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**NEW YORK STATE**

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# REGISTER

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***INSIDE THIS ISSUE:***

- Supplementary Fees—Port of New York
- Extend Bay Scallop Open Season for 2015
- Use of Truss Type, Pre-Engineered Wood or Timber Construction in Residential Structures

**Rule Review**

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State agencies must specify in each notice which proposes a rule the last date on which they will accept public comment. Agencies must always accept public comment: for a minimum of 45 days following publication in the *Register* of a Notice of Proposed Rule Making or a Notice of Emergency Adoption and Proposed Rule Making for which full text was included in the Notice or posted on a state web site, or which is a consensus rule or a rule defined in SAPA § 102(2)(a)(ii); or for a minimum of 60 days following publication in the *Register* of a Notice of Proposed Rule Making or a Notice of Emergency Adoption and Proposed Rule Making for which a summary of the text of the rule was included in the Notice and the full text of which was not published on a state web site; and for 30 days after publication of a Notice of Revised Rule Making in the *Register*. When a public hearing is required by statute, the hearing cannot be held until 45 days after publication of the notice, and comments must be accepted for at least 5 days after the last required hearing. When the public comment period ends on a Saturday, Sunday or legal holiday, agencies must accept comment through the close of business on the next succeeding workday.

***For notices published in this issue:***

- the 60-day period expires on June 14, 2015
- the 45-day period expires on May 30, 2015
- the 30-day period expires on May 15, 2015

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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

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# NEW YORK STATE REGISTER

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## Be a part of the rule making process!

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

To be considered, comments must reach the agency before the proposed rule is adopted. The law provides for a minimum 45-day public comment period after publication in the *Register* of every Notice of Proposed Rule Making for which full text was included or posted on a state web site, or which is a consensus rule or a rule defined in SAPA § 102(2)(a)(ii); a minimum 60-day public comment period after publication in the *Register* of a Notice of Proposed Rule Making for which a summary of the text of the rule was included in the Notice and the full text of which was not published on a state web site; and a 30-day public comment period for every Notice of Revised Rule Making. If a public hearing is required by statute, public comments are accepted for at least five days after the last such hearing. Agencies are also required to specify in each notice the last date on which they will accept public comment.

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

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

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

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

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

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

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

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## Board of Commissioner of Pilots

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

#### Supplementary Fees—Port of New York

I.D. No. COP-15-15-00014-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 55.1 of Title 21 NYCRR.

**Statutory authority:** Navigation Law, section 95

**Subject:** Supplementary fees—Port of New York.

**Purpose:** Establishes rates and charges for pilotage in the Port of New York.

**Text of proposed rule:** Section 55.1. Supplementary fees—Port of New York

(a) For transporting a vessel between points indicated on the chart below, the fee shall be [\$1.25] *\$2.90* per pilotage unit, with a minimum charge of [\$75] *\$700* and a maximum charge of [\$500] *\$1,450*.

Charges

(b) Charges for other services.

(1) In any case where no other fee shall have been established by the Navigation Law or these regulations, the fee for transporting a vessel within the Port of New York shall be [\$100] *\$700*.

(2) Vessels returning from sea in consequence of head winds or stress of weather shall pay full pilotage.

(3) [For delivering a letter on board a vessel coming to New York ordering it to go instead to another port without entering the Port of New York, the fee shall be \$50.] *When a pilot, for the convenience of the vessel*

*awaiting berth or tide, is detained or delayed, the fee shall be \$150 per half hour or part thereof.*

[(4)] A pilot detained on board a vessel on account of quarantinable disease shall be entitled to a fee of \$50 for each hour detained.]

[(5)] In any case when the rendering of service is delayed for the convenience of the vessel, the pilot shall be entitled to \$50 for each hour or part thereof. However, if the pilot's services are used within one hour, no charge will be incurred.] (4) *When a pilot is dismissed without rendering service, the pilot shall be entitled to \$1,000 or Base Pilotage Tariff, whichever is less.*

[(6)] (5) When a pilot, for the convenience of the vessel for any reason, is ordered to stand by, the fee shall be [\$50] *\$150* [an] *per half hour* for the time on board but the minimum fee shall be [\$150] *\$600*.

[(7)] A vessel that passes the Narrows inbound after 6:00 p.m. and anchors, and then gets underway after 6:00 the following morning shall be subject to a transporting fee per the tables.]

[(8)] When a pilot is discharged from a vessel within the Port of New York and the vessel later proceeds to a berth or another anchorage with a Sandy Hook pilot on board, a transporting fee shall apply.] (6) *When an additional pilot is requested by a vessel, the fee shall be one half of Base Pilotage Tariff.*

[(9)] (7) Whenever, under permission granted by commissioners' regulations, a pilot shall assist in either the docking or the undocking of a vessel in the Port of New York, such pilot may collect fees as follows in addition to any fee otherwise established:

(i) without assistance of tugs or bow thruster, [25] *33* percent of the [statutory rate for registered vessels] *base pilotage tariff*;

(ii) without assistance of tugs but with assistance of a bow thruster, [15] *26* percent of the [statutory rate for registered vessels] *base pilotage tariff*;

(iii) with the assistance of a tug or tugs, [10] *20* percent of the [statutory rate for registered vessels] *base pilotage tariff*.

[(10)] (8) When a pilot is called upon to swing a ship for the purpose of adjusting compasses or calibration of direction finders or both, there shall be a fee of [\$50] *\$150* in addition to the regular pilotage.

[(11)] (9) The fee for anchoring in the vicinity of the pilot station, when a Sandy Hook pilot is employed for that purpose, shall be [\$175] *\$700*.

[(12)] (10) Vessels arriving at the pilot station *requesting a pilot* without at least [six] *twenty-four* hours prior notice shall be charged an additional fee of [\$250] *20 percent of base pilotage tariff but the minimum fee shall be \$500*.

[(13)] (11) If the arrival of a vessel is cancelled less than six hours before its scheduled arrival time, there shall be a charge of [\$150] *20 percent of base pilotage tariff but the minimum fee shall be \$500*.

[(14)] (12) If a vessel arrives at the pilot station more than [one] *two* hours later than its scheduled arrival time and the pilot vessel on station or the pilot office has not been notified of the delayed arrival at least [three] *six* hours before the scheduled arrival time, there shall be a charge of [\$50] *\$150 per half hour or part thereof*. The maximum charge shall *not exceed* [be \$300] *20 percent of base pilotage tariff*.

[(15)] (13) If an order to pilot a vessel outbound is received less than three hours prior to sailing time, there shall be a charge of [\$100] *\$300* [in addition to the regular pilotage].

All charges covered by this subdivision shall be in addition to other fees prescribed by the Navigation Law and these regulations.

**Text of proposed rule and any required statements and analyses may be obtained from:** Frank Keane, Board of Commissioner of Pilots of the State of New York, 17 Battery Place, Suite 1230, New York, NY 10004, (212) 425-5027, email: FWKeane@bdcommpilotsny.org

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

**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.

## Department of Corrections and Community Supervision

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

**Taconic Correctional Facility**

**I.D. No.** CCS-15-15-00002-P

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

**Proposed Action:** This is a consensus rule making to repeal section 100.82(d) and (e) of Title 7 NYCRR.

**Statutory authority:** Correctional Law, section 70

**Subject:** Taconic Correctional Facility.

**Purpose:** Remove reference to functions that are no longer operational at this correctional facility.

**Text of proposed rule:** Amend Section 100.82 of 7 NYCRR, as follows:  
100.82 Taconic Correctional Facility.

(a) There shall be in the department an institution to be known as Taconic Correctional Facility, which shall be located on the grounds of Bedford Hills Correctional Facility at Bedford Hills in Westchester County, New York, on that portion of the property under the jurisdiction of the department located on the northeast side of Harris Road.

(b) Taconic Correctional Facility shall be a correctional facility for females 16 years of age or older.

(c) Taconic Correctional Facility shall be classified as a medium security correctional facility, to be used as a general confinement facility.

[(d) An approximate 200-bed annex/unit on the grounds of Taconic Correctional Facility shall also be used as an alcohol and substance abuse treatment correctional annex.

(e) An approximate 30-bed unit on the grounds of Taconic Correctional Facility shall also be used as a residential treatment facility.]

**Text of proposed rule and any required statements and analyses may be obtained from:** Kevin P. Bruen, Deputy Commissioner and Counsel, NYS Department of Corrections and Community Supervision, 1220 Washington Avenue - Harriman State Campus - Building 2, Albany, NY 12226-2050, (518) 457-4951, email: Rules@DOCCS.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.

**Consensus Rule Making Determination**

The Department of Corrections and Community Supervision (DOCCS) has determined that no person is likely to object to the proposed action. The amendment of this section removes the reference to functions that are no longer operational at a correctional facility and are no longer applicable to any person. See SAPA Section 102(11)(a).

The Department's authority resides in section 70 of Correction Law, which mandates that each correctional facility must be designated in the rules and regulations of the Department and assigns the Commissioner the duty to classify each facility with respect to the type of security maintained and the function as specified. See Correction Law § 70(6).

**Job Impact Statement**

A job impact statement is not submitted because this proposed rulemaking will merely amend the regulation to be consistent with the current functions of Taconic Correctional Facility; therefore it has no adverse impact on jobs or employment opportunities.

## Department of Environmental Conservation

### EMERGENCY RULE MAKING

**Extend Bay Scallop Open Season for 2015**

**I.D. No.** ENV-15-15-00001-E

**Filing No.** 226

**Filing Date:** 2015-03-27

**Effective Date:** 2015-03-27

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

**Action taken:** Amendment of Part 49 of Title 6 NYCRR.

**Statutory authority:** Environmental Conservation Law, section 13-0327

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

**Specific reasons underlying the finding of necessity:** Promulgating this regulation on an emergency basis is necessary to extend the bay scallop season by one month before the season closes on March 31. The extremely harsh winter and freezing temperatures made most of the areas in Peconic Bays and adjacent waters inaccessible for scallop harvest for up to 5 weeks, causing commercial harvesters to lose a significant portion of their income potential during the winter. This regulation would provide additional economic opportunities for commercial harvesters to make up revenues lost during the winter months while still providing for the conservation of viable bay scallop resources in State waters. It is in the best interests of the general welfare of New York State's commercial shellfish industry to implement these regulations before the closure of the current bay scallop season on March 31.

New York's bay scallop resource is primarily located in the waters of Peconic and Gardiners Bays in eastern Suffolk County and situated within the five east end townships of Riverhead, Southold, Shelter Island, Southampton and East Hampton. The open season for bay scallop harvest is the first Monday in November (opened on November 3, 2014) through March 31. Bay scallop harvest has been increasing in the past few years, providing a new source of income for commercial shellfishermen during the late fall/winter months. In 2014, bay scallop landings were just over 100,000 pounds with a dockside value of \$1.5 million dollars as compared to 2013 landings of 32,000 pounds. The 2014 bay scallop landings represent the highest annual harvest reported since 1985. The current bay scallop season opened in November with more than one hundred boats working in the Peconic Bays and was expected to be another banner year for bay scallop harvest.

Bay scallop harvest in Peconic Bays historically averaged about 300,000 pounds per year and provided commercial harvesters with a significant portion of their income in the late fall and winter months. The bay scallop population on the east end was decimated in 1985 and through 1994 due to the occurrence and repeated blooms of the harmful algal bloom known as the Brown Tide. State law was amended in 2005 and subsequently DEC adopted regulations in 2006, with the support of commercial harvesters and east end towns, to delay the opening date of the bay scallop season by 3 weeks to allow for growth, maturity and spawning potential to be maximized before scallops could be harvested. Additionally, bay scallop restoration efforts have been undertaken in Peconic Bays to help restore this commercially important fishery.

The record cold temperatures this winter have caused widespread freezing of creeks, bays and harbors, preventing commercial harvesters from harvesting bay scallops in most areas since early February. Some of these areas remain inaccessible due to ice, which leaves very little opportunity to harvest bay scallops in these areas before the season closes on March 31.

Bay scallops are short-lived and only live about two years. Because of the bay scallop's short lifespan, legal-sized adult scallops will likely die before the summer spawning period and will not survive for the opening of the next season in November. This will be an unnecessary loss of a valuable marine resource and source of income potential for commercial fishery participants while providing only minimal conservation results toward ensuring the long-term viability of the bay scallop population. The juvenile "bug" scallops would not be affected by a one month extension of the open season since they are not large enough to be legally taken this season and will represent the spawning and adult population for next year's harvest.



The promulgation of this regulation on an emergency basis is necessary because the normal rule making process would not promulgate these regulations in the time frame necessary to provide for additional harvesting opportunities before the end of the open season on March 31.

**Subject:** Extend bay scallop open season for 2015.

**Purpose:** To provide additional harvesting opportunities to commercial bay scallop harvesters due to extreme winter conditions this year.

**Text of emergency rule:** New paragraph 6 NYCRR 49.1(b)(1) is adopted to read as follows:

(1) For 2015, bay scallops may be taken during the period from January 1 to April 30, both inclusive.

New subparagraph 49.1(f)(1)(i) is adopted to read as follows:

(i) For 2015, no person shall possess bay scallops for sale for food purposes from May 1 to the first Monday in November. For 2015, the provisions of this section shall not prohibit the possession of bay scallops, or sale of such bay scallops, which have been taken from approved areas during the period from January 1 to April 30, both inclusive, shucked and packed in approved packages and frozen, and thereafter kept in a frozen state.

**This notice is intended** to serve only as an emergency adoption, to be valid for 90 days or less. This rule expires June 24, 2015.

**Text of rule and any required statements and analyses may be obtained from:** Debra Barnes, New York State Department of Environmental Conservation, 205 North Belle Mead Road, Suite 1, East Setauket, NY 11733, (631) 444-0477, email: [debra.barnes@dec.ny.gov](mailto:debra.barnes@dec.ny.gov)

**Additional matter required by statute:** Pursuant to the State Environmental Quality Review Act, a short environmental assessment form is on file at NYSDEC.

#### Regulatory Impact Statement

##### 1. Statutory authority:

Environmental Conservation Law (ECL) Section 13-0327 authorizes the Department of Environmental Conservation (DEC) to fix by regulation measures for the management of scallops including size limits, catch and possession limits, open and closed seasons, closed areas, restrictions on manner of taking and landing, requirements for permits and eligibility, recordkeeping and identification requirements, and requirements relating to transportation, possession and sale.

##### 2. Legislative objectives:

It is the objective of the above cited statutory authority that DEC establishes conservation measures necessary to promote and restore the viability of sustainable bay scallop populations in Peconic Bays and other waters of the marine district.

##### 3. Needs and benefits:

The extraordinary record cold temperatures this winter have caused widespread freezing of the creeks, harbors and bays, preventing shellfish harvesters from harvesting bay scallops in State waters since early February. Some areas in the Peconic bays are still inaccessible due to ice, creating a significant financial hardship for commercial harvesters that rely on this important fishery for a significant portion of their income during the winter months. The bay scallop season opened on November 3, 2014 and landing reports for November and December projected a significantly productive harvest for this year's season. This emergency rule is needed to extend the bay scallop season for one month from March 31 to April 30, 2015 for the current season only. The extension will provide increased harvesting opportunities for harvesters to make up income lost during the season due to extreme winter icing conditions which prevented harvesting in Peconic Bays and other areas of the marine district for about 5 weeks this winter.

##### 4. Costs:

###### (a) Cost to State government:

There are no new costs to state government resulting from this action.

###### (b) Cost to local government:

There will be no costs to local governments.

###### (c) Cost to private regulated parties:

There are no costs to regulated parties resulting from this action. The rule will provide additional economic opportunities for the regulated parties to make up for revenues lost during the winter months in 2015.

(d) Costs to the regulating agency for implementation and continued administration of the rule:

There will be no costs to DEC for implementation and administration of this rule.

##### 5. Local government mandates:

The proposed rule does not impose any mandates on local government.

##### 6. Paperwork:

None.

##### 7. Duplication:

The proposed rule does not duplicate any state or federal requirement.

##### 8. Alternatives:

A "no action" alternative was considered. If this rule is not adopted by March 31, 2015, the bay scallop season will close. Because of the bay scallop's short lifespan (about 2 years), legal-sized adult scallops will likely die before the summer spawning period and will not survive for the opening of the season in November. Failure to adopt this rule as a one-time extension of the bay scallop season would result in an unnecessary loss of a valuable marine resource and income potential for commercial shellfish harvesters and would serve as a minimal protection or conservation measure for ensuring the long-term viability of the bay scallop population. This alternative was rejected because it does not provide any economic relief and compensation to the fishery participants and affords only minimal conservation of bay scallop resources.

A "15 day extension" of the open season for this year was considered. The record cold temperatures this winter caused extensive freezing of local waters making them inaccessible to bay scallop harvest for up to 5 weeks. Some areas in the western portion of Peconic Bays are still frozen and inaccessible to harvest. Commercial harvesters have lost a significant portion of their income this winter due to the severe weather conditions that prevented harvesting in state waters. A one-time extension of the open season for 15 days would only provide minimal economic relief to fishermen who were out of work for more than one month. This alternative was rejected as not providing the greatest practicable economic benefit to the shellfish industry.

##### 9. Federal standards:

None.

##### 10. Compliance schedule:

The emergency regulations will take effect upon filing of the rule with the Department of State. Compliance with the rule would be required immediately. DEC will provide electronic and mail notifications to regulated parties to advise them of the extension of the open season, and dates for legal possession and sale of bay scallops. DEC will update its public website to reflect these changes and also anticipates issuing a press release to provide additional notification to the public and regulated parties.

#### Regulatory Flexibility Analysis

##### 1. Effect of rule:

Small businesses affected by this rule will include shellfish harvesters, shippers, and bay scallop shucker/packers. The number of shellfish harvesters engaged in the commercial harvest of bay scallops varies each year based on availability of the resource. For 2014, there were a total of 1,859 shellfish digger permit holders, 197 shellfish shipper permit holders and 41 bay scallop shipper permit holders (shucker/packer). In an average year, the number of commercial scallop harvesters landing bays scallops ranges from 125 to 150 at the beginning of the season in November and decreases to about 20 to 30 full-time harvesters in the winter months.

The record cold temperatures this winter caused widespread freezing of the creeks, harbors and bays, preventing commercial harvesters from harvesting bay scallops in State waters of the Peconic Bays since early February. Commercial scallop harvesters expect some of these areas to be inaccessible for at least several weeks leaving very little opportunity to harvest and make up for lost income before the season closes on March 31. This emergency rule will extend the open bay scallop season by one month from March 31 to April 30, 2015 for the current season only. Commercial harvesters will be afforded additional harvest opportunities to make up income lost due to the extraordinary icing and inaccessibility of the bay scallop resource this season. It is expected that this rule will provide increased revenues to shellfish harvesters, bay scallop shippers (shucker/packers) and local seafood markets, allowing them to take advantage of increased harvesting opportunities and availability of scallop resources by an extension of the open season for bay scallop harvest, possession, and sale.

##### 2. Compliance requirements:

The rule would extend the open season for bay scallops in state waters by one month from March 31 to April 30, 2015. The provisions of the rule would impose no additional compliance requirements on the industry and would provide for additional income to be made by harvesters, shippers and local seafood markets.

##### 3. Professional services:

None.

##### 4. Compliance costs:

There are no capital costs that will be incurred by the regulated business or industry to comply with the rule.

##### 5. Economic and technological feasibility:

There is no additional technology required for small businesses or local governments, so there are no economic or technological impacts for these entities. This action has been determined to be economically feasible for all affected parties. The rule will provide additional economic opportunities for the regulated parties to make up for revenues lost during the winter months in 2015.

##### 6. Minimizing adverse impact:

The rule would not impose any adverse impacts on the regulated shellfish industry and businesses. The extension of the bay scallop open season, and legal possession and sale provisions will have a positive effect on the shellfish industry as well as wholesale and retail markets for these food products. The rule is designed to afford adequate protection of bay scallop resources, while at the same time allow for additional harvest to be undertaken at levels that do not adversely impact the long term viability of the resource.

7. Small business and local government participation:

The rule is supported by commercial harvesters, shippers and local seafood markets. The rule is in response to several requests received from shellfishermen from the east end towns of Southold and Southampton who were significantly impacted by the harsh winter conditions which prevented harvest of bay scallops and resulted in the loss of income from this important commercial fishery.

8. Cure period or other opportunity for ameliorative action:

Pursuant to SAPA 202-b (1-a)(b), no such cure period is included in the rule because of the potential adverse impact on the resource. Cure periods for the illegal taking of shellfish is neither desirable nor recommended. Immediate compliance is required to ensure the general welfare of the public and the resource is protected.

9. Initial review of rule:

DEC will conduct an initial review of the rule within three years as required by SAPA section 207.

**Rural Area Flexibility Analysis**

The Department of Environmental Conservation has determined that this rule will not impose any adverse impact on rural areas. There are no rural areas within the marine and coastal district. The bay scallop fishery which is directly affected by the proposed rule is primarily located in the waters of Peconic and Gardiners Bays in eastern Suffolk County and situated within the five east end townships of Riverhead, Southold, Shelter Island, Southampton and East Hampton. The bay scallop fishery is located entirely within the marine and coastal district, and is not located adjacent to any rural areas of the state. Further, the proposed rule does not impose any reporting, record-keeping, or other compliance requirements on public or private entities in rural areas. Since no rural areas will be affected by the proposed amendments of 6 NYCRR Part 49, a Rural Area Flexibility Analysis is not required.

**Job Impact Statement**

The Department of Environmental Conservation (DEC) has determined that the proposed rule will not have a substantial adverse impact on jobs and employment opportunities. Therefore, a job impact statement is not required.

The emergency rule is needed to extend the bay scallop season for one month from March 31 to April 30, 2015 for the current season only. The rule also extends the legal possession and sale provisions of regulations for the same time period to be consistent with the extension of the open season. The rule is intended to have a positive impact on commercial scallop harvesters, shippers and local seafood markets by providing additional opportunities to harvest bay scallops and make up for income lost as a result of the extensive icing of marine embayments this winter. Approximately 125 to 150 commercial shellfish harvesters participate in bay scallop harvest during a portion of the season and about 20 to 30 are likely to be actively engaged in commercial harvest during the winter months. These permit holders are expected to benefit from the rule which provides for additional harvesting opportunities and increased income potential by the extension of the bay scallop season by one month for this year.

This rule making will impact bay scallop harvesters working in State waters primarily located in Peconic and Gardiners Bays in eastern Suffolk County and situated within the five east end townships of Riverhead, Southold, Shelter Island, Southampton and East Hampton. This rule making will have a positive impact on the shellfish industry by providing additional harvesting opportunities for commercial harvesters and increasing availability of seafood products for shippers and local seafood markets. Failure to adopt this rule will result in lost income for commercial permit holders and loss of revenues to the local economy. In 2014, commercial bay scallop landings were just over 100,000 pounds with a dockside value of approximately \$1.5 million.

The open season extension is intended to maximize the potential income by commercial harvesters and mitigate financial hardship caused by loss of shellfishing opportunities due to extensive icing of local embayments this winter. The extension of the open season by one month will provide for increased revenues by commercial harvesters and shippers while providing protection for the viability of bay scallop resources in the Peconic Bays.

Based on the above and DEC's knowledge of similar regulations in other states, DEC has concluded that there will not be any substantial adverse impacts on jobs or employment opportunities to shellfish harvesters or shellfish shippers as a consequence of this rule.

## Department of Health

### NOTICE OF ADOPTION

**Medical Use of Marihuana**

**I.D. No.** HLT-52-14-00013-A

**Filing No.** 227

**Filing Date:** 2015-03-31

**Effective Date:** 2015-04-15

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

**Action taken:** Addition of Part 1004; and amendment of Subpart 55-2 of Title 10 NYCRR.

**Statutory authority:** Public Health Law, section 3369-a

**Subject:** Medical Use of Marihuana.

**Purpose:** To comprehensively regulate the manufacture, sale and use of medical marihuana.

**Substance of final rule:** Pursuant to the authority vested in the Commissioner of Health by Section 3369-a of the Public Health Law (PHL), a new Chapter XIII, Part 1004 is hereby added to Title 10 (Health) of the Official Compilation of Codes, Rules and Regulations of the State of New York, and in accordance with section 502 of the PHL, Subpart 55-2 of Title 10 is amended, to be effective upon publication of a Notice of Adoption in the New York State Register, to read as follows:

§ 1004.1 Practitioner registration. Establishes a process for practitioners who have completed an educational course approved by the Commissioner on the use of medical marihuana under Title V-A of the Public Health Law to register with the department to issue patient certification.

§ 1004.2 Practitioner issuance of certification. Establishes a process for registered practitioners to issue a certification to patients with certain severe debilitating or life-threatening conditions, with certain clinically associated conditions or complications that are likely to receive therapeutic or palliative benefit from the treatment of medical marihuana to be able to receive approved medical marihuana products from a registered organization.

§ 1004.3 Application for registration as a certified patient. Provides the criteria by which a person may obtain a registration as a certified patient and receive a registry identification card.

§ 1004.4 Designated caregiver registration. Caregivers designated to handle approved medical marihuana products on behalf of certified patients are required to register with the department according to the procedures detailed in this section and to obtain a registry identification card.

§ 1004.5 Application for initial registration as a registered organization. Establishes the application process for registered organizations interested in manufacturing and dispensing approved medical marihuana products. Provides that no person or entity shall manufacture or dispense medical marihuana without such registration.

§ 1004.6 Consideration of registered organization applications. Requires potential registered organizations to submit an application fee of \$10,000, accompanied by a check for an additional \$200,000, the latter of which will be refunded to applicants not selected as registered organizations. Provides that the department shall initially register up to five applicants as registered organizations according to enumerated factors. Requires that the applicant allow for reasonable access to its facilities for inspection by the department. Provides that registrations shall be valid for two years, except that initial registrations may be extended up to eleven months by the commissioner.

§ 1004.7 Application for renewal of registered organization registrations. Establishes the process by which registered organizations renew their registration. Requires an application fee of \$10,000, accompanied by a check for an additional \$200,000, the latter of which will be refunded to applicants not granted renewal registration. Provides an opportunity to submit additional information or to demand a hearing for applicants not granted renewal registration.

§ 1004.8 Registrations non-transferable. Prohibits the transfer or assignment of registrations issued under this part.

§ 1004.9 Failure to operate. Provides that a registration shall be surrendered to the department if a registered organization fails to begin operations to the satisfaction of the department within six months of the issuance of a registration.

§ 1004.10 Registered organizations; general requirements. Lists

requirements for registered organizations, including making its books and facilities available for monitoring by the department; submitting medical marihuana product samples to the department for quality assurance testing; implementing policies and procedures to investigate complaints and adverse events; as well as closure procedures.

§ 1004.11 Manufacturing requirements for approved medical marihuana product(s). Contains requirements for the manufacturing of medical marihuana products. Provides the brands, forms and routes of administration of medical marihuana products authorized for manufacturing, as well as product labeling requirements. Provides that no synthetic marihuana additives shall be used in the production of any medical marihuana product.

§ 1004.12 Requirements for dispensing facilities. Details the requirements for the operation of dispensing facilities as well as the required patient specific label required to be affixed to each medical marihuana product dispensed. Provides that no medical marihuana product shall be consumed or vaporized on the premises of such facilities.

§ 1004.13 Security requirements for manufacturing and dispensing facilities. Details the minimum security requirements for manufacturing and dispensing facilities and for the transportation of medical marihuana products.

§ 1004.14 Laboratory testing requirements for medical marihuana. Details the minimum laboratory testing requirements for medical marihuana products. Testing shall be performed by a DOH approved laboratory located within NYS.

§ 1004.15 Pricing. Requires registered organizations submit proposed prices for medical marihuana products to the department for approval. The department may approve the proposed price, refuse approval of a proposed price, or modify or reduce the proposed price.

§ 1004.16 Medical marihuana marketing and advertising by registered organizations. Restricts the marketing and advertising of medical marihuana.

§ 1004.17 Reporting dispensed medical marihuana products. Details reporting requirements for dispensed medical marihuana products.

§ 1004.18 Prohibition of the use of medical marihuana in certain places. Restricts the vaporization of medical marihuana in certain places.

§ 1004.19 Reporting requirements for practitioners, patients and designated caregivers. Details reporting requirements for practitioners related to changes in circumstances affecting the patient's certification. Defines reporting requirements for patients and designated caregivers for scenarios where certain information contained on the patient certification changes or if the certified patient or designated caregiver loses his or her registry identification card.

§ 1004.20 Proper disposal of medical marihuana products by patients or designated caregivers. Details the required disposal procedures for medical marihuana products.

§ 1004.21 General prohibitions. Contains general prohibitions.

§ 1004.22 Practitioner prohibitions. Lists prohibitions on practitioners.

§ 1004.23 Designated caregiver prohibitions. Lists prohibitions on designated caregivers.

\* \* \*

Subpart 55-2 is amended as follows:

§ 55-2.2 Certificates of approval. Paragraph 5 is renumbered paragraph 6 and a new paragraph 5 is added to provide for certification of laboratories to test medical marihuana.

§ 55-2.15 Requirements for laboratories performing testing for medical marihuana. Adds requirements for laboratories.

**Final rule as compared with last published rule:** Nonsubstantive changes were made as follows: rule proposed as Subpart 80-1, being adopted as Part 1004; nonsubstantive changes were made in sections 1004.5, 1004.12 and 1004.21.

**Text of rule and any required statements and analyses may be obtained from:** Katherine Ceroalo, DOH, Bureau of House Counsel, Reg. Affairs Unit, Room 2438, ESP Tower Building, Albany, NY 12237, (518) 473-7488, email: regsqna@health.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 Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement.

**Assessment of Public Comment**

New York State recognizes that possession and use of marijuana is illegal in the United States. However, the State also recognizes the benefit in making available medical marijuana to qualified individuals with debilitating and life threatening illnesses and conditions. To that end, the Compassionate Care Act (PHL § 3360 et. seq.) (the "Act") is balanced legislation that ensures appropriate access through comprehensive regulations and safeguards.

The State subsequently developed the regulations through this very critical lens to ensure that the entire program would not be subject to enforcement action or legal challenges. Expanding the initial set of regulations would have subjected the State to unnecessary scrutiny and jeopardized the program's ability to move forward in any meaningful manner. The Compassionate Care Act and the proposed regulations strike the required balance by implementing a strong and effective medical marijuana program in New York State.

The Department of Health (the "Department") received comments from hundreds of stakeholders (many of whom were affiliated with the same entity or organization). A summary of the comments received is set forth below. The full text of the regulations and the full assessment of public comment are available on the Department's website.

The Department reviewed and assessed each comment. Some comments were not incorporated as they were inconsistent with the statutory authority underlying the rulemaking or concerned issues outside the scope of the rulemaking. Other comments appeared to warrant further consideration as to whether clarification would be helpful in guidance or for possible inclusion in future rulemaking. Revisions were determined to be unnecessary for other comments, as the regulations are adequate to address the topic areas raised.

Several comments were received on similar topics, including the following:

- Comments were received concerning practitioner education requirements, and the exclusion of health care practitioners (other than physicians) from those authorized to issue patient certifications. The regulations require practitioners complete a four hour course, which is consistent with the Act. The course will be available online. With respect to issuance of certifications, Public Health Law (PHL) § 3360(12) defines "practitioner" as a licensed physician, and authorizes the Commissioner of Health to consider the inclusion of nurse practitioners. The Commissioner will consider adding nurse practitioners in the future.

- Commenters recommended expanding the list of serious conditions, and including a transparent process for adding new conditions. PHL § 3360(7)(a) authorizes the Commissioner to add conditions to those already included in statute, and to consider expanding the list of conditions in the future. The Department will issue guidance concerning the process to add new conditions.

- Comments were received concerning the patient certification process as well as the financial hardship waiver of the registry identification card application fee. A single electronic system for practitioners to issue certifications, and for patients and designated caregivers to apply for registry identification cards, will be utilized to ensure a more timely process. The Department is authorized to waive application fees and will provide guidance for applying for a hardship waiver.

- Comments were received concerning whether a registered organization must perform both manufacturing and dispensing activities in order to obtain a registration, and recommended that registered organizations be allowed to manufacture and dispense from the same location. The Act requires registered organizations to manufacture and dispense medical marijuana. With respect to authorizing such activities at the same location, however, there is a risk of theft and diversion in allowing co-location of these facilities, and it is therefore prohibited.

- Comments were received concerning the qualifications and consideration of applicants seeking to become a registered organization. PHL § 3360(17) defines a registered organization applicant as "a for-profit entity or not-for-profit corporation." Although New York State residency, or formation of the entity or corporation in New York State, is not a requirement of the statute, all manufacturing, processing, and dispensing must occur within the State. Upon receipt the Department will evaluate the application pursuant to the criteria in Section 80-1.6.

- Commenters wanted to increase the number of registered organizations, and to allow for delivery services. The Act and the regulations provide that the Commissioner shall register no more than five registered organizations, but the Commissioner may register additional registered organizations thereafter as needed. The regulations are consistent. Delivery services are prohibited unless prior written approval has been obtained from the Department.

- Commenter wanted to know how the Department would consider whether an applicant is ready to begin operations. The Department will carefully review an applicant's operating plans and other documentation to ensure that the registered organization will be able to successfully begin operations within six months of the date of issuance of the registration, and will issue guidance if necessary.

- Comments were received concerning how the registered organization will ensure availability of at least a one year supply of any offered brand. The regulations require the registered organization to demonstrate, through their standard operating procedures, that they are able to ensure availability of the brand for a one year time period. The regulation does not require physical availability of a one year supply of product.

- Comments were received concerning the one thousand foot prohibition as it relates to the location of a dispensing facility. Section 80-1.10(7) provides that a dispensing facility may not be located on the same street or avenue and within one thousand feet of a building occupied exclusively as a school, church, synagogue or other place of worship. Accordingly, the restriction only applies if both conditions are met. Should it be determined that this limitation restricts access, the Department will consider revising its policy in subsequent rulemaking.

- Comments were received concerning a registered organization's ability to transfer or wholesale marijuana or approved products between registered organizations or from one dispensing facility to another. While the regulations allow a registered organization that intends to cease operations to transfer its supply, it must first submit a plan to DOH for doing so. With respect to transfers between dispensing facilities, the regulations limit transporting medical marijuana from a manufacturing site to a dispensing site, and to a laboratory for submission of samples for required testing.

- Comments were received concerning the use of pesticides or, in the alternative, imposing labeling requirements to show all elements in the product. The regulations allow a registered organization to use pesticides, fungicides or herbicides if approved by the NYS Department of Agriculture and Markets. With respect to labeling, the Department must approve a registered organization's package safety insert which must include a list of excipients used.

- Comments were received regarding limits on brands, forms and extraction methods. Section 80-1.11(c)(1) provides that each registered organization may initially produce up to five brands of medical marijuana, and thereafter, the Department has discretion to approve additional brands. Section 80-1.11(g) authorizes the Commissioner to approve additional forms of medical marijuana. Similarly, with respect to extraction methods, Section 80-1.11(b) allows the use of other extraction methods than those listed in the regulations (carbon dioxide (CO<sub>2</sub>, super-critical) or alcohol for cannabinoid extraction) with the prior written approval from the Department.

- Comments were received objecting to the prohibitions on whole plant and plant based products. PHL § 3360(8) provides that any form of medical marijuana not approved by the Commissioner is expressly prohibited. At this time, the Commissioner has not approved medical marijuana in plant form. Section 80-1.11 authorizes the Commissioner to approve additional forms.

- Comments were received concerning why a pharmacist must be on-site at dispensing facilities and over liability. Pharmacists have the training and skill-set necessary to identify drug-related issues that a patient may face. The regulations require the pharmacist complete a course approved by the Department, which is the same as that required of physicians who seek registration to certify patients. With respect to liability concerns, the statute makes clear that medical marijuana is not deemed a "drug" for purposes of Article 137 of the Education Law, in relation to the practice of pharmacy (PHL § 3368(1)(b)). In addition, PHL § 3369(1) provides protection from arrest, prosecution or penalty in any manner, including but not limited to disciplinary actions by a professional licensing board, to employees of registered organizations, which would include pharmacists.

- Comments were received in opposition to the prohibition on consuming food or drink, and limitation of visitors, on the premises of the dispensing facility. The regulations allow food or beverage consumption if necessary for medical reasons. With respect to visitors, the limitation is a proper security measure to ensure that only individuals authorized to obtain medical marijuana products are permitted on the premises of a dispensing facility, unless waived by the Department upon prior written request. The regulations provide that if an unforeseen circumstance requires the presence of a visitor and makes it impractical for the dispensing facility to obtain a waiver, the dispensing facility shall record in the visitor log, the name of the visitor, date, time, purpose of the visit and the facts upon which the access was granted.

- Comments were received concerning the Commissioner's ability to set prices for medical marijuana, and affordability and access to medical marijuana by low income patients. PHL § 3369-d requires the Commissioner to set the price per dose for each form of medical marijuana sold, and to take into account the fixed and variable costs of producing the form of marijuana in approving such price. The statute does not provide for differentiation of price based on income. Although the regulations prohibit distribution of products or samples at no cost, they allow exceptions to be authorized by the Commissioner, which could include a charity program offered by a registered organization.

- Comments were received concerning restrictions on advertising. PHL § 3364 authorizes the Commissioner to make rules and regulations restricting the advertising and marketing of medical marijuana, which must be consistent with the federal regulations governing prescription drug advertising and marketing. The advertising requirements in the regulations are consistent with federal regulations.

- Comments were received concerning the prohibition of the use of approved medical marijuana products in certain places. PHL § 3362(2)(a) provides that possession of medical marijuana shall not be lawful if it is consumed or vaporized in a public place. No changes have been made to the regulations in response to these comments.

- Commenters indicated that the regulations fail to provide expedited access to medical marijuana, including for children who suffer from intractable epilepsy. Compassionate Care Act establishes a comprehensive system for the manufacture, dispensing, obtaining and use of medical marijuana in this State. The Department is moving forward aggressively to implement the provisions of the Act.

- Finally, technical, non-substantive clarifications have been made to the regulations as a result of comments received. The Department made a technical change in the numbering of the regulations. A new Part 1004 is added entitled "Medical Use of Marijuana". This document refers to the regulations as numbered in the published Notice of Proposed Rulemaking. In addition, the following technical, non-substantive clarifications have been made: (1) § 80-1.5(b)(4)(vi) was revised to change the word "incidence" to "incidents"; (2) § 80-1.5(b)(13) was revised to clarify that any prior bankruptcy of the applicant entity must be disclosed, as it must with its owners, managers and others listed in this section; (3) § 80-1.12(h)(2) was revised to change the word "ordering" to "certifying"; (4) § 80-1.14(f) was revised to correctly reference § 80-1.11(c)(2); (5) § 80-1.21(c) was revised to remove an inaccurate citation and (6) § 55-2.15(c)(2)(iii)(a) was revised to reference contaminants listed in § 80-1.14(g).

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## Power Authority of the State of New York

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### NOTICE OF ADOPTION

#### Rates for the Sale of Power and Energy

**I.D. No.** PAS-01-15-00012-A

**Filing Date:** 2015-03-31

**Effective Date:** 2015-03-31

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

**Action taken:** Decrease in the Fixed Costs Component of the Production Rates.

**Statutory authority:** Public Authorities Law, section 1005, 3rd undesignated paragraph and (6)

**Subject:** Rates for the Sale of Power and Energy.

**Purpose:** To recover the Authority's Fixed Costs.

**Substance of final rule:** The Power Authority's Notice of Proposed Rulemaking published January 7, 2015, proposed to increase the Fixed Costs component of the production rates by 1.9% to be charged to the New York City Governmental Customers ("Customers"). Comments on the proposal were received from the Customers. Based on those comments and further analysis by staff, the Authority determined that the Fixed Costs component of the production rates should be decreased by 1.8%. The new rates will be effective commencing with the March 2015 billing period.

**Final rule as compared with last published rule:** Substantial revisions were made in paragraph 1, ln. 1, ln. 3 and ln. 4.

**Text of rule and any required statements and analyses may be obtained from:** Karen Delince, Power Authority of the State of New York, 123 Main Street, 11-P, White Plains, NY 10601, (914) 390-8085, email: secretaries.office@nypa.gov

#### Revised Regulatory Impact Statement

A revised regulatory impact statement is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

#### Revised Regulatory Flexibility Analysis

A revised regulatory flexibility analysis is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

#### Revised Rural Area Flexibility Analysis

A revised rural area flexibility analysis is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

**Revised Job Impact Statement**

A revised job impact statement is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

**Assessment of Public Comment**

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

**NOTICE OF ADOPTION****Rates for the Sale of Power and Energy**

**I.D. No.** PAS-01-15-00013-A

**Filing Date:** 2015-03-31

**Effective Date:** 2015-03-31

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

**Action taken:** Decrease in Production Rates.

**Statutory authority:** Public Authorities Law, section 1005, 3rd undesignated paragraph and (6)

**Subject:** Rates for the Sale of Power and Energy.

**Purpose:** To align rates and costs.

**Substance of final rule:** The Power Authority's Notice of Proposed Rulemaking published January 7, 2015, proposed to increase the production rates by 8.00% to be charged to the Westchester County Governmental Customers ("Customers"). No comments on the proposal were received from the Customers. Based on further analysis by staff, the Authority determined that the production rates should be decreased by 12.8%. The new rates will be effective commencing with the March 2015 billing period.

**Final rule as compared with last published rule:** Substantial revisions were made in paragraph 1, ln. 1, ln. 5, ln. 6 and ln. 7.

**Text of rule and any required statements and analyses may be obtained from:** Karen Delince, Power Authority of the State of New York, 123 Main Street, 11-P, White Plains, NY 10601, (914) 390-8085, email: secretaries.office@nypa.gov

**Revised Regulatory Impact Statement**

A revised regulatory impact statement is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

**Revised Regulatory Flexibility Analysis**

A revised regulatory flexibility analysis is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

**Revised Rural Area Flexibility Analysis**

A revised rural area flexibility analysis is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

**Revised Job Impact Statement**

A revised job impact statement is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

**Assessment of Public Comment**

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

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**Public Service Commission**

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**NOTICE OF ADOPTION****Approving the Reorganization and Addressing the Financing Arrangements for UWW**

**I.D. No.** PSC-32-14-00017-A

**Filing Date:** 2015-03-26

**Effective Date:** 2015-03-26

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

**Action taken:** On 3/25/15, the PSC adopted an order approving the reorganization and addressing the financing arrangements for United Waterworks, Inc. (UWW).

**Statutory authority:** Public Service Law, sections 89-h and 89-f

**Subject:** Approving the reorganization and addressing the financing arrangements for UWW.

**Purpose:** To approve the reorganization and address the financing arrangements for UWW.

**Substance of final rule:** The Commission, on March 25, 2015, adopted an order approving the reorganization of United Water New York, Inc., United Water Westchester, Inc., United Water Owego Nichols, Inc., United Water New Jersey, Inc., United Water Resources, Inc., and United Waterworks, Inc. (UWW). The Commission also addressed the financing arrangements for United Water Works, by directing UWW to file a cash pooling agreement within 60 days of issuance of this order, subject to the terms and conditions set forth in the order.

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

**Text of rule may be obtained from:** Elaine Agresta, Public Service Commission, Three Empire State Plaza, Albany, New York 12223, (518) 486-2660, email: elaine.agresta@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

**Assessment of Public Comment**

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

(14-W-0258SA1)

**NOTICE OF ADOPTION****Allowing Village of Sherburne to Increase its Annual Electric Revenues**

**I.D. No.** PSC-39-14-00012-A

**Filing Date:** 2015-03-25

**Effective Date:** 2015-03-25

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

**Action taken:** On 3/25/15, the PSC adopted an order approving the Village of Sherburne's request, with modifications to increase its annual electric revenues by \$237,292 or 6.4%.

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

**Subject:** Allowing Village of Sherburne to increase its annual electric revenues.

**Purpose:** To allow the Village of Sherburne to increase its annual electric revenues.

**Substance of final rule:** The Commission, on March 25, 2015, adopted an order approving, with modifications, a petition filed by the Village of Sherburne to increase its annual electric revenues by \$237,292 or 6.4%, subject to the terms and conditions set forth in the order.

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

**Text of rule may be obtained from:** Elaine Agresta, Public Service Commission, Three Empire State Plaza, Albany, New York 12223, (518) 486-2660, email: elaine.agresta@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

**Assessment of Public Comment**

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

(14-E-0410SA1)

**NOTICE OF ADOPTION****Tariff Filing to Define the Incremental Cost of Gas and Streamline the General Information Section**

**I.D. No.** PSC-44-14-00021-A

**Filing Date:** 2015-03-25

**Effective Date:** 2015-03-25

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

**Action taken:** On 3/25/15, the PSC adopted an order approving a tariff filing of Niagara Mohawk Power Corporation d/b/a National Grid to define the incremental cost of gas and streamline the Definitions and Abbreviations Section.

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

**Subject:** Tariff filing to define the incremental cost of gas and streamline the General Information Section.

**Purpose:** To approve a tariff filing to define the incremental cost of gas and streamline the General Information Section.

**Substance of final rule:** The Commission, on March 25, 2015, adopted an order allowing the tariff revisions filed by Niagara Mohawk Power Corporation d/b/a National Grid, to PSC 219-Gas, to define the incremental cost of gas and to streamline the General Information Section 1 - Definitions and Abbreviations, to become effective on April 1, 2015, subject to the terms and conditions set forth in the order.

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

**Text of rule may be obtained from:** Elaine Agresta, Public Service Commission, Three Empire State Plaza, Albany, New York 12223, (518) 486-2660, email: elaine.agresta@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

**Assessment of Public Comment**

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

(14-G-0371SA1)

### NOTICE OF ADOPTION

#### Denying the Petition for Rehearing of West Valley Crystal Water, Submitted on October 9, 2014

**I.D. No.** PSC-44-14-00023-A

**Filing Date:** 2015-03-31

**Effective Date:** 2015-03-31

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

**Action taken:** On 3/25/15, the PSC adopted an order denying a petition for rehearing of the West Valley Crystal Water Company, Inc., submitted on October 9, 2014, on the Order Determining Revenue Requirement, issued on September 8, 2014.

**Statutory authority:** Public Service Law, sections 22 and 89-c(10)

**Subject:** Denying the petition for rehearing of West Valley Crystal Water, submitted on October 9, 2014.

**Purpose:** To deny the petition for rehearing of West Valley Crystal Water, submitted on October 9, 2014.

**Substance of final rule:** The Commission, on March 25, 2015, adopted an order denying, with clarification, a petition for rehearing of the West Valley Crystal Water Company, Inc., submitted on October 9, 2014, on the Order Determining Revenue Requirement, issued on September 8, 2014, subject to the terms and conditions set forth in the order.

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

**Text of rule may be obtained from:** Elaine Agresta, Public Service Commission, Three Empire State Plaza, Albany, New York 12223, (518) 486-2660, email: elaine.agresta@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

**Assessment of Public Comment**

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

(14-W-0070SA2)

### NOTICE OF ADOPTION

#### Approving, with Modifications, Con Edison's Aggregator Eligibility Standards

**I.D. No.** PSC-49-14-00002-A

**Filing Date:** 2015-03-30

**Effective Date:** 2015-03-30

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

**Action taken:** On 3/25/15, the PSC adopted an order approving, with modifications, Consolidated Edison Company of New York, Inc.'s (Con Edison) aggregator eligibility standards.

**Statutory authority:** Public Service Law, sections 66(1), (12)(a) and (b)

**Subject:** Approving, with modifications, Con Edison's aggregator eligibility standards.

**Purpose:** To approve, with modifications, Con Edison's aggregator eligibility standards.

**Substance of final rule:** The Commission, on March 25, 2015, adopted an order approving, with modifications, Consolidated Edison Company of New York, Inc.'s aggregator eligibility standards, subject to the terms and conditions set forth in the order.

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

**Text of rule may be obtained from:** Elaine Agresta, Public Service Commission, Three Empire State Plaza, Albany, New York 12223, (518) 486-2660, email: elaine.agresta@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

**Assessment of Public Comment**

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

(13-E-0573SA4)

### NOTICE OF ADOPTION

#### Authorization for Port Byron Telephone Company, Inc. to Recover Revenue from the SUSF

**I.D. No.** PSC-01-15-00016-A

**Filing Date:** 2015-03-26

**Effective Date:** 2015-03-26

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

**Action taken:** On 3/25/15, the PSC adopted an order authorizing Port Byron Telephone Company, Inc. to withdraw \$446,079 from the State Universal Service Fund (SUSF) for its first rate year beginning April 2015 and a pro-rated share of \$371,537 for its second rate year.

**Statutory authority:** Public Service Law, sections 92 and 97

**Subject:** Authorization for Port Byron Telephone Company, Inc. to recover revenue from the SUSF.

**Purpose:** To authorize Port Byron Telephone Company, Inc. to recover revenue from the SUSF.

**Substance of final rule:** The Commission, on March 25, 2015 adopted an order approving Port Byron Telephone Company, Inc.'s (Port Byron) request to withdraw funds from the State Universal Service Fund (SUSF) for the purposes of general rate relief. Port Byron is authorized to withdraw \$446,079 from the SUSF for its first rate year beginning in April 2015. For the second rate year beginning in April 2016, Port Byron is directed to work with the SUSF Administrator to compute the pro-rated amount of the \$371,537 it would otherwise be allowed to withdraw, to reflect the expiration of the SUSF scheduled to occur on December 31, 2016. Such withdrawals are subject to the terms and conditions set forth in the order.

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

**Text of rule may be obtained from:** Elaine Agresta, Public Service Commission, Three Empire State Plaza, Albany, New York 12223, (518) 486-2660, email: elaine.agresta@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

**Assessment of Public Comment**

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

(14-C-0402SA1)

### NOTICE OF ADOPTION

#### Authorization for Township Telephone Company, Inc. to Recover Revenue from the SUSF

**I.D. No.** PSC-01-15-00018-A

**Filing Date:** 2015-03-26

**Effective Date:** 2015-03-26

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

**Action taken:** On 3/25/15, the PSC adopted an order authorizing Township Telephone Company, Inc. to withdraw \$452,014 from the State Universal Service Fund (SUSF) for its first rate year beginning in April 2015 and a pro-rated share of \$396,447 for its second rate year.

**Statutory authority:** Public Service Law, sections 92 and 97

**Subject:** Authorization for Township Telephone Company, Inc. to recover revenue from the SUSF.

**Purpose:** To authorize Township Telephone Company, Inc. to recover revenue from the SUSF.

**Substance of final rule:** The Commission, on March 25, 2015 adopted an order approving Township Telephone Company, Inc.'s. (Township) request to withdraw funds from the State Universal Service Fund (SUSF) for the purposes of general rate relief. Township is authorized to withdraw \$452,014 from the SUSF for its first rate year beginning in April 2015. For the second rate year beginning in April 2016, Township is directed to work with the SUSF Administrator to compute the pro-rated amount of the \$396,447 it would otherwise be allowed to withdraw, to reflect the expiration of the SUSF scheduled to occur on December 31, 2016. Such withdrawals are subject to the terms and conditions set forth in the order.

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

**Text of rule may be obtained from:** Elaine Agresta, Public Service Commission, Three Empire State Plaza, Albany, New York 12223, (518) 486-2660, email: elaine.agresta@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

**Assessment of Public Comment**

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

(14-C-0405SA1)

### NOTICE OF ADOPTION

#### Allowing Niagara Mohawk Power Corporation to Modify Rule 50 Contained in P.S.C. No. 220

**I.D. No.** PSC-01-15-00019-A

**Filing Date:** 2015-03-25

**Effective Date:** 2015-03-25

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

**Action taken:** On 3/25/15, the PSC, adopted an order allowing Niagara Mohawk Power Corporation to modify Rule 50 - Reliability Support Services contained in P.S.C. No. 220 Electricity.

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

**Subject:** Allowing Niagara Mohawk Power Corporation to modify Rule 50 contained in P.S.C. No. 220.

**Purpose:** To allow Niagara Mohawk Power Corporation to modify Rule 50 contained in P.S.C. No 220.

**Substance of final rule:** The Commission, on March 25, 2015, adopted an order allowing Niagara Mohawk Power Corporation to modify Rule 50 – Reliability Support Services contained in P.S.C. No. 220 Electricity, subject to terms and conditions set forth in the order.

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

**Text of rule may be obtained from:** Elaine Agresta, Public Service Commission, Three Empire State Plaza, Albany, New York 12223, (518) 486-2660, email: elaine.agresta@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

**Assessment of Public Comment**

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

(14-E-0550SA1)

### NOTICE OF ADOPTION

#### Approving the 2014 Electric Emergency Response Plans, As Modified, of the Six Major Electric Utilities

**I.D. No.** PSC-02-15-00005-A

**Filing Date:** 2015-03-26

**Effective Date:** 2015-03-26

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

**Action taken:** On 3/25/15, the PSC adopted an order approving the 2014 Electric Emergency Response Plans, as modified, of the six major electric utilities.

**Statutory authority:** Public Service Law, sections 5(1)(b), 65(1)-(3), 66(1)-(3), (5) and (21)

**Subject:** Approving the 2014 Electric Emergency Response Plans, as modified, of the six major electric utilities.

**Purpose:** To approve the 2014 Electric Emergency Response Plans, as modified, of the six major electric utilities.

**Substance of final rule:** The Commission, on March 25, 2015, adopted an order approving the 2014 Electric Emergency Response Plans, as modified, filed by Consolidated Edison Company of New York, Inc., Orange and Rockland Utilities, Inc., Central Hudson Gas and Electric Corporation, New York State Electric and Gas Corporation, Rochester Gas and Electric Corporation and Niagara Mohawk Power Corporation d/b/a National Grid, subject to the terms and conditions set forth in the order.

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

**Text of rule may be obtained from:** Elaine Agresta, Public Service Commission, Three Empire State Plaza, Albany, New York 12223, (518) 486-2660, email: elaine.agresta@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

**Assessment of Public Comment**

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

(14-E-0524SA1)

### NOTICE OF ADOPTION

#### Allowing Con Edison's Filing to Modify Rider L—Direct Load Control Program to Become Effective

**I.D. No.** PSC-04-15-00013-A

**Filing Date:** 2015-03-27

**Effective Date:** 2015-03-27

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

**Action taken:** On 3/25/15, the PSC adopted an order allowing Consolidated Edison Company of New York, Inc. to modify Rider L—Direct Load Control Program contained in P.S.C. No. 10—Electricity, and the Residential Smart Appliance Program.

**Statutory authority:** Public Service Law, sections 65(1), 66(1) and (12)

**Subject:** Allowing Con Edison's filing to modify Rider L—Direct Load Control Program to become effective.

**Purpose:** To allow Con Edison's filing to modify Rider L—Direct Load Control Program to become effective.

**Substance of final rule:** The Commission, on March 25, 2015, adopted an order approving, with modifications, a petition filed by Consolidated Edison Company of New York, Inc. (the Company) to modify Rider L – Direct Load Control Program contained in P.S.C. No 10—Electricity, and the Residential Smart Appliance Program, and directed the Company to file the tariff amendments to effectuate the changes, subject to the terms and conditions set forth in the order.

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

**Text of rule may be obtained from:** Elaine Agresta, Public Service Commission, Three Empire State Plaza, Albany, New York 12223, (518) 486-2660, email: elaine.agresta@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

**Assessment of Public Comment**

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

(15-E-0012SA1)

## NOTICE OF ADOPTION

**Tariff Filing for a Surcharge to Recover Costs for Leak Prone Pipe Removal and Related Construction**

I.D. No. PSC-05-15-00005-A

Filing Date: 2015-03-25

Effective Date: 2015-03-25

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

**Action taken:** On 3/25/15, the PSC adopted an order approving a tariff filing of KeySpan Gas East Corporation d/b/a National Grid implementing a surcharge for cost recovery for leak prone pipe removal and related construction.

**Statutory authority:** Public Service Law, sections 65 and 66

**Subject:** Tariff filing for a surcharge to recover costs for leak prone pipe removal and related construction.

**Purpose:** To approve a tariff filing for a surcharge to recover costs for leak prone pipe removal and related construction.

**Substance of final rule:** The Commission, on March 25, 2015, adopted an order allowing the tariff revisions filed by KeySpan Gas East Corporation d/b/a National Grid, to PSC 1 — Gas to implement a surcharge to recover costs associated with leak prone pipe removal and related construction, to become effective on April 1, 2015, subject to the terms and conditions set forth in the order.

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

**Text of rule may be obtained from:** Elaine Agresta, Public Service Commission, Three Empire State Plaza, Albany, New York 12223, (518) 486-2660, email: elaine.agresta@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

**Assessment of Public Comment**

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

(14-G-0214SA2)

**PROPOSED RULE MAKING  
NO HEARING(S) SCHEDULED****Whether to Permit the Use of the GE/Dresser Model 5 Transfer Prover with 20M and 5M Reference Standards**

I.D. No. PSC-15-15-00004-P

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

**Proposed Action:** The Public Service Commission is considering whether to approve, deny or modify, in whole or in part, a petition filed by Niagara Mohawk Power Corporation for approval to use the GE/Dresser Model 5 transfer prover, with 20M and 5M reference standards.

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

**Subject:** Whether to permit the use of the GE/Dresser Model 5 transfer prover with 20M and 5M reference standards.

**Purpose:** Whether to approve the use of the Model 5 transfer prover, with 20M, and 5M reference standards.

**Substance of proposed rule:** The Public Service Commission is considering whether to grant, deny or modify, in whole or part, the petition filed by Niagara Mohawk Power Corporation, to use the GE/Dresser Model 5 transfer prover with 20M and 5M reference standards. This test standard will be used to determine the performance of commercial and industrial gas meters in New York State.

**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, Three Empire State Plaza, Albany, NY 10007, (518) 486-2660, email: Elaine.Agresta@dps.ny.gov

**Data, views or arguments may be submitted to:** Kathleen H. Burgess, Secretary, Public Service Commission, Three Empire State Plaza, Albany, NY 10007, (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.

(14-G-0519SP1)

**PROPOSED RULE MAKING  
NO HEARING(S) SCHEDULED****Approval of Artech's Medium Voltage Class Metering Instrument Transformers in New York State**

I.D. No. PSC-15-15-00005-P

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

**Proposed Action:** The Commission is considering whether to grant, reject or modify the petition of Artech USA for approval of use of the Artech Medium Voltage Class Metering Instrument Transformers in New York State.

**Statutory authority:** Public Service Law, section 67(4)

**Subject:** Approval of Artech's Medium Voltage Class Metering Instrument Transformers in New York State.

**Purpose:** Whether to approve the use of Artech's Medium Voltage Class Metering Instrument Transformers in New York State.

**Substance of proposed rule:** On December 4, 2014, Artech USA filed a petition requesting approval of the use of its Medium Voltage Class Metering Instrument Transformers by New York State electric utilities. The Commission is considering whether to approve, reject or modify the petition and may consider 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.

(14-E-0548SP1)

**PROPOSED RULE MAKING  
NO HEARING(S) SCHEDULED****Area Code Overlay**

I.D. No. PSC-15-15-00006-P

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

**Proposed Action:** The Commission is considering whether to grant or deny, in whole or in part a petition filed by Neustar Inc., in its role as the North American Numbering Plan Administrator to add a new area code within or adjacent to the current 212/646/917 area code.

**Statutory authority:** Public Service Law, section 97(2)

**Subject:** Area Code Overlay.

**Purpose:** To authorize an area code overlay in the current 212/646/917 area code.

**Substance of proposed rule:** The Commission is considering whether to grant or deny, in whole or in part a petition filed by Neustar Inc., in its role as the North American Numbering Plan Administrator to add a new area code within or adjacent to the current 212/646/917 area code that serves the Manhattan area of New York City (the 917 area code also services Bronx, Queens and Staten Island). Neustar's proposal would overlay a new area code over the current 212/646/917 area code. The area's current dialing plan would continue. The reason for Neustar's request is a projection that indicates the current 212/646/917 area code area will be exhausted



in the first quarter of 2018. The full text of the petition may be reviewed online at the Department of Public Service web page: [www.dps.ny.gov](http://www.dps.ny.gov). The Commission may take such further action as deemed warranted.

**Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact:** Elaine Agresta, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2660, email: [Elaine.Agresta@dps.ny.gov](mailto:Elaine.Agresta@dps.ny.gov)

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

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

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

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

(15-C-0168SP1)

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

**Notification Concerning Tax Refunds**

**I.D. No.** PSC-15-15-00007-P

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

**Proposed Action:** The PSC is considering Verizon New York Inc.'s petition seeking the retention of a portion of a property tax refund received from the Town of Hempstead in relation to its regulated, intrastate New York operations during the 1992—2002 tax years.

**Statutory authority:** Public Service Law, section 113(2)

**Subject:** Notification concerning tax refunds.

**Purpose:** To consider Verizon New York Inc.'s request to retain a portion of a property tax refund.

**Substance of proposed rule:** The Commission is considering whether to approve or reject, in whole or in part, Verizon New York Inc.'s request to retain the portion of a \$8,398,000 property tax refund received from the Town of Hempstead, associated with the 1992-2002 tax years that is allocable to Verizon's regulated, intrastate New York operations and any other related actions. Verizon proposes to retain such tax refund in accordance with earlier Commission Orders involving previous Verizon tax refunds.

**Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact:** Elaine Agresta, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2660, email: [Elaine.Agresta@dps.ny.gov](mailto:Elaine.Agresta@dps.ny.gov)

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

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

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

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

(15-C-0095SP1)

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

**Minor Electric Rate Filing**

**I.D. No.** PSC-15-15-00008-P

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

**Proposed Action:** The Public Service Commission is considering whether to approve, reject or modify, in whole or in part, a proposal by the City of Jamestown to make various changes in the rates, charges, rules and regulations contained in PSC No. 7—Electricity.

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

**Subject:** Minor electric rate filing.

**Purpose:** To approve an increase in annual electric revenues by approximately \$1,197,760 or 2.48%.

**Substance of proposed rule:** The Commission is considering whether to approve, modify or reject, in whole or in part, a tariff filing by the City of Jamestown, requesting approval to increase its annual electricity revenues by approximately \$1,197,760 or 2.48% to P.S.C. No. 7—Electricity. The monthly bill of a residential customer using 750 kilowatt-hours will increase from \$53.65 to approximately \$55.73 or 3.9%. The proposed amendments have an effective date of September 1, 2015. The Commission may also consider other related matters.

**Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact:** Elaine Agresta, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2660, email: [elaine.agresta@dps.ny.gov](mailto:elaine.agresta@dps.ny.gov)

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

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

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

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

(15-E-0184SP1)

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

**Commercial System Relief Program, Direct Load Control Program**

**I.D. No.** PSC-15-15-00009-P

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

**Proposed Action:** The Commission is considering a tariff filing by Central Hudson Gas and Electric Corporation to effectuate distribution-level Demand Response programs in compliance with the Commission's December 15, 2014 Order in Case 14-E-0423.

**Statutory authority:** Public Service Law, sections 65(1), 66(1) and (12)

**Subject:** Commercial System Relief Program, Direct Load Control Program.

**Purpose:** To establish the Commercial System Relief Program, Direct Load Control Program, and a concomitant cost recovery mechanism.

**Substance of proposed rule:** The Commission is considering whether to approve, modify or reject, in whole or in part, a tariff filing by Central Hudson Gas and Electric Corporation in compliance with the Commission's "Order Instituting Proceeding Regarding Dynamic Load Management and Directing Tariff Filings" in Case No. 14-E-0423 issued December 15, 2014 and notice issued January 2, 2015. The tariff filing establishes two distribution-level demand response programs and a mechanism to recover the associated costs. The tariff leaves do not have an effective date.

**Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact:** Elaine Agresta, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2660, email: [elaine.agresta@dps.ny.gov](mailto:elaine.agresta@dps.ny.gov)

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

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

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

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

(15-E-0186SP1)

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

**Distribution Load Relief Program, Commercial System Relief Program, Direct Load Control Program**

**I.D. No.** PSC-15-15-00010-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 a tariff filing by New York State Electric and Gas Corporation to effectuate distribution-level Demand Response programs in compliance with the Commission's December 15, 2014 Order in Case 14-E-0423.

**Statutory authority:** Public Service Law, sections 65(1), 66(1) and (12)

**Subject:** Distribution Load Relief Program, Commercial System Relief Program, Direct Load Control Program.

**Purpose:** To establish the Distribution Load Relief Program, Commercial System Relief Program, Direct Load Control Program.

**Substance of proposed rule:** The Commission is considering whether to approve, modify or reject, in whole or in part, a tariff filing by New York State Electric and Gas Corporation in compliance with the Commission's "Order Instituting Proceeding Regarding Dynamic Load Management and Directing Tariff Filings" in Case No. 14-E-0423 issued December 15, 2014 and notice issued January 2, 2015. The tariff filing establishes three distribution-level demand response programs and a mechanism to recover the associated costs. The tariff leaves do not have an effective date.

**Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact:** Elaine Agresta, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2660, email: [elaine.agresta@dps.ny.gov](mailto:elaine.agresta@dps.ny.gov)

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

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

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

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

(15-E-0188SP1)

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

**Distribution Load Relief (DLR) Program, Peak Shaving Load Relief (PSLR) Program, and Direct Load Control (DLC) Program**

**I.D. No.** PSC-15-15-00011-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 a filing by Niagara Mohawk Power Corporation d/b/a/ National Grid to effectuate distribution-level Demand Response programs in compliance with the Commission's December 15, 2014 Order in Case 14-E-0423.

**Statutory authority:** Public Service Law, sections 65(1), 66(1) and (12)

**Subject:** Distribution Load Relief (DLR) Program, Peak Shaving Load Relief (PSLR) Program, and Direct Load Control (DLC) Program.

**Purpose:** To establish DLR, PSLR, and DLC demand response programs, as well as enable recovery of program costs.

**Substance of proposed rule:** The Commission is considering whether to approve, modify or reject, in whole or in part, a tariff filing by Niagara Mohawk Power Corporation d/b/a/ National Grid in compliance with the Commission's "Order Instituting Proceeding Regarding Dynamic Load Management and Directing Tariff Filings" in Case No. 14-E-0423 issued December 15, 2014 and notice issued January 2, 2015. The tariff filing establishes three distribution-level demand response programs and a mechanism to recover the associated costs. The tariff leaves do not have an effective date.

**Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact:** Elaine Agresta, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2660, email: [elaine.agresta@dps.ny.gov](mailto:elaine.agresta@dps.ny.gov)

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

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

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

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

(15-E-0189SP1)

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

**Distribution Load Relief Program, Commercial System Relief Program, Direct Load Control Program**

**I.D. No.** PSC-15-15-00012-P

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

**Proposed Action:** The Commission is considering a tariff filing by Orange and Rockland Utilities, Inc. to effectuate distribution-level Demand Response programs in compliance with the Commission's December 15, 2014 Order in Case 14-E-0423.

**Statutory authority:** Public Service Law, sections 65(1), 66(1) and (12)

**Subject:** Distribution Load Relief Program, Commercial System Relief Program, Direct Load Control Program.

**Purpose:** To establish the Distribution Load Relief Program, Commercial System Relief Program, Direct Load Control Program.

**Substance of proposed rule:** The Commission is considering whether to approve, modify or reject, in whole or in part, a tariff filing by Orange and Rockland Utilities, Inc. in compliance with the Commission's "Order Instituting Proceeding Regarding Dynamic Load Management and Directing Tariff Filings" in Case No. 14-E-0423 issued December 15, 2014 and notice issued January 2, 2015. The tariff filing establishes three distribution-level demand response programs and a mechanism to recover the associated costs. The tariff leaves do not have an effective date.

**Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact:** Elaine Agresta, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2660, email: [elaine.agresta@dps.ny.gov](mailto:elaine.agresta@dps.ny.gov)

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

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

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

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

(15-E-0191SP1)

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

**Distribution Load Relief Program, Commercial System Relief Program, Direct Load Control Program**

**I.D. No.** PSC-15-15-00013-P

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

**Proposed Action:** The Commission is considering a tariff filing by Rochester Gas and Electric Corporation to effectuate distribution-level Demand Response programs in compliance with the Commission's December 15, 2014 Order in Case 14-E-0423.

**Statutory authority:** Public Service Law, sections 65(1), 66(1) and (12)  
**Subject:** Distribution Load Relief Program, Commercial System Relief Program, Direct Load Control Program.

**Purpose:** To establish the Distribution Load Relief Program, Commercial System Relief Program, Direct Load Control Program.

**Substance of proposed rule:** The Commission is considering whether to approve, modify or reject, in whole or in part, a tariff filing by Rochester Gas and Electric Corporation in compliance with the Commission's "Order Instituting Proceeding Regarding Dynamic Load Management and Directing Tariff Filings" in Case No. 14-E-0423 issued December 15, 2014 and notice issued January 2, 2015. The tariff filing establishes three distribution-level demand response programs and a mechanism to recover the associated costs. The tariff leaves do not have an effective date.

**Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact:** Elaine Agresta, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2660, email: [elaine.agresta@dps.ny.gov](mailto:elaine.agresta@dps.ny.gov)

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

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

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

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

(15-E-0190SP1)

## Department of State

### EMERGENCY RULE MAKING

#### Use of Truss Type, Pre-Engineered Wood or Timber Construction in Residential Structures

**I.D. No.** DOS-02-15-00004-E

**Filing No.** 225

**Filing Date:** 2015-03-26

**Effective Date:** 2015-03-26

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

**Action taken:** Addition of Part 1265 to Title 19 NYCRR.

**Statutory authority:** Executive Law, sections 376(5), 382-b; and State Administrative Procedure Act, section 202

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

**Specific reasons underlying the finding of necessity:** This rule is readopted as an emergency measure to preserve public safety and general welfare and because time is of the essence.

This rule was originally adopted by the State Fire Prevention and Building Code Council (the Code Council) as an emergency measure. The Notice of Emergency Adoption and Proposed Rule Making relating to the original emergency adoption was filed on December 30, 2014, and the original emergency adoption of this rule became effective on December 31, 2014.

This rule implements Executive Law § 382-b, as added by Chapter 353 of the Laws of 2014. This rule requires any person who uses truss type, pre-engineered wood or timber construction in the construction of a new residential structure or an addition to or rehabilitation of an existing residential structure to give written notice of that fact to the local code enforcement official and to place a sign or symbol on the exterior of the structure to indicate to firefighters and first responders that truss type, pre-engineered wood or timber construction has been used in the structure. This rule also prescribes the form to be used to provide notification to the code enforcement official; prescribes the sign or symbol to be affixed to the structure; provides for the notification and coordination between and among the code official, the fire department, and the emergency response

personnel contemplated by Executive Law § 382-b; and directs fire departments and emergency dispatch personnel to provide for the warnings to firefighters and first responders contemplated by Executive Law § 382-b.

Readoption of this rule on an emergency basis is necessary to preserve public health, safety, and general welfare, for the following reasons:

(1) As stated in the Memorandum in Support of the bill enacting Executive Law § 382-b, "(w)hile truss construction is very durable, when weakened by a fire, major components of a truss foundation can collapse suddenly without warning. When responding to a fire emergency, firefighters are unable to differentiate between a building constructed of truss foundation or another type of construction. As a result, in recent years truss constructions have been the cause of many preventable deaths of fire-fighters. It is imperative that firefighters are notified of the use of truss type construction so they can take appropriate measures that will protect the lives of residents and ensure their own safety. With the enactment of this bill, emergency responders will be able to take proper precautions in responding to a fire in a residential structure where truss type construction was utilized."

(2) Executive Law § 382-b provides that when truss type, pre-engineered wood or timber construction is used in the construction of a new residential structure or in the addition to or rehabilitation of an existing residential structure, the owner must notify the code enforcement official of that fact and must place an approved sign or symbol on the exterior of the structure to warn firefighters and other first responders of that fact;

(3) as of January 1, 2015, the effective date of Executive Law § 382-b, local code officials are not permitted to issue certificates of occupancy for residential structures using truss type, pre-engineered wood or timber construction unless the required sign or symbol has been affixed to the structure;

(4) Executive Law § 382-b provides that the form to be used to notify code enforcement officials of the use of truss type, pre-engineered wood or timber construction in residential structures must be prescribed by the Code Council and the sign or symbol to be affixed to a residential structure using truss type, pre-engineered wood or timber construction must be designed and approved by the Code Council;

(5) by the initial emergency adoption of this rule, the Code Council prescribed the notification form contemplated by Executive Law § 382-b and designed and approved the sign or symbol contemplated by Executive Law § 382-b;

(6) the initial emergency adoption of this rule will expire on March 29, 2015; and

(7) continuing this rule on an emergency basis is necessary to assure that the provisions of this rule will continue in effect after March 29, 2015 (the date on which the original emergency adoption of this rule otherwise would have expired) and to assure that (i) the notification form required by required Executive Law § 382-b may continue to be used to notify code enforcement officials after March 29, 2015; (ii) the sign or symbol required by required Executive Law § 382-b may continue to be placed on structures after March 29, 2015; (iii) certificates of occupancy for residential structures using truss type, pre-engineered wood or timber construction may continue to be issued after March 29, 2015; and (iv) the provisions of this rule which otherwise implement the provision of Executive Law § 382-b will remain in effect after March 29, 2015.

**Subject:** Use of truss type, pre-engineered wood or timber construction in residential structures.

**Purpose:** To implement the provisions of new section 382-b of the Executive Law, as added by chapter 353 of the Laws of 2014.

**Substance of emergency rule:** This rule adds a new Part 1265 to Title 19 of the Official Compilation of Codes, Rules and Regulations of the State of New York.

Part 1265 shall apply to (1) the construction of a new residential structure; (2) an addition to an existing residential structure, and (3) the rehabilitation of an existing residential structure.

Part 1265 shall not apply in any city having a population in excess of one million persons.

The following terms will have the following meanings for the purposes of new Part 1265:

**ADDITION.** The term "addition" shall mean an extension or increase in floor area or height of a residential structure.

**AUTHORITY HAVING JURISDICTION.** The term "authority having jurisdiction" shall mean the city, town, village, county, agency or other governmental unit responsible for administration and enforcement of the State Uniform Fire Prevention and Building Code with respect to the subject residential structure.

**BCNYS.** The term "BCNYS" shall mean the publication which is entitled Building Code of New York State and which is incorporated by reference in Part 1221 of this Title.

**ELECTRIC BOX.** The term "electric box" shall mean the box, if any, mounted on the exterior of the residential structure at the service point (as that term is defined in section E3401 of the RCNYS).

**EXISTING RESIDENTIAL STRUCTURE.** The term “existing residential structure” means a residential structure that is already in existence at the time an addition or rehabilitation is commenced, without regard to the date of original construction of the residential structure.

**NEW RESIDENTIAL STRUCTURE.** The term “new residential structure” means a residential structure constructed on or after January 1, 2015.

**PRE-ENGINEERED WOOD CONSTRUCTION.** The term “pre-engineered wood construction” shall mean construction that uses, for any load-supporting purpose(s), girders, beams, or joists made using wood components (or wood-based components) that are bonded together with adhesives (including, but not limited to, prefabricated wood I-joists, structural glued laminated timbers, structural log members, structural composite lumber, and cross-laminated timber).

**RCNYS.** The term “RCNYS” shall mean the publication which is entitled Residential Code of New York State and which is incorporated by reference in Part 1220 of this Title.

**REHABILITATION.** The term “rehabilitation” shall mean any repair, renovation, alteration or reconstruction work undertaken in an existing residential building.

**RESIDENTIAL STRUCTURE.** The term “residential structure” shall include one-family dwellings, two-family dwellings, and townhouses (as those terms are defined in the publication entitled RCNYS) and structures or portions of structures classified as Residential Group R in accordance with Chapter 3 of the BCNYS (excluding, however, hotels and motels which are classified as Group R-1 or R-2 occupancy in accordance with Chapter 3 of the BCNYS and which are subject to the provisions of Part 1264 of this Title).

**TIMBER CONSTRUCTION.** The term “timber construction” shall mean construction that uses, for any load-supporting purpose(s), solid or laminated wood having the minimum dimensions required for structures built using type IV construction (HT) in accordance section 602.4 of the BCNYS.

**TRUSS TYPE CONSTRUCTION.** The term “truss type construction” shall mean construction that uses, for any load-supporting purpose(s), a fabricated structure of wood or steel, made up of a series of members connected at their ends to form a series of triangles to span a distance greater than would be possible with any of the individual members on their own. Truss type construction shall not include (1) individual wind or seismic bracing components which form triangles when diagonally connected to the main structural system or (2) structural components that utilize solid plate web members.

When truss type construction, pre-engineered wood construction, and/or timber construction is to be utilized in the construction of a new residential structure or in an addition to or rehabilitation of an existing residential structure, the owner of such structure, or the owner’s duly authorized representative, shall notify the authority having jurisdiction of that fact. Such notice shall be in writing and shall be provided to the authority having jurisdiction with the application for a building permit. In the case of a construction, addition or rehabilitation project commenced prior to January 1, 2015 and not completed prior to January 1, 2015, such notice shall be given as soon as practicable after January 1, 2015 and in any event prior to the issuance of the certificate of occupancy or certificate of compliance for such project.

The form to be used to give the required notice to the authority having jurisdiction shall be substantially similar to the following, with all applicable lines checked and all blanks filed in with the appropriate information:

**NOTICE OF UTILIZATION OF TRUSS TYPE CONSTRUCTION, PRE-ENGINEERED WOOD CONSTRUCTION AND/OR TIMBER CONSTRUCTION**

To: [insert name of authority having jurisdiction]  
 Owner: [insert name of owner of the subject property]  
 Subject Property: [insert street address and tax map number, if any, of the subject property]

Please take notice that the (check applicable line):  
 new residential structure  
 addition to existing residential structure  
 rehabilitation to existing residential structure to be constructed or performed at the subject property reference above will utilize (check each applicable line):

truss type construction (TT)  
 pre-engineered wood construction (PW)  
 timber construction (TC)

In the following location(s) (check applicable line):  
 floor framing, including girders and beams (F)  
 roof framing (R)  
 floor framing and roof framing (FR).

Date: [insert date form is signed]  
 Signature: [signature of person submitting form to the authority having jurisdiction]

Name: [print or type name of person signing and submitting form]

Capacity: [insert “Owner” or “Owner’s Representative” as applicable]

An authority having jurisdiction shall be permitted to prescribe its own form to be used to give the required notice, provided that such form requests at least same information mentioned above.

Each new residential structure and each addition to or rehabilitation of an existing residential structure that utilizes truss type construction, pre-engineered wood construction and/or timber construction shall be identified by a sign or symbol in accordance with the provisions of Part 1265.

The sign or symbol required by this Part shall be affixed to the electric box attached to the exterior of the residential structure; provided, however, that:

(1) if affixing the sign or symbol to the electric box would obscure any meter on the electric box, or if the utility providing electric service to the residential structure does not allow the sign or symbol to be affixed to the electric box, the sign or symbol shall be affixed to the exterior wall of the residential structure at a point immediately adjacent to the electric box; and

(2) if no electric box is attached to the exterior of the residential structure or if, in the opinion of the authority having jurisdiction, the electric box attached to the exterior of the building is not located in a place likely to be seen by firefighters or other first responders responding to a fire or other emergency at the residential structure, the sign or symbol required by this Part shall be affixed to the exterior of the residential structure in a location approved by the authority having jurisdiction as a location likely to be seen by firefighters or other first responders responding to a fire or other emergency at the residential structure.

The sign or symbol shall be affixed prior to the issuance of a certificate of occupancy or a certificate of compliance. The authority having jurisdiction shall not issue a certificate of occupancy or certificate of compliance until the sign or symbol shall have been affixed.

The property owner shall be responsible for maintaining the sign or symbol and shall promptly replace any such sign or symbol that is affixed to an electric box when any change or modification is made to such electric box. The property owner shall promptly replace the sign or symbol if such sign or symbol is removed or becomes damaged, faded, worn or otherwise less conspicuous to firefighters or other first responders responding to a fire or other emergency at the residential structure. The property owner shall keep the area in the vicinity of the sign or symbol clear of all plants, vegetation, and other obstructions that may hide or obscure such sign or symbol or otherwise cause such sign or symbol to be less conspicuous to firefighters or other first responders responding to a fire or other emergency at the residential structure.

The sign or symbol indicating the utilization of truss type construction, pre-engineered wood construction and/or timber construction shall comply with the following requirements:

(1) The sign or symbol shall consist of a circle six inches (152.4 mm) in diameter, with a stroke width of 1/2 inch (12.7 mm). The background of the sign or symbol shall be reflective white in color. The circle and contents shall be reflective red in color, conforming to Pantone matching system (PMS) #187.

(2) The sign or symbol shall be of sturdy, non-fading, weather-resistant material; provided, however, that a sign or symbol applied directly to a door or sidelight may be a permanent non-fading sticker or decal.

(3) The sign or symbol shall contain an alphabetic construction type designation to indicate the construction type of the residential structure, as follows:

(i) if the residential structure is subject to the provisions of the RCNYS, the construction type designation shall be “V” and

(ii) if the residential structure is subject to the provisions of the BCNYS, the construction type designation shall be “I”, “II”, “III”, “IV” or “V” to indicate the construction classification of the structure under section 602 of the BCNYS.

(4) The sign or symbol shall contain an alphabetic location designation to indicate the location(s) containing truss type construction, pre-engineered wood construction and/or timber construction structural components, as follows:

(i) “F” shall mean floor framing, including girders and beams;

(ii) “R” shall mean roof framing; and

(iii) “FR” shall mean floor framing and roof framing.

(5) The construction type designation shall be placed at the 12 o’clock position of the sign or symbol, over the location designation, which shall be placed at the six o’clock position of the sign or symbol.

Upon receipt of a form indicating that truss type, pre-engineered wood or timber construction is to be used in a residential structure, the authority having jurisdiction shall notify the chief of the fire district, fire department or fire company having jurisdiction over the structure of that fact.

The chief of the fire district, fire department, or fire company having jurisdiction over the residential structure to be erected, added to, or modified, or his or her designee shall use the information so provided to warn

persons conducting fire control and other emergency operations of the existence of truss type, pre-engineered wood or timber construction in the structure.

The local building department or local code enforcement official for the authority having jurisdiction shall consult with the county fire coordinator, local 911 and emergency dispatchers, and the local fire protection provider or entity deemed pertinent to determine the manner sufficient to warn persons conducting fire control and other emergency operations of the existence of truss type, pre-engineered wood or timber construction in the structure.

Subdivision 4 of section 382-b of the Executive Law directs local governments to provide for enforcement of section 382-b of the Executive Law. Enforcement of section 382-b of the Executive Law shall include, but shall not be limited to, enforcement of the provisions of this Part.

Nothing contained in Part 1265 shall in any way affect or diminish section 205-b of the General Municipal Law.

**This notice is intended** to serve only as a notice of emergency adoption. This agency intends to adopt the provisions of this emergency rule as a permanent rule, having previously submitted to the Department of State a notice of proposed rule making, I.D. No. DOS-02-15-00004-EP, Issue of January 14, 2015. The emergency rule will expire May 24, 2015.

**Text of rule and any required statements and analyses may be obtained from:** Mark Blanke, Department of State, 99 Washington Ave., Albany, NY 12231-0001, (518) 474-4073, email: Mark.Blanke@dos.ny.gov

#### **Regulatory Impact Statement**

##### **1. STATUTORY AUTHORITY AND LEGISLATIVE OBJECTIVES**

Executive Law § 382-b authorizes the State Fire Prevention and Building Code Council (the Code Council) to promulgate rules and regulations it deems necessary to carry into effect the provisions that section. This rule was originally adopted by the Code Council as an emergency measure to implement the provisions of and to further and effectuate the specific objectives of Executive Law § 382-b.

The original emergency adoption of this rule will expire on March 29, 2015. Executive Law § 376(5) authorizes the Secretary of State to do all things necessary or desirable to further and effectuate the general purposes and specific objectives of Article 18 of the Executive Law. The Secretary of State has determined that this emergency re-adoption of this rule is necessary and desirable to further and effectuate the general purposes and specific objectives of Article 18, including the specific objectives of Executive Law § 382-b.

The Legislative objectives of Executive Law § 382-b include (1) providing a means of notifying a local code enforcement official when truss type, pre-engineered wood or timber construction is to be utilized in the construction of a new residential structure or in the addition to or rehabilitation of an existing residential structure; (2) providing for the placement and maintenance of a sign or symbol on the exterior of such residential structures to provide notice to firefighters and other first responders that one or more of those construction types have been used; and (3) providing for communication and coordination between and among code enforcement officials, fire departments, and emergency dispatch personnel for the purpose of providing warning to firefighters and other first responders that one or more of those construction types have been used.

##### **2. NEEDS AND BENEFITS**

The Memorandum in Support of the bill enacting Executive Law § 382-b states that "(w)hile truss construction is very durable, when weakened by a fire, major components of a truss foundation can collapse suddenly without warning. When responding to a fire emergency, firefighters are unable to differentiate between a building constructed of truss foundation or another type of construction. As a result, in recent years truss constructions have been the cause of many preventable deaths of fire-fighters. It is imperative that firefighters are notified of the use of truss type construction so they can take appropriate measures that will protect the lives of residents and ensure their own safety. With the enactment of this bill, emergency responders will be able to take proper precautions in responding to a fire in a residential structure where truss type construction was utilized."

Executive Law § 382-b provides that any person utilizing truss type, pre-engineered wood or timber construction for the erection of any new residential structure, for any addition to an existing residential structure, or for any rehabilitation of an existing residential structure must (1) notify the local government that will issue the building permit for the that truss type, pre-engineered wood or timber construction is being utilized and (2) affix a sign or symbol to the electric box, if any, on the exterior of the structure indicating that truss type, pre-engineered wood or timber construction has been used. Executive Law § 382-b provides that the form to be used to notify the local code official that truss type, pre-engineered wood or timber construction is to be used shall be prescribed by the Code Council and that the sign or symbol to be fixed to the electric box shall be as approved by the Code Council.

Executive Law § 382-b also provides that (1) upon receipt of a form indicating that truss type, pre-engineered wood or timber construction is to be used in a residential structure, the code enforcement official must notify the chief of the fire district, fire department or fire company having jurisdiction over the structure of that fact; (2) the chief of the fire district, fire department, or fire company having jurisdiction over the residential structure to be erected, added to, or modified, or his or her designee shall use the information so provided to warn persons conducting fire control and other emergency operations of the existence of truss type, pre-engineered wood or timber construction in the structure; (3) the local building department or local code enforcement official must consult with the county fire coordinator, local 911 and emergency dispatchers, and the local fire protection provider or entity deemed pertinent to determine the manner sufficient to warn persons conducting fire control and other emergency operations of the existence of truss type, pre-engineered wood or timber construction in the structure; (4) local governments shall provide by local law or resolution for the enforcement of the provisions of Executive Law § 382-b, if necessary; and (5) the Code Council shall promulgate rules and regulations it deems necessary to carry into effect the provisions of Executive Law § 382-b including, but not limited to, the dimensions and color of the required sign or symbol.

By the initial emergency adoption of this rule, the Code Council prescribed the notification form contemplated by Executive Law § 382-b, designed and approved the sign or symbol contemplated by Executive Law § 382-b, and otherwise implemented the provisions of Executive Law § 382-b. This emergency re-adoption of this rule assure that the notification form prescribed by the Code Council and the sign or symbol designed and approved by the Code Council can continue to be used after the date on which the original adoption of this rule otherwise would have expired, and that the other implementing provisions of the original emergency adoption of this rule will remain in effect after that date, pending the anticipated adoption of this rule as a permanent measure.

##### **3. COSTS**

###### **A. Regulated Parties**

For a regulated party who chooses to use truss type, pre-engineered wood or timber construction in the construction of a new residential structure or the addition to or rehabilitation of an existing residential structure, the initial costs of complying with this rule will include (1) any increase in the fees currently charged by the local code enforcement officials to cover the additional costs associated with processing the form notifying the official that truss-type, pre-engineered wood or timber construction is to be used and/or for inspecting the structure to confirm that the required sign or symbol has been affixed to the exterior of the structure and (2) the cost of obtaining any affixing the required sign or symbol. Fees charged by local code enforcement officials are fixed by local governments, and not by this rule; the Department of State (DOS) anticipates that for the most part, any fee increase imposed by local governments by reason of this rule will be modest. DOS estimates that the cost of purchasing and affixing the sign or symbol required by this rule will be \$20 to \$30.

For regulated parties who own residential structures covered by this rule, the annual or ongoing costs for continuing compliance with this rule will include the cost of replacing the sign or symbol required by this rule when the electric box to which the sign or symbol is affixed is changed or modified or when the sign or symbol becomes worn, faded, or otherwise less conspicuous. DOS estimates that the cost of purchasing and affixing a replacement sign or symbol required will be \$20 to \$30. For regulated parties who own residential structures covered by this rule will also be required to keep the area in the vicinity of the sign or symbol required by this rule clear of all plants, vegetation, and other obstructions that may hide or obscure such sign or symbol or otherwise cause such sign or symbol less conspicuous to firefighters or other first responders responding to a fire or other emergency at the residential structure. DOS anticipates that this requirement will not significantly increase the cost of normal property maintenance.

The estimated cost of obtaining and affixing the required sign or symbol was determined by prices for signs currently posted on the website of a manufacturer of the signs now required under Part 1264 (ranging from \$12.45 to \$21.45 for a single sign to as low as \$8.95 per sign when purchased in quantity: <http://www.safetysign.com/products/p5973/ny-type-v-floor-truss-sign> [accessed 3/20/2015]); the cost of affixing the sign to the structure is assumed to be nominal.

###### **B. Department of State, the State, and Local Governments**

DOS does not anticipate that DOS or the State of New York will incur any significant costs for the implementation of, and continued administration of, this rule.

For local governments, the initial costs for implementation of this rule will include the cost of training their code enforcement personnel on the requirements of this rule. However, code enforcement personnel are required by existing law to receive 24 hours of in-service training each

year, and DOS anticipates that training on the requirements of the new this rule can be provided within the already required annual in-service training.

For local governments, the on-going costs for the continued compliance with and administration of this rule will include the costs associated with the inspecting residential structures to confirm that the required sign or symbol has been affixed; notifying the fire department when truss type, pre-engineered wood or timber construction is to be used in the construction of a new residential structure; consulting with the county fire coordinator, local 911 and emergency dispatchers, and the local fire protection provider or entity deemed pertinent to determine the manner sufficient to warn persons conducting fire control and other emergency operations of the existence of truss type, pre-engineered wood or timber construction in the structure; and warning persons conducting fire control and other emergency operations of the existence of truss type, pre-engineered wood or timber construction in the structure. However, DOS anticipates that a local government will be able to fulfill these obligations using its existing code enforcement, fire department, and emergency dispatch personnel, at little or no additional cost to the local government. Further, local governments are authorized by existing law to charge fees to defray the cost of their code enforcement activities.

Any local government or state agency that chooses to construct, add to, rehabilitate or won a residential structure will subject to this rule, and will be subject to the same costs of initial compliance and on-going compliance as any other regulated party.

#### 4. PAPERWORK

A property owner utilizing truss type, pre-engineered wood or timber construction for the erection of any new residential structure, for any addition to an existing residential structure, or for any rehabilitation of an existing residential structure will be required to notify the local code enforcement official of that fact. That notice must be given using the form prescribed in this rule or using a substantially similar form prescribed by the local code enforcement office.

#### 5. LOCAL GOVERNMENT MANDATES

Upon receipt of notification that a residential structure will use truss type, pre-engineered wood or timber construction, the local code enforcement official will be required to notify the chief of the fire district, fire department or fire company having jurisdiction over the structure of that fact. The chief of the fire district, fire department, or fire company must use the information so provided to warn persons conducting fire control and other emergency operations of the existence of truss type, pre-engineered wood or timber construction in the structure.

The local building department or local code enforcement official must consult with the county fire coordinator, local 911 and emergency dispatchers, and the local fire protection provider or entity deemed pertinent to determine the manner sufficient to warn persons conducting fire control and other emergency operations of the existence of truss type, pre-engineered wood or timber construction in the structure.

Before issuing a certificate of occupancy, the local code enforcement official will be required to determine that the required sign has been affixed to the structure.

Local governments will be required to enforce Executive Law § 382-b and this new rule. Local governments, fire departments, and emergency dispatch personnel will be required to see that their personnel receive training on these new requirements.

DOS anticipates that local governments will be able to enforce the new requirements added by Executive Law § 382-b and implemented by this rule with their current code enforcement personnel, and will not require any additional professional services.

#### 6. DUPLICATION

This rule does not duplicate any rule or other legal requirement of the State or Federal government known to DOS.

#### 7. ALTERNATIVES

No significant alternatives to this rule were considered by DOS. DOS believes that the provisions of this rule are necessary to implement Executive Law § 382-b.

#### 8. FEDERAL STANDARDS

This rule does not exceed any minimum standards of the Federal government for the same or similar subject areas known to DOS.

#### 9. COMPLIANCE SCHEDULE

DOS anticipates that regulated parties will be able to comply with this rule immediately.

#### *Regulatory Flexibility Analysis*

##### 1. TYPES AND NUMBER OF SMALL BUSINESSES AND LOCAL GOVERNMENTS TO WHICH THE RULE WILL APPLY

This rule implements Executive Law § 382-b, which relates to the use of truss-type, pre-engineered wood and timber construction in the construction of new residential structures and the addition to or rehabilitation of existing residential structures. Executive Law § 382-b, and this rule, apply in all parts of the State except New York City. Therefore, this rule will apply to all small businesses and all local governments that

construct new residential buildings or add to or rehabilitate existing residential structures in any part of the State except New York City.

In addition, Executive Law § 382-b requires local governments to enforce section 382-b, and to communicate and coordinate with fire departments and emergency dispatch personnel in warning firefighters and other first responders when responding to a fire in a residential structure that utilizes truss-type, pre-engineered wood and timber construction in the construction. This rule implements those requirements. Therefore, this rule will apply to all or most of the local governments in the State other than New York City.

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

A small business or local government that chooses to utilize truss type, pre-engineered wood or timber construction in the construction of any new residential structure or in any addition to or rehabilitation of an existing residential structure to include with the building permit application a notification advising the local code enforcement official that truss type, pre-engineered wood or timber construction is being utilized.

Upon receipt of such notification, the local code enforcement official will be required to notify the chief of the fire district, fire department or fire company having jurisdiction over the structure that truss type, pre-engineered wood or timber construction is being utilized is being used. The chief of the fire district, fire department, or fire company must use the information so provided to warn persons conducting fire control and other emergency operations of the existence of truss type, pre-engineered wood or timber construction in the structure.

The local building department or local code enforcement official must consult with the county fire coordinator, local 911 and emergency dispatchers, and the local fire protection provider or entity deemed pertinent to determine the manner sufficient to warn persons conducting fire control and other emergency operations of the existence of truss type, pre-engineered wood or timber construction in the structure.

A small business or local government that uses truss type, pre-engineered wood or timber construction in the construction of a residential structure or an addition to or rehabilitation of an existing residential structure will be required to place a sign or symbol of the type described in this rule on the exterior wall of the structure.

Before issuing a certificate of occupancy, the local code enforcement official will be required to determine that the required sign has been affixed to the structure.

A small business or local government that owns a residential structure that is subject to this rule will be required to keep the area in the vicinity of the sign or symbol required by this rule clear of all plants, vegetation, and other obstructions that may hide or obscure such sign or symbol or otherwise cause such sign or symbol less conspicuous to firefighters or other first responders responding to a fire or other emergency at the residential structure. A small business or local government that owns such a residential structure will be required to replace the sign or symbol if the electric box to which the sign or symbol is affixed is changed or modified or if the sign or symbol becomes worn, faded, or otherwise less conspicuous.

Local governments will be required to enforce Executive Law § 382-b and this rule. Local governments, fire departments, and emergency dispatch personnel will be required to see that their personnel receive training on these new requirements.

DOS anticipates that local governments will be able to enforce the requirements added by Executive Law § 382-b, and implemented by this rule, with their current code enforcement personnel, and will not require any additional professional services.

##### 3. PROFESSIONAL SERVICES

A small business or local government that constructs a new residential structure or adds to or rehabilitates an existing residential structure will typically find it to be necessary or desirable to use the services of a design professional to design a new residential building or an addition to or rehabilitation of an existing residential structure. The new requirements added by Executive Law § 382-b, and implemented by this rule, should not increase the level of professional services required.

##### 4. COMPLIANCE COSTS

The initial costs of complying with this rule for small business or local government that uses truss type, pre-engineered wood or timber construction in the construction of a residential structure or an addition to or rehabilitation of an existing residential structure will include (1) any increase in the fees currently charged by the local code enforcement officials for processing permit applications, issuing permits, conducting inspections, and issuing permits to cover the additional costs associated with processing the form notifying the official that truss-type, pre-engineered wood or timber construction is to be used and/or for inspecting the structure to confirm that the required sign or symbol has been affixed to the exterior of the structure and (2) the cost of obtaining any affixing the required sign or symbol. Fees charged by local code enforcement officials are fixed by lo-

cal governments, and not by this rule; the Department of State anticipates that for the most part, any fee increase imposed by local governments by reason of new section 382-b (and this rule) will be modest. The Department of State estimates that the cost of purchasing and affixing the sign or symbol required by this rule will be \$20 to \$30.

The initial costs of compliance described in the preceding paragraph are not likely to vary for small businesses or local governments of different types and of differing sizes.

The annual or ongoing costs to building owners for continuing compliance with this rule for a small business or local government that used truss type, pre-engineered wood or timber construction in the construction of a new residential structure or the addition to or rehabilitation of an existing residential structure will include the cost of replacing the sign or symbol required by this rule when the electric box to which the sign or symbol is affixed is changed or modified or when the sign or symbol becomes worn, faded, or otherwise less conspicuous. The Department of State estimates that the cost of purchasing and affixing a replacement sign or symbol required will be \$20 to \$30. A small business or local government that owns such a residential structure will also be required to keep the area in the vicinity of the sign or symbol required by this rule clear of all plants, vegetation, and other obstructions that may hide or obscure such sign or symbol or otherwise cause such sign or symbol less conspicuous to fire fighters or other first responders responding to a fire or other emergency at the residential structure. The Department of State anticipates that this requirement will not significantly increase the cost of normal property maintenance.

The annual / ongoing costs described in the preceding paragraph are not likely to for small businesses or local governments of different types and of differing sizes.

The initial costs to be incurred by local governments will include the cost of training their code enforcement personnel on the requirements of this rule. However, code enforcement personnel are required by existing law to receive 24 hours of in-service training each year, and the Department of State anticipates that training on the requirements of the new this rule can be provided within the already required annual in-service training.

The annual or on-going compliance costs for a local government will include the costs associated with fulfilling the notification, warning, and consultation obligations established by Executive Law § 382-b. However, the Department of State anticipates that a local government will be able to fulfill these obligations using its existing code enforcement, fire department, and emergency dispatch personnel, at little or no additional cost to the local government. Further, local governments are authorized by existing law to charge fees to defray the cost of their code enforcement activities.

Any variation in local governments' costs of complying with this rule is likely to be attributable to the number of residential structures within the local government that utilize truss type, pre-engineered wood or timber construction and not to the type and/or size of the local government.

#### 5. ECONOMIC AND TECHNOLOGICAL FEASIBILITY

It is economically and technologically feasible for regulated parties to comply with the rule. No substantial capital expenditures are imposed and no new technology need be developed for compliance.

The Department of State anticipates that local governments will be able to provide training to their code enforcement personnel through the already required annual in-service training; that local governments will be able to this rule with their existing code enforcement personnel; and that local governments will be able to recoup any additional code enforcement expenses through fees they are authorized to impose by existing law.

#### 6. MINIMIZING ADVERSE IMPACT

This rule was designed to minimize any adverse impact on small businesses and local governments by (1) implementing only those requirements that are specified in the underlying statute (Executive Law § 382-b) and (2) prescribing a simple notification form and permitting local governments to prescribe their own notification forms if they wish to do so.

Approaches such as establishing differing compliance or reporting requirements or timetables that take into account the resources available to small businesses and local governments and/or providing exemptions from coverage by the rule, or by any part thereof, for small businesses and local governments were not considered because doing so (1) is not authorized by Executive Law § 382-b and (2) would endanger the public safety and general welfare.

#### 7. SMALL BUSINESS AND LOCAL GOVERNMENT PARTICIPATION

The Department of State gave small business and local governments an opportunity to participate in this rule making by posting a notice regarding this rule on the Department of State's website and by publishing a notice regarding this rule in Building New York, a monthly electronic news bulletin covering topics related to the Uniform Code and the construction industry which is prepared by the Department of State and which is currently distributed to approximately 10,000 subscribers, including local

governments, design professionals and others involved in all aspects of the construction industry.

#### 8. VIOLATIONS AND PENALTIES ASSOCIATED WITH VIOLATIONS

This rule will neither establish or modify a violation nor establish or modify penalties associated with a violation. Therefore, for the purposes of Chapter 524 of the Laws of 2011 and subdivision 1-a of section 202-b of the State Administrative Procedure Act, this rule is not required to include a cure period or other opportunity for ameliorative action, the successful completion of which will prevent the imposition of penalties on the party or parties subject to enforcement.

#### *Rural Area Flexibility Analysis*

##### 1. TYPES AND ESTIMATED NUMBERS OF RURAL AREAS.

This rule implements new Executive Law § 382-b, as added by Chapter 353 of the Laws of 2014, relating to the use of truss-type, pre-engineered wood and timber construction in the construction of new residential structures and in the addition to or rehabilitation of existing residential structures. Executive Law § 382-b and this rule apply in all parts of the State except cities having a population greater than 1,000,000 persons. Therefore, this rule will apply in all rural areas of the State.

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

This rule will require residential property owners wishing to utilize truss type, pre-engineered wood or timber construction in the construction of any new residential structure or in any addition to or rehabilitation of an existing residential structure to include with the building permit application a notification advising the local code enforcement official that truss type, pre-engineered wood or timber construction is being utilized.

Upon receipt of such notification, the local code enforcement official will be required to notify the chief of the fire district, fire department or fire company having jurisdiction over the structure that truss type, pre-engineered wood or timber construction is being utilized is being used. The chief of the fire district, fire department, or fire company must use the information so provided to warn persons conducting fire control and other emergency operations of the existence of truss type, pre-engineered wood or timber construction in the structure.

The local building department or local code enforcement official must consult with the county fire coordinator, local 911 and emergency dispatchers, and the local fire protection provider or entity deemed pertinent to determine the manner sufficient to warn persons conducting fire control and other emergency operations of the existence of truss type, pre-engineered wood or timber construction in the structure.

The owner of the structure will be required to place a sign or symbol of the type described in this rule on the exterior wall of the structure. Property owners will be required to keep the area in the vicinity of the sign or symbol required by this rule clear of all plants, vegetation, and other obstructions that may hide or obscure such sign or symbol or otherwise cause such sign or symbol less conspicuous to fire fighters or other first responders responding to a fire or other emergency at the residential structure. Property owners will be required to replace the sign or symbol if the electric box to which the sign or symbol is affixed is changed or modified or if the sign or symbol becomes worn, faded, or otherwise less conspicuous.

Local governments will be required to enforce Executive Law § 382-b and this rule. Local governments, fire departments, and emergency dispatch personnel will be required to see that their personnel receive training on these new requirements.

The Department of State anticipates that local governments will be able to enforce the requirements added by Executive Law § 382-b, and implemented by this rule, with their current code enforcement personnel, and will not require any additional professional services.

Building owners will typically find it to be necessary or desirable to use the services of a design professional to design a new residential building or an addition to or rehabilitation of an existing residential structure. The requirements added by Executive Law § 382-b, and implemented by this rule, should not increase the level of professional services required.

##### 3. COMPLIANCE COSTS.

The initial costs of complying with this rule for the owner of a residential structure utilizing truss type, pre-engineered wood or timber construction for the erection of any new residential structure, for any addition to an existing residential structure, or for any rehabilitation of an existing residential structure will include (1) any increase in the fees currently charged by the local code enforcement officials for processing permit applications, issuing permits, conducting inspections, and issuing permits to cover the additional costs associated with processing the form notifying the official that truss-type, pre-engineered wood or timber construction is to be used and/or for inspecting the structure to confirm that the required sign or symbol has been affixed to the exterior of the structure and (2) the cost of obtaining any affixing the required sign or symbol. Fees charged by local code enforcement officials are fixed by local governments, and not by this

rule; the Department of State anticipates that for the most part, any fee increase imposed by local governments by reason of Executive Law § 382-b (and this rule) will be modest. The Department of State estimates that the cost of purchasing and affixing the sign or symbol required by this rule will be \$20 to \$30. Such costs are not likely to vary for different types of public and private entities in rural areas.

The annual or ongoing costs to building owners for continuing compliance with this rule will include the cost of replacing the sign or symbol required by this rule when the electric box to which the sign or symbol is affixed is changed or modified or when the sign or symbol becomes worn, faded, or otherwise less conspicuous. The Department of State estimates that the cost of purchasing and affixing a replacement sign or symbol required will be \$20 to \$30. Property owners will also be required to keep the area in the vicinity of the sign or symbol required by this rule clear of all plants, vegetation, and other obstructions that may hide or obscure such sign or symbol or otherwise cause such sign or symbol less conspicuous to fire fighters or other first responders responding to a fire or other emergency at the residential structure. The Department of State anticipates that this requirement will not significantly increase the cost of normal property maintenance. The annual / ongoing costs described in this paragraph are not likely to be different types of public and private entities in rural areas.

The initial costs to be incurred by local governments will include the cost of training their code enforcement personnel on the requirements of this rule. However, code enforcement personnel are required by existing law to receive 24 hours of in-service training each year, and the Department of State anticipates that training on the requirements of the new this rule can be provided within the already required annual in-service training.

The annual or on-going compliance costs for a local government will include the costs associated with fulfilling the notification, warning, and consultation obligations established by Executive Law § 382-b. However, the Department of State anticipates that a local government will be able to fulfill these obligations using its existing code enforcement, fire department, and emergency dispatch personnel, at little or no additional cost to the local government. Further, local governments are authorized by existing law to charge fees to defray the cost of their code enforcement activities.

#### 4. MINIMIZING ADVERSE IMPACT.

This rule was designed to minimize any adverse impact on all areas of the State, including rural areas, by (1) implementing only those requirements that are specified in the underlying statute (Executive Law § 382-b) and (2) prescribing a simple notification form and permitting local governments to prescribe their own notification forms if they wish to do so.

Establishing different compliance requirements for public and private sector interests in rural areas and/or providing exemptions from coverage by the rule for public and private sector interests in rural areas was not considered because doing so (1) is not authorized by the statute and (2) would endanger the public safety and general welfare.

#### 5. RURAL AREA PARTICIPATION.

The Department of State notified interested parties throughout the State, including interested parties in rural areas, of the proposed adoption of this rule by means of notices posted on the Department's website and published in Building New York, a monthly electronic news bulletin covering topics related to the Uniform Code and the construction industry which is prepared by the Department of State and which is currently distributed to approximately 10,000 subscribers, including local governments, design professionals and others involved in all aspects of the construction industry.

#### Job Impact Statement

The Department of State has concluded after reviewing the nature and purpose of the rule that it will not have a "substantial adverse impact on jobs and employment opportunities" (as that term is defined in section 201-a of the State Administrative Procedures Act) in New York.

This rule amends adds a new Part 1265 (entitled "Residential Structures with Truss Type Construction, Pre-Engineered Wood Construction or Timber Construction") to Title 19 of the NYCRR. Part 1265 implements new section 382-b of the Executive Law, as added by Chapter 353 of the Laws of 2014. Under section 382-b, and this rule, any person who uses truss-type, pre-engineered wood or timber construction in the construction of a new residential structure or in the addition to or rehabilitation of an existing residential structure will be required to notify the local code enforcement official of that fact and to place a sign or symbol on the exterior wall of the structure intended to notify firefighters and other first responders that truss-type, pre-engineered wood or timber construction has been used in the structure. This rule prescribes (1) the form to be used by the property owner or property owner's representative to designate a residential structure as truss type, pre-engineered wood or timber construction and (2) the sign or symbol to be affixed to the exterior of a residential building that utilizes truss type, pre-engineered wood and/or timber construction.

The Department of State has concluded that although provisions of this

rule will impose certain new obligations on regulated parties, the cost of complying with these new obligations will be minimal. For example, Part 1265 requires that each new residential structure and each addition to or rehabilitation of an existing residential structure that utilizes truss type construction, pre-engineered wood construction and/or timber construction be identified by signs or symbols in accordance with the provisions of this Part before receiving a certificate of occupancy or a certificate of compliance. The Department of State estimates that the cost of obtaining and posting a sign or symbol required by this rule will be \$20 to \$30. Therefore, the Department of State anticipates that the impact of this rule on the cost of any new construction, addition or rehabilitation project will be negligible.

New section 382-b of the Executive Law also requires, and this rule also provides, that local governments must enforce these new requirements, and that local governments, fire departments, and emergency dispatch personnel must consult with each other in developing means to warn firefighters and other first responders responding to a fire in a residential structure that truss-type construction, pre-engineered wood construction and/or timber construction has been utilized in the structure. The Department of State anticipates that, for the most part, these tasks can be accomplished by existing personnel, at little or no additional cost to local governments, fire departments or emergency dispatchers. Therefore, the Department of State anticipates that the impact of this rule on the costs of obtaining building permits, conducting construction inspections, issuing certificates of occupancy, and performing other code enforcement activities will be negligible.

Therefore, this rule should have no substantial adverse impact on the cost of obtaining a building permit, constructing a new residential structure, adding to or rehabilitating an existing residential structure, or obtaining a certificate of occupancy or a certificate of compliance and, consequently, this rule should have no substantial adverse impact on jobs and employment opportunities related to constructing a new residential structure or adding to or rehabilitating an existing residential structure utilizing truss type construction, pre-engineered wood construction and/or timber construction.

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## Office of Temporary and Disability Assistance

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

#### Video Hearings

I.D. No. TDA-15-15-00003-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 358-5.13 to Title 18 NYCRR.

**Statutory authority:** Social Services Law, sections 20(3)(d) and 22(8)

**Subject:** Video Hearings.

**Purpose:** The rule would specifically allow the Office of Administrative Hearings to conduct fair hearings by means of video equipment.

**Text of proposed rule:** A new section 358-5.13 is added to Title 18 NYCRR to read as follows:

#### § 358-5.13 Video Hearings

(a) OAH may provide that a fair hearing held pursuant to this Part be conducted by means of video equipment. When a hearing is conducted using video equipment, the parties and the hearing officer need not be physically present at the same location.

(b) All provisions of this Part, which are not inconsistent with the specific provisions of this section, shall apply to hearings conducted using video equipment.

(c) An appellant who objects to OAH conducting the fair hearing by video equipment should notify OAH at the earliest possible opportunity before the time set for the hearing, but no later than at the commencement of the hearing. The request must be made in writing, in person, by video equipment, or by telephone.

(d) A fair hearing, with the appellant and the hearing officer physically present at the same location, will be held in the following circumstances:

(1) when, in the judgment of OAH, an appellant's due process rights would best be served by conducting a hearing in-person; or

(2) when, in the judgment of OAH, there are circumstances presented



by the appellant which make proceeding with the hearing by video equipment fundamentally unfair.

**Text of proposed rule and any required statements and analyses may be obtained from:** Jeanine S. Behuniak, NYS Office of Temporary and Disability Assistance, 40 North Pearl Street, 16C, Albany, New York 12243-0001, (518) 474-9779, email: Jeanine.Behuniak@otda.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.

#### Regulatory Impact Statement

##### 1. Statutory authority:

Social Services Law (SSL) § 20(3)(d) authorizes the Office of Temporary and Disability Assistance (OTDA) to promulgate regulations to carry out its powers and duties.

SSL § 22(8) requires OTDA to promulgate regulations, not inconsistent with federal and State law, as may be necessary to administer its fair hearings process.

##### 2. Legislative objectives:

It was the intent of the Legislature in enacting SSL §§ 20(3)(d) and 22(8) that OTDA establish rules to help ensure that the due process rights of appellants are adequately protected during the fair hearings process. These statutes give OTDA the authority to promulgate regulations concerning the administration of the fair hearings process.

##### 3. Needs and benefits:

OTDA's Office of Administrative Hearings (OAH) receives approximately 300,000 requests for fair hearings every year. OAH anticipates that the use of video hearings, in addition to the existing in-person hearings, would promote efficiency. With video hearings, OAH could assign individual hearing officers to hold fair hearings at multiple locations throughout the State on the same day. OAH would be able to schedule more hearings, and ultimately, the appellants' fair hearings requests would be addressed and resolved more quickly.

The video fair hearing experience would be the same as the current in-person hearings, except the hearing officer and the parties would not be physically present at the same location. The hearings would be conducted in the social services districts' (SSDs)' current hearing rooms. The appellant and the SSD representative would be able to see and hear the hearing officer, and the hearing officer would be able to see and hear the testimony of the parties.

The hearing officer would be able to look at the documents that the appellants and the SSDs' representatives wish to submit into evidence. Each video hearing room would have scanning equipment that is connected to the hearing officer's computer. When a document is scanned, it would appear on the hearing officer's screen where he or she would review it just as if the hearing officer were present in the hearing room.

An appellant who objects to OAH conducting the fair hearing by video equipment should notify OAH at the earliest possible opportunity before the time set for the hearing, but no later than at the commencement of the hearing. An appellant objecting to a video hearing must make his or her request for an in-person hearing in writing, in person, by video equipment, or by telephone.

When in the judgment of OAH, an appellant's due process rights would best be served by conducting a hearing in-person, arrangements will be made for the in-person hearing. In addition, when, in the judgment of OAH, an appellant presents circumstances which make proceeding with a video hearing fundamentally unfair, OAH will conduct an in-person hearing, rather than a video hearing.

##### 4. Costs:

The costs for the implementation of this proposed regulation are anticipated to be minimal. New York State has provided the necessary hardware for nearly all SSDs to participate in video hearings. Also New York State has provided the bandwidth for nearly all SSDs to participate in video hearings. It is noted that the installation of a networking drop is still needed in the hearing room of one SSD. Any OTDA costs associated with the training of SSD staff and the development of new notices and forms would be absorbed within OTDA's current budget.

The SSDs would use existing arrangements to help comply with the proposed regulations. It is anticipated that the SSDs would have their current fair hearing representatives participate in the video hearings, and they would use their current hearing rooms for the new video hearings.

The SSDs would incur costs for continuing compliance with the proposed regulations. The SSDs would be responsible for any loss or damage to the video and scanning equipment, and they would need to maintain sufficient insurance coverage to reflect this responsibility. It is anticipated that the SSDs would occasionally need to replace fuses contained in the video equipment at an estimated cost of less than five dollars for five fuses, and the SSDs may incur an increase in electricity costs to power the video and scanning equipment. The impact of the costs for fuses and electricity would be greater in SSDs that participate in fair hearings by

video more frequently. Additionally, there is a potential offset to these costs, as the SSDs will no longer have to incur the cost of providing a paper copy of the evidence packet to OAH.

##### 5. Local government mandates:

The proposed rule would not impose any programs upon the SSDs. However, the SSDs would need to identify contact persons who would serve as liaisons with OTDA regarding the video hearing equipment. During the video hearings, the fair hearing representatives for the SSDs would need to operate the scanning equipment in accordance with all security, privacy, confidentiality and compliance requirements, and if there were technical issues during the fair hearings, the counties' Local Area Network (LAN) administrators would provide assistance with connectivity issues. To assist the SSDs, OTDA would provide training regarding the use of the video hearings equipment, if needed.

##### 6. Paperwork:

OTDA would need to develop a limited number of new notices and forms to implement the video hearings and advise the appellants of their due process rights. However, the SSDs would not need to undertake additional reporting or recordkeeping to support this process. Instead of providing the hearing officer a paper copy of the evidence packet for each hearing, the SSDs would scan and transmit the evidence packet electronically to the hearing officer.

##### 7. Duplication:

These proposed amendments would not duplicate, overlap or conflict with any existing State or federal statutes or regulations governing OTDA's fair hearings process.

##### 8. Alternatives:

The alternative is to leave 18 NYCRR Part 358 intact. However, the proposed regulations would specifically allow OTDA to utilize new technology to streamline the fair hearings process and, at the same time, protect the appellants' due process rights.

##### 9. Federal standards:

The proposed amendments would not conflict with federal standards governing OTDA's fair hearings process.

##### 10. Compliance schedule:

After the remaining network drop is completed, all SSDs would be in compliance with this rule on its effective date.

#### Regulatory Flexibility Analysis

##### 1. Effect of rule:

The proposed regulatory amendments would not impact small businesses, but they would have an impact on the 58 social services districts (SSDs) in New York State. The video fair hearing experience would be the same as the current in-person hearings, except the hearing officer and the parties would not be physically present at the same location. The hearings would be conducted in the SSDs' current hearing rooms. The appellant and the SSD representative would be able to see and hear the hearing officer, and the hearing officer would be able to see and hear the testimony of the parties.

##### 2. Compliance requirements:

The SSDs would not need to undertake additional reporting or recordkeeping to support this process. The proposed rule would not impose any programs upon the SSDs. However, the SSDs would need to identify contact persons who would serve as liaisons with the Office of Temporary and Disability Assistance (OTDA) regarding the video hearing equipment. During the video hearings, the fair hearing representatives for the SSDs would need to operate the scanning equipment in accordance with all security, privacy, confidentiality and compliance requirements, and if there were technical issues during the fair hearings, the counties' Local Area Network (LAN) administrators would provide assistance with connectivity issues. To assist the SSDs, OTDA would provide training regarding the use of the video hearings equipment, if needed.

##### 3. Professional services:

The proposed amendments would not require SSDs to hire additional professional services.

##### 4. Compliance costs:

The majority of the SSDs would not incur initial capital costs to comply with the proposed regulations. New York State has provided the necessary hardware for nearly all SSDs to participate in video hearings. Also, New York State has provided the bandwidth for nearly all SSDs to participate in video hearings. It is noted that the installation of a networking drop is still needed in the hearing room of one SSD. Consequently, this SSD may incur initial capital costs to comply with the proposed rule.

The SSDs would use existing arrangements to help comply with the proposed regulations. It is anticipated that the SSDs would have their current fair hearing representatives participate in the video hearings, and they would use their current hearing rooms for the new video hearings.

The SSDs would incur annual costs to comply with the proposed regulations. The SSDs would be responsible for any loss or damage to the video and scanning equipment, and they would need to maintain sufficient insurance coverage to reflect this responsibility. It is anticipated that the

SSDs would occasionally need to replace fuses contained in the video equipment at an estimated cost of less than five dollars for five fuses, and the SSDs may incur an increase in electricity costs to power the video and scanning equipment. The impact of the costs for fuses and electricity would be greater in SSDs that participate in fair hearings by video more frequently.

5. Economic and technological feasibility:

The SSDs would have the economic and technological ability to comply with these proposed regulations. New York State has offered to assist the one remaining SSD to install its network drop.

6. Minimizing adverse impact:

OTDA has attempted to minimize any adverse impact upon the SSDs. New York State has provided the necessary hardware for nearly all SSDs to participate in video hearings. Also New York State has provided the bandwidth for nearly all SSDs to participate in video hearings and has offered to assist the one remaining SSD to install its network drop. OTDA would provide training to the SSDs regarding the use of the video hearings equipment, if needed.

7. Small business and local government participation:

SSDs are in favor of video hearings. Video hearings, in addition to the existing in-person hearings, would promote efficiency. With video hearings, the Office of Administrative Hearings (OAH) could assign individual hearing officers to hold fair hearings at multiple locations throughout the State on the same day. As a result, OAH would be able to schedule more hearings. Thus SSDs, which are sometimes quite distant from OAH's regional offices, would have their hearings scheduled sooner, and ultimately, the appellants' fair hearings requests would be addressed and resolved more quickly.

**Rural Area Flexibility Analysis**

1. Types and estimated numbers of rural areas:

The proposed regulatory amendments would not impact small businesses in rural areas, but they would have an impact on the 44 rural social services districts (rural SSDs) in New York State. The video fair hearing experience would be the same as the current in-person hearings, except the hearing officer and the parties would not be physically present at the same location. The hearings would be conducted in the rural SSDs' current hearing rooms. The appellant and the rural SSD representative would be able to see and hear the hearing officer, and the hearing officer would be able to see and hear the testimony of the parties.

2. Reporting, recordkeeping and other compliance requirements; and professional services:

No additional reporting or recordkeeping would be required by the rural SSDs. The proposed rule would not impose any programs upon the rural SSDs. However, the rural SSDs would need to identify contact persons who would serve as liaisons with the Office of Temporary and Disability Assistance (OTDA) regarding the video hearing equipment. During the video hearings, the fair hearing representatives for the rural SSDs would need to operate the scanning equipment in accordance with all security, privacy, confidentiality and compliance requirements, and if there were technical issues during the fair hearings, the counties' Local Area Network (LAN) administrators would provide assistance with connectivity issues. To assist the rural SSDs, OTDA would provide training regarding the use of the video hearings equipment, if needed.

3. Costs:

The majority of the rural SSDs would not incur initial capital costs to comply with the proposed regulations. New York State has provided the necessary hardware for nearly all rural SSDs to participate in video hearings. Also, New York State has provided the bandwidth for nearly all rural SSDs to participate in video hearings. It is noted that the installation of a networking drop is still needed in the hearing room of one rural SSD. Consequently, this SSD may incur initial capital costs to comply with the proposed rule.

The rural SSDs would use existing arrangements to help comply with the proposed regulations. It is anticipated that the rural SSDs would have their current fair hearing representatives participate in the video hearings, and they would use their current hearing rooms for the new video hearings.

The rural SSDs would incur annual costs to comply with the proposed regulations. The rural SSDs would be responsible for any loss or damage to the video and scanning equipment, and they would need to maintain sufficient insurance coverage to reflect this responsibility. It is anticipated that the rural SSDs would occasionally need to replace fuses contained in the video equipment at an estimated cost of less than five dollars for five fuses, and the rural SSDs may incur an increase in electricity costs to power the video and scanning equipment. The impact of the costs for fuses and electricity would be greater in rural SSDs that participate in fair hearings by video more frequently.

4. Minimizing adverse impact:

OTDA has attempted to minimize any adverse impact upon the rural SSDs. New York State has provided the necessary hardware for nearly all rural SSDs to participate in video hearings. Also, New York State has

provided the bandwidth for nearly all rural SSDs to participate video hearings and has offered to assist the one remaining SSD to install its network drop. OTDA would provide training to the rural SSDs regarding the use of the video hearings equipment, if needed.

5. Rural area participation:

Rural SSDs are in favor of video hearings. Video hearings, in addition to the existing in-person hearings, would promote efficiency. With video hearings, the Office of Administrative Hearings (OAH) could assign individual hearing officers to hold fair hearings at multiple locations throughout the State on the same day. As a result, OAH would be able to schedule more hearings. Thus rural SSDs, which are sometimes quite distant from OAH's regional offices, would have their hearings scheduled sooner, and ultimately, the appellants' fair hearings requests would be addressed and resolved more quickly.

**Job Impact Statement**

A Job Impact Statement is not required for the proposed amendments. It is apparent from the nature and the purpose of the proposed amendments that they would not have a substantial adverse impact on jobs and employment opportunities in the public or private sectors. The proposed amendments would not substantively affect the jobs of the employees of the social services districts or the Office of Temporary and Disability Assistance. Also the amendments would not have any adverse impact on jobs and employment opportunities in New York State.

**HEARINGS SCHEDULED  
FOR PROPOSED RULE MAKINGS**

Agency I.D. No.	Subject Matter	Location—Date—Time
<b>People with Developmental Disabilities, Office for</b>		
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.
<b>Public Service Commission</b>		
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
<b>AAM</b>	<b>01</b>	<b>12</b>	<b>00001</b>	<b>P</b>

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
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**ADIRONDACK PARK AGENCY**

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

AAM-05-15-00002-P	..... 02/04/16	Incorporation by reference of the 2013 edition of the Grade A Pasteurized Milk Ordinance ("PMO")	To require certain producers, processors and manufacturers of milk and milk products to comply with the 2013 edition of the PMO
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**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
<b>CABLE TELEVISION, COMMISSION ON</b>			
*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
<b>CABLE TELEVISION, COMMISSION ON</b>			
*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
<b>CHILDREN AND FAMILY SERVICES, OFFICE OF</b>			
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
<b>CIVIL SERVICE, DEPARTMENT OF</b>			
CVS-20-14-00003-P	..... 05/21/15	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-25-14-00003-P	..... 06/25/15	Jurisdictional Classification	To classify a position in the exempt class
CVS-30-14-00003-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
<b>CIVIL SERVICE, DEPARTMENT OF</b>			
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
<b>CIVIL SERVICE, DEPARTMENT OF</b>			
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
<b>CIVIL SERVICE, DEPARTMENT OF</b>			
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.
<b>COMMISSIONER OF PILOTS, BOARD OF</b>			
COP-15-15-00014-P	exempt	Supplementary fees--Port of New York	Establishes rates and charges for pilotage in the Port of New York
<b>CORRECTIONS AND COMMUNITY SUPERVISION, DEPARTMENT OF</b>			
CCS-08-15-00002-P	02/25/16	Rochester Correctional Facility	To correct the address for Rochester Correctional facility
CCS-15-15-00002-P	04/14/16	Taconic Correctional Facility	Remove reference to functions that are no longer operational at this correctional facility
<b>CRIMINAL JUSTICE SERVICES, DIVISION OF</b>			
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
<b>ECONOMIC DEVELOPMENT, DEPARTMENT OF</b>			
EDV-46-14-00001-EP	11/19/15	Empire State Musical and Theatrical Production Tax Credit Program	Establish application procedures for the Empire State Musical and Theatrical Production Tax Credit Program
EDV-03-15-00001-P	01/21/16	Empire State Post Production Tax Credit Program	Establish application procedure for the Empire State Post Production Tax Credit Program
<b>EDUCATION DEPARTMENT</b>			
EDU-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)

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>EDUCATION DEPARTMENT</b>			
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
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	To establish standards for the self-administration by students of certain prescribed medications on school property and at school functions and the training of unlicensed school personnel to administer prescribed epinephrine auto injectors and glucagon
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
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**Action Pending Index****NYS Register/April 15, 2015**

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>ENVIRONMENTAL CONSERVATION, DEPARTMENT OF</b>			
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
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
<b>FINANCIAL SERVICES, DEPARTMENT OF</b>			
DFS-29-14-00014-P	07/23/15	Title insurance agents, affiliated relationships, and title insurance business	To implement requirements of Chapter 57 of Laws of NY 2014 re: title insurance agents and placement of title insurance business
DFS-29-14-00015-RP	07/23/15	Regulation of the conduct of virtual currency businesses	Regulate retail-facing virtual currency business activity in order to protect New York consumers and users and ensure the safety and soundness of New York licensed providers of virtual currency products and services
DFS-46-14-00013-P	11/19/15	Reports to Central Organization	To remove an outdated references to "PILR" in the title of section 62-2.2
DFS-52-14-00009-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
<b>GAMING COMMISSION, NEW YORK STATE</b>			
SGC-28-14-00006-EP	07/16/15	Implementation of rules pertaining to gaming facility request for application and gaming facility license application	To facilitate a fair and transparent process for applying for a license to operate a gaming facility
<b>GENERAL SERVICES, OFFICE OF</b>			
GNS-36-14-00001-P	09/10/15	Procurement of New York State food products	To provide guidance to State Agencies as to how they procure food

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>HEALTH, DEPARTMENT OF</b>			
*HLT-14-94-00006-P	..... exempt	Payment methodology for HIV/AIDS outpatient services	To expand the current payment to incorporate pricing for services
HLT-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>HEALTH, DEPARTMENT OF</b>			
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
<b>LIQUOR AUTHORITY, STATE</b>			
LQR-02-15-00002-P	03/09/16	Signage, Services and Gifts to Retailers	To enact business friendly amendments; eliminate interior sign restrictions; and increase annual dollar limits for advertising
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
<b>LONG ISLAND POWER AUTHORITY</b>			
*LPA-08-01-00003-P	exempt	Pole attachments and related matters	To approve revisions to the authority's tariff
*LPA-41-02-00005-P	exempt	Tariff for electric service	To revise the tariff for electric service
*LPA-04-06-00007-P	exempt	Tariff for electric service	To adopt provisions of a ratepayer protection plan
*LPA-03-10-00004-P	exempt	Residential late payment charges	To extend the application of late payment charges to residential customers
LPA-02-15-00006-P	exempt	The provisions of LIPA's Tariff for adjustment to rates and changes of service classifications	To modify and add to the Tariff in order to implement revenue-neutral changes required to maintain the 3-year LIPA rate freeze
LPA-07-15-00003-P	exempt	The rates and charges set forth in LIPA's Tariff for Electric Service	To set rates and charges at the lowest level consistent with sound fiscal and operating practices and safe and adequate service
<b>MENTAL HEALTH, OFFICE OF</b>			
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
<b>MOTOR VEHICLES, DEPARTMENT OF</b>			
MTV-08-15-00004-P	02/25/16	Electronic insurance identification cards	Authorize insurance companies to issue electronic insurance identification cards
MTV-09-15-00002-P	03/03/16	Signs displayed by dealers	Gives dealers more flexibility in the display of required signage
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
<b>NIAGARA FALLS WATER BOARD</b>			
*NFW-04-13-00004-EP	exempt	Adoption of Rates, Fees and Charges	To pay for the increased costs necessary to operate, maintain and manage the system, and to achieve covenants with bondholders
*NFW-13-14-00006-EP	exempt	Adoption of Rates, Fees and Charges	To pay for increased costs necessary to operate, maintain and manage the system and to achieve covenants with the bondholders
<b>NIAGARA FRONTIER TRANSPORTATION AUTHORITY</b>			
NFT-04-15-00015-P	01/28/16	Smoking	To clarify where smoking is prohibited at NFTA locations
<b>PARKS, RECREATION AND HISTORIC PRESERVATION, OFFICE OF</b>			
PKR-06-15-00002-P	02/11/16	Resident Curator Program	To rehabilitate vacant and unused buildings at no cost to the State by leasing the buildings to private individuals
<b>PEOPLE WITH DEVELOPMENTAL DISABILITIES, OFFICE FOR</b>			
PDD-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
<b>POWER AUTHORITY OF THE STATE OF NEW YORK</b>			
*PAS-01-10-00010-P	exempt	Rates for the sale of power and energy	Update ECSB Programs customers' service tariffs to streamline them/include additional required information
PAS-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-28-97-00032-P	..... exempt	General service by Central Hudson Gas & Electric Corporation	To limit certain special provisions
*PSC-34-97-00009-P	..... exempt	Collection agency fees by Consolidated Edison Company of New York, Inc.	To pass collection agency fees on to the customer
*PSC-04-98-00015-P	..... exempt	Interconnection service overcharges by Niagara Mohawk Power Corporation	To consider a complaint by Azure Mountain Power Co.
*PSC-19-98-00008-P	..... exempt	Call forwarding by CPU Industries Inc./MKL Net, et al.	To rehear the petition
*PSC-02-99-00006-EP	..... exempt	Intralata freeze plan by New York Telephone Company	To approve the plan
*PSC-09-99-00012-P	..... exempt	Transfer of books and records by Citizens Utilities Company	To relocate Ogden Telephone Company's books and records out-of-state
*PSC-15-99-00011-P	..... exempt	Electronic tariff by Woodcliff Park Corp.	To replace the company's current tariff with an electronic tariff
*PSC-50-99-00009-P	..... exempt	Retail access uniform business practices by The Brooklyn Union Gas Company and KeySpan Gas East Corporation d/b/a Brooklyn Union of Long Island	To approve a joint petition requesting a waiver extension of a requirement set forth in the commission's order
*PSC-52-99-00006-P	..... exempt	Wide area rate center calling	To implement number conservation measures
*PSC-12-00-00001-P	..... exempt	Winter bundled sales service election date by Central Hudson Gas & Electric Corporation	To revise the date
*PSC-14-00-00004-EP	..... exempt	NXX code in the 716 NPA by Broadview Networks	To assign an NXX code in Buffalo
*PSC-14-00-00026-P	..... exempt	Interconnection agreement between New York Telephone Company d/b/a Bell Atlantic-New York and Media Log, Inc.	To review the terms and conditions of the negotiated agreement
*PSC-14-00-00027-P	..... exempt	Interconnection agreement between New York Telephone Company d/b/a Bell Atlantic-New York and Pilgrim Telephone, Inc.	To review the terms and conditions of the negotiated agreement
*PSC-14-00-00029-P	..... exempt	Interconnection agreement between New York Telephone Company d/b/a Bell Atlantic-New York and CoreComm New York, Inc.	To review the terms and conditions of the negotiated agreement
*PSC-16-00-00012-P	..... exempt	Termination of local telecommunications traffic by Hyperion Communications of New York, Inc.	To determine appropriate compensation levels
*PSC-21-00-00007-P	..... exempt	Initial tariff schedule by Drew Road Association	To set forth the rates, charges, rules and regulations
*PSC-31-00-00026-P	..... exempt	Water service by Windover Water Works	To abandon the water system
*PSC-33-00-00010-P	..... exempt	Electric rate and restructuring plan by Rochester Gas and Electric Corporation	To evaluate possible modifications
*PSC-36-00-00039-P	..... exempt	Steam increase by Consolidated Edison Company of New York, Inc.	To provide for an annual increase in the first year of a proposed four-year rate plan



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

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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-49-02-00021-P	..... exempt	Requests for lightened regulation by PSEG Power Bellport, LLC	To consider the company's request
*PSC-08-03-00009-P	..... exempt	Provision of gas service to World Kitchen Incorporated	To establish terms and conditions
*PSC-09-03-00012-P	..... exempt	Incremental service line installations by New York State Electric & Gas Corporation	To revise the current flat rate per foot charged
*PSC-09-03-00014-P	..... exempt	Deferral accounting by Consolidated Edison Company of New York, Inc. and Orange and Rockland Utilities, Inc.	To defer expense items beyond the end of the year(s) in which they were incurred
*PSC-11-03-00012-P	..... exempt	Economic development plan by New York State Electric & Gas Corporation	To consider the plan
*PSC-18-03-00004-P	..... exempt	Lightened regulation by East Hampton Power and Light Corporation (EHPLC)	To provide for lightened regulation and grant financing approval
*PSC-22-03-00020-P	..... exempt	Inter-departmental gas pricing by Consolidated Edison Company of New York, Inc.	To revise the method used in steam and steam-electric generating stations
*PSC-32-03-00020-P	..... exempt	Issuance of debt and approval of surcharge by Rainbow Water Company	To approve necessary financing
*PSC-34-03-00019-P	..... exempt	Issuance of securities by KeySpan East Corporation d/b/a KeySpan Energy Delivery Long Island	To obtain authorization to issue securities
*PSC-35-03-00009-P	..... exempt	Interconnection agreement between Verizon New York Inc. and MCIMetro Access Transmission Services LLC	To amend the agreement
*PSC-36-03-00010-P	..... exempt	Performance assurance plan by Verizon New York	To consider changes
*PSC-39-03-00013-P	..... exempt	Complaint by State University of New York (SUNY) regarding a NYSEG operating agreement	To consider the complaint
*PSC-40-03-00015-P	..... exempt	Receipt of payment of bills by St. Lawrence Gas Company	To revise the process
*PSC-41-03-00008-P	..... exempt	Lightened regulation by Sterling Power Partners, L.P.	To consider granting lightened regulation
*PSC-41-03-00010-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-41-03-00011-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-42-03-00005-P	..... exempt	Interest rate by the Bath Electric, Gas, and Water Systems	To use an alternate interest rate
*PSC-43-03-00036-P	..... exempt	Merchant function backout credit and transition balancing account by KeySpan Gas East Corporation	To continue the credit and account until May 31, 2005

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-43-03-00037-P	..... exempt	Merchant function backout credit and transition balancing account by The Brooklyn Union Gas Company	To continue the credit and account until May 31, 2005
*PSC-44-03-00009-P	..... exempt	Retail access data between jurisdictional utilities	To accommodate changes in retail access market structure or commission mandates
*PSC-47-03-00024-P	..... exempt	Lightened regulation and financing approval by Medford Energy LLC	To consider the requests
*PSC-02-04-00008-P	..... exempt	Delivery rates for Con Edison's customers in New York City and Westchester County by the City of New York	To rehear the Nov. 25, 2003 order
*PSC-06-04-00009-P	..... exempt	Transfer of ownership interest by SCS Energy LLC and AE Investors LLC	To transfer interest in Steinway Creek Electric Generating Company LLC to AE Investors LLC
*PSC-10-04-00005-P	..... exempt	Temporary protective order	To consider adopting a protective order
*PSC-10-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and VIC-RMTS-DC, L.L.C. d/b/a Verizon Avenue	To amend the agreement
*PSC-14-04-00008-P	..... exempt	Submetering of natural gas service to industrial and commercial customers by Hamburg Fairgrounds	To submeter gas service to commercial customers located at the Buffalo Speedway
*PSC-15-04-00022-P	..... exempt	Submetering of electricity by Glenn Gardens Associates, L.P.	To permit submetering at 175 W. 87th St., New York, NY
*PSC-21-04-00013-P	..... exempt	Verizon performance assurance plan by Metropolitan Telecommunications	To clarify the appropriate performance level
*PSC-22-04-00010-P	..... exempt	Approval of new types of electricity meters by Powell Power Electric Company	To permit the use of the PE-1250 electronic meter
*PSC-22-04-00013-P	..... exempt	Major gas rate increase by Consolidated Edison Company of New York, Inc.	To increase annual gas revenues
*PSC-22-04-00016-P	..... exempt	Master metering of water by South Liberty Corporation	To waive the requirement for installation of separate water meters
*PSC-25-04-00012-P	..... exempt	Interconnection agreement between Frontier Communications of Ausable Valley, Inc., et al. and Sprint Communications Company, L.P.	To amend the agreement
*PSC-27-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-27-04-00009-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-28-04-00006-P	..... exempt	Approval of loans by Dunkirk & Fredonia Telephone Company and Cassadaga Telephone Corporation	To authorize participation in the parent corporation's line of credit
*PSC-31-04-00023-P	..... exempt	Distributed generation service by Consolidated Edison Company of New York, Inc.	To provide an application form

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-34-04-00031-P	..... exempt	Flat rate residential service by Emerald Green Lake Louise Marie Water Company, Inc.	To set appropriate level of permanent rates
*PSC-35-04-00017-P	..... exempt	Application form for distributed generation by Orange and Rockland Utilities, Inc.	To establish a new supplementary application form for customers
*PSC-43-04-00016-P	..... exempt	Accounts receivable by Rochester Gas and Electric Corporation	To include in its tariff provisions for the purchase of ESCO accounts receivable
*PSC-46-04-00012-P	..... exempt	Service application form by Consolidated Edison Company of New York, Inc.	To revise the form and make housekeeping changes
*PSC-46-04-00013-P	..... exempt	Rules and guidelines governing installation of metering equipment	To establish uniform statewide business practices
*PSC-02-05-00006-P	..... exempt	Violation of the July 22, 2004 order by Dutchess Estates Water Company, Inc.	To consider imposing remedial actions against the company and its owners, officers and directors
*PSC-09-05-00009-P	..... exempt	Submetering of natural gas service by Hamlet on Olde Oyster Bay	To consider submetering of natural gas to a commercial customer
*PSC-14-05-00006-P	..... exempt	Request for deferred accounting authorization by Freeport Electric Inc.	To defer expenses beyond the end of the fiscal year
*PSC-18-05-00009-P	..... exempt	Marketer Assignment Program by Consolidated Edison Company of New York, Inc.	To implement the program
*PSC-20-05-00028-P	..... exempt	Delivery point aggregation fee by Allied Frozen Storage, Inc.	To review the calculation of the fee
*PSC-25-05-00011-P	..... exempt	Metering, balancing and cashout provisions by Central Hudson Gas & Electric Corporation	To establish provisions for gas customers taking service under Service Classification Nos. 8, 9 and 11
*PSC-27-05-00018-P	..... exempt	Annual reconciliation of gas costs by New York State Electric & Gas Corporation	To consider the manner in which the gas cost incentive mechanism has been applied
*PSC-41-05-00013-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries by local distribution companies and municipalities	To consider the filings
*PSC-45-05-00011-P	..... exempt	Treatment of lost and unaccounted gas costs by Corning Natural Gas Corporation	To defer certain costs
*PSC-46-05-00015-P	..... exempt	Sale of real and personal property by the Brooklyn Union Gas Company d/b/a KeySpan Energy Delivery New York and Steel Arrow, LLC	To consider the sale
*PSC-47-05-00009-P	..... exempt	Transferral of gas supplies by Corning Natural Gas Corporation	To approve the transfer
*PSC-50-05-00008-P	..... exempt	Long-term debt by Saratoga Glen Hollow Water Supply Corp.	To obtain long-term debt
*PSC-04-06-00024-P	..... exempt	Transfer of ownership interests by Mirant NY-Gen LLC and Orange and Rockland Utilities, Inc.	To approve of the transfer

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-06-06-00015-P	..... exempt	Gas curtailment policies and procedures	To examine the manner and extent to which gas curtailment policies and procedures should be modified and/or established
*PSC-07-06-00009-P	..... exempt	Modification of the current Environmental Disclosure Program	To include an attributes accounting system
*PSC-22-06-00019-P	..... exempt	Hourly pricing by National Grid	To assess the impacts
*PSC-22-06-00020-P	..... exempt	Hourly pricing by New York State Electric & Gas Corporation	To assess the impacts
*PSC-22-06-00021-P	..... exempt	Hourly pricing by Rochester Gas & Electric Corporation	To assess the impacts
*PSC-22-06-00022-P	..... exempt	Hourly pricing by Consolidated Edison Company of New York, Inc.	To assess the impacts
*PSC-22-06-00023-P	..... exempt	Hourly pricing by Orange and Rockland Utilities, Inc.	To assess the impacts
*PSC-24-06-00005-EP	..... exempt	Supplemental home energy assistance benefits	To extend the deadline to Central Hudson's low-income customers
*PSC-25-06-00017-P	..... exempt	Purchased power adjustment by Massena Electric Department	To revise the method of calculating the purchased power adjustment and update the factor of adjustment
*PSC-34-06-00009-P	..... exempt	Inter-carrier telephone service quality standards and metrics by the Carrier Working Group	To incorporate appropriate modifications
*PSC-37-06-00015-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-37-06-00017-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-39-06-00018-P	..... exempt	Order establishing rate plan by Central Hudson Gas & Electric Corporation and the Consumer Protection Board	To consider the petitions for rehearing
*PSC-39-06-00019-P	..... exempt	Investigation of Richard M. Osborne by Corning Natural Gas Corporation	To determine the interests, plans and commitments that will be in place if he is successful in blocking the merger of Corning Gas and C&T Enterprises
*PSC-39-06-00022-P	..... exempt	Uniform business practices and related matters by U.S. Energy Savings Corporation	To establish a contest period
*PSC-40-06-00005-P	..... exempt	Orion Integral automatic meter reading transmitter by New York State Electric and Gas Corporation	To permit gas utilities in NYS to use the Badger Meter Incorporated Orion Integral transmitters
*PSC-42-06-00011-P	..... exempt	Submetering of electricity by 225 5th LLC	To submeter electricity at 255 Fifth Ave., New York, NY
*PSC-43-06-00014-P	..... exempt	Electric delivery services by Strategic Power Management, Inc.	To determine the proper mechanism for the rate-recovery of costs

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-44-06-00014-P	..... exempt	Electric power outages in Northwest Queens by Consolidated Edison Company of New York, Inc.	To review the terms and conditions of the agreement
*PSC-45-06-00007-P	..... exempt	Alleged failure to provide electricity by Robert Andrews	To assess validity of allegations and appropriateness of fines
*PSC-01-07-00031-P	..... exempt	Enforcement mechanisms by National Fuel Gas Distribution Corporation	To modify enforcement mechanisms
*PSC-04-07-00012-P	..... exempt	Petition for rehearing by Orange and Rockland Utilities, Inc.	To clarify the order
*PSC-06-07-00015-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for electric service
*PSC-06-07-00020-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for gas service
*PSC-11-07-00010-P	..... exempt	Investigation of the electric power outages by the Consolidated Edison Company of New York, Inc.	To implement the recommendations in the staff's investigation
*PSC-11-07-00011-P	..... exempt	Storm-related power outages by Consolidated Edison Company of New York, Inc.	To modify the company's response to power outages, the timing for any such changes and other related matters
*PSC-17-07-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and BridgeCom International, Inc.	To amend the agreement
*PSC-18-07-00010-P	..... exempt	Existing electric generating stations by Independent Power Producers of New York, Inc.	To repower and upgrade existing electric generating stations owned by Rochester Gas and Electric Corporation
*PSC-20-07-00016-P	..... exempt	Tariff revisions and making rates permanent by New York State Electric & Gas Corporation	To seek rehearing
*PSC-21-07-00007-P	..... exempt	Natural Gas Supply and Acquisition Plan by Corning Natural Gas Corporation	To revise the rates, charges, rules and regulations for gas service
*PSC-22-07-00015-P	..... exempt	Demand Side Management Program by Consolidated Edison Company of New York, Inc.	To recover incremental program costs and lost revenue
*PSC-23-07-00022-P	..... exempt	Supplier, transportation, balancing and aggregation service by National Fuel Gas Distribution Corporation	To explicitly state in the company's tariff that the threshold level of elective upstream transmission capacity is a maximum of 112,600 Dth/day of marketer-provided upstream capacity
*PSC-24-07-00012-P	..... exempt	Gas Efficiency Program by the City of New York	To consider rehearing a decision establishing a Gas Efficiency Program
*PSC-39-07-00017-P	..... exempt	Gas bill issuance charge by New York State Electric & Gas Corporation	To create a gas bill issuance charge unbundled from delivery rates
*PSC-41-07-00009-P	..... exempt	Submetering of electricity rehearing	To seek reversal

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-42-07-00012-P	..... exempt	Energy efficiency program by Orange and Rockland Utilities, Inc.	To consider any energy efficiency program for Orange and Rockland Utilities, Inc.'s electric service
*PSC-42-07-00013-P	..... exempt	Revenue decoupling by Orange and Rockland Utilities, Inc.	To consider a revenue decoupling mechanism for Orange and Rockland Utilities, Inc.
*PSC-45-07-00005-P	..... exempt	Customer incentive programs by Orange and Rockland Utilities, Inc.	To establish a tariff provision
*PSC-02-08-00006-P	..... exempt	Additional central office codes in the 315 area code region	To consider options for making additional codes
*PSC-03-08-00006-P	..... exempt	Rehearing of the accounting determinations	To grant or deny a petition for rehearing of the accounting determinations
*PSC-04-08-00010-P	..... exempt	Granting of easement rights on utility property by Central Hudson Gas & Electric Corporation	To grant easement rights to Millennium Pipeline Company, L.L.C.
*PSC-04-08-00012-P	..... exempt	Marketing practices of energy service companies by the Consumer Protection Board and New York City Department of Consumer Affairs	To consider modifying the commission's regulation over marketing practices of energy service companies
*PSC-08-08-00016-P	..... exempt	Transfer of ownership by Entergy Nuclear Fitzpatrick LLC, et al.	To consider the transfer
*PSC-12-08-00019-P	..... exempt	Extend the provisions of the existing electric rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-12-08-00021-P	..... exempt	Extend the provisions of the existing gas rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-13-08-00011-P	..... exempt	Waiver of commission policy and NYSEG tariff by Turner Engineering, PC	To grant or deny Turner's petition
*PSC-13-08-00012-P	..... exempt	Voltage drops by New York State Electric & Gas Corporation	To grant or deny the petition
*PSC-23-08-00008-P	..... exempt	Petition requesting rehearing and clarification of the commission's April 25, 2008 order denying petition of public utility law project	To consider whether to grant or deny, in whole or in part, the May 7, 2008 Public Utility Law Project (PULP) petition for rehearing and clarification of the commission's April 25, 2008 order denying petition of Public Utility Law Project
*PSC-23-08-00009-P	..... exempt	The transfer of certain real property with an original cost under \$100,000 in the Town of Throop	To consider the filing for the transfer of certain real property in the Town of Throop
*PSC-25-08-00007-P	..... exempt	Policies and procedures regarding the selection of regulatory proposals to meet reliability needs	To establish policies and procedures regarding the selection of regulatory proposals to meet reliability needs
*PSC-25-08-00008-P	..... exempt	Report on Callable Load Opportunities	Rider U report assessing callable load opportunities in New York City and Westchester County during the next 10 years

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-28-08-00004-P	..... exempt	Con Edison's procedure for providing customers access to their account information	To consider Con Edison's implementation plan and timetable for providing customers access to their account information
*PSC-31-08-00025-P	..... exempt	Recovery of reasonable DRS costs from the cost mitigation reserve (CMR)	To authorize recovery of the DRS costs from the CMR
*PSC-32-08-00009-P	..... exempt	The ESCO referral program for KEDNY to be implemented by October 1, 2008	To approve, reject or modify, in whole or in part, KEDNY's recommended ESCO referral program
*PSC-33-08-00008-P	..... exempt	Noble Allegany's request for lightened regulation	To consider Noble Allegany's request for lightened regulation as an electric corporation
*PSC-36-08-00019-P	..... exempt	Land Transfer in the Borough of Manhattan, New York	To consider petition for transfer of real property to NYPH
*PSC-39-08-00010-P	..... exempt	RG&E's economic development plan and tariffs	Consideration of the approval of RG&E's economic development plan and tariffs
*PSC-40-08-00010-P	..... exempt	Loans from regulated company to its parent	To determine if the cash management program resulting in loans to the parent should be approved
*PSC-41-08-00009-P	..... exempt	Transfer of control of cable TV franchise	To determine if the transfer of control of Margaretville's cable TV subsidiary should be approved
*PSC-43-08-00014-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-46-08-00008-P	..... exempt	Property transfer in the Village of Avon, New York	To consider a petition for the transfer of street lighting and attached equipment to the Village of Avon, New York
*PSC-46-08-00010-P	..... exempt	A transfer of indirect ownership interests in nuclear generation facilities	Consideration of approval of a transfer of indirect ownership interests in nuclear generation facilities
*PSC-46-08-00014-P	..... exempt	The attachment of cellular antennae to an electric transmission tower	To approve, reject or modify the request for permission to attach cellular antennae to an electric transmission tower
*PSC-48-08-00005-P	..... exempt	A National Grid high efficiency gas heating equipment rebate program	To expand eligibility to customers converting from oil to natural gas
*PSC-48-08-00008-P	..... exempt	Petition for the master metering and submetering of electricity	To consider the request of Bay City Metering, to master meter & submeter electricity at 345 E. 81st St., New York, New York
*PSC-48-08-00009-P	..... exempt	Petition for the submetering of electricity	To consider the request of PCV/ST to submeter electricity at Peter Cooper Village & Stuyvesant Town, New York, New York
*PSC-50-08-00018-P	..... exempt	Market Supply Charge	A study on the implementation of a revised Market Supply Charge
*PSC-51-08-00006-P	..... exempt	Commission's October 27, 2008 Order on Future of Retail Access Programs in Case 07-M-0458	To consider a Petition for rehearing of the Commission's October 27, 2008 Order in Case 07-M-0458



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-51-08-00007-P	..... exempt	Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078	To consider Petitions for rehearing of the Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078
*PSC-53-08-00011-P	..... exempt	Use of deferred Rural Telephone Bank funds	To determine if the purchase of a softswitch by Hancock is an appropriate use of deferred Rural Telephone Bank funds
*PSC-53-08-00012-P	..... exempt	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY
*PSC-53-08-00013-P	..... exempt	To transfer common stock and ownership	To consider transfer of common stock and ownership
*PSC-01-09-00015-P	..... exempt	FCC decision to redefine service area of Citizens/Frontier	Review and consider FCC proposed redefinition of Citizens/Frontier service area
*PSC-02-09-00010-P	..... exempt	Competitive classification of independent local exchange company, and regulatory relief appropriate thereto	To determine if Chazy & Westport Telephone Corporation more appropriately belongs in scenario 1 rather than scenario 2
*PSC-05-09-00008-P	..... exempt	Revenue allocation, rate design, performance metrics, and other non-revenue requirement issues	To consider any remaining non-revenue requirement issues related to the Company's May 9, 2008 tariff filing
*PSC-05-09-00009-P	..... exempt	Numerous decisions involving the steam system including cost allocation, energy efficiency and capital projects	To consider the long term impacts on steam rates and on public policy of various options concerning the steam system
*PSC-06-09-00007-P	..... exempt	Interconnection of the networks between Frontier Comm. and WVT Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier Comm. and WVT Comm.
*PSC-07-09-00015-P	..... exempt	Transfer certain utility assets located in the Town of Montgomery from plant held for future use to non-utility property	To consider the request to transfer certain utility assets located in the Town of Montgomery to non-utility assets
*PSC-07-09-00017-P	..... exempt	Request for authorization to defer the incremental costs incurred in the restoration work resulting from the ice storm	To allow the company to defer the incremental costs incurred in the restoration work resulting from the ice storm
*PSC-07-09-00018-P	..... exempt	Whether to permit the submetering of natural gas service to an industrial and commercial customer at Cooper Union, New York, NY	To consider the request of Cooper Union, to submeter natural gas at 41 Cooper Square, New York, New York
*PSC-12-09-00010-P	..... exempt	Charges for commodity	To charge customers for commodity costs
*PSC-12-09-00012-P	..... exempt	Charges for commodity	To charge customers for commodity costs
*PSC-13-09-00008-P	..... exempt	Options for making additional central office codes available in the 718/347 numbering plan area	To consider options for making additional central office codes available in the 718/347 numbering plan area
*PSC-14-09-00014-P	..... exempt	The regulation of revenue requirements for municipal utilities by the Public Service Commission	To determine whether the regulation of revenue requirements for municipal utilities should be modified
*PSC-16-09-00010-P	..... exempt	Petition for the submetering of electricity	To consider the request of AMPS on behalf of Park Imperial to submeter electricity at 230 W. 56th Street, in New York, New York

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-16-09-00020-P	..... exempt	Whether SUNY's core accounts should be exempt from the mandatory assignment of local distribution company (LDC) capacity	Whether SUNY's core accounts should be exempt from the mandatory assignment of local distribution company (LDC) capacity
*PSC-17-09-00010-P	..... exempt	Whether to permit the use of Elster REX2 solid state electric meter for use in residential and commercial accounts	To permit electric utilities in New York State to use the Elster REX2
*PSC-17-09-00011-P	..... exempt	Whether Brooklyn Navy Yard Cogeneration Partners, L.P. should be reimbursed by Con Edison for past and future use taxes	Whether Brooklyn Navy Yard Cogeneration Partners, L.P. should be reimbursed by Con Edison for past and future use taxes
*PSC-17-09-00012-P	..... exempt	Petition for the submetering of gas at commercial property	To consider the request of Turner Construction, to submeter natural gas at 550 Short Ave., & 10 South St., Governors Island, NY
*PSC-17-09-00014-P	..... exempt	Benefit-cost framework for evaluating AMI programs prepared by the DPS Staff	To consider a benefit-cost framework for evaluating AMI programs prepared by the DPS Staff
*PSC-17-09-00015-P	..... exempt	The construction of a tower for wireless antennas on land owned by National Grid	To approve, reject or modify the petition to build a tower for wireless antennas in the Town of Onondaga
*PSC-18-09-00012-P	..... exempt	Petition for rehearing of Order approving the submetering of electricity	To consider the request of Frank Signore to rehear petition to submeter electricity at One City Place in White Plains, New York
*PSC-18-09-00013-P	..... exempt	Petition for the submetering of electricity	To consider the request of Living Opportunities of DePaul to submeter electricity at E. Main St. located in Batavia, New York
*PSC-18-09-00017-P	..... exempt	Approval of an arrangement for attachment of wireless antennas to the utility's transmission facilities in the City of Yonkers	To approve, reject or modify the petition for the existing wireless antenna attachment to the utility's transmission tower
*PSC-20-09-00016-P	..... exempt	The recovery of, and accounting for, costs associated with the Companies' advanced metering infrastructure (AMI) pilots etc	To consider a filing of the Companies as to the recovery of, and accounting for, costs associated with it's AMI pilots etc
*PSC-20-09-00017-P	..... exempt	The recovery of, and accounting for, costs associated with CHG&E's AMI pilot program	To consider a filing of CHG&E as to the recovery of, and accounting for, costs associated with it's AMI pilot program
*PSC-22-09-00011-P	..... exempt	Cost allocation for Consolidated Edison's East River Repowering Project	To determine whether any changes are warranted in the cost allocation of Consolidated Edison's East River Repowering Project
*PSC-25-09-00005-P	..... exempt	Whether to grant, deny, or modify, in whole or in part, the petition	Whether to grant, deny, or modify, in whole or in part, the petition
*PSC-25-09-00006-P	..... exempt	Electric utility implementation plans for proposed web based SIR application process and project status database	To determine if the proposed web based SIR systems are adequate and meet requirements needed for implementation
*PSC-25-09-00007-P	..... exempt	Electric rates for Consolidated Edison Company of New York, Inc	Consider a Petition for Rehearing filed by Consolidated Edison Company of New York, Inc
*PSC-27-09-00011-P	..... exempt	Interconnection of the networks between Vernon and tw telecom of new york l.p. for local exchange service and exchange access.	To review the terms and conditions of the negotiated agreement between Vernon and tw telecom of new york l.p.

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<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-27-09-00014-P	..... exempt	Billing and payment for energy efficiency measures through utility bill	To promote energy conservation
*PSC-27-09-00015-P	..... exempt	Interconnection of the networks between Oriskany and tw telecom of new york l.p. for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Oriskany and tw telecom of new york l.p
*PSC-29-09-00006-P	..... exempt	Petition for the submetering of electricity at a residential senior citizen facility	To consider the request of Shinda Management Corp. to submeter electricity at 107-37 166th Street, Jamaica, New York
*PSC-29-09-00011-P	..... exempt	Consideration of utility compliance filings	Consideration of utility compliance filings
*PSC-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
*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

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<b>PUBLIC SERVICE COMMISSION</b>			
*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
*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

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

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

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

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



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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.
*PSC-14-13-00005-P	..... exempt	Recovery of incremental expense.	To consider petition for recovery of incremental expense.

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

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

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<b>PUBLIC SERVICE COMMISSION</b>			
*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
*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.

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
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-32-14-00018-P	..... exempt	Modifications to provisions related to electric generators and cogeneration facilities	Revisions related to electric generators and cogeneration facilities and align KEDNY's tariff provisions with those of KEDLI
PSC-34-14-00006-P	..... exempt	Authorization of long-term loan	To allow or disallow Forever Wild Water Company to enter into long-term loan agreement.
PSC-34-14-00009-P	..... exempt	Whether to approve the Quadlogic S10N residential submeter.	Approval of the Quadlogic S10N Smart Meter for use in residential electric submetering is required by 16 NYCRR Parts 93 and 96.
PSC-35-14-00004-P	..... exempt	Regulation of a proposed electricity generation facility located in the Town of Brookhaven, NY	To consider regulation of a proposed electricity generation facility located in the Town of Brookhaven, NY

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
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.
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-39-14-00014-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.



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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
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-45-14-00002-P	..... exempt	Proposed Public Policy Transmission Needs/ Public Policy Requirements, as defined under the NYISO tariff	To identify any proposed Public Policy Transmission Needs/Public Policy Requirements for referral to the NYISO
PSC-45-14-00003-P	..... exempt	Notice of Intent to Submeter electricity	To consider the request of Bedford-Stuyvesant South One LLC to submeter electricity at 27 Albany Avenue, Brooklyn, NY
PSC-45-14-00004-P	..... exempt	Petition for submetering of electricity	To consider the request of C B Frontier LLC, to submeter electricity at 200 East 39th Street, New York, New York
PSC-46-14-00008-P	..... exempt	Funding and eligibility rules for the Green Bank program as described in the Green Bank Petition.	Consideration of proposal by NYSEDA for the funding and eligibility rule changes for the Green Bank program.
PSC-46-14-00009-P	..... exempt	Continuation of exemptions from standby rates for beneficial forms of distributed generation and small combined heat and power.	To continue the exemptions from standby rates for beneficial forms of distributed generation and small combined heat and power.
PSC-47-14-00012-P	..... exempt	Consideration of the National Grid Implementation Plan and audit recommendations	To approve, modify or reject, in whole or in part, National Grid's Implementation Plan
PSC-48-14-00010-P	..... exempt	Major gas rate increase filing.	To establish rates and practices for gas service.
PSC-48-14-00011-P	..... exempt	Major electric rate increase filing.	To establish rates and practices for electric service.
PSC-48-14-00012-P	..... exempt	Authority to update its System Improvement Charge (SIC Mechanism).	To allow or disallow New York American Water Company to update its System Improvement Charge (SIC Mechanism).
PSC-48-14-00013-P	..... exempt	Petition for submetering of electricity.	To consider the request of Albee Tower 1 Owners LLC to submeter electricity at 70 Fleet Street, Brooklyn, New York.
PSC-48-14-00014-P	..... exempt	Considering the recommendations contained in Staff's electric outage investigation report for MNRR, New Haven Line.	To consider the recommendations contained in Staff's electric outage investigation report for MNRR, New Haven Line.
PSC-51-14-00005-P	..... exempt	Petitioner requests an order modifying its existing maintenance tier contract offered under the RPS Program	To resume operation of a 21 MW biomass fueled electric generating facility in Chateaugay, New York
PSC-51-14-00006-P	..... exempt	The Northeast Power Coordinating Council, Inc's A-Criteria documents and Criteria	To adopt revisions to various rules and measurements of the Northeast Power Coordinating Council, Inc.
PSC-52-14-00019-P	..... exempt	Petition for a waiver to master meter electricity.	Considering the request of 614 South Crouse Avenue, LLC to master meter electricity at 614 South Crouse Avenue, Syracuse, NY..

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-52-14-00021-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-01-15-00017-P	..... exempt	Reimbursement of costs for construction under 16 NYCRR 230	To determine proper reimbursement for costs related to trenching and construction
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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
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-04-15-00014-P	..... exempt	Request for waiver of 6 NYCRR Part 501 and United Water's tariff provisions governing main extensions.	To grant, deny or modify a petition for a waiver of 6 NYCRR Part 501 and related United Water's tariff provisions.
PSC-05-15-00003-P	..... exempt	Whether to grant, deny or modify in whole or in part the petition of Consolidated Edison for rehearing and clarification	Whether to grant, deny or modify in whole or in part the petition of Consolidated Edison for rehearing and clarification
PSC-05-15-00004-P	..... exempt	Whether to permit the use of the Eaton Power Xpert Multi-Point Meter for submeter applications	Pursuant to 16 NYCRR Parts 93 and 96, the Commission must approve the Eaton Power Xpert Multi-Point for electric submetering
PSC-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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
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
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
PSC-15-15-00004-P	..... exempt	Whether to permit the use of the GE/Dresser Model 5 transfer prover with 20M and 5M reference standards	Whether to approve the use of the Model 5 transfer prover, with 20M, and 5M reference stds
PSC-15-15-00005-P	..... exempt	The approval of Artech's Medium Voltage Class Metering Instrument Transformers in New York State	Whether to approve the use of Artech's Medium Voltage Class Metering Instrument Transformers in New York State
PSC-15-15-00006-P	..... exempt	Area Code Overlay	To authorize an area code overlay in the current 212/646/917 area code
PSC-15-15-00007-P	..... exempt	Notification concerning tax refunds	To consider Verizon New York Inc.'s request to retain a portion of a property tax refund
PSC-15-15-00008-P	..... exempt	Minor electric rate filing	To approve an increase in annual electric revenues by approximately \$1,197,760 or 2.48%
PSC-15-15-00009-P	..... exempt	Commercial System Relief Program, Direct Load Control Program	To establish the Commercial System Relief Program, Direct Load Control Program, and a concomitant cost recovery mechanism
PSC-15-15-00010-P	..... exempt	Distribution Load Relief Program, Commercial System Relief Program, Direct Load Control Program	To establish the Distribution Load Relief Program, Commercial System Relief Program, Direct Load Control Program
PSC-15-15-00011-P	..... exempt	Distribution Load Relief (DLR) Program, Peak Shaving Load Relief (PSLR) Program, and Direct Load Control (DLC) Program	To establish DLR, PSLR, and DLC demand response programs, as well as enable recovery of program costs
PSC-15-15-00012-P	..... exempt	Distribution Load Relief Program, Commercial System Relief Program, Direct Load Control Program	To establish the Distribution Load Relief Program, Commercial System Relief Program, Direct Load Control Program
PSC-15-15-00013-P	..... exempt	Distribution Load Relief Program, Commercial System Relief Program, Direct Load Control Program	To establish the Distribution Load Relief Program, Commercial System Relief Program, Direct Load Control Program

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>STATE, DEPARTMENT OF</b>			
DOS-41-14-00001-P	10/20/15	Minimum standards for code enforcement training	To establish minimum training standards so as to increase the level of competency and reliability of code enforcement personnel
DOS-02-15-00004-EP	03/01/16	Use of truss type, pre-engineered wood or timber construction in residential structures	To implement the provisions of new section 382-b of the Executive Law, as added by chapter 353 of the Laws of 2014
DOS-04-15-00004-EP	03/19/16	Issuance of an order to remedy a violation of the Uniform Code	Fix the time for compliance with an order to remedy any condition found to exist in buildings in violation of the Uniform Code
DOS-05-15-00007-EP	03/23/16	Addition of provisions relating to “sparkling devices” to the State Uniform Fire Prevention and Building Code	To amend the Uniform Code to provide additional requirements applicable to buildings and structures where “sparkling devices” are manufactured, stored or used and add other restrictions on the use of “sparkling devices”
DOS-09-15-00001-P	03/03/16	Regulations relating to review of original applications	To clarify the Department’s review procedures for new applicants seeking licensure pursuant to Art. 27 of the GBL
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
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**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
TDA-15-15-00003-P	04/14/16	Video Hearings	The rule would specifically allow the Office of Administrative Hearings to conduct fair hearings by means of video equipment

**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

**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
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# RULE REVIEW

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## Department of Civil Service Rules Continued Without Modification

Pursuant to section 207 of the State Administrative Procedure Act (SAPA), notice is hereby provided that upon publication of the Five Year Review of Existing Regulations and the conclusion of the forty-five (45) day public comment period, no public comments were received regarding any of the subject rules. The rules referenced herein have functioned consistent with the purposes underlying their adoption and shall be continued without modification.

2000

Amendment to Chapter I of Title 4 of NYCRR (Rules for the Classified Service)

The resolution added a new subdivision (vii) to paragraph (2) of section (b) of Rule 4.5 to provide for a probationary term for the position of “Thruway Maintenance Worker” of not less than 26 weeks nor more than 52 weeks.

Amendments to Chapter IV of 4 NYCRR (Regulations of the State Civil Service Commission [Commission’s Regulations])

A new section 55.5 codified the long-standing Civil Service Commission practice of granting prior approval for certain examination rating keys, according to the conditions and standards set forth within such section, upon the request of the Department’s director of examinations or his or her designee. Previous sections 55.5 and 55.6 were renumbered 55.6 and 55.7, respectively.

2005

Amendment to Chapter I of Title 4 of NYCRR (Rules for the Classified Service)

The resolution added a new paragraph (viii) to subdivision (1) of subsection (b) of Rule 4.5 to provide for a probationary term for the positions of “University Police Officer 1 and “University Police Officer 1 (Spanish Language)” of not less than 52 weeks nor more than 78 weeks.

2010

Amendment to Chapter V of Title 4 of NYCRR (Regulations of the Department of Civil Service [President’s Regulations])

The resolution added a new paragraph to Rule 72.1 designating the Authorities Budget Office as a separate unit for suspension, demotion or displacement within the Department of State.

## Office of Mental Health

### Rule Review Continuation – 2010, 2005 and 2000

Pursuant to Section 207 of the State Administrative Procedure Act, notice is hereby provided of the continuation without modification of the following rules that were reviewed in 2015 by the Office of Mental Health (OMH). These rules had been adopted during the calendar years 2010, 2005, and 2000. Notice that a review of these regulations would be conducted, and that public comment would be accepted until 45 days after date of publication, was provided in the February 4, 2015 edition of the State Register. No comments were received.

All Part and Section references are to Title 14 of the New York Codes, Rules and Regulations.

#OMH-45-09-00008-A Personalized Recovery-Oriented Services (PROS). Proposed in State Register on November 10, 2009; Adopted January 27, 2010.

Action: Amendment of Part 512 of Title 14 NYCRR.

Legal Base: Mental Hygiene Law Sections 7.09(b), 31.04(a), 43.02(a) and (b); Social Services Law Sections 364(3) and 364-a(1).

Justification: OMH has determined that continuation of this regulation without modification is necessary because the amendments served to modify the PROS registration process; reduced the documentation requirements consistent with other outpatient programs; eliminated provisions with respect to payment disallowance for certain groups exceeding a specific number of participants; reduced the number of hours per week as the minimum required for ongoing rehabilitation and support; changed the methodology related to the calculation of capital costs and increased the monthly base rates consistent with the enacted State budget.

#OMH-52-09-00005-A Certification of Relief from Disabilities Related to Firearms Possession. Proposed in State Register on December 30, 2009; Adopted March 10, 2010.

Action: Addition of a new Part 543 to Title 14 NYCRR.

Legal Base: Mental Hygiene Law Sections 7.09(b) and (j).

Justification: OMH has determined that continuation of this regulation without modification is necessary because the regulation established the relief from disabilities program by which a person who is disqualified from purchasing a firearm due to an involuntary commitment can seek to have that disqualification removed. This process is required under the Federal National Instant Criminal Background Check System (NICS) Improvement Amendment Act of 2007 and Public Law 110-180, Section 105, which amended the Federal Brady Handgun Violence Prevention Act of 1993.

#OMH-15-10-00011-A Rates of Reimbursement – Hospitals Licensed by the Office of Mental Health. Proposed in State Register on April 14, 2010; Adopted June 23, 2010.

Action: Amendment of Part 577 of Title 14 NYCRR.

Legal Base: Mental Hygiene Law Sections 7.09 and 43.02.

Justification: OMH has determined that continuation of this regulation without modification is necessary because the regulation removed the 2010 trend factor of 2.5 percent in developing the 2010 per diem Medicaid rates for Article 31 private psychiatric hospitals, effective January 1, 2010. This action was consistent with the elimination of the inflationary adjustments and trends applied to rates for community mental health programs in 2009-2010, and was made in accordance with the 2009-2010 enacted Deficit Reduction Legislation.

#OMH-21-10-00010-A Operation of Psychiatric Inpatient Units of General Hospitals and Operation of Hospitals for Persons with Mental Illness. Proposed in State Register on May 26, 2010; Adopted: August 4, 2010.

Action: Amendment of Parts 580 and 582 of Title 14 NYCRR.

Legal Base: Mental Hygiene Law Section 7.09; Social Services Law Section 412-a.

Justification: OMH has determined that continuation of this regulation without modification is necessary because the regulation updated provisions that reflected outdated statutory references, nomenclature, practices or principles and served to provide greater accuracy and clarity to providers of mental health services with respect to the standards under which they are expected to operate.

#OMH-11-10-00003-A Clinic Treatment Programs. Proposed in State Register on March 17, 2010; Adopted: July 14, 2010; Effective: October 1, 2010.

Action: Addition of new Part 599 to Title 14 NYCRR.

Legal Base: Mental Hygiene Law Sections 7.09, 31.02, 31.04, 31.06, 31.07, 31.09, 31.11, 31.13, 31.19, 43.01, 43.02, Article 33; Social Services Law Sections 364, 364-a and 364-j, Title XIX of the Federal Social Security Act.

Justification: OMH has determined that continuation of this regulation without modification is necessary because this amendment updated the standards for certification, operation and reimbursement of OMH-licensed clinics serving adults and children and replaced the previously existing requirements of Part 587 of Title 14 NYCRR and phased out the requirements of Parts 588 and 592 of Title 14 NYCRR insofar as they pertained to mental health clinic services. In the four years since 14 NYCRR Part 599 was adopted as final, OMH has amended its clinic regulations on several occasions based on provider feedback.

#OMH-12-05-00002-A Residential Treatment Facilities for Children and Youth. Proposed in State Register on March 23, 2005; Adopted June 8, 2005.

Action: Amendment of Section 584.5(e) of Title 14 NYCRR.

Legal Base: Mental Hygiene Law Sections 7.09, 31.04 and 31.26.

Justification: OMH has determined that continuation without modification of this regulation is necessary because the regulation continued the temporary increase in the capacity of certain residential treatment facilities to serve the needs of children and youth with serious emotional disturbance who reside in New York City. The issue has been the subject of review over subsequent years and has resulted in several changes in the expiration date. The current amendment filed in 2013 extends the expiration date until September 30, 2016.

#OMH-04-05-00004-A Pre-Admission Certification for Residential Treatment Facilities (RTF) for Children and Youth. Proposed in State Register on January 26, 2005; Continued July 13, 2005; Adopted August 31, 2005.

Action: Amendment of Part 583 of Title 14 NYCRR.

Legal Base: Mental Hygiene Law Sections 7.09, 31.04 and 31.26

Justification: OMH has determined that continuation without modification of this regulation is necessary because the purpose of the amendment was to improve the operation of the Pre-admission Certification Committees (PACC). The amendments were needed to improve management of the RTF wait list and help to ensure that RTF case managers have the most current information concerning a child's eligibility and mental health needs.

#OMH-09-05-00003-A Personalized Recovery-Oriented Services. Proposed in State Register on March 2, 2005; Continued August 24, 2005; Adopted December 21, 2005.

Action: Addition of a new 14 NYCRR Part 512.

Legal Base: Mental Hygiene Law Sections 7.09, 31.04, 41.05, 43.02; Social Services Law Sections 364(3) and 364a(1).

Justification: OMH has determined that continuation of this regulation without modification is necessary because the rule established a new licensed program category for Personalized Recovery-Oriented Services (PROS) programs. This Part applies to any provider of service that has been licensed to operate, or proposes to operate, a PROS program that must be licensed by OMH.

#OMH-16-00-00001-A Operation of Outpatient Programs and Operation of Residential Programs for Adults. Proposed in State Register on April 19, 2000; Adopted September 6, 2000.

Action: Amendment of Parts 587 and 595 of Title 14 NYCRR.

Legal Base: Mental Hygiene Law Sections 7.09, 31.04; Chapter 408 of the Laws of 1999.

Justification: OMH has determined that continuation of this regulation without modification is necessary because the regulation added provisions to facilitate the implementation of Kendra's Law by requiring providers of service to give priority access to individuals enrolled in assisted outpatient treatment (AOT) programs and requiring providers of service to notify an individual's case manager and director of the AOT program of the discharge of an individual who is also enrolled in an AOT program.

# SECURITIES OFFERINGS

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## STATE NOTICES

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

## DEALERS; BROKERS

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13 Court Vision/Secret of Mecca, LLC  
800 Arbor Dr. N, Louisville, KY 40223

4Front Ventures, Inc.  
5060 N. 40th St., Suite 120, Phoenix, AZ 85018  
*State or country in which incorporated* — Delaware

822 Lexington, LLC  
45 Main St., Suite 1022, Brooklyn, NY 11201  
*Partnership* — Brennan Real Estate Partners, LLC

Abacus Multi-Family Partners III LP  
c/o Abacus Capital Group LLC, 420 Lexington Ave., Suite 2821, New  
York, NY 10170  
*Partnership* — AMFP III GP LLC

Carbon Credit International, Inc.  
1247 N. Orange Grove Ave., Suite 106, Los Angeles, CA 90046  
*State or country in which incorporated* — Nevada

Circle 9 Non-Operated Working Interest Fund I LP  
3030 NW. Expwy., Suite 200, Oklahoma, OK 73112  
*Partnership* — Circle 9 Resources LLC

Continental Realty Fund IV, L.P.  
1427 Clarkview Rd., Suite 500, Baltimore, MD 21209  
*Partnership* — CRC Fund IV General Partner, LLC

EI AV Feeder I, L.P.  
Two N. Riverside Plaza, Suite 1500, Chicago, IL 60606  
*Partnership* — EI AV Feeder I GP, LLC

EI AV Feeder II, L.P.  
Two N. Riverside Plaza, Suite 1500, Chicago, IL 60606  
*Partnership* — EI AV Feeder II GP, LLC

EI AV Fund, L.P.  
Two N. Riverside Plaza, Suite 1500, Chicago, IL 60606  
*Partnership* — EI AV Fund GP, LLC

Freestar Capital Fund I, LLC  
60 E. Rio Salado Pkwy., Suite 900, Tempe, AZ 85281  
*State or country in which incorporated* — Arizona

Harbor Light Securities LLC  
1211 N. Westshore Blvd., Suite 103, Tampa, FL 33607

Innit International SCA  
Six, Rue Eugene Ruppert, L-2453 Luxembourg  
*Partnership* — EM GP S.a.r.l.

Lion/A&A Co-Investors I, L.P.  
21 Grosvenor Place, London, United Kingdom SW1X 7HF  
*Partnership* — Lion Capital LLP

LuckyGodot LLC  
1650 Broadway, Suite 1110, New York, NY 10019  
*State or country in which incorporated* — Delaware

M4 Carlyle-KC Europe Access Fund I LP  
411 N. Kenter Ave., Los Angeles, CA 90049  
*Partnership* — Kenter Canyon Capital, LLC

Napa Opportunity Fund, L.P.  
1751 Skellenger Lane, Nappa, CA 94558  
*Partnership* — Napa Opportunity Fund GP, L.P.

Primary Bank  
124 Bedford Center Rd., Unit B, Bedford, NH 03110  
*State or country in which incorporated* — New Hampshire

River Hollow Partners (Kriser's) LP  
437 Madison Ave., 36th Fl., New York, NY 10022  
*State or country in which incorporated* — Delaware

Salient Natural Resource Fund, L.P.  
4265 San Felipe, 8th Fl., Houston, TX 77027  
*Partnership* — Salient Teton Private Equity GP, LLC

Sims High Income Portfolio, L.P.  
175 Federal St., 5th Fl., Boston, MA 02110  
*Partnership* — Braintree Capital Partners, LLC

Storage Partners-Rockledge, FL, LLC  
5485 Schenck Ave., Rockledge, FL 32955  
*State or country in which incorporated* — Florida

That Marketing Solution, Inc.  
4535 S. 2300 E, Suite B, Salt Lake City, UT 84117  
*State or country in which incorporated* — Nevada

Trinidad Lake I Prospect Partnership, LP  
660 W. Southlake Blvd., Suite 200, Southlake, TX 76092  
*Partnership* — Silver Tusk Oil Company LLC

Turner Multifamily Impact Fund, L.P.  
c/o TMIF GP, LLC, 3000 Olympic Blvd., Suite 2120, Santa Monica,  
CA 90404  
*Partnership* — TMIF GP, LLC

Watch Fund, LP, The  
c/o W&B Watch Fund Partners, LP, 630 Fifth Ave., Suite 2000, New  
York, NY 10111  
*Partnership* — W&B Watch Fund Partners, LP

# MISCELLANEOUS NOTICES/HEARINGS

## Notice of Abandoned Property Received by the State Comptroller

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

1-800-221-9311  
or visit our web site at:  
[www.osc.state.ny.us](http://www.osc.state.ny.us)

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

## NOTICE OF PUBLIC HEARING

### Susquehanna River Basin Commission

**SUMMARY:** The Susquehanna River Basin Commission will hold a public hearing on April 30, 2015, in Grantville, Pennsylvania. At this public hearing, the Commission will hear testimony on the projects listed in the Supplementary Information section of this notice. Such projects are intended to be scheduled for Commission action at its next business meeting, tentatively scheduled for June 4, 2015, which will be noticed separately. The Commission will also hear testimony on amending its Regulatory Program Fee Schedule. The public should take note that this public hearing will be the only opportunity to offer oral comment to the Commission for the listed projects. The deadline for the submission of written comments is May 11, 2015.

**DATES:** The public hearing will convene on April 30, 2015, at 7:00 p.m. The public hearing will end at 9:00 p.m. or at the conclusion of public testimony, whichever is sooner. The deadline for the submission of written comments is May 11, 2015.

**ADDRESSES:** The public hearing will be conducted at the Holiday Inn Harrisburg-Hershey, Grande 1 Room, 604 Station Road (Exit 80 off I-81), Grantville, Pa.

**FOR FURTHER INFORMATION CONTACT:** Jason Oyler, Regulatory Counsel, telephone: (717) 238-0423, ext. 1312; fax: (717) 238-2436.

Information concerning the applications for these projects is available at the SRBC Water Resource Portal at [www.srb.net/wrp](http://www.srb.net/wrp). Additional supporting documents are available to inspect and copy in accordance with the Commission's Access to Records Policy at [www.srb.net/pubinfo/docs/2009-02\\_Access\\_to\\_Records\\_Policy\\_20140115.pdf](http://www.srb.net/pubinfo/docs/2009-02_Access_to_Records_Policy_20140115.pdf).

**SUPPLEMENTARY INFORMATION:** The public hearing will cover amendments to its Regulatory Program Fee Schedule, as posted on the SRBC Public Participation Center webpage at [www.srb.net/](http://www.srb.net/)

[pubinfo/publicparticipation.htm](http://pubinfo/publicparticipation.htm). The public hearing will cover the following projects:

#### Projects Scheduled for Action:

1. Project Sponsor and Facility: Anadarko E&P Onshore LLC (Pine Creek), McHenry Township, Lycoming County, Pa. Application for renewal of surface water withdrawal of up to 1.500 mgd (peak day) (Docket No. 20110601).

2. Project Sponsor and Facility: Carrizo (Marcellus), LLC (Meshopen Creek), Washington Township, Wyoming County, Pa. Application for renewal of surface water withdrawal of up to 2.160 mgd (peak day) (Docket No. 20110603).

3. Project Sponsor and Facility: Carrizo (Marcellus), LLC (Unnamed Tributary to Middle Branch Wyalusing Creek), Forest Lake Township, Susquehanna County, Pa. Application for renewal of surface water withdrawal of up to 0.648 mgd (peak day) (Docket No. 20110605).

4. Project Sponsor and Facility: Chetremon Golf Course, LLC, Burnside Township, Clearfield County, Pa. Application for consumptive water use of up to 0.200 mgd (peak day).

5. Project Sponsor and Facility: Chetremon Golf Course, LLC (Irrigation Storage Pond), Burnside Township, Clearfield County, Pa. Application for surface water withdrawal of up to 0.200 mgd (peak day).

6. Project Sponsor and Facility: Chief Oil & Gas LLC (Loyalsock Creek), Forksville Borough, Sullivan County, Pa. Application for surface water withdrawal of up to 2.000 mgd (peak day).

7. Project Sponsor and Facility: Constitution Pipeline Company, LLC (Charlotte Creek), Town of Davenport, Delaware County, N.Y. Application for surface water withdrawal of up to 2.160 mgd (peak day).

8. Project Sponsor and Facility: Constitution Pipeline Company, LLC (Ouleout Creek), Town of Sidney, Delaware County, N.Y. Application for surface water withdrawal of up to 1.928 mgd (peak day).

9. Project Sponsor and Facility: Constitution Pipeline Company, LLC (Starrucca Creek), Harmony Township, Susquehanna County, Pa. Application for surface water withdrawal of up to 2.052 mgd (peak day).

10. Project Sponsor and Facility: Furman Foods, Inc., Point Township, Northumberland County, Pa. Modification to add a source to the consumptive water use approval (no increase requested in current consumptive water use quantity) (Docket No. 20130608).

11. Project Sponsor and Facility: Furman Foods, Inc., Point Township, Northumberland County, Pa. Application for groundwater withdrawal of up to 0.504 mgd (30-day average) from Well 10.

12. Project Sponsor and Facility: Hydro Recovery, LP, Blossburg Borough, Tioga County, Pa. Application for renewal of groundwater withdrawal of up to 0.216 mgd (30-day average) from Well HR-1 (Docket No. 20110612).

13. Project Sponsor and Facility: Hydro Recovery, LP, Blossburg Borough, Tioga County, Pa. Application for renewal of consumptive water use of up to 0.316 mgd (peak day) (Docket No. 20110612).

14. Project Sponsor and Facility: Keister Miller Investments, LLC (West Branch Susquehanna River), Mahaffey Borough, Clearfield County, Pa. Application for surface water withdrawal of up to 2.000 mgd (peak day).

15. Project Sponsor and Facility: Keystone Clearwater Solutions, LLC (Driftwood Branch Sinnemahoning Creek), Emporium Borough, Cameron County, Pa. Application for renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20110614).

16. Project Sponsor and Facility: Keystone Clearwater Solutions, LLC (Lycoming Creek), Lewis Township, Lycoming County, Pa. Application for renewal of surface water withdrawal of up to 1.250 mgd (peak day) (Docket No. 20110616).

17. Project Sponsor and Facility: Millersville University of Pennsylvania, Millersville Borough, Lancaster County, Pa. Application for consumptive water use of up to 0.080 mgd (peak day).

18. Project Sponsor and Facility: Millersville University of Pennsylvania, Millersville Borough, Lancaster County, Pa. Application for groundwater withdrawal of up to 0.320 mgd (30-day average) from Well 1.

19. Project Sponsor and Facility: Nature's Way Purewater Systems, Inc., Dupont Borough, Luzerne County, Pa. Modification to increase consumptive water use by an additional 0.092 mgd (peak day), for a total of up to 0.349 mgd (peak day) (Docket No. 20110618).

20. Project Sponsor: Pennsylvania Department of Environmental Protection – South-central Regional Office, City of Harrisburg, Dauphin County, Pa. Facility Location: Leacock Township, Lancaster County, Pa. Application for groundwater withdrawal of up to 0.590 mgd (30-day average) from Stoltzfus Well.

21. Project Sponsor: Pennsylvania Department of Environmental Protection – South-central Regional Office, City of Harrisburg, Dauphin County, Pa. Facility Location: Leacock Township, Lancaster County, Pa. Application for groundwater withdrawal of up to 0.432 mgd (30-day average) from Township Well.

22. Project Sponsor and Facility: Shrewsbury Borough, York County, Pa. Application for renewal and modification to increase groundwater withdrawal by an additional 0.024 mgd (30-day average), for a total of up to 0.089 mgd (30-day average) from the Blouse Well (Docket No. 19820103).

23. Project Sponsor and Facility: Shrewsbury Borough, York County, Pa. Application for renewal of groundwater withdrawal of up to 0.099 mgd (30-day average) from the Smith Well (Docket No. 19811203).

24. Project Sponsor and Facility: Talisman Energy USA Inc. (Wap-pasening Creek), Windham Township, Bradford County, Pa. Application for renewal of surface water withdrawal of up to 1.000 mgd (peak day) (Docket No. 20110621).

25. Project Sponsor: UGI Development Company. Project Facility: Hunlock Creek Energy Center, Hunlock Township, Luzerne County, Pa. Modification to increase consumptive water use by an additional 1.526 mgd (peak day), for a total of up to 2.396 mgd (peak day) (Docket No. 20090916).

Request for Waiver of Application and Approval of Transfer:

1. Augusta Water, Inc. request for waiver of application required by 18 CFR § 806.6(d)(1) and transfer of Docket No. 20021014.

Opportunity to Appear and Comment:

Interested parties may appear at the hearing to offer comments to the Commission on the amended fee schedule or any project listed above. The presiding officer reserves the right to limit oral statements in the interest of time and to otherwise control the course of the hearing. Ground rules will be posted on the Commission's website, [www.srbc.net](http://www.srbc.net), prior to the hearing for review. The presiding officer reserves the right to modify or supplement such rules at the hearing. Written comments on any project listed above may also be mailed to Mr. Jason Oyler, Regulatory Counsel, Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, Pa. 17110-1788, or submitted electronically through [www.srbc.net/pubinfo/publicparticipation.htm](http://www.srbc.net/pubinfo/publicparticipation.htm). Comments mailed or electronically submitted must be received by the Commission on or before May 11, 2015, to be considered.

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

Dated: March 27, 2015.

Stephanie L. Richardson  
Secretary to the Commission.

**PUBLIC NOTICE**  
Division of Criminal Justice Services  
DNA Subcommittee

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

Date: May 29, 2015  
Time: 9:30 A.M.-11:30 A.M.  
Place: Empire State Development Corporation (ESDC)  
633 3rd Ave.  
37th Fl./Conference Rm.  
New York, NY

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

**PUBLIC NOTICE**  
Division of Criminal Justice Services  
Juvenile Justice Advisory Group

Pursuant to Public Officer Law § 104, the Division of Criminal Justice Services gives notice of a meeting of the New York State Juvenile Justice Advisory Group:

Date: May 11, 2015  
Time: 1:30 p.m. - 3:30 p.m.  
Place: Division of Criminal Justice Services  
80 S. Swan St., 1st Fl. Crime Stat Rm.  
Albany, NY 12210

Video Conference with:

Executive Chamber  
633 Third Avenue, 33rd Fl.  
New York, NY 10007

*For further information contact:* Schellie Tedesco, Office of Juvenile Justice Policy, Division of Criminal Justice Services, 80 S. Swan St., 8th Fl., Albany, NY 12210, or e-mail: [Schellie.tedesco@dcjs.ny.gov](mailto:Schellie.tedesco@dcjs.ny.gov), (518) 457-3670, Fax: (518) 457-7482

**PUBLIC NOTICE**  
Department of State  
F-2014-0641

Date of Issuance – April 15, 2015

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

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

In F-2014-0641, Downs Creek, LLC, REMCC, LLC, is proposing to restore the channel location in Downs Creek, Cutchogue, Town of Southold, County of Suffolk, which has migrated eastward and formed

a large sandspit in the original channel location. The proposal is to excavate a 25 ft. wide by 3 ft. deep channel in the original location and utilize the dredged material as fill for the existing channel location.

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 10 days from the date of publication of this notice, or, April 25, 2015.

Comments should be addressed to the Consistency Review Unit, New York State Department of State, Office of Planning and Development, One Commerce Plaza, 99 Washington Avenue, Albany, New York 12231. Telephone (518) 474-6000; Fax (518) 473-2464. Electronic submissions can be made by email at: CR@dos.ny.gov.

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

**PUBLIC NOTICE**

Department of State  
F-2014-0876

Date of Issuance – April 15, 2015

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

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

In F-2014-0876, RXR Glen Isle Partners, LLC, Glen Cove Creek, Glen Cove, New York, Nassau County, RXR Glen Isle Partners, LLC is proposing to perform various waterfront improvements as part of Phase One of its mixed-use waterfront development project. According to the information provided to DOS, the activities proposed for the project include:

Garvies Point Beach - construction of 896 ft of composite bulkhead within 18 inches seaward of existing steel bulkhead (with a 35 ft return and a 30 ft return) and a 235 ft x 15 ft boardwalk and 17.6 ft x 15.75 ft wood boardwalk stairs;

Captain’s Cove – remove and relocate 8,520 sq ft of intertidal marsh, construct a 458 ft composite bulkhead within 18 inches seaward of existing steel bulkhead, construct an open center pentagonal ecological pier, dredge to provide -6 ft depth at Mean Low Water (approximately 5,052 cy of material will be disposed of at an approved upland facility), and construct a small vessel marina;

Angler’s Club Marina - relocate the Angler’s Club Marina 335 ft east of existing area, construct a 171 ft composite bulkhead at or landward of Mean High Water, 595 ft of composite bulkhead landward of existing rip rap and bulkhead, and 95 ft of composite bulkhead within 18 inches seaward of existing bulkhead, and dredge to a depth of -6 ft at Mean Low Water (approximately 3,587 cy of material will be disposed of at an approved upland facility);

Renaissance Park - excavate approximately 13,865 cy of upland material to create an intertidal marsh, re-establish marsh in excavated area using existing intertidal vegetation relocated from marina area, and plant additional marsh for a total of 20,726 sq ft of intertidal marsh area, construct a 470 ft low sill composite bulkhead in place of existing steel bulkhead, and 618 ft composite bulkhead landward of existing and at elevation 11’ NAVD;

East of Renaissance Park - excavate 10,524 cubic yards of upland sediment to dispose at approved upland site, construct 575 ft of composite bulkhead landward of existing bulkhead, dredge to -6 ft depth at Mean Low Water (approximately 1,582 cy of material will be disposed of at an approved upland facility), and construct a transient vessel marina;

Stormwater Improvements - retrofit three of five existing outfalls with stormwater pre-treatment units to remove sediments and other

floatables, construct two 36 in diameter PVC pipe outfalls with pre-treatment devices installed within road to discharge road runoff from Garvies Point Road, and construct one 48 in diameter PVC pipe outfall with pre-treatment unit installed within road to discharge Garvies Point Road runoff from storm events greater than 2 inches in 24 hours.

The project is being considered in conjunction with other development already planned or underway for a total of 51+ acres of development under the purview of the City of Glen Cove.

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30pm, 30 days from the date of publication of this notice or May 15th, 2015. Comments should be addressed to the New York State Department of State, ATTN: Consistency Review Unit, One Commerce Plaza, Suite 1010, 99 Washington Avenue, Albany, New York, 12231. Telephone (518) 474-6000; Fax (518) 473-2464. Comments can also be submitted electronically via email at: CR@dos.ny.gov.

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

**PUBLIC NOTICE**

Department of State  
F-2015-0051

Date of Issuance – April 15, 2015

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

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

In F-2015-0051, the Town of Islip, is proposing the following: removal of the existing dilapidated timber filled pier and breakwater; construction in-place of a 330’ long vinyl breakwater along the eastern edge of the inlet to Homans Creek and into Great South Bay; construction of a new 30’ breakwater to extend into the canal perpendicular from the Bayport Beach bulkhead; and proposed dredging within the inlet to Homans Creek of approximately 1,050cy, to be dewatered upland on the Bayport Beach property and then placed at an approved upland location. Bayport Beach, Homans Creek, Town of Islip, County of Suffolk.

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice, or, Friday, May 15, 2015.

Comments should be addressed to the Consistency Review Unit, New York State Department of State, Office of Planning and Development, One Commerce Plaza, 99 Washington Avenue, Albany, New York 12231. Telephone (518) 474-6000; Fax (518) 473-2464. Electronic submissions can be made by email at: CR@dos.ny.gov.

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

**PUBLIC NOTICE**

Department of State  
F-2015-0204

Date of Issuance – April 15, 2015

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

The applicant has certified that the proposed activity complies with and will be conducted in a manner consistent with the approved New

York State Coastal Management Program. The applicant's consistency certification and accompanying public information and data are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York.

In F-2015-0204, the Town of North Hempstead, is proposing to create a 1500 meter x 60 meter rowing course in the lower Hempstead Harbor, south of Bar Beach. The proposal involves dredging three (3) separate areas totaling 12.45 acres, to -4' MLW. This will produce approximately 25,080 cubic yards of dredged material which is proposed to be placed along Bar Beach as nourishment, if compatible. Bar Beach Town Park, Town of North Hempstead, Nassau County.

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice, or, Friday, May 15, 2015.

Comments should be addressed to the Consistency Review Unit, New York State Department of State, Office of Planning and Development, One Commerce Plaza, 99 Washington Avenue, Albany, New York 12231. Telephone (518) 474-6000; Fax (518) 473-2464. Electronic submissions can be made by email at: [CR@dos.ny.gov](mailto:CR@dos.ny.gov).

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