
NEW YORK STATE
REGISTER

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Notice of Availability of State and Federal Funds

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

For notices published in this issue:

- the 60-day period expires on July 5, 2015
- the 45-day period expires on June 20, 2015
- the 30-day period expires on June 5, 2015

**ANDREW M. CUOMO
GOVERNOR**

**CESAR A. PERALES
SECRETARY OF STATE**

NEW YORK STATE DEPARTMENT OF STATE

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NEW YORK STATE REGISTER

Be a part of the rule making process!

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

To be considered, comments 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)

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RULE MAKING ACTIVITIES

Each rule making is identified by an I.D. No., which consists of 13 characters. For example, the I.D. No. AAM-01-96-00001-E indicates the following:

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

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

price, quantity of goods, property or services delivered or rendered, in such form and supported by such other substantiating documentation as the Comptroller or individual State agency may reasonably require.

(h) Receipt of an invoice means:

(1) the date on which a proper invoice is actually received in the designated payment office; *or, with regard to electronic invoices, the date on which a proper invoice is received by the Statewide Financial System, or the next succeeding business day if a proper invoice is received by the Statewide Financial System after 5:00 p.m. Eastern Time or on a Saturday, Sunday or legal holiday;*

Text of proposed rule and any required statements and analyses may be obtained from: Jamie Elacqua, Office of the State Comptroller, 110 State Street, Albany, NY 12236, (518) 473-4146, email: jelacqua@osc.state.ny.us

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

This is a consensus rulemaking proposed for the sole purpose of updating the language of the regulation to reflect current operational practices related to the payment of invoices by the Statewide Financial System. This amendment relates to the electronic payment of invoices and it has been determined that no person is likely to object to the adoption of the rule as written.

Department of Audit and Control

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Prompt Payment Processing

I.D. No. AAC-18-15-00003-P

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

Proposed Action: This is a consensus rule making to amend section 18.1(g), (f) and (h) of Title 2 NYCRR.

Statutory authority: Finance Law, section 179-m

Subject: Prompt payment processing.

Purpose: To include electronic invoices and the processing of e-invoices within the procedures for calculating prompt payment interest.

Text of proposed rule: § 18.1 Definitions

As used in this Part, the following terms shall have the following meanings unless otherwise specified:

(e) Designated payment office means: *i*) the office designated by the State agency to which a proper invoice is to be submitted by a contractor; *or ii*) *the Statewide Financial System for the processing of electronic invoices.*

(f) Payment date means the date on which a check for payment pursuant to a contract is dated, or, if the contractor elects to receive payment by means of electronic funds transfer, the date a transaction for electronic funds transfer is initiated by the [central accounting system] *Statewide Financial System.*

(g) Proper invoice means a written *or electronic* request for a contract payment that is submitted by a contractor setting forth the description,

Department of Environmental Conservation

NOTICE OF ADOPTION

Revised Closed Season for the Harvest and Landing of Lobster from Lobster Management Area 4 and Mandatory V-notch Rule

I.D. No. ENV-07-15-00002-A

Filing No. 330

Filing Date: 2015-04-17

Effective Date: 2015-05-06

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

Action taken: Amendment of Part 44 of Title 6 NYCRR.

Statutory authority: Environmental Conservation Law, sections 3-0301, 13-0105 and 13-0329

Subject: Revised closed season for the harvest and landing of lobster from Lobster Management Area 4 and mandatory V-notch rule.

Purpose: To implement ASMFC American Lobster Fishery Management Plan Addendum XVII and allow the lobster stock to rebuild.

Text or summary was published in the February 18, 2015 issue of the Register, I.D. No. ENV-07-15-00002-EP.

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

Text of rule and any required statements and analyses may be obtained from: Kim McKown, New York State Department of Environmental Conservation, 205 North Belle Mead Road, Suite 1, East Setauket, NY 11733, (631) 444-0454, email: kim.mckown@dec.ny.gov

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

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2018, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

The agency received no public comment.

Department of Financial Services

EMERGENCY RULE MAKING

Title Insurance Agents, Affiliated Relationships, and Title Insurance Business

I.D. No. DFS-29-14-00014-E

Filing No. 323

Filing Date: 2015-04-20

Effective Date: 2015-04-20

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

Action taken: Amendment of Parts 20 (Regulations 9, 18 and 29), 29 (Regulation 87), 30 (Regulation 194) and 34 (Regulation 125); and addition of Part 35 (Regulation 206) to Title 11 NYCRR.

Statutory authority: Financial Services Law, sections 202 and 302; Insurance Law, sections 107(a)(54), 301, 2101(k), 2109, 2112, 2113, 2119, 2120, 2122, 2128, 2129, 2132, 2139, 2314 and 6409

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

Specific reasons underlying the finding of necessity: Long-sought and critically needed legislation to license title insurance agents was enacted as part of Chapter 57 of the New York Laws of 2014, which was signed into law by the governor on March 31, 2014. Chapter 57 took effect on September 27, 2014.

A number of existing regulations that apply to insurance producers generally are amended to make them applicable to title insurance agents. Specifically, Part 20 addresses temporary licenses (Insurance Regulation 9), addresses appointment of insurance agents (Insurance Regulation 18), and regulates premium accounts and fiduciary responsibilities of insurance agents and insurance brokers (Insurance Regulation 29), and are amended to include references to title insurance agents. Part 29 (Insurance Regulation 87) addresses special prohibitions regarding sharing compensation with other licensees with respect to certain governmental entities and is amended to address a limited exception for title insurance business insuring State of New York Mortgage Agency and certain other circumstances. Part 30 (Insurance Regulation 194) addresses insurance producer compensation transparency and is amended to reflect specific requirements in new Insurance Law section 2113 for title insurance agents. Part 34 (Insurance Regulation 125) governs insurance agents and brokers that maintain multiple offices and is amended to clarify the applicability of the regulation to title insurance agents. In addition, a new Part 35 (Insurance Regulation 206) is added that address unique circumstances regarding title insurance agents.

It is critical for the protection of the public that appropriate rules and regulations are in place on and after the effective date of Chapter 57 to apply to newly-licensed title insurance agents and the title insurance business generated. Although the Department has diligently developed regulations to implement Chapter 57, due to the short time frame, it is necessary to promulgate the rules on an emergency basis for the furtherance of the general welfare.

Subject: Title insurance agents, affiliated relationships, and title insurance business.

Purpose: To implement requirements of chapter 57 of Laws of 2014 re: title insurance agents and placement of title insurance business.

Substance of emergency rule: The following sections are amended:

Section 20.1, which specifies forms for temporary licenses, is amended to make technical changes and to add references to title insurance agents.

Section 20.2, which specifies forms of notice for termination of agents, is amended to make technical changes and to add references to title insurance agents.

Section 20.3, which governs fiduciary responsibility of insurance agents and brokers, including maintenance of premium accounts, is amended to make technical changes and to add references to title insurance agents.

Section 20.4, which governs insurance agent and broker recordkeeping requirements for fiduciary accounts, is amended to make technical changes and to add references to title insurance agents.

Section 29.5, which implements Insurance Law section 2128, governing placement of insurance business by licensees with governmental entities, is amended to make technical changes and to conform to amendments to section 2128, with respect to title insurance agents.

Section 29.6 is amended to remove language regarding return of disclosure statements.

Section 30.3, which governs notices by insurance producers regarding the amount and extent of their compensation, is amended by adding a new subdivision that modifies the requirements of the section with respect to title insurance agents, in order to conform to new Insurance Law section 2113(b).

Section 34.2, which governs satellite offices for insurance producers, is amended by adding a new subdivision that exempts from certain provisions of that section a title insurance agent that is a licensed attorney transacting title insurance business from the agent's law office.

A new Part 35 is added governing the activities of title insurance agents and the placement of title insurance business. The new sections are:

Section 35.1 contains definitions for new Part 35.

Section 35.2 specifies forms for title insurance agent licensing applications.

Section 35.3 specifies change of contact information required to be filed with the Department.

Section 35.4 addresses affiliated business relationships.

Section 35.5 addresses referrals by affiliated persons and the required disclosures in such circumstances.

Section 35.6 addresses minimum disclosure requirements for title insurance corporations and title insurance agents with respect to fees charged by such corporation or agent, including discretionary or ancillary fees.

Section 35.7 provides certain other minimum disclosure requirements.

Section 35.8 governs the use of title closers by title insurance agents and title insurance corporations.

Section 35.9 establishes record retention requirements for title insurance agents.

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. DFS-29-14-00014-P, Issue of July 23, 2014. The emergency rule will expire June 18, 2015.

Text of rule and any required statements and analyses may be obtained from: Paul Zuckerman, New York State Department of Financial Services, One State Street, New York, NY 10004, (212) 480-5286, email: paul.zuckerman@dfs.ny.gov

Consolidated Regulatory Impact Statement

1. Statutory authority: The Superintendent's authority to promulgate these amendments and the new Part derives from sections 202 and 302 of the Financial Services Law ("FSL") and sections 107(a)(54), 301, 2101(k), 2109, 2112, 2113, 2119, 2120, 2122, 2128, 2129, 2132, 2139, 2314, and 6409 of the Insurance Law.

FSL section 202 establishes the office of the Superintendent and designates the Superintendent as the head of the Department of Financial Services ("Department").

FSL section 302 and Insurance Law section 301 authorize the Superintendent to effectuate any power accorded to the Superintendent by the Insurance Law, the Banking Law, the Financial Services Law, or any other law of this state and to prescribe regulations interpreting the Insurance Law, among other things.

Insurance Law section 107(a)(54) defines title insurance agent.

Insurance Law section 2101(k) defines insurance producer to include title insurance agent.

Insurance Law section 2109 addresses temporary licenses for title insurance agents and other insurance producers.

Insurance Law section 2112 addresses appointments by insurers of insurance agents and title insurance agents.

Insurance Law section 2113 requires that title insurance agents and persons affiliated with such title insurance agents provide certain disclosures to applicants for insurance when referring such applicants to persons with which they are affiliated. Section 2113 also requires the Superintendent to promulgate regulations to enforce the affiliated person disclosure requirements and to consider any relevant disclosures required by the federal real estate settlement procedures act of 1974 ("RESPA"), as amended.

Insurance Law section 2119 permits title insurance agents to charge fees for certain ancillary services not encompassed within the rate of premium provided its pursuant to a written memorandum.

Insurance Law section 2120 addresses the fiduciary responsibility of title insurance agents and other producers.

Insurance Law section 2122 addresses advertising by title insurance agents and other insurance producers.

Insurance Law section 2128 prohibits fee sharing with respect to business placed with governmental entities.

Insurance Law section 2132 governs continuing education for title insurance agents and other insurance producers.

Insurance Law section 2139 is the licensing section for title insurance agents.

Insurance Law section 2314 prohibits title insurance corporations and title insurance agents from deviating from filed rates.

Insurance Law section 2324 prohibits rebating, improper inducements and other discriminatory behavior with respect to most kinds of insurance, including title insurance.

Insurance Law section 6409 contains specific prohibitions against rebating, improper inducements and other discriminatory behavior with respect to title insurance.

2. Legislative objectives: Long-sought and critically needed legislation to license title insurance agents was enacted as part of Chapter 57 of the New York Laws of 2014, which was signed into law by the governor on March 31, 2014 and took effect on September 27, 2014. By way of background, title insurance agents in New York: (a) handle millions of dollars of borrowers' and sellers' funds, (b) record documents, and (c) pay off mortgages. Yet for years, title insurance agents have conducted business in New York without licensing or other regulatory oversight, standards or guidelines. Because, as a matter of practice in New York, the title insurance agents control the bulk of the title insurance business, including bringing in customers, conducting the searches and other title work, the title insurance corporations often have little choice but to deal with title insurance agents who they may otherwise consider questionable or unscrupulous. Without licensing or regulatory oversight, an unscrupulous title insurance agent who was fired by one title insurer could simply take the business to another title insurer, who is usually more than willing to appoint that title insurance agent.

This lack of State regulation over title insurance agents made for an alarming weakness in New York law, and specifically New York law addressing title insurance rebating and inducement. For example, lack of regulatory oversight and licensing created a gaping loophole, which led to serious breaches of fiduciary duties and exploitation by unscrupulous actors to commit fraud in the mortgage origination and financing process. Over the years, this gap in New York law and lack of regulatory oversight allowed these actors to freely engage in theft, abuse, charging of excessive fees, and illegal rebates and inducements to the detriment of consumers, with little fear of prosecution. These abuses cost consumers of the State millions of dollars and at least one New York title insurer became insolvent because of the activities of its title insurance agents.

3. Needs and benefits: Now that New York law requires title insurance agents to be licensed, a number of existing regulations governing insurance producers need to be amended in order include title insurance agents or to address unique circumstances involving them, including affiliated persons' arrangements and required consumer disclosures. Specifically, Insurance Regulation 9 addresses temporary licenses; Insurance Regulation 18 addresses appointment of insurance agents; and Insurance Regulation 29 regulates premium accounts and fiduciary responsibilities of insurance agents and insurance brokers; and each is amended to include references to title insurance agents. Insurance Regulation 87 addresses special prohibitions regarding sharing compensation with other licensees with respect to certain governmental entities and is amended to address a limited exception for title insurance business insuring State of New York Mortgage Agency and certain other circumstances. Insurance Regulation 194 addresses insurance producer compensation transparency and is amended to reflect specific requirements in new Insurance Law section 2113 for title insurance agents. Insurance Regulation 125 governs insurance agents and brokers that maintain multiple offices and is amended to clarify the applicability of the regulation to title insurance agents. Regulation 125 also is amended to address unique circumstances involving title insurance agents who are also licensed attorneys.

New Insurance Regulation 206 addresses a number of miscellaneous issues involving title insurance agents. Some of these changes simply add provisions that are similar to those that apply to other insurance producers; for example, it prescribes the form of applications and requires licensees to notify the Department of any change of business or residence address. Other provisions of Regulation 206 set forth the new disclosure requirements; require title insurance agents to comply with a rate service organization's annual statistical data call; and address the obligation of title insurance agents and title insurance corporations with respect to title closers. Of particular significance are provisions of the regulations that codify Department opinions regarding affiliated business relations with respect to the applicability of Insurance Law section 6409, which prohibits rebates, inducements and certain other discriminatory behaviors.

4. Costs: Regulated parties impacted by these rules are title insurance

agents, which heretofore were not licensed by the Department, and title insurance corporations. They may need to provide new disclosures in accordance with the regulation if they are not already making such disclosures but they already have an obligation to make changes to notices pursuant to the legislation. There are also new reporting requirements to the Department but these are the same that apply with respect to other licensees. In any event, the costs of these new disclosures and reporting requirements should not be significant. The proposed rules also subject title insurance agents to requirements regarding the maintenance of fiduciary accounts that already apply to other insurance producers. The cost impact on title insurance agents will likely vary from agent to agent but should not be significant.

Although the Department already was handling complaints and investigating matters regarding title insurance, because licensing title insurance agents is a new responsibility for the Department, anticipated costs to the Department are at this time uncertain. Existing personnel and line titles will handle any new licensing applications or enforcements issues initially.

These rules impose no compliance costs on any state or local governments.

5. Local government mandates: The new rules and amendments impose no new programs, services, duties or responsibilities on any county, city, town, village, school district, fire district or other special district.

6. Paperwork: The amendments and new rules now apply certain requirements that are applicable to other insurance producers to title insurance agents as well. For example, title insurance agents are made subject to the same reporting requirements as other insurance producers when changing addresses, maintaining records, and submitting applications, and title insurers are required to file certificates of appointment of their title insurance agents with the Department. In addition, to reflect the specific notice requirements of Insurance Law section 2113, the disclosure requirements to insureds under Insurance Regulation 194 are modified for title insurance agents to reflect the statutory requirements. The new law also contains certain new disclosure requirements and the new rules implement those changes, and require certain other disclosures to applicants for insurance, such as a notice advising insureds or applicants for insurance about the different kinds of title policies available to them.

7. Duplication: The amendments do not duplicate any existing laws or regulations.

8. Alternatives: Prior to proposing rules in the July 23, 2014 issue of the State Register, the Department circulated drafts of the proposed rules to a number of interested parties and, as a result, the Department made a number of changes to proposed new Regulation 206, particularly with respect to affiliated business relationships, and title insurance corporation or title insurance agent responsibility for title insurance closers. In response to comments received during the public comment period, the Department has made a number of changes that are incorporated in the emergency rules that clarify the proposal or eliminates unnecessary requirements.

The Department received a number of comments regarding the significant and multiple sources of business provisions of the regulation with respect to affiliated business relationships. Because of the critical need to have regulations in effect on and after the September 27, 2014 effective date of Chapter 57, the Department is promulgating the emergency regulations utilizing the provisions contained in the proposed rulemaking, while the Department continues to evaluate and review those comments and consider whether any changes should be made to those provisions.

9. Federal standards: RESPA, and regulations thereunder, contain certain requirements and disclosures that apply to residential real estate settlement transactions. These requirements are minimum requirements and do not preempt state laws that provide greater consumer protection. The amendments and new rules are not inconsistent with RESPA and, consistent with New York law, provide greater consumer protection to the public.

10. Compliance schedule: Chapter 57 of the New York Laws of 2014 took effect on September 27, 2014. In order to facilitate the orderly implementation of the new law, the Superintendent was authorized to promulgate regulations in advance of the effective date, but to make such regulations effective on that date.

Consolidated Regulatory Flexibility Analysis

1. Effect of the rule: These rules affect title insurance corporations authorized to do business in New York State, title insurance agents and persons affiliated with such corporations and agents.

No title insurance corporation subject to the amendment falls within the definition of "small business" as defined in State Administrative Procedure Act section 102(8), because no such insurance corporation is both independently owned and has less than one hundred employees.

It is estimated that there are about 1,800 title insurance agents doing business in New York currently. Since they are not currently licensed by the Department of Financial Services ("Department"), it is not known how many of them are small businesses, but it is believed that a significant number of them may be small businesses.

Persons affiliated with title insurance agents or title insurance corporations would not, by definition, be independently owned and would thus not be small businesses.

The rule does not impose any impacts, including any adverse impacts, or reporting, recordkeeping, or other compliance requirements on any local governments.

2. Compliance requirements: The proposed rules conform and implement requirements regarding title insurance agents and placement of title insurance business with Chapter 57 of the Laws of 2014, which made title insurance agents subject to licensing in New York for the first time. A number of the rules will make title insurance agents subject to the same requirements that apply to other insurance producers. There are also disclosure requirements unique to title insurance.

3. Professional services: This amendment does not require any person to use any professional services.

4. Compliance costs: Title insurance agents will need to provide new disclosures in accordance with the regulation if they are not already making such disclosures but they already have an obligation to make changes to notices pursuant to the legislation. There are also new reporting requirements to the Department but these are the same that apply with respect to other licensees. In any event, the costs of these new disclosures and reporting requirements should not be significant. The proposed rules now subject title insurance agents to requirements regarding the maintenance of fiduciary accounts that already apply to other insurance producers. The cost impact on title insurance agents will likely vary from agent to agent but should not be significant.

5. Economic and technological feasibility: Small businesses that may be affected by this amendment should not incur any economic or technological impact as a result of this amendment.

6. Minimizing adverse impact: This rule should have no adverse impact on small businesses.

7. Small business participation: Interested parties, including an organization representing title insurance agents, were given an opportunity to comment on draft proposed rules as well as the proposed rulemaking that was published in the State Register on July 23, 2014.

Consolidated Rural Area Flexibility Analysis

The Department of Financial Services (“Department”) finds that this rule does not impose any additional burden on persons located in rural areas, and will not have an adverse impact on rural areas. This rule applies uniformly to regulated parties that do business in both rural and non-rural areas of New York State.

Rural area participation: Interested parties, including those located in rural areas, were given an opportunity to review and comment on draft versions of these rules as well as the proposed rulemaking that was published in the State Register on July 23, 2014.

Consolidated Job Impact Statement

The Department of Financial Services finds that these rules should have no negative impact on jobs and employment opportunities. The rules conform to and implement the requirements of, with respect to title insurance agents and the placement of title insurance business, Chapter 57 of the Laws of 2014, which make title insurance agents subject to licensing in New York for the first time and, by establishing a regulated marketplace, may lead to increased employment opportunity.

Assessment of Public Comment

The agency received no public comment.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Title Insurance Rates, Expenses and Charges

I.D. No. DFS-18-15-00009-P

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

Proposed Action: Addition of Part 227 (Regulation 208) to Title 11 NYCRR.

Statutory authority: Financial Services Law, sections 202, 301 and 302; Insurance Law, sections 301, 2110, 2119, 2303, 2304, 2315 and 6409; arts. 23 and 24

Subject: Title Insurance Rates, Expenses and Charges.

Purpose: To insure proper, non-excessive rates, compliance with Insurance Law 6409(d), and reasonable charges for ancillary services.

Substance of proposed rule (Full text is posted at the following State website: <http://www.dfs.ny.gov/insurance/rpro>): This rule interprets and implements Insurance Law section 6409(d) by delineating certain expenditures that, when provided by title insurance corporations or title

insurance agents to “current or prospective customers” as an inducement for title insurance business, are prohibited by the Insurance Law. The rule mandates new reporting requirements to exclude all prohibited expenditures from the rates, thereby ensuring that these expenditures do not contribute to excessive rates. The rule further sets parameters with respect to ancillary charges, ensuring that title insurance corporations and title insurance agents do not charge consumers in New York improper and excessive closing costs.

Section 227.0 sets forth the purpose of the rule.

Section 227.1 provides definitions applicable to the rule.

Section 227.2 sets forth certain categories of expenses, including meals, entertainment, travel, and gifts that the Department of Financial Services considers to be violative of Insurance Law section 6409(d) when made as inducements for title insurance business to or on behalf of those persons who order title insurance policies on behalf of their clients.

Section 227.3 provides a framework for reporting expenses so that only proper expenditures are included in the title insurance rate. The rule provides that prohibited expenditures may not be reported in response to the annual data call, nor included for rate making purposes. This section requires title insurers to eliminate any prohibited expenditures from the expenses reported to the statistical agent as expenses in connection with New York policies. It further requires that, to the extent any prohibited expenditures have been included in schedules that have been reported in the past ten years, those schedules must be restated without the prohibited expenditures and resubmitted to the statistical agent. After the statistical agent collects and compiles the data, the rate service organization is required to make a new submission to the Superintendent that reflects the exclusion of the prohibited expenses in the calculation of the rate. This section also requires all licensed title insurance corporations to provide to its appointed title insurance agents, revenue and expenses schedules in connection with the annual data call. It requires all licensed title insurance agents, unless their revenue and expenses are reported by an employer or affiliated entity, to submit revenue and expense schedules in connection with the annual data call, and ensure that prohibited expenditures are excluded. It further requires the title insurance corporations to compile the schedules and submit them to the statistical agent. In addition, the section requires each licensed title insurance corporation to file with the Superintendent individual annual premium and expense reports.

Section 227.4 provides that expenses allocated by a title insurance corporation to New York may not exceed the percent of premium written in New York by that insurer, compared to nationwide premiums written, and that prohibited expenditures may not be allocated to New York. To the extent that a title insurance corporation’s past reported allocated expenses exceed that insurer’s percent of premiums written in New York, or include prohibited expenditures, those schedules must be restated, resubmitted, and included in the new rate submission.

Section 227.5 provides parameters for ancillary closing costs including maximum charges for Patriot, bankruptcy, and municipal searches. The regulation provides for a flat fee to be charged for certain services, including escrow services and recording of closing documents. The regulation also prohibits the payment of gratuities and pick up fees to closers.

Section 227.6 requires that at least once every three years a filing must be made demonstrating that the title insurance corporation’s or rate service organization’s title insurance rates comply with Article 23 (i.e., they are not excessive, inadequate or discriminatory).

Text of proposed rule and any required statements and analyses may be obtained from: Ellen R. Buxbaum, Department of Financial Services, One State Street, New York, NY 10004, (212) 480-5383, email: TitleInsReg@dfs.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: The Superintendent’s authority to promulgate this rule derives from Financial Services Law (“FSL”) sections 202, 301, and 302 and Insurance Law sections 301, 2110, 2119, 2303, 2304, 2306, 2315, and 6409(d) and Articles 23 and 24.

FSL section 202 establishes the office of the Superintendent and designates the Superintendent of Financial Services as the head of the Department of Financial Services (“Department”).

FSL section 301 authorizes the Superintendent to take such action as the Superintendent deems necessary to protect and educate users of financial products and services.

FSL section 302 and Insurance section 301 authorize the Superintendent to effectuate any power accorded to the Superintendent by the Insurance Law, the Banking Law, the Financial Services Law, or any other applicable law and to prescribe regulations interpreting those laws.

Insurance Law section 2110 provides that the Superintendent may revoke, suspend, or refuse to renew the license of a title insurance pro-

ducer based on a determination, among other things, that the title insurance producer has demonstrated untrustworthiness.

Insurance Law section 2119 permits title insurance agents to charge fees for certain ancillary services not encompassed within the premium provided that the fees are disclosed in a written memorandum.

Article 23 of the Insurance Law authorizes the Superintendent to regulate property/casualty insurance rates, including title insurance rates.

Insurance Law section 2303 provides that rates subject to Article 23 shall not be excessive, inadequate, unfairly discriminatory, destructive of competition or detrimental to the solvency of insurers.

Insurance Law section 2304 provides standards for rate making.

Insurance Law section 2306 permits title insurers to file rates with the Superintendent through a rate service organization.

Insurance Law section 2315 directs insurers to file statistical reports with the Superintendent and permits the Superintendent to authorize a statistical agent on behalf of the Superintendent.

Article 24 of the Insurance Law prohibits practices in the insurance industry that constitute unfair methods of competition or unfair or deceptive acts or practices.

Insurance Law section 6409(d) contains specific prohibitions against rebating or paying inducements for title insurance business and provides that title insurance rates shall reflect the anti-inducement prohibition.

2. Legislative Objectives: This regulation provides guidance to the title insurance industry by interpreting and implementing Insurance Law section 6409(d) and delineating certain expenditures that, when provided to "current or prospective customers" as an inducement for title insurance business, are prohibited by the Insurance Law. Despite language in Insurance Law section 6409(d) prohibiting title insurers and anyone working for or on their behalf from giving inducements for title insurance business, the practice persists. The Department's investigation of the title insurance industry revealed that each year millions of dollars are spent on inducements provided to attorneys and other real estate professionals who order title insurance on behalf of their clients, in the guise of meals, entertainments, gifts, vacations, free CLE classes and the like, in exchange for title insurance business. Title insurers report these expenses in expense schedules submitted in response to the statistical agent's annual data call. The expenses are then included in the calculation of the rates, resulting in consumers paying higher, excessive rates.

The regulation provides new reporting requirements, including requiring insurers to restate and resubmit schedules that include prohibited expenditures, requiring agents to submit revenue and expense schedules, requiring insurers to collect and compile agent data and submit schedules to the Department's statistical agent, and requiring every rate service organization or title insurer that submits its own rate filing to make a submission to the Superintendent, within 90 days of the effective date of the regulation, which reflects the exclusion of prohibited expenditures, supported by data and actuarial support.

The regulation further establishes maximum allowable charges for ancillary searches and services in connection with real estate closings. The Department's investigation of the title insurance industry found that certain agents and insurers markup ancillary charges excessively. Charging onerous fees constitutes untrustworthiness on the part of agents, and unfair and deceptive acts and practices by both insurers and agents. The regulation also prohibits the payment of gratuities and pick up fees that consumers are asked to pay to closers.

Lastly, the regulation requires that every three years, a rate service organization and any title insurance corporation that submits its own rate filing shall make a filing verifying that rates comply with Article 23.

3. Needs and Benefits: Consumers generally are unfamiliar with title insurance, as it is purchased once for the duration of the ownership of the real property. They usually rely upon the advice of real estate professionals, including attorneys or real estate agents, who order the policy on their behalf. Consumers typically pay any invoice presented at the closing because they lack the sophistication to challenge the invoice, and fear risking a delay in the closing in order to obtain clarification. The Department's investigation revealed industry-wide practices that violate Insurance Law section 6409(d) and contribute to excessive rates and others that constitute untrustworthiness and deceptive acts and practices. This rule is necessary in order to a) ensure that title insurers and title insurance agents comply with the Insurance Law, b) level the playing field so that a title insurer or agent is not selected based on which entity can provide the most lavish inducements, c) help ensure that title insurance rates are not excessive, and d) eliminate unreasonable and excessive markups of ancillary charges. This rule provides to consumers protection against excessive rates and unreasonable closing costs. The benefit to the public resulting from the Department's ensuring that rates are not excessive and that improper expenditures, in violation of the Insurance Law, are not made by title insurers or title insurance agents, and significantly reducing excessively high closing costs, including exorbitant ancillary charges, outweigh the costs of complying with the requirements of the regulation.

4. Costs: The regulation imposes requirements on title insurers to restate any expense schedule, submitted in the past ten years, which includes prohibited expenditures. Since not all insurers' expense schedules include prohibited expenditures, the cost impact of restating expense schedules will vary from insurer to insurer, depending on the extent to which the schedules must be restated. Moreover, all insurers have already provided to the Department, in the course of the investigation, detailed breakdowns of their expenditures for most of the years that must be restated. Accordingly, the additional expense of restating the schedules should not be significant. The insurers will be charged assessments, by the entity designated as the Department's statistical agent, for the expense of collecting and compiling all restated schedules. The amount of the assessment will be determined by the amount of work involved.

Although title insurance agents have been requested to submit expense schedules beginning with the 2009 data call, not all have complied. Recently enacted legislation requires title insurance agents to be licensed, and this regulation mandates that, unless their revenue and expenses are reported by an employer or affiliated entity, title insurance agents must file revenue and expense schedules in connection with the annual data call. Compliance with the regulation's reporting requirements should not cause any title insurance agent to incur substantial costs. Many title insurance agents have been reporting for the past five years and are familiar with the schedules. Accordingly, their continued reporting costs should be minimal. Title insurance agents that have failed to submit schedules may incur costs, but since the data is required for other purposes and the categories of expenses are known, compliance costs relating to the regulation's reporting requirements should not be substantial, although costs will vary depending on the title insurance agent's volume of business and expense. The rule requires any title insurance agent who is appointed by more than one insurer to file schedules with each insurer and also compile one annual expense schedule and one annual revenue schedule. Preparing the combined annual schedules should only entail a minimal amount of time and thus should not impose any significant cost. Insurers are required to continue providing, collecting, and compiling the agents' schedules, and will not incur additional costs. They will incur a ministerial cost to report to the Department those agents who do not comply.

The regulation also imposes maximum charges for ancillary services--searches and services that are not included in the title insurance premium--based on a moderate percent markup of out-of-pocket expense, and disallows the payment of gratuities and pick up fees to closers. Title insurers and title insurance agents may lose revenue, commensurate with the extent of their current markups. In addition, closers will have to be compensated by means other than gratuities and pick up fees.

Every three years, an insurer must submit to the Superintendent a verification that its rates remain in accordance with Article 23's standards. If the insurer uses the rates of a rate service organization, the submission will be made by the rate service organization and the cost will be borne by the title insurers. The cost of making such filings will vary, depending upon the amount of premium written and the amount of work required to prepare the submission.

The cost to the Department will be minimal because existing personnel are largely available to verify and ensure compliance with this rule. There are no costs to any other state government agency or local government.

5. Local Government Mandates: The rule imposes no new programs, services, duties or responsibilities on any county, city, town, village, school district, fire district or other special district.

6. Paperwork: This regulation will require a one-time restatement of certain expense schedules by any title insurer that included prohibited expenditures in previously submitted schedules. It will also require that title insurers submit certain expense schedules with additional, greater detail. The regulation requires each licensed title insurance agent, unless its revenue and expenses are reported by an employer or affiliated entity, to submit revenue and expense schedules in response to the annual agent data call. It will require a submission verifying that the rate, excluding improper expenditures, is not excessive. The regulation requires licensed title insurers to submit annual revenue and expense schedules to the Superintendent. The regulation requires that at least once every three years, the insurer or rate service organization submit a filing to the Superintendent demonstrating that title insurance rates comply with Article 23.

7. Duplication: This rule does not duplicate any other existing state rule.

8. Alternatives: The Department has determined that there are no other viable alternatives to this rule. The Department's investigation and public hearing revealed that title insurers and title insurance agents have been violating the Insurance Law with respect to inducements for title insurance business; this rule clarifies those categories of expenditures that are prohibited when provided to "current and prospective customers" as inducements for title insurance business and requires that prohibited expenditures be excluded from title insurance rates. With regard to charges for ancillary searches and services, parameters are necessary to ensure that

consumers do not pay exorbitantly excessive fees that are not commensurate with the cost to the insurer or agent or the service provided.

9. Federal Standards: The Real Estate Settlement Procedures Act ("RESPA"), 12 USC § 2607, prohibits giving or receiving any "fee, kickback, or thing of value" for referring any business that is part of a real estate transaction involving a federal mortgage loan. It does not provide any guidelines regarding the type of expenditures considered to be inducements. Moreover, RESPA relates only to federal mortgage loans and residential transactions. 12 USC § 2616 states that RESPA does not affect compliance with any state law so long as it is not inconsistent with RESPA. A state law providing greater consumer protection will not be deemed to be inconsistent with RESPA. This regulation is more inclusive than RESPA, as it covers both federal and state bank loans, and residential and commercial transactions, thereby providing greater protection to consumers. As such, this regulation is not inconsistent with RESPA.

10. Compliance Schedule: The provisions relating to prohibited expenditures and caps on ancillary charges go into effect as soon as the regulation is effective. The reporting requirements go into effect 60 – 90 days after the effective date of the rule.

Regulatory Flexibility Analysis

1. Effect of rule: This rule affects title insurance corporations and title insurance agents in New York State by providing guidance in connection with the Insurance Law's prohibition on providing consideration or any valuable thing as an inducement for title insurance business and mandating certain reporting requirements. It also imposes maximum allowable charges for certain ancillary searches and services and prohibits certain payments to closers.

No title insurance corporation subject to the rule falls within the definition of "small business", as set forth in section 102(8) of the State Administrative Procedures Act ("SAPA"), because no insurance corporation is both independently owned and operated and has fewer than 100 employees. There are currently approximately 2,200 title insurance agents doing business in New York.

A recently enacted law requires title insurance agents to be licensed by the State. The licensing process is currently ongoing and once all title insurance agents have applied for and obtained licenses, the Department of Financial Services ("Department") will have a record of the exact number of title insurance agents. Although it is unknown how many title insurance agents fall within the statutory definition of "small business", as set forth in SAPA section 102(8), it is understood that a majority of title insurance agents are small businesses.

The section of the regulation that provides guidance to the title insurance industry by interpreting and implementing Insurance Law section 6409(d) and delineating certain expenditures that, when provided to "current or prospective customers" as an inducement for title insurance business, are prohibited by the Insurance Law applies to all title insurers and title insurance agents. The impact of insurers and agents complying with the law as a result of this guidance will help level the playing field and, in fact, may help small businesses compete for title insurance business based on merit and not based on which company can pay for the most lavish inducements, a practice in which many small businesses cannot, and do not, participate.

The requirement that all title insurance agents must properly report both revenue and expenses should not impose a significant burden since many title insurance agents have submitted expense schedules, beginning with the 2009 annual data call, are familiar with the schedules, and should be equipped to provide the requested data. To the extent that a title insurance agent has not previously submitted an expense schedule, that agent may incur some additional costs, which should not be significant. The section of the regulation that imposes maximum charges for ancillary searches and services will result in some decrease in revenue to some title insurance agents, depending on how much of a markup they currently charge. The rule also prohibits the payment of gratuities and pick up fees to closers, who also fall within SAPA's definition of a small business. Closers are paid a minimal fee by either the title insurer or title insurance agent who engages them to attend the closing. The bulk of the closer's payment comes from gratuities and pick up fees, which are paid to the closer by the purchaser and seller as remuneration for the closer performing routine closing responsibilities. These payments add hundreds of dollars to consumers' already over-high closing costs. It is the intent of this regulation to lower payments to closers to more reasonable levels, commensurate with the work performed at the closing. The benefit to the consumer, whose burden of excessively high closing costs will be diminished, outweighs any burden to small businesses whose revenue will decrease.

This rule does not affect or impose any impact, including any adverse impact, or reporting, recordkeeping, or other compliance costs or requirements on any local government.

2. Compliance requirements: Newly enacted legislation requires title insurance agents to be licensed by the State. This rule requires title insurance corporations to continue to provide, collect, and compile their agents'

revenue and expense schedules and submit the compiled schedules to the entity designated as the Department's statistical agent. It also mandates that every licensed title insurance agent, unless its revenue and expenses are reported by an employer or affiliated entity, must report its revenue and expenses in schedules submitted in response to the annual agent data call. The rule also requires title insurance agents and title insurance corporations to comply with the permissible caps on amounts that can be charged for ancillary searches and services.

3. Professional services: This rule does not require any small business to use any professional services in order to comply.

4. Compliance costs: The rule will result in reductions in revenue from ancillary searches and services to title insurance corporations and title insurance agents. The financial burden to these entities is offset by the benefit to consumers who, for too long, have been paying excessive fees for these searches and services. The rule may impose increased costs for recordkeeping and reporting on some small businesses but those costs should not be substantial inasmuch as many of the agents have been reporting for the past five years and are familiar with the schedules. Accordingly, those agents should be able to comply with no, or minimal, additional cost. Title insurance agents that have failed to submit schedules may incur additional costs. However, since the data is required for other purposes and the categories of expenses are known, the reporting costs should not be substantial. Indeed, many of the smaller businesses do not incur the types of expenditures that this rule addresses and, accordingly, compliance with some of the reporting requirements should not impose any additional cost on those small businesses. In addition, many of the smaller businesses do not mark-up ancillary searches as much as larger ones do and, accordingly, the impact on small businesses should not be significant.

5. Economic and technological feasibility: Small businesses that may be affected by this regulation should not incur any economic or technological impact as a result of this regulation.

6. Minimizing adverse impact: This rule applies equally to all title insurers and title insurance agents. As a result of the guidance provided by this rule, the anticipated result of industry-wide compliance with the Insurance Law's prohibition on expenditures made as inducements for title insurance business, will benefit small businesses as they often are not in a position to provide these types of inducements and will result in leveling the playing field for small businesses who previously could not compete for certain title insurance business.

7. Small business and local government participation: Small businesses and local governments will have an opportunity to participate in the rule making process when the rule is published in the State Register.

Rural Area Flexibility Analysis

1. Types and estimated numbers of rural areas: Title insurance corporations and title insurance agents do business in every county of New York State, including rural areas as defined in section 102(10) of the State Administrative Procedure Act. The Department of Financial Services ("Department") believes that no title insurer has an office in any rural area; however, title insurance agents are located in every county including rural areas. The proposed regulation will apply to all title insurers and title insurance agents, including those located in rural areas.

2. Reporting, recordkeeping and other compliance requirements; and professional services: This rule will require all title insurance corporations and title insurance agents to report their expenses in greater detail than in previous years. The reporting requirements are set forth in the rule. Although title insurance agents have been requested to submit expense schedules, beginning with the 2009 annual data call, this rule requires all licensed title insurance agents, including any located in a rural area, to submit detailed expense and revenue schedules in connection with the annual data call, unless their revenue and expenses are reported by an employer or affiliated entity. It is not anticipated, however, that title insurance agents in rural areas, or elsewhere, will have to engage professional services in order to comply with this regulation.

The regulation also requires that the rate service organization or any title insurance corporation that files its own rates make a filing every three years verifying that the rates comply with Article 23 of the Insurance Law. The cost of this filing will be borne by the title insurers and not title insurance agents so there should be no impact on businesses located in rural areas.

3. Costs: Any costs associated with compliance with this regulation will be related to the reporting requirement of the regulation. Many title insurance agents have submitted expense schedules, beginning with the 2009 data call, and are familiar with the schedules. There should be no additional costs to these agents as a result of the rule. To the extent that an agent has not previously submitted an expense schedule, some additional costs may be incurred. However, inasmuch as the data is used for other purposes and the categories of expenses are known, any additional cost incurred by any title insurance agent located in a rural area should not be significant. The public benefit of ensuring that rates are not excessive,

including ensuring that improper inducements for title insurance business are not made, outweighs any minimal cost that might be incurred to comply with this regulation.

4. Minimizing adverse impact: This rule applies equally to all title insurance corporations and title insurance agents whether located in rural or non-rural areas. However, the guidelines with regard to the Insurance Law’s prohibition on expenditures given as inducements will actually benefit small businesses, including those in rural areas, who previously could not provide lavish inducements and thus could not compete for certain business. Although some agents’ revenues will be reduced as a result of the maximum allowable charges for ancillary searches and services, the Department’s investigation showed that extensive markups on ancillary searches, for the most part, do not occur in Zone 1 counties, which include the vast majority of the state’s rural counties. Accordingly, there should be minimal adverse effect in these areas.

5. Rural area participation: This notice is intended to provide entities in rural and non-rural areas with the opportunity to participate in the rule making process. Interested parties will have an opportunity to participate in the rule making process when the rule is published in the State Register.

Job Impact Statement

The Department of Financial Services believes that this rule will not have any negative impact on jobs or employment opportunities, including self-employment opportunities. Although it is anticipated that some title insurance corporations’ and title insurance agents’ revenues from ancillary charges will be reduced, the guidance that the rule provides in connection with the prohibition on expenditures given as inducements for title insurance business should have the effect of leveling the playing field, thereby allowing more and smaller agents to compete for business, which will ultimately have a positive effect on jobs and employment. The reporting requirements will not have any impact on jobs or employment opportunities. The rule should result in lower title insurance rates for New York consumers.

Office of General Services

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Federal Surplus Property Program

I.D. No. GNS-18-15-00001-P

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

Proposed Action: This is a consensus rule making to amend section 298.6 of Title 9 NYCRR.

Statutory authority: Executive Law, section 200; Education Law, section 3712; 40 U.S.C., section 549; 41 CFR 102-37

Subject: Federal Surplus Property Program.

Purpose: To conform the State Plan of Operation with requirements of Federal Management Regulations (FMR) 102-37.465.

Text of proposed rule: § 298.6 Terms and conditions on donable property.

(a)(1) The SASP will require each eligible donee, as a condition of eligibility, to file with the agency the appropriate application, a certification of eligibility and an agreement to abide by certain terms and conditions as set forth by the GSA. Each form must be signed by the chief executive officer of the donee, agreeing to these requirements prior to the donation of any surplus property.

(2) In addition, the certification of eligibility and terms and conditions will be printed on the reverse side of each, executed to cover each donation transaction and signed by an authorized representative of the donee (forms CS 403 and CS 404).

(3) The following periods of restriction are established by the SASP on all items of property with a unit acquisition cost of \$5,000 or more, and on all passenger vehicles:

(i) passenger vehicles[-]18 months from the date the property is placed in use;

(ii) items with a unit acquisition cost of \$5,000 or more -18 months from the date the property is placed in use;

(iii) aircraft (except combat type) and vessels (50 feet or more in length) - 60 months from the date the property is placed in use. Donation of noncombat aircraft and vessels of 50’ or more in length shall be subject to the requirements of a Conditional Transfer Document (CTD);

(iv) aircraft (combat type) restricted in perpetuity. Donation of combat-type aircraft shall be subject to the requirements of a conditional transfer document (form CS 408).

(4) The SASP will impose or reinforce any and all conditions involving special handling or use limitations set by the GSA due to the characteristics of the property regardless of the unit acquisition cost.

[(5) The SASP may reduce the period of restriction on items of property falling within the provisions of subparagraphs (3)(i)-(ii) of this subdivision at the time of donation for good and sufficient reasons, such as the condition of the property, or the proposed use (secondary, cannibalization, etc.).]

[(6)](5) The SASP, at its discretion, and when considered appropriate, may impose [such] *additional* terms, conditions, reservations and restrictions as it deems reasonable on the use of donable property [other than items with a unit acquisition cost of \$5,000 or more, and passenger motor vehicles] *beyond what GSA and the FMR requires*.

[(7)](6) The SASP will impose on all donees the statutory requirement that all items donated must be placed into use or, if the property ceases to be used for a full year and the property is still usable, the property must be returned to the SASP or otherwise transferred as the SASP shall direct.

(b)(1) The SASP [may] *must seek GSA’s approval* to amend, modify, or grant releases of, any term, condition, reservation or restriction it has imposed on donated items of personal property [in accordance with the standards prescribed in subpart 4 of this subsection, provided that the circumstances pertinent to each situation have been affirmatively demonstrated to the prior satisfaction of SASP and made a matter of public record.] *which is mandated by GSA or the FMR. The SASP may amend, modify, or grant release of, any item, any “additional” conditions, reservations or restrictions which the SASP has imposed above and beyond what GSA or the FMR requires.*

[(2) The GSA standards for amending the terms, conditions, require that:

(i) at a minimum of 12 months from the date of being placed into use, the trade-in will result in increased utilization value to the donee,

(ii) the trade-in is on a one-for-one basis only (one donated item being traded for one like item having similar use potential) and

(iii) the item being acquired has an estimated market value at least equal to the estimated market value of the item being traded in.]

(c) Restrictions on Property. The SASP may amend or grant releases, during the period of restriction, from [the] *any “additional” SASP imposed* terms, conditions, reservations or restrictions [it] *the SASP* has imposed on donated property, in accordance with the following standards, provided that the conditions pertinent to each situation have been affirmatively demonstrated to the satisfaction of the SASP, and have been made a matter of public record[.]:

(1) Secondary Utilization or Cannibalization. Secondary utilization or cannibalization may be accomplished, provided that:

(i) disassembly of the item, for use of its component parts for secondary use or repair and maintenance of a similar item, has greater potential benefit than utilization of the item in its existing form;

(ii) components with a single item acquisition cost of \$5,000 or more will remain under the restrictions imposed by the transfer document. Components with a single item acquisition cost of less than \$5,000 will be released from the restrictions imposed by the transfer document. All components, regardless of acquisition cost will continue to be used or be otherwise disposed of in accordance with applicable law and regulations;

(iii) a written report of such action is made by the donee to the SASP, including a list of all components, resulting from the secondary utilization or cannibalization.

Text of proposed rule and any required statements and analyses may be obtained from: Arthur K. Posluszny, NYS Office of General Services, 41st fl Corning Tower, The Governor Nelson A. Rockefeller ESP, Albany, 12242, (518) 474-0571, email: arthur.posluszny@ogs.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

This rule is being proposed as a consensus rule because, in accordance with State Administrative Procedure Act § 102(11)(b), no person is likely to object to its adoption because it merely conforms the New York State Plan of Operation (State Plan) for federal surplus property to the requirements of Federal Management Regulations (FMR) § 102-37.465. There was no discretion in developing the text for these regulations since they were required to mirror the provisions of the FMR.

Job Impact Statement

The Office of General Services (“OGS”) projects there will be no substantial adverse impact on jobs or employment opportunities in the

State of New York as a result of this rule. The subject regulations are simply being made in response to a review conducted by the General Services Administration, Federal Acquisition Service, Personal Property Management Division, pursuant to Federal Management Regulations (FMR) § 102-37.465. During such review, recommended as well as required changes to the New York State Plan were provided in a report provided to OGS. Since nothing in the proposed regulations will increase or decrease the number of jobs in New York State, have an adverse impact on any specific region in New York State, and no adverse impact is anticipated on jobs in New York State, no further steps were needed to ascertain these facts and none were taken. Accordingly, a job impact statement is not required and one has not been prepared.

Department of Health

NOTICE OF ADOPTION

Emergency Medical Services

I.D. No. HLT-37-14-00003-A

Filing No. 325

Filing Date: 2015-04-21

Effective Date: 2015-05-06

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

Action taken: Amendment of Part 800 of Title 10 NYCRR.

Statutory authority: Public Health Law, section 3002

Subject: Emergency Medical Services.

Purpose: To clarify terminology, eliminate vagueness, address legal statutes/crimes and incorporate modern professional, ethical and moral standards.

Text or summary was published in the September 17, 2014 issue of the Register, I.D. No. HLT-37-14-00003-P.

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

Revised rule making(s) were previously published in the State Register on February 11, 2015.

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

Assessment of Public Comment

Public comments were submitted to the NYS Department of Health (DOH) in response to the proposed changes to Title 10 NYCRR Part 800. Many of the comments were the same or similar. These comments and the Department of Health's responses are summarized below:

1. COMMENT: Received a letter from the "Legal Action Center", located in New York City, in support of the proposed changes to the Part 800 regulations.

RESPONSE: No response necessary.

2. COMMENT: Concern that Part 800.15(c)(1)(ii) as written implies that any person on the scene of a medical emergency may cancel a valid Do Not Resuscitate (DNR) order.

RESPONSE: This language has not been amended and is specifically contained in PHL Article 29-CCC, section 2994-ee.

3. COMMENT: Concerns that the proposed definition of Patient Abandonment (Part 800.3(ao)) does not allow for the retreat of certified EMS providers in the event that the scene is not safe.

RESPONSE: Included in both the current and proposed regulations, Part 800.15(a)(2) requires certified EMS providers to comply with the State approved protocols developed by State and/or Regional Emergency Medical Advisory Committees pursuant to sections 3002-a and 3004-a of Article 30. The approved protocols are called Statewide Basic Life Support Adult and Pediatric Treatment Protocols for EMT and AEMT (http://www.health.ny.gov/professionals/ems/pdf/2008-11-19_bls_protocols).

The very first protocol, General Approach to Prehospital Patient Management, Section I (A) requires that all certified EMS providers "assess the scene for safety".

4. COMMENT: Concerns that the proposed definition of "Patient Abandonment" (Part 800.3(ao)) imposes a duty to act on an "off duty" EMT.

RESPONSE: The definition of "Patient Abandonment" only applies to

an individual, whether on or off duty, that willfully terminates patient care once initiated. This definition is in no way conflicting with any part of Article 30, section 3013.

5. COMMENT: Concerns that adding the word "treat" to the definition of "Primary Territory" (Part 800.3(v)) would prohibit an ambulance service, absent from being dispatched or having a mutual aid agreement in place from stopping to render emergency medical assistance should it occur in the course of routine travel.

RESPONSE: The addition of the word "treat" does not substantially change the definition of "Primary Territory". Adding the word "treat" was intended to clarify the regulation. At present, it is assumed that when an ambulance responds within its primary territory, the patient will not only be transported, but also provided prehospital medical treatment.

6. COMMENT: Received a letter with extensive comments about the following:

a) "Primary Territory" (Part 800.3(v)) would prohibit an ambulance service, absent from being dispatched or having a mutual aid agreement in place from stopping to render emergency medical assistance should it occur in the course of routine travel.

b) "Continuous Practice" (Part 800.3(w)) as defined includes the term, "active" and it is not quantifiable.

c) "Criminal Offense" (Part 800.3(ak)) as defined includes the term "agency" and it is unclear as to which agency the regulation is referring to. Further, a comment that the term "exceptional circumstances" is too broad. Lastly the phrase "any jurisdiction" could include jurisdictions outside of the United States.

d) "Incompetence" (Part 800.3(al)) comments indicating that a skill of knowledge either exists or does not and the phrase "one or more" is not necessary.

e) "Negligence" (Part 800.3(am)) should be removed.

f) "Non-Criminal Offenses" (Part 800.3(an)) concerns that the definition is vague.

g) "Patient Abandonment" (Part 800.3(ao)) comment that the definition does not indicate whether the patient requires or accepts emergency medical treatment.

h) "Patient Abuse" (Part 800.3(ap)) comments about the definition.

i) Patient Contact" (Part 800.3(aq)) comment that the EMS provider should not be required to provide emergency medical treatment to someone who does not require care.

RESPONSE: The following is a response to each element in the letter:

a) "Primary Territory" (Part 800.3(v)). The addition of the word "treat" does not substantially change the definition of "Primary Territory". Adding the word "treat" was intended to clarify the regulation. At present, it is assumed that when an ambulance responds within its primary territory, the patient will not only be transported, but also provided prehospital medical treatment.

b) "Continuous Practice" (Part 800.3(w)) the term "active" is not intended to be quantifiable. It is intended to describe an individual who is actively responding to and treating patients requiring prehospital medical care.

c) The term "exceptional circumstances" is included to afford the Department necessary flexibility to address criminal offenses outside of the enumerated offenses. The term agency refers to the Department, as it is the entity that is promulgating and applying the regulations. Lastly, the phrase "any jurisdiction" means precisely that, and could include a jurisdiction outside the United States.

d) "Incompetence" (Part 800.3(al)). This definition is consistent with similar regulations for other health care professionals.

e) "Negligence" (Part 800.3(am)) The Department disagrees that this definition should be removed.

f) The Department disagrees that the definition of "non-criminal offense" is vague. It specifically includes types of entities and offenses.

g) "Patient Abandonment" (Part 800.3(ao)). This definition includes the term "patient". Therefore it only refers to willful termination of patient contact prior to delivering the patient for medical evaluation and/or treatment. It does not address an individual that is not a "patient".

h) "Patient Abuse" (Part 800.3(ap)). This definition is consistent with similar regulations for other health care professionals.

i) Patient Contact" (Part 800.3(aq)). There is no requirement that an EMS provider should provide emergency medical treatment to someone who does not require care.

NOTICE OF ADOPTION

Opioid Overdose Programs

I.D. No. HLT-08-15-00005-A

Filing No. 326

Filing Date: 2015-04-21

Effective Date: 2015-05-06

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

Action taken: Amendment of section 80.138 of Title 10 NYCRR.

Statutory authority: Public Health Law, section 3309

Subject: Opioid Overdose Programs.

Purpose: Modification of the rule consistent with new statutory language and with the emergency nature of opioid overdose response.

Text or summary was published in the February 25, 2015 issue of the Register, I.D. No. HLT-08-15-00005-P.

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

Text of rule and any required statements and analyses may be obtained from: 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

Assessment of Public Comment

The Department received two comments on the Proposed Rule Making from currently registered opioid overdose prevention programs. The commenters asked whether clinical directors and affiliated prescribers of opioid overdose prevention programs may be subject to liability for prescribing opioid antagonists.

The Department interprets “opioid overdose prevention program” in Public Health Law § 3309(4) to include a clinical director or affiliated prescriber of such program. Thus, clinical directors and affiliated prescribers, acting reasonably and in good faith in compliance with Public Health Law § 3309, would not be subject to criminal, civil or administrative liability solely by reason of prescribing opioid antagonists or any other acts within the scope of 10 NYCRR § 80.138.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Computed Tomography (CT) Quality Assurance

I.D. No. HLT-18-15-00008-P

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

Proposed Action: Amendment of section 16.25; and addition of section 16.59 to Title 10 NYCRR.

Statutory authority: Public Health Law, section 225

Subject: Computed Tomography (CT) Quality Assurance.

Purpose: To protect the public from the adverse effects of ionizing radiation.

Substance of proposed rule (Full text is posted at the following State website: www.health.ny.gov): The regulatory proposal would revise Part 16 of 10 NYCRR as described in more detail below. Section 16.59 is added to cover radiation safety and quality assurance on Computed Tomography (CT) equipment. Section 16.59 (a) of the proposed regulation specifies a number of definitions used to describe CT systems and their operations. The next four sections, respectively, describe: physical and system requirements (16.59(b)); patient communication and viewing requirements (16.59(c)); CT system calibration requirements (16.59(d)); and quality assurance testing requirements (16.59(e)). Part 16.59(f) contains requirements for operations including a requirement for accreditation. One of the requirements is accreditation by a nationally recognized accrediting body that is acceptable to the Department. Currently the American College of Radiology (ACR), the Joint Commission on the Accreditation of Healthcare Organizations (JCAHO) or the Intersocietal Accreditation Commission (IAC) are considered acceptable to the Department. This is consistent with the accrediting bodies that CMS accepts. This accreditation requires the registered facility to have one of these three organizations perform a review that includes the physical layout of the facility, policy and procedures, quality assurance and image assessment. The Medicare Improvements for Patients and Providers Act of 2008 (MIPPA) required the Center for Medicare and Medicaid Services (CMS) to designate accrediting bodies for imaging centers that perform CT (as well as certain other imaging studies). Accreditation is now a requirement under CMS regulation for all non-hospital providers to receive the technical component payment, and these three organizations (ACR, JCAHO, and IAC) are approved by CMS.

Section 16.25 is that subsection of Part 16 that requires the recording or reporting of medical misadministrations. This part is amended to include an additional reporting requirement for CT misadministrations when the wrong patient is scanned, when the wrong part of the body is scanned or when there is damage to an organ or organ system including erythema and/or hair loss.

Text of proposed 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

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

Statutory Authority:

The Public Health and Health Planning Council is authorized by § 225(4) of the Public Health Law (PHL) to establish, amend and repeal provisions of the State Sanitary Code (SSC), subject to the approval of the Commissioner of Health. PHL §§ 225(5)(p) & (q) and 201(1)(r) authorize SSC regulations to protect the public from the adverse effects of ionizing radiation. These statutory provisions authorize the Department, pursuant to 10 NYCRR Part 16, to license or register health care providers to use radioactive materials or ionizing radiation emitting equipment on patients.

The federal Atomic Energy Act of 1954, (the Act), (codified at 42 USC §§ 2021 et. seq.) authorizes the U.S. Nuclear Regulatory Commission (NRC) to regulate the use of radioactive materials. The Act also authorizes “Agreement States” to regulate the use of radioactive materials in lieu of the NRC, provided that the “Agreement State” promulgates regulations that are comparable to or exceed NRC’s regulatory standards. New York State is an “Agreement State” within the meaning of the Act. New York’s regulatory standards for the use of radioactive materials in 10 NYCRR Part 16 must therefore meet or exceed comparable NRC regulatory standards. The Act governs only the use of radioactive materials: it does not apply to x-rays or radiation therapy equipment that emit only x-rays.

Legislative Objectives:

The legislative intent of PHL Sections 225(5)(p) & (q) and 201(1)(r) is to protect the public from the adverse effects of ionizing radiation. Establishing regulations to ensure safe and effective clinical uses of radiation producing equipment is consistent with this legislative objective.

Needs and Benefits:

DOH’s regulations are designed to require the delivery of quality care while protecting people and the environment from the harmful effects of radiation. In recent years, technology and equipment used for diagnostic medical imaging has become significantly more complex. Computed Tomography delivers high quality imaging that is of significant benefit to patients and for this reason it represents the dominant imaging modality. However, it also represents the largest contributor to an increase in population radiation exposure based on reports from the National Council on Radiation Protection and Measurements. The usage of CT scans has more than tripled in the past decade and currently there are about 80 million CT scans in the US each year.

The problems that have been documented with CT scans in the past several years reflect a lack of quality assurance and/or a lack of administrative controls which these regulations seek to implement. These regulations seek to ensure high quality CT imaging that is appropriate with respect to professional bodies such as the American College of Radiology’s (ACR) recommendations on appropriateness criteria. These regulations will implement Quality Assurance (QA) requirements that are already being voluntarily implemented by a majority of facilities in New York State.

Currently the only provisions in the State Sanitary Code that apply are general quality assurance regulations that do not adequately describe the operations or quality assurance requirements for the use of CT equipment.

Costs:

The Department estimates that many regulated parties that use Computed Tomography will not incur any additional costs to comply with the proposed addition of 10 NYCRR § 16.59. There are approximately 440 facilities that are registered with the DOH that operate one or more CT scanners for diagnostic purposes on human beings. Approximately 75% of these sites already have been accredited by bodies currently accepted by Centers for Medicare and Medicaid Services (CMS), (American College of Radiology, Joint Commission on Accreditation of Healthcare Organizations (JCAHO) and IAC). The initial costs of this accreditation vary based on which of the three organizations are used, however the ACR is the most popular and in general the least expensive for a facility that only has a single CT scanner. The costs of a three year accreditation from the ACR will average \$7550, which includes: (i) the typical fees for a consulting physicist (average of \$1750); (ii) a \$2500 accreditation fee from the ACR; and (iii) \$3300 for the purchase of an ACR phantom if the facility does not already have one. Facilities that already have the ACR phantom (or for reaccreditation) will not need to purchase another phantom.

The other proposed additions in 10 NYCRR § 16.59 will impose little or no cost to regulated parties because existing facility staff can comply with the new quality assurance requirements.

Local Government Mandates:

There are fourteen hospitals that fall under this category, including three State University hospitals, a Department operated hospital and ten hospitals operated by public benefit corporations. Of these fourteen hospitals, ten are already accredited in CT scanning. The remaining four hospitals would incur additional costs to comply with the new regulatory

requirement to be certified in CT (approximately \$9,500 for each three year period). No other additional costs are associated with implementation of these requirements. Registrants and licensees, including the hospitals operated by state and local governments, are currently required to retain all quality assurance documents for review by the Department. The additional records and filing is estimated to be a small incremental amount. Affected parties will need to complete an application for accreditation initially and every three years thereafter.

Paperwork:

DOH regulations (10 NYCRR Part 16) require registrants and licensees to maintain a variety of records relating to the use of ionizing radiation for review by the Department. The Department estimates that licensees and registrants may have a small amount of additional documentation to create, maintain or file. Affected parties will have to complete an application for CT accreditation. The accrediting bodies are transitioning to an online application process to minimize time and effort for regulated parties seeking accreditation.

The proposed regulations will not affect registration documents issued by the Department to current registrants. The Department plans to provide updated QA guidance when these regulations are adopted.

Duplication:

There is no duplication of the proposed regulatory requirements by any federal, state or local agency for licensees, registrants or authorized users subject to 10 NYCRR Part 16. New York State entered into an agreement with the federal government on October 15, 1962 by which the federal government discontinued its regulatory authority over the use of radioactive materials and New York assumed such authority. The Atomic Energy Act does not govern use of x-ray emitting equipment.

Alternatives:

One alternative to adopting these regulations is to take no action and maintain the existing structure that relies on DOH guidance and voluntary compliance. However, while rapid advances in CT technology have produced better healthcare outcomes in many cases, there has been a downside to this increased use – particularly, patients experiencing radiation burns as a result of the improper use of CT scans. The New York Times and the Los Angeles Times have both reported on CT-related medical problems that were caused by the failures of both regulators and medical personnel. The scientific press also has numerous articles documenting overutilization of CT and quality assurance failures. The general population and the scientific community are aware that New York State currently lacks adequate quality assurance regulations and monitoring. The development of these proposed regulations, after consultation with radiologists, physicists and several professional organizations including the Hospital Association of New York State and the New York State Radiological Society, is intended to minimize future CT-related medical events in New York State. New York is not the only state to strengthen its regulation of this area: Texas and California have adopted regulations governing CT quality assurance (California) and reporting of events and monitoring of patient dose (Texas).

As a result, there are no suitable alternatives to the proposed addition of 10 NYCRR § 16.59. There are no alternative requirements that would meet the objectives of implementing appropriate Quality Assurance on CT scanners.

Federal Standards:

These proposed revisions to 10 NYCRR § 16.59 do not conflict with any federal regulations. Existing federal regulations relate only to the manufacture and distribution of radiation producing equipment and not to its operations.

Compliance Schedule:

The proposed regulatory amendments will be effective upon publication of the Notice of Adoption in the State Register, except for the requirements in proposed 10 NYCRR § 16.59(f)(5) relating to accreditation in computed tomography. Proposed 10 NYCRR § 16.59(f)(5) requires that registrants apply for accreditation by one of the previously mentioned organizations and that such accreditation becomes effective within one year of the effective date of the proposed regulation.

Regulatory Flexibility Analysis

Effect on Small Business:

The Department has issued registrations to approximately 440 facilities for the use of Computed Tomography equipment of which an estimated 230 are small business. Specifically these are private practice or group practice physicians who own and operate their own CT scanner. Some of these registrants would be affected by the proposed revisions to 10 NYCRR § 16.59, in particular the requirement for accreditation may affect some businesses. However, as of January 1, 2012, the Centers for Medicare and Medicaid Services (CMS) required that all non-hospital providers of the technical component of CT imaging must meet the accreditation requirements in Section 135 (a) of the Medicare Improvements for Patients and Providers Act of 2008 (MIPPA). Therefore the majority of small business, private practice physicians have or are in the process of obtaining accreditation for CT.

Compliance Requirements:

Licensees and applicants will need to become familiar with the new requirements and modify their quality assurance policies and procedures accordingly. Those who are not currently accredited will need to do so within 12 months of the effective date of the rule.

Professional Services:

The majority of large facilities have in-house staff who will conduct the required QA and small facilities either contract with the manufacturer of the equipment or professional medical physicists that perform quality assurance testing for CT. The average cost for professional service for the accreditation component of these regulations ranges from \$1550 to \$1950 per CT, depending on location. This service would be required every three years.

Compliance Costs:

The amortized annual cost is estimated to be approximately \$2500 per year for accreditation (based on a three-year accreditation cost of \$7550). However, approximately 75% of the facilities are currently accredited; therefore this regulation will not impose an additional cost. There are no capital costs mandated by this regulation directly, however, one of the three accrediting bodies requires the use of their own phantom at a cost of \$3300.

Economic and Technological Feasibility:

There are no capital costs or new technology required to comply with the proposed rule. Facilities that use the ACR as the accrediting body must have or purchase an ACR CT phantom. The use of some type of phantom is the industry standard for CT testing and evaluation.

Minimizing Adverse Impact:

Facilities will have 12 months to become accredited. This will allow a facility adequate time to select the accreditation body of their choice, complete an application and budget funds for the accreditation fee.

Small Business and Local Government Participation:

A copy of the draft proposed rule was sent via email to individuals representing the Healthcare Association of New York State (HANYS), the New York state chapter of the ACR, physicists throughout the state, the NYS Society of Radiological Sciences and other interested parties including private practice physicians. The majority of the comments were technical clarifications that have been incorporated in the currently proposed regulations. The Department is developing guidance to assist the affected facilities in implementing and complying with the new requirements.

Rural Area Flexibility Analysis

Types and Estimated Numbers of Rural Areas:

There are 106 affected facilities with approximately 120 CT units located in 40 of the 43 rural counties in New York State. Including the total from 11 other counties that have a population of 200,000 or greater, and towns with population densities of 150 persons or fewer per square mile, brings the total to 309 registrants and 426 CT scanners. The statewide totals were 436 registrants and 596 CT scanners for facilities outside of New York City.

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

A misadministration involving a CT-scan must be reported to the Department in writing within 15 days of occurrence. CT misadministrations are distinguished from events involving other diagnostic imaging modalities because of the greater risk associated with the radiation dose and contrast agents used in CTs. No additional professional service costs are anticipated for already accredited facilities. Facilities will be required to maintain records of quality assurance test results and accreditation documents for review by the Department's inspectors. Compliance with the recordkeeping requirements will require only a minor incremental amount of time and effort for affected facilities.

Costs:

The cost to comply with the accreditation requirement will be an initial \$7550 every three years. This will be a new cost to approximately 25% of the facilities that will be subject to the proposed 10 NYCRR § 16.59, because 75% of the facilities are either currently accredited or have an application for accreditation pending. Facilities that are currently accredited or have an application pending have done so for a number of reasons. However the main reason facilities have pursued accreditation is to meet the 2012 CMS requirements for Medicare Part B payments.

Minimizing Adverse Impact:

Facilities will have 12 months to become accredited. This will allow a facility adequate time to select the accreditation body of their choice, complete an application and budget funds for the accreditation fee.

Rural Area Participation:

A copy of the proposed regulations was sent via e-mail to members of the New York State chapter of the American College of Radiology and to members of the American Association of Physicists in Medicine for review. The only comments received back were of a technical nature requiring clarification of the proposal. No comments were received objecting to the cost of accreditation.

Job Impact Statement

Nature of Impact:
It is anticipated that no jobs will be adversely affected by this rule. Diagnostic imaging providers in New York will need to become familiar with, and implement the new regulatory requirements set forth in the proposed 10 NYCRR § 16.59. The Department does not expect that the new regulatory requirements would significantly change the training or experience requirements of radiological technologists or physicians. The Department anticipates that few if any persons will be adversely affected. Facility staff, specifically those designated as the radiation safety officer, medical physicist, radiological technologist especially CT technologists will need to become familiar with the new requirements.

Categories and Numbers Affected:
There are approximately 440 facilities with a total of about 600 CT units that would be subject to the rule. The registered facilities include 150 hospitals or their satellite facilities with approximately 300 of the CT units. The other 300 registrants (typically with only 1 CT at each site) represent individual or group practice physicians.

Regions of Adverse Impact:
No areas will be adversely affected.
Minimizing Adverse Impact:
There are no alternatives to the proposed regulations. The Department will revise guidance to assist all licensees, including those in rural areas, with implementation of the proposed regulations.

Self-Employment Opportunities:
The rule is expected to have minimal impact on self-employment opportunities since the majority of providers that will be affected by the rule are not sole proprietorships.

Action taken: On 4/16/15, the PSC adopted an order requiring the natural gas local distribution companies to implement specific enhancements to their gas safety public education programs.

Statutory authority: Public Service Law, sections 65 and 66

Subject: Implementing specific enhancements to their gas safety public education programs.

Purpose: To implement specific enhancements to their gas safety public education programs.

Substance of final rule: The Commission, on April 16, 2015, adopted an order requiring New York State Gas & Electric Corporation, Niagara Mohawk Power Corporation, d/b/a National Grid, Central Hudson Gas and Electric Corporation, Consolidated Edison Company of New York, Inc., Conning Natural Gas Corporation, Keyspan East Corp., d/b/a Brooklyn Union L.I., National Fuel Gas Distribution Corporation, Orange and Rockland Utilities, Inc., Rochester Gas and Electric Corporation, St. Lawrence Gas Company, Inc., Brooklyn Union Gas Company, Valley Energy, Inc., Bath Electric, Gas Water Systems, Fillmore Gas Company, Reserve Gas Company, and Woodhull Municipal Gas Company (companies) to implement specific enhancements to their gas safety public education programs, 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.
(11-G-0565SA2)

Department of Motor Vehicles

NOTICE OF ADOPTION

Signs Displayed by Dealers

I.D. No. MTV-09-15-00002-A
Filing No. 324
Filing Date: 2015-04-21
Effective Date: 2015-05-06

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

Action taken: Amendment of section 78.26(d)(1) of Title 15 NYCRR.

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

Subject: Signs displayed by dealers.

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

Text or summary was published in the March 4, 2015 issue of the Register, I.D. No. MTV-09-15-00002-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Denying Fishers Island Water Works Corporation to Defer Certain Extraordinary Costs

I.D. No. PSC-30-14-00019-A
Filing Date: 2015-04-16
Effective Date: 2015-04-16

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

Action taken: On 4/16/15, the PSC adopted an order denying Fishers Island Water Works Corporation's request to defer certain extraordinary costs totaling \$39,297.

Statutory authority: Public Service Law, section 89-c(3)

Subject: Denying Fishers Island Water Works Corporation to defer certain extraordinary costs.

Purpose: To deny Fishers Island Water Works Corporation to defer certain extraordinary costs.

Substance of final rule: The Commission, on April 16, 2015, adopted an order denying Fishers Island Water Works Corporation's request to defer certain extraordinary costs totaling \$39,297, 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-0262SA1)

Public Service Commission

NOTICE OF ADOPTION

Implementing Specific Enhancements to Their Gas Safety Public Education Programs

I.D. No. PSC-26-14-00015-A
Filing Date: 2015-04-20
Effective Date: 2015-04-20

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

NOTICE OF ADOPTION

Denying Fishers Island Telephone Corporation to Defer Certain Extraordinary Costs**I.D. No.** PSC-30-14-00020-A**Filing Date:** 2015-04-16**Effective Date:** 2015-04-16

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

Action taken: On 4/16/15, the PSC adopted an order denying Fishers Island Telephone Corporation's request to defer certain extraordinary costs totaling \$44,043.

Statutory authority: Public Service Law, section 95(2)

Subject: Denying Fishers Island Telephone Corporation to defer certain extraordinary costs.

Purpose: To deny Fishers Island Telephone Corporation to defer certain extraordinary costs.

Substance of final rule: The Commission, on April 16, 2015, adopted an order denying Fishers Island Telephone Corporation's request to defer certain extraordinary costs totaling \$44,043, 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-0260SA1)

NOTICE OF ADOPTION

Denying Fishers Island Electric Corporation to Defer Certain Extraordinary Costs**I.D. No.** PSC-30-14-00021-A**Filing Date:** 2015-04-16**Effective Date:** 2015-04-16

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

Action taken: On 4/16/15, the PSC adopted an order denying Fishers Island Electric Corporation's request to defer certain extraordinary costs totaling \$39,575.

Statutory authority: Public Service Law, section 66(9)

Subject: Denying Fishers Island Electric Corporation to defer certain extraordinary costs.

Purpose: To deny Fishers Island Electric Corporation to defer certain extraordinary costs.

Substance of final rule: The Commission, on April 16, 2015, adopted an order denying Fishers Island Electric Corporation's request to defer certain extraordinary costs totaling \$39,575, 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-0261SA1)

NOTICE OF ADOPTION

Approval of Forever Wild's Petition to Enter into a Loan Agreement**I.D. No.** PSC-34-14-00006-A**Filing Date:** 2015-04-17**Effective Date:** 2015-04-17

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

Action taken: On 4/16/15, the PSC adopted an order approving Forever Wild Water Company, Inc.'s (Forever Wild) request to enter into a loan agreement.

Statutory authority: Public Service Law, section 89-f

Subject: Approval of Forever Wild's petition to enter into a loan agreement.

Purpose: To approve Forever Wild's petition to enter into a loan agreement.

Substance of final rule: The Commission, on April 16, 2015, adopted an order approving Forever Wild Water Company's petition to enter into a loan agreement with Champlain National Bank for not more than \$411,000 of aggregate principal amount of long-term debt to cover the cost of a new water storage tank and supervisory control and data acquisition system, 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-0307SA1)

NOTICE OF ADOPTION

Approval for Fishers Island to Increase Annual Revenues by \$115,652 or 19.4%**I.D. No.** PSC-35-14-00008-A**Filing Date:** 2015-04-17**Effective Date:** 2015-04-17

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

Action taken: On 4/16/15, the PSC adopted an order approving Fishers Island Water Works Corporation's (Fishers Island) request to increase annual revenues by \$115,652 or 19.4%.

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

Subject: Approval for Fishers Island to increase annual revenues by \$115,652 or 19.4%.

Purpose: To approve Fishers Island's request to increase annual revenues by \$115,652, or 19.4%.

Substance of final rule: The Commission, on April 16, 2015, adopted an order allowing Fishers Island Water Works Corporation to amend PSC 2-Water, to provide for an increase in annual revenues by \$115,652 or 19.4%, 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-W-0322SA1)

NOTICE OF ADOPTION

Allowing the Continuation of Exemptions from Standby Rates for Beneficial Forms of Distributed Generation

I.D. No. PSC-46-14-00009-A

Filing Date: 2015-04-20

Effective Date: 2015-04-20

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

Action taken: On 4/16/15, the PSC adopted an order continuing the exemptions from standby rates for beneficial forms of distributed generation, as well as small, efficient combined heat and power projects to become effective.

Statutory authority: Public Service Law, sections 64, 65(1), (2), (3), (5), 66(1), (2), (5), (8), (9), (10) and (12)

Subject: Allowing the continuation of exemptions from standby rates for beneficial forms of distributed generation.

Purpose: To allow the continuation of exemptions from standby rates for beneficial forms of distributed generation.

Substance of final rule: The Commission, on April 16, 2015, adopted an order extending the exemptions from standby rates for beneficial forms of distributed generation, and certain combined heat and power projects, 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-0488SA1)

NOTICE OF ADOPTION

Grandfathering from the Substitution of Volumetric for Monetary Crediting Under Remote Net Metering

I.D. No. PSC-52-14-00021-A

Filing Date: 2015-04-17

Effective Date: 2015-04-17

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

Action taken: On 4/16/15, the PSC adopted an order granting rehearing, in part, to clarify the process for obtaining grandfathering from the substitution of volumetric for monetary crediting at non-demand remote net metered locations.

Statutory authority: Public Service Law, section 66-j

Subject: Grandfathering from the substitution of volumetric for monetary crediting under remote net metering.

Purpose: To establish the process for grandfathering from the substitution of volumetric for monetary crediting under remote net metering.

Substance of final rule: The Commission, on April 16, 2015, adopted an order granting rehearing, in part, to clarify the process for obtaining grandfathering from the substitution of volumetric for monetary crediting at non-demand remote net metered locations. Grandfathered net metered facilities may retain monetary crediting for a minimum period of 25 years 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-0422SA1)

NOTICE OF ADOPTION

Granting Rehearing and Clarification of Commission Order Issued December 12, 2014

I.D. No. PSC-05-15-00003-A

Filing Date: 2015-04-20

Effective Date: 2015-04-20

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

Action taken: On 4/16/15, the PSC adopted an order granting rehearing and clarification of its order establishing Brooklyn/Queens Demand Management Program, issued December 12, 2014.

Statutory authority: Public Service Law, sections 22, 65(1), 66(1), (2) and (12)(a)

Subject: Granting rehearing and clarification of Commission order issued December 12, 2014.

Purpose: To grant rehearing and clarification of Commission order issued December 12, 2014.

Substance of final rule: The Commission, on April 16, 2015, adopted an order granting the petition filed by Consolidated Edison Company of New York, Inc. (Con Edison) for rehearing and clarification of the Commission's December 12, 2014 order establishing Brooklyn/Queens Demand Management Program (BQDM), and determined that Con Edison need not meet its Reliability Performance Mechanism in order to achieve additional earnings under the BQDM, 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-0302SA2)

NOTICE OF ADOPTION

Allowing Con Edison's Filing Concerning Demand Response Programs to Become Effective

I.D. No. PSC-06-15-00004-A

Filing Date: 2015-04-20

Effective Date: 2015-04-20

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

Action taken: On 4/16/15, the PSC adopted an order approving the tariff revisions filed by Consolidated Edison Company of New York, Inc. concerning changes to its Demand Response Programs regarding pledge reductions, with modifications, to become effective.

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

Subject: Allowing Con Edison's filing concerning Demand Response Programs to become effective.

Purpose: To allow Con Edison's filing concerning Demand Response Programs to become effective.

Substance of final rule: The Commission, on April 16, 2015, adopted an order approving tariff revisions filed by Consolidated Edison Company of New York, Inc. concerning changes to its Demand Response Programs regarding pledge reductions, with modifications, 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.

(13-E-0573SA5)

NOTICE OF ADOPTION**Approval of a Loan, an Ownership Transfer and Continued Lightened Regulation****I.D. No.** PSC-08-15-00008-A**Filing Date:** 2015-04-17**Effective Date:** 2015-04-17

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

Action taken: On 4/16/15, the PSC adopted an order approving CCI Roseton LLC's petition to enter into a loan agreement, a review of ownership transfer and lightened regulation.

Statutory authority: Public Service Law, sections 2(12), (13), 5(1)(b), 69 and 70

Subject: Approval of a loan, an ownership transfer and continued lightened regulation.

Purpose: To approve a loan, an ownership transfer and continued lightened regulation.

Substance of final rule: The Commission, on April 16, 2015, adopted an order approving CCI Roseton LLC's petition for authorization to enter into a loan agreement, up to a maximum of \$350 million, and approved the transfer of ownership interests in CCI Roseton LLC, the owner of the Roseton Generating Station located in Newburgh, New York, from CCI U.S. Asset Holdings LLC to Roseton Holdings LLC, and confirmed that lightened regulation will continue after the transfer, 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-0041SA1)

**PROPOSED RULE MAKING
NO HEARING(S) SCHEDULED****National Grid's Electric Economic Development Programs****I.D. No.** PSC-18-15-00004-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 or reject, in whole or in part, proposed modifications to electric Economic Development Programs filed by Niagara Mohawk Power Corporation d/b/a National Grid.

Statutory authority: Public Service Law, sections 4, 5 and 66

Subject: National Grid's electric Economic Development Programs.

Purpose: To revise the economic development assistance to qualified businesses.

Substance of proposed rule: The Public Service Commission is considering whether to adopt, modify or reject a petition filed by Niagara Mohawk Power Corporation d/b/a National Grid requesting approval to modify two of its electric Economic Development Programs. The request was filed as part of the utility's Economic Development Grant Programs Annual Report on October 1, 2014. The modifications proposed would i) increase the maximum grant level of the Building Ready Upstate from \$30,000 to \$125,000 program and ii) add language to the Main Street Revitalization program to clarify that funding for mixed-use projects may be appropriately scaled based on the proportion of commercial versus residential square footage and/or construction costs. The Commission may adopt, reject or modify the petition and address any 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.

(12-E-0201SP7)

**PROPOSED RULE MAKING
NO HEARING(S) SCHEDULED****Con Edison's Report on Its 2014 Performance Under the Electric Service Reliability Performance Mechanism****I.D. No.** PSC-18-15-00005-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 adopt, modify or reject, in whole or in part, Con Edison's Report on its 2014 performance under the Electric Service Reliability Performance Mechanism.

Statutory authority: Public Service Law, sections 65(1), 66(1) and (2)

Subject: Con Edison's Report on its 2014 performance under the Electric Service Reliability Performance Mechanism.

Purpose: Con Edison's Report on its 2014 performance under the Electric Service Reliability Performance Mechanism.

Substance of proposed rule: The Public Service Commission (Commission) is considering whether to adopt, modify or reject, in whole or in part, Consolidated Edison Company of New York, Inc.'s (Con Edison or Company) Report on its 2014 performance under the Electric Service Reliability Performance Mechanism (RPM). Con Edison states that a revenue adjustment of \$5 million should be imposed on the Company for its failure to meet its network average outage duration metric. The Company claims that it met all the remaining performance targets for 2014.

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.

(13-E-0030SP9)

**PROPOSED RULE MAKING
NO HEARING(S) SCHEDULED****Proposed Targeted Demand Management (TDM) Program and REV Demonstration Projects Cost Recovery and Incentive Mechanisms****I.D. No.** PSC-18-15-00006-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 a petition by Consolidated Edison Company of New York, Inc. to establish a Targeted Demand Management program and to establish incentive and cost recovery mechanisms for its proposed program and REV Demonstration Projects.

Statutory authority: Public Service Law, sections 65 and 66

Subject: Proposed Targeted Demand Management (TDM) Program and REV Demonstration Projects Cost Recovery and Incentive Mechanisms.

Purpose: To effectuate the TDM Program and to establish incentives and cost recovery for the TDM program and REV Demonstration Projects.

Department of State

EMERGENCY RULE MAKING

Addition of Provisions Relating to “Sparkling Devices” to the State Uniform Fire Prevention and Building Code

I.D. No. DOS-05-15-00007-E

Filing No. 317

Filing Date: 2015-04-17

Effective Date: 2015-04-17

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

Action taken: Addition of section 1228.3 to Title 19 NYCRR.

Statutory authority: Executive Law, section 377(1)

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

Specific reasons underlying the finding of necessity: This rule is re-adopted as an emergency measure to preserve public safety, for the following reasons:

(1) Chapter 477 of the Laws of 2014 amended sections 270.00 and 405.00 of the Penal Law to authorize any city or county outside of New York City to adopt a local law making a certain category of fireworks (viz., “sparkling devices”) legal in such city or county. Chapter 477 of the Laws of 2014 became effective on December 21, 2014, and cities and counties outside New York City are now free to adopt local laws that legalize sparkling devices.

(2) Prior to the initial emergency adoption of this rule, the State Uniform Fire Prevention and Building Code (the Uniform Code) had no provisions expressly applicable to sparkling devices.

(3) This rule amends the Uniform Code by adding (i) requirements applicable to buildings and structures where sparkling devices may be manufactured, stored, sold or used and (ii) additional requirements related to the use of sparkling devices intended to reduce the risk of fire in buildings and structures resulting from the use of sparkling devices. This rule preserves public safety by reducing the risk of deaths, injuries, and property damage resulting from the use of sparkling devices.

(4) This rule was initially adopted by the State Fire Prevention and Building Code Council (the Code Council) as an emergency measure on January 15, 2015. At its meeting held on January 15, 2015, Code Council determined that adopting this rule on an emergency basis was required to preserve public safety because (i) Chapter 477 of the Laws of 2014 authorizes cities and counties outside New York City to legalize sparking devices; (ii) it was, therefore, necessary to add provisions to the Uniform Code relating to buildings and structures where sparkling devices will be manufactured, stored, sold and/or used; and (iii) it was necessary to add such provisions to the Uniform Code as quickly as possible because Chapter 477 of the Laws of 2014 authorizes cities and counties outside New York City to adopt local laws legalize sparkling devices at any time after December 21, 2014.

(5) The initial emergency adoption of this rule will expire on April 19, 2015. If the initial emergency adoption of this rule is allowed to expire, the Uniform Code will cease to have any provisions expressly applicable to sparkling devices. However, cities and counties outside New York City will continue to be authorized to adopt local laws legalizing sparkling devices.

(6) Continuing this rule on an emergency basis is necessary to assure that the provisions of this rule will continue in effect after April 19, 2015 (the date on which the original emergency adoption of this rule otherwise would have expired).

Subject: Addition of provisions relating to “sparkling devices” to the State Uniform Fire Prevention and Building Code.

Purpose: The purpose of this rule is to amend the Uniform Code to provide additional requirements applicable to buildings and structures where “sparkling devices” are manufactured, stored or used. This rule also adds other restrictions on the use of “sparkling devices” intended to minimize the danger of fire in buildings and structures.

Substance of emergency rule: This rule amends the State Uniform Fire Prevention and Building Code (the Uniform Code) by adding a new section 1228.3 to Part 1228 of Title 19 of the NYCRR. The provisions of new section 1228.3 apply to the possession, manufacture, storage, handling, sale, and use of sparkling devices. Any building or structure where spar-

Substance of proposed rule: The Public Service Commission is considering a petition by Consolidated Edison Company of New York, Inc. to effectuate a Targeted Demand Management (TDM) program, and establish incentive and cost-recovery mechanisms for both the TDM program and for its REV Demonstration Projects pursuant to the February 26, 2015, Commission Order in Case 14-M-0101. The Company requests authorization to spend \$60 million over two years on its proposed TDM program, and recover costs of both the TDM program and its REV Demonstration Projects through the Monthly Adjustment Clause. The Company also proposes 150 basis points in additional earning opportunities incremental to its approved return on equity for enhanced earning on the costs incurred through the TDM program and REV Demonstration Projects. The proposed filing does not have an effective date. The Commission may approve, modify or reject, in whole or in part, the Company’s petition. The Commission may also consider other related matters.

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

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

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

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

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

(15-E-0229SP1)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

National Grid’s Economic Development Programs

I.D. No. PSC-18-15-00007-P

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

Proposed Action: The Public Service Commission is considering whether to approve or reject, in whole or in part, a new gas Economic Development Program proposed by Niagara Mohawk Power Corporation d/b/a National Grid.

Statutory authority: Public Service Law, sections 4, 5 and 66

Subject: National Grid’s Economic Development Programs.

Purpose: To authorize a new economic development program for National Grid’s natural gas service territory.

Substance of proposed rule: The Public Service Commission is considering whether to adopt, modify or reject a petition filed by Niagara Mohawk Power Corporation d/b/a National Grid requesting approval of a new gas Economic Development Program. The request was filed as part of the utility’s Economic Development Grant Programs Annual Report on October 1, 2014. The proposed program would be a gas version of the existing electric Manufacturing Productivity Program which provides matching grants for productivity assistance and growth projects designed to use excess capacity. The Commission may adopt, reject or modify the petition and address any 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.

(12-G-0202SP5)

ling devices are manufactured, stored, handled, sold or used shall be subject to the provisions of new section 1228.3 and to all other provisions of the Uniform Code applicable to such building or structure.

In this rule, the term "sparkling devices" has the meaning ascribed to that term by section 270.00(1)(a)(vi) of the Penal Law (as amended by Chapter 477 of the Laws of 2014), and shall include "ground-based or hand-held devices" and "novelties."

The provisions of Section 1228.3 are in addition to, and not in limitation of, (1) all other provisions of the Uniform Code applicable to any building or structure where sparkling devices are manufactured, stored, handled, sold or used and (2) all other statutes, rules, regulations, local laws, and ordinances applicable to the possession, manufacture, storage, handling, sale and/or use of sparkling devices, including but not limited to sections 270.00 and 405.00 of the Penal Law; section 392-j of the General Business Law; section 156-h of the Executive Law; Part 225 of Title 9 of the NYCRR; Part 39 of Title 12 of the NYCRR (Industrial Code Rule 39); and local laws, ordinances or regulations relating to operating permits as contemplated by 19 NYCRR Section 1203.3(g).

Nothing in Section 1228.3 shall be construed as permitting the possession, manufacture, handling, sale and/or use of sparkling devices in violation of any other law, statute, rule, regulation, local law or ordinance applicable to the possession, manufacture, storage, handling, sale and/or use of sparkling devices.

Nothing in Section 1228.3 shall be construed as permitting the possession, manufacture, handling, sale and/or use of sparkling devices in any jurisdiction where the possession, manufacture, handling, sale and/or use of sparking devices has not been made legal in accordance with the provisions of section 405.00 of the Penal Law.

Section 1228.3 prohibits the use of any sparkling device inside any building or structure unless (i) such sparkling device is listed for indoor use and (ii) the use of such sparkling device inside such building or structure has been approved.

Section 1228.3 prohibits the use of any sparkling device within 10 feet of any building or structure unless (i) such sparkling device is listed for indoor use or for use within 10 feet of a building or structure and (ii) the use of such sparkling device within 10 feet of such building or structure has been approved.

Section 1228.3 prohibits constructing retail displays of sparkling devices or offering sparkling devices for sale, upon highways, sidewalks or public property or in a Group A or E occupancy.

Sparkling devices displayed for retail sale shall not be made readily accessible to the public.

A minimum of one pressurized-water portable fire extinguisher complying with section 906 of the 2010 FCNYS shall be located not more than 15 feet (4572 mm) and not less than 10 feet (3048 mm) from each area where sparkling devices are stored or displayed for retail sale.

"No Smoking" signs complying with section 310 of the 2010 FCNYS shall be conspicuously posted in each area where sparkling devices are stored or displayed for retail sale.

The code enforcement official is authorized to limit the quantity of sparkling devices permitted at a given location. In particular, but not by way of limitation, the code enforcement official is authorized to limit the quantity of sparkling devices permitted to be kept or stored at any one- or two-family dwelling, townhouse, or any building or structure containing any Group R occupancy.

No person or entity shall conduct a sparkling device display unless such person or entity shall have designated a person as the person in charge of such sparkling device display. The person in charge of a sparkling device display shall be not less than 21 years of age; shall demonstrate knowledge of all safety precautions related to the storage, handling, and use of sparkling devices; and at the time of such sparkling device display shall not be under the influence of alcohol or drugs that impair sensory or motor skills. Whenever in the opinion of the code enforcement official or the operator a hazardous condition exists, the sparkling device display shall be discontinued immediately until such time as the dangerous situation is corrected.

The code enforcement official is authorized to require any sparkling device display or any other use of sparkling devices to be supervised at any time by the code enforcement official in order to determine compliance with all safety and fire regulations.

Sparkling devices that are being manufactured, stored, handled, stored or used in violation of any provision of Section 1228.3 or in violation of any other applicable provision of the Uniform Code may be removed and disposed of in an appropriate manner, at the expense of the owner of the sparkling devices. In a jurisdiction where the possession of sparkling devices has been made legal in accordance with the provisions of section 405.00 of the Penal Law, the code enforcement official is authorized to remove and dispose of the sparkling devices. In other jurisdictions, the sparkling devices shall be removed and disposed of by a police officer, peace officer, or other person authorized by law to do so.

Accidents involving the use of sparkling devices that result in death, personal injury or property damage shall be reported to the code enforcement official immediately.

Manufacturers of sparkling devices shall maintain records of chemicals, chemical compounds and mixtures required by the U.S. Department of Labor regulations set forth in 29 CFR Part 1910.1200 and Section 407 of the 2010 FCNYS.

The manufacture, assembly, and testing of sparkling devices, and facilities where the manufacture, assembly and/or testing of sparkling devices occur, shall comply with the requirements of this subdivision and NFPA 495 or NFPA 1124. Emergency plans, emergency drills, employee training and hazard communication shall conform to the provisions of new section and Sections 404, 405, 406 and 407 of the 2010 FCNYS. Detailed Hazardous Materials Management Plans (HMMP) and Hazardous Materials Inventory Statements (HMIS) complying with the requirements of Section 407 of the 2010 FCNYS shall be prepared and submitted to the local emergency planning committee, the code enforcement official, and the local fire department. A copy of the required HMMP and HMIS shall be maintained on site and furnished to the code enforcement official on request. Workers who handle or dispose of sparkling devices shall be trained in the hazards of the materials and processes in which they are to be engaged and with the safety rules governing such materials and processes. Approved emergency procedures shall be formulated for each facility where sparkling devices are manufactured, assembled and/or tested. Such procedures shall include personal instruction in any emergency that may be anticipated. All personnel shall be made aware of an emergency warning signal.

Whenever in the opinion of the code enforcement official or the operator a hazardous condition exists, the use of sparkling devices shall be discontinued immediately until such time as the dangerous situation is corrected.

The storage or temporary storage of sparkling devices shall comply with the applicable requirements of NFPA 1124 and, in addition, shall be subject to the provisions of subdivision (f) of new section 1228.3.

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-05-15-00007-EP, Issue of February 4, 2015. The emergency rule will expire June 15, 2015.

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

Additional matter required by statute: (1) Effective Date

This rule was initially adopted as an emergency measure by the State Fire Prevention and Building Code Council (the Code Council) on January 15, 2015. The Notice of Emergency Adoption and Proposed Rule Making relating to the initial emergency adoption was filed on January 20, 2015 and the initial emergency adoption of this rule became effective on that date.

This is an emergency re-adoption of this rule. This emergency re-adoption of this rule shall be effective immediately on the date of filing of the Notice of Emergency Adoption, rather than 90 days after publication of this Notice of Emergency Adoption.

At its January 15, 2015 meeting, the Code Council found and determined that making the initial emergency adoption of this rule effective immediately on the date of filing of the Notice of Emergency Adoption and Proposed Rule Making relating to such initial emergency adoption, as authorized by section 378 (15)(a)(i) of the Executive Law, was required to protect health, safety and security because (1) the amendments of sections 270.00 and 405.00 of the Penal Law made by Chapter 477 of the Laws of 2014 authorize any city or county outside of New York City to elect to make sparkling devices legal in such city or county; (2) at that time, the State Uniform Fire Prevention and Building Code (the Uniform Code) did not have provisions expressly applicable to sparkling devices; (3) the possibility existed that cities or counties could adopt local laws legalizing sparkling devices sooner than ninety (90) days after the filing of the Notice of Emergency Adoption and Proposed Rule Making relating to the initial emergency adoption of this rule; and (4) this rule reduces the risk of deaths, injuries, and property damage resulting from the use of sparkling devices by providing additional requirements applicable to buildings and structures where sparkling devices may be manufactured, stored, sold or used and by providing additional requirements related to the use of sparkling devices intended to reduce the risk of fire in buildings and structures resulting from the use of sparkling devices.

For the same reasons, the Secretary of State has found that making this emergency re-adoption of this rule effective immediately upon the filing of the Notice of Emergency Adoption relating to such re-adoption, rather than 90 days after the publication of such Notice of Emergency Adoption, to be required to protect health, safety and security.

(2) Approval

Pursuant to Section 377(1) of the Executive Law, the Secretary of State has reviewed the amendment of the Uniform Code implemented by the initial emergency adoption of this rule and continued by this emergency re-adoption of this rule, the Secretary of State finds that said amendment effectuates the purposes of Article 18 of the Executive Law, and the Secretary of State approves said amendment.

Regulatory Impact Statement**1. STATUTORY AUTHORITY.**

Executive Law § 377(1) authorizes the State Fire Prevention and Building Code Council (the Code Council) to amend the provisions of the New York State Uniform Fire Prevention and Building Code (the Uniform Code) from time to time. This rule was originally adopted by the Code Council as an emergency measure to amend the Uniform Code to provide additional requirements applicable to buildings and structures where a particular category of fireworks (viz., “sparkling devices”) are manufactured, stored or used and to add other restrictions on the use of sparkling devices intended to minimize the danger of fire in buildings and structures.

The original emergency adoption of this rule will expire on April 19, 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 described in the “Legislative Objections” section of this Regulatory Impact Statement.

2. LEGISLATIVE OBJECTIVES.

Executive Law § 378(1) directs that the Uniform Code shall address standards for the construction of “all buildings or classes of buildings, or the installation of equipment therein, including standards for materials to be used in connection therewith, and standards for safety and sanitary conditions.”

Executive Law § 371(2)(b) provides that it shall be the public policy of this State “to provide for the promulgation of a uniform code addressing building construction and fire prevention in order to provide a basic minimum level of protection to all people of the state from hazards of fire and inadequate building construction. . . .”

Prior to the effective date of Chapter 477 of the Laws of 2014, only persons who obtained a special permit were allowed to possess, sell or use fireworks of any type. Sections 270.00 and 405.00 of the Penal Law, as amended by Chapter 477 of the Laws of 2014, provide, in substance, that except in cities having a population in excess of 1,000,000, a city or a county may adopt enact a local law legalizing “sparkling devices” within such city or county.

In light of the general prohibition against the possession, sale, and use of fireworks that existed prior to the effective date of Chapter 477 of the Laws of 2014, the Uniform Code had few, if any, provisions relating specifically to fireworks. The initial emergency adoption of this rule fulfilled the legislative objectives set forth in Executive Law § 378(1) and Executive Law § 371(2)(b) by amending the Uniform Code to add (1) additional requirements applicable to buildings and structures where sparkling devices are manufactured, stored or used and (2) additional requirements applicable to the use of sparkling devices intended to minimize the danger of fire in buildings and structures. This emergency re-adoption of this rule fulfills those same objective and the objectives of Executive Law § 376(5) by assuring that the provisions added by the initial emergency adoption will remain in effect after April 19, 2015 (the date on which the initial emergency adoption otherwise would have expired).

3. NEEDS AND BENEFITS.

Sparkling devices contain pyrotechnic compositions and could present an additional risk of fire, particularly if sparkling devices are manufactured, stored or used improperly.

The 2010 edition of the Fire Code of New York State (the 2010 FCNYS) is one of the publications that currently make up the Uniform Code. The 2010 FCNYS is based on the 2006 edition of the International Fire Code (the 2006 IFC), a model code published by the International Code Council. The 2006 IFC contains an entire chapter devoted to explosives and fireworks. Because of the general prohibition against all types of fireworks in this State, the 2010 FCNYS contains only an abbreviated version of the 2006 IFC’s explosives and fireworks chapter.

This rule adds those provisions in the 2006 IFC’s explosives and fireworks chapter which are currently missing from the 2010 FCNYS and which, in the opinion of the Department of State (DOS) and the Code Council, are required to address the additional fire and safety concerns posed by the potential legalization of sparkling devices in this State (or in certain cities and counties in this State).

4. COSTS.

It is anticipated that regulated parties will not incur any significant costs to comply with this rule initially and no significant costs to continue to comply with this rule.

For the most part, this rule will impose no significant requirements on buildings or structures where sparkling devices will be manufactured, stored, sold or used over and above those requirements imposed on such buildings or structures by other already existing provisions of the Uniform Code or by other already existing laws, statutes, rules, and regulations. Rather, this rule serves more as a clarification that those other already existing requirements will apply to buildings and structures where previously prohibited activities (the manufacture, storage, sale or use of sparkling devices) will occur. For example, Section 1228.3(k) provides that manufacturers of sparkling devices must maintain records of chemicals, chemical compounds and mixtures required by the U.S. Department of Labor regulations set forth in 29 CFR Part 1910.1200 and Section 407 of the 2010 FCNYS. This provision does not add to the current requirements under 29 CFR Part 1910.1200 and Section 407 of the 2010 FCNYS. Rather, this provision simply clarifies that the requirements already in existence 29 CFR Part 1910.1200 and Section 407 of the 2010 FCNYS apply to the newly-legalized activity of manufacturing sparkling devices.

Similarly, Section 1228.3(l) clarifies that certain requirements that already exist under Section 3305 of the 2010 FCNYS apply to the manufacture, assembly, and testing of sparkling devices, and facilities where the manufacture, assembly and/or testing of sparkling devices occur.

Other provisions added by this rule restrict the use of sparkling devices in ways intended to reduce fire caused by sparkling devices; it is anticipated that these provisions will impose little or no costs on regulated parties. For example, Section 1228.3(d) restricts the use of sparking devices in or within 10 feet of buildings and structures; Section 1228.3(e) prohibits the sale of sparkling devices on highways, sidewalks or public property and in assembly occupancies and in educational occupancies; Section 1228.3(f) authorizes the code enforcement official to limit the amount of sparkling devices in any location; Section 1228.3(h) authorizes the code enforcement official to supervise sparkling device displays and other uses of sparkling devices; Section 1228.3(i) authorizes the removal and disposal of sparkling devices manufactured, stored, sold or used in violation of the Uniform Code; Section 1228.3(m) authorizes the code enforcement official to discontinue the use of sparkling devices when a hazardous conditions exists; and Section 1228.3(n) prohibits keeping or storing any sparkling devices at any place of habitation or within 100 feet thereof.

Other provisions added by this rule impose certain new obligations on regulated parties; however, DOS anticipates that the cost of complying with these new obligations will be minimal. For example:

Section 1228.3(e) requires places where retail sales of sparkling devices take place to have fire extinguishers and “no smoking” signs. DOS estimates that the cost of a fire extinguisher will be \$35 and that the annual cost of testing and maintaining a fire extinguisher will be \$10. DOS estimates that the cost of obtaining and posting a “no smoking” sign will be \$17.

Section 1228.3(g) provides that sparkling device displays must be conducted under the supervision of a person with knowledge of all safety precautions related to the storage, handling, and use of sparkling devices; if a person chooses to conduct a sparkling device display, but is unwilling or unqualified to supervise the display, he or she will be required to engage the services of a person with the required knowledge of the applicable safety precautions.

Section 1228.3(j) requires regulated parties to report accidents that result in death, personal injury or property damage to the code enforcement official.

Section 1228.3(n) provides that the storage of sparkling devices shall comply with the applicable requirements of NFPA 1124.

There are no costs to DOS for the implementation of this rule. The Department is not required to develop any additional regulations or develop any programs to implement this rule.

There are no costs to the State of New York or to local governments for the implementation of the provisions added by this rule, except as follows:

First, the State and all local governments are subject to the Uniform Code. If the State or any local government chooses to manufacture, store, sell or use sparkling devices, the State or such local government will have to comply with this rule to the same degree as any other regulated party.

Second, since this rule adds provisions to the Uniform Code, the authorities responsible for administering and enforcing the Uniform Code will have additional items to verify in the process of reviewing building permit applications, conducting construction inspections, and (where applicable) conducting periodic fire safety and property maintenance inspections. However, the need to verify compliance with this rule should not have a significant impact on the already existing permitting and inspection processes.

5. PAPERWORK.

Section 1228.3(j) requires regulated parties to report accidents that result in death, personal injury or property damage to the code enforcement official.

6. LOCAL GOVERNMENT MANDATES.

This rule does not impose any new program, service, duty or responsibility upon any county, city, town, village, school district, fire district or other special district, except as follows:

First, if any county, city, town, village, school district, fire district or other special district chooses to manufacture, store, sell or use sparkling devices, such county, city, town, village, school district, fire district or other special district will have to comply with this rule to the same degree as any other regulated party.

Second, cities, towns and villages (and sometimes counties) are charged by Executive Law section 381 with the responsibility of administering and enforcing the Uniform Code. Since this rule adds provisions to the Uniform Code, the aforementioned local governments will be responsible for administering and enforcing the requirements of this rule along with all other provisions of the Uniform Code.

The rule does not otherwise impose any new program, service, duty or responsibility upon any county, city, town, village, school district, fire district or other special district.

7. DUPLICATION.

As discussed in the "Costs" section of this Regulatory Impact Statement, this rule clarifies that certain Federal and State requirements already in existence apply to newly legalized activities (the manufacture, storage, sale, and use of sparkling devices) and to buildings and structures where those activities will occur. However, DOS believes that such clarification is appropriate because, without the emergency re-adoption of this rule, the Uniform Code will cease to have any provisions expressly addressing sparkling devices.

The rule does not otherwise duplicate any existing Federal or State requirement.

8. ALTERNATIVES.

The alternative of adding no new provisions expressly dealing with sparkling devices was considered. However, since the recent amendments to the Penal Law will legalize sparkling devices in cities and counties that so elect, DOS determined that the re-adoption of a rule both clarifying that certain requirements already in existence will apply to buildings where this newly legalized activity will occur and adding certain new restrictions on the use of the newly legalized devices, was more appropriate.

The alternative of incorporating all of the currently omitted provisions in the 2006 IFC's chapter on explosives and fireworks was considered. However, since the recent amendments to the Penal Law legalize one category of fireworks, DOS determined that adding only those provisions appropriate for sparkling devices was more appropriate.

9. FEDERAL STANDARDS.

There are no standards of the Federal Government which address the subject matter of the rule. The United States Consumer Product Safety Commission, the United States Department of Labor, and the United States Department of Transportation regulate fireworks, but do not address building code-related topics.

10. COMPLIANCE SCHEDULE.

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

Regulatory Flexibility Analysis

1. EFFECT OF RULE:

Section 270.00 of the Penal Law, as amended by Chapter 477 of the Laws of 2014, defines "fireworks" as including certain categories of devices, including "sparkling devices." Section 405.00 of the Penal Law, as amended by Chapter 477 of the Laws of 2014, permits cities and counties outside New York City to provide that "sparkling devices" will be legal in such city or county. This filing re-adopts a rule that was initially adopted by the State Fire Prevention and Building Code Council (the Code Council) on an emergency basis on January 15, 2015. The Notice of Emergency Adoption and Proposed Rule Making relating to the initial emergency adoption of this rule was filed on January 20, 2015, and the initial emergency adoption of this rule became effective on that date. This rule amends the State Fire Prevention and Building Code to provide additional requirements applicable to buildings and structures where "sparkling devices" are manufactured, stored or used. This rule also adds other restrictions on the use of "sparkling devices" intended to minimize the danger of fire in buildings and structures.

This rule will affect any small business or local government that owns a building or structure in which sparkling devices will be manufactured, stored, sold or used. The number of small businesses and local governments that will be affected will depend on the number of cities and counties that choose to make sparkling devices legal and on the number of small businesses in those cities and counties that choose to manufacture, store, sell or use sparkling devices. The Department of State is not able to estimate the number of small businesses and local governments that will be so affected.

Since this rule adds provisions to the Uniform Code, each local government that is responsible for administering and enforcing the Uniform Code

will be affected by this rule. The Department of State estimates that approximately 1,600 local governments (mostly cities, towns and villages, as well as several counties) are responsible for administering and enforcing the Uniform Code.

2. COMPLIANCE REQUIREMENTS:

19 NYCRR Section 1228.3(e) requires places where retail sales of sparkling devices take place to have fire extinguishers and "no smoking" signs.

19 NYCRR Section 1228.3(g) requires sparkling device displays to be conducted under the supervision of a person with knowledge of all safety precautions related to the storage, handling, and use of sparkling devices; if a person chooses to conduct a sparkling device display, but is unwilling or unqualified to supervise the display, he or she will be required to engage the services of a person with the required knowledge of the applicable safety precautions.

19 NYCRR Section 1228.3(n) provides that the storage of sparkling devices shall comply with the applicable requirements of NFPA 1124.

19 NYCRR Section 1228.3(j) requires regulated parties to report accidents that result in death, personal injury or property damage to the code enforcement official. No other reporting or record keeping requirements are imposed upon regulated parties by the rule. (Note: 19 NYCRR Section 1228.3(k) provides that manufacturers of sparkling devices must maintain records of chemicals, chemical compounds and mixtures required by the U.S. Department of Labor regulations set forth in 29 CFR Part 1910.1200 and Section 407 of the 2010 FCNYS. This provision does not add to the current requirements under 29 CFR Part 1910.1200 and Section 407 of the 2010 FCNYS. Rather, this provision simply clarifies that the requirements already in existence under 29 CFR Part 1910.1200 and Section 407 of the 2010 FCNYS apply to the newly-legalized activity of manufacturing sparkling devices.)

Since this rule amends the Uniform Code, local governments that administer and enforce the Uniform Code will be required to check for compliance with this rule when reviewing applications for building permits, when performing construction inspections, and when performing periodic fire safety and property maintenance inspections.

3. PROFESSIONAL SERVICES:

No professional services will be required to comply with the rule.

4. COMPLIANCE COSTS:

For the owner of a building where retail sales of sparkling devices will occur, the initial capital costs of complying with the rule will include the cost of purchasing and installing the fire extinguishers and "no smoking" signs. The Department of State estimates that the cost of purchasing and installing a fire extinguisher will be \$35 and the cost of purchasing and installing a "no smoking" sign will be \$17. Such costs are not likely to vary for small businesses or local governments of different types and differing sizes.

For the owner of a building where retail sales of sparkling devices will occur, the annual costs of complying with this rule will include the cost of testing and maintaining the fire extinguishers. The Department of State estimates that the annual cost of testing and maintaining a fire extinguisher will be \$10. Such costs are not likely to vary for small businesses or local governments of different types and differing sizes.

A person who conducts a sparkling device display must either have knowledge of all safety precautions related to the storage, handling, and use of sparkling devices; or designate a person who has such knowledge to supervise the display. The qualifications to supervise a display are minimal: such person must be at least 21 years of age; and demonstrate knowledge of all safety precautions related to the storage, handling, and use of sparkling devices; and at the time of such sparkling device display must not be under the influence of alcohol or drugs that impair sensory or motor skills. Therefore, the Department of State anticipates that in most cases, the person conducting the display will be qualified to act as the person in charge. The Department of State also anticipates that even where a third party is designated as the person in charge, the fee, if any, charged by such person will be minimal in most cases.

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.

6. MINIMIZING ADVERSE IMPACT:

Prior to the enactment of Chapter 477 of the Laws of 2014, all fireworks were, for the most part, illegal in this State (exceptions were made for fireworks used pursuant to a permit issued under section 405.00 of the Penal Law). As a result of Chapter 477 of the Laws of 2014, sparkling devices will be legal in cities and counties that elect to legalize such devices.

The 2010 edition of the Fire Code of New York State (the 2010 FCNYS) is one of the publications that currently make up the Uniform Code. The 2010 FCNYS is based on the 2006 edition of the International Fire Code (the 2006 IFC), a model code published by the International Code Council. The 2006 IFC contains an entire chapter devoted to explosives and fireworks. Because of the general prohibition against all

types of fireworks in this State, the 2010 FCNYS contains only an abbreviated version of the 2006 IFC's explosives and fireworks chapter.

This rule adds those provisions in the 2006 IFC's explosives and fireworks chapter which are currently missing from the 2010 FCNYS and which, in the opinion of the Department of State and the Code Council, are required to address the additional fire and safety concerns posed by the potential legalization of sparkling devices in this State (or in certain cities and counties in this State).

The alternative of incorporating all of the currently omitted provisions in the 2006 IFC's chapter on explosives and fireworks was considered. However, since the recent amendments to the Penal Law legalize one category of fireworks, the Department of State determined that adding only those provisions appropriate for sparkling devices was more appropriate.

The establishment of differing compliance requirements or timetables with respect to buildings owned or operated by small businesses or local governments was not considered because the fire and safety-related requirements to be imposed by this rule apply without regard to the identity of the owner of the building or structure where sparkling devices are to be manufactured, stored, sold or used.

Providing exemptions from coverage by the rule was not considered because such exemptions would endanger public safety.

7. SMALL BUSINESS AND LOCAL GOVERNMENT PARTICIPATION:

The Department of State notified interested parties throughout the State of the proposed adoption of this rule by means of notices posted on the Department's website and notices 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.

8. VIOLATIONS AND PENALTIES ASSOCIATED WITH VIOLATIONS:

This rule does not establish or modify a violation and this rule does not 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.

Section 270.00 of the Penal Law, as amended by Chapter 477 of the Laws of 2014, defines "fireworks" as including certain categories of devices, including "sparkling devices." Section 405.00 of the Penal Law, as amended by Chapter 477 of the Laws of 2014, permits cities and counties outside New York City to provide that "sparkling devices" will be legal in such city or county. This filing re-adopts a rule that was initially adopted by the State Fire Prevention and Building Code Council (the Code Council) on an emergency basis on January 15, 2015. The Notice of Emergency Adoption and Proposed Rule Making relating to the initial emergency adoption of this rule was filed on January 20, 2015, and the initial emergency adoption of this rule became effective on that date. This rule amends the State Fire Prevention and Building Code to provide additional requirements applicable to buildings and structures where "sparkling devices" are manufactured, stored or used. This rule also adds other restrictions on the use of "sparkling devices" intended to minimize the danger of fire in buildings and structures. Since the Uniform Code applies in all areas of the State (other than New York City), this rule will apply in all rural areas of the State.

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

19 NYCRR Section 1228.3(e) requires places where retail sales of sparkling devices take place to have fire extinguishers and "no smoking" signs.

19 NYCRR Section 1228.3(g) requires that sparkling device displays be conducted under the supervision of a person with knowledge of all safety precautions related to the storage, handling, and use of sparkling devices; if a person chooses to conduct a sparkling device display but is unwilling or unqualified to supervise the display, he or she will be required to engage the services of a person with the required knowledge of the applicable safety precautions.

19 NYCRR Section 1228.3(n) provides that the storage of sparkling devices shall comply with the applicable requirements of NFPA 1124.

19 NYCRR Section 1228.3(j) requires regulated parties to report accidents that result in death, personal injury or property damage to the code enforcement official. No other reporting or record keeping requirements are imposed upon regulated parties by the rule. (Note: 19 NYCRR Section 1228.3(k) provides that manufacturers of sparkling devices must maintain records of chemicals, chemical compounds and mixtures required by the U.S. Department of Labor regulations set forth in 29 CFR Part 1910.1200

and Section 407 of the 2010 FCNYS. This provision does not add to the current requirements under 29 CFR Part 1910.1200 and Section 407 of the 2010 FCNYS. Rather, this provision simply clarifies that the requirements already in existence under 29 CFR Part 1910.1200 and Section 407 of the 2010 FCNYS apply to the newly-legalized activity of manufacturing sparkling devices.)

3. COMPLIANCE COSTS.

For the owner of a building where retail sales of sparkling devices will occur, the initial capital costs of complying with the rule will include the cost of purchasing and installing the fire extinguishers and "no smoking" signs. The Department of State estimates that the cost of purchasing and installing a fire extinguisher will be \$35 and the cost of purchasing and installing a "no smoking" sign will be \$17. Such costs are not likely to vary for small businesses or local governments of different types and differing sizes.

For the owner of a building where retail sales of sparkling devices will occur, the annual costs of complying with this rule will include the cost of testing and maintaining the fire extinguishers. The Department of State estimates that the annual cost of testing and maintaining a fire extinguisher will be \$10. Such costs are not likely to vary for small businesses or local governments of different types and differing sizes.

A person who conducts a sparkling device display must either have knowledge of all safety precautions related to the storage, handling, and use of sparkling devices; or designate a person who has such knowledge to supervise the display. The qualifications to supervise a display are minimal: such person must be at least 21 years of age; must demonstrate knowledge of all safety precautions related to the storage, handling, and use of sparkling devices; and at the time of such sparkling device display must not be under the influence of alcohol or drugs that impair sensory or motor skills. Therefore, the Department of State anticipates that in most cases, the person conducting the display will be qualified to act as the person in charge. The Department of State also anticipates that even where a third party is designated as the person in charge, the fee, if any, charged by such person will be minimal in most cases.

4. MINIMIZING ADVERSE IMPACT.

Prior to the enactment of Chapter 477 of the Laws of 2014, all fireworks were, for the most part, illegal in this State (exceptions were made for fireworks used pursuant to a permit issued under section 405.00 of the Penal Law). As a result of Chapter 477 of the Laws of 2014, sparkling devices will be legal in cities and counties that elect to legalize such devices.

The 2010 edition of the Fire Code of New York State (the 2010 FCNYS) is one of the publications that currently make up the Uniform Code. The 2010 FCNYS is based on the 2006 edition of the International Fire Code (the 2006 IFC), a model code published by the International Code Council. The 2006 IFC contains an entire chapter devoted to explosives and fireworks. Because of the general prohibition against all types of fireworks in this State, the 2010 FCNYS contains only an abbreviated version of the 2006 IFC's explosives and fireworks chapter.

This rule adds those provisions in the 2006 IFC's explosives and fireworks chapter which are currently missing from the 2010 FCNYS and which, in the opinion of the Department of State and the Code Council, are required to address the additional fire and safety concerns posed by the potential legalization of sparkling devices in this State (or in certain cities and counties in this State).

The alternative of incorporating all of the currently omitted provisions in the 2006 IFC's chapter on explosives and fireworks was considered. However, since the recent amendments to the Penal Law legalize one category of fireworks, the Department of State determined that adding only those provisions appropriate for sparkling devices was more appropriate.

The establishment of differing compliance requirements or timetables with respect to buildings and operations in rural areas was not considered because the fire and safety-related requirements to be imposed by this rule apply without regard to the location of the building or structure where sparkling devices are to be manufactured, stored, sold or used.

Providing exemptions from coverage by the rule was not considered because such exemptions would endanger public safety.

5. RURAL AREA PARTICIPATION.

The Department of State notified interested parties throughout the State of the proposed adoption of this rule by means of notices posted on the Department's website and notices 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

This is an emergency re-adoption of a rule initially adopted as an emergency measure. The Notice of Emergency Adoption and Proposed Rule Making relating to the initial emergency adoption was filed on January 20, 2015 and was published in the State Register on February 4, 2015.

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 the State Uniform Fire Prevention and Building Code (the Uniform Code) to provide additional requirements applicable to buildings and structures where sparking devices are manufactured, stored or used. This rule also adds other restrictions on the use of sparking devices intended to minimize the danger of fire in buildings and structures.

For the most part, this rule imposes no significant requirements on buildings or structures where sparking devices will be manufactured, stored, sold or used over and above those requirements imposed on such buildings or structures by other already existing provisions of the Uniform Code or by other already existing laws, statutes, rules, and regulations. Rather, this rule serves more as a clarification that those other already existing requirements will apply to buildings and structures where previously prohibited activities (the manufacture, storage, sale or use of sparking devices) will occur.

Other provisions added by this rule restrict the use of sparking devices in ways intended to reduce fire caused by sparking devices; it is anticipated that these provisions will impose little or no costs on regulated parties.

Other provisions added by this rule impose certain new obligations on regulated parties; however, the Department of State anticipates that the cost of complying with these new obligations will be minimal. For example, Section 1228.3(e) requires places where retail sales of sparking devices take place to have fire extinguishers and “no smoking” signs. The Department of State estimates that the cost of a fire extinguisher will be \$35 and that the annual cost of testing and maintaining a fire extinguisher will be \$10. The Department of State estimates that the cost of obtaining and posting a “no smoking” sign will be \$17.

Therefore, this rule should have no substantial adverse impact on the cost of buildings or structures where sparking devices will be manufactured, stored, sold or used. As apparent from the nature and purpose of this rule, it should have no substantial adverse impact on jobs and employment opportunities related to the manufacture, storage, sale or use of sparking devices.

NOTICE OF ADOPTION

Regulations Relating to Review of Original Applications

I.D. No. DOS-09-15-00001-A

Filing No. 327

Filing Date: 2015-04-21

Effective Date: 2015-05-06

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

Action taken: Addition of section 160.13 to Title 19 NYCRR.

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

Subject: Regulations relating to review of original applications.

Purpose: To clarify the Department’s review procedures for new applicants seeking licensure pursuant to art. 27 of the General Business Law.

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

160.13 Original applications.

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

(1) findings of violations related to any provision of Article 27 or any regulation adopted thereunder;

(2) findings of unlicensed practice of nail specialty, waxing, natural hair styling, esthetics or cosmetology;

(3) findings of failure to pay taxes or of tax liens; and

(4) findings of failure to pay child support.

Final rule as compared with last published rule: Nonsubstantive changes were made in section 160.13.

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

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

Changes made to the rule do not necessitate changes to the previously published RIS, RFA, RAFA, or JIS because the only change was to add a

title for the section, for purposes of conforming to the style and form of NYCRR. The change merely adds the following title to the new section: “160.13 Original applications.”

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2018, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

The Department of State received two public comments regarding the proposal to add new section 160.13 to Title 19 of the NYCRR. Comments were received from the Center for Employment Opportunities and the Legal Action Center; both comments were supportive of this proposal.

Office of Temporary and Disability Assistance

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Child Support

I.D. No. TDA-18-15-00002-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 347.24 of Title 18 NYCRR.

Statutory authority: Social Services Law, sections 20(3)(d), 34(3)(f) and 111-a; and 45 CFR 303.11

Subject: Child Support.

Purpose: To reflect the revised case closure criteria as set forth in the federal Department of Health and Human Services regulation.

Text of proposed rule: Section 347.24 of Title 18 of the NYCRR is amended to read as follows:

§ 347.24 Case closing criteria.

(a) The Division of Child Support Enforcement within the Office of Temporary and Disability Assistance shall establish a system for case closure.

(b) In order to be eligible for closing, a child support case must meet at least one of the following criteria:

(1) there is no longer a current support order and arrears are less than \$500 or unenforceable under [State] state law;

(2) the noncustodial parent or putative father is deceased and no further action, including a levy against the estate, can be taken;

(3) paternity cannot be established because:

(i) the child is at least 21 years old in this [State] state and an action to establish paternity is barred by an applicable statute of limitations;

(ii) a genetic test or a court or administrative process has excluded the putative father as the father of the child and no other putative father of such child can be identified;

(iii) in accordance with section 347.6(a) of this Part, the child support enforcement unit has determined that it would not be in the best interests of the child to establish paternity in a case involving incest or forcible rape, or in any case where legal proceedings for adoption are pending; or

(iv) the [identify] identity of the biological father is unknown and cannot be identified after diligent efforts, including at least one interview by the child support enforcement unit with the recipient of child support services;

(4) the noncustodial parent’s location is unknown and the child support enforcement unit has made diligent efforts using multiple sources, in accordance with section 347.7 of this Part, all of which have been unsuccessful, to locate the noncustodial parent:

(i) over a three-year period when there is sufficient information to initiate an automated locate effort; or

(ii) over a one-year period when there is not sufficient information to initiate an automated locate effort;

(5) the noncustodial parent cannot pay support for the duration of the child’s minority because the parent has been institutionalized in a psychiatric facility, is incarcerated with no chance for parole, or has a medically verified total and permanent disability with no evidence of support potential. The child support enforcement unit must determine that no income or assets are available to the noncustodial parent which could be levied upon or attached for support;

(6) the noncustodial parent is a citizen of, and lives in, a foreign country, does not work for the Federal government or a company with headquarters or offices in the United States, and has no reachable domestic income or assets, and this [State] *state* has been unable to establish reciprocity with the country;

(7) the Division of Child Support Enforcement [within the Office of Temporary and Disability Assistance] or the child support enforcement unit has provided location-only services to the resident parent, legal guardian, attorney, or agent of a child who is not receiving public assistance;

(8) the non-public assistance recipient of child support services requests closing of their case and there is no assignment to the [State] *state* of *cash* medical support or arrears which accrued under a support order;

(9) there has been a finding of good cause or other exceptions to cooperation as set forth in section 347.5 of this Part and the appropriate unit of the social services district has determined that support enforcement may not proceed without risk of harm to the child or caretaker relative;

(10) in a non-public assistance case receiving child support services or in a non-public assistance Medicaid case when cooperation with the child support enforcement unit is not required of the recipient of *child support* services, [in which] the child support enforcement unit is unable to contact the recipient of child support services within a 60-calendar-day period despite an attempt of at least one letter sent by first class mail to the last known address;

(11) in a non-public assistance case [in receipt of] *receiving* child support services or in a non-public assistance Medicaid case when cooperation with the child support enforcement unit is not required of the recipient of *child support* services, the child support enforcement unit documents the circumstances of the [recipient of child support service's] noncooperation *of the recipient of child support services* [with the child support enforcement unit] and an action by the recipient of child support services is essential for the next step in providing child support service-;[or]

(12) the child support enforcement unit documents failure by the initiating [state] *agency* to take an action which is essential for the next step in providing *child support* services[.];

(13) *the initiating agency has notified the responding agency that it has closed its case; or*

(14) *the initiating agency has notified the responding agency that its services are no longer needed.*

(c) In cases meeting the criteria in paragraphs (b)(1) through (6) and (10) through (12) of this section, the child support enforcement unit must notify the recipient of child support services, or in an [interstate] *intergovernmental* case meeting the criteria for case closing under paragraph (b)(12) of this section, the initiating [state] *agency*, in writing, 60 calendar days prior to closure of the case of the child support enforcement unit's intent to close the case. The case must be kept open if the recipient of child support services or the initiating [state] *agency* supplies information which could lead to the establishment of paternity or a support order, or enforcement of an order, or, in the instance of paragraph (b)(10) of this section, if contact is re-established with the recipient of child support services. If the case is closed, the former recipient of child support services may request at a later date that the case be reopened, if there is a change in circumstances which could lead to the establishment of paternity or a support order or enforcement of an order by completing a new application for child support services and paying any applicable application fee.

(d) The child support enforcement unit must retain all records for cases closed pursuant to this section for a minimum of three years.

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

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:

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

§ 34(3)(f) of the SSL requires the Commissioner of OTDA to establish regulations for the administration of public assistance and care within the State.

§ 111-a of the SSL requires OTDA to promulgate regulations necessary to obtain and retain approval of its child support state plan, required to be submitted to the federal Department of Health and Human Services by Title IV-D of the federal Social Security Act (the Act).

Title 45 of the Code of Federal Regulations (C.F.R.) § 303.11 sets forth the federal case closure criteria for establishing and enforcing intergovern-

mental support obligations in child support program cases receiving services under Title IV-D of the Act.

2. Legislative Objectives:

It was the intent of the Legislature in enacting the above statutes that OTDA establish rules, regulations and policies so that child support enforcement services are provided to eligible persons to ensure that, to the greatest extent possible, parents provide financial support for their children. The intent of the proposed regulatory amendments to 18 NYCRR § 347.24 is to conform the existing State regulation to federal requirements for establishing and enforcing intergovernmental support obligations in child support program cases receiving services under Title IV-D of the Act.

3. Needs and Benefits:

The proposed regulatory amendments to 18 NYCRR § 347.24 are necessary to conform the existing State regulation to federal requirements for establishing and enforcing intergovernmental support obligations in child support program cases receiving services under Title IV-D of the Act. Thus, the proposed amendments do not reflect discretion exercised by OTDA, but instead set forth federal requirements and conform 18 NYCRR § 347.24 to current federal regulations.

4. Costs:

OTDA does not anticipate that there would be any costs associated with this regulatory proposal, since the proposed regulatory amendments are intended to update State regulations to conform the existing State regulation to federal requirements.

5. Local Government Mandates:

OTDA does not anticipate that the proposed regulatory amendments would create any new mandates for local governments.

6. Paperwork:

The proposed regulatory amendments would not create any new reporting requirements or additional paperwork.

7. Duplication:

The proposed regulatory amendments would not duplicate, overlap or conflict with any existing State or federal laws or regulations.

8. Alternatives:

An alternative to the proposed regulatory amendments would be to retain the existing State regulation. However, these regulatory amendments are necessary to bring the existing State regulation into compliance with the federal case closure criteria set forth in 45 C.F.R. § 303.11.

9. Federal Standards:

The proposed regulatory amendments would not conflict with federal standards for establishing and enforcing intergovernmental support obligations in child support program cases receiving services under Title IV-D of the Act.

10. Compliance Schedule:

It is anticipated that social services districts would be in compliance with the proposed regulatory amendments on their effective date.

Regulatory Flexibility Analysis

A Regulatory Flexibility Analysis for Small Businesses and Local Governments is not required because the proposed regulatory amendments will neither have an adverse impact upon, nor impose reporting, recordkeeping, or other compliance requirements upon small businesses or local governments. These regulatory amendments are necessary to bring the existing State regulation into compliance with the federal case closure criteria set forth in 45 Code of Federal Regulations § 303.11. As it was evident from the proposed regulations that they would not have an adverse impact or impose reporting, recordkeeping, or other compliance requirements, no further measures were needed to ascertain those facts and, consequently, none were taken.

Rural Area Flexibility Analysis

A Rural Area Flexibility Analysis is not required because the proposed regulatory amendments would neither have an adverse impact upon, nor impose reporting, recordkeeping, or other compliance requirements upon public or private entities in rural areas. These regulatory amendments are necessary to bring the existing State regulation into compliance with the federal case closure criteria set forth in 45 Code of Federal Regulations § 303.11. As it was evident from the proposed regulations that they would not have an adverse impact or impose reporting, recordkeeping, or other compliance requirements, no further measures were needed to ascertain those facts and, consequently, none were taken.

Job Impact Statement

A Job Impact Statement is not required for the proposed regulatory amendments. It is apparent from the nature and the purpose of the proposed regulatory amendments that they would not have a substantial adverse impact on jobs and employment opportunities in either the public sector or the private sector in New York State, nor would the jobs of the Child Support Enforcement Unit personnel representing the local social services

districts be impacted by the proposed regulatory amendments. Thus, the proposed regulatory 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
Agriculture and Markets, Department of AAM-17-15-00011-P	Growth and cultivation of industrial hemp	Department of Agriculture and Markets, 10B Airline Dr., Albany, NY—May 20, 2015, 11:00 a.m.

ACTION PENDING INDEX

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

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

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

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

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

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

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

AAM-05-15-00002-P	02/04/16	Incorporation by reference of the 2013 edition of the Grade A Pasteurized Milk Ordinance ("PMO")	To require certain producers, processors and manufacturers of milk and milk products to comply with the 2013 edition of the PMO
AAM-17-15-00011-P	05/19/16	Growth and cultivation of industrial hemp	To set forth procedures for authorizing and regulating the growth and cultivation of industrial hemp

AUDIT AND CONTROL, DEPARTMENT OF

AAC-18-15-00003-P	05/05/16	Prompt payment processing	To include electronic invoices and the processing of e-invoices within the procedures for calculating prompt payment interest
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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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CHILDREN AND FAMILY SERVICES, OFFICE OF

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

Action Pending Index**NYS Register/May 6, 2015**

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-20-14-00003-P	05/21/15	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-25-14-00003-P	06/25/15	Jurisdictional Classification	To classify a position in the exempt class
CVS-30-14-00003-P	07/30/15	Jurisdictional Classification	To classify a position in the exempt class and to delete positions from and classify positions in the non-competitive class
CVS-30-14-00006-P	07/30/15	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-30-14-00007-P	07/30/15	Jurisdictional Classification	To delete a position from the non-competitive class
CVS-30-14-00011-P	07/30/15	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-44-14-00005-P	11/05/15	Jurisdictional Classification	To classify a position in the exempt class
CVS-44-14-00006-P	11/05/15	Jurisdictional Classification	To classify a position in the non-competitive class
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

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

Action Pending Index**NYS Register/May 6, 2015**

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
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
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.
COMMISSIONER OF PILOTS, BOARD OF			
COP-15-15-00014-P	exempt	Supplementary fees--Port of New York	Establishes rates and charges for pilotage in the Port of New York
CORRECTIONS AND COMMUNITY SUPERVISION, DEPARTMENT OF			
CCS-08-15-00002-P	02/25/16	Rochester Correctional Facility	To correct the address for Rochester Correctional facility
CCS-15-15-00002-P	04/14/16	Taconic Correctional Facility	Remove reference to functions that are no longer operational at this correctional facility
CRIMINAL JUSTICE SERVICES, DIVISION OF			
CJS-13-15-00023-P	03/31/16	Statement of purpose for medical and physical fitness standards and procedures for police officer candidates	To clarify the purpose for the physical fitness standards for police officer candidates
ECONOMIC DEVELOPMENT, DEPARTMENT OF			
EDV-46-14-00001-EP	11/19/15	Empire State Musical and Theatrical Production Tax Credit Program	Establish application procedures for the Empire State Musical and Theatrical Production Tax Credit Program
EDV-03-15-00001-P	01/21/16	Empire State Post Production Tax Credit Program	Establish application procedure for the Empire State Post Production Tax Credit Program

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
EDUCATION DEPARTMENT			
EDU-19-14-00009-P	05/14/15	Mandatory reporting of information regarding possession, sale, use or manufacture of illegal drugs on school property/functions	To establish a mandatory reporting requirement for school personnel, sanctions for noncompliance, and protection for school personnel who report
EDU-27-14-00013-EP	07/09/15	Elementary and Secondary Education Act (ESEA) Flexibility and school and school district accountability	Conform regulations to State's ESEA Flexibility Waiver Renewal with respect to school and district removal criteria
EDU-48-14-00008-P	12/03/15	Field tests for State assessments, alternate assessments and Regents examinations	To clarify that school districts must administer field tests in the schools for which they are assigned
EDU-52-14-00014-ERP	12/31/15	Determination of student residency	Clarify requirements on student enrollment, particularly as to procedures for unaccompanied minors and other undocumented youth
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

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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
EDUCATION DEPARTMENT			
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
EDU-17-15-00002-P	04/28/16	Licensure of Physician Assistants and Registration of Specialist Assistants	To conform Commissioner's Regulations to Chapter 48 of 2012 and remove obsolete provisions relating to physician assistants
EDU-17-15-00003-EP	04/28/16	Elementary and Secondary Education Act (ESEA) Flexibility and school and school district accountability	To conform the Commissioner's Regulations to New York State's ESEA Flexibility Waiver Renewal application with respect to Adequate Yearly Progress (AYP) and Local Assistance Plan (LAP) schools
ELECTIONS, STATE BOARD OF			
SBE-16-15-00019-EP	04/21/16	Independent Expenditure Committee Disclosure	To set forth the requirements for Independent Expenditure Committees to disclose financial activity
ENVIRONMENTAL CONSERVATION, DEPARTMENT OF			
ENV-31-14-00006-P	10/14/15	Petroleum Bulk Storage (PBS) and Used Oil Management	To harmonize existing State requirements with overlapping Federal requirements
ENV-31-14-00007-P	10/14/15	Chemical Bulk Storage	To amend existing CBS rule to be at least as stringent as EPA federal rule (40 CFR 280) and include NYS 2008 statutory changes
ENV-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-13-15-00031-EP	03/31/16	To amend 6 NYCRR Parts 10 and 40 pertaining to commercial and recreational regulations for striped bass	Reduce fishing mortality of striped bass to promote stable fish populations, and to remain in compliance with the ASMFC FMP
FINANCIAL SERVICES, DEPARTMENT OF			
DFS-29-14-00014-P	07/23/15	Title insurance agents, affiliated relationships, and title insurance business	To implement requirements of Chapter 57 of Laws of NY 2014 re: title insurance agents and placement of title insurance business

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
FINANCIAL SERVICES, DEPARTMENT OF			
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 "PLR" 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
DFS-18-15-00009-P	05/05/16	Title Insurance Rates, Expenses and Charges	To insure proper, non-excessive rates, compliance with Ins. Law 6409(d), and reasonable charges for ancillary services.
GAMING COMMISSION, NEW YORK STATE			
SGC-28-14-00006-EP	07/16/15	Implementation of rules pertaining to gaming facility request for application and gaming facility license application	To facilitate a fair and transparent process for applying for a license to operate a gaming facility
SGC-17-15-00001-EP	04/28/16	Implementation of rules pertaining to gaming facility request for application and gaming facility license application	To facilitate a fair and transparent process for applying for a license to operate a gaming facility
GENERAL SERVICES, OFFICE OF			
GNS-36-14-00001-P	09/10/15	Procurement of New York State food products	To provide guidance to State Agencies as to how they procure food
GNS-18-15-00001-P	05/05/16	Federal Surplus Property Program	To conform the State Plan of Operation with requirements of Federal Management Regulations (FMR) 102-37.465
HEALTH, DEPARTMENT OF			
*HLT-14-94-00006-P	exempt	Payment methodology for HIV/AIDS outpatient services	To expand the current payment to incorporate pricing for services
HLT-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-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

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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
HEALTH, DEPARTMENT OF			
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-39-14-00018-P	10/01/15	Medical Records Access Review Committees (MRARCs)	To designate rather than appoint MRARCs to hear appeals from the denial of access to patient information
HLT-40-14-00016-P	10/08/15	Inpatient Rate for Language Assistance Services	To establish hospital inpatient payment rate to reimburse hospitals for the costs of providing language interpretation services
HLT-40-14-00017-P	10/08/15	Nursing Home (NH) Transfer and Discharge Rights	To clarify requirements governing NH transfers and discharges so that facilities will uniformly comply with federal regulations
HLT-40-14-00018-P	10/08/15	Managed Care Organizations	To lower the contingent reserve requirement applied to the Medicaid Managed Care, Family Health Plus & HIV SNP Programs
HLT-41-14-00002-P	10/15/15	Certificate of Need (CON) Requirements	Simplify CON review requirements for projects involving nonclinical infrastructure, equipment replacement & repair & maintenance
HLT-42-14-00001-P	10/22/15	Audited Financial Statements for Managed Care Organizations	To extend audit and reporting standards to all managed care organizations (MCOs), including PHSPs, HIV SNPs and MLTCPs
HLT-43-14-00001-P	10/29/15	Hospital Observation Services	To amend current observation services provisions to be in compliance with changes in Public Health Law, Section 2805-v
HLT-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-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
HLT-16-15-00014-P	04/21/16	Rate Rationalization – Prevocational Services, Respite, Supported Employment and Residential Habilitation	To establish new rate methodology effective July 1, 2015
HLT-18-15-00008-P	05/05/16	Computed Tomography (CT) Quality Assurance	To protect the public from the adverse effects of ionizing radiation.
JOINT COMMISSION ON PUBLIC ETHICS, NEW YORK STATE			
JPE-16-15-00003-P	04/21/16	Outside activities regulations	To provide guidance and approval procedures for outside activities by State government employees and officials

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
LABOR, DEPARTMENT OF			
LAB-17-15-00013-EP	04/28/16	Repeal and removal of fees	To repeal and remove certain safety and health fees without amending or repealing the safety and health protections
LIQUOR AUTHORITY, STATE			
LQR-02-15-00002-P	03/09/16	Signage, Services and Gifts to Retailers	To enact business friendly amendments; eliminate interior sign restrictions; and increase annual dollar limits for advertising
LQR-13-15-00002-P	03/31/16	Updated application processes for various licenses and permits	To update permit filing procedures and contact information at the authority
LONG ISLAND POWER AUTHORITY			
*LPA-08-01-00003-P	exempt	Pole attachments and related matters	To approve revisions to the authority's tariff
*LPA-41-02-00005-P	exempt	Tariff for electric service	To revise the tariff for electric service
*LPA-04-06-00007-P	exempt	Tariff for electric service	To adopt provisions of a ratepayer protection plan
*LPA-03-10-00004-P	exempt	Residential late payment charges	To extend the application of late payment charges to residential customers
LPA-07-15-00003-P	exempt	The rates and charges set forth in LIPA's Tariff for Electric Service	To set rates and charges at the lowest level consistent with sound fiscal and operating practices and safe and adequate service
MENTAL HEALTH, OFFICE OF			
OMH-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
MOTOR VEHICLES, DEPARTMENT OF			
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
MTV-17-15-00012-EP	04/28/16	Designation of authorized emergency vehicles for certain State leaders	Designates motor vehicle owned or operated by certain State leaders as authorized emergency vehicles

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
NIAGARA FALLS WATER BOARD			
*NFW-04-13-00004-EP	..... exempt	Adoption of Rates, Fees and Charges	To pay for the increased costs necessary to operate, maintain and manage the system, and to achieve covenants with bondholders
*NFW-13-14-00006-EP	..... exempt	Adoption of Rates, Fees and Charges	To pay for increased costs necessary to operate, maintain and manage the system and to achieve covenants with the bondholders
NIAGARA FRONTIER TRANSPORTATION AUTHORITY			
NFT-04-15-00015-P	..... 01/28/16	Smoking	To clarify where smoking is prohibited at NFTA locations
PEOPLE WITH DEVELOPMENTAL DISABILITIES, OFFICE FOR			
PDD-10-15-00005-P	..... 04/27/16	Consolidated Fiscal Report Penalty Amendments	To change requirements for imposing a penalty on providers that fail to meet filing deadlines for cost reports
PDD-16-15-00016-P	..... 04/21/16	Site Based and Community Prevocational Services	To distinguish requirements for site based prevocational services and community prevocational services
PDD-16-15-00017-P	..... 04/21/16	Supported Employment Services (SEMP) Redesign	To redesign SEMP by establishing requirements for the provision and funding of Intensive and Extended SEMP
POWER AUTHORITY OF THE STATE OF NEW YORK			
*PAS-01-10-00010-P	..... exempt	Rates for the sale of power and energy	Update ECSB Programs customers' service tariffs to streamline them/include additional required information
PAS-11-15-00016-P	..... exempt	Rates for the Sale of Power and Energy	To improve the net metering services currently offered by the Authority to its New York City and Westchester Customers
PUBLIC SERVICE COMMISSION			
*PSC-28-97-00032-P	..... exempt	General service by Central Hudson Gas & Electric Corporation	To limit certain special provisions
*PSC-34-97-00009-P	..... exempt	Collection agency fees by Consolidated Edison Company of New York, Inc.	To pass collection agency fees on to the customer
*PSC-04-98-00015-P	..... exempt	Interconnection service overcharges by Niagara Mohawk Power Corporation	To consider a complaint by Azure Mountain Power Co.
*PSC-19-98-00008-P	..... exempt	Call forwarding by CPU Industries Inc./MKL Net, et al.	To rehear the petition
*PSC-02-99-00006-EP	..... exempt	Intralata freeze plan by New York Telephone Company	To approve the plan
*PSC-09-99-00012-P	..... exempt	Transfer of books and records by Citizens Utilities Company	To relocate Ogden Telephone Company's books and records out-of-state
*PSC-15-99-00011-P	..... exempt	Electronic tariff by Woodcliff Park Corp.	To replace the company's current tariff with an electronic tariff

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

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

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

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

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

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

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

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

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

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

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-14-10-00010-P	..... exempt	Petition for the submetering of electricity	To consider the request of 61 Jane Street Owners Corporation to submeter Electricity at 61 Jane Street, Manhattan, NY
*PSC-16-10-00005-P	..... exempt	To consider adopting and expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-16-10-00007-P	..... exempt	Interconnection of the networks between TDS Telecom and PAETEC Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between TDS Telecom and PAETEC Communications
*PSC-16-10-00015-P	..... exempt	Interconnection of the networks between Frontier and Choice One Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier and Choice One Communications
*PSC-18-10-00009-P	..... exempt	Electric utility transmission right-of-way management practices	To consider electric utility transmission right-of-way management practices
*PSC-19-10-00022-P	..... exempt	Whether National Grid should be permitted to transfer a parcel of property located at 1 Eddy Street, Fort Edward, New York	To decide whether to approve National Grid's request to transfer a parcel of vacant property in Fort Edward, New York
*PSC-22-10-00006-P	..... exempt	Requirement that Noble demonstrate that its affiliated electric corporations operating in New York are providing safe service	Consider requiring that Noble demonstrate that its affiliated electric corporations in New York are providing safe service
*PSC-22-10-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of 48-52 Franklin Street to submeter electricity at 50 Franklin Street, New York, New York
*PSC-24-10-00009-P	..... exempt	Verizon New York Inc. tariff regulations relating to voice messaging service	To remove tariff regulations relating to retail voice messaging service from Verizon New York Inc.'s tariff
*PSC-25-10-00012-P	..... exempt	Reassignment of the 2-1-1 abbreviated dialing code	Consideration of petition to reassign the 2-1-1 abbreviated dialing code
*PSC-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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-20-11-00012-P	..... exempt	Petition for the submetering of electricity	To consider the request of KMW Group LLC to submeter electricity at 122 West Street, Brooklyn, New York
*PSC-20-11-00013-P	..... exempt	Determining the reasonableness of Niagara Mohawk Power Corporation d/b/a National Grid 's make ready charges	To determine if the make ready charges of Niagara Mohawk Power Corporation d/b/a National Grid are reasonable
*PSC-22-11-00004-P	..... exempt	Whether to permit the use of the Sensus accWAVE for use in residential gas meter applications	To permit gas utilities in New York State to use the Sensus accWAVE diaphragm gas meter
*PSC-23-11-00018-P	..... exempt	NYSERDA's energy efficiency program for low-income customers	To promote energy conservation in New York State
*PSC-26-11-00007-P	..... exempt	Water rates and charges	To approve an increase in annual revenues by about \$25,266 or 50%
*PSC-26-11-00009-P	..... exempt	Petition for the submetering of electricity at commercial property	To consider the request of by Hoosick River Hardwoods, LLC to submeter electricity at 28 Taylor Avenue, in Berlin, New York
*PSC-26-11-00012-P	..... exempt	Waiver of generation retirement notice requirements	Consideration of waiver of generation retirement notice requirements
*PSC-29-11-00011-P	..... exempt	Petition requesting the Commission reconsider its May 19, 2011 Order and conduct a hearing, and petition to stay said Order.	To consider whether to grant or deny, in whole or in part, Windstream New York's Petition For Reconsideration and Rehearing.
*PSC-33-11-00017-P	..... exempt	Petition for the submetering of electricity	To consider the request of 56-7th Avenue LLC to submeter electricity at 56-7th Avenue, New York, New York
*PSC-35-11-00011-P	..... exempt	Whether to permit Consolidated Edison a waiver to commission regulations Part 226.8	Permit Consolidated Edison to conduct a inspection program in lieu of testing the accuracy of Category C meters
*PSC-36-11-00006-P	..... exempt	To consider expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-38-11-00002-P	..... exempt	Operation and maintenance procedures pertaining to steam trap caps	Adopt modified steam operation and maintenance procedures
*PSC-38-11-00003-P	..... exempt	Waiver of certain provisions of the electric service tariffs of Con Edison	Consideration of waiver of certain provisions of the electric service tariffs of Con Edison
*PSC-40-11-00010-P	..... exempt	Participation of regulated local exchange carriers in the New York Data Exchange, Inc. (NYDE)	Whether to partially modify its order requiring regulated local exchange carriers' participation NYDE
*PSC-40-11-00012-P	..... exempt	Granting of transfer of plant in-service to a regulatory asset	To approve transfer and recovery of unamortized plant investment
*PSC-42-11-00018-P	..... exempt	Availability of telecommunications services in New York State at just and reasonable rates	Providing funding support to help ensure availability of affordable telecommunications service throughout New York
*PSC-43-11-00012-P	..... exempt	Transfer of outstanding shares of stock	Transfer the issued outstanding shares of stock of The Meadows at Hyde Park Water-Works Corporation to HPWS, LLC

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

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

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

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

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

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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-26-14-00016-P	..... exempt	The Commission's regulatory framework will be revised to create a flexible platform for new energy products and services.	To allow energy efficiency and other distributed resources to take a primary role in the planning and operation of the grid.
PSC-26-14-00017-P	..... exempt	Existing ratemaking and rate design practices will be revised with a focus on outcomes and incentives.	To use the Commission's ratemaking authority to foster a DER-intensive system.
PSC-26-14-00018-P	..... exempt	Rules regarding ownership and/or operation of the DSPPs will be created.	To best enable system-wide efficiency and market-based deployment of distributed energy resources and load management.
PSC-26-14-00019-P	..... exempt	Prohibitions or restrictions regarding the DSPPs ownership of DER will be created.	To protect against abuses associated with imbalances in market power.
PSC-26-14-00020-P	..... exempt	New electric utility backup service tariffs and standards for interconnection may be adopted.	To encourage development of microgrids that enhance the efficiency, safety, reliability and resiliency of the electric grid.
PSC-26-14-00021-P	..... exempt	Consumer protections, standards and protocols pertaining to access to customer data may be established.	To balance the need for the information necessary to support a robust market with customer privacy concerns.
PSC-28-14-00014-P	..... exempt	Petition to transfer systems, franchises and assets.	To consider the Comcast and Charter transfer of systems, franchise and assets.
PSC-30-14-00023-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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-34-14-00009-P	..... exempt	Whether to approve the Quadlogic S10N residential submeter.	Approval of the Quadlogic S10N Smart Meter for use in residential electric submetering is required by 16 NYCRR Parts 93 and 96.
PSC-35-14-00004-P	..... exempt	Regulation of a proposed electricity generation facility located in the Town of Brookhaven, NY	To consider regulation of a proposed electricity generation facility located in the Town of Brookhaven, NY
PSC-35-14-00005-P	..... exempt	Whether to permit the use of the Sensus iConA electric meter	Pursuant to 16 NYCRR Parts 92 and 93, Commission approval is necessary to permit the use of the Sensus iConA electric meter
PSC-36-14-00009-P	..... exempt	Modification to the Commission's Electric Safety Standards.	To consider revisions to the Commission's Electric Safety Standards.
PSC-36-14-00010-P	..... exempt	The procurement of Main Tier renewable resources will become the responsibility of the State's electric utilities.	To ensure the development of large-scale renewables in New York State to promote fuel diversity and reduce carbon emissions.
PSC-36-14-00011-P	..... exempt	To defer pension settlement losses associated with retirements in the year ended March 31, 2014.	To resolve the ratemaking of the pension settlement loss.
PSC-38-14-00003-P	..... exempt	Whether to approve, reject or modify, in whole or in part a time-sensitive rate pilot program.	Whether to approve, reject or modify, in whole or in part a time-sensitive rate pilot program.
PSC-38-14-00004-P	..... exempt	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.
PSC-38-14-00005-P	..... exempt	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.
PSC-38-14-00007-P	..... exempt	Whether to expand Con Edison's low income program to include Medicaid recipients.	Whether to expand Con Edison's low income program to include Medicaid recipients.
PSC-38-14-00008-P	..... exempt	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.
PSC-38-14-00010-P	..... exempt	Inter-carrier telephone service quality standard and metrics and administrative changes.	To review recommendations from the Carrier Working Group and incorporate appropriate modifications to the existing Guidelines.
PSC-38-14-00012-P	..... exempt	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.
PSC-38-14-00018-P	..... exempt	New electric utility demand response tariffs may be adopted.	To develop mature DER markets by enabling the development and use of DR as an economic system resource.
PSC-38-14-00020-P	..... exempt	Various tariff revisions to the rates, charges, rules and regulations.	For approval to make various tariff revisions to P.S.C. No. 4 - Steam.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-39-14-00014-P	..... exempt	Whether to permit the use of the SATEC EM133 electric submeter.	Pursuant to 16 NYCRR Parts 93 and 96, is necessary to permit the use of the SATEC EM133 electric submeter.
PSC-39-14-00020-P	..... exempt	Whether to permit the use of the Mueller Systems 400 Series and 500 Series of water meters	Pursuant to 16 NYCRR section 500.3, whether to permit the use of the Mueller Systems 400, and 500 Series of water meters
PSC-40-14-00008-P	..... exempt	To consider granting authorization for Buy Energy Direct to resume marketing to residential customers.	To consider granting authorization for Buy Energy Direct to resume marketing to residential customers.
PSC-40-14-00009-P	..... exempt	Whether to permit the use of the Itron Open Way Centron Meter with Hardware 3.1 for AMR and AMI functionality.	Pursuant to 16 NYCRR Parts 93, is necessary to permit the use of the Itron Open Way Centron Meter with Hardware 3.1.
PSC-40-14-00011-P	..... exempt	Late Payment Charge.	To modify Section 7.6 - Late Payment Charge to designate a specific time for when a late payment charge is due.
PSC-40-14-00013-P	..... exempt	Regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY.	To consider regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY.
PSC-40-14-00014-P	..... exempt	Waiver of 16 NYCRR Sections 894.1 through 894.4(b)(2)	To allow the Town of Goshen, NY, to waive certain preliminary franchising procedures to expedite the franchising process.
PSC-40-14-00015-P	..... exempt	Late Payment Charge.	To modify Section 6.6 - Late Payment Charge to designate a specific time for when a late payment charge is due.
PSC-41-14-00009-P	..... exempt	Establishment of a Clean Energy Fund and related actions	Consideration of proposal by NYSERDA for the establishment of a Clean Energy Fund and related actions
PSC-41-14-00010-P	..... exempt	Reallocation of EEPS and SBC funds	Consideration of proposal by NYSERDA for reallocation of EEPS and SBC funds
PSC-41-14-00011-P	..... exempt	Establishment of annual collections caps and collection and spending mechanisms as described in the Clean Energy Fund Proposal	Consideration of proposal by NYSERDA for the establishment of annual collections caps and collection and spending mechanisms
PSC-41-14-00012-P	..... exempt	Funding and management of the NY-Sun program as described in the Clean Energy Fund Proposal	Consideration of proposal by NYSERDA for the funding and management of the NY-Sun program
PSC-41-14-00013-P	..... exempt	Funding and management of the New York Green Bank as described in the Clean Energy Fund Proposal and NY Green Bank Petition	Consideration of proposal by NYSERDA for the funding and management of the New York Green Bank
PSC-41-14-00014-P	..... exempt	Funding and management of a Market Development program as described in the Clean Energy Fund Proposal	Consideration of proposal by NYSERDA for the funding and management of a Market Development program
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

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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-42-14-00003-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
PSC-42-14-00004-P	..... exempt	Winter Bundled Sales Service Option	To modify SC-11 to remove language relating to fixed storage charges in the determination of the Winter Bundled Sales charge
PSC-44-14-00020-P	..... exempt	LDC inspection and remediation plans for plastic fusions	Whether to order LDCs to comply with their filed plans that address any safety risks associated with plastic fusions
PSC-45-14-00002-P	..... exempt	Proposed Public Policy Transmission Needs/ Public Policy Requirements, as defined under the NYISO tariff	To identify any proposed Public Policy Transmission Needs/Public Policy Requirements for referral to the NYISO
PSC-45-14-00003-P	..... exempt	Notice of Intent to Submeter electricity	To consider the request of Bedford-Stuyvesant South One LLC to submeter electricity at 27 Albany Avenue, Brooklyn, NY
PSC-45-14-00004-P	..... exempt	Petition for submetering of electricity	To consider the request of C B Frontier LLC, to submeter electricity at 200 East 39th Street, New York, New York
PSC-46-14-00008-P	..... exempt	Funding and eligibility rules for the Green Bank program as described in the Green Bank Petition.	Consideration of proposal by NYSERDA for the funding and eligibility rule changes for the Green Bank program.
PSC-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
PUBLIC SERVICE COMMISSION			
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.
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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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-05-15-00004-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-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-08-15-00009-P	..... exempt	Approval of a surcharge.	To allow or disallow Emerald Green Lake Louise Marie Water Company, Inc. for a surcharge.
PSC-08-15-00010-P	..... exempt	Request pertaining to the lawfulness of National Grid USA continuing its summary billing program.	To grant, deny, or modify URAC Rate Consultants' request that National Grid cease its summary billing program.
PSC-08-15-00011-P	..... exempt	Implementation of community net metering.	To consider implementation of community net metering.
PSC-09-15-00003-P	..... exempt	The recovery of costs related to a Reliability Support Services Agreement for services from R.E. Ginna Nuclear Power Plant, LLC	The recovery of costs related to a Reliability Support Services Agreement for services from R.E. Ginna Nuclear Power Plant, LLC
PSC-09-15-00004-P	..... exempt	Refinancing and issuance of long-term debt securities	To authorize New York American Water Company, Inc. to refinance up to \$22,600,000 and issue up to \$45,300,000 of long-term debt
PSC-09-15-00005-P	..... exempt	Late Payment Charge	To modify Section 6.6 - Late Payment Charge to designate a specific time for when a late payment charge is due
PSC-09-15-00006-P	..... exempt	Petition for submetering of electricity	To consider the request of 315 East 68th Street Corporation to submeter electricity at 315 East 68th Street, New York, N.Y.
PSC-09-15-00007-P	..... exempt	Late Payment Charge	To modify Section 7.6 - Late Payment Charge to designate a specific time for when a late payment charge is due
PSC-10-15-00006-P	..... exempt	Amendment of submetering order(s) to allow Queens Fresh Meadows LLC and others to terminate electric service for failure to pay	Whether to amend Queens Fresh Meadows LLC submetering order and others to allow termination of electric service
PSC-10-15-00007-P	..... exempt	Notification concerning tax refunds	To consider Verizon New York Inc.'s partial rehearing or reconsideration request regarding retention of property tax refunds

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

Action Pending Index

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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-14-15-00010-P	..... exempt	The sale of utility property	Whether to authorize the sale of street lighting facilities to the Town of West Seneca
PSC-14-15-00011-P	..... exempt	Refinancing proposed by East River Housing Corporation	To consider refinancing proposed by East River Housing Corporation
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
PSC-16-15-00004-P	..... exempt	To consider a joint proposal to extend the electric rate plan adopted by an additional year	To consider a joint proposal to extend the electric rate plan adopted by an additional year
PSC-16-15-00005-P	..... exempt	Net Energy Metering for Non-Residential Farm Waste or Fuel Cell Electric Generating Equipment and SIR	To effectuate changes to Public Service Law Sections 66-j in relation to Net Energy Metering and SIR
PSC-16-15-00006-P	..... exempt	Net Energy Metering for Non-Residential Farm Waste or Fuel Cell Electric Generating Equipment and SIR	To effectuate changes to Public Service Law Sections 66-j in relation to Net Energy Metering and SIR
PSC-16-15-00007-P	..... exempt	Net Energy Metering for Non-Residential Farm Waste or Fuel Cell Electric Generating Equipment and SIR	To effectuate changes to Public Service Law Sections 66-j in relation to Net Energy Metering and SIR
PSC-16-15-00008-P	..... exempt	Net Energy Metering for Non-Residential Farm Waste or Fuel Cell Electric Generating Equipment and SIR	To effectuate changes to Public Service Law Sections 66-j in relation to Net Energy Metering and SIR

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-16-15-00009-P	..... exempt	Net Energy Metering for Non-Residential Farm Waste or Fuel Cell Electric Generating Equipment and SIR	To effectuate changes to Public Service Law Sections 66-j in relation to Net Energy Metering and SIR
PSC-16-15-00010-P	..... exempt	The submetering of electric service at 325 Lexington Avenue, New York, NY 10016	Whether to authorize the submetering of electric service at 325 Lexington Avenue, New York, NY 10016
PSC-16-15-00011-P	..... exempt	Notice of Intent to Submeter electricity	To consider the request of North Queensview Homes to submeter electricity at 33-60 21st St., LIC, NY, and adjoining properties
PSC-16-15-00012-P	..... exempt	Notice of Intent to Submeter electricity	To consider the request of Homeport I L.L.C. to submeter electricity at 7 and 8 Navy Pier Court, Staten Island, New York
PSC-16-15-00013-P	..... exempt	Net Energy Metering for Non-Residential Farm Waste or Fuel Cell Electric Generating Equipment and SIR	To effectuate changes to Public Service Law Sections 66-j in relation to Net Energy Metering and SIR
PSC-17-15-00004-P	..... exempt	Rehearing of the Commission's Order Adopting Regulatory Policy Framework and Implementation Plan	Consideration of a petition for rehearing
PSC-17-15-00005-P	..... exempt	The submetering of electricity	To consider the request of Cottage Street Apartments, LLC, to submeter electricity at 31 Cottage Street, Troy, New York
PSC-17-15-00006-P	..... exempt	Petition to submeter electricity	To consider the request of 56th and Park (NY) LLC, to submeter electricity at 432 Park Avenue, New York, New York
PSC-17-15-00007-P	..... exempt	To consider the petition of Leatherstocking Gas Company, LLC seeking authority to issue long-term debt of \$2.75 million	To consider the petition of Leatherstocking Gas Company, LLC seeking authority to issue long-term debt of \$2.75 million
PSC-17-15-00008-P	..... exempt	Whether to approve, modify or reject in whole or in part an increase in annual revenues of approximately \$35,507 or 22.8%	Whether to approve, modify or reject in whole or in part an increase in annual revenues of approximately \$35,507 or 22.8%
PSC-17-15-00009-P	..... exempt	To make clarifying tariff revisions	For approval to make clarifying revisions to Rule 28 - Special Services Performed by Company at a Charge
PSC-18-15-00004-P	..... exempt	National Grid's electric Economic Development Programs	To revise the economic development assistance to qualified businesses
PSC-18-15-00005-P	..... exempt	Con Edison's Report on its 2014 performance under the Electric Service Reliability Performance Mechanism	Con Edison's Report on its 2014 performance under the Electric Service Reliability Performance Mechanism
PSC-18-15-00006-P	..... exempt	Proposed Targeted Demand Management (TDM) Program and REV Demonstration Projects Cost Recovery and Incentive Mechanisms	To effectuate the TDM Program and to establish incentives and cost recovery for the TDM program and REV Demonstration Projects
PSC-18-15-00007-P	..... exempt	National Grid's Economic Development Programs	To authorize a new economic development program for National Grid's natural gas service territory

Action Pending Index**NYS Register/May 6, 2015**

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
STATE, DEPARTMENT OF			
DOS-41-14-00001-P	10/20/15	Minimum standards for code enforcement training	To establish minimum training standards so as to increase the level of competency and reliability of code enforcement personnel
DOS-02-15-00004-EP	03/01/16	Use of truss type, pre-engineered wood or timber construction in residential structures	To implement the provisions of new section 382-b of the Executive Law, as added by chapter 353 of the Laws of 2014
DOS-04-15-00004-EP	03/19/16	Issuance of an order to remedy a violation of the Uniform Code	Fix the time for compliance with an order to remedy any condition found to exist in buildings in violation of the Uniform Code
DOS-05-15-00007-EP	03/23/16	Addition of provisions relating to "sparkling devices" to the State Uniform Fire Prevention and Building Code	To amend the Uniform Code to provide additional requirements applicable to buildings and structures where "sparkling devices" are manufactured, stored or used and add other restrictions on the use of "sparkling devices"
DOS-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
TAF-17-15-00010-EP	04/28/16	City of New York withholding tables and other methods	To provide current City of New York withholding tables and other methods
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
TDA-18-15-00002-P	05/05/16	Child Support	To reflect the revised case closure criteria as set forth in the federal Department of Health and Human Services regulation
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

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

SECURITIES OFFERINGS

STATE NOTICES

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

DEALERS; BROKERS

AG Energy Credit Opportunities Fund, L.P.
c/o Angelo, Gordon & Co., L.P., 245 Park Ave., New York, NY 10167
Partnership — AG Energy Credit Opportunities Fund GP LLC

AG Energy Credit Opportunities Holdings, L.P.
c/o Angelo, Gordon & Co., L.P., 245 Park Ave., New York, NY 10167
Partnership — AG Energy Credit Opportunities Fund GP LLC

All Island Credit Corp.
80 Skyline Dr., P.O. Box 830, Suite 100, Plainview, NY 11803
State or country in which incorporated — New York

Altus ER Holdco, L.P.
11233 Shawdow Creek Pkwy., Suite 313, Pearland, TX 77584
Partnership — Altus Management, LLC

Axiom Capital Management, Ltd.
780 3rd Ave., 43rd Fl., New York, NY 10017

Blue Jay Health Sciences Fund, Ltd.
c/o Deutsche International Corporate Services (Ireland) Ltd., Five
Harbourmaster Place, IFSC, Dublin 1, Ireland
State or country in which incorporated — Cayman Islands

City Line Hospitality Holdings, LP
4991 New Design Rd., Suite 109, Frederick, MD 21703
Partnership — Plamondon Altoona Holdings, LLC

Colchester Global Bond Fund - 130/30 Currency Hedged, The
885 Third Ave., 24th Fl., New York, NY 10022

Construction Robotics, LLC
7385 Willowbrook Rd., Victor, NY 14564
State or country in which incorporated — New York

DCM Uptown, LP
1400 McKinney St., Suite 2904, Houston, TX 77010
Partnership — DCM Uptown GP, LLC, general partner

Dos Toros Holdings LLC
41 Union Sq. W, Suite 820, New York, NY 10003
State or country in which incorporated — New York

Draper Associates V, L.P.
2882 Sand Hill Rd., Suite 150, Menlo Park, CA 94025
Partnership — Draper Associates V, LLC, general partner

Equine Forces Limited Partnership
c/o Maples Corporate Services Limited, P.O. Box 309, Ugland House,
Grand Cayman, Cayman Islands KY1-1104
Partnership — Equine Forces Limited

First Floor Fund, LLC, The
1205 Freedom Blvd., Suite 2, Watsonville, CA 95076
State or country in which incorporated — California limited liability
company

Freeport First Lien Loan Fund III LP
c/o Freeport Financial, 300 N. LaSalle St., Suite 5300, Chicago, IL
60654
Partnership — Freeport GP III LLC

Gracian Short Alpha I LLC
c/o Gracian Capital LLC, 16236 San Dieguito Rd., Suite 3-23, Rancho
Santa Fe, CA 92067

GulfShore Bancshares, Inc.
41 S. Florida Ave., Suite 101, Tampa, FL 33602
State or country in which incorporated — Florida

Home Bistro, Inc.
500 Bi-County Blvd., Suite 400, Farmingdale, NY 11735
State or country in which incorporated — Delaware

Hunters Price, LP
4125 Centurion Way, #200, Addison, TX 75001
Partnership — Hunters Price Operating GP, LLC; Hunters Price GP,
Inc.

ICRE Feeder Fund, L.P.
2001 Ross Ave., Suite 3400, Dallas, TX 75201
Partnership — IRI Core I, L.P.

Johnnie-O
2712 Wilshire Blvd., Santa Monica, CA 90403
State or country in which incorporated — California

Laidlaw & Company, Ltd.
546 5th Ave., New York, NY 10036

Lemont Inc.
61-12 228th St., 1st Fl., Bayside, NY 11364
State or country in which incorporated — New York

MabVax Therapeutics Holdings, Inc.
11588 Sorrento Valley Rd., Suite 20, San Diego, CA 92121
State or country in which incorporated — Delaware

Maxim Group LLC
405 Lexington Ave., #2, New York, NY 10174
State or country in which incorporated — New York

Metropolitan Capital Bancorp, Inc.
Nine E. Ontario St., Chicago, IL 60611
State or country in which incorporated — Illinois

MidOcean Partners IV, L.P.
c/o MidOcean Partners, 320 Park Ave., Suite 1600, New York, NY
10022
Partnership — MidOcean Associates IV, L.P.

Muzik LLC
404 Washington Ave., Suite 700, Miami Beach, FL 33139
State or country in which incorporated — Delaware

Network 1 Financial Securities, Inc.
Galleria, Penthouse, 2 Bridge Ave., Bldg. 2, Red Bank, NJ 07701
State or country in which incorporated — Texas

Northern Uranium Corp.
203-1634 Harvey Ave., Kelowna, British Columbia V1Y 6G2
State or country in which incorporated — Canada

Palladium Capital Advisors, LLC
230 Park Ave., Suite 539, New York, NY 10169

RA Capital Healthcare International Fund Ltd.
c/o Maples & Calder Ltd., P.O. Box 309, Ugland House, S. Church
St., Georgetown, Grand Cayman, Cayman Islands KY1-1104
State or country in which incorporated — Cayman Islands

Tone Mobile LLC
205 E. 42nd St., 17th Fl., New York, NY 10016
State or country in which incorporated — Delaware

Union Square Park Partners, LP
850 Third Ave., Suite 20B, New York, NY 10022
Partnership — Union Square Park GP, LLC

Universa Black Swan Protection Protocol XVIII L.P.
2601 S. Bayshore Dr., Suite 2030, Miami, FL 33133
Partnership — Universa Black Swan GP XVIII LLC, general partner

WGI Emerging Markets Smaller Companies Fund, LLC
One Financial Center, Suite 1620, Boston, MA 02110
Partnership — Westwood Global Investments, LLC

NOTICE OF AVAILABILITY OF STATE AND FEDERAL FUNDS

Department of Environmental Conservation
625 Broadway
Albany, NY 12233-3506

MUNICIPALITIES AND NOT FOR PROFIT CORPORATIONS
LOCATED WITHIN THE GEOGRAPHIC BOUNDARIES OF THE
HUDSON RIVER ESTUARY

2015 Hudson River Estuary Grants for Local Stewardship Planning Under the New York State Environmental Protection Fund

Applications will be accepted through 2:00 pm June 15, 2015 for grant funding under the Hudson River Estuary Grant program. Anticipated grants funds from the New York State Environmental Protection Fund (NYS EPF) for State Fiscal Year (SFY) 2014-2015 is approximately \$800,000. These are competitive grants programs and projects must implement priorities of the Hudson River Estuary Action Agenda identified in the application. The Hudson River Estuary Action Agenda can be viewed at <http://www.dec.ny.gov/lands/5104.html>. Projects eligible for state assistance must be located within the geographic boundaries of the Hudson River. State assistance may fund up to 85% of the total project cost. The matching share to be provided by the recipient is 15%.

Applications must be completed online and are available on the New York State Grants Gateway at <http://www.grantsreform.ny.gov>. The application ID Number is DEC01-HRE-14-2015. All applicants must register in the Gateway to be eligible to apply for any NYS grant opportunity. Not-for-profit applicants must also be "prequalified" in the Grants Gateway system prior to the application deadline to be considered eligible for a grant. Information regarding registration and prequalification can be found at: <http://www.grantsreform.ny.gov>. Information regarding the Hudson River Estuary grant applications can be found at <http://www.dec.ny.gov/lands/5091.html> or you may contact Department of Environmental Conservation Hudson River Estuary Program at the above address or e-mail: becky.thomas@dec.ny.gov

Department of Environmental Conservation
625 Broadway
Albany, NY 12233-3506

MUNICIPALITIES AND NOT FOR PROFIT CORPORATIONS
LOCATED WITHIN THE GEOGRAPHIC BOUNDARIES OF THE
HUDSON RIVER ESTUARY

2015 Hudson River Estuary Grants for Tributary Restoration and Resiliency Under the New York State Environmental Protection Fund

Applications will be accepted through 2:00 pm June 15, 2015 for grant funding under the Hudson River Estuary Grant program. Anticipated grants funds from the New York State Environmental Protection Fund (NYS EPF), the Natural Resource Damages Fund (NRD), and the U.S. Fish and Wildlife Service Program, State Wildlife Grant for State Fiscal Year (SFY) 2014-2015 is approximately \$750,000. These are competitive grants programs and projects must implement priorities of the Hudson River Estuary Action Agenda identified in the application. The Hudson River Estuary Action

Agenda can be viewed at <http://www.dec.ny.gov/lands/5104.html>. Projects eligible for state assistance must be located within the geographic boundaries of the Hudson River. State assistance may fund up to 75% of the total project cost. The matching share to be provided by the recipient is 25%.

Applications must be completed online and are available on the New York State Grants Gateway at <http://www.grantsreform.ny.gov>. The application ID Number is DEC01-HRE-2015. All applicants must register in the Gateway to be eligible to apply for any NYS grant opportunity. Not-for-profit applicants must also be "prequalified" in the Grants Gateway system prior to the application deadline to be considered eligible for a grant. Information regarding registration and prequalification can be found at: <http://www.grantsreform.ny.gov>. Information regarding the Hudson River Estuary grant applications can be found at <http://www.dec.ny.gov/lands/5091.html> or you may contact Department of Environmental Conservation Hudson River Estuary Program at the above address or e-mail: becky.thomas@dec.ny.gov

Division of Homeland Security and Emergency Services

1220 Washington Ave.
State Campus, Bldg. 7A
Albany, NY 12242

ELIGIBLE VOLUNTEER FIRE DEPARTMENTS, VOLUNTEER EMERGENCY SERVICE ORGANIZATIONS AND STATEWIDE ORGANIZATIONS THAT REPRESENT THE INTERESTS OF VOLUNTEER FIREFIGHTERS AND/OR VOLUNTEER EMERGENCY SERVICES PERSONNEL

Fiscal Year 2015-2016 Recruitment and Retention Grant Program

Fiscal Year 2015-2016 Recruitment and Retention Grant Program seeks applications for up to \$25,000 in state funding made available by the NYS Division of Homeland Security and Emergency Services (DHSES) for programs designed to promote the development of, or support existing, regional recruitment and retention efforts. All awards are subject to availability of funds, pursuant to the provisions of sections 209-G and 630-b of the New York State Tax Law. This Grant Program is intended to promote the recruitment and retention of volunteer firefighters and volunteer emergency services personnel through the following primary objectives: 1.) Support organizational leadership development through education and training; and, 2.) Develop and implement recruitment and retention programs and materials. Funds will be awarded competitively based on the submission of applications by eligible volunteer fire departments, volunteer emergency service organizations and statewide organizations that represent the interests of volunteer firefighters and/or volunteer emergency services personnel.

Applications will be accepted from April 14, 2015 through 11:59 p.m. on June 11, 2015 and must be submitted to DHSES's grants inbox: grants@dhses.ny.gov.

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

New York Homes and Community Renewal
Office of Finance and Development
641 Lexington Ave.
New York, NY 10022

DEVELOPERS SEEKING FINANCING FOR THE NEW CONSTRUCTION OR SUBSTANTIAL REHABILITATION OF SITE-SPECIFIC, AFFORDABLE MULTIFAMILY SUPPORTIVE RENTAL HOUSING (“PROJECTS”) THAT WILL INCREASE HOUSING OPPORTUNITIES FOR HIGH NEED AND HIGH COST MEDICAID RECIPIENTS IN NEW YORK STATE AND/OR FURTHER THE STATE’S COMMITMENT TO DEVELOP INTEGRATED SUPPORTIVE HOUSING AS RECOMMENDED BY THE MEDICAID REDESIGN TEAM

MRT Housing Capital Program

DESCRIPTION OF THE MRT HOUSING CAPITAL PROGRAM

As part of the effort to reduce Medicaid spending in the State of New York, Governor Cuomo’s Medicaid Redesign Team (MRT) has set aside \$34,000,000 in Capital funding for Fiscal Year 2015-16, to be administered through the Housing Trust Fund Corporation (“HTFC”) to provide funding for capital and related soft costs associated with the construction and substantial rehabilitation of Projects. Successful applicants and their service providers will be expected to collect and submit relevant Medicaid patient data to the State Department of Health or another state agency to track Medicaid cost savings.

A Request for Proposals (“RFP”) for applications seeking funding through the MRT Housing Capital Loan Program is expected to be available on the New York State Homes and Community Renewal (“HCR”) website on May 1, 2015. MRT Housing Capital Loan applications will be reviewed as received and funding determinations will be made throughout the year. Notwithstanding resource availability, applications must be received by HCR by 5pm EST on January 31, 2016. The application deadline is firm as to date and hour. In the interest of fairness to all competing Applicants, applications received after the specified date and time will be deemed ineligible and will not be considered for funding.

PROCESS

The RFP will explain the process by which HCR will accept and evaluate applications requesting a MRT Housing Capital loan. The New York State Housing Finance Agency (“HFA”) in its capacity as HCR’s tax-exempt bond issuing agency and allocator of 4% LIHTC will retain the lead role in all facets of the project application review process. All applications will be reviewed for completeness and compliance with program requirements and competitively evaluated based on criteria outlined in the upcoming RFP. HCR reserves the right to award all, a portion of, or none of the funding, based on the feasibility of the project, the applicant’s ability to meet HCR criteria for funding, and the applicant’s ability to advance the State’s MRT goals. Applicants applying under this RFP for MRT Capital financing are expected to have projects that will also have first mortgages financed by tax-exempt Private Activity Bonds issued by the New York State Housing Finance Agency. Please note however, that HCR may also make a portion of this funding available as part of the upcoming Unified Funding Competitive Round for projects seeking allocations of 9% Low Income Housing Tax Credits (“LIHTC”).

HCR also reserves the right to: (i) amend, modify or withdraw the RFP; (ii) revise any requirements of the RFP; (iii) require supplemental statements or information from any responding party; (iv) accept or reject any or all proposals/responses hereto; (v) extend the deadline for submission of proposals/responses hereto; (vi) negotiate or hold discussions with any proposed Respondent/firm and to correct deficient proposals/responses which do not completely conform to the instructions contained in the RFP; and (vii) cancel or reissue the RFP in whole or part, if HCR deems it in its best interest to do so.

REQUIREMENTS

This Notice of Funding Availability (“Notice”) describes the programmatic and submission requirements for the MRT Housing Capital Program. HCR is seeking proposals from applicants to develop site specific multifamily supportive rental housing either through the new construction or gut rehabilitation of vacant buildings.

HCR is seeking proposals from development teams that include service providers who have awards funded through the MRT Supportive Housing Allocation Plan, the NY/NY III and/or NY/NY IV Agreement, or from other federal, state and municipal funding streams that provide social service funding for high need and high cost Medicaid recipients, to develop multifamily supportive rental housing projects either through new construction, or the gut rehabilitation of vacant buildings.

This RFP seeks to increase the number of integrated supportive housing developments whereby a portion of the tenants are receiving services, and the remainder are affordable or market rate housing residents who are not in need of services. There will be a cap of \$200,000 per supportive housing unit on awards. Applicants are required to show evidence of a service award as part of the submission. HCR anticipates making approximately \$34,000,000 in MRT funds available as part of the State’s commitment to increase the number of supportive housing opportunities for its residents.

It is strongly recommended that all prospective applicants schedule and coordinate a pre-application meeting with development team members and HCR staff prior to submitting an application. The pre-application meeting will enable HCR staff to assess project readiness and determine whether it is appropriate for the prospective applicant to proceed with a submission of an application.

This Notice provides a summary description of the MRT Housing Capital Program, and procedures for applying for assistance thereunder. Additional information about this program, including a fuller version of this Notice, is available on the HCR website, at: <http://www.nyshcr.org>

For additional information, please contact: David Simmons, at the above address or call (212) 872-0481, e-mail: David.Simmons@nyshcr.org

MISCELLANEOUS NOTICES/HEARINGS

Notice of Abandoned Property Received by the State Comptroller

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

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

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

NOTICE OF PUBLIC HEARING Homes and Community Renewal New York State Annual Action Plan

To administer federal funds for the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Solutions Grants (ESG), and Housing Opportunities for Persons with AIDS (HOPWA) programs, New York State must prepare an Annual Action Plan (AAP). New York State's next AAP will describe the State's anticipated use of federal CDBG, HOME, ESG, and HOPWA funds in 2016 to address affordable housing and community development needs identified in its Consolidated Plan for 2016-2020. This AAP will also describe the State's methods for distributing these funds to local grantees.

Interested individuals and organizations are encouraged to participate in the development of New York State's 2016 AAP by submitting written comments to: NYS HCR, Attention: Alison Russell, 38-40 State Street, Albany, NY 12207, or HCRConPln@nyshcr.org. All written comments must be received by June 5, 2015.

The public is encouraged to offer oral comments at public hearings on Wednesday, May 20 and Thursday, May 21, 2015. On May 20, a public hearing will be held from 1:00 pm until 2:00 pm. On May 21, a second public hearing will be held from 10:00 am until 11:00 am. At these dates and times, hearings will be held concurrently at the following four New York State Homes and Community Renewal offices: 641 Lexington Ave. in New York City; 38-40 State Street in Albany; 620 Erie Boulevard West in Syracuse; and 535 Washington Street in Buffalo. Each site is accessible to individuals with mobility impairments. Individuals requiring other accommodations should call 1-866-ASK-DHCR (275-3427) by May 14, 2015. Attendees must present a driver's license or other government-issued photo ID upon entry. For additional information call 1-866-ASK-DHCR (275-3427); or e-mail HCRConPln@nyshcr.org.

PUBLIC NOTICE Deferred Compensation Board

Pursuant to the provisions of 9 NYCRR, Section 9003.2, authorized by Section 5 of the State Finance Law, the New York State Deferred Compensation Board, beginning Wednesday, May 6, 2015, is soliciting proposals from registered financial advisers for the provision of independent investment consulting services with respect to the Deferred Compensation Plan for Employees of the State of New York and Other Participating Public Jurisdictions, a plan meeting the requirements of Section 457 of the Internal Revenue Code and Section 5 of the State Finance Law, including all rules and regulations issued pursuant thereto. A copy of the request for proposals may be obtained from the Board's web site: www.goer.ny.gov/nysdcp or by contacting Sharon Lukacs, Associate Director, New York State Deferred Compensation Plan, Empire State Plaza Station, P.O. Box 2103, Albany, NY 12220-2103, (518) 473-6619. All proposals must be received no later than the close of business on June 26, 2015.

PUBLIC NOTICE New York State and Local Retirement System

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

The persons whose names and last known addresses are set forth below appear from records of the above named Retirement System to be entitled to accumulated contributions held by said retirement system whose membership terminated pursuant to Section 40, Subdivision f, of the Retirement and Social Security Law on or before March 31, 2014. This notice is published pursuant to Section 109 of the Retirement and Social Security Law of the State of New York. A list of the names contained in this notice is on file and open to public inspection at the office of the New York State and Local Retirement System located at the 110 State St, in the City of Albany, New York. At the expiration of six months from the date of the publication of this notice. The accumulated contributions of the persons so listed shall be deemed abandoned and shall be placed in the pension accumulation fund to be used for the purpose of said fund. Any accumulated contributions so deemed abandoned and transferred to the pension accumulation fund may be claimed by the persons who made such accumulated contributions or, in the event of his death, by his estate or such person as he shall have nominated to receive such accumulated contributions, by filing a claim with the State Comptroller in such form and in such a manner as may be prescribed by him, seeking the return of such abandoned contributions. In the event such claim is properly made the State Comptroller shall pay over to the person or persons or estate making the claim such amount of such accumulated contributions without interest.

Grover, David W - Jamestown, NY

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

PUBLIC NOTICE

New York State and Local Retirement System

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

The persons whose names and last known addresses are set forth below appear from records of the above named Retirement System to be entitled to accumulated contributions held by said retirement system whose membership terminated pursuant to Section 517-a of the Retirement and Social Security Law on or before March 31, 2014. This notice is published pursuant to Section 109 of the Retirement and Social Security Law of the State of New York. A list of the names contained in this notice is on file and open to public inspection at the office of the New York State and Local Retirement System located at the 110 State St, in the City of Albany, New York. At the expiration of six months from the date of the publication of this notice. The accumulated contributions of the persons so listed shall be deemed abandoned and shall be placed in the pension accumulation fund to be used for the purpose of said fund. Any accumulated contributions so deemed abandoned and transferred to the pension accumulation fund may be claimed by the persons who made such accumulated contributions or, in the event of his death, by his estate or such person as he shall have nominated to receive such accumulated contributions, by filing a claim with the State Comptroller in such form and in such a manner as may be prescribed by him, seeking the return of such abandoned contributions. In the event such claim is properly made the State Comptroller shall pay over to the person or persons or estate making the claim such amount of such accumulated contributions without interest.

Heaton, Ryan R - Ogdensburg, NY

Hutton, Lisa M - Adams, NY

Manchester, Joel M - North Bangor, NY

Phillips, Joshua R - Brushton, NY

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

PUBLIC NOTICE

New York State and Local Retirement System

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

The persons whose names and last known addresses are set forth below appear from records of the above named Retirement System to be entitled to accumulated contributions held by said retirement system whose membership terminated pursuant to Section 613 of the Retirement and Social Security Law on or before March 31, 2014. This notice is published pursuant to Section 109 of the Retirement and Social Security Law of the State of New York. A list of the names contained in this notice is On file and open to public inspection at the office of the New York State and Local Retirement System located at the 110 State St., in the City of Albany, New York. At the expiration of six months from the date of the publication of this notice. The accumulated contributions of the persons so listed shall be deemed abandoned and shall be placed in the pension accumulation fund to be used for the purpose of said fund. Any accumulated contributions so deemed abandoned and transferred to the pension accumulation fund may be claimed by the persons who made such accumulated contributions or, in the event of his death, by his estate or such person as he shall have nominated to receive such accumulated contributions, by filing a claim with the State Comptroller in such form and in such a manner as may be prescribed by him, seeking the return of such abandoned contributions. In the event such claim is properly made the State Comptroller shall pay over to the person or persons or estate making the claim such amount of such accumulated contributions without interest.

A'brial, Alison J - Hudson, NY

Abis, Rachel M - Pomona, NY

Acheson, Christina A - East Hampton, NY

Adams, Donna C - Hartsville, SC

Alvayero, Jose - West Hempstead, NY

Angle, Claire L - Tonawanda, NY

Armantrading, Maxcess - Bronx, NY

Astarita, Colin P - Southampton, NY

Atkins, Daniel R - Elmira, NY

Atkinson, Stephen B - Endicott, NY

Bailor, Patricia A - Niagara Falls, NY

Battaglia, Charles R - Fairport, NY

Behuniak, Matthew J - Clay, NY

Bishop, Tara L - Shoreham, NY

Blachowski, Kathy A - Madecon, NY

Black, Devon K - Lockport, NY

Blair, Barbara M - South Salem, NY

Blenco, William R - Brackney, PA

Boniello, John P - Peekskill, NY

Bredice, Christine E - Clifton Park, NY

Bregman, Eric - New York, NY

Broers, Stacey A - Plattsburgh, NY

Brown, Brian L - Albany, NY

Bryant, Karen - Lima, OH

Buck, Jayme L - Merrit Island, FL

Burdo, Rosemary - Patchogue, NY

Campbell, Courtney - Holley, NY

Capra, Frank J - Utica, NY

Caravella, Christopher - Shirley, NY

Caruso, Kristina F - New City, NY

Celaya, Elizabeth L - Red Hook, NY

Cellery, Patricia L - Castleton, NY

Chavis, Janelle D - Hampton Bays, NY

Chen, Suci Susie - New York, NY

Chiapuzzi-Harte, Jean M - Wantagh, NY

Christy, Elizabeth A - Flushing, NY

Clarke, David F - Auburn, ME

Colmerauer, Laura K - Canandaigua, NY

Comiskey, Michael P - St Pete Beach, FL

Cope, Jonathan T - Brooklyn, NY

Cornelius, Elizabeth M - East Granby, CT

Cotroneo, Linda J - Catskill, NY

Covert, William C - Mt Vision, NY

Crespo, Karen L - Charlotte, NC

Cuva, Lisa A - East Amherst, NY

Davis, Ellen A - Bay Shore, NY

Davis, Jacqueline M - Buffalo, NY

Day, Christi A - Nassau, NY

De Lucia, Lori J - Massapequa, NY

Dean, Jessica R - Elmira, NY

Dechow, Susan J - Victor, NY

Delk, Alden F - Brooklyn, NY

Diaz-Bacenet, Marie E - Bronx, NY

Dolan, Scott M - Ballston Spa, NY

Doolan, Sean M - Albany, NY

Doyle, Michelle C - Hamlin, NY

Durnin, Caitlin M - Grafton, NY

Eccleston, Maria C - Islip, NY

Egan, Robert M - Latham, NY

Ermakova-Collura, Evgeniya M - Commack, NY

Fassetta, Evelyn - Neversink, NY

Faucher, Crystal M - Newburgh, NY
 Feinberg, David L - West Hempstead, NY
 Fernandez, Michelle L - Shandaken, NY
 Ferrara, Philip - Bloomington, NY
 Fisher, Amanda L - Fonda, NY
 Fisk, Eric A - Palmyra, NY
 Florco, Lisa A - Flower Mound, TX
 Fonseca, Rafael C - Jamaica, NY
 Ford, Ronald A - Syracuse, NY
 Frickel, Charles D - Tamuning, GU
 Froehlich, Karen M - West Babylon, NY
 Frycek, Scott O - Mount Sinai, NY
 Gannon, John R - Herkimer, NY
 Gannon, Thomas G - Patchogue, NY
 Gardner, Eric C - Berne, NY
 Garger, Linda M - Farmingdale, NY
 Getman, Jacquelyn E - Rochester, NY
 Giannino, Jennifer M - Canastota, NY
 Gibson, Darlene - Buffalo, NY
 Gleeson, Daniel P - Brockport, NY
 Gomez, Luis R - Roosevelt, NY
 Gonzalez, Osvaldo R - Newburgh, NY
 Gonzalez, Rafael - New Hyde Park, NY
 Grace, Cheryl - Endicott, NY
 Graham, Joel A - Mexico, NY
 Graham, Kimberly T - Poughkeepsie, NY
 Grana, Marlene M - Rochester, NY
 Green, James A - Corning, NY
 Hafner, Mark A - Fort Ann, NY
 Harris, Ryan S - Owego, NY
 Hefferon, Cindy J - Newark Valley, NY
 Hellman, Lenny I - Delmar, NY
 Hendricks, Roxanne - Brooklyn, NY
 Hiciano, Celeste - Chestnut Ridge, NY
 Hoffman, Christopher J - Green Island, NY
 Hogan, Michael A - Sleepy Hollow, NY
 Hokrein, Cheryl L - Sidney, NY
 Horowitz, Dina L - North Bellmore, NY
 Hudson, Shirley M - Keene Valley, NY
 Jacobs, Steven - Nedrow, NY
 Jefferson, Jocelyn E - Rochester, NY
 Jefferson, Venetia M - Buffalo, NY
 Jeneault, Sara E - Ogdensburg, NY
 Jessup, Edmund M - Brooklyn, NY
 John, Kathleen D - Brooklyn, NY
 Kackison, Bruce W - Kinkville, NY
 Kempton, Rachele E - East Patchogue, NY
 Kenney, Michael S - Waterford, NY
 Kirby, Donna M - Jamaica, NY
 Kishun, Rookmin - Queens, NY
 Klee, Kristen M - Buffalo, NY
 Klemm, Frederick P - Mastic, NY
 Kligman, Laura - Dix Hills, NY
 Klimiuk, Halina - Hampton Bays, NY
 Knapp, Whitman G S - New York, NY
 Kraynik, Leah J - Portland, OR
 Krzeminski, Laura E - Catskill, NY
 Kuper, Laura E - Pittsford, NY
 Kurzdorfer, Anne M - Harlingen, TX
 Layne, Donna B - Albany, NY
 Lazare, Randolph - Brooklyn, NY
 Le Ve, Jennifer G - Fulton, NY
 Lee, Jamie C - Patchogue, NY
 Leonard, Marjolie - Coram, NY
 Lopez, Anabel - Siloam Spgs, AR
 Losee-Baker, Holly A - Corinth, NY
 Luce, Jeffrey A - Portageville, NY
 Lyons, Winston R - East Hampton, NY
 Mammen, Marykutty - New Rochelle, NY
 Manansala, Grace - Liverpool, NY
 Maniccia, Marc - Delevan, NY
 Martin, Richard - Hempstead, NY
 Martines, Loretta J - Ronkonkoma, NY
 Mashinic, Elisabeth F - Forest Hills, NY
 Mazzone, James V - Syosset, NY
 Mc Gilveary, Donna J - Grand Island, NY
 Mc Gruder, Erin L - Rochester, NY
 Mc Miller, Melissa L - Buffalo, NY
 Mc Pherson, Michelle L - Ogdensburg, NY
 Mejia, Milburga R - Bridgeport, NY
 Meneely, Danielle N - Sodus, NY
 Miller Murphy, Kathleen A - East Syracuse, NY
 Miller, Ellen P - Oneonta, NY
 Moore, Felicia D - Albany, NY
 Moore, Le'shawn - Binghamton, NY
 Morano, Cathy E - Loudonville, NY
 Muir, Jonathan M - Milford, NY
 Murphy, Nancy J - Ithaca, NY
 Myers, Seth M - River Edge, NJ
 Nagel, Katharine E - Rochester, NY
 Nallan, Jamie L - Merrick, NY
 Nason, Elizabeth L - Dannemora, NY
 Neary, Matthew T - Brewster, NY
 Nelson, Meredith - Manorville, NY
 Netter-Hicks, Malia A - Lawton, OK
 Neves, Rodrigo S - Miami, FL
 Noble, Anita L - Saugerties, NY
 O'Brien, Kathleen E - Syracuse, NY
 O'Connor, Patricia W - Amherst, NY
 O'Donnell, Scott - East Setauket, NY
 O'Keefe, Patricia - Carmel, NY
 Oehme, Danielle E - Coram, NY
 Olds, Russell K - Youngstown, NY
 Padgett, Holly L - Bath, NY
 Palinski, Thomas J - Rhinebeck, NY
 Parker, Vanecia C - Hyde Park, NY
 Pasternak, Tammy A - Buffalo, NY
 Patane, Stephen R - Morrisville, NY
 Paul, Lester D - Brooklyn, NY
 Petrosky, Nathaniel P - Washingtonville, NY
 Pinto, James P - New Windsor, NY
 Piriz, Michael - Whitestone, NY
 Przybyla, Thomas J - Bowmansville, NY
 Pugliese, Joseph M - Medford, NY
 Pupke, Donald V - Malverne, NY
 Puvvada, Milinda P - Guilderland, NY
 Quimby, Jonathan P - Baldwinsville, NY
 Quinn, Maurice - Brooklyn, NY

Rader, Audrey L - Scottsville, NY
 Radziul, Nicholas - Northport, NY
 Ray, Karlene N - Sprakers, NY
 Rayo, Maria E - White Plains, NY
 Recco, Barbara A - Whitestone, NY
 Regolini, Patrick - Bethpage, NY
 Rehwinkel, Michael L - Houston, TX
 Reyes, Yovelys - Forest Hills, NY
 Richards-Blagrove, Angeleto - Hempstead, NY
 Roach, Jason D - Chittenango, NY
 Robichaud-Meyer, Amy L - Castleton, NY
 Rogers, Johnny E - Port Leyden, NY
 Rogler, Raimée B - West Islip, NY
 Roldan, Marlene R - Henrietta, NY
 Romanelli, Vanessa - Holtsville, NY
 Rothfuss, Kathy J - Marion, NY
 Rush, Tiffany C - Syracuse, NY
 Russo, Nicole - Shoreham, NY
 Ryan, Thomas J - Lindenhurst, NY
 Ryerse, Karen L - Hamburg, NY
 Salama, Daniella M - Mohegan Lake, NY
 Salongo, Hinat - Rochester, NY
 Schwandt, Krystopher L - Spring Valley, NY
 Scott, Carol - Buffalo, NY
 Shepardson, Sandra L - Herkimer, NY
 Shulman, Michael W - Nashville, TN
 Simonelli, Annora - Howard Beach, NY
 Singh, Govindi - Bronx, NY
 Singleton, Lillian C - New York, NY
 Spinrad, Thomas W - Ballston Spa, NY
 Spizzirro, Kathleen - Katonah, NY
 Stanton, Earl J - Durhamville, NY
 Stokes, Joshua A - Nassau, NY
 Stokes, Melissa A - Bayshore, NY
 Sylvester, Kevin J - Washington, DC
 Tamez, Brenda M - Valatie, NY
 Tang, Linda D - Rye, NY
 Taylor, Amy M - Brewerton, NY
 Taylor, Gloria J - Port St Lucie, FL
 Tseng, Horace S - Batavia, NY
 Tyson, Monifa - Jamaica, NY
 Van Slyke, Jodi S - Elba, NY
 Vell, Jillian M - Slingerlands, NY
 Vernon, Virna L - White Plains, NY
 Wager, Tracy P - Troy, NY
 Walker, Maria Socorro B - Syracuse, NY
 Walters, Evelyn C - Charlotte, NC
 Washington, Nailah - Albany, NY
 West, Christine E - Penn Yan, NY
 Whaley, Paul A - Naples, NY
 Whitehead, Morice L - Troy, NY
 Wiessner, Carolyn H - Yonkers, NY
 Williams, Curtis C - Livingston Manor, NY
 Williams, Darnell Lamar - Rochester, NY
 Zitofsky, Eric W - Haverstraw, NY

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

PUBLIC NOTICE

Office Of Parks, Recreation and Historic Preservation

Pursuant to section 14.07 of the Parks, Recreation and Historic Preservation Law, the Office of Parks, Recreation and Historic Preservation hereby gives notice of the following:

In accordance with subdivision (c) of section 427.4 of title 9 NYCRR notice is hereby given that the New York State Board for Historic Preservation will be considering nomination proposals for listing of properties in the State and National Register of Historic Places at a meeting to be held on Thursday, June 11, 2015 at 10:30 AM, at Peebles Island State Park, 1 Delaware Avenue, Cohoes, NY 12188.

The following properties will be considered:

1. East Hill Historic District, Springville, Erie County
2. Holley Village Historic District, Holley, Orleans County
3. Sts. Peter and Paul Orthodox Church, Buffalo, Erie County
4. Barna C. Roup House, Perry, Wyoming County
5. American Radiator Company Factory Complex, Buffalo, Erie County
6. Park-State Historic District, Brockport, Monroe County
7. Chili-West Historic District, Rochester, Monroe County
8. Sibley Nineteenth Ward Historic District, Rochester, Monroe County
9. Endicott-Johnson Medical Clinic, Binghamton, Broome County
10. Lithuanian National Association Hall, Binghamton, Broome County
11. Walter Beckwith House, Stanford, Dutchess County
12. Cottage in the Pines, Deer Park, Orange County
13. Babylon Library, Babylon, Suffolk County
14. Daniel and Henry P. Tuthill Farm, Jamesport, Suffolk County
15. Main School, Hillburn, Rockland County
16. Sylvan Cemetery, Richmond County
17. 1964-1965 New York World's Fair Carousel, Queens County
18. West Side Unitarian Church/ Congregation Ramath Orah, New York County
19. Dodge-Burgess Farm, Town of Winfield, Herkimer County
20. Globe Woolen Company Mills, Utica, Oneida County
21. Horace Mann School, Schenectady, Schenectady County
22. St. Columba School, Schenectady, Schenectady County
23. St. Francis De Sales Church Complex, Geneva, Ontario County
24. The Uplands, Keene Valley, Essex County
25. First Presbyterian Church Complex, Gouverneur, St. Lawrence County
26. Burton Hall, North Easton, Washington County
27. United Presbyterian Church of South Argyle, South Argyle, Washington County

To be considered by the board, comments may be submitted to Ruth L. Pierpont, Deputy Commissioner for Historic Preservation, Division for Historic Preservation, Peebles Island, P.O. Box 189, Waterford, New York 12188-0189, no later than Wednesday, June 10 or may be submitted in person at the meeting by contacting Ruth L. Pierpont at the same address no later than June 10.

For further information, contact: Ruth L. Pierpont, Deputy Commissioner for Historic Preservation, Peebles Island, P.O. Box 189, Waterford, NY 12188-0189, (518) 237-8643

PUBLIC NOTICE

Department of State
F-2015-0058

Date of Issuance – May 6, 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-2015-0058, Commander Terminals, LLC, Oyster Bay Harbor, Town of Oyster Bay, Nassau County, NY is proposing to perform maintenance dredging of approximately 3,681 cy within the authorized western basin, with subsequent confined placement of the material at the Central Long Island Sound Disposal Site (CLIS). The CLIS is an open-water disposal site located within Long Island Sound, approximately 5.6 nautical miles south of East Haven, CT.

Any interested parties and/or agencies desiring to express their views concerning the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 15 days from the date of publication of this notice, or, by Thursday, May 21, 2015.

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

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

PUBLIC NOTICE

Susquehanna River Basin Commission Projects Approved for Consumptive Uses of Water

SUMMARY: This notice lists the projects approved by rule by the Susquehanna River Basin Commission during the period set forth in "DATES."

DATES: February 1 – 28, 2015.

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

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

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

Approvals By Rule Issued Under 18 CFR § 806.22(f):

1. XTO Energy Incorporated, Pad ID: King Unit, ABR-20091225.R1, Shrewsbury Township, Lycoming County, Pa.; Consumptive Use of Up to 3.000 mgd; Approval Date: February 3, 2015.

2. XTO Energy Incorporated, Pad ID: Booth, ABR-20091226.R1, Shrewsbury Township, Lycoming County, Pa.; Consumptive Use of Up to 4.000 mgd; Approval Date: February 3, 2015.

3. Chesapeake Appalachia, LLC, Pad ID: Nickolyn, ABR-20100436.R1, Auburn Township, Susquehanna County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 3, 2015.

4. Chesapeake Appalachia, LLC, Pad ID: Potter, ABR-20100401.R1, Terry Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 6, 2015.

5. Chesapeake Appalachia, LLC, Pad ID: Crawford, ABR-20100402.R1, Terry Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 6, 2015.

6. Chesapeake Appalachia, LLC, Pad ID: Everbreeze, ABR-20100408.R1, Troy Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 6, 2015.

7. Chesapeake Appalachia, LLC, Pad ID: Ballibay, ABR-20100409.R1, Herrick Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 6, 2015.

8. Chesapeake Appalachia, LLC, Pad ID: Balduzzi, ABR-20100410.R1, Wyalusing Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 6, 2015.

9. Chesapeake Appalachia, LLC, Pad ID: Alton, ABR-20100411.R1, Ulster Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 6, 2015.

10. Chesapeake Appalachia, LLC, Pad ID: Frisbee, ABR-20100413.R1, Orwell Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 6, 2015.

11. Chesapeake Appalachia, LLC, Pad ID: Blannard, ABR-20100414.R1, Standing Stone Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 6, 2015.

12. Chesapeake Appalachia, LLC, Pad ID: Dunham, ABR-20100418.R1, Albany Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 6, 2015.

13. Chesapeake Appalachia, LLC, Pad ID: Brackman, ABR-20100420.R1, Leroy Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 6, 2015.

14. Chesapeake Appalachia, LLC, Pad ID: Koromlan, ABR-20100421.R1, Auburn Township, Susquehanna County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 6, 2015.

15. Chesapeake Appalachia, LLC, Pad ID: Johnson, ABR-20100422.R1, Monroe Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 6, 2015.

16. Chesapeake Appalachia, LLC, Pad ID: Henry, ABR-20100423.R1, Albany Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 6, 2015.

17. Chesapeake Appalachia, LLC, Pad ID: McGavin, ABR-20100435.R1, Auburn Township, Susquehanna County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 6, 2015.

18. Chesapeake Appalachia, LLC, Pad ID: Rexford, ABR-20100437.R1, Orwell Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 6, 2015.

19. Chesapeake Appalachia, LLC, Pad ID: Amburke, ABR-20100438.R1, Auburn Township, Susquehanna County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 6, 2015.

20. Chesapeake Appalachia, LLC, Pad ID: Angie, ABR-20100441.R1, Auburn Township, Susquehanna County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 6, 2015.

21. Chesapeake Appalachia, LLC, Pad ID: Brink, ABR-20100449.R1, Herrick Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 6, 2015.

22. Chesapeake Appalachia, LLC, Pad ID: Breezy, ABR-201007037.R1, Troy Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 6, 2015.

23. Samson Exploration, LLC, Pad ID: Pardee & Curtin Lumber Co. C-05, ABR-20100116.R1, Shippen Township, Cameron County, Pa.; Consumptive Use of Up to 4.500 mgd; Approval Date: February 6, 2015.

24. Samson Exploration, LLC, Pad ID: Pardee & Curtin Lumber Co. C-07H, ABR-20100117.R1, Lumber Township, Cameron County, Pa.; Consumptive Use of Up to 4.500 mgd; Approval Date: February 6, 2015.

25. SWEPI, LP, Pad ID: Burt 518, ABR-20100221.R1, Richmond Township, Tioga County, Pa.; Consumptive Use of Up to 3.000 mgd; Approval Date: February 6, 2015.

26. SWEPI, LP, Pad ID: Ken-Ton 902, ABR-20100102.R1, West Branch Township, Potter County, Pa.; Consumptive Use of Up to 4.990 mgd; Approval Date: February 11, 2015.

27. SWEPI, LP, Pad ID: Mitchell A 903, ABR-20100152.R1, West Branch Township, Potter County, Pa.; Consumptive Use of Up to 4.990 mgd; Approval Date: February 11, 2015.

28. Chesapeake Appalachia, LLC, Pad ID: Yoder, ABR-20100419.R1, West Burlington Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 13, 2015.

29. Chesapeake Appalachia, LLC, Pad ID: Holtan, ABR-20100446.R1, Auburn Township, Susquehanna County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 13, 2015.

30. Chesapeake Appalachia, LLC, Pad ID: Polomski, ABR-20100447.R1, Wyalusing Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 13, 2015.

31. Chesapeake Appalachia, LLC, Pad ID: Champdale, ABR-20100450.R1, Tuscarora Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 13, 2015.

32. Chesapeake Appalachia, LLC, Pad ID: Verex, ABR-20100507.R1, Auburn Township, Susquehanna County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 13, 2015.

33. Chesapeake Appalachia, LLC, Pad ID: Pauliny, ABR-20100508.R1, Terry Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 13, 2015.

34. Chesapeake Appalachia, LLC, Pad ID: Coates, ABR-20100509.R1, Standing Stone Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 13, 2015.

35. Chesapeake Appalachia, LLC, Pad ID: Fred, ABR-20100524.R1, Leroy Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 13, 2015.

36. Chesapeake Appalachia, LLC, Pad ID: Moose, ABR-201007019.R1, Wysox Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 13, 2015.

37. Chesapeake Appalachia, LLC, Pad ID: Katzenstein NEW, ABR-201007029.R1, Wysox Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 13, 2015.

38. Chesapeake Appalachia, LLC, Pad ID: Jack, ABR-20100511.R1, Windham Township, Wyoming County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 16, 2015.

39. Chesapeake Appalachia, LLC, Pad ID: Janet, ABR-20100526.R1, Monroe Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 16, 2015.

40. Chesapeake Appalachia, LLC, Pad ID: Treat, ABR-20100527.R1, Rome Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 16, 2015.

41. Chesapeake Appalachia, LLC, Pad ID: Morse, ABR-20100528.R1, Leroy Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 16, 2015.

42. Chesapeake Appalachia, LLC, Pad ID: Hayward New, ABR-20100535.R1, Rome Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 16, 2015.

43. Chesapeake Appalachia, LLC, Pad ID: Cerca, ABR-20100538.R1, Wyalusing Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 16, 2015.

44. Chesapeake Appalachia, LLC, Pad ID: Flash, ABR-20100540.R1, Rome Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 16, 2015.

45. Chesapeake Appalachia, LLC, Pad ID: Feusner New, ABR-20100558.R1, Litchfield Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 16, 2015.

46. Chesapeake Appalachia, LLC, Pad ID: Milochik, ABR-201007034.R1, Auburn Township, Susquehanna County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 16, 2015.

47. Chesapeake Appalachia, LLC, Pad ID: Bluegrass, ABR-201007103.R1, Rush Township, Susquehanna County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 16, 2015.

48. Chesapeake Appalachia, LLC, Pad ID: McConnell, ABR-20100525.R1, Overton Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 20, 2015.

49. Chesapeake Appalachia, LLC, Pad ID: Madden, ABR-20100536.R1, Asylum Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 20, 2015.

50. Chesapeake Appalachia, LLC, Pad ID: Rich, ABR-20100539.R1, Troy Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 20, 2015.

51. Chesapeake Appalachia, LLC, Pad ID: Way, ABR-20100448.R1, Wyalusing Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 20, 2015.

52. Chesapeake Appalachia, LLC, Pad ID: Matt Will Farms, ABR-20100544.R1, Troy Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 20, 2015.

53. Chesapeake Appalachia, LLC, Pad ID: Kenyon, ABR-20100557.R1, Overton Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 20, 2015.

54. Chesapeake Appalachia, LLC, Pad ID: McGraw, ABR-20100537.R1, Washington Township, Wyoming County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 24, 2015.

55. Chesapeake Appalachia, LLC, Pad ID: Forbes NEW, ABR-201007022.R1, Asylum Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 24, 2015.

56. Chesapeake Appalachia, LLC, Pad ID: Tiffany, ABR-201007025.R1, Windham Township, Wyoming County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 24, 2015.

57. Chesapeake Appalachia, LLC, Pad ID: Robinson NEW, ABR-201007036.R1, Orwell Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 24, 2015.

58. Chesapeake Appalachia, LLC, Pad ID: Pieszala, ABR-201007065.R1, Windham Township, Wyoming County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 24, 2015.

59. Chesapeake Appalachia, LLC, Pad ID: Delima, ABR-201007078.R1, Albany Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 24, 2015.

60. Chesapeake Appalachia, LLC, Pad ID: Van DeMark, ABR-201007106.R1, Windham Township, Wyoming County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 24, 2015.

61. Chesapeake Appalachia, LLC, Pad ID: Petty, ABR-201007126.R1, Leroy Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: February 24, 2015.

62. WPX Energy Appalachia, LLC, Pad ID: Blye Pad Site, ABR-20100204.R1, Middletown Township, Susquehanna County, Pa.; Consumptive Use of Up to 3.999 mgd; Approval Date: February 25, 2015.

63. EXCO Resources (PA), LLC, Pad ID: Patterson Drilling Pad #1, ABR-20100146.R1, Penn Township, Lycoming County, Pa.; Consumptive Use of Up to 5.000 mgd; Approval Date: February 25, 2015.

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

Dated: April 20, 2015.

Stephanie L. Richardson,
Secretary to the Commission.

PUBLIC NOTICE

Uniform Code Regional Boards of Review

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

2015-0109 Matter of Tom Jaklitsch, 384 Mark Tree Road, East Setauket, NY 11733, for a variance concerning required exiting with revolving doors.

Involved is the construction of a new inflatable membrane structure, one story in height, approximately 24,600 square feet in area and of type VB construction, located at, 384 Mark Tree Road, East Setauket, Town of Brookhaven, Suffolk County, New York.

2015-0133 Matter of Andres Alvarado, 4969 Vail Ridge Lane, Fairfax, VA 22030, for a variance concerning a required opening for emergency escape and rescue for habitable space in the basement of an existing building.

Involved are alterations to an existing Townhouse, two stories in height, approximately 2,864 square feet in area and of type VB construction, located at, 197 Kettles Lane, Medford, Town of Brookhaven, Suffolk County, New York.

2015-0137 Matter of Franklin Cabreja, 42 Pocantico Apt #1, Sleepy Hollow, NY 10591 for a variance to the fire rating of a cellar ceiling and cellar stairway in accordance with the New York State Multiple Residence Law.

Involved is a three story building located at 1584 Brinkerhoff Avenue, City of Utica, Oneida County, State of New York.

2015-0138 Matter of Omelan Kowalchuk, 1202 Lenox Avenue, Utica, NY 13502 for a variance to the fire rating of a cellar ceiling and cellar stairway in accordance with the New York State Multiple Residence Law.

Involved is a three story building located at 1202 Lenox Avenue, City of Utica, Oneida County, State of New York.

2015-0140 Matter of Silvia Tineo, 7 Clinton Place, Utica, NY 13501 for a variance to the fire rating of a cellar ceiling and cellar stairway in accordance with the New York State Multiple Residence Law.

Involved is a three story building located at 7 Clinton Place, City of Utica, Oneida County, State of New York.

2015-0153 Matter of Zynowij Jackiw, 2803 Geness Street, Unitca, NY 13501 for a variance to the fire rating of a cellar ceiling in accordance with the New York State Multiple Residence Law.

Involved is a three story building located at 1436-1438 Genesee Street, City of Utica, Oneida County, State of New York.

2015-0157 Matter of DESIGN WORKS ARCHITECTURE, PC, CHARLES B SMITH, 6 NORTH MAIN STREET, SUITE 104, FAIRPORT, NY 14450, for a variance concerning safety requirements, including accessibility in a building located at 675 Denise Road, Town of Greece, County of Monroe, State of New York.

2015-0165 Matter of Kanchan Gupta, 303 Trumbul Road, Munsey Park, NY 11030 for an appeal and or variances concerning safety requirements, including emergency escape and rescue openings.

Involved is an existing dwelling, located at 303 Trumbul Road, Incorporated village of Munsey Park, Nassau County, New York.

