karen A - Fulton, NY
Minnitti, Toni A - Schenectady, NY
Mirielle-Pierre, Marie M - Spring Valley, NY
Mitchell, Leah A - Getzville, NY
Mohabir, Rakesh B - Queens Village, NY
Mombrun, Mussolini - Brooklyn, NY
Monahan, Susan - Port Murray, NJ
Morello, Michael C - Wurtsboro, NY
Moreno, Luis A - Cary, NC
Morgan, Myra F - Queensbury, NY
Moroz, Robert A - Rochester, NY
Morris, Jonathan D - Owego, NY
Morris, Stefanie J - Pearl River, NY
Morrison, Bethany A - Matthews, NC
Moses, Felicia Y - Brooklyn, NY
Moses, Peter J - White Plains, NY
Movahed, Alexander P - New York, NY
Muha, Thomas P - Westernville, NY
Muniz, Madeline - New York, NY
Murphy, Sean P - Bardonia, NY
Murray, Dawn M - Redlands, CA
Myers, Walter J - Okahumpka, FL
Nassar, Kallid - Yonkers, NY
Nedrow, Katherine L - Clifton Springs, NY
Nee-Lartey, Victoria - Brooklyn, NY
Newman, Charles D - Wantagh, NY
Nicholls, Natalie S - Lakeland, FL
Nicholson, Will A - New York, NY
Nigro, Scott K - Long Beach, NY
Nwaiwu, Emmanuel I - Bronx, NY
Nwike, Kate E - Mesquite, TX
O'Brien, Jennifer A - Westbury, NY
O'Callaghan, Katie D - Croton Hdsn, NY
O'Connell, Catherine E - Court House, NJ
O'Donnell, Patricia A - Saugerties, NY
O'Leary, Kelly L - Rensselaer, NY
Ojo, Bolawole O - Valley Stream, NY
Olamiju, Dionne A - Highland Mills, NY
Olivet, Nicole - Johnson City, NY
Omanoff, Rosemary T - Woodbury, NY
Oney, Kevin M - West Stockholm, NY
Orlando, Mo - Bronx, NY
Osborn-O'Brien, Justin M - Fabius, NY
Pagan, Janice A - Allegan, MI
Palen, Kimberly A - Schenectady, NY
Palmeri, Maureen G - Yorktown Hts, NY
Papir, Joshua - Woodmere, NY
Park, Sheryl A - Hannibal, NY
Parker, Eileen P - Massapequa, NY
Pate, Curlie L - Bronx, NY
Peek, Paul P - Orlando, FL
Penner, Sonya A - Plainville, CT
Pennicooke, Daidre S - Lehigh Acres, FL
Perissi, Richard T - East Meadow, NY
Perry, Suzanne F - Horseheads, NY
Phipps, Carol J - East Elmhurst, NY

Pierre, Gary - Brooklyn, NY
Plavac, Nick J - Binghamton, NY
Pneuman, James F - Duanesburg, NY
Polak, Christine L - Tempe, AZ
Polecki-Walls, Stacie A - Medford, NY
Polimeni, Gabriel - Schenectady, NY
Porter, Christina C - Locust Valley, NY
Potter, Sherry L - Orlando, FL
Powers, Amanda J - Milford, NY
Pratt, Alexa M - Minerva, NY
Prescod, Khari P - Brooklyn, NY
Prisco, Theresa A - Holbrook, NY
Prober, Emily D - Irvington, NY
Raafat, Sawsan M - Richardson, TX
Ragin, Marvin L - Mount Vernon, NY
Rampersad, Ann M - Bayshore, NY
Raouf, Aousam Alfons - Brooklyn, NY
Raymond, Martha A - Central Square, NY
Record, Shari A - Canandaigua, NY
Reddy, Daniel E - Tuckahoe, NY
Reed, Carolyn A - Statesville, NC
Reichal, William L - Westtown, NY
Reyes-Padilla, Eduardo M - Brentwood, NY
Rhodes, Leo H - Henrietta, NY
Rice, Rebecca L - East Syracuse, NY
Rich, Shawna L - Carthage, NY
Ridley, Edith - Fort Worth, TX
Riley, Karen A - Palm Cost, FL
Riley, Kendra D - Syracuse, NY
Rinaldi, Andrew S - Delmar, NY
Riordan, Sean Patrick J - Northport, NY
Robinson, Frank Andrew - Highland, NY
Robinson, Nakia N - Schenectady, NY
Robinson, Nicole M - Decatur, TN
Rocoff, Chantal S - Brooklyn, NY
Rodriguez, Wilson - Maspeth, NY
Roeder, Anne M - Garden City, NY
Rogers, Daniel - Wyoming, RI
Rosado, Damaris - New York, NY
Rose, Loretta L - Norwich, NY
Ross, Michael J - Niagara Falls, NY
Rotelli, Michael D - Gilmanton, NH
Rouse, Mary A - Honeoye, NY
Rousell, Brett J - Malone, NY
Rubinoff, Evelina - Queens Village, NY
Russell, Brendan M - Jamesville, NY
Russo, Nadia A - Hicksville, NY
Sabel, Michael J - Syracuse, NY
Sadowski, Daniel J - Alexandria, VA
Saleh, Sheila R - Niskayuna, NY
Samuel, Maurice A - Jamaica, NY
Samuelson, Jeremy D - East Hampton, NY
Sanchez, Ramon T - Duffield, VA
Sanders, Sherri L - Calhoun, NY
Sanford, Harrison D - Westbury, NY
Santiago, Carlos M - Inwood, NY
Schmitt, James P - East Rockaway, NY
Schneider, Joseph F - Mastic Beach, NY
Schriever, Amy M - Floral Park, NY
Schulman, Julie A - Rochester, NY
Seamon, Kevin T - Schenectady, NY
Seifert, Michael K - Onieda, NY
Serrano, Mindy L - Bronx, NY
Sheridan, J Kolbe H - Albany, NY
Sherman, Samantha A - Sharon Springs, NY
Sickler, Marsha S - Red Hook, NY
Silverbush, Bnai R - Syracuse, NY
Simeon, Chantalle L - Spring Valley, NY
Simmons, Gregory J - Mattituck, NY
Skiff, Kimberly L - Broadalbin, NY
Sleeper, Ellen M - Brooktondale, NY
Smay, Kelly - Stony Point, NY
Smith, Christopher D - Hempstead, NY
Smith, O'Neil S - Albany, NY
Sobek, Christina - West Hempstead, NY
Sones, Jami D - Albion, NY
Sorell, Amy L - Inglewood, CA
Soto, Crystal A - Troy, NY
Spath, Jeffrey V - Wappingers Falls, NY
Spence, Andrew O - Mount Vernon, NY
Speranzo, Loretta - Staten Island, NY
Staley, Rhyen P - Manhattan, IL
Stancliff, Debra - Buffalo, NY
Stanley, Lea Ann - Granville, NY
Staschak, Kellie J - Medina, NY
Stiles, Theodore R - Watertown, NY
Stimola, Aubrey N - Saratoga Spgs, NY
Stoll, Jessica J - Stony Point, NY
Stroud, Lelia - New York, NY
Stulting, Gregory R - New York, NY
Surinarain, Mala - Jamaica, NY
Sutch, Lori A - Lancaster, NY
Swahlan, Kris M - E Greenbush, NY
Swartwood, Ian A - St Augustine, FL
Sweeney, John E - Appleton, NY
Sykes, Garrett A - Niagara Falls, NY
Taber, Michele F - Hershey, PA
Talovic, Julie A - Endicott, NY
Tate, Sandra B - Englewood, NJ
Tebo, William G - Union, SC
Ter Bush, Cynthia A - Davenport, NY
Tetrault, Jeffrey - Wading River, NY
Thomas, Brenda F - Buffalo, NY
Thomas, Stephen - Woodstock, NY
Thompson, George - Baldwin, NY
Thurgood, Sarah M - Bovina Center, NY
Tierney, Shawna G - Jefferson, ME
Tillman, John L - Buffalo, NY
Tills, Stephen K - Orchard Park, NY
Tobin, Zoe M - New York, NY
Torres, Adam D - Brooklyn, NY
Trembacz, Richard P - Glenmont, NY
Trillana, Raymunda M - Spring Valley, NY
Truitt, Karen D - Buffalo, NY
Tuccillo, Andrew P - Philadelphia, PA
Tucker, Nicole - Morira, NY
Tudda, Melissa - Inwood, NY
Twiss, Deanna M - Troy, NY

Uzzi, Carmela M - Upper Saddle River, NJ
 Vail, Kristin C - Taylorsville, NC
 Valerio, Evelyn D - Hastings On Hudson, NY
 Van Emrik, Richard H - Washington, PA
 Van Gorder, Adrienne N - Canajoharie, NY
 Van Meter, Barbara A - Canandaigua, NY
 Vanderworker, Christie M - Painted Post, NY
 Vanoni, Janelle M - Feura Bush, NY
 Vazquez, Alberto - Raeford, NC
 Vazquez, Vanessa - Middletown, NY
 Vernon, Devin J - Rochester, NY
 Vilca, Raul L - Brooklyn, NY
 Vorgbedor, Godwin Mensah - Bronx, NY
 Vottis, Christina M - Delmar, NY
 Vottis, Peter A - Schenectady, NY
 Vullo, John J - Bayshore, NY
 Walker-Foley, Pamela A - Fairport, NY
 Walker, Anthony D - Raleigh, NC
 Walker, Lisa - Newburgh, NY
 Walley, Shannon D - Newport, NC
 Wank, Aaron J - Deposit, NY
 Washington, Jennia-Mae A - Buffalo, NY
 Wasilewski, Jacek K - Georgetown, TX
 Webb, Benny L - Jamaica, NY
 Webber, Gail V - Sprngfld Gdns, NY
 Weeden, Paul J - Narrowsburg, NY
 Weegar, Daniel J - Newark, NY
 Wegman, Eleanor R - Fairport, NY
 West, Holly A - Clifton Park, NY
 Williams, Alonza R - Glen Cove, NY
 Williams, Carolyn C - Staten Island, NY
 Williams, Ira D - Moravia, NY
 Williams, Mark - Rochester, NY
 Williams, Norris M - Hempstead, NY
 Wilmer, Jacqueline L - Canastota, NY
 Wilson, Deouan V - Ossining, NY
 Wilson, Noreen P - Deland, FL
 Winton, Kiesha M - New Berlin, NY
 Wong, Oneal - Little Neck, NY
 Wood-Smith, Donald W - Greenwich, CT
 Wood, Anna M - Newton, NJ
 Wood, Ricky T - Hurleyville, NY
 Woodruff, Sherry L - Wilmington, NY
 Worboys, Craig C - Cambridge, NY
 Wormuth, Jenna M - Walton, NY
 Yakalis, Matthew C - Oneonta, NY
 Yakhnis, Diana - Brooklyn, NY
 Yarbrough, Damara K - Albany, NY
 Zafar, Faisal - Yaphank, NY
 Zak, Cory W - Buffalo, NY
 Zangerle, Jacob L - Mount Morris, NY
 Zaranek, Jamie J - Jamestown, NY
 Zevallos, Hugo A - Bethpage, NY
 Zito, Kimberly M - Amsterdam, NY
 Zorrilla, Dinorah E - New York, NY
 Zubiller, Lisa N - Seaford, NY
 Zuppa, Raymond J - Hauppauge, NY
 Zygula, Leonard N - Hamburg, NY
 For further information contact: Mary Ellen Kutey, New York State

Retirement Systems, 110 State St., Albany, NY 12244, (518) 474-3502

PUBLIC NOTICE

**New York State and Local Retirement Systems
 Unclaimed Amounts Payable to Beneficiaries**

Pursuant to the Retirement and Social Security Law, the New York State and Local Retirement Systems hereby gives public notice of the amounts payable to beneficiaries.

The State Comptroller, pursuant to Sections 109 (a) and 409 (a) of the Retirement and Social Security Law has received, from the New York State and Local Retirement Systems, a listing of beneficiaries or estates having unclaimed amounts in the Retirement System. A list of the names contained in this notice is on file and open to public inspection at the office of the New York State and Local Retirement Systems located at 110 State St., in the City of Albany, New York.

Set forth below are the names and addresses (last known) of beneficiaries and estates appearing from the records of the New York State and Local Retirement Systems, entitled to the unclaimed benefits.

At the expiration of six months from the date of publication of this list of beneficiaries and estates, unless previously paid to the claimant, the amounts shall be deemed abandoned and placed in the pension accumulation fund to be used for the purpose of said fund.

Any amounts so deemed abandoned and transferred to the pension accumulation fund, may be claimed by the executor or administrator of the estates or beneficiaries so designated to receive such amounts, by filing a claim with the State Comptroller. In the event such claim is properly made, the State Comptroller shall pay over to the estates or to the person or persons making such claim, the amount without interest.

- BARTLETT,KENDRA EDDINGS JACKSONVILLE IL
- BAZAN,MILDRED J ESTATE OF SYRACUSE NY
- MC CORMICK,KATHERINE A EST OF FAIRPORT NY
- SCHWARZ,MARIA JERSEY CITY NJ
- WITUSZYNSKI,CATHERINE ESTATE NORTH SYRACUSE NY
- WICKS,JEANETTE ESTATE OF NORTHPORT NY
- REID,SYLVIA BRIAR CLIFF MANOR NY
- REYNOLDS,THELMA ESTATE OF BONITA SPRINGS FL
- SIEGEL,SOL ESTATE OF CANADA..
- LATTIN,AVIS W ESTATE OF ALBION NY
- FIORELLA,SALLY E ESTATE OF LEWISBURG PA
- ZACCANELLI,MARGARET ESTATE OF PLANO TX
- MICHAELS,DORIS M ESTATE OF ALCOVE NY
- RAYBURN,HELEN C ESTATE OF STATEN ISLAND NY
- KOKE,JEAN P ESTATE OF SOUTHOLD NY
- JONES FLOYD,MICHELLE SPRING VALLEY NY
- BONITATIBUS,MARJORIE ESTATE OF SCHENECTADY NY
- HUNT,GRACE A ESTATE OF SCHENECTADY NY
- JANNAIN,FLORENCE B ESTATE OF EAST BETHANY NY
- HOFFMAN,BLANCHE R ESTATE OF HOUSTON TX
- DETELS,ANNA H. ESTATE OF NEW YORK NY
- RENKAVINSKY,GEORGINA M EST OF SCHENECTADY NY
- VINOGROSKI,ANNA ALBANY..
- PENSINGER,ROBERT A ESTATE OF ELMIRA NY
- HORBACZ,NICHOLINA ESTATE OF WATERTOWN NY
- WHITLOCK,HELEN G ESTATE OF GREER SC
- KELLER,MARTHA H ESTATE OF BURNT HILLS NY
- WARK,CYNTHIA ESTATE OF CLIFTON PARK NY
- JACKSON,LORETTA ESTATE OF SKANEATELES FALLS NY
- MC KEE JR,CLARENCE PHILADELPHIA PA
- MARTIN,FRANCIS E ESTATE OF SARANAC LAKE NY
- MILLER,EMMA ESTATE OF NEWFIELD NY
- CASTELLANO,CARLA GOWANDA NY

FRYSIAK,FRANCES A ESTATE OF POOLESVILLE MD
 HUGHES,RAYMOND J ESTATE OF EAST AMHERST NY
 SMITH,MARGARET S ESTATE OF COEYMANS NY
 LAWYER JR,HENRY J SCHENECTADY NY
 LAWYER,WAYNE A SCHENECTADY NY
 SCHNITTKER,NANCY ESTATE OF AZLE TX
 LINARDAKIS,ALEXANDRA ROSENDALE NY
 LINARDAKIS,DORIS FAIRLAWN NJ
 LINARDAKIS,HARRY ROSENDALE NY
 ACEVEDO,JACQUELINE ESTATE OF PORT ORANGE FL
 TOTTEN,ELLA MAE ESTATE OF HYDE PARK NY
 HANKLE,GERALDINE S ESTATE OF WYNANTSKILL NY
 WRIGHT,ANDREA ELIZABETH NJ
 TRIBLEY,JEFFREY G SARATOGA SPRINGS NY
 RIVET,ROSEMARIE AVERILL PARK NY
 SCATURRO,LOUISE ESTATE OF RIVERHEAD NY
 OLSEN,CHRISTINE H ESTATE OF POTSDAM NY
 OLSEN,CHRISTINE H ESTATE OF POTSDAM NY
 BLACKBURN,JESSIE ESTATE OF OSWEGO NY
 HARLEY,DOROTHY K NEW YORK NY
 PURYEAR,MICHAEL TEANECK NJ
 RUSSELL,JAY W ESTATE OF BEAVER FALLS NY
 HAAR,ROBERT ESTATE OF BLASDELL NY
 JANSON,MAURICE J ESTATE OF SPARKS NV
 KEPPLER,BEATRICE ESTATE OF BALDWIN NY
 CARROLL,DOROTHY E ESTATE OF OAK RIDGE TN
 COSTELLO,JOHN L LANCASTER AZ
 CRAWL,CECIL ESTATE OF SAN RAMON CA
 RUE,MILLARD H ESTATE OF CLIFTON PARK NY
 MEYERS,JEANETTE A ESTATE OF GREENWOOD LAKE NY
 KEILTY,RICHARD DALLAS NC
 SAINTOMAS,MARTIN J WAPPINGERS FALLS NY
 MERSAND,STEVEN BOCA RATON FL
 MCKABA,RAYMOND ESTATE OF JACKSONVILLE FL
 DOYLE,DANIEL HARTSDALE NY
 HILL,JONATHAN H UNIONDALE NY
 ROFFI,ARTHUR J TUCKAHOE NY
 GUTIERREZ,MIGUEL ESTATE OF LAKE RONKONKOMA NY
 WILLIAMS,MARY C ESTATE OF SARATOGA SPRINGS NY
 CREGO,KAREN A ESTATE OF HOLLAND PATENT NY
 DAINO,ROBERT P HILLIARD OH
 RHODES JR,ULY ESTATE OF BUFFALO NY
 LATTIN,AVIS W ESTATE OF ALBION NY
 HARTMAN,GLENORR ESTATE OF OCALA NC
 VANDERVEER,GLORIA A ESTATE OF KING GEORGE VA
 PERKINS,FORREST T LAS VEGAS NV
 SHEA,MARTHA F ESTATE OF HYNTINGTON STATION NY
 CHRISTOPHER,DAISY CORONA NY
 COLE,FRANCES H ESTATE OF DALLAS TX
 FRIEDMAN,DIANE A ESTATE OF MONTCLAIR NJ
 WRIGHT,JAMES G ESTATE OF UPPER JAY NY
 MELIA,ELAINE RUMSON NJ
 LATONE,JANET B NEWARK NY
 PUCILLO,LOUIS J ESTATE OF NORTHPORT NY
 MOORE,GEORGE J JAMESTOWN NY
 MOORE,JESSICA J SAN DIEGO CA
 PROCTOR,EDNA M ESTATE OF BENICIA CA
 COHEN,ROBERT F NEW YORK NY
 RUSSELL JR,JOHN L ITHACA NY
 ARENELLA,MIEHELINA ESTATE OF MERRICK NY
 DOCAR,JOANNE BRIARCLIFF MANOR NY
 DOCAR,MICHAEL FORT MILL SC
 LECHNER 4TH,JOHN A MANCHESTER MA
 LECHNER,SCOTT MERRICK NY
 GUERRISE,MARGARET ESTATE OF DELRAY BEACH FL
 MICHAL-SMITH,HAROLD ESTATE OF CROTON NY
 QUILTY,VIRGINIA E ESTATE OF BOYNTON BEACH FL
 FERRIS,JOSEPH A ESTATE OF UTICA NY
 GRAY,CHARITY POUGHKEEPSIE NY
 GRAY,HOPE BEACON NY
 SMITH,JOAN C ESTATE OF NORTH BABYLON NY
 MAGGIO,CLEMENTINE ESTATE OF PITTSFORD NY
 BRANDES,HEIDE U ESTATE OF KINGMAN AZ
 LITTLE SR,ROBERT PITTSFORD NY
 YATES,JEAN M ESTAT OF WEST SENECA NY
 GARCIA,MURIEL E ESTATE OF SAINT ALBANS NY
 JANOSKI,JAY WADING RIVER NY
 CARTER,STEPHEN AMBRIDGE PA
 RUSSELL,STEPHEN C MEMPHIS TN
 CRUMP,SHARON LEE ESTATE OF MASSENA NY
 REED,NICOLE JEAN TABERG NY
 REED,RYAN R ROME NY
 FUSCO,THEODORE M ESTATE OF GREEN ISLAND NY
 KOSTY,MICHAEL P VESTAL NY
 KOSTY,RACHEL E VESTAL NY
 LALLY,GRETCHEN ESTATE OF BALLSTON SPA NY
 BALZ,RAYMOND MOUNT JOLIET TN
 GOODWIN,GARY B ROCHESTER NY
 KURTZKE,MELISSA HEMPSTEAD NY
 DOUGLAS,LISA M GRAPEVINE TX
 DOUGLAS,MARC D ALBANY NY
 DIORIO,LAWRENCE L MORRISONVILLE NY
 SAUNDERS,ELIZABETH ALBANY..
 SAUNDERS,TINA ALBANY..
 CALLAHAN,LORRAINE A ESTATE OF HARRISBURG NY
 WALSH,ROSEMARY ESTATE OF TUCSON NY
 VANFRADENBURGH,EDWARD E ESTATE KAUNEONGA LAKE NY
 RIBOWSKY,META B NEW YORK NY
 FAMIGLIETTI,ALTHEA ESTATE OF GLEN COVE NY
 SAYYED,ANWAR R ESTATE OF PALASTAN..
 MATHEWS,AUTUMN H BATH NY
 CARTER,CHARLENE GANSEVOORT NY
 DAVID,JOHN HOLBROOK NY
 BURCHELL,VIRGINIA M ESTATE OF ALBANY NY
 POGGI,EDWARD MILLINGTON NJ
 POGGI,JEFFREY MILLINGTON NJ
 OZYCZ,KAREN CHESHIRE CT
 SHEFFER,PAUL R FAIRFIELD CT
 FIELDS,DWAYNE FOREST PARK GA
 FIELDS,FLECIA ALBANY NY
 FIELDS,MAYA UNION CITY GA
 FIELDS,SONYA M JONESBORO GA
 GENOR,LEE H ESTATE OF BOCA RATON FL
 THOMAS,KENYATTA F HARRISBURG PA
 STAHLEY,DANIEL F ESTATE OF RANDOLPH NY
 ABBOTT,MARGARET BATH NY
 FITENI,LUCILLE ESTATE OF MOUNT VERNON NY
 OBRIEN,ANTOINETTE D FLORAL PARK NY

PEAKE,MARY S ESTATE OF BROCKPORT NY
MESSING,SCOTT BRIDGEWATER NJ
SCHEU SR,HENRY H ESTATE OF JAMAICA NY
WESTCHESTER PEOPLES ACTN CMMT, WHITE PLAINS NY
KRACKE,RANDY J EAST QUOGUE NY
KIBBLE SR,FRANK B ESTATE OF MIDDLEBORO MA
SWIDERSKI,DEREK PARAMUS NJ
LACROIX,BRENDA DANNEMORA NY
BROCK,EDITH BRONX NY
BROCK,ETHEL BRONX NY
SIMMONS,ARTHUR R ESTATE OF HARTSDALE NY
EUSTACE,NICOLE SYRACUSE NY
BARKER,MICHELLE MARIE BALLSTON SPA NY
BOBAR,ALINA L BEDFORD NH
HENRIE,LISA BETH PINEVILLE NC
TRINCHINI,SAMUEL B ESTATE OF ROCHESTER NY
TRINCHINI,SAMUEL B ESTATE OF ROCHESTER NY
CREGO,KAREN A ESTATE OF HOLLAND PATENT NY
GANT,JAMES M BROOKLYN NY
GANT,VIVA M NEW YORK NY
JOHNSON,JOHNNY BROOKLYN NY
BROWNLEE,SHAMEL BROOKLYN NY
UNVERZAGT,JOHN A ESTATE OF ELLENVILLE NY
DOUBRAVA,MARIANNE F NEW ROCHELLE NY
BRITT,DEBORAH JERSEY CITY NY
GIBSON,JASMYN JADE R HONEOYE FALLS NY
GRIFFIN JR,THOMAS J BAY SHORE NY
BROWN,CHARLIE L ESTATE OF SLINGERLANDS NY
ROLA,CALEN NIAGARA FALLS NY
GORCZYCA,JOHN M COLUMBUS IN
GORCZYCA,PAUL W BUFFALO NY
GORCZYCA,STEVEN M LAKE VIEW NY
RANGER,CARLA A REPUBLIC OF PANAMA..
RANGER,DARIO A REPUBLIC OF PANAMA..
SANDERS JR,ALLISON JAMAICA NY
HANTZARIDES,FONTINY EST OF HYDE PARK NY
THOMPSON,JACK I ESTATE OF BALDWINVILLE NY
PERRY,PHILIP J ESTATE OF WASHINGTONVILLE NY
PAONE,CARMINE ESTATE OF MIDDLETON NY
ROUDETTE,MICHAEL M ESTATE OF NEW YORK NY
EVANS,PATRICIA M NYACK NY
BEDFORD,JOANNE ESTATE OF SIGNER ISLAND FL
BENCIVENGA,ADELINE ESTATE OF SMITHTOWN NY
PITTSLEY,HELEN J ESTATE OF OSWEGO NY
ANDERSON,TIMOTHY P LAKWOOD NY
MITCHELL,PATRICK FAR ROCKAWAY NY
LOMARBI SCHWARTZ,MARY EST OF BELLPORT NY
DRESSEL,ANDREW K ESTATE OF ALBANY NY
MALCUIT,RAYMOND ESTATE OF WEST ISLIP NY
LAZCANO,ALEX WAPPINGERS FALLS NY
PROCIDA,DARIELLE MIDDLE ISLAND NY
TALBOT,CHARLES ESTATE OF MORAVIA NY
CROWE,CHERYL POUGHKEEPSIE NY
PINERO,SAMUEL C GAFFNEY SC
BENNETT,MATTHEW J DANSVILLE NY
SCHOEN,CHRISTINE M UTICA NY
TILLERY,DYQUAN ELIJAH BROOKLYN NY
STEWART,MICHAEL COHOES NY

