
NEW YORK STATE

REGISTER

INSIDE THIS ISSUE:

- Title Insurance Agents, Affiliated Relationships, and Title Insurance Business
- Registration and Financial Responsibility Requirements for Mortgage Loan Servicers
- Use of Escrow Funds for Repairs

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 October 16, 2016
- the 45-day period expires on October 1, 2016
- the 30-day period expires on September 16, 2016

**ANDREW M. CUOMO
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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)

Rule Making Activities

Children and Family Services, Office of

- 1 / Erratum
- 2 / Youth Development Program Funding and Implementation (A)
- 3 / New York State Child Care Market Rates (A)

Financial Services, Department of

- 4 / Title Insurance Agents, Affiliated Relationships, and Title Insurance Business (E)
- 7 / Registration and Financial Responsibility Requirements for Mortgage Loan Servicers (E)

Health, Department of

- 10 / School Immunization Requirements (A)
- 11 / Practice of Radiologic Technology (RP)

Mental Health, Office of

- 12 / Incident Management, Criminal History Record Checks, Operation of Psychiatric Inpatient Units
General Hospitals, RTFs and CPEPs (A)

Public Service Commission

- 13 / Use of Escrow Funds for Repairs (EP)
- 13 / Clean Energy Standard (A)
- 15 / Stock Acquisition (A)
- 15 / Clean Energy Standard (A)
- 15 / Use of the Silver Spring Network Communication Device in Utility Metering Applications (P)
- 15 / Design and Implementation of Low-Income Energy Efficiency Program Proposed by Massena
Electric Department (P)
- 16 / Exemption from Certain Charges for Delivery of Electricity to Its Niagara Falls, New York Facility
(P)
- 16 / Lightened Regulatory Regime Applicable to Indeck Corinth Limited Partnership (P)

Temporary and Disability Assistance, Office of

- 16 / Emergency Shelters for the Homeless (A)
- 17 / Supplemental Nutrition Assistance Program (SNAP) (A)
- 17 / Income Withholding of Child or Combined Child and Spousal Support (A)

Hearings Schedule for Proposed Rule Makings / 18

Action Pending Index / 19

Advertisements for Bidders/Contractors

- 69 / Sealed Bids

Miscellaneous Notices/Hearings

- 75 / Notice of Abandoned Property Received by the State Comptroller
- 75 / Public Notice

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.

Office of Children and Family Services

ERRATUM

A Notice of Emergency Adoption and Proposed Rule Making, I.D. No. CFS-30-16-00001-EP, pertaining to Child Day Care Safety Enforcement and Administrative Hearing Regulations, published in the July 27, 2016 issue of the *State Register* contained an incorrect word in the Specific Reasons Underlying the Finding of Necessity, and the Regulatory Impact Statement under the Needs and Benefits section. Following are the corrected statements with the proper word in bold.

Specific reasons underlying the finding of necessity: The Office of Children and Family Services (Office) has determined that immediate adoption of these regulations on an emergency basis are necessary to better protect the health, safety and welfare of children in licensed and registered child day care programs throughout New York State and to better protect children from receiving care in programs that do not have the required license or registration to operate. These emergency regulations strengthen the Office's ability to take enforcement action against child day care programs that violate applicable health and safety requirements.

Presently, the grounds for which the Office may suspend or limit a licensed or registered child day care program are extremely narrow. As a result, children may continue to receive care in licensed or registered child care settings even after the Office has found egregious health and safety violations. These emergency regulations will clarify the legal standard to suspend or limit a child day care program so that the Office can act in appropriate circumstances to protect the safety and well-being of children receiving child care services in licensed or registered programs. Adoption of these regulations on an emergency basis is needed to prevent children from continuing to receive child care services in unsafe environments where egregious health and safety violations have been found.

These regulations will also require programs to post notices to inform parents or caregivers when a program has been suspended or limited. Adoption of these regulations on an expedited basis is needed so that parents can make informed and timely choices regarding the safety of their children. Parents and caregivers deserve to know that child day care providers authorized to provide care by the Office in fact provide the safest, most secure environment for children.

These regulations will modify, within the existing statutory cap, the maximum allowable daily fine the Office can charge a provider for violating specified regulatory requirements and allow for a graduated increase in the maximum fine that can be charged for repeat offenses. These changes are necessary on an expedited basis to provide a greater deterrent for violation of existing regulatory requirements, and to provide appropriate remedies for repeat violations.

Finally, these regulations will help to better protect children in child day care programs by **authorizing** the Office to notify law enforcement when a child care program is found to be operating without the required license or registration and by requiring unlicensed and unregistered programs to inform parents that the program has been shut down. Adoption of these regulations on an emergency basis is needed as unlicensed operation of child care programs has resulted in serious risk to the safety of children and additional deterrents are necessary.

In the absence of these regulations, inspections have shown that there are unsafe programs that continue to operate, parents are unaware of potentially unsafe conditions, and unsafe providers are often not dissuaded from continuing to provide inadequate and unsafe care.

Regulatory Impact Statement

3. Needs and benefits:

The proposed changes to the enforcement and hearing regulations are needed to better protect the health, safety and welfare of children in licensed and registered child day care programs throughout New York State and to better protect children from receiving care in programs that do not have the required license or registration to operate.

These regulations will clarify the legal standard to suspend or limit a child day care program so that the Office can act in appropriate circumstance to protect the safety and well-being of children when egregious violations of the applicable legal standards for health and safety occurs in a licensed or registered program. Such changes are required to prevent children from receiving child care services in unsafe environments.

These regulations will also require programs to post notices to inform parents or caregivers when a program has been suspended or limited. Parents and caregivers deserve to know that child day care providers authorized to provide care by the Office, in fact provide the safest, most secure environment for children.

These regulations will modify, within the existing statutory cap, the maximum allowable daily fine the Office can charge a provider for violating specified regulatory requirements and allow for a graduated increase in the maximum fine that can be charged for repeat offenses. Such changes are necessary to provide a greater deterrent for violation of existing regulatory requirements, and to provide appropriate remedies for repeat violations.

Finally, these regulations will help to better protect children in child day care programs by **authorizing** the Office to notify law enforcement when a child care program is found to be operating without the required license or registration. These regulations will also provide that if the Office requires that such programs close that such programs post a notice to inform parents and caregivers that the program has been closed for not having the required license or registration.

NOTICE OF ADOPTION

Youth Development Program Funding and Implementation

I.D. No. CFS-49-15-00005-A

Filing No. 744

Filing Date: 2016-08-01

Effective Date: 2016-08-17

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

Action taken: Repeal of Subparts 165-1 and 165-2; and addition of new Subpart 165-1 to Title 9 NYCRR.

Statutory authority: Social Services Law, sections 20(3)(d) and 34(3)(f); Executive Law, sections 419 and 501(5); L. 2013, ch. 57, part G

Subject: Youth development program funding and implementation.

Purpose: To implement statutory changes regarding youth development program funding and implementation.

Substance of final rule: Part G of Chapter 57 of the Laws of 2013 (Chapter 57) repealed subdivision 1 of Section 420 of the Executive Law, as it pertained to special delinquency prevention programs (SDPP) and youth development and delinquency prevention (YDDP) services, and replaced it with a new subdivision 1. Section 420(1) of the Executive Law, as added by Part G of Chapter 57, streamlined the funding for youth development programs by providing a single stream of funding to replace multiple funding streams, each with its own set of rules.

These proposed regulations repeal subparts 165-1 and 165-2 of Title 9 of the New York Codes, Rules and Regulations (NYCRR), which provide rules for SDPPs and YDDPs, and add a new subpart 165-1, which provides rules for implementing the new youth development programs. The proposed regulations also contain an amendment to the title of Subtitle E of 9 NYCRR, to reflect that the prior Division for Youth is now the Office of Children and Family Services (OCFS).

The following is a summary of the provisions of the proposed subpart 165-1:

Section 165-1.1 states the purpose of the proposed regulations, which is to provide for the coordination and allocation methodology for funding for a range of community level programs and services that will promote positive youth development through youth development programs.

Section 165-1.2 provides definitions for the youth development program regulations. The following terms are defined: Office (meaning the Office of Children and Family Services); youth; municipality; youth development program; youth bureau; municipal youth bureau; local youth bureau; youth board; comprehensive plan for youth development programs; and youth development funding.

Section 165-1.3 provides information about comprehensive plans for youth development programs.

Subdivision (a) of section 165-1.3 requires that each municipality that seeks youth development funding submit a comprehensive plan for youth development programs (comprehensive plan) that is written in consultation with its municipal youth bureau. The comprehensive plan must be submitted in the manner and form and at such time as designated by OCFS and is subject to the approval of OCFS.

Subdivision (b) of section 165-1.3 describes the information that must be included in the comprehensive plan for youth development programs.

Subdivision (c) of section 165-1.3 addresses the instances in which OCFS may approve all or part of a municipality's comprehensive plan for youth development programs. Upon receipt of a notification that OCFS has not approved all or part of its comprehensive plan, a municipality has sixty days under the proposed regulations to submit a revised plan or documents to OCFS. If OCFS does not approve the revised plan submitted during the 60-day period, OCFS may withhold youth development funds from the municipality until its plan is fully approved.

Subdivision (d) of section 165-1.3 requires that municipalities obtain OCFS approval of any amendments to their comprehensive plans for youth development programs prior to the plans taking effect.

Subdivision (e) of section 165-1.3 provides a municipality with the ability to request a waiver of any non-statutory regulatory requirement relating to the content or timing of its comprehensive plan for youth development programs.

Subdivision (f) of section 165-1.3 allows OCFS to waive any non-statutory regulatory requirements related to the content or timing of a comprehensive plan for youth development programs where it is determined that the requirement will impose an undue burden or unreasonably impede a municipality's ability to implement its comprehensive plan. OCFS may establish alternative requirements as a condition of receiving the waiver.

Section 165-1.4 provides rules for implementing the funding of youth development programs.

Subdivision (a) of section 165-1.4 provides that each municipality operating a youth development program is eligible for 100% state reimbursement of qualified expenditures, exclusive of federal funds and subject to the availability of youth development funds. This subdivision also establishes regulatory provisions for youth development funding regarding the following: eligibility, the distribution methodology, the establishment of a single municipal youth bureau by two or more municipalities, and the possible use of funds for statewide training and technical assistance.

Subdivision (b) of section 165-1.4 provides rules regarding reimbursable expenditures and claims for youth development programs.

Subdivision (c) of section 165-1.4 provides rules for instances in which two or more municipalities join together to establish, operate and maintain a municipal youth bureau.

Subdivision (d) of section 165-1.4 permits a municipality to include in its comprehensive plan for youth development programs the funding for a municipal youth bureau and one or more local youth bureaus that are approved by the municipality after April 1, 2013. It also provides that any youth bureau that was approved by OCFS on or before April 1, 2013 shall be an approved local youth bureau. The proposed regulations also provide for minimum requirements that pertain to the funding of local youth bureaus by a municipality.

Subdivision (e) of section 165-1.4 establishes limitations that OCFS may place on reimbursable expenditures and claims.

Subdivision (f) of section 165-1.4 permits OCFS to require municipalities receiving youth development funding to submit reports estimating expenditures.

Section 165-1.5 addresses the administration of youth development programs.

Subdivision (a) of section 165-1.5 prohibits discrimination in the provision of services or in employment of personnel by youth development programs.

Subdivision (b) of section 165-1.5 permits municipalities to enter into contracts in accordance with applicable laws, rules and regulations to effectuate youth development programs.

Subdivision (c) of section 165-1.5 establishes rules that are applicable to the administration of municipal youth bureaus, including requirements regarding the employment and responsibilities of an executive director or other designated person who is employed by the municipality; youth boards; youth board composition; and the powers, duties and responsibilities of youth boards for municipal youth bureaus.

Subdivision (d) of section 165-1.5 provides for rules regarding the establishment of local youth bureaus.

Subdivision (e) of section 165-1.5 requires a municipality receiving youth development funding to make its youth development program records available for examination or inspection upon the request of OCFS.

Subdivision (f) of section 165-1.5 requires municipalities to submit any statistical or other reports related to youth development programs that OCFS may require.

Final rule as compared with last published rule: Nonsubstantive changes were made in sections 165-1.3(a) and 165-1.5(c)(1).

Text of rule and any required statements and analyses may be obtained from: Public Information Office, New York State Office of Children and Family Services, 52 Washington Street, Rensselaer, New York 12144, (518) 473-7793, email: info@ocfs.ny.gov

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

Changes made to the last published rule does not necessitate revision to the previously published Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement because the changes that were made to the rule do not affect the information provided in the previously published Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement.

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2019, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

The New York State Office of Children and Family Services (OCFS) received comments from seven persons concerning its proposed regulations for youth development programs. Many of the comments centered on a concern that the importance of the youth bureaus in taking the lead on matters regarding youth development programs had been diminished in the proposed regulations. Several comments cited the importance of the role of the directors of youth bureaus as leaders of comprehensive planning for youth development.

1. Section 165-1.2(i) - Definition of "Comprehensive plan for youth development programs". Three people submitted comments asking that the definition of the comprehensive plan for youth development programs be revised. The definition in the proposed regulations is: "Comprehensive plan for youth development programs shall mean the plan developed by a municipality, in consultation with the applicable municipal youth bureau, to offer youth development programs in accordance with section 420(1) of the Executive Law. The comprehensive plan for youth development programs shall be subject to the approval of the Office and shall be submitted to the Office by each municipality at such time and for such periods as the Office shall determine."

The commenters expressed concern that the proposed definition does not acknowledge the centrality of youth bureaus in youth development. All three suggested changing the first sentence to: "Comprehensive plan for youth development programs shall mean the plan developed by a youth bureau on behalf of its municipality to promote youth development and offer youth development programs in accordance with section 420(1) of the Executive Law."

Response: Executive Law § 420.1(c) requires the municipality to develop the comprehensive plan, in consultation with its youth bureau. The regulation reflects this statutory requirement. Executive Law § 420 also requires that the comprehensive plan for youth development programs be submitted as part of each county's Child and Family Services Plan; such plan includes information about many service areas other than youth development, including child welfare and child care, and must be submitted by the county (i.e., municipality.) We might also note that, while under the previous law OCFS provided direct payments to specific youth development programs, funding for youth development programs is now directed to the municipality, not to the youth bureau or to specific youth development programs. Therefore, the municipality must maintain responsibility for determining an overall plan for its jurisdiction. The current definition reflects the language and intent of the law and as such OCFS will not be amending the definition.

2. Section 165-1.3(a) - Development of the comprehensive plan for youth development programs. Four commenters wrote asking for a change in the wording in this subdivision. Three of those indicated that they were concerned that the current wording here, and in other part of the regulations, could result in a diminishment of the influence of youth bureaus and youth bureau directors in the planning process for developing youth development program plans. They were specifically concerned that with the current language, youth bureau directors might lose the traditional leadership role they have had in youth development program planning. Three commenters asked that the first sentence be changed to, "To be considered for youth development funding, each municipality must 'submit a comprehensive plan for youth development funding developed by its youth bureau, which documents consultation with all key stakeholders in addition to' any documentation as may be required by the Office..." One additional commenter asked that OCFS add the word "must" in specifying that the youth bureau "must" be consulted by the municipality when developing its youth development plan.

Response: The regulatory language that OCFS has been asked to substitute for the currently proposed regulation would contravene the language of the Executive Law, which states that the municipality shall develop the comprehensive youth development program plan. OCFS finds that the concepts of community participation and consultation are captured in section 165-1.5(c)(2) of the regulations, which describes the role of youth boards. Section 165-1.5(c)(2) requires each youth bureau to have a board that is representative of the community, that includes key stakeholders, and that advises the municipality throughout the process of developing the comprehensive plan for youth development programs.

However, OCFS acknowledges and agrees with the concerns expressed about the desirability of providing a strong role for youth bureaus in the planning process. Although OCFS believes that the proposed regulations already address this, we are making a non-substantial change to clarify the requirement that a municipality consult with its youth bureau in developing its comprehensive plan for youth development programs. The sentence will now state, "To be considered for youth development funding, each municipality must consult with its applicable municipal youth bureau to develop a written comprehensive plan for youth development programs including any documentation as may be required by the Office..."

3. Section 165-1.3(b)(1) - Emphasis on municipalities with youth population of 20,000 or more. Two commenters expressed concern about the requirement that comprehensive plans for youth development programs must "describe the need in the municipality for youth development programs, and specify, at a minimum, how the municipality will address the need for youth development in villages, towns, and cities that have a youth population of 20,000 or more persons." Both commenters suggested adding language to the paragraph, so that it would start, "describe the needs of all youth 0-20..." They explained that they thought such language would emphasize the intention to address the needs of all youth, not just those in larger jurisdictions.

Response: The current proposed regulations reflect the statutory requirement and use the same language as that used in the Executive Law pertaining to this subject. "Youth" is already defined in section 165-1.2(b) as any person under twenty-one years of age. Therefore, OCFS does not see the need for the addition of an age range in this part of the regulations. Furthermore, nothing precludes any municipality from including every part of its jurisdiction, including places with low population, in its youth development plan. For these reasons, there will be no change in this regulation.

4. Section 165-1.4(d)(2) - Limitation of 15% for local youth bureau administrative expenses. One commenter inquired about the statement: "No more than fifteen percent (15%) of the youth development funds that a municipality provides to a local youth bureau may be used for administrative functions performed by the local youth bureau," asking three questions:

a. Is the 15% an overall administrative fee for all combined youth programs conducted by the youth bureau?

b. Can the local youth bureau request up to 15% for each program funded by OCFS?

c. Is the 15% included in the dollars funded to the program or is it in addition to the funding for a program?

Response: OCFS considered whether to change the proposed regulation to clarify the rule, but determined that there is no need to make any change. OCFS believes that the current language is clear. The limit of 15% applies to all funds that a municipality provides to a local youth bureau.

5. Section 165-1.5(c) - Requirements regarding the leadership of the municipal youth bureau. Six people provided comments expressing concern about the terminology in the section on staffing of municipal youth boards. As proposed by OCFS, section 165-1.5(c)(1) states, "Each municipal youth bureau must employ sufficient staff to implement its approved youth development programs. An executive director or other designated person must be designated by the municipality to maintain overall responsibility for its municipal youth bureau." Five of the commenters all proposed the same language as a substitute: "Each municipal youth bureau must employ sufficient staff to develop and implement its comprehensive plan, including the administration of youth development programs. An executive director designated by the municipality must have sufficient time, training, expertise, and authority to fulfill the responsibilities of its municipal youth bureau." Four of those five also suggested that the regulation continue on to state that, if a municipality encounters significant hardships in recruiting or training a fully-qualified county employee as executive director, it could seek a waiver to obtain permission to designate another county employee to fulfill the duties of youth bureau director. Some of these commenters expressed the concern that removing the designation of "director" would endanger the traditional role of the head of the youth bureau as a community leader who generates collaboration in planning strategies for youth development. There was concern expressed that some counties might assign someone who lacked expertise, time, or authority to perform the role effectively. OCFS also received one comment about this section that urged that the regulations make clear that the executive director or other designated person be a county employee.

Response: OCFS understands the expressed concerns. Under the proposed regulation, each county will have the flexibility to determine the title that best meets its needs. Nothing in this regulation precludes designating the head of the municipal youth bureau as "director" or "executive director." OCFS believes that the proposed regulations implicitly require that municipal staff must direct the municipal youth board. However, OCFS agrees that the regulations should specify that the municipality must employ its own staff to direct the municipal youth board rather than contract out this work, and thus has added language to clarify this.

NOTICE OF ADOPTION

New York State Child Care Market Rates

I.D. No. CFS-24-16-00005-A

Filing No. 750

Filing Date: 2016-08-02

Effective Date: 2016-08-17

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

Action taken: Amendment of section 415.9 of Title 18 NYCRR.

Statutory authority: Social Services Law, sections 20(3)(d), 34(3)(f) and 410-u through 410-z

Subject: New York State Child Care Market Rates.

Purpose: To establish payment rates for federally-funded child care subsidies to allow equal access to child care for eligible children.

Text or summary was published in the June 15, 2016 issue of the Register, I.D. No. CFS-24-16-00005-EP.

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

Text of rule and any required statements and analyses may be obtained from: Public Information Office, New York State Office of Children and Family Services, 52 Washington Street, Rensselaer, New York 12144, (518) 473-7793, email: info@ocfs.ny.gov

Assessment of Public Comment

This assessment responds to the comments received on the Notice of Proposed Rule Making for the New York State Child Care Market Rates, Section 415.9 of Title 18 of the Official Compilation of Codes, Rules and Regulations of the State of New York (NYCRR), I.D. No. CFS-24-16-00005-EP, included in the New York State Register dated June 15, 2016.

The Office of Children and Family Services (OCFS) received comments from 23 responders during the public comment period. Responses were received from Child Care Resource & Referral Agencies, a union representing child care providers, child care program directors, child care advocacy groups, and child care providers. In the following assessment, OCFS combined similar comments from multiple responders for the purpose of responding to the comments.

OCFS received comments from ten responders that the proposed child care market rates are not high enough to operate child care programs and that rates should be increased. Further, three of these ten responders stated that the child care market rates should be calculated at the 75th percentile not the 69th percentile. OCFS reviewed the comments and determined that the purpose of establishing child care market rates for the child care subsidy program is to provide families receiving a child care subsidy with access to child care services that is comparable to families not eligible for child care subsidy. OCFS maintains that calculating the child care market rates at the 69th percentile instead of the 75th percentile still allows families to access child care from a wide range of providers, approximately from seven out of ten licensed or registered child care providers; and, therefore, the child care market rates are sufficient for the purpose of providing comparable access. Further, the child care market rates are not intended to dictate what providers can or should charge, rather they indicate the maximum amount that local social services districts can be reimbursed for a child care subsidy. OCFS determined that no change to the proposed regulations is required in response to these comments.

OCFS received comments from eight responders in opposition to the consolidation of family day care and group family day care providers into the same child care market rate. OCFS reviewed the comments and determined that the health and safety regulations governing family and group family day care providers have become much the same over the years, with the primary regulatory distinction between the two types of providers being total capacity. Therefore, the market rate for the two provider types was combined. Further, the child care market rates are not intended to dictate what providers can or should charge, rather they indicate the maximum amount that local social services districts can be reimbursed for a child care subsidy. OCFS determined that no change to the proposed regulations is required in response to these comments.

OCFS received a comment from one responder supporting the consolidation of family day care and group family day care providers into the same child care market rate. OCFS reviewed the comment and determined that no change to the proposed regulations is required in response to this comment.

OCFS received comments from five responders supporting the change of the age group to under two years of age to reflect the statutory requirement for staff-child ratios for family day care homes and group family day care homes. OCFS reviewed the comments and determined that no change to the proposed regulations is required in response to these comments.

OCFS received comments from nine responders stating that the federal Administration for Children and Families in its conditional approval of the State's child care plan advised that New York's child care market rates may not allow for equal access. The responders recommend that OCFS conduct a new market rate survey since the last survey was conducted in early 2015 and does not reflect subsequent and significant increases in programs' operating costs. OCFS reviewed the comments and OCFS determined that the child care market rates allow families to access child care from a wide range of providers, approximately from seven out of ten licensed or registered child care providers. OCFS maintains that the child care market rates are sufficient to provide equal access to child care services for families receiving a child care subsidy. OCFS determined that no change to the proposed regulations is required in response to these comments.

OCFS received comments from two responders that Broome County should be placed in the child care market rate grouping of counties identified as Group 2 instead of Group 3. OCFS reviewed the comments and determined that, prior to conducting the 2015 market rate survey, a cluster analysis was performed using the 2013 market rate survey data in order to

assess the composition of county groupings and whether those county groupings should be changed. That cluster analysis indicated that the rates for Broome County were more similar to the rates of Group 3 counties than any other county groups. Therefore, OCFS determined that no change to the proposed regulations is required in response to these comments.

OCFS received a comment from one responder that disputes the results of the market rate survey because the survey questions were slanted and confusing. OCFS reviewed the survey instrument and methodology and determined that the market rate survey and resulting child care market rates meet acceptable and appropriate statistical standards and are valid and reliable. OCFS determined that no change to the proposed regulations is required in response to this comment.

Department of Financial Services

EMERGENCY RULE MAKING

Title Insurance Agents, Affiliated Relationships, and Title Insurance Business

I.D. No. DFS-33-16-00002-E

Filing No. 743

Filing Date: 2016-08-01

Effective Date: 2016-08-01

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); 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 regarding 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 this emergency rule as a permanent rule and will publish a notice of proposed rule making in the *State Register* at some future date. The emergency rule will expire October 29, 2016.

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, although the cost impact will likely vary among the agents and insurers affected by this regulation, the costs of these new disclosures and reporting requirements 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 the consolidated rules in July, 2014, 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 the initial proposed new Regulation 206, particularly with respect to affiliated business relationships, and title insurance corporation or title insurance agent responsibility for title insurance closers. The Department initially submitted the regulation as a proposed rulemaking that was published in the State Register on July 23, 2014. Because of the critical need to have regulations in effect on and after the September 27, 2014 effective date of Chapter 57, the Department promulgated emergency regulations effective on that date. In response to comments received during the public comment period, the Department made additional changes that were incorporated into the emergency rules, in order to clarify or eliminate unnecessary requirements. Because the proposed regulation has expired, the Department anticipates submitting a new, revised proposal in 2016 that will incorporate additional public comments that the Department has received regarding the initial proposal. To prevent disruption and confusion in the industry until the rules are finalized, however, the emergency regulation is continued unchanged from the versions in effect since September 27, 2014.

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. The emergency rules have continued unchanged since September 27, 2014.

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 Proce-

dures 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 impact, including any adverse impact, 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:** The Department initially submitted the regulation as a proposed rulemaking on July 23, 2014. Prior to submission, interested parties, including an organization representing title insurance agents, were given an opportunity to comment on a draft version of these rules, in addition to their opportunity to review and comment on the proposed rulemaking when it was published. The proposed regulation has now expired and the Department anticipates submitting a new, revised proposal in 2016 that will incorporate additional public comments that the Department has received regarding the initial proposal. However, to prevent disruption and confusion in the industry until the rules are finalized, the emergency regulation is continued unchanged from the versions in effect since September 27, 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: The Department initially submitted the regulation as a proposed rulemaking on July 23, 2014. Prior to submission, interested parties, including those located in rural areas, were given an opportunity to review and comment on a draft version of these rules, in addition to their opportunity to review and comment on the proposed rulemaking when it was published. The proposed regulation has now expired and the Department anticipates submitting a new, revised proposal in 2016 that will incorporate additional public comments that the Department has received regarding the initial proposal. However, to prevent disruption and confusion in the industry until the rules are finalized, the emergency regulation is continued unchanged from the versions in effect since September 27, 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.

EMERGENCY RULE MAKING

Registration and Financial Responsibility Requirements for Mortgage Loan Servicers

I.D. No. DFS-33-16-00007-E

Filing No. 748

Filing Date: 2016-08-02

Effective Date: 2016-08-04

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

Action taken: Addition of Part 418 and Supervisory Procedures MB 109 and MB 110 to Title 3 NYCRR.

Statutory authority: Banking Law, art. 12-D

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

Specific reasons underlying the finding of necessity: Chapter 472 of the Laws of 2008, which requires mortgage loan servicers to be registered with the Superintendent of Financial Services (formerly the Superintendent of Banks), went into effect on July 1, 2009. These regulations implement the registration requirement and inform servicers of the details of the registration process so as to permit applicants to prepare, submit and review applications for registrations on a timely basis.

Excluding persons servicing loans made under the Power New York Act from the mortgage loan servicer rules is necessary to facilitate the immediate implementation of such loan program so that the anticipated energy efficiency benefits can be realized without delay.

Subject: Registration and Financial Responsibility Requirements for Mortgage Loan Servicers.

Purpose: The rule implements provisions of the Subprime Lending Reform Law (Ch. 472, Laws of 2008) amending Article 12-D of the Banking Law to require that persons or entities which service mortgage loans on residential real property on or after July 1, 2009 be registered with the Superintendent of Financial Services (formerly the Superintendent of Banks). Part 418 sets forth application, exemption and approval procedures for registration as a mortgage loan servicer (MLS) and financial responsibility requirements for applicants, registrants and exempted persons. Supervisory Procedure MB 109 sets forth the details of the application procedure. Supervisory Procedure MB 110 sets forth the procedure for approval of a change of control of a registered MLS.

Substance of emergency rule: Section 418.1 summarizes the scope and application of Part 418. It notes that Sections 418.2 to 418.11 implement the requirement in Article 12-D of the Banking Law that certain mortgage loan servicers ("servicers") be registered with the Superintendent of Financial Services (formerly the Superintendent of Banks), while Sections 418.12 and 418.13 set forth financial responsibility requirements that are applicable to both registered and exempt servicers. [Section 418.14 sets forth the transitional rules.]

Section 418.2 implements the provisions in Section 590(2)(b-1) of the Banking Law requiring registration of servicers and exempting mortgage bankers, mortgage brokers, and most banking and insurance companies, as well as their employees. Servicing loans made pursuant to the Power New York Act of 2011 is excluded. The Superintendent is authorized to approve other exemptions.

Section 418.3 contains a number of definitions of terms that are used in Part 418, including "Mortgage Loan", "Mortgage Loan Servicer", "Third Party Servicer" and "Exempted Person".

Section 418.4 describes the requirements for applying for registration as a servicer.

Section 418.5 describes the requirements for a servicer applying to open a branch office.

Section 418.6 covers the fees for application for registration as a servicer, including processing fees for applications and fingerprint processing fees.

Section 418.7 sets forth the findings that the Superintendent must make to register a servicer and the procedures to be followed upon approval of an application for registration. It also sets forth the grounds upon which the Superintendent may refuse to register an applicant and the procedure for giving notice of a denial.

Section 418.8 defines what constitutes a "change of control" of a servicer, sets forth the requirements for prior approval of a change of control, the application procedure for such approval and the standards for approval. The section also requires servicers to notify the Superintendent of changes in their directors or executive officers.

Section 418.9 sets forth the grounds for revocation of a servicer registra-

tion and authorizes the Superintendent, for good cause or where there is substantial risk of public harm, to suspend a registration for 30 days without a hearing. The section also provides for suspension of a servicer registration without notice or hearing upon non-payment of the required assessment. The Superintendent can also suspend a registration when a servicer fails to file a required report, when its surety bond is cancelled, or when it is the subject of a bankruptcy filing. If the registrant cures the deficiencies its registration can be reinstated. The section further provides that in all other cases, suspension or revocation of a registration requires notice and a hearing.

The section also covers the right of a registrant to surrender its registration, as well as the effect of revocation, termination, suspension or surrender of a registration on the obligations of the registrant. It provides that registrations will remain in effect until surrendered, revoked, terminated or suspended.

Section 418.10 describes the power of the Superintendent to impose fines and penalties on registered servicers.

Section 418.11 sets forth the requirement that applicants demonstrate five years of servicing experience as well as suitable character and fitness.

Section 418.12 covers the financial responsibility and other requirements that apply to applicants for servicer registration, registered servicers and exempted persons (other than insured depository institutions to which Section 418.13 applies). The financial responsibility requirements include a required net worth (as defined in the section) of at least \$250,000 plus 1/4 % of total loans serviced or, for a Third Party Servicer, 1/4 of 1% of New York loans serviced; (2) a corporate surety bond of at least \$250,000 and (3) a Fidelity and E&O bond in an amount that is based on the volume of New York mortgage loans serviced, with a minimum of \$300,000.

The Superintendent is empowered to waive, reduce or modify the financial responsibility requirements for certain servicers who service an aggregate amount of loans not exceeding \$4,000,000.

Section 418.13 exempts from the otherwise applicable net worth and surety bond requirements, but not the Fidelity and E&O bond requirements, entities that are subject to the capital requirements applicable to insured depository institutions and that are considered at least adequately capitalized.

Section 418.14 provides a transitional period for registration of mortgage loan servicers. A servicer doing business in this state on June 30, 2009 which files an application for MLS registration by July 31, 2009 will be deemed in compliance with the registration requirement until notified that its application has been denied. A person who is required to register as a servicer solely because of the changes in the provisions of the rule regarding use of third party servicers which became effective on August 23, 2011 and who files an application for registration within 30 days thereafter will not be required to register until six months from the effective date of the amendment or until the application is denied, whichever is earlier.

Section 110.1 defines a number of terms that are used in the Supervisory Procedure.

Section 110.2 contains a general description of the process for applying for approval of a change of control of a mortgage loan servicer ("servicer") and contains information about where the necessary forms and instructions may be found.

Section 110.3 lists the documents to be included in an application for approval of a change of control of a servicer, including the required fees. It sets forth the time within which the Superintendent of Financial Services (formerly the Superintendent of Banks) must approve or disapprove an application. It also sets forth the execution and attestation requirements for applications. The section makes clear that the Superintendent can require additional information or an in person conference, and that the applicant can submit additional pertinent information. Last, the section lists the types of changes in a servicer's operations resulting from a change of control which should be notified to the Department of Financial Services (formerly the Banking Department).

Section 110.4 describes the information and documents required to be submitted as part of an application for approval of a change of control of servicer. This includes various items of information about the applicant and its regulatory history, if any, information demonstrating continuing compliance with the applicable financial responsibility and experience requirements, information about the organizational structure of the applicant, a description of the acquisition and other documents regarding the applicant, such as fingerprint cards and background reports.

Section 109.1 defines a number of terms that are used in the Supervisory Procedure.

Section 109.2 contains a general description of the process for registering as a mortgage loan servicer ("servicer") and contains information about where the necessary forms and instructions may be found.

Section 109.3 lists the documents to be included in an application for servicer registration, including the required fees. It also sets forth the execution and attestation requirements for applications. The section makes

clear that the Superintendent of Financial Services (formerly the Superintendent of Banks) can require additional information or an in person conference, and that the applicant can submit additional pertinent information.

Section 109.4 describes the information and documents required to be submitted as part of an application for registration as a servicer. This includes various items of information about the applicant and its regulatory history, if any, information demonstrating compliance with the applicable financial responsibility and experience requirements, information about the organizational structure of the applicant, and other documents, such as fingerprint cards and background reports.

This notice is intended to serve only as an emergency adoption, to be valid for 90 days or less. This rule expires October 30, 2016.

Text of rule and any required statements and analyses may be obtained from: Hadas A. Jacobi, Department of Financial Services, One State Street, New York, NY 10004-1417, (212) 480-5890, email: hadas.jacobi@dfs.ny.gov

Regulatory Impact Statement

1. Statutory Authority.

Article 12-D of the Banking Law, as amended by the Legislature in the Subprime Lending Reform Law (Ch. 472, Laws of 2008, hereinafter, the "Subprime Law"), creates a framework for the regulation of mortgage loan servicers. Mortgage loan servicers (MLS) are individuals or entities which engage in the business of servicing mortgage loans for residential real property located in New York. That legislation also authorizes the adoption of regulations implementing its provisions. (See, e.g., Banking Law Sections 590(2) (b-1) and 595-b.)

Subsection (1) of Section 590 of the Banking Law was amended by the Subprime Law to add the definitions of "mortgage loan servicer" and "servicing mortgage loans". (Section 590(1)(h) and Section 590(1)(i).)

A new paragraph (b-1) was added to Subdivision (2) of Section 590 of the Banking Law. This new paragraph prohibits a person or entity from engaging in the business of servicing mortgage loans without first being registered with the Superintendent of Financial Services (formerly the Superintendent of Banks). The registration requirements do not apply to an "exempt organization," licensed mortgage banker or registered mortgage broker.

This new paragraph also authorizes the Superintendent to refuse to register an MLS on the same grounds as he or she may refuse to register a mortgage broker under Banking Law Section 592-a(2).

Subsection (3) of Section 590 was amended by the Subprime Law to clarify the power of the banking board to promulgate rules and regulations and to extend the rulemaking authority regarding regulations for the protection of consumers and regulations to define improper or fraudulent business practices to cover mortgage loan servicers, as well as mortgage bankers, mortgage brokers and exempt organizations. (Note that under Section 89 of Part A of Chapter 62 of the Laws of 2011, the functions and powers of the banking board have been transferred to the Superintendent.)

New Paragraph (d) was added to Subsection (5) of Section 590 by the Subprime Law and requires mortgage loan servicers to engage in the servicing business in conformity with the Banking Law, such rules and regulations as may be prescribed by the Superintendent, and all applicable federal laws, rules and regulations.

New Subsection (1) of Section 595-b was added by the Subprime Law and requires the Superintendent to promulgate regulations and policies governing the grounds to impose a fine or penalty with respect to the activities of a mortgage loan servicer. Also, the Subprime Law amends the penalty provision of Subdivision (1) of Section 598 to apply to mortgage loan servicers as well as to other entities.

New Subdivision (2) of Section 595-b was added by the Subprime Law and authorizes the Superintendent to prescribe regulations relating to disclosure to borrowers of interest rate resets, requirements for providing payoff statements, and governing the timing of crediting of payments made by the borrower.

Section 596 was amended by the Subprime Law to extend the Superintendent's examination authority over licensees and registrants to cover mortgage loan servicers. The provisions of Banking Law Section 36(10) making examination reports confidential are also extended to cover mortgage loan servicers.

Similarly, the books and records requirements in Section 597 covering licensees, registrants and exempt organizations were amended by the Subprime Law to cover servicers and a provision was added authorizing the Superintendent to require that servicers file annual reports or other regular or special reports.

The power of the Superintendent to require regulated entities to appear and explain apparent violations of law and regulations was extended by the Subprime Law to cover mortgage loan servicers (Subdivision (1) of Section 39), as was the power to order the discontinuance of unauthorized or unsafe practices (Subdivision (2) of Section 39) and to order that accounts be kept in a prescribed manner (Subdivision (5) of Section 39).

Finally, mortgage loan servicers were added to the list of entities subject to the Superintendent's power to impose monetary penalties for violations of a law, regulation or order. (Paragraph (a) of Subdivision (1) of Section 44).

The fee amounts for MLS registration applications and for MLS branch applications are established in accordance with Banking Law Section 18-a.2. **Legislative Objectives.**

The Subprime Law is intended to address various problems related to residential mortgage loans in this State. The Subprime Law reflects the view of the Legislature that consumers would be better protected by the supervision of mortgage loan servicing. Even though mortgage loan servicers perform a central function in the mortgage industry, there had previously been no general regulation of servicers by the state or the Federal government.

The Subprime Law requires that entities be registered with the Superintendent in order to engage in the business of servicing mortgage loans in this state. The law further requires mortgage loan servicers to engage in the business of servicing mortgage loans in conformity with the rules and regulations promulgated by the Superintendent.

The mortgage servicing statute has two main components: (i) the first component addresses the registration requirement for persons engaged in the business of servicing mortgage loans; and (ii) the second authorizes the Superintendent to promulgate appropriate rules and regulations for the regulation of servicers in this state.

The regulations implement the first component of the mortgage servicing statute – the registration of mortgage servicers. In doing so, the rule utilizes the authority provided to the Superintendent to set standards for the registration of such entities. For example, the rule requires that a potential loan servicer would have to provide, under Sections 418.11 to 418.13 of the proposed regulations, evidence of their character and fitness to engage in the servicing business and demonstrate to the Superintendent their financial responsibility. The rule also utilizes the authority provided by the Legislature to revoke, suspend or otherwise terminate a registration or to fine or penalize a registered mortgage loan servicer.

Consistent with this requirement, the rule authorizes the Superintendent to refuse to register an applicant if he/she shall find that the applicant lacks the requisite character and fitness, or any person who is a director, officer, partner, agent, employee, substantial stockholder of the applicant has been convicted of certain felonies. These are the same standards as are applicable to mortgage bankers and mortgage brokers in New York. (See Section 418.7.)

Further, in carrying out the Legislature's mandate to regulate the mortgage servicing business, Section 418.8 sets out certain application requirements for prior approval of a change in control of a registered mortgage loan servicer and notification requirements for changes in the entity's executive officers and directors. Collectively, these various provisions implement the intent of the Legislature to register and supervise mortgage loan servicers.

The Department has separately adopted emergency regulations dealing with business conduct and consumer protection requirements for MLSs. (3 NYCRR Part 419).

3. Needs and Benefits.

The Subprime Law adopted a multifaceted approach to the lack of supervision of the mortgage loan industry. It affected a variety of areas in the residential mortgage loan industry, including: i. loan originations; ii. loan foreclosures; and iii. the conduct of business by residential mortgage loans servicers.

Previously, the Department of Financial Services (formerly the Banking Department) regulated the brokering and making of mortgage loans, but not the servicing of these mortgage loans. Servicing is vital part of the residential mortgage loan industry; it involves the collection of mortgage payments from borrowers and remittance of the same to owners of mortgage loans; to governmental agencies for taxes; and to insurance companies for insurance premiums. Mortgage servicers also may act as agents for owners of mortgages in negotiations relating to modifications. As "middlemen," moreover, servicers also play an important role when a property is foreclosed upon. For example, the servicer may typically act on behalf of the owner of the loan in the foreclosure proceeding.

Further, unlike in the case of a mortgage broker or a mortgage lender, borrowers cannot "shop around" for loan servicers, and generally have no input in deciding what company services their loans. The absence of the ability to select a servicer obviously raises concerns over the character and viability of these entities given the central part of they play in the mortgage industry. There also is evidence that some servicers may have provided poor customer service. Specific examples of these activities include: pyramiding late fees; misapplying escrow payments; imposing illegal prepayment penalties; not providing timely and clear information to borrowers; and erroneously force-placing insurance when borrowers already have insurance.

While minimum standards for the business conduct of servicers is the

subject of another emergency regulation which has been promulgated by the Department. (3 NYCRR Part 419) Section 418.2 makes it clear that persons exempted by from the registration requirement must notify the Department that they are servicing mortgage loans and must otherwise comply with the regulations.

As noted above, these regulations relate to the first component of the mortgage servicing statute – the registration of mortgage loan servicers. It is intended to ensure that only those persons and entities with adequate financial support and sound character and general fitness will be permitted to register as mortgage loan servicers.

Further, consumers in this state will also benefit under these regulations because in the event there is an allegation that a mortgage servicer is involved in wrongdoing and the Superintendent finds that there is good cause, or that there is a substantial risk of public harm, he or she can suspend such mortgage servicer for 30 days without a hearing. And in other cases, he or she can suspend or revoke such mortgage servicer's registration after notice and a hearing. Also, the requirement that servicers meet minimum financial standards and have performance and other bonds will act to ensure that consumers are protected.

As noted above, the MLS regulations are divided into two parts. The Department had separately adopted emergency regulations dealing with business conduct and consumer protection requirements for MLSs. (3 NYCRR Part 419)

All Exempt Organizations, mortgage bankers and mortgage brokers that perform mortgage loan servicing with respect to New York mortgages must notify the Superintendent that they do so, and will be required to comply with the conduct of business and consumer protection rules applicable to MLSs.

Under Section 418.2, a person servicing loans made under the Power New York Act of 2011 will not thereby be considered to be engaging in the business of servicing mortgage loans. Consequently, a person would not be subject to the rules applicable to MLSs by reason of servicing such loans.

4. Costs.

The mortgage business will experience some increased costs as a result of the fees associated with MLS registration. The amount of the application fee for MLS registration and for an MLS branch application is \$3,000.

The amount of the fingerprint fee is set by the State Division of Criminal Justice Services and the processing fees of the National Mortgage Licensing System are set by that body. MLSs will also incur administrative costs associated with preparing applications for registration.

The ability by the Department to regulate mortgage loan servicers is expected to reduce costs associated with responding to consumers' complaints, decrease unnecessary expenses borne by mortgagors, and, through the timely response to consumers' inquiries, should assist in decreasing the number of foreclosures in this state.

The regulations will not result in any fiscal implications to the State. The Department is funded by the regulated financial services industry. Fees charged to the industry will be adjusted periodically to cover Department expenses incurred in carrying out this regulatory responsibility.

5. Local Government Mandates.

None.

6. Paperwork.

An application process has been established for potential mortgage loan servicers to apply for registration electronically through the National Mortgage Licensing System and Registry (NMLSR) - a national system, which currently facilitates the application process for mortgage brokers, bankers and loan originators. Therefore, the application process is virtually paperless; however, a limited number of documents, including fingerprints where necessary, would have to be submitted to the Department in paper form.

The specific procedures that are to be followed in order to apply for registration as a mortgage loan servicer are detailed in Supervisory Procedure MB 109.

7. Duplication.

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

An exemption was created under Section 418.13, from the otherwise applicable net worth and surety bond requirements, for entities that are subject to the capital requirements applicable to insured depository institutions and are considered adequately capitalized.

8. Alternatives.

The purpose of the regulation is to carry out the statutory mandate to register mortgage loan servicers while at the same time avoiding overly complex and restrictive rules that would have imposed unnecessary burdens on the industry. The Department is not aware of any alternative that is available to the instant regulations. The Department also has been cognizant of the possible burdens of this regulation, and it has accordingly concluded that an exemption from the registration requirement for persons or entities that are involved in a de minimis amount of servicing would ad-

dress the intent of the statute without imposing undue burdens those persons or entities.

The procedure for suspending servicers that violate certain financial responsibility or customer protection requirements, which provides a 90-day period for corrective action, during which there can be an investigation and hearing on the existence of other violations, provides flexibility to the process of enforcing compliance with the statutory requirements.

9. Federal Standards.

Currently, mortgage loan servicers are not required to be registered by any federal agencies. However, although not a registration process, in order for any mortgage loan servicer to service loans on behalf of certain federal instrumentalities such servicers have to demonstrate that they have specific amounts of net worth and have in place Fidelity and E&O bonds.

These regulations exceed those minimum standards, in that, a mortgage loan servicer will now have to demonstrate character and general fitness in order to be registered as a mortgage loan servicer. In light of the important role of a servicer – collecting consumers' money and acting as agents for mortgagees in foreclosure transactions – the Department believes that it is imperative that servicers be required to meet this heightened standard.

10. Compliance Schedule.

The emergency regulations will become effective on September 17, 2012. Similar emergency regulations have been in effect since July 1, 2009.

The Department expects to approve or deny applications within 90 days of the Department's receipt (through NMLSR) of a completed application.

A transitional period is provided for mortgage loan servicers which were doing business in this state on June 30, 2009 and which filed an application for registration by July 31, 2009. Such servicers will be deemed in compliance with the registration requirement until notified by the Superintendent that their application has been denied.

Additionally, the version of Part 418 adopted on an emergency basis effective August 5, 2011 requires holders of mortgage servicing rights to register as mortgage loans servicers even where they have sub-contracted servicing responsibilities to a third-party servicer. Such servicers were given until October 15, 2011 to file an application for registration.

Regulatory Flexibility Analysis

1. Effect of the Rule:

The emergency rule will not have any impact on local governments. It is estimated that there are approximately 120 mortgage loan servicers in the state which are not mortgage bankers, mortgage brokers or exempt organizations, and which are therefore required to register under the Subprime Lending Reform Law (Ch. 472, Laws of 2008) (the "Subprime Law") Of these, it is estimated that a very few of the remaining entities will be deemed to be small businesses.

2. Compliance Requirements:

The provisions of the Subprime Law relating to mortgage loan servicers has two main components: it requires the registration by the Department of Financial Services (formerly the Banking Department) of servicers who are not mortgage bankers, mortgage brokers or exempt organizations (the "MLS Registration Regulations"), and it authorizes the Department to promulgate rules and regulations that are necessary and appropriate for the protection of consumers, to define improper or fraudulent business practices, or otherwise appropriate for the effective administration of the provisions of the Subprime Law relating to mortgage loan servicers (the "MLS Business Conduct Regulations").

The provisions of the Subprime Law requiring registration of mortgage loan servicers which are not mortgage bankers, mortgage brokers or exempt organizations became effective on July 1, 2009. The emergency MLS Registration Regulations here adopted implement that statutory requirement by providing a procedure whereby MLSs can apply to be registered and standards and procedures for the Department to approve or deny such applications. The emergency regulations also set forth financial responsibility standards applicable to applicants for MLS registration, registered MLSs and servicers which are exempted from the registration requirement.

Additionally, the regulations set forth standards and procedures for Department action on applications for approval of change of control of an MLS. Finally, the emergency regulations set forth standards and procedures for, suspension, revocation, expiration, termination and surrender of MLS registrations, as well as for the imposition of fines and penalties on MLSs.

3. Professional Services:

None.

4. Compliance Costs:

Applicants for mortgage loan servicer registration will incur administrative costs associated with preparing applications for registration. Applicants, registered MLSs and mortgage loan servicers exempted from the registration requirement may incur costs in complying with the financial responsibility regulations. Registration fees of \$3000, plus fees for fingerprint processing and participation in the National Mortgage Licens-

ing System and Registry (NMLS) will be required of non-exempt servicers.

5. Economic and Technological Feasibility:

The emergency rule-making should impose no adverse economic or technological burden on mortgage loan servicers who are small businesses. The NMLS is now available. This technology will benefit registrants by saving time and paperwork in submitting applications, and will assist the Department by enabling immediate tracking, monitoring and searching of registration information; thereby protecting consumers.

6. Minimizing Adverse Impacts:

The regulations minimize the costs and burdens of the registration process by utilizing the internet-based NMLS, developed by the Conference of State Bank Supervisors and the American Association of Residential Mortgage Regulators. This system uses an on-line application form for servicer registration. A common form will be accepted by New York and the other participating states.

As noted above, most servicers are not small businesses. As regards servicers that are small businesses and not otherwise exempted, the regulations give the Superintendent of Financial Services (formerly the Superintendent of Banks) the authority to reduce, waive or modify the financial responsibility requirements for entities that do a de minimis amount of servicing.

7. Small Business and Local Government Participation:

Industry representatives have participated in outreach programs regarding regulation of servicers. The Department also maintains continuous contact with large segments of the servicing industry through its regulation of mortgage bankers and brokers. The Department likewise maintains close contact with a variety of consumer groups through its community outreach programs and foreclosure mitigation programs. In response to comments received regarding earlier versions of this regulation, the Department has modified the financial responsibility requirements. The revised requirements should generally be less burdensome for mortgage loan servicers, particularly smaller servicers and those located in rural areas.

Rural Area Flexibility Analysis

Types and Estimated Numbers of Rural Areas. Approximately 70 mortgage loan servicers have been registered by the Department of Financial Services or have applied for registration. Very few of these entities operate in rural areas of New York State and of those, most are individuals that do a de minimis business. As discussed below, the Superintendent can modify the requirements of the regulation in such cases.

Compliance Requirements. Mortgage loan servicers in rural areas which are not mortgage bankers, mortgage brokers or exempt organizations must be registered with the Superintendent to engage in the business of mortgage loan servicing. An application process will be established requiring a MLS to apply for registration electronically and to submit additional background information and fingerprints to the Mortgage Banking unit of the Department.

MLSs are required to meet certain financial responsibility requirements based on their level of business. The regulations authorize the Superintendent of Financial Services (formerly the Superintendent of Banks) to reduce or waive the otherwise applicable financial responsibility requirements in the case of MLSs which service not more than \$4,000,000 in aggregate mortgage loans in New York and which do not collect tax or insurance payments. The Superintendent is also authorized to reduce or waive the financial responsibility requirements in other cases for good cause. The Department believes that this will ameliorate any burden which those requirements might otherwise impose on entities operating in rural areas.

Costs. The mortgage business will experience some increased costs as a result of the fees associated with MLS registration. The application fee for MLS registration will be \$3,000. The amount of the fingerprint fee is set by the State Division of Criminal Justice Services and the processing fees of the National Mortgage Licensing System and Registry ("NMLSR") are set by that body. Applicants for mortgage loan servicer registration will also incur administrative costs associated with preparing applications for registration.

Applicants, registered MLSs and mortgage loan servicers exempted from the registration requirement may incur costs in complying with the financial responsibility regulations.

Minimizing Adverse Impacts. The regulations minimize the costs and burdens of the registration process by utilizing the internet-based NMLSR, developed by the Conference of State Bank Supervisors and the American Association of Residential Mortgage Regulators. This system uses an on-line application form for servicer registration. A common form will be accepted by New York and the other participating states.

Of the servicers which operate in rural areas, it is believed that most are mortgage bankers, mortgage brokers or exempt organizations. Additionally, in the case of servicers that operate in rural areas and are not otherwise exempted, the Superintendent has the authority to reduce, waive or modify

the financial responsibility requirements for individuals that do a de minimis amount of servicing.

Rural Area Participation. Industry representatives have participated in outreach programs regarding regulation of servicers. The Department also maintains continuous contact with large segments of the servicing industry through its regulation of mortgage bankers and brokers. The Department likewise maintains close contact with a variety of consumer groups through its community outreach programs and foreclosure mitigation programs. In response to comments received regarding earlier versions of this regulation, the Department has modified the financial responsibility requirements. The revised requirements should generally be less burdensome for mortgage loan servicers, particularly smaller servicers and those located in rural areas.

Job Impact Statement

Article 12-D of the Banking Law, as amended by the Subprime Lending Reform Law (Ch. 472, Laws of 2008), requires persons and entities which engage in the business of servicing mortgage loans to be registered with the Superintendent of Financial Services (formerly the Superintendent of Banks). This emergency regulation sets forth the application, exemption and approval procedures for registration as a Mortgage Loan servicer (MLS), as well as financial responsibility requirements for applicants, registrants and exempted persons. The regulation also establishes requirements with respect to changes of officers, directors and/or control of MLSs and provisions with respect to suspension, revocation, termination, expiration and surrender of MLS registrations.

The requirement to comply with the emergency regulations is not expected to have a significant adverse effect on jobs or employment activities within the mortgage loan servicing industry. Many of the larger entities engaged in the mortgage loan servicing business are already subject to oversight by the Department of Financial Services (formerly the Banking Department) and exempt from the new registration requirement. Additionally, the regulations give the Superintendent the authority to reduce, waive or modify the financial responsibility requirements for entities that do a de minimis amount of servicing.

The registration process itself should not have an adverse effect on employment. The regulations require the use of the internet-based National Mortgage Licensing System and Registry, developed by the Conference of State Bank Supervisors and the American Association of Residential Mortgage Regulators. This system uses a common on-line application for servicer registration in New York and other participating states. It is believed that any remaining adverse impact would be due primarily to the nature and purpose of the statutory registration requirement rather than the provisions of the emergency regulations.

Department of Health

NOTICE OF ADOPTION

School Immunization Requirements

I.D. No. HLT-23-16-00007-A

Filing No. 749

Filing Date: 2016-08-02

Effective Date: 2016-08-17

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

Action taken: Amendment of Subpart 66-1 of Title 10 NYCRR.

Statutory authority: Public Health Law, sections 2164 and 2168

Subject: School Immunization Requirements.

Purpose: To update school immunization and NYSIS regulations.

Text or summary was published in the June 8, 2016 issue of the Register, I.D. No. HLT-23-16-00007-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: regsqa@health.ny.gov

Assessment of Public Comment

The agency received no public comment.

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

Practice of Radiologic Technology

I.D. No. HLT-30-15-00005-RP

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

Proposed Action: Amendment of Part 89 of Title 10 NYCRR.

Statutory authority: Public Health Law, sections 3504, 3507(2), (7) and 3510(1)(g)

Subject: Practice of Radiologic Technology.

Purpose: To update regulations related to the practice of radiologic technology.

Text of revised rule: Paragraph (4) of subdivision (a) of section 89.1 is amended to read as follows:

(4) [Board means the department's Radiologic Technologist Advisory Board] *Reserved*

Subdivision (a) of section 89.2 is amended to read as follows:

(a) The practice of radiography includes, but is not limited to, the following activities performed under the supervision of a licensed practitioner:

- (1) measuring and positioning patients;
- (2) selecting and setting up exposure factors on X-ray equipment;
- (3) making X-ray exposures;
- (4) using fluoroscopy for localization purposes prior to taking a spot film of a mobile organ such as the gall bladder or the duodenal cap;
- (5) operating fluoroscopy equipment under the personal supervision of a physician, *except where direct supervision is required by this part*;
- (6) administering non-intravenous contrast media pursuant to a physician's order;
- (7) performing quality control tests; [and]
- (8) for individuals certified under section 89.40 of this Part, the intravascular administration of contrast media under the direct supervision when such administration is an integral part of an X-ray or imaging procedure; *and*

(9) *performing manual air insufflation as a required component of an imaging procedure, such as a virtual colonoscopy procedure or a barium enema procedure, under the supervision of a physician as follows:*

- (i) *initial insertion of the tip of the balloon tube and inflating the balloon at the end of the tube under the direct supervision of a physician; and*
- (ii) *insufflating air into the colon under the personal supervision of a physician.*

Paragraph (5) of subdivision (a) of section 89.10 is amended, subdivision (b) is repealed and subdivisions (c) and (d) are re-lettered to be subdivisions (b) and (c) to read as follows:

(a) To qualify for a license to practice as a radiologic technologist, an applicant shall fulfill the following requirements in a manner acceptable to the department:

- (1) file an application on a form prescribed by the department along with a nonrefundable license fee of \$120;
- (2) submit documentation that the applicant has successfully completed an education program in radiologic technology that is registered with the department, the State Education Department, or an accrediting organization approved by the department;
- (3) submit evidence that the applicant has passed an examination administered by an accrediting organization approved by the department with a passing grade, as determined by the department;
- (4) be at least 18 years of age; and
- (5) be of good moral character. *In accordance with Correction Law Article 23-A, a person previously convicted of one or more criminal offenses shall not be found to lack good moral character based upon these conviction(s) unless (i) there is a direct relationship between one or more of the previous criminal offenses and the duties required of the license or (ii) licensing the applicant would involve an unreasonable risk to property or the safety or welfare of a specific individual or the general public. In determining these questions, the department will look at all the factors listed under New York State Correction Law section 753. [Any person who has been convicted of one or more criminal offenses involving a threat or use of physical violence, sexual behavior, illegal possession or use of drugs, theft or fraud, shall be deemed to not be of good moral character unless the department determines that sufficient mitigating factors exist to warrant a finding of good moral character. In making such a determination, the department shall consider the following factors:*

(i) the number and seriousness of the underlying offenses of such conviction;

- (ii) the time that has elapsed since such conviction;
- (iii) the age of the applicant when the underlying offenses occurred; and
- (iv) evidence of rehabilitation and good conduct since such convictions, including the issuance to the applicant of a certificate of relief from disability or a certificate of good conduct.

(b) No person shall be licensed pursuant to this Part who has been convicted of a crime consistent with the provisions of article 23-A of the Corrections Law.]

[(c)] (b) Nothing in this Part shall be construed to apply to the practice of nuclear medicine technology prior to January 1, 2009.

[(d)] (c) Notwithstanding any provision herein to the contrary, any individual practicing as a nuclear medicine technologist prior to July 26, 2007 may be licensed to practice nuclear medicine technology provided that he or she has completed an education program in nuclear medicine technology acceptable to the department and has five years of verifiable and satisfactory employment within the previous 10 years as a nuclear medicine technologist, or possesses certification by the Nuclear Medicine Technology Certifying Board or registration with the American Registry of Radiologic Technology in nuclear medicine technology.

Subdivision (a) of section 89.11 is amended to read as follows:

(a) If the department determines that an applicant is ineligible for licensure pursuant to this Part, the department shall [provide] *provide* written notice to the applicant of the determination, the reasons therefor and information regarding his/her rights to petition.

Section 89.20 is amended to read as follows:

(a) Each person licensed pursuant to this Part must obtain a certificate of registration from the department prior to practicing radiology in this State. The department shall register each licensee who submits a completed registration application on a form supplied by the department, pays a fee of \$20 per year, and provides evidence of completion of any continuing education requirements required by this section. Every practicing radiologic technologist shall have available for review by the department or other interested parties at all places of employment a copy of his/her current certificate of registration.

(b) Each registration shall authorize a licensee to practice radiologic technology for a period of up to four years and terminate on the registrant's birth date [on either the next ensuing odd-numbered or the next ensuing even-numbered year, depending upon whether the registrant was born in an odd-numbered or even-numbered year, respectively].

(c) Beginning January 1, 2010, each radiologic technologist, when applying to register pursuant to subdivision (a) of this section, must provide evidence of continuing education equivalent to *12 credit hours for each year of the registration cycle or 48 credit hours for a four year registration period. The 48 credits may be completed any time during the 48 months preceding the start of the renewal period.*

[12 credits hours per year according to the following schedule:

- (1) individuals registering in the year 2010 must have 12 credits within the previous 12 months;
- (2) individuals registering in the year 2011 must have 24 credits within the previous 24 months;
- (3) individuals registering in the year 2012 must have 36 credits within the previous 36 months; and
- (4) individuals registering in the year 2013 must have 48 credits within the previous 48 months.

(d) Thereafter to reregister, the radiologic technologist must provide evidence of the equivalent of 12 credit hours per year for every year since the previous registration period.]

[(e)](d) Notwithstanding any provision herein to the contrary, the department may waive the continuing education requirement of a licensee who has recently completed an education program in radiologic technology pursuant to section 89.10(a)(2) of this Part, and is applying for registration for the first time. Thereafter, to reregister the radiologic technologist must provide evidence of the [equivalent of 12 credit hours per year for each succeeding year] *continuing education credits in accordance with subdivision (c) of this section.*

[(f)](e) All continuing education credits must be approved by an accrediting organization approved by the department.

[(g)](f) A copy of a current certificate of registration from an accrediting organization approved by the department is acceptable evidence to meet the continuing education requirement.

(g) *The department may issue a conditional registration to a registrant who does not meet the continuing education requirements of this section provided that such applicant agrees to correct the deficiency within the conditional registration period, in addition to their regular continuing education to be applied to the next registration cycle.*

(1) *Conditional registrations shall be for no more than 180 days and shall not be renewable.*

(2) *Failure to complete the required continuing education credits may be considered unethical conduct by the department.*

Paragraph (1) of subdivision (a) of section 89.30 is amended to read as follows:

(a) Dental assistants.

(1) A person acting as a dental assistant shall be exempt from licensure as a radiologic technologist when operating the following equipment under the supervision of a dentist for the sole purpose of routine oral radiography in which the X-ray beam is limited to the patient's head:

(i) conventional radiographic dental equipment in which the diameter of the X-ray beam at the patient's face is limited to not more than three inches; [and]

(ii) panoramic radiographic dental equipment; [.] and

(iii) conebeam computed tomography equipment after demonstrating satisfactory completion of a training program approved by the department or one provided by the equipment manufacturer. Conebeam computed tomography equipment must be performed under the direct supervision of a dentist.

Revised rule compared with proposed rule: Substantial revisions were made in sections 89.2(a), 89.10, 89.20 and 89.30.

Text of revised 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: 30 days after publication of this notice.

Revised Regulatory Impact Statement

Statutory Authority:

Section 3504 of the Public Health Law (PHL) authorizes the Commissioner of Health to make rules and regulations, not inconsistent with the law, as may be necessary to carry out the provisions of Article 35 of the PHL that govern the practice of radiologic technology. PHL § 3510(1)(g) authorizes the Commissioner to define in regulations unethical conduct regarding the licensure of radiological technicians. PHL § 3507(2) requires the Commissioner to promulgate regulations necessary to effectuate the registration process of radiological technicians. PHL § 3507(7) provides that the Commissioner may create regulations regarding continuing education credits for radiological technicians.

Legislative Objectives:

Article 35 of the PHL expresses the legislative intent that only individuals with the appropriate education, training, and experience shall be allowed to expose human beings to ionizing radiation as part of the performance of diagnostic x-ray, nuclear medicine and therapy procedures. Nuclear medicine technology and the intravenous injection of contrast material by radiographers were added to PHL Article 35 pursuant to Chapter 175 of the Laws of 2006.

Needs and Benefits:

The Department's proposal seeks to modify the regulations governing the practice of radiologic technology. These changes include performing air insufflation as a required component of an imaging procedure, under direct or personal supervision of a physician as required, implementing changes required by Correction Law and other clarifications and corrections. The imaging procedure is part of the technologists training program and competency requirement and are performed by licensed technologists in the majority of states that license this profession. By allowing the technologist to perform this function the radiologist can devote more of their time to higher priority patient care functions. The amendment also clarifies the continuing education requirements for the practice of radiologic technology. The proposed regulation requires a technologist to complete 48 credit hours of continuing education over a 48 month period and allows the department to issue a conditional registration to technologists to allow additional time to meet the continuing education requirements. The proposal also ensures that the licensing process comports with Article 23-A of the Correction Law related to licensure of individuals who have been previously convicted of one or more criminal offenses.

Costs:

Costs to State Government:

The proposed rule does not impose any new costs on state government.

Costs to Local Governments:

The proposed rule does not impose any new costs on local government.

Costs to Private Regulated Parties:

The proposed rule does not impose any new costs on private regulated parties.

Costs to the Regulatory Agency:

The proposed rule does not impose any new costs on any regulatory agency.

Local Government Mandates:

This regulation does not mandate any new programs, services, duties or responsibilities upon any county, city, town, village, school district, fire district or any other special district.

Paperwork:

This regulation does not increase the documentation or paperwork for any individual or organization.

Duplication:

This regulation does not duplicate any other State or Federal law or regulation.

Alternatives:

Changes were made to the proposal as a result of alternatives provided by the regulated parties. The current "personal" physician supervision standard will be retained to ensure that patients are not exposed to increased levels of unsafe radiation. The language of the air insufflation component includes specific components of the process with different supervision levels required. Dental assistants who operate Conebeam computed tomography equipment must be performed under the direct supervision of a dentist.

Federal Standards:

This regulatory amendment does not exceed any minimum standards of the Federal government.

Compliance Schedule:

The proposed rule change will become effective upon publication of a Notice of Adoption in the State Register.

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

Changes made to the last published rule do not necessitate revision to the previously published Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement.

Assessment of Public Comment

Public comments were submitted to the NYS Department of Health (DOH) in response to the regulation. This was published in the New York State Register on July 29, 2015. The public comment period for this regulation ended on September 14, 2015. The Department received comments on behalf of the New York State Radiologic Society (NYSRS) and the Medical Society of the State of New York. The comments addressed three points and the Department will incorporate them into the regulations.

COMMENT: The first comment recommends that the current "personal" physician supervision standard be retained to ensure that patients are not exposed to increased levels of unsafe radiation. Under the proposed "direct" supervision standard, a physician may not be readily available if the RT has difficulty operating the equipment or other patient safety issues arise. A PA or NP who inserts a PICC line does not have the adequate training and education to lead a fluoroscopy procedure and protect a patient from harmful levels of radiation.

RESPONSE: The Department will remove the change to direct supervision from the scope of practice update.

COMMENT: A second comment indicated that the language of the air insufflation component should include specific components of the process with different supervision levels required.

RESPONSE: The Department will incorporate the recommended changes with respect to air insufflation.

COMMENT: The final comment was that if authority is granted to dental assistants to operate a CBCT the level of supervision by the dentist should be personal or direct because of the potentially significant doses of radiation that the CBCT emits, particularly since many patients are children. Cone beam CT's produce much higher radiation doses than panoramic imaging.

RESPONSE: The Department agrees with recommendation and will amend the exemption listed in 89.30 to require direct supervision.

Office of Mental Health

NOTICE OF ADOPTION

Incident Management, Criminal History Record Checks, Operation of Psychiatric Inpatient Units General Hospitals, RTFs and CPEPs

I.D. No. OMH-18-16-00003-A

Filing No. 740

Filing Date: 2016-07-27

Effective Date: 2016-08-17

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

Action taken: Amendment of Parts 524, 550, 580, 584 and 590 of Title 14 NYCRR.

Statutory authority: Mental Hygiene Law, sections 7.07, 7.09, 31.35, 33.03 and 33.04; Social Services Law, sections 490, 491 and 492; Executive Law, sections 556 and 557

Subject: Incident Management, Criminal History Record Checks, Operation of Psychiatric Inpatient Units General Hospitals, RTFs and CPEPs.

Purpose: To update statutory and regulatory citations and conform to non-discretionary statutory provisions.

Text or summary was published in the May 4, 2016 issue of the Register, I.D. No. OMH-18-16-00003-P.

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

Text of rule and any required statements and analyses may be obtained from: Jessica Kircher, NYS Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, (518) 474-1331, email: Jessica.Kircher@omh.ny.gov

Revised Job Impact Statement

A Job Impact Statement is not required for this rulemaking because the proposed rule will not have a substantial adverse impact on jobs and employment opportunities. The proposed regulatory changes are non-substantive and merely update statutory and regulatory citations and otherwise conform to non-discretionary statutory provisions. It is evident from the subject matter of this rule that it could only have a positive impact or no impact on jobs or employment opportunities. This rulemaking will not result in the loss of any jobs in New York State. Therefore, the Office has determined that a Job Impact Statement is not required.

Assessment of Public Comment

The agency received no public comment.

Public Service Commission

EMERGENCY/PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Use of Escrow Funds for Repairs

I.D. No. PSC-33-16-00001-EP

Filing Date: 2016-07-27

Effective Date: 2016-07-27

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

Proposed Action: The Commission, on July 27, 2016, adopted an order authorizing Arbor Hills Waterworks, Inc. to use funds in its Escrow Account for Capital Improvements to pay for emergency repairs to its distribution system.

Statutory authority: Public Service Law, sections 89-b and 89-c

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

Specific reasons underlying the finding of necessity: Arbor Hills Waterworks, Inc. suffered a significant leak to its distribution system on July 27, 2016 that threatens the company's ability to provide safe and adequate service to its ratepayers.

Subject: Use of escrow funds for repairs.

Purpose: To authorize the use of escrow account funds for repairs.

Substance of emergency/proposed rule: The Public Service Commission adopted an order authorizing Arbor Hills Waterworks, Inc. to use funds in its Escrow Account for Capital Improvements to pay for emergency repairs to its distribution system.

This notice is intended: to serve as both a notice of emergency adoption and a notice of proposed rule making. The emergency rule will expire October 24, 2016.

Text of rule may be obtained from: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov

Data, views or arguments may be submitted to: Kathleen H. Burgess, Secretary, Department of Public Service, 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 amended rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(16-W-0415EP1)

NOTICE OF ADOPTION

Clean Energy Standard

I.D. No. PSC-04-16-00008-A

Filing Date: 2016-08-01

Effective Date: 2016-08-01

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

Action taken: On 8/1/16, the PSC adopted a Clean Energy Standard.

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

Subject: Clean Energy Standard.

Purpose: To adopt a Clean Energy Standard.

Substance of final rule: The Commission, on August 1, 2016, adopted a Clean Energy Standard. The Commission determines that a series of deliberate and mandatory actions to build upon and enhance opportunities for consumer choice are necessary to achieve State environmental, public health, climate policy and economic goals; to enhance and animate voluntary retail markets for energy efficiency, clean energy and renewable resources; to preserve existing zero-emissions nuclear generation resources as a bridge to the clean energy future; to ensure a modern and resilient energy system; and to accomplish its objectives in a fair and cost effective manner. In accordance with the statutory obligation that agency actions must be reasonably consistent with the most recent State Energy Plan (SEP), the Commission adopts the SEP goal that 50% of New York's electricity is to be generated by renewable sources by 2030 as part of a strategy to reduce statewide greenhouse gas emissions by 40% by 2030. In furtherance of that goal, and mindful of the Commission's role as a State regulator sharing jurisdiction with the Federal government, in this order the Commission also adopts a Clean Energy Standard (CES) consistent with the SEP goal, including: (a) program and market structures to encourage consumer-initiated clean energy purchases or investments; (b) obligations on load serving entities to financially support new renewable generation resources to serve their retail customers; (c) a requirement for regular renewable energy credit (REC) procurement solicitations; (d) obligations on distribution utilities on behalf of all retail customers to continue to financially support the maintenance of certain existing at-risk small hydro, wind or biomass generation attributes; (e) a program to maximize the value potential of new offshore wind resources; and (f) obligations on load serving entities to financially support the preservation of existing at-risk nuclear zero-emissions attributes to serve their retail customers, subject to the terms and conditions set forth in the order.

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

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

Assessment of Public Comment

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

(15-E-0302SA1)

NOTICE OF ADOPTION

Clean Energy Standard

I.D. No. PSC-11-16-00008-A

Filing Date: 2016-08-01

Effective Date: 2016-08-01

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

Action taken: On 8/1/16, the PSC adopted a Clean Energy Standard.

Statutory authority: Public Service Law, sections 5(2), 65(1), 66(1), (2), (3), (4), (5) and (6)

Subject: Clean Energy Standard.

Purpose: To adopt a Clean Energy Standard.

Substance of final rule: The Commission, on August 1, 2016, adopted a Clean Energy Standard. The Commission determines that a series of deliberate and mandatory actions to build upon and enhance opportunities for consumer choice are necessary to achieve State environmental, public health, climate policy and economic goals; to enhance and animate voluntary retail markets for energy efficiency, clean energy and renewable resources; to preserve existing zero-emissions nuclear generation resources as a bridge to the clean energy future; to ensure a modern and resilient energy system; and to accomplish its objectives in a fair and cost effective manner. In accordance with the statutory obligation that agency actions must be reasonably consistent with the most recent State Energy Plan (SEP), the Commission adopts the SEP goal that 50% of New York's electricity is to be generated by renewable sources by 2030 as part of a strategy to reduce statewide greenhouse gas emissions by 40% by 2030. In furtherance of that goal, and mindful of the Commission's role as a State regulator sharing jurisdiction with the Federal government, in this order the Commission also adopts a Clean Energy Standard (CES) consistent with the SEP goal, including: (a) program and market structures to encourage consumer-initiated clean energy purchases or investments; (b) obligations on load serving entities to financially support new renewable generation resources to serve their retail customers; (c) a requirement for regular renewable energy credit (REC) procurement solicitations; (d) obligations on distribution utilities on behalf of all retail customers to continue to financially support the maintenance of certain existing at-risk small hydro, wind or biomass generation attributes; (e) a program to maximize the value potential of new offshore wind resources; and (f) obligations on load serving entities to financially support the preservation of existing at-risk nuclear zero-emissions attributes to serve their retail customers, subject to the terms and conditions set forth in the order.

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

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

Assessment of Public Comment

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

(15-E-0302SA2)

NOTICE OF ADOPTION

Clean Energy Standard

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

Filing Date: 2016-08-01

Effective Date: 2016-08-01

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

Action taken: On 8/1/16, the PSC adopted a Clean Energy Standard.

Statutory authority: Public Service Law, sections 5(2), 65(1), 66(1), (2), (3), (4), (5) and (12)

Subject: Clean Energy Standard.

Purpose: To adopt a Clean Energy Standard.

Substance of final rule: The Commission, on August 1, 2016, adopted a Clean Energy Standard. The Commission determines that a series of deliberate and mandatory actions to build upon and enhance opportunities for consumer choice are necessary to achieve State environmental, public health, climate policy and economic goals; to enhance and animate voluntary retail markets for energy efficiency, clean energy and renewable resources; to preserve existing zero-emissions nuclear generation resources as a bridge to the clean energy future; to ensure a modern and resilient energy system; and to accomplish its objectives in a fair and cost effective manner. In accordance with the statutory obligation that agency actions must be reasonably consistent with the most recent State Energy Plan (SEP), the Commission adopts the SEP goal that 50% of New York's electricity is to be generated by renewable sources by 2030 as part of a strategy to reduce statewide greenhouse gas emissions by 40% by 2030. In furtherance of that goal, and mindful of the Commission's role as a State regulator sharing jurisdiction with the Federal government, in this order the Commission also adopts a Clean Energy Standard (CES) consistent with the SEP goal, including: (a) program and market structures to encour-

age consumer-initiated clean energy purchases or investments; (b) obligations on load serving entities to financially support new renewable generation resources to serve their retail customers; (c) a requirement for regular renewable energy credit (REC) procurement solicitations; (d) obligations on distribution utilities on behalf of all retail customers to continue to financially support the maintenance of certain existing at-risk small hydro, wind or biomass generation attributes; (e) a program to maximize the value potential of new offshore wind resources; and (f) obligations on load serving entities to financially support the preservation of existing at-risk nuclear zero-emissions attributes to serve their retail customers, subject to the terms and conditions set forth in the order.

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

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

Assessment of Public Comment

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

(15-E-0302SA4)

NOTICE OF ADOPTION

Clean Energy Standard

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

Filing Date: 2016-08-01

Effective Date: 2016-08-01

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

Action taken: On 8/1/16, the PSC adopted a Clean Energy Standard.

Statutory authority: Public Service Law, sections 5(2), 65(1), 66(1), (2), (3), (4), (5) and (12)

Subject: Clean Energy Standard.

Purpose: To adopt a Clean Energy Standard.

Substance of final rule: The Commission, on August 1, 2016, adopted a Clean Energy Standard. The Commission determines that a series of deliberate and mandatory actions to build upon and enhance opportunities for consumer choice are necessary to achieve State environmental, public health, climate policy and economic goals; to enhance and animate voluntary retail markets for energy efficiency, clean energy and renewable resources; to preserve existing zero-emissions nuclear generation resources as a bridge to the clean energy future; to ensure a modern and resilient energy system; and to accomplish its objectives in a fair and cost effective manner. In accordance with the statutory obligation that agency actions must be reasonably consistent with the most recent State Energy Plan (SEP), the Commission adopts the SEP goal that 50% of New York's electricity is to be generated by renewable sources by 2030 as part of a strategy to reduce statewide greenhouse gas emissions by 40% by 2030. In furtherance of that goal, and mindful of the Commission's role as a State regulator sharing jurisdiction with the Federal government, in this order the Commission also adopts a Clean Energy Standard (CES) consistent with the SEP goal, including: (a) program and market structures to encourage consumer-initiated clean energy purchases or investments; (b) obligations on load serving entities to financially support new renewable generation resources to serve their retail customers; (c) a requirement for regular renewable energy credit (REC) procurement solicitations; (d) obligations on distribution utilities on behalf of all retail customers to continue to financially support the maintenance of certain existing at-risk small hydro, wind or biomass generation attributes; (e) a program to maximize the value potential of new offshore wind resources; and (f) obligations on load serving entities to financially support the preservation of existing at-risk nuclear zero-emissions attributes to serve their retail customers, subject to the terms and conditions set forth in the order.

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

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

Assessment of Public Comment

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

(15-E-0302SA3)

NOTICE OF ADOPTION**Stock Acquisition****I.D. No.** PSC-18-16-00012-A**Filing Date:** 2016-08-01**Effective Date:** 2016-08-01

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

Action taken: On 8/1/16, the PSC adopted an order approving Corning Natural Gas Holding Corporation's (Corning) petition for certain stock transactions.

Statutory authority: Public Service Law, section 70

Subject: Stock acquisition.

Purpose: To approve Corning's petition for certain stock transactions.

Substance of final rule: The Commission, on August 1, 2016, adopted an order approving Corning Natural Gas Holding Corporation's petition for certain stock transactions, subject to the terms and conditions set forth in the order.

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

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

Assessment of Public Comment

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

(16-G-0200SA1)

NOTICE OF ADOPTION**Clean Energy Standard****I.D. No.** PSC-21-16-00009-A**Filing Date:** 2016-08-01**Effective Date:** 2016-08-01

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

Action taken: On 8/1/16, the PSC adopted a Clean Energy Standard.

Statutory authority: Public Service Law, sections 5(2), 65(1), 66(1), (2), (3), (4), (5) and (12)

Subject: Clean Energy Standard.

Purpose: To adopt a Clean Energy Standard.

Substance of final rule: The Commission, on August 1, 2016, adopted a Clean Energy Standard. The Commission determines that a series of deliberate and mandatory actions to build upon and enhance opportunities for consumer choice are necessary to achieve State environmental, public health, climate policy and economic goals; to enhance and animate voluntary retail markets for energy efficiency, clean energy and renewable resources; to preserve existing zero-emissions nuclear generation resources as a bridge to the clean energy future; to ensure a modern and resilient energy system; and to accomplish its objectives in a fair and cost effective manner. In accordance with the statutory obligation that agency actions must be reasonably consistent with the most recent State Energy Plan (SEP), the Commission adopts the SEP goal that 50% of New York's electricity is to be generated by renewable sources by 2030 as part of a strategy to reduce statewide greenhouse gas emissions by 40% by 2030. In furtherance of that goal, and mindful of the Commission's role as a State regulator sharing jurisdiction with the Federal government, in this order the Commission also adopts a Clean Energy Standard (CES) consistent with the SEP goal, including: (a) program and market structures to encourage consumer-initiated clean energy purchases or investments; (b) obligations on load serving entities to financially support new renewable generation resources to serve their retail customers; (c) a requirement for regular renewable energy credit (REC) procurement solicitations; (d) obligations on distribution utilities on behalf of all retail customers to continue to financially support the maintenance of certain existing at-risk small hydro, wind or biomass generation attributes; (e) a program to maximize the value potential of new offshore wind resources; and (f) obligations on load

serving entities to financially support the preservation of existing at-risk nuclear zero-emissions attributes to serve their retail customers, subject to the terms and conditions set forth in the order.

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

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

Assessment of Public Comment

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

(16-E-0270SA1)

**PROPOSED RULE MAKING
NO HEARING(S) SCHEDULED****Use of the Silver Spring Network Communication Device in Utility Metering Applications****I.D. No.** PSC-33-16-00003-P

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

Proposed Action: The Public Service Commission is considering a petition filed by Silver Spring Networks, Inc. on July 13, 2016, to use the Silver Spring Network Socket Access Point communication device, in utility metering applications.

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

Subject: Use of the Silver Spring Network communication device in utility metering applications.

Purpose: To consider the use of the Silver Spring Network communication device.

Substance of proposed rule: The Public Service Commission is considering a petition filed by Silver Spring Networks, Inc. to use the Silver Spring Networks Socket Access Point communication device, in utility metering applications. The petition states FCC and UL certification information and test data will be submitted under separate cover. The Commission may adopt, reject or modify, in whole or in part, the relief proposed and may resolve 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: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov

Data, views or arguments may be submitted to: 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.

(16-E-0376SP1)

**PROPOSED RULE MAKING
NO HEARING(S) SCHEDULED****Design and Implementation of Low-Income Energy Efficiency Program Proposed by Massena Electric Department****I.D. No.** PSC-33-16-00004-P

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

Proposed Action: The Commission is considering a proposal filed by Massena Electric Department to implement a Low-Income Energy Efficiency Program.

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

Subject: Design and implementation of Low-Income Energy Efficiency Program proposed by Massena Electric Department.

Purpose: To consider the design and implementation of a Low-Income Energy Efficiency Program proposed by Massena Electric Department.

Substance of proposed rule: The Commission is considering a proposal filed by Massena Electric Department (Massena) to implement a Low-Income Energy Efficiency program (Energy Efficiency Program). As proposed, the Energy Efficiency Program would provide opportunities for low-income customers to realize energy cost savings that could moderate the new rate design that is being phased in pursuant to the order issued by the New York State Public Service Commission (Commission) on April 21, 2016 in Case 15-E-0307. The proposed Energy Efficiency Program initially would include the following components: Home Envelope Energy Efficiency Improvements – Owner-Occupied; Low-Income Energy Efficient Lighting; Low-Income Winter Weatherization Kits; Energy Efficient Appliance Fund – Emergency; Educational Activities; and Other Activities, such as the potential development of fuel-switching incentives. The Commission may adopt, reject or modify, in whole or in part, the relief proposed and may resolve related matters.

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

Data, views or arguments may be submitted to: 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-0307SP2)

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

Exemption from Certain Charges for Delivery of Electricity to Its Niagara Falls, New York Facility

I.D. No. PSC-33-16-00005-P

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

Proposed Action: The Commission is considering a petition filed by Globe Metallurgical, Inc. on July 26, 2016, requesting an exemption from certain delivery charges collected by Niagara Mohawk Power Corporation d/b/a National Grid.

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

Subject: Exemption from certain charges for delivery of electricity to its Niagara Falls, New York facility.

Purpose: Application of System Benefits Charges, Renewable Portfolio Standard charges and Clean Energy Fund surcharges.

Substance of proposed rule: The Public Service Commission is considering a petition filed by Globe Metallurgical, Inc. (Globe) on July, 26, 2016, requesting an expedited Commission order directing Niagara Mohawk Power Corporation d/b/a National Grid to exempt Globe from certain delivery charges; specifically, the System Benefits Charge, the Renewable Portfolio Standard charge, and any future surcharges assessed under the Clean Energy Fund. The Commission may adopt, reject, or modify, in whole or in part, the relief proposed and may resolve related matters.

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

Data, views or arguments may be submitted to: 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.

(16-E-0413SP1)

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

Lightened Regulatory Regime Applicable to Indeck Corinth Limited Partnership

I.D. No. PSC-33-16-00006-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 Indeck Corinth Limited Partnership for a lightened regulatory regime in connection with an approximately 128 MW natural gas electric generating facility in Corinth, New York.

Statutory authority: Public Service Law, sections 2(13), 5(1)(b), 18-a, 19, 64, 65, 66, 67, 68, 69, 69-a, 70, 71, 72, 72-a, 75, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 114-a, 115, 117, 118, 119-a, 119-b and 119-c

Subject: Lightened regulatory regime applicable to Indeck Corinth Limited Partnership.

Purpose: To determine the extent to which Indeck Corinth Limited Partnership will be regulated under the Public Service Law.

Substance of proposed rule: The New York State Public Service Commission (Commission) is considering a petition filed on July 22, 2016, by Indeck Corinth Limited Partnership (Indeck), for a lightened regulatory regime in connection with its ownership and operation of an approximately 128 MW natural gas electric generating facility located in Corinth, New York. Indeck requests that it be subject to regulation as an electric corporation consistent with the Commission's prior orders affording a lightened regulatory regime to wholesale electric generating facilities. The Commission may adopt, reject, or modify, in whole or in part, the relief proposed, and may resolve related matters.

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

Data, views or arguments may be submitted to: 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.

(16-E-0409SP1)

**Office of Temporary and
Disability Assistance**

NOTICE OF ADOPTION

Emergency Shelters for the Homeless

I.D. No. TDA-06-16-00016-A

Filing No. 745

Filing Date: 2016-08-01

Effective Date: 2016-08-17

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

Action taken: Addition of section 352.37 to Title 18 NYCRR.

Statutory authority: Social Services Law, sections 17(a)-(b), (j), 20(2)-(3), 34, 460-c and 460-d; Executive Law, section 43(1); General Municipal Law, section 34; State Finance Law, section 109(4); New York City Charter, section 93; and Buffalo City Charter, ch. C, art. 7, section 7-4

Subject: Emergency shelters for the homeless.

Purpose: Emergency measures concerning shelters for the homeless.
Text or summary was published in the February 10, 2016 issue of the Register, I.D. No. TDA-06-16-00016-E.

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

Revised rule making(s) were previously published in the State Register on May 11, 2016.

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

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2019, 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.

NOTICE OF ADOPTION

Supplemental Nutrition Assistance Program (SNAP)

I.D. No. TDA-19-16-00007-A

Filing No. 747

Filing Date: 2016-08-02

Effective Date: 2016-08-17

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

Action taken: Amendment of section 387.9(a)(7)(ii)(a)-(b)(2)-(3); and addition of section 387.9(a)(7)(ii)(c) to Title 18 NYCRR.

Statutory authority: 7 United States Code, ch. 51, sections 2011 and 2013; 7 Code of Federal Regulations, section 273.2(d); Social Services Law, sections 17(a)-(b), (j), 20(3)(d), 34(3)(f) and 95; L. 2012, ch. 41

Subject: Supplemental Nutrition Assistance Program (SNAP).

Purpose: Update State regulations concerning household cooperation with SNAP quality control reviews to reflect federal changes.

Text or summary was published in the May 11, 2016 issue of the Register, I.D. No. TDA-19-16-00007-P.

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

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

Initial Review of Rule

As a rule that does not require a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2021, which is no later than the 5th year after the year in which this rule is being adopted.

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Income Withholding of Child or Combined Child and Spousal Support

I.D. No. TDA-21-16-00005-A

Filing No. 741

Filing Date: 2016-07-28

Effective Date: 2016-08-17

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

Action taken: Amendment of Part 344 and section 347.9 of Title 18 NYCRR.

Statutory authority: 42 U.S. Code, sections 651, 654(b), 666(a)(8)(B)(iii) and (b)(6); Civil Practice Law and Rules, sections 5241 and 5242; Social Services Law, sections 17(a)-(b), (j), 20(3)(d), 34(3)(f), 111-a and 111-b(14)

Subject: Income withholding of child or combined child and spousal support.

Purpose: Update State regulations to conform to federally-mandated changes to CPLR sections 5241 and 5242; Social Services Law, section 111-b.

Text or summary was published in the May 25, 2016 issue of the Register, I.D. No. TDA-21-16-00005-P.

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

Text of rule and any required statements and analyses may be obtained from: Richard P. Rhodes, Jr., New York State Office of Temporary and Disability Assistance, 40 North Pearl Street, 16C, Albany, NY 12243-0001, (518) 456-7503, email: richard.rhodesjr@otda.ny.gov

Initial Review of Rule

As a rule that does not require a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2021, which is no later than the 5th year after the year in which this rule is being adopted.

Assessment of Public Comment

The agency received no public comment.

**HEARINGS SCHEDULED
FOR PROPOSED RULE MAKINGS**

Agency I.D. No.	Subject Matter	Location—Date—Time
Environmental Conservation, Department of		
ENV-31-16-00003-P	Waste fuels	Department of Environmental Conservation, 625 Broadway, Public Assembly Rm. 129A/B, Albany, NY—Sept. 30, 2016, 1:00 p.m.
Public Service Commission		
PSC-28-16-00015-P	Major water rate filing	Department of Public Service, Three Empire State Plaza, 3rd Fl. Hearing Rm., Albany, NY—Oct. 13, 2016, 10:30 a.m., and continu- ing daily as needed. (Evidentiary Hearing)* *On occasion, there are requests to reschedule or postpone evidentiary hearing dates. If such a request is granted, notification of any subsequent scheduling changes will be avail- able at the DPS website (www.dps.ny.gov) under Case 16-W-0259.
PSC-32-16-00005-P	Major gas rate filing	Department of Public Service, Agency Bldg. 3, 3rd Fl. Hearing Rm., Albany, NY—Oct. 5, 2016, 10:00 a.m., and daily on succeeding business days as needed. (Evidentiary Hearing)* *On occasion, there are requests to reschedule or postpone evidentiary hearing dates. If such a request is granted, notification of any subsequent scheduling changes will be avail- able at the DPS website (www.dps.ny.gov) under Case 16-G-0257.

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
ADIRONDACK PARK AGENCY			
APA-09-16-00005-P	03/02/17	Access to Agency Records	To conform Adirondack Park Agency rules to the Public Officers Law and rules promulgated by the Committee on Open Government
AGRICULTURE AND MARKETS, DEPARTMENT OF			
AAM-23-16-00005-P	06/08/17	National Institute of Standards and Technology ("NIST") Handbook 44; receipts issued by taxicab operators, digital scales	To incorporate NIST Handbook 44 (2016 edition); to allow handwritten taxicab receipts; to liberalize scale requirements
AAM-25-16-00006-EP	06/22/17	Species of ash trees, parts thereof and products and debris therefrom which are at risk for infestation by the emerald ash borer.	To expand and combine the 14 existing restricted zones where EAB infestations exist.
ATHLETIC COMMISSION, NEW YORK STATE			
ATH-28-16-00018-P	07/13/17	Conduct and regulation of authorized combative sports	To implement the provisions of ch. 32 of the Laws of 2016, effective September 1, 2016, authorizing certain combative sports
CHILDREN AND FAMILY SERVICES, OFFICE OF			
CFS-23-16-00004-EP	06/08/17	Requirements regarding the cooperation of school districts with investigations of suspected child abuse or maltreatment	To clarify requirements for the cooperation of school districts with investigations of suspected child abuse or maltreatment
CFS-24-16-00001-P	06/15/17	Child care for children experiencing homelessness.	To reduce barriers for children experiencing homelessness to receive child care assistance and to attend child care.
CFS-30-16-00001-EP	07/27/17	Child Day Care Safety Enforcement and Administrative Hearing Regulations	Amends child day care safety regulations and administrative hearing regulations pertaining to child day care safety enforcement
CIVIL SERVICE, DEPARTMENT OF			
CVS-34-15-00007-P	08/25/16	Jurisdictional Classification	To classify a position in the exempt class and to classify a position in the non-competitive class

Action Pending Index**NYS Register/August 17, 2016**

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-34-15-00009-P	08/25/16	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-34-15-00010-P	08/25/16	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-34-15-00012-P	08/25/16	Jurisdictional Classification	To delete positions from and classify positions in the exempt class
CVS-36-15-00001-P	09/08/16	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-36-15-00006-P	09/08/16	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-36-15-00007-P	09/08/16	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-36-15-00016-P	09/08/16	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-44-15-00006-P	11/03/16	Jurisdictional Classification	To classify positions in the exempt class
CVS-44-15-00008-P	11/03/16	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-44-15-00010-P	11/03/16	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-44-15-00011-P	11/03/16	Jurisdictional Classification	To delete a position from and classify positions in the exempt class
CVS-44-15-00012-P	11/03/16	Jurisdictional Classification	To classify a subheading and positions in the non-competitive class
CVS-44-15-00014-P	11/03/16	Jurisdictional Classification	To delete a position from and classify a position in the non-competitive class
CVS-44-15-00017-P	11/03/16	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-44-15-00018-P	11/03/16	Jurisdictional Classification	To classify positions in the exempt class and to classify a position from the non-competitive class
CVS-45-15-00003-P	11/09/16	Jurisdictional Classification	To classify positions in the exempt class
CVS-45-15-00004-P	11/09/16	Jurisdictional Classification	To classify a position in the exempt class
CVS-45-15-00005-P	11/09/16	Jurisdictional Classification	To classify a position in the exempt class
CVS-45-15-00006-P	11/09/16	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-45-15-00007-P	11/09/16	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-51-15-00002-P	12/22/16	Jurisdictional Classification	To classify a position in the non-competitive class

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-51-15-00003-P	12/22/16	Jurisdictional Classification	To classify a position in the exempt class
CVS-02-16-00003-P	01/12/17	Jurisdictional Classification	To classify a position in the exempt class
CVS-02-16-00004-P	01/12/17	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-02-16-00005-P	01/12/17	Jurisdictional Classification	To delete a position from and classify a position in the non-competitive class
CVS-02-16-00006-P	01/12/17	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-07-16-00005-P	02/16/17	Jurisdictional Classification	To delete positions from and classify positions in the exempt class
CVS-07-16-00006-P	02/16/17	Jurisdictional Classification	To classify a position in the exempt class
CVS-07-16-00007-P	02/16/17	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-07-16-00008-P	02/16/17	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-07-16-00009-P	02/16/17	Jurisdictional Classification	To classify a position in the exempt class
CVS-07-16-00010-P	02/16/17	Jurisdictional Classification	To delete a position from and to classify a position in the non-competitive class
CVS-11-16-00001-P	03/16/17	Jurisdictional Classification	To delete positions from and classify positions in the exempt and non-competitive classes
CVS-11-16-00002-P	03/16/17	Jurisdictional Classification	To classify a position in the exempt class
CVS-11-16-00003-P	03/16/17	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-14-16-00005-P	04/06/17	Supplemental military leave benefits	To extend the availability of supplemental military leave benefits for certain New York State employees until December 31, 2016
CVS-15-16-00004-P	04/13/17	Jurisdictional Classification	To classify a position in the exempt class
CVS-15-16-00005-P	04/13/17	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-15-16-00006-P	04/13/17	Jurisdictional Classification	To classify a position in the exempt class
CVS-15-16-00007-P	04/13/17	Jurisdictional Classification	To delete positions from and classify positions in the exempt and non-competitive classes
CVS-15-16-00008-P	04/13/17	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-20-16-00005-P	05/18/17	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-20-16-00006-P	05/18/17	Jurisdictional Classification	To classify positions in the non-competitive class

Action Pending Index**NYS Register/August 17, 2016**

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-26-16-00003-P	06/29/17	Jurisdictional Classification	To classify positions in the exempt class and to delete positions from the non-competitive class
CVS-26-16-00004-P	06/29/17	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-26-16-00005-P	06/29/17	Jurisdictional Classification	To delete a position from and classify a position in the exempt class
CVS-26-16-00006-P	06/29/17	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-26-16-00007-P	06/29/17	Jurisdictional Classification	To classify positions in the non-competitive classes
CVS-26-16-00008-P	06/29/17	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-26-16-00009-P	06/29/17	Jurisdictional Classification	To classify positions in the exempt class
CVS-26-16-00010-P	06/29/17	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-26-16-00011-P	06/29/17	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-29-16-00001-P	07/20/17	Jurisdictional Classification	To classify positions in the exempt class
CVS-29-16-00002-P	07/20/17	Jurisdictional Classification	To delete subheading & positions from; to add heading, subheading & positions in exempt and non-competitive classes
CVS-29-16-00003-P	07/20/17	Jurisdictional Classification	To delete positions from the exempt and non-competitive classes
CVS-29-16-00004-P	07/20/17	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-29-16-00005-P	07/20/17	Jurisdictional Classification	To classify a position in the exempt class
CVS-29-16-00006-P	07/20/17	Jurisdictional Classification	To classify a position in the exempt class
CVS-29-16-00007-P	07/20/17	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-29-16-00008-P	07/20/17	Jurisdictional Classification	To classify a position in the exempt class and to delete a position from the non-competitive class
CVS-29-16-00009-P	07/20/17	Jurisdictional Classification	To classify positions in the exempt class
CVS-29-16-00010-P	07/20/17	Jurisdictional Classification	To classify positions in the exempt class
CVS-29-16-00011-P	07/20/17	Jurisdictional Classification	To classify a position in the exempt class
CVS-29-16-00012-P	07/20/17	Jurisdictional Classification	To classify positions in the exempt class
CVS-29-16-00013-P	07/20/17	Jurisdictional Classification	To classify a position in the exempt class

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-29-16-00014-P	07/20/17	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-29-16-00015-P	07/20/17	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-29-16-00016-P	07/20/17	Jurisdictional Classification	To delete positions from the exempt and non-competitive classes
CVS-29-16-00017-P	07/20/17	Jurisdictional Classification	To classify a position in the exempt class and to delete a position from the non-competitive class
CVS-29-16-00018-P	07/20/17	Jurisdictional Classification	To delete subheading & positions from; to add heading, subheading & positions in exempt and non-competitive classes
COMMISSIONER OF PILOTS, BOARD OF			
COP-31-16-00005-P	exempt	Supplementary fees--Hudson River	Assess supplementary fees for pilotage on the Hudson River
CORRECTIONS AND COMMUNITY SUPERVISION, DEPARTMENT OF			
CCS-35-15-00018-P	09/01/16	Applicability of Title and Definitions	Update the Department name and add new definitions
CCS-24-16-00006-P	06/15/17	Department Records	Update Department name and address, update who appoints records access officer, and adds Regional Directors as custodians.
CRIMINAL JUSTICE SERVICES, DIVISION OF			
CJS-09-16-00002-P	03/02/17	Central Registry of Police Officers and Peace Officers	To consolidate the police officer and peace officer registries; and to clarify the reporting requirements
CJS-25-16-00004-P	06/22/17	Handling of Ignition Interlock Cases Involving Certain Criminal Offenders.	To promote public/traffic safety, offender accountability and quality assurance through the establishment of minimum standards.
EDUCATION DEPARTMENT			
EDU-04-16-00004-RP	02/25/17	Procedures for State-level review of impartial hearing officer determinations regarding services for students with disabilities.	To revise the procedures for appealing impartial hearing officer decisions to a State review officer.
EDU-06-16-00004-P	02/09/17	School counseling, certification requirements for school counselors and the school counselor program registration requirements.	To implement policy enacted by the Board of Regents to enhance existing public school district guidance programs to require comprehensive developmental counseling programs for all students in grades prekindergarten through 12 by certified school counselors
EDU-10-16-00018-P	03/09/17	Dental Anesthesia Certification Requirements for Licensed Dentists	To conform regulations to the current practice of dental anesthesia administration

Action Pending Index**NYS Register/August 17, 2016**

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
EDUCATION DEPARTMENT			
EDU-18-16-00004-P	05/04/17	To authorize NY Higher Education Institutions to participate in SARA and approve out-of-state institutions for distance learning	To set forth requirements for authorization of NYS higher education institutions to participate in State Authorization Reciprocity Agreement (SARA)
EDU-22-16-00006-EP	06/01/17	Teacher certification in career and technical education	Establishes a new pathway for Transitional A certificate
EDU-22-16-00008-EP	06/01/17	Licensure of Occupational Therapy Assistants (OTAs)	To define the practice of OTAs, establish requirements for licensure, and alter the composition of the State Board
EDU-26-16-00015-EP	06/29/17	Annual Professional Performance Reviews (APPR) of classroom teachers and building principals	Technical Amendments
EDU-26-16-00016-EP	06/29/17	Teacher certification in career and technical education	Establishes new pathways for Transitional A certificate
EDU-26-16-00017-P	06/29/17	Licensure of Perfusionists	To establish licensure requirements for perfusionists, including education, experience and examination
EDU-26-16-00018-P	06/29/17	Regulation of consent orders in disciplinary proceedings in the professions	To remove requirement that the State Board of Pharmacy Executive Secretary agree to consent orders for pharmacists/pharmacies
EDU-27-16-00002-EP	07/06/17	Superintendent determination as to academic proficiency for certain students with disabilities to graduate with a local diploma	To expand the safety net options for students with disabilities to graduate with local diplomas when certain conditions are met
EDU-27-16-00003-EP	07/06/17	Annual Professional Performance Reviews (APPR) of classroom teachers and building principals	To provide hardship Waiver from Independent Evaluator Requirement
EDU-27-16-00004-EP	07/06/17	Social Studies examination requirements for a high school diploma	To shift the requirement for students to take and pass the new Regents examination in Global History and Geography II for graduation for an additional year
EDU-27-16-00005-EP	07/06/17	District-wide school safety plans and building-level emergency response plans	The purpose of the proposed rule is to implement the provisions of Part B of Chapter 54 of the Laws of 2016
EDU-32-16-00002-EP	08/10/17	Community school grants	To implement Chapter 53 of the Laws of 2016 by establishing the criteria for community school grants

ELECTIONS, STATE BOARD OF

SBE-17-16-00009-P	04/27/17	Routine testing of voting systems	To provide for testing of voting machines not less than once per year
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ENVIRONMENTAL CONSERVATION, DEPARTMENT OF

ENV-34-15-00028-P	08/25/16	Qualifications for License Issuing Agents and Wildlife Rehabilitators	To remove regulatory requirements that exclude individuals with felonies from obtaining certain licenses and authorizations
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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
ENVIRONMENTAL CONSERVATION, DEPARTMENT OF			
ENV-45-15-00028-P	11/09/16	Science-based State sea-level rise projections	To establish a common source of sea-level rise projections for consideration in relevant programs and decision-making
ENV-51-15-00004-P	02/10/17	Distributed generation (DG) sources that feed the distribution grid or produce electricity for use at host facilities or both	Establish emission limits for distributed generation sources
ENV-51-15-00005-P	12/22/16	Big bore air rifles	To allow big bore air rifles as legal implements for hunting big game
ENV-52-15-00010-P	12/29/16	Procedures for modifying or extinguishing a conservation easement held by the NYS DEC	Establish standards for the DEC to follow when modifying or extinguishing a CE and provide for a formal public review process
ENV-11-16-00004-P	06/07/17	Solid Waste Management Regulations	Amend the rules that implement the solid waste program in New York State to incorporate changes in law and technology
ENV-19-16-00002-P	05/11/17	The management of menhaden	To add menhaden and the menhaden trip limit to Table B - Commercial Fishing of 6 NYCRR subdivision 40.1(i)
ENV-19-16-00006-EP	06/30/17	Chemical Bulk Storage (CBS)	To amend Part 597 of the CBS regulations
ENV-23-16-00001-EP	06/21/17	Peekamoose Valley Riparian Corridor	Protect public health, safety and general welfare, as well as the natural resources on the Peekamoose Valley Riparian Corridor
ENV-25-16-00007-P	08/08/17	Low emission vehicle (LEV) III and zero emission vehicle (ZEV) emission standards.	To incorporate revisions to California's LEV III and ZEV standards.
ENV-26-16-00002-P	06/29/17	To amend 6 NYCRR Part 40 pertaining to recreational party and charter boat regulations for striped bass	To allow filleting of striped bass aboard party and charter boats
ENV-26-16-00013-P	06/29/17	Rule making to implement ECL 17-0826-a	To implement the reporting, notification and record keeping requirements of ECL 17-0826-a
ENV-28-16-00002-EP	07/13/17	Regulations governing the recreational harvest of black sea bass	To reduce recreational black sea bass harvest in New York State
ENV-31-16-00003-P	09/30/17	Waste Fuels	Update permit references, rule citations, monitoring, record keeping, reporting requirements, and incorporate federal standards
FINANCIAL SERVICES, DEPARTMENT OF			
DFS-03-16-00003-ERP	01/19/17	Standard financial aid award information sheet for institutions of higher education	Provides guidance to institutions of higher education for the implementation of a financial aid award information sheet
DFS-17-16-00003-P	exempt	Plan of Conversion by Commercial Travelers Mutual Insurance Company	To convert a mutual accident and health insurance company to a stock accident and health insurance company
DFS-24-16-00004-P	06/15/17	Financial statement filings and accounting practices and procedures	To update citations in Part 83 to the Accounting Practices and Procedures Manual as of March 2014 (instead of 2013).

Action Pending Index

NYS Register/August 17, 2016

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
FINANCIAL SERVICES, DEPARTMENT OF			
DFS-29-16-00020-EP	07/20/17	Workers' Compensation Safe Patient Handling Program	To implement Part A of Chapter 60 of the Laws of 2014
GAMING COMMISSION, NEW YORK STATE			
SGC-39-15-00006-P	09/29/16	Reimbursement of awards for capital improvement projects at video lottery gaming ("VLG") facilities	Clarify when VLG agent must reimburse State upon divestment of a capital improvement for which capital award was received
SGC-24-16-00007-P	06/15/17	Repeal of obsolete thoroughbred rule giving extra weight allowance for apprentice jockey riding for "original contract employer"	To preserve the safety and integrity of pari-mutuel racing while generating reasonable revenue for the support of government.
SGC-28-16-00006-P	07/13/17	Criteria and procedures for patron exclusion at a gaming facility	To establish criteria and procedures for patron exclusion at a gaming facility
SGC-28-16-00007-P	07/13/17	Definitions of terms used throughout Subchapter B, Casino Gaming	To define terms applicable to Subchapter B, Casino Gaming
SGC-28-16-00008-P	07/13/17	The regulation of table game equipment	To set forth the physical characteristics, inspection, use, storage and destruction of table game equipment
SGC-28-16-00009-P	07/13/17	The licensing and registration of junkets and junket enterprises	To govern the licensing and registration of junkets and junket enterprises
SGC-28-16-00010-P	07/13/17	The registration of labor organizations	To govern the registration of labor organizations
SGC-28-16-00012-P	07/13/17	The registration of lobbyists	To govern the registration of lobbyists
SGC-32-16-00001-P	08/10/17	The licensing and registration of gaming facility employees and vendors	To govern the licensing and registration of gaming facility employees and vendors
GENERAL SERVICES, OFFICE OF			
GNS-07-16-00013-P	02/16/17	Outdoor lighting standards	To provide lighting standards that will help state agencies comply with Public Buildings Law section 143
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-30-15-00005-RP	10/26/16	Practice of radiologic technology	To update regulations related to the practice of radiologic technology
HLT-39-15-00015-P	09/29/16	Women Infants and Children (WIC) Program Vendor Applicant Enrollment Criteria	To align NYS WIC Program operations with current federal requirements by amending the existing vendor enrollment criteria
HLT-46-15-00006-P	01/10/17	Early Intervention Program	To conform existing program regulations to federal regulations and state statute
HLT-06-16-00002-P	02/09/17	Perinatal Services	To update the Breastfeeding Mother's Bill of Rights to conform with recommended standards of care
HLT-06-16-00005-P	02/09/17	Hospice Operational Rules	To implement hospice expansion

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
HEALTH, DEPARTMENT OF			
HLT-15-16-00016-P	04/13/17	Zika Action Plan; Performance Standards.	To require local health departments to develop a Zika Action Plan as a condition of State Aid
HLT-16-16-00002-P	04/20/17	NYS Medical Indemnity Fund	To provide additional guidance and clarity to the Fund's requirements and operations
HLT-19-16-00008-P	05/11/17	Transgender Related Care and Services	To revise and clarify the criteria for Medicaid coverage of transgender related care and services
HLT-21-16-00003-P	05/25/17	New York State Newborn Screening Panel	To add adrenoleukodystrophy (ALD) and Pompe disease to the list of diseases and conditions on the newborn screening panel
HLT-24-16-00002-P	06/15/17	Neurodegenerative Specialty Rate	To authorize Medicaid rate of payment for providing quality of care to the neurodegenerative population.
HLT-24-16-00003-P	06/15/17	Specialized Programs for Residents with Neurodegenerative Diseases	To establish nursing home specialty units for residents with Huntington's Disease (HD) & Amyotrophic Lateral Sclerosis (ALS).
HIGHER EDUCATION SERVICES CORPORATION			
ESC-26-16-00012-P	06/29/17	Tuition awards for part-time undergraduate students	The purpose of the rule is to conform the provision regarding income to a recent statutory change
LABOR, DEPARTMENT OF			
*LAB-21-15-00009-RP	08/24/16	Methods of Payment of Wages	This regulation provides clarification and specification as to the permissible methods of payment, including payroll debit cards
LAB-03-16-00009-P	01/19/17	Employer Imposed Limitations on the Inquiry, Discussion, and Disclosure of Wages	This regulation sets forth standards for limitations on inquiry, discussion, or the disclosure of wages amongst employees
LAW, DEPARTMENT OF			
LAW-47-15-00007-ERP	11/24/16	Clarification of Protections for Senior and Disabled Tenants During Condominium or Cooperative Ownership Conversions	To clarify the Martin Act's non-purchasing tenant protections for eligible senior citizens and eligible disabled persons
LIQUOR AUTHORITY, STATE			
LQR-02-16-00002-P	01/12/17	Update outdated Freedom of Information Law procedures utilized by Authority	To update Authority procedures and ensure compliance with Freedom of information Law requirements under Pub. Off. Law., art. 6
LQR-17-16-00002-P	04/27/17	Updated price posting rules, license durations, and recordkeeping requirements, and rescinding of whiskey dividend rules	To update price posting rules, license durations, recordkeeping, and joint advertising rules for certain license types
LONG ISLAND POWER AUTHORITY			
*LPA-08-01-00003-P	exempt	Pole attachments and related matters	To approve revisions to the authority's tariff

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
LONG ISLAND POWER AUTHORITY			
*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-19-16-00015-P	..... exempt	Customer requests for rehearings of LIPA's decisions on appeals and shared meter determinations	To transfer certain responsibilities regarding handling of customer petitions to DPS Long Island
LPA-20-16-00001-P	..... exempt	Proposed Feed-in Tariffs for new commercial solar and fuel cell generation	To authorize development of up to 20MW of new solar generation and 40MW of new fuel cell generation through feed-in tariffs
MENTAL HEALTH, OFFICE OF			
OMH-17-16-00010-P	..... 04/27/17	Telepsychiatry Services	Establish basic standards to approve telepsychiatry in certain OMH-licensed programs; repeal unnecessary existing provisions
MOTOR VEHICLES, DEPARTMENT OF			
MTV-25-16-00003-P	..... 06/22/17	Points for railroad crossing violations.	Increases the points for railroad crossing violations from 3 to 5 points.
MTV-27-16-00001-P	..... 07/06/17	Certified examiners	To clarify and strengthen guidelines regarding certified examiners
MTV-27-16-00008-P	..... 07/06/17	Driving schools	Makes technical and clarifying amendments to improve consumer protection & increases Department efficiency
MTV-28-16-00003-P	..... 07/13/17	Fees charged for the Impaired Driving Program course	To increase the fee for the Impaired Driving Program course, so that \$20 may be directed to curriculum development
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
PARKS, RECREATION AND HISTORIC PRESERVATION, OFFICE OF			
PKR-28-16-00004-P	..... 07/13/17	Criteria enabling municipal law enforcement agencies to receive state aid for snowmobile enforcement duties	To promote local snowmobile enforcement by easing restrictions on state aid eligibility
PKR-30-16-00010-P	..... 07/27/17	Updated list of facilities within the jurisdiction of the Office of Parks, Recreation and Historic Preservation	To keep accurate the list of facilities within the jurisdiction of the Office of Parks, Recreation and Historic Preservation

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PEOPLE WITH DEVELOPMENTAL DISABILITIES, OFFICE FOR			
PDD-48-15-00003-P	12/01/16	Agency Name Change and Terminology Updates	To update the agency name and other terminology in the Title 14 NYCRR Part 600 series
POWER AUTHORITY OF THE STATE OF NEW YORK			
*PAS-01-10-00010-P	exempt	Rates for the sale of power and energy	Update ECSB Programs customers' service tariffs to streamline them/include additional required information
PUBLIC SERVICE COMMISSION			
*PSC-28-97-00032-P	exempt	General service by Central Hudson Gas & Electric Corporation	To limit certain special provisions
*PSC-34-97-00009-P	exempt	Collection agency fees by Consolidated Edison Company of New York, Inc.	To pass collection agency fees on to the customer
*PSC-04-98-00015-P	exempt	Interconnection service overcharges by Niagara Mohawk Power Corporation	To consider a complaint by Azure Mountain Power Co.
*PSC-19-98-00008-P	exempt	Call forwarding by CPU Industries Inc./MKL Net, et al.	To rehear the petition
*PSC-02-99-00006-EP	exempt	Intralata freeze plan by New York Telephone Company	To approve the plan
*PSC-09-99-00012-P	exempt	Transfer of books and records by Citizens Utilities Company	To relocate Ogden Telephone Company's books and records out-of-state
*PSC-15-99-00011-P	exempt	Electronic tariff by Woodcliff Park Corp.	To replace the company's current tariff with an electronic tariff
*PSC-50-99-00009-P	exempt	Retail access uniform business practices by The Brooklyn Union Gas Company and KeySpan Gas East Corporation d/b/a Brooklyn Union of Long Island	To approve a joint petition requesting a waiver extension of a requirement set forth in the commission's order
*PSC-52-99-00006-P	exempt	Wide area rate center calling	To implement number conservation measures
*PSC-12-00-00001-P	exempt	Winter bundled sales service election date by Central Hudson Gas & Electric Corporation	To revise the date
*PSC-14-00-00004-EP	exempt	NXX code in the 716 NPA by Broadview Networks	To assign an NXX code in Buffalo
*PSC-14-00-00026-P	exempt	Interconnection agreement between New York Telephone Company d/b/a Bell Atlantic-New York and Media Log, Inc.	To review the terms and conditions of the negotiated agreement
*PSC-14-00-00027-P	exempt	Interconnection agreement between New York Telephone Company d/b/a Bell Atlantic-New York and Pilgrim Telephone, Inc.	To review the terms and conditions of the negotiated agreement
*PSC-14-00-00029-P	exempt	Interconnection agreement between New York Telephone Company d/b/a Bell Atlantic-New York and CoreComm New York, Inc.	To review the terms and conditions of the negotiated agreement
*PSC-16-00-00012-P	exempt	Termination of local telecommunications traffic by Hyperion Communications of New York, Inc.	To determine appropriate compensation levels

Action Pending Index

NYS Register/August 17, 2016

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

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

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

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

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

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

Action Pending Index

NYS Register/August 17, 2016

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

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

Action Pending Index

NYS Register/August 17, 2016

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

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

Action Pending Index

NYS Register/August 17, 2016

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-25-09-00007-P	..... exempt	Electric rates for Consolidated Edison Company of New York, Inc	Consider a Petition for Rehearing filed by Consolidated Edison Company of New York, Inc
*PSC-27-09-00011-P	..... exempt	Interconnection of the networks between Vernon and tw telecom of new york l.p. for local exchange service and exchange access.	To review the terms and conditions of the negotiated agreement between Vernon and tw telecom of new york l.p.
*PSC-27-09-00014-P	..... exempt	Billing and payment for energy efficiency measures through utility bill	To promote energy conservation
*PSC-27-09-00015-P	..... exempt	Interconnection of the networks between Oriskany and tw telecom of new york l.p. for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Oriskany and tw telecom of new york l.p
*PSC-29-09-00011-P	..... exempt	Consideration of utility compliance filings	Consideration of utility compliance filings
*PSC-32-09-00009-P	..... exempt	Cost allocation for Consolidated Edison's East River Repowering Project	To determine whether any changes are warranted in the cost allocation of Consolidated Edison's East River Repowering Project
*PSC-34-09-00016-P	..... exempt	Recommendations made in the Management Audit Final Report	To consider whether to take action or recommendations contained in the Management Audit Final Report
*PSC-34-09-00017-P	..... exempt	To consider the transfer of control of Plattsburgh Cablevision, Inc. d/b/a Charter Communications to CH Communications, LLC	To allow the Plattsburgh Cablevision, Inc. to distribute its equity interest in CH Communications, LLC
*PSC-36-09-00008-P	..... exempt	The increase in the non-bypassable charge implemented by RG&E on June 1, 2009	Considering exemptions from the increase in the non-bypassable charge implemented by RG&E on June 1, 2009
*PSC-37-09-00015-P	..... exempt	Sale of customer-generated steam to the Con Edison steam system	To establish a mechanism for sale of customer-generated steam to the Con Edison steam system
*PSC-37-09-00016-P	..... exempt	Applicability of electronic signatures to Deferred Payment Agreements	To determine whether electronic signatures can be accepted for Deferred Payment Agreements
*PSC-39-09-00015-P	..... exempt	Modifications to the \$5 Bill Credit Program	Consideration of petition of National Grid to modify the Low Income \$5 Bill Credit Program
*PSC-39-09-00018-P	..... exempt	The offset of deferral balances with Positive Benefit Adjustments	To consider a petition to offset deferral balances with Positive Benefit Adjustments
*PSC-40-09-00013-P	..... exempt	Uniform System of Accounts - request for deferral and amortization of costs	To consider a petition to defer and amortize costs
*PSC-51-09-00029-P	..... exempt	Rules and guidelines for the exchange of retail access data between jurisdictional utilities and eligible ESCOs	To revise the uniform Electronic Data Interchange Standards and business practices to incorporate a contest period
*PSC-51-09-00030-P	..... exempt	Waiver or modification of Capital Expenditure condition of merger	To allow the companies to expend less funds for capital improvement than required by the merger
*PSC-52-09-00006-P	..... exempt	ACE's petition for rehearing for an order regarding generator-specific energy deliverability study methodology	To consider whether to change the Order Prescribing Study Methodology

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-52-09-00008-P	..... exempt	Approval for the New York Independent System Operator, Inc. to incur indebtedness and borrow up to \$50,000,000	To finance the renovation and construction of the New York Independent System Operator, Inc.'s power control center facilities
*PSC-05-10-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of University Residences - Rochester, LLC to submeter electricity at 220 John Street, Henrietta, NY
*PSC-05-10-00015-P	..... exempt	Petition for the submetering of electricity	To consider the request of 243 West End Avenue Owners Corp. to submeter electricity at 243 West End Avenue, New York, NY
*PSC-06-10-00022-P	..... exempt	The Commission's Order of December 17, 2009 related to redevelopment of Consolidated Edison's Hudson Avenue generating facility	To reconsider the Commission's Order of December 17, 2009 related to redevelopment of the Hudson Avenue generating facility
*PSC-07-10-00009-P	..... exempt	Petition to revise the Uniform Business Practices	To consider the RESA petition to allow rescission of a customer request to return to full utility service
*PSC-08-10-00007-P	..... exempt	Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847	Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847
*PSC-08-10-00009-P	..... exempt	Consolidated Edison of New York, Inc. energy efficiency programs	To modify approved energy efficiency programs
*PSC-12-10-00015-P	..... exempt	Recommendations made by Staff intended to enhance the safety of Con Edison's gas operations	To require that Con Edison implement the Staff recommendations intended to enhance the safety of Con Edison's gas operations
*PSC-14-10-00010-P	..... exempt	Petition for the submetering of electricity	To consider the request of 61 Jane Street Owners Corporation to submeter Electricity at 61 Jane Street, Manhattan, NY
*PSC-16-10-00005-P	..... exempt	To consider adopting and expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-16-10-00007-P	..... exempt	Interconnection of the networks between TDS Telecom and PAETEC Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between TDS Telecom and PAETEC Communications
*PSC-16-10-00015-P	..... exempt	Interconnection of the networks between Frontier and Choice One Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier and Choice One Communications
*PSC-18-10-00009-P	..... exempt	Electric utility transmission right-of-way management practices	To consider electric utility transmission right-of-way management practices
*PSC-19-10-00022-P	..... exempt	Whether National Grid should be permitted to transfer a parcel of property located at 1 Eddy Street, Fort Edward, New York	To decide whether to approve National Grid's request to transfer a parcel of vacant property in Fort Edward, New York
*PSC-22-10-00006-P	..... exempt	Requirement that Noble demonstrate that its affiliated electric corporations operating in New York are providing safe service	Consider requiring that Noble demonstrate that its affiliated electric corporations in New York are providing safe service
*PSC-22-10-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of 48-52 Franklin Street to submeter electricity at 50 Franklin Street, New York, New York

Action Pending Index

NYS Register/August 17, 2016

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-24-10-00009-P	..... exempt	Verizon New York Inc. tariff regulations relating to voice messaging service	To remove tariff regulations relating to retail voice messaging service from Verizon New York Inc.'s tariff
*PSC-25-10-00012-P	..... exempt	Reassignment of the 2-1-1 abbreviated dialing code	Consideration of petition to reassign the 2-1-1 abbreviated dialing code
*PSC-25-10-00015-P	..... exempt	To allow NYWC to defer and amortize, for future rate recognition, pension settlement payout losses incurred in 2009	Consideration of NYWC's petition to defer and amortize, for future rate recognition, pension payout losses incurred in 2009
*PSC-27-10-00016-P	..... exempt	Petition for the submetering of electricity	To consider the request of 9271 Group, LLC to submeter electricity at 960 Busti Avenue, Buffalo, New York
*PSC-31-10-00007-P	..... exempt	Waiver of the Attachment 23 requirement in 2001 Rate Order that NMPC Board of Directors consist of "outside directors"	To consider the waiver of the requirement that a majority of NMPC Board of directors consist of "outside directors"
*PSC-34-10-00003-P	..... exempt	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program
*PSC-34-10-00005-P	..... exempt	Approval of a contract for \$250,000 in tank repairs that may be a financing	To decide whether to approve a contract between the parties that may be a financing of \$250,000 for tank repairs
*PSC-34-10-00006-P	..... exempt	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program
*PSC-36-10-00010-P	..... exempt	Central Hudson's procedures, terms and conditions for an economic development plan	Consideration of Central Hudson's procedures, terms and conditions for an economic development plan
*PSC-40-10-00014-P	..... exempt	Disposition of a state sales tax refund	To determine how much of a state sales tax refund should be retained by National Grid
*PSC-40-10-00021-P	..... exempt	Whether to permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall	To permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall
*PSC-41-10-00018-P	..... exempt	Amount of hourly interval data provided to Hourly Pricing customers who have not installed a phone line to read meter	Allow Central Hudson to provide less than a years worth of interval data and charge for manual meter reading for some customers
*PSC-41-10-00022-P	..... exempt	Request for waiver of the individual living unit metering requirements at 5742 Route 5, Vernon, NY	Request for waiver of the individual living unit metering requirements at 5742 Route 5, Vernon, NY
*PSC-42-10-00011-P	..... exempt	Petition for the submetering of electricity	To consider the request of 4858 Group, LLC to submeter electricity at 456 Main Street, Buffalo, New York
*PSC-43-10-00016-P	..... exempt	Utility Access to Ducts, Conduit Facilities and Utility Poles	To review the complaint from Optical Communications Group
*PSC-44-10-00003-P	..... exempt	Third and fourth stage gas rate increase by Corning Natural Gas Corporation	To consider Corning Natural Gas Corporation's request for a third and fourth stage gas rate increase

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-51-10-00018-P	..... exempt	Commission proceeding concerning three-phase electric service by all major electric utilities	Investigate the consistency of the tariff provisions for three-phase electric service for all major electric utilities
*PSC-11-11-00003-P	..... exempt	The proposed transfer of 55.42 acres of land and \$1.4 million of revenues derived from the rendition of public service	The proposed transfer of 55.42 acres of land and \$1.4 million of revenues derived from the rendition of public service
*PSC-12-11-00008-P	..... exempt	To allow NYWC to defer and amortize, for future rate recognition, pension settlement payout losses incurred in 2010	Consideration of NYWC's petition to defer and amortize, for future rate recognition, pension payout losses incurred in 2010
*PSC-13-11-00005-P	..... exempt	Exclude the minimum monthly bill component from the earnings test calculation	Exclude the minimum monthly bill component from the earnings test calculation
*PSC-13-11-00007-P	..... exempt	Budget allocations and use of System Benefits Charge funds to pay State Cost Recovery Fee	To encourage cost effective gas and electric energy conservation in the State
*PSC-14-11-00009-P	..... exempt	Petition for the submetering of electricity	To consider the request of 83-30 118th Street to submeter electricity at 83-30 118th Street, Kew Gardens, New York
*PSC-16-11-00011-P	..... exempt	The Energy Efficiency Portfolio Standard	To promote gas and electricity energy conservation programs in New York
*PSC-19-11-00007-P	..... exempt	Utility price reporting requirements related to the Commission's "Power to Choose" website	Modify the Commission's utility electric commodity price reporting requirements related to the "Power to Choose" website
*PSC-20-11-00012-P	..... exempt	Petition for the submetering of electricity	To consider the request of KMW Group LLC to submeter electricity at 122 West Street, Brooklyn, New York
*PSC-20-11-00013-P	..... exempt	Determining the reasonableness of Niagara Mohawk Power Corporation d/b/a National Grid 's make ready charges	To determine if the make ready charges of Niagara Mohawk Power Corporation d/b/a National Grid are reasonable
*PSC-22-11-00004-P	..... exempt	Whether to permit the use of the Sensus accWAVE for use in residential gas meter applications	To permit gas utilities in New York State to use the Sensus accWAVE diaphragm gas meter
*PSC-23-11-00018-P	..... exempt	NYSEERDA's energy efficiency program for low-income customers	To promote energy conservation in New York State
*PSC-26-11-00007-P	..... exempt	Water rates and charges	To approve an increase in annual revenues by about \$25,266 or 50%
*PSC-26-11-00009-P	..... exempt	Petition for the submetering of electricity at commercial property	To consider the request of by Hoosick River Hardwoods, LLC to submeter electricity at 28 Taylor Avenue, in Berlin, New York
*PSC-26-11-00012-P	..... exempt	Waiver of generation retirement notice requirements	Consideration of waiver of generation retirement notice requirements
*PSC-29-11-00011-P	..... exempt	Petition requesting the Commission reconsider its May 19, 2011 Order and conduct a hearing, and petition to stay said Order.	To consider whether to grant or deny, in whole or in part, Windstream New York's Petition For Reconsideration and Rehearing.
*PSC-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

Action Pending Index

NYS Register/August 17, 2016

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-36-11-00006-P	..... exempt	To consider expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-38-11-00002-P	..... exempt	Operation and maintenance procedures pertaining to steam trap caps	Adopt modified steam operation and maintenance procedures
*PSC-38-11-00003-P	..... exempt	Waiver of certain provisions of the electric service tariffs of Con Edison	Consideration of waiver of certain provisions of the electric service tariffs of Con Edison
*PSC-40-11-00010-P	..... exempt	Participation of regulated local exchange carriers in the New York Data Exchange, Inc. (NYDE)	Whether to partially modify its order requiring regulated local exchange carriers' participation NYDE
*PSC-40-11-00012-P	..... exempt	Granting of transfer of plant in-service to a regulatory asset	To approve transfer and recovery of unamortized plant investment
*PSC-42-11-00018-P	..... exempt	Availability of telecommunications services in New York State at just and reasonable rates	Providing funding support to help ensure availability of affordable telecommunications service throughout New York
*PSC-43-11-00012-P	..... exempt	Transfer of outstanding shares of stock	Transfer the issued outstanding shares of stock of The Meadows at Hyde Park Water-Works Corporation to HPWS, LLC
*PSC-47-11-00007-P	..... exempt	Remedying miscalculations of delivered gas as between two customer classes	Consideration of Con Edison's proposal to address inter-class delivery imbalances resulting from past Company miscalculations
*PSC-48-11-00007-P	..... exempt	Transfer of controlling interests in generation facilities from Dynegy to PSEG	Consideration of the transfer of controlling interests in electric generation facilities from Dynegy to PSEG
*PSC-48-11-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of To Better Days, LLC to submeter electricity at 37 East 4th Street, New York, New York
*PSC-51-11-00010-P	..... exempt	The Total Resource Cost (TRC) test, used to analyze measures in the Energy Efficiency Portfolio Standard program	Petitioners request that the TRC test and/or its application to measures should be revised
*PSC-52-11-00017-P	..... exempt	Reparations and refunds	Reparations and refunds
*PSC-01-12-00007-P	..... exempt	The New York State Reliability Council's revisions to its rules and measurements	To adopt revisions to various rules and measurements of the New York State Reliability Council
*PSC-01-12-00008-P	..... exempt	Transfer of real property and easements from NMPNS to NMP3	Consideration of the transfer of real property and easements from NMPNS to NMP3
*PSC-01-12-00009-P	..... exempt	Recovery of expenses related to the expansion of Con Edison's ESCO referral program, PowerMove	To determine how and to what extent expenses related to the Expansion of Con Edison's ESCO referral program should be recovered
*PSC-11-12-00002-P	..... exempt	Whether to grant, deny or modify, in whole or part, Hegeman's petition for a waiver of Commission policy and Con Edison tariff	Whether to grant, deny or modify, in whole or part, Hegeman's petition for a waiver of Commission policy and Con Edison tariff
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-13-12-00005-P	..... exempt	Authorization to transfer certain real property	To decide whether to approve the transfer of certain real property
*PSC-17-12-00007-P	..... exempt	Whether a proposed agreement for the provision of water service by Saratoga Water Services, Inc. is in the public interest	Whether the Commission should issue an order approving the proposed provision of water service
*PSC-17-12-00008-P	..... exempt	Whether a proposed agreement for the provision of water service by Saratoga Water Services, Inc. is in the public interest	Whether the Commission should issue an order approving the proposed provision of water service
*PSC-17-12-00009-P	..... exempt	Whether a proposed agreement for the provision of water service by Saratoga Water Services, Inc. is in the public interest	Whether the Commission should issue an order approving the proposed provision of water service
*PSC-19-12-00019-P	..... exempt	EEPS programs administered by New York State Electric & Gas Corporation and Rochester Gas and Electric Corporation	To modify the C&I sector by combining multiple approved C&I programs into a single C&I program for each PA
*PSC-19-12-00022-P	..... exempt	Approval of a combined heat and power performance program funding plan administered by NYSERDA	Modify NYSERDA's EEPS programs budget and targets to fund the CHP program
*PSC-19-12-00023-P	..... exempt	Petition for approval pursuant to Section 70 for the sale of goods with an original cost of less than \$100,000	To consider whether to grant, deny or modify, in whole or in part, the petition filed by Orange and Rockland Utilities, Inc.
*PSC-21-12-00006-P	..... exempt	Tariff filing requirements and refunds	To determine if certain agreements should be filed pursuant to the Public Service Law and if refunds are warranted
*PSC-21-12-00011-P	..... exempt	Whether to grant, deny or modify, in whole or part, the petition for waiver of tariff Rules 8.6 and 47	Whether to grant, deny or modify, in whole or part, the petition for waiver of tariff Rules 8.6 and 47
*PSC-23-12-00005-P	..... exempt	EEPS multifamily programs administered by Consolidated Edison Company of New York, Inc.	To redesign the multifamily electric and gas programs and modify the budgets and targets
*PSC-23-12-00007-P	..... exempt	The approval of a financing upon a transfer to Alliance of upstream ownership interests in a generation facility	To consider the approval of a financing upon a transfer to Alliance of upstream ownership interests in a generation facility
*PSC-23-12-00009-P	..... exempt	Over earnings sharing between rate payers and shareholders	To establish an Earnings Sharing Mechanism to be applied following the conclusion of Corning's rate plan
*PSC-27-12-00012-P	..... exempt	Implementation of recommendations made in a Management Audit Report	To consider implementation of recommendations made in a Management Audit Report
*PSC-28-12-00013-P	..... exempt	Exemption of reliability reporting statistics for the purpose of the 2012 Reliability Performance Mechanism	Consideration of Orange and Rockland Utilities request for exemption of the 2012 reliability reporting statistics
*PSC-29-12-00019-P	..... exempt	Waiver of 16 NYCRR 894.1 through 894.4	To allow the Town of Hamden to waive certain preliminary franchising procedures to expedite the franchising process.
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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-42-12-00009-P	..... exempt	Regulation of Gipsy Trail Club, Inc.'s long-term financing agreements	To exempt Gipsy Trail Club, Inc. from Commission regulation of its financing agreements
*PSC-45-12-00008-P	..... exempt	Whether to grant, deny or modify, in whole or part, ESHG's petition for a waiver of Commission policy and RG&E tariff	Whether to grant, deny or modify, in whole or part, ESHG's petition for a waiver of Commission policy and RG&E tariff
*PSC-45-12-00010-P	..... exempt	Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District	Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District
*PSC-50-12-00003-P	..... exempt	Affiliate standards for Corning Natural Gas Corporation	To resolve issues raised by Corning Natural Gas Corporation in its petition for rehearing
*PSC-04-13-00006-P	..... exempt	Expansion of mandatory day ahead hourly pricing for customers of Orange and Rockland Utilities with demands above 100 kW	To consider the expansion of mandatory day ahead hourly pricing for customers with demands above 100 kW
*PSC-04-13-00007-P	..... exempt	Authorization to transfer certain real property.	To decide whether to approve the transfer of certain real property.
*PSC-06-13-00008-P	..... exempt	Verizon New York Inc.'s retail service quality	To investigate Verizon New York Inc.'s retail service quality
*PSC-08-13-00012-P	..... exempt	Filing requirements for certain Article VII electric facilities	To ensure that applications for certain electric transmission facilities contain pertinent information
*PSC-08-13-00014-P	..... exempt	Uniform System of Accounts - Request for Accounting Authorization	To allow the company to defer an item of expense or capital beyond the end of the year in which it was incurred
*PSC-12-13-00007-P	..... exempt	Protecting company water mains	To allow the company to require certain customers to make changes to the electrical grounding system at their homes
*PSC-13-13-00008-P	..... exempt	The potential waiver of 16 NYCRR 255.9221(d) completion of integrity assessments for certain gas transmission lines.	To determine whether a waiver of the timely completion of certain gas transmission line integrity assessments should be granted.
*PSC-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-18-13-00007-P	..... exempt	Whether Demand Energy Networks energy storage systems should be designated technologies for standby rate eligibility purposes	Whether Demand Energy Networks energy storage systems should be designated technologies for standby rate eligibility purposes
*PSC-21-13-00003-P	..... exempt	To consider policies that may impact consumer acceptance and use of electric vehicles	To consider and further develop policies that may impact consumer acceptance and use of electric vehicles
*PSC-21-13-00005-P	..... exempt	To implement an abandonment of Windover's water system	To approve the implementation of abandonment of Windover's water system
*PSC-21-13-00008-P	..... exempt	Rates of National Fuel Gas Distribution Corporation	To make the rates of National Fuel Gas Distribution Corporation temporary, subject to refund, if they are found to be excessive
*PSC-21-13-00009-P	..... exempt	Reporting requirements for natural gas local distribution companies	To help ensure efficient and economic expansion of the natural gas system as appropriate
*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-25-13-00012-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-32-13-00009-P	..... exempt	To consider the definition of “misleading or deceptive conduct” in the Commission’s Uniform Business Practices	To consider the definition of “misleading or deceptive conduct” in the Commission’s Uniform Business Practices
*PSC-32-13-00010-P	..... exempt	Permission to write off and eliminate record keeping for regulatory reserves for Pensions and Other Post Retirement Benefits	To allow write off and eliminate record keeping of Pension and Other Post Retirement Benefits Reserves
*PSC-32-13-00012-P	..... exempt	To consider whether NYSEG should be required to undertake actions to protect its name and to minimize customer confusion	To consider whether NYSEG should be required to undertake actions to protect its name and to minimize customer confusion
*PSC-33-13-00027-P	..... exempt	Waive underground facility requirements for new construction in residential subdivisions to allow for overhead electric lines.	Determine whether Chapin Lumberland, LLC subdivision will be allowed overhead electric distribution and service lines.
*PSC-33-13-00029-P	..... exempt	Deferral of incremental costs associated with the restoration of steam service following Superstorm Sandy.	To consider a petition by Con Edison to defer certain incremental steam system restoration costs relating to Superstorm Sandy.
*PSC-34-13-00004-P	..... exempt	Escrow account and surcharge to fund extraordinary repairs	To approve the establishment of an escrow account and surcharge
*PSC-37-13-00007-P	..... exempt	Dissolution of Garrow Water Works Company, Inc..	To allow for the dissolution of Garrow Water Works Company, Inc.
*PSC-39-13-00010-P	..... exempt	NY-Sun initiative within the Customer-Sited Tier of the RPS Program.	To increase the statewide adoption of customer sited photovoltaic solar generation through the NY-Sun Initiative.
*PSC-42-13-00013-P	..... exempt	Failure to Provide Escrow Information	The closure of the Escrow Account
*PSC-42-13-00015-P	..... exempt	Failure to Provide Escrow Information	The closure of the Escrow Account
*PSC-43-13-00015-P	..... exempt	Petition for submetering of electricity	To consider the request of 2701 Kingsbridge Terrace L.P. to submeter electricity at 2701 Kingsbridge Terrace, Bronx, N.Y.
*PSC-45-13-00021-P	..... exempt	Investigation into effect of bifurcation of gas and electric utility service on Long Island.	To consider a Petition for an investigation into effect of bifurcation of gas and electric utility service on Long Island.
*PSC-45-13-00022-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4)	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-47-13-00012-P	..... exempt	Conditioning,restricting or prohibiting the purchase of services by NYSEG and RG&E from certain affiliates.	Consideration of conditioning,restricting or prohibiting the purchase of services by NYSEG and RG&E from certain affiliates.
*PSC-49-13-00008-P	..... exempt	Authorization to transfer all of Crystal Water Supply Company, Inc. stocks to Essel Infra West Inc.	To allow Crystal Water Supply Company, Inc to transfer all of its issued and outstanding stocks to Essel Infra West Inc.
*PSC-51-13-00009-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing.	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates.
*PSC-51-13-00010-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing.	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates.
*PSC-51-13-00011-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing.	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates.
*PSC-52-13-00012-P	..... exempt	The development of reliability contingency plan(s) to address the potential retirement of Indian Point Energy Center (IPEC).	To address the petition for rehearing and reconsideration/motion for clarification of the IPEC reliability contingency plan(s).
*PSC-52-13-00015-P	..... exempt	To enter into a loan agreement with the banks for up to an amount of \$94,000.	To consider allowing Knolls Water Company to enter into a long-term loan agreement.
*PSC-01-14-00017-P	..... exempt	Residential Time-of-Use Rates	To establish residential optional time of use delivery and commodity rates
*PSC-03-14-00009-P	..... exempt	disposition of tax refunds and other related matters	to determine the disposition of tax refunds and other related matters
*PSC-04-14-00005-P	..... exempt	National Fuel Gas Corporation's Conservation Incentive Programs.	To modify National Fuel Gas Corporation's Non-Residential Conservation Incentive Program.
*PSC-05-14-00010-P	..... exempt	The New York State Reliability Council's revisions to its rules and measurements	To adopt revisions to various rules and measurements of the New York State Reliability Council
*PSC-07-14-00008-P	..... exempt	Petition for submetering of electricity	To consider the request of Greater Centennial Homes HDFC, Inc. to submeter electricity at 102, 103 and 106 W 5th Street, et al.
*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 andthe 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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-16-14-00014-P	..... exempt	Whether to order NYSEG to provide gas service to customers when an expanded CPCN is approved and impose PSL 25-a penalties.	To order gas service to customers in the Town of Plattsburgh after approval of a town wide CPCN and to impose penalties.
*PSC-16-14-00015-P	..... exempt	Whether Central Hudson should be permitted to defer obligations of the Order issued on October 18, 2013 in Case 13-G-0336.	Consideration of the petition by Central Hudson to defer reporting obligations of the October 18, 2013 Order in Case 13-G-0336
*PSC-16-14-00016-P	..... exempt	Waiver of Commission regulations governing termination of service.	Consider United Water New York Inc.'s proposal to expand termination of service provisions.
*PSC-17-14-00003-P	..... exempt	Con Edison's Report on its 2013 performance under the Electric Service Reliability Performance Mechanism	Con Edison's Report on its 2013 performance under the Electric Service Reliability Performance Mechanism
*PSC-17-14-00004-P	..... exempt	To consider certain portions of petitions for rehearing, reconsideration and/or clarification	To consider certain portions of petitions for rehearing, reconsideration and/or clarification
*PSC-17-14-00007-P	..... exempt	To consider petitions for rehearing, reconsideration and/or clarification	To consider petitions for rehearing, reconsideration and/or clarification
*PSC-17-14-00008-P	..... exempt	To consider certain portions of petitions for rehearing, reconsideration and/or clarification	To consider certain portions of petitions for rehearing, reconsideration and/or clarification
*PSC-19-14-00014-P	..... exempt	Market Supply Charge	To make tariff revisions to the Market Supply Charge for capacity related costs
*PSC-19-14-00015-P	..... exempt	Whether to permit the use of the Sensus accuWAVE for use in residential and commercial gas meter applications	To permit gas utilities in New York State to use the Sensus accuWAVE 415TC gas meter
*PSC-19-14-00018-P	..... exempt	Uniform System of Accounts, deferral of an expense item	Authorization of a deferral for an expense item beyond the end of the year in which it was incurred
*PSC-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-23-14-00014-P	..... exempt	Waiver of the negative revenue adjustment associated with KEDLI's 2013 Customer Satisfaction Performance Metric	Consideration of KEDLI's waiver request pertaining to its 2013 performance under its Customer Satisfaction Metric
*PSC-24-14-00005-P	..... exempt	To examine LDC's performance and performance measures.	To improve gas safety performance.
*PSC-26-14-00010-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-26-14-00013-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-26-14-00017-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.

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

Action Pending Index

NYS Register/August 17, 2016

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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-39-14-00020-P	..... exempt	Whether to permit the use of the Mueller Systems 400 Series and 500 Series of water meters	Pursuant to 16 NYCRR section 500.3, whether to permit the use of the Mueller Systems 400, and 500 Series of water meters
*PSC-40-14-00008-P	..... exempt	To consider granting authorization for Buy Energy Direct to resume marketing to residential customers.	To consider granting authorization for Buy Energy Direct to resume marketing to residential customers.
*PSC-40-14-00009-P	..... exempt	Whether to permit the use of the Itron Open Way Centron Meter with Hardware 3.1 for AMR and AMI functionality.	Pursuant to 16 NYCRR Parts 93, is necessary to permit the use of the Itron Open Way Centron Meter with Hardware 3.1.
*PSC-40-14-00011-P	..... exempt	Late Payment Charge.	To modify Section 7.6 - Late Payment Charge to designate a specific time for when a late payment charge is due.
*PSC-40-14-00013-P	..... exempt	Regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY.	To consider regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY.
*PSC-40-14-00014-P	..... exempt	Waiver of 16 NYCRR Sections 894.1 through 894.4(b)(2)	To allow the Town of Goshen, NY, to waive certain preliminary franchising procedures to expedite the franchising process.
*PSC-40-14-00015-P	..... exempt	Late Payment Charge.	To modify Section 6.6 - Late Payment Charge to designate a specific time for when a late payment charge is due.
*PSC-42-14-00003-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-42-14-00004-P	..... exempt	Winter Bundled Sales Service Option	To modify SC-11 to remove language relating to fixed storage charges in the determination of the Winter Bundled Sales charge

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-48-14-00014-P	..... exempt	Considering the recommendations contained in Staff's electric outage investigation report for MNRR, New Haven Line.	To consider the recommendations contained in Staff's electric outage investigation report for MNRR, New Haven Line.
*PSC-52-14-00019-P	..... exempt	Petition for a waiver to master meter electricity.	Considering the request of 614 South Crouse Avenue, LLC to master meter electricity at 614 South Crouse Avenue, Syracuse, NY..
*PSC-01-15-00014-P	..... exempt	State Universal Service Fund Disbursements	To consider Edwards Telephone Company's request for State Universal Service Fund disbursements
*PSC-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-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-04-15-00010-P	..... exempt	To modify the retail access program under SC No. 19 - Seller Transportation Aggregation Service.	To modify the retail access program to implement Tier 2A - Storage Capacity Release and make other tariff changes.
*PSC-04-15-00011-P	..... exempt	To modify the retail access program under SC No. 8 - Seller Services.	To modify the retail access program to implement Tier 2A - Storage Capacity Release and make other tariff changes.
*PSC-04-15-00012-P	..... exempt	Disposition of tax refunds and other related matters.	To determine the disposition of tax refunds and other related matters.
*PSC-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-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-10-15-00007-P	..... exempt	Notification concerning tax refunds	To consider Verizon New York Inc.'s partial rehearing or reconsideration request regarding retention of property tax refunds
*PSC-10-15-00008-P	..... exempt	Whether to waive Policy on Test Periods in Major Rate Proceedings and provide authority to file tariff changes	Whether to waive Policy on Test Periods in Major Rate Proceedings and provide authority to file tariff changes
*PSC-10-15-00009-P	..... exempt	Contingency Tariffs regarding demand response issues	To consider Contingency Tariffs regarding demand response issues
*PSC-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-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

Action Pending Index

NYS Register/August 17, 2016

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-13-15-00026-P	..... exempt	Whether to permit the use of the Sensus Smart Point Gas AMR/AMI product	To permit the use of the Sensus Smart Point Gas AMR/AMI product
*PSC-13-15-00027-P	..... exempt	Whether to permit the use of the Measurlogic DTS 310 electric submeter	To permit the use of the Measurlogic DTS 310 submeter
*PSC-13-15-00028-P	..... exempt	Whether to permit the use of the SATEC EM920 electric meter	To permit necessary to permit the use of the SATEC EM920 electric meter
*PSC-13-15-00029-P	..... exempt	Whether to permit the use the Triacta Power Technologies 6103, 6112, 6303, and 6312 electric submeters	To permit the use of the Triacta submeters
*PSC-17-15-00004-P	..... exempt	Rehearing of the Commission's Order Adopting Regulatory Policy Framework and Implementation Plan	Consideration of a petition for rehearing
*PSC-17-15-00007-P	..... exempt	To consider the petition of Leatherstocking Gas Company, LLC seeking authority to issue long-term debt of \$2.75 million	To consider the petition of Leatherstocking Gas Company, LLC seeking authority to issue long-term debt of \$2.75 million
*PSC-18-15-00004-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-18-15-00007-P	..... exempt	National Grid's Economic Development Programs	To authorize a new economic development program for National Grid's natural gas service territory
*PSC-19-15-00011-P	..... exempt	Gas Safety Performance Measures and associated negative revenue adjustments	To update the performance measures applicable to KeySpan Gas East Corporation d/b/a National Grid
*PSC-20-15-00006-P	..... exempt	Implementation of the proposed Microgrid Business Model as a reliability and demand management resource	Consider implementation of the proposed Microgrid Business Model as a reliability and demand management resource
*PSC-22-15-00015-P	..... exempt	To consider the request for waiver of the individual residential unit meter requirements and 16 NYCRR 96.1(a)	To consider the request for waiver of the individual residential unit meter requirements and 16 NYCRR 96.1(a)
*PSC-23-15-00005-P	..... exempt	The modification of New York American Water's current rate plan	Whether to adopt the terms of the Joint Proposal submitted by NYAW and DPS Staff
*PSC-23-15-00006-P	..... exempt	The modification of New York American Water's current rate plan	Whether to adopt the terms of the Joint Proposal submitted by NYAW and DPS Staff
*PSC-25-15-00008-P	..... exempt	Notice of Intent to Submeter electricity.	To consider the request of 165 E 66 Residences, LLC to submeter electricity at 165 East 66th Street, New York, New York.
*PSC-26-15-00014-P	..... exempt	To consider the request for partial waiver of the energy audit requirements in 16 NYCRR Section 96.5(k)	To consider the request for partial waiver of the energy audit requirements in 16 NYCRR Section 96.5(k)
*PSC-26-15-00016-P	..... exempt	Petition to Submeter electricity	To consider the request of 39 Plaza Housing Corporation to submeter electricity at 39 Plaza Street West, Brooklyn, New York

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-27-15-00014-P	..... exempt	Authorization for NYAW to accrue interest on internal reserve debit balances	To allow NYAW to accrue interest on internal reserve debit balances
*PSC-28-15-00006-P	..... exempt	The minor electric rate filing of Mohawk Municipal Commission	Whether to increase Mohawk Municipal Commission's annual electric revenues by approximately \$113,119 or 13.74%
*PSC-29-15-00018-P	..... exempt	Approval of ratemaking related to amendment a certificate of public convenience and necessity	To approve or reject the ratemaking aspects of SLG's petition to amend its certificate of public convenience and necessity
*PSC-29-15-00025-P	..... exempt	Joint Petition for authority to transfer real property located at 624 West 132nd Street, New York, NY	Whether to authorize the proposed transfer of real property located at 624 West 132nd Street, New York, NY
*PSC-31-15-00007-P	..... exempt	Plan to convert petroleum pipeline into a natural gas pipeline	Whether to approve the proposed conversion plan submitted by NIC Holding Corp
*PSC-32-15-00005-P	..... exempt	Petition for rehearing of the Order Adopting Dynamic Load Management Filings with Modifications	To consider a petition for rehearing of the Order Adopting Dynamic Load Management Filings with Modifications
*PSC-32-15-00006-P	..... exempt	Development of a Community Solar Demonstration Project.	To approve the development of a Community Solar Demonstration Project.
*PSC-32-15-00012-P	..... exempt	Proposed standards for Commission oversight of Distributed Energy Resource suppliers.	To consider proposed standards for Commission oversight of Distributed Energy Resource suppliers.
PSC-33-15-00009-P	..... exempt	Remote net metering of a demonstration community net metering program.	To consider approval of remote net metering of a demonstration community net metering program.
PSC-33-15-00012-P	..... exempt	Remote net metering of a Community Solar Demonstration Project.	To consider approval of remote net metering of a Community Solar Demonstration Project.
PSC-34-15-00021-P	..... exempt	Petition by NYCOM requesting assistance with obtaining information on CLECs and ESCOs	To consider the petition by NYCOM requesting assistance with obtaining information on CLECs and ESCOs
PSC-35-15-00010-P	..... exempt	Notice of Intent to Submeter Electricity	To consider the request of 605 West 42nd Owner LLC to submeter electricity at 605 West 42nd Street, New York, New York
PSC-35-15-00011-P	..... exempt	Demand based Standby Service Charges levied upon Offset Tariff customers accounts	To consider a revision to demand based Standby Service Charges levied upon Offset Tariff customers accounts
PSC-35-15-00014-P	..... exempt	Consideration of consequences against Light Power & Gas, LLC for violations of the UBP	To consider consequences against Light Power & Gas, LLC for violations of the UBP
PSC-37-15-00007-P	..... exempt	Submetered electricity	To consider the request of 89 Murray Street Ass. LLC, for clarification of the submetering order issued December 20, 2007
PSC-38-15-00008-P	..... exempt	Notice of Intent to submeter electricity	To consider the request of Community Counseling and Mediation to submeter electricity at 226 Linden Blvd., Brooklyn, New York
PSC-39-15-00012-P	..... exempt	Petition to submeter electricity	To consider the request of 47 East 34th Street (NY), L.P., to submeter electricity at 49 East 34th Street New York, New York

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-40-15-00012-P	..... exempt	Establishment of the regulatory regime applicable to an approximately 106 MW electric generating facility	Consideration of approval of a lightened regulatory regime for an approximately 106 MW electric generating facility
PSC-40-15-00014-P	..... exempt	Whether to permit the use of the Open Way 3.5 with cellular communications	To consider the use of the Open Way 3.5 electric meter, pursuant to 16 NYCRR Parts 92 and 93
PSC-41-15-00005-P	..... exempt	Intergrow disputes National Grid's revenue assurance calculations	To consider whether the revenue assurance National Grid is requiring of Intergrow for the new interconnection is appropriate
PSC-41-15-00007-P	..... exempt	The allocation of costs for the extension of electric service	Whether to grant the complaint of Glenwyck Development, LLC
PSC-41-15-00009-P	..... exempt	Main Tier of the Renewable Portfolio Standard program	To consider allocating funding from the Main Tier to an eligible hydroelectric facility
PSC-41-15-00011-P	..... exempt	Deferral of incremental costs incurred in 2014 associated with increased gas leak response and repair activities	To consider a petition by Con Edison to defer certain incremental costs associated with gas leak response and repair activities
PSC-42-15-00006-P	..... exempt	Deferral of incremental expenses associated with NERC's new Bulk Electric System (BES) compliance requirements approved by FERC.	Consideration of Central Hudson's request to defer incremental expenses associated with new BES compliance requirements.
PSC-42-15-00010-P	..... exempt	Petition for modification of Con Edison's S.C. No. 4 (Back-up/Supplementary) Steam Service.	To consider modifications to S.C. No. 4 of Con Edison's Schedule for Steam Service.
PSC-42-15-00012-P	..... exempt	Establishment of the regulatory regime applicable to a proposed natural gas pipeline facility.	Consideration of a lightened regulatory regime for a proposed natural gas pipeline facility.
PSC-42-15-00013-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-44-15-00028-P	..... exempt	Deferral of incremental expenses associated with new compliance requirements	Consideration of Central Hudson's request to defer incremental expenses associated with new compliance requirements
PSC-44-15-00030-P	..... exempt	System Improvement Plan mechanism	To consider Bath's petition to implement a SIP mechanism
PSC-47-15-00012-P	..... exempt	Reimbursement of costs for construction under 16 NYCRR 230	To determine proper reimbursement for costs related to trenching and construction
PSC-47-15-00013-P	..... exempt	Whitepaper on Implementing Lightened Ratemaking Regulation.	Consider Whitepaper on Implementing Lightened Ratemaking Regulation.
PSC-48-15-00010-P	..... exempt	Lightened and incidental regulation of a 55 MW electric and steam generating facility.	Consider the lightened and incidental regulation of a 55 MW electric and steam generating facility.
PSC-48-15-00011-P	..... exempt	Proposal to retire Huntley Units 67 and 68 on March 1, 2016.	Consider the proposed retirement of Huntley Units 67 and 68.
PSC-49-15-00009-P	..... exempt	Petition for rehearing of the Order Establishing Interim Ceilings on the Interconnection of Net Metered Generation	To consider a Petition for rehearing of the Order Establishing Interim Ceilings on the Interconnection of Net Metered Generation

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-50-15-00006-P	..... exempt	The reduction of rates.	To consider the reduction of rates charged by Independent Water Works, Inc.
PSC-50-15-00008-P	..... exempt	The transfer of 1,064 utility poles.	To consider the transfer of 1,064 utility poles from Orange and Rockland Utilities, Inc. to Frontier Communications Corp.
PSC-50-15-00009-P	..... exempt	Notice of Intent to submeter electricity.	To consider the request to submeter electricity at 31-33 Lincoln Road and 510 Flatbush Avenue, Brooklyn, New York.
PSC-51-15-00010-P	..... exempt	Modification of the EDP	To consider modifying the EDP
PSC-51-15-00011-P	..... exempt	National Grid's electric Economic Development Programs	To consider modifications to the economic development assistance to qualified businesses
PSC-52-15-00015-P	..... exempt	Consequences pursuant to the Commission's Uniform Business Practices (UBP).	To consider whether to impose consequences on Astral for its apparent non-compliance with Commission requirements.
PSC-01-16-00002-P	..... exempt	Revenue assurance calculations	To consider whether the revenue assurance National Grid is requiring of Tiashoke for the upgraded service is appropriate
PSC-01-16-00003-P	..... exempt	Deferral of expenses	To consider a petition for the deferral of expenses
PSC-01-16-00005-P	..... exempt	Proposed amendment to Section 5, Attachment 1.A of the Uniform Business Practices	To consider amendment to Section 5, Attachment 1.A of the Uniform Business Practices
PSC-03-16-00008-P	..... exempt	Petition to submeter electricity	To consider the request of 910 Fifth Avenue Corporation to submeter electricity at 910 Fifth Avenue, New York, New York
PSC-04-16-00007-P	..... exempt	Whether Hamilton Municipal Utilities should be permitted to construct and operate a municipal gas distribution facility.	Consideration of the petition by Hamilton Municipal Utilities to construct and operate a municipal gas distribution facility.
PSC-04-16-00010-P	..... exempt	Proposed revisions to add and clarify provisions related to electric generators under SC No. 14.	To consider revisions to SC No. 14 and align the electric generator provisions with its downstate companies, KEDLI and KEDNY.
PSC-04-16-00011-P	..... exempt	Investigation that certain practices of Central Hudson Gas and Electric Corporation resulted in violations of HEFPA.	To consider the Petition of Nobody Leaves Mid-Hudson to investigate Central Hudson for claims of HEFPA violations.
PSC-04-16-00012-P	..... exempt	Proposal to mothball three gas turbines located at the Astoria Gas Turbine Generating Station.	Consider the proposed mothball of three gas turbines located at the Astoria Gas Turbine Generating Station.
PSC-04-16-00013-P	..... exempt	Proposal to find that three gas turbines located at the Astoria Gas Turbine Generating Station are uneconomic.	Consider whether three gas turbines located at the Astoria Gas Turbine Generating Station are uneconomic.
PSC-06-16-00007-P	..... exempt	Transfer of water supply assets.	To consider the sale of water supply assets of Northeast Water Services to Suez Water Owego-Nichols, Inc.
PSC-06-16-00008-P	..... exempt	Notice of Intent to submeter electricity.	To consider the Notice of Intent of 31 Lincoln Road Development LLC to submeter electricity at 31-33 Lincoln Road, Brooklyn, NY.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-06-16-00010-P	..... exempt	Lakewood disputes National Grid's revenue assurance calculations, specifically the duration used.	To consider whether the revenue assurance National Grid is requiring of Lakewood for the new interconnection is appropriate.
PSC-06-16-00012-P	..... exempt	Inclusion of a Farm and Food Community program in the community distributed generation program.	To consider the inclusion of a Farm and Food Community program in the community distributed generation program.
PSC-06-16-00013-P	..... exempt	Continued deferral of approximately \$16,000,000 in site investigation and remediation costs.	To consider the continued deferral of approximately \$16,000,000 in site investigation and remediation costs.
PSC-06-16-00014-P	..... exempt	MEGA's proposed demonstration CCA program.	To consider MEGA's proposed demonstration CCA program.
PSC-06-16-00015-P	..... exempt	Notice of Intent to submeter electricity.	To consider the Notice of Intent of 31 Lincoln Road Development LLC to submeter electricity at 510 Flatbush Ave., Brooklyn, NY.
PSC-07-16-00016-P	..... exempt	Use of the Electro Industries Shark 200 electric submeter in residential applications	To consider the use of the Electro Industries Shark 200 submeter
PSC-07-16-00017-P	..... exempt	To modify the retail access program under SC No. 8 - Seller Services	To consider changes to the retail access program to implement Tier 2A - Storage Capacity Release and other tariff revisions
PSC-07-16-00018-P	..... exempt	The use of the Open Way Centron 3.5 commercial meter, with 4G LTE cellular or modem communications for electric metering	To consider the use of the Itron Open Way Centron 3.5 meter
PSC-07-16-00020-P	..... exempt	To modify the retail access program under SC No. 19 - Seller Transportation Aggregation Service	To consider changes to the retail access program to implement Tier 2A - Storage Capacity Release and other tariff revisions
PSC-07-16-00021-P	..... exempt	NYSEG's request to collect funding for natural gas Energy Efficiency Portfolio Standard programs	To consider NYSEG's request to collect funding for natural gas Energy Efficiency Portfolio Standard programs
PSC-08-16-00007-P	..... exempt	Notice of Intent to submeter electricity.	To consider the Notice of Intent of BOP MW Residential Market LLC and BOP MW Residential Affordable LLC to submeter electricity.
PSC-10-16-00010-P	..... exempt	Stock Acquisition	To consider the acquisition of the stock of Whistle Tree Development Corporation by Scribners Catskill Lodge, LLC.
PSC-11-16-00010-P	..... exempt	To establish a process to facilitate the transfer of complete systems of street lighting equipment	To consider the establishment of a process to facilitate the transfer of complete systems of street lighting equipment
PSC-11-16-00011-P	..... exempt	To establish a process to facilitate the transfer of complete systems of street lighting equipment	To consider the establishment of a process to facilitate the transfer of complete systems of street lighting equipment
PSC-11-16-00012-P	..... exempt	To establish a process to facilitate the transfer of complete systems of street lighting equipment	To consider the establishment of a process to facilitate the transfer of complete systems of street lighting equipment
PSC-11-16-00013-P	..... exempt	Leakage survey and corrosion inspection requirements	To establish protocols and timeframes for completing leakage surveys and corrosion inspections on gas service lines

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-11-16-00014-P	..... exempt	To establish a process to facilitate the transfer of complete systems of street lighting equipment	To consider the establishment of a process to facilitate the transfer of complete systems of street lighting equipment
PSC-11-16-00015-P	..... exempt	To establish a process to facilitate the transfer of complete systems of street lighting equipment	To consider the establishment of a process to facilitate the transfer of complete systems of street lighting equipment
PSC-11-16-00016-P	..... exempt	Notice of Intent to submeter electricity	To consider the Notice of Intent of 504 Myrtle Residential Owner LLC to submeter electricity at 504 Myrtle Avenue, Brooklyn, NY
PSC-11-16-00017-P	..... exempt	Notice of Intent to submeter electricity	To consider the Notice of Intent of 140 West Street Condominium to submeter electricity at 100 Barclay Street, New York, NY
PSC-11-16-00018-P	..... exempt	Rolling Meadows Water Corporation's rates for the provision of water	To consider an increase in Rolling Meadows Water Corporation's annual water revenues by approximately \$169,841 or 34.05%
PSC-12-16-00003-P	..... exempt	The use of the GE Energy low voltage transformers	To consider the use of the GE Energy low voltage transformers
PSC-12-16-00004-P	..... exempt	The option to opt out of using an AMR device, and substitute an electro-mechanical meter, at no additional charge	To consider the option to opt out of using an AMR device, and substitute an electro-mechanical meter, at no additional charge
PSC-12-16-00005-P	..... exempt	Notice of Intent to submeter electricity	To consider the Notice of Intent of 3475 Third Avenue Owner Realty LLC to submeter electricity at 3475 Third Avenue, Bronx, NY
PSC-12-16-00007-P	..... exempt	Deferral of incremental costs incurred in 2015 associated with increased gas leak response and repair activities	To consider a petition by Con Edison to defer certain incremental costs associated with gas leak response and repair activities
PSC-12-16-00008-P	..... exempt	Notice of Intent to submeter electricity.	To consider the Notice of Intent of Promenade Global LLC to submeter electricity at 150 West 225th Street, Bronx, New York.
PSC-13-16-00007-P	..... exempt	Notice of Intent to submeter electricity	To consider the Notice of Intent to submeter electricity at 131-05, 131-03 and 131-01 40th Road, Flushing, New York
PSC-13-16-00008-P	..... exempt	Standby rate exemption for Offset Tariff customers	Consideration of the standby rate exemption for Offset Tariff customers
PSC-13-16-00009-P	..... exempt	Notice of Intent to submeter electricity	To consider the Notice of Intent of Franklin Place Condominium to submeter electricity at 5 Franklin Place, New York, New York
PSC-13-16-00011-P	..... exempt	Transfer of stock	To consider the sale of all outstanding Crystal Water Corp. stock to Bruce McNab
PSC-14-16-00006-P	..... exempt	Revisions to S.C. No. 4 Back-Up/ Supplementary Service related to contract demand.	To consider revisions to S.C. No. 4 Back-Up/ Supplementary Service related to contract demand.
PSC-14-16-00007-P	..... exempt	Regulation of customer name changes on pending interconnection applications for grandfathered projects.	To consider regulation of customer name changes on pending interconnection applications for grandfathered projects.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-14-16-00008-P	..... exempt	Resetting retail markets for ESCO mass market customers.	To ensure consumer protections with respect to residential and small non-residential ESCO customers.
PSC-15-16-00010-P	..... exempt	Proposed financial incentives for projects undertaken through the Targeted Demand Management program	To consider financial incentives for projects undertaken through the Targeted Demand Management program
PSC-15-16-00012-P	..... exempt	Adequate service of Verizon New York, Inc.	To consider the adequacy of Verizon New York Inc.'s service quality
PSC-15-16-00015-P	..... exempt	Notice of Intent to submeter electricity	To consider the Notice of Intent of IGI-GGP Renwick LLC to submeter electricity at 15 Renwick Street, New York, New York
PSC-16-16-00004-P	..... exempt	Utility Codes of Conduct for affiliate interactions.	To update and/or modify utility codes of conduct in anticipation of changes related to evolving Commission policies.
PSC-17-16-00004-P	..... exempt	Major electric rate filing	To consider an increase in Con Edison's electric delivery revenues of approximately \$482 million or 9.5%
PSC-17-16-00005-P	..... exempt	Major gas rate filing	To consider an increase in KEDNY's gas delivery revenues by approximately \$290 million or 32%
PSC-17-16-00006-P	..... exempt	Proposal to revise General Rule 20 Standby Service	To consider proposed tariff revisions related to standby service multi-party offset under General Rule 20
PSC-17-16-00007-P	..... exempt	Major gas rate filing	To consider an increase in Con Edison's gas delivery revenues of approximately \$154 million or 13.4%
PSC-17-16-00008-P	..... exempt	Major gas rate filing	To consider an increase in KEDLI's gas delivery revenues by approximately \$175 million or 27%
PSC-18-16-00013-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs.	To ensure consumer protection for ESCO customers.
PSC-18-16-00014-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs.	To ensure consumer protection for ESCO customers.
PSC-18-16-00015-P	..... exempt	Petitions for rehearing of the Order Resetting Retail Energy Markets and Establishing Further Process.	To ensure consumer protections for ESCO customers.
PSC-18-16-00016-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs.	To ensure consumer protection for ESCO customers.
PSC-18-16-00018-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs.	To ensure consumer protection for ESCO customers.
PSC-19-16-00010-P	..... 05/11/17	Technical Amendments of State regulations	To align State regulations with their corollary Federal regulations
PSC-19-16-00011-P	..... exempt	Public Street Lighting - LED Options	To consider the addition of LED options to O&R's SC No. 4 - Public Street Lighting

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-19-16-00012-P	..... exempt	Proposed corporate reorganization and transfer of ownership interests between members in Cricket Valley Energy Center, LLC	To consider corporate reorganization and transfer of ownership interests between members in Cricket Valley Energy Center, LLC
PSC-20-16-00007-P	..... exempt	Notice of Intent to submeter electricity.	To consider the Notice of Intent of BAM GO Developers, LLC to submeter electricity at 250 Ashland Place, Brooklyn, New York.
PSC-20-16-00008-P	..... exempt	Consideration of consequences against Global Energy Group, LLC for violations of the Uniform Business Practices (UBP).	To consider consequences against Global Energy Group, LLC for violations of the Uniform Business Practices (UBP).
PSC-20-16-00009-P	..... exempt	Standards for affiliate relationships.	To consider whether to permit the expansion of employees who are permitted to perform services on behalf of affiliates.
PSC-20-16-00010-P	..... exempt	Deferral and recovery of incremental expense.	To consider deferring costs of conducting leak survey and repairs for subsequent recovery.
PSC-20-16-00011-P	..... exempt	Enetics LD-1120 Non-Intrusive Load Monitoring Device in the Statewide Residential Appliance Metering Study.	To consider the use of the Enetics LD-1120 Non-Intrusive Load Monitoring Device.
PSC-21-16-00006-P	..... exempt	Petition to submeter electricity	To consider the petition of HV Housing, LLC to submeter electricity at 45 Vanderburgh Avenue, Troy, New York
PSC-21-16-00007-P	..... exempt	Notice of Intent to submeter electricity	To consider the Notice of Intent to submeter electricity at 206 Outer Main Street, Building #67, Potsdam, New York
PSC-21-16-00008-P	..... exempt	GE I-210+c with Silver Spring Network Interface Card (NIC) 510	To consider the use of the GE I-210+c with Silver Spring Networks Interface Card (NIC) 510
PSC-22-16-00010-P	..... exempt	Notice of Intent to submeter electricity and waiver of 16 NYCRR § 96.5(k)(3).	To consider the Notice of Intent to submeter electricity and waiver of 16 NYCRR § 96.5(k)(3).
PSC-22-16-00011-P	..... exempt	Petition for rehearing of the Order Modifying Standardized Interconnection Requirements and alternative enforcement mechanisms.	To ensure compliance with the Standardized Interconnection Requirements.
PSC-22-16-00012-P	..... exempt	Notice of Intent to submeter electricity.	To consider the Notice of Intent of 20 West 53rd Street, L.L.C. to submeter electricity at 20 West 53 Street, New York, NY.
PSC-22-16-00013-P	..... exempt	Disposition of tax refunds and other related matters.	To consider the disposition of tax refunds and other related matters.
PSC-22-16-00014-P	..... exempt	Request for waiver of 16 NYCRR § 96.5(k)(3) and § 96.6(b).	To consider the request for waiver of 16 NYCRR § 96.5(k)(3) and 16 NYCRR § 96.6(b)
PSC-22-16-00015-P	..... exempt	Notice of Intent to submeter electricity.	To consider the Notice of Intent to submeter electricity at 100 Willoughby Street and 210 Duffield Street, Brooklyn, New York.
PSC-23-16-00008-P	..... exempt	Notice of Intent to submeter electricity	To consider the Notice of Intent to submeter electricity at 135 West 52nd Street, New York, New York
PSC-23-16-00009-P	..... exempt	Transfer of assets and dissolution of Birch Hill Water Company Inc.	To consider the transfer of assets and dissolution of the Birch Hill Water Company Inc.

Action Pending Index

NYS Register/August 17, 2016

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-23-16-00010-P	..... exempt	Minor water rate filing	To consider an increase in Pheasant Hill Water Corporation's annual water revenues by approximately \$66,325 or 126%
PSC-23-16-00011-P	..... exempt	Notification concerning tax refunds	To consider Verizon New York Inc.'s request to retain a portion of a property tax refund
PSC-23-16-00012-P	..... exempt	Area Code Overlay	To consider an area code overlay in the current 518 area code
PSC-23-16-00013-P	..... exempt	Acquisition of all of the assets of Beaver Dam Lake Water Corporation	To consider the acquisition of all assets of Beaver Dam Lake Water Corporation by New York American Water Company Inc.
PSC-24-16-00008-P	..... exempt	Notice of Intent to submeter electricity.	To consider the Notice of Intent to submeter electricity at 220 Central Park South, New York, New York.
PSC-24-16-00009-P	..... exempt	Petition to submeter gas service.	To consider the Petition of New York City Economic Development Corp. to submeter gas at Pier 17, 89 South Street, New York, NY.
PSC-24-16-00010-P	..... exempt	Establishment of reliability contingency plan(s) to address the potential closure of Indian Point Energy Center.	To address reliability needs associated with the potential closure of the Indian Point Energy Center.
PSC-25-16-00008-P	..... exempt	Consideration of the Avangrid Implementation Plan and audit recommendations.	To consider Avangrid's Implementation Plan.
PSC-25-16-00009-P	..... exempt	To delay Companies' third-party assessments of customer personally identifiable information until 2018.	To extend the time period between the Companies' third-party assessments of customer personally identifiable information.
PSC-25-16-00010-P	..... exempt	Consideration of Consolidated Edison Company of New York, Inc.'s Implementation Plan and audit recommendations.	To consider Consolidated Edison Company of New York, Inc.'s Implementation Plan.
PSC-25-16-00011-P	..... exempt	A petition for rehearing of the Order Authorizing Framework for Community Choice Aggregation Opt-out Program.	To determine appropriate rules for Community Choice Aggregation Programs.
PSC-25-16-00012-P	..... exempt	Consideration of NYISO's Western New York PPTN Viability and Sufficiency Assessment.	To identify whether NYISO should proceed to further evaluate solutions to a Western New York PPTN.
PSC-25-16-00013-P	..... exempt	Petition for reconsideration of the Order Authorizing Framework for Community Choice Aggregation Opt-out Program	To determine appropriate rules for Community Choice Aggregation Programs
PSC-25-16-00014-P	..... exempt	Consideration of the National Grid companies' Implementation Plan and audit recommendations.	To consider the National Grid companies' Implementation Plan.
PSC-25-16-00015-P	..... exempt	Consideration of the National Fuel Gas Distribution Corporation Implementation Plan and audit recommendations.	To consider National Fuel Gas Distribution Corporation's Implementation Plan.
PSC-25-16-00016-P	..... exempt	Consideration of the Orange and Rockland Utilities, Inc. Implementation Plan and audit recommendations.	To consider Orange and Rockland Utilities, Inc.'s Implementation Plan.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-25-16-00017-P	..... exempt	Consideration of the Central Hudson Gas & Electric Corporation Implementation Plan and audit recommendations.	To consider Central Hudson Gas & Electric Corporation 's Implementation Plan.
PSC-25-16-00018-P	..... exempt	Proposed Community Choice Aggregation Data Security Agreement.	To ensure appropriate consumer protections in Community Choice Aggregation programs.
PSC-25-16-00019-P	..... exempt	Revision of customer service metrics.	To consider revisions to customer service metrics previously approved by the Commission.
PSC-25-16-00020-P	..... exempt	Notice of Intent to submeter electricity.	To consider the Notice of Intent of Gemini Residential, LLC to submeter electricity at 225 East 39th Street, New York, New York.
PSC-25-16-00021-P	..... exempt	Notice of Intent to submeter electricity.	To consider the Notice of Intent of 28th Highline Associates, LLC to submeter electricity at 520 West 28th Street, New York, NY.
PSC-25-16-00022-P	..... exempt	Transfer of ownership interests in Crestwood Pipeline East LLC.	Consideration of transfer of ownership interests in Crestwood Pipeline East LLC.
PSC-25-16-00023-P	..... exempt	Use of the Elster Solutions Energy Axis transponder.	To consider the use of the Elster Solutions Energy Axis transponder.
PSC-25-16-00024-P	..... exempt	Pole Attachment Rules.	To determine that the Commission's existing pole attachment rules apply to wireless providers.
PSC-25-16-00025-P	..... exempt	Acquisition of all water supply assets of Woodbury Heights Estates Water Co., Inc. by the Village of Kiryas Joel.	To consider acquisition of all water supply assets of Woodbury Heights Estates Water Co., Inc. by the Village of Kiryas Joel.
PSC-25-16-00026-P	..... exempt	Use of the Badger E Series Ultrasonic Cold Water Stainless Steel Meter, in residential fire service applications.	To consider the use of the Badger E Series Ultrasonic Cold Water Stainless Steel Meter in fire service applications.
PSC-25-16-00027-P	..... exempt	Use of the Badger Meter HR E LCD High Resolution E Series Encoder Register.	To consider the use of the Badger Meter HR E LCD High Resolution E Series Encoder Register.
PSC-25-16-00028-P	..... exempt	Notice of Intent to submeter electricity.	To consider the Notice of Intent of 421 Kent Development LLC to submeter electricity at 60 South 8th Street, Brooklyn, New York.
PSC-25-16-00029-P	..... exempt	Use of the Orion Water Endpoints meter reading system.	To consider the use of the Orion Water Endpoints.
PSC-26-16-00019-P	..... exempt	Major water rate filing.	To consider a proposal to increase annual base rates by approximately \$11.6 million or 13.7%.
PSC-26-16-00020-P	..... exempt	Notice of Intent to submeter electricity.	To consider the Notice of Intent to submeter electricity at 23-01 42nd Street, Long Island City, New York.
PSC-26-16-00021-P	..... exempt	To extend the implementation date for its retail access program cash-out process.	To consider an extension for the implementation of the retail access program cash-out process.
PSC-27-16-00006-P	..... exempt	Continuation of the State Universal Service Fund.	To consider a proposal to continue the SUSF for an additional four years, through 12/31/20.
PSC-27-16-00007-P	..... exempt	The waiver of a Commission policy on test years in rate cases.	To consider the waiver of the Commission's 150 day requirement.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-28-16-00013-P	..... exempt	Initial Tariff Schedule which includes rates, charges, rules and regulations for water service.	To consider the proposed Initial Tariff Schedule and initial rate for water service.
PSC-28-16-00014-P	..... exempt	Consideration of CECONY and O&R's Implementation Plan for 36 audit recommendations.	To consider CECONY and O&R's Implementation Plan.
PSC-28-16-00015-P	..... exempt	Major water rate filing.	To consider a proposal to increase revenues by approximately \$8.49 million or 8.3% and consolidate tariffs and rates.
PSC-28-16-00016-P	..... exempt	A petition for reconsideration of the Order Adopting a Ratemaking and Utility Revenue Model Policy Framework.	To determine appropriate rules for and calculation of the distributed generation reliability credit.
PSC-28-16-00017-P	..... exempt	A petition for rehearing of the Order Adopting a Ratemaking and Utility Revenue Model Policy Framework.	To determine appropriate rules for and calculation of the distributed generation reliability credit.
PSC-29-16-00019-EP	..... exempt	Appointment of a temporary operator.	To ensure safe water supply through appointment of a temporary operator.
PSC-29-16-00021-P	..... exempt	Use of the Silver Spring Network Commercial Gas Interface Management Unit - IMU 200.	To consider the use of the Silver Spring Network Commercial Gas Interface Management Unit - IMU 200.
PSC-29-16-00022-P	..... exempt	Petitions for Rehearing of the Commission's Order Adopting Low Income Program Modifications and Directing Utility Filings.	To establish rates, terms, and conditions for low income utility programs.
PSC-29-16-00023-P	..... exempt	Use of the Silver Spring Network Residential Gas Interface Management Unit - IMU 300 and IMU 300A.	To consider the use of the Silver Spring Network Residential Gas Interface Management Unit - IMU 300 and IMU 300A.
PSC-29-16-00024-P	..... exempt	Participation of NYPA customers in surcharge-funded clean energy programs.	To consider participation of NYPA customers in surcharge-funded clean energy programs.
PSC-29-16-00025-P	..... exempt	Proposed modifications to gas safety violations metric adopted in Case 12-G-0202.	To consider NMPC's petition to modify gas safety violations metric.
PSC-30-16-00002-EP	..... exempt	Resuming billing of six gas customers on Sullivan Rd., Alden, NY.	To allow Reserve Gas Company to resume billing its six Sullivan Rd. customers.
PSC-30-16-00005-P	..... exempt	Notice of Intent to submeter electricity	To consider the Notice of Intent of 616 First Avenue LLC to submeter electricity at 626 First Avenue, New York, New York
PSC-30-16-00006-P	..... exempt	The application of NYSEG's tariff to a remote net metering host account owned by Cornell University	To determine the appropriate tariff treatment for the Cornell account
PSC-30-16-00007-P	..... exempt	The Municipal Electric and Gas Alliance's Community Choice Aggregation Implementation Plan	To ensure appropriate consumer protections
PSC-31-16-00004-P	..... exempt	Proposed acquisition of 100% of the assets of WBA by NYAW and to address other matters related to the acquisition.	To consider the proposed acquisition of all assets of WBA by NYAW and other matters related to the acquisition.
PSC-32-16-00003-P	..... exempt	Performance Assurance Plan waiver for certain wholesale service quality metrics.	To consider Verizon's waiver petition concerning certain wholesale service quality results.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-32-16-00004-P	..... exempt	Notice of Intent to submeter electricity.	To consider the Notice of Intent of 58 Corner LLC to submeter electricity at 600 W. 58th Street, New York, New York.
PSC-32-16-00005-P	..... exempt	Major gas rate filing.	To consider an increase in National Fuel's gas delivery revenues of approximately \$41.7 million or 15.27%.
PSC-32-16-00006-P	..... exempt	Proposed revisions for a new Daily Delivery Service and the Winter Bundled Sales Service.	To consider a new Daily Delivery Service and a modified Winter Bundled Sales Service.
PSC-32-16-00007-P	..... exempt	Utility DSIPs to achieve the Commission's Reforming the Energy Vision (REV) initiative.	Development of utility DSIPs for improving utility planning and operations functions under REV.
PSC-32-16-00008-P	..... exempt	Proposed revisions to add and clarify provisions related to electric generators under SC No. 14.	To consider revisions to SC No. 14 - Daily Balancing Service.
PSC-32-16-00009-P	..... exempt	Proposed acquisition of 100% of the assets of New Vernon and Whitlock Farms by NYAW.	To consider the proposed acquisition of assets of New Vernon and Whitlock Farms by NYAW.
PSC-32-16-00010-P	..... exempt	Notice of Intent to submeter electricity.	To consider the Notice of Intent to submeter electricity at 30 Park Place, New York, New York.
PSC-32-16-00011-P	..... exempt	Notice of Intent to submeter electricity.	To consider the Notice of Intent to submeter electricity at 138-35 39th Avenue, Flushing, New York.
PSC-32-16-00012-P	..... exempt	Benefit-Cost Analysis Handbooks.	To evaluate proposed methodologies of benefit-cost evaluation.
PSC-32-16-00021-P	..... exempt	The continued deferral of \$300,000 in property taxes.	To consider the continued deferral of \$300,000 in property taxes.
PSC-33-16-00001-EP	..... 08/17/17	Use of escrow funds for repairs.	To authorize the use of escrow account funds for repairs.
PSC-33-16-00003-P	..... exempt	Use of the Silver Spring Network communication device in utility metering applications.	To consider the use of the Silver Spring Network communication device.
PSC-33-16-00004-P	..... exempt	Design and implementation of Low-Income Energy Efficiency Program proposed by Massena Electric Department.	To consider the design and implementation of a Low-Income Energy Efficiency Program proposed by Massena Electric Department.
PSC-33-16-00005-P	..... exempt	Exemption from certain charges for delivery of electricity to its Niagara Falls, New York facility.	Application of System Benefits Charges, Renewable Portfolio Standard charges and Clean Energy Fund surcharges.
PSC-33-16-00006-P	..... exempt	Lightened regulatory regime applicable to Indeck Corinth Limited Partnership.	To determine the extent to which Indeck Corinth Limited Partnership will be regulated under the Public Service Law.

ROCHESTER-GENESEE REGIONAL TRANSPORTATION AUTHORITY

RGT-04-16-00002-P 01/26/17	Identifies prohibited conduct, consequences of prohibited conduct, and the available appeals process	To provide rules governing prohibited conduct to enhance the safety of the public using RGRTA's transportation services
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Action Pending Index**NYS Register/August 17, 2016**

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
STATE, DEPARTMENT OF			
*DOS-22-15-00017-RP	08/31/16	Facility requirements for businesses which offer appearance enhancement services	Increase ventilation standards for businesses which offer appearance enhancement services
STATE UNIVERSITY OF NEW YORK			
SUN-28-16-00005-P	07/13/17	State University of New York's Patents and Inventions Policy	Model best practices in the areas of innovation & technology transfer & comply with federal law re: intellectual property rights
SUN-30-16-00003-EP	07/27/17	State University of New York Tuition and Fees Schedule	To amend the Tuition and Fees Schedule to increase tuition for students in all programs in the State University of New York
SUN-30-16-00004-EP	07/27/17	College tuition and fees and Definition of a nonresident student	To provide flexibility in establishing community college tuition rates for students from outside the state
SUN-30-16-00009-P	07/27/17	State basic financial assistance for operating expenses of community colleges under the program of SUNY and CUNY	To modify limitations formula for basic State Financial assistance and conform to the Education Law and the 2016-17 Budget Bill
TAXATION AND FINANCE, DEPARTMENT OF			
TAF-23-16-00003-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 July 1, 2016 through September 30, 2016
TEMPORARY AND DISABILITY ASSISTANCE, OFFICE OF			
*TDA-22-15-00005-RP	08/31/16	Supplemental Nutrition Assistance Program	Update regulations for the Transitional Benefits Alternative program
TDA-46-15-00005-P	11/17/16	Storage of furniture and personal belongings	Provide clarification regarding allowances for the storage of furniture and personal belongings
TDA-25-16-00002-EP	06/22/17	Emergency shelters	To address security measures and incident reporting in shelters for the homeless
TRANSPORTATION, DEPARTMENT OF			
TRN-47-15-00002-P	11/24/16	Various regulations addressing accident reporting, record retention, insurance, vehicle inspection and equipment identification	Updates to regulations addressing accident reporting, record retention, insurance, vehicle inspection, equipment identification
TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY			
TBA-08-16-00005-P	02/23/17	Proposal to strengthen toll violation enforcement on TBTA bridges and tunnels	To deter toll evasion
WORKERS' COMPENSATION BOARD			
WCB-45-15-00019-P	11/09/16	Stipulations	To streamline the process for parties to enter into stipulations in workers' compensation proceedings
WCB-45-15-00025-P	11/09/16	Medical Treatment Guideline variances	Permit the Chair to require submission of variance requests via an electronic medical portal

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
WORKERS' COMPENSATION BOARD			
WCB-45-15-00026-P	..... 11/09/16	Medical Authorizations	Permit the Chair to require submission of medical authorization requests via an electronic medical portal
WCB-45-15-00027-P	..... 11/09/16	Medical Treatment Guideline optional prior approval	Change the time to respond from business days to calendar days

ADVERTISEMENTS FOR BIDDERS/CONTRACTORS

SEALED BIDS

REPLACE BOILER

State Armory
Staten Island, Richmond County

Sealed bids for Project Nos. Q1641-H, Q1641-E, comprising separate contracts for HVAC Work and Electrical Work, Replace Boiler, State Armory, 321 Manor Road, Staten Island (Richmond County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Division of Military and Naval Affairs, until 2:00 p.m. on Wednesday, August 24, 2016, when they will be publicly opened and read. Each bid must be prepared and submitted in accordance with the Instructions to Bidders and must be accompanied by a certified check, bank check, or bid bond in the amount of \$31,500 for H and \$11,900 for E.

All successful bidders on a multiple trade project or the successful bidder with a bid over \$200,000 on a single trade project, will be required to furnish a Performance Bond and a Labor and Material Bond in the statutory form of public bonds required by Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract estimated to be between \$500,000 and \$1,000,000 for H and between \$100,000 and \$250,000 for E. The requirement for Labor and Material and Performance Bonds may be waived on a bid under \$200,000 on a single trade project.

Pursuant to State Finance Law § 139-j and § 139-k, this solicitation includes and imposes certain restrictions on communications between OGS D&C and a bidder during the procurement process. A bidder is restricted from making contacts from the earliest notice of intent to solicit offers through final award and approval of the Procurement Contract by OGS D&C and Office of the State Comptroller ("restricted period") to other than designated staff unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a). Designated staff are Frank Peris and Carl Ruppert in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862 and John Lewyckyj, Deputy Director, Design & Construction Group, telephone (518) 474-0201, fax (518) 486-1650. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the bidder pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a 4 year period, the bidder is debarred from obtaining governmental Procurement Contracts. Bidders responding to this Advertisement must familiarize themselves with the new Legislative and State Finance Law requirements and will be expected to affirm that they understand and agree to comply on the bid form. Further information about these requirements can be found within the project manual or at: <http://ogs.ny.gov/aboutogs/regulations/defaultAdvisoryCouncil.asp>.

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

The State intends to expedite award of this Contract and the Contractor shall be prepared to proceed with the Work accordingly. Bidders are warned that time is of the essence of the Contract and completion of the Work must be within 390 days after the Agreement is approved by the Comptroller. Due to the tightness of the construction schedule, bidders should consider the necessity for an increased work force and shift operations.

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 10:00 a.m. on August 12, 2016 at State Armory, 321 Manor Road, Main Entrance, Staten Island, NY. Prospective bidders are urged to visit the site at this time. Prospective bidders or their representatives attending the pre-bid site visit will not be admitted on facility grounds without proper photo identification. Note that parking restrictions and security provisions will apply and all vehicles will be subject to search.

Phone the office of Robin Griffiths, (845) 365-0730 a minimum of 24 hours in advance of the date to provide the names of those who will attend the pre-bid site visit.

It is the policy of the State and the Office of General Services to encourage meaningful minority- and women-owned business enterprise participation in this project by contractors, subcontractors and suppliers under the Contract, and all bidders are expected to cooperate in implementing this policy. OGS hereby establishes an overall goal of 30% for MWBE participation, 15% for Minority-Owned Business Enterprises ("MBE") participation and 15% for Women-Owned Business Enterprises ("WBE") participation (based on the current availability of qualified MBEs and WBEs) for HVAC and Electrical. The total contract goal can be obtained by utilizing any combination of MBE and /or WBE participation for subcontracting and supplies acquired under this Contract.

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

The Bidding and Contract Documents for this Project are available on compact disc (CD) only, and may be obtained for an \$8.00 deposit per set, plus a \$2.00 per set shipping and handling fee. Contractors and other interested parties can order CD's on-line through a secure web interface available 24 hours a day, 7 days a week. Please use the following link at the OGS website for ordering and payment instructions: <http://www.ogs.ny.gov/bu/dc/esb/acquirebid.asp>.

For questions about purchase of bid documents, please send an e-mail to D&C.Plans@ogs.ny.gov, or call 1-877-647-7526.

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

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

REPLACE
WINDOWS
State Armory
New York, New York County

Sealed bids for Project No. 44544-C, for Construction Work, Replace Windows, State Armory, 68 Lexington Avenue, New York

(New York County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Contract Administration, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Division of Military and Naval Affairs, until 2:00 p.m. on Wednesday, August 24, 2016, when they will be publicly opened and read. Each bid must be prepared and submitted in accordance with the Instructions to Bidders and must be accompanied by a certified check, bank check, or bid bond in the amount of \$131,300 for C.

All successful bidders on a multiple trade project or the successful bidder with a bid over \$200,000 on a single trade project, will be required to furnish a Performance Bond and a Labor and Material Bond in the statutory form of public bonds required by Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract estimated to be between \$5,000,000 and \$6,000,000 for C. The requirement for Labor and Material and Performance Bonds may be waived on a bid under \$200,000 on a single trade project.

Pursuant to State Finance Law § 139-j and § 139-k, this solicitation includes and imposes certain restrictions on communications between OGS D&C and a bidder during the procurement process. A bidder is restricted from making contacts from the earliest notice of intent to solicit offers through final award and approval of the Procurement Contract by OGS D&C and Office of the State Comptroller ("restricted period") to other than designated staff unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a). Designated staff are Frank Peris and Carl Ruppert in the Bureau of Contract Awards, telephone (518) 474-0203, fax (518) 473-7862 and John Lewyckyj, Deputy Director, Design & Construction, telephone (518) 474-0201, fax (518) 486-1650. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the bidder pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a 4 year period, the bidder is debarred from obtaining governmental Procurement Contracts. Bidders responding to this Advertisement must familiarize themselves with the new Legislative and State Finance Law requirements and will be expected to affirm that they understand and agree to comply on the bid form. Further information about these requirements can be found within the project manual or at: <http://ogs.ny.gov/aboutogs/regulations/defaultAdvisoryCouncil.asp>.

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

The State intends to expedite award of this Contract and the Contractor shall be prepared to proceed with the Work accordingly. Bidders are warned that time is of the essence of the Contract and completion of the Work must be within 1772 days after the Agreement is approved by the Comptroller. Due to the tightness of the construction schedule, bidders should consider the necessity for an increased work force and shift operations.

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 10:00 a.m. on August 12, 2016 at State Armory, 68 Lexington Avenue, New York, NY. Prospective bidders are urged to visit the site at this time. Prospective bidders or their representatives attending the pre-bid site visit will not be admitted on facility grounds without proper photo identification. Note that parking restrictions and security provisions will apply and all vehicles will be subject to search.

Phone the office of Robin Griffiths, (845) 365-0730 Ext. 101 a minimum of 24 hours in advance of the date to provide the names of those who will attend the pre-bid site visit.

It is the policy of the State and the Office of General Services to encourage meaningful minority- and women-owned business enterprise participation in this project by contractors, subcontractors and suppliers under the Contract, and all bidders are expected to cooperate

in implementing this policy. OGS hereby establishes an overall goal of 20% for MWBE participation, 14% for Minority-Owned Business Enterprises ("MBE") participation and 6% for Women-Owned Business Enterprises ("WBE") participation (based on the current availability of qualified MBEs and WBEs). The total contract goal can be obtained by utilizing any combination of MBE and /or WBE participation for subcontracting and supplies acquired under this Contract.

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

The Bidding and Contract Documents for this Project are available on compact disc (CD) only, and may be obtained for an \$8.00 deposit per set, plus a \$2.00 per set shipping and handling fee. Contractors and other interested parties can order CD's on-line through a secure web interface available 24 hours a day, 7 days a week. Please use the following link at the OGS website for ordering and payment instructions: <http://www.ogs.ny.gov/bu/dc/esb/acquirebid.asp>.

For questions about purchase of bid documents, please send an e-mail to D&C.Plans@ogs.ny.gov, or call toll free at 1-877-647-7526.

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

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

**REHABILITATE
FIRE ALARM SYSTEMS
NYS Academy of Fire Science
Montour Falls, Schuyler County**

Sealed bids for Project No. 45076-N, for Fire Protection Work, Rehabilitate Fire Alarm Systems and Provide Supplemental Sprinkler Protection, NYS Academy of Fire Science, 600 College Avenue, Montour Falls (Schuyler County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Division of Homeland Security and Emergency Services, until 2:00 p.m. on Wednesday, August 31, 2016, when they will be publicly opened and read. Each bid must be prepared and submitted in accordance with the Instructions to Bidders and must be accompanied by a certified check, bank check, or bid bond in the amount of \$31,700 for N.

All successful bidders on a multiple trade project or the successful bidder with a bid over \$200,000 on a single trade project, will be required to furnish a Performance Bond and a Labor and Material Bond in the statutory form of public bonds required by Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract estimated to be between \$500,000 and \$1,000,000 for N. The requirement for Labor and Material and Performance Bonds may be waived on a bid under \$200,000 on a single trade project.

Pursuant to State Finance Law § 139-j and § 139-k, this solicitation includes and imposes certain restrictions on communications between OGS D&C and a bidder during the procurement process. A bidder is restricted from making contacts from the earliest notice of intent to solicit offers through final award and approval of the Procurement Contract by OGS D&C and Office of the State Comptroller ("restricted period") to other than designated staff unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a). Designated staff are Frank Peris and Carl Ruppert in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862 and John Lewyckyj, Deputy Director, Design & Construction Group, telephone (518) 474-0201, fax (518) 486-1650. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the bidder pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a 4 year period, the bidder is debarred from obtaining governmental Procurement Contracts. Bidders responding to this Advertisement must familiarize

themselves with the new Legislative and State Finance Law requirements and will be expected to affirm that they understand and agree to comply on the bid form. Further information about these requirements can be found within the project manual or at: <http://ogs.ny.gov/aboutogs/regulations/defaultAdvisoryCouncil.asp>.

The substantial completion date for this project is 503 days after the Agreement is approved by the Comptroller.

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 2:00 p.m. on August 18, 2016 at NYS Academy of Fire Science, 600 College Avenue, Montour Falls, NY. Prospective bidders are urged to visit the site at this time. Prospective bidders or their representatives attending the pre-bid site visit will not be admitted on facility grounds without proper photo identification. Note that parking restrictions and security provisions will apply and all vehicles will be subject to search.

For assistance pertaining to the site visit only, please phone Lara Franzese (607) 734-0592.

It is the policy of the State and the Office of General Services to encourage meaningful minority- and women-owned business enterprise participation in this project by contractors, subcontractors and suppliers under the Contract, and all bidders are expected to cooperate in implementing this policy. OGS hereby establishes an overall goal of 30% for MWBE participation, 15% for Minority-Owned Business Enterprises ("MBE") participation and 15% for Women-Owned Business Enterprises ("WBE") participation (based on the current availability of qualified MBEs and WBEs). The total contract goal can be obtained by utilizing any combination of MBE and/or WBE participation for subcontracting and supplies acquired under this Contract.

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

The Bidding and Contract Documents for this Project are available on compact disc (CD) only, and may be obtained for an \$8.00 deposit per set, plus a \$2.00 per set shipping and handling fee. Contractors and other interested parties can order CD's on-line through a secure web interface available 24 hours a day, 7 days a week. Please use the following link at the OGS website for ordering and payment instructions: <http://www.ogs.ny.gov/bu/dc/esb/acquirebid.asp>.

For questions about purchase of bid documents, please send an e-mail to D&C.Plans@ogs.ny.gov, or call 1-877-647-7526.

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

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

**INSTALL/REPAIR
ELECTRIC SERVICE/CONCRETE FLOORS**
Rockland Psychiatric Center
Orangeburg, Rockland County

Sealed bids for Project No. 45138-E, for Electrical Work, Install Electric Service & Repair Concrete Floors, Building 112, Rockland Psychiatric Center, 140 Old Orangeburg Road, Orangeburg (Rockland County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Office of Mental Health, until 2:00 p.m. on Wednesday, August 31, 2016, when they will be publicly opened and read. Each bid must be prepared and submitted in accordance with the Instructions to Bidders and must be accompanied by a certified check, bank check, or bid bond in the amount of \$12,800 for C.

Further, Wicks Exempt Projects require a completed BDC 59 be filled out and submitted (included in a separate, sealed envelope) in accordance with Document 002220, Supplemental Instructions to Bidders – Wicks Exempt. Failure to submit this form correctly will result in a disqualification of the bid.

The value of the Contract is estimated to be between \$100,000 and \$250,000.

Pursuant to State Finance Law § 139-j and § 139-k, this solicitation includes and imposes certain restrictions on communications between OGS D&C and a bidder during the procurement process. A bidder is restricted from making contacts from the earliest notice of intent to solicit offers through final award and approval of the Procurement Contract by OGS D&C and Office of the State Comptroller ("restricted period") to other than designated staff unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a). Designated staff are Frank Peris and Carl Ruppert in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862 and John Lewyckyj, Deputy Director, Design & Construction Group, telephone (518) 474-0201, fax (518) 486-1650. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the bidder pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a 4 year period, the bidder is debarred from obtaining governmental Procurement Contracts. Bidders responding to this Advertisement must familiarize themselves with the new Legislative and State Finance Law requirements and will be expected to affirm that they understand and agree to comply on the bid form. Further information about these requirements can be found within the project manual or at: <http://ogs.ny.gov/aboutogs/regulations/defaultAdvisoryCouncil.asp>.

The substantial completion date for this project is 126 days after the Agreement is approved by the Comptroller.

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 10:00 a.m. on August 18, 2016 at Rockland Psychiatric Center, OGS Field Office Trailer, 140 Old Orangeburg Road, Orangeburg, NY. Prospective bidders are urged to visit the site at this time. Prospective bidders or their representatives attending the pre-bid site visit will not be admitted on facility grounds without proper photo identification. Note that parking restrictions and security provisions will apply and all vehicles will be subject to search.

For assistance pertaining to the site visit only, please phone Robin Griffiths (845) 365-0730 Ext. 101.

It is the policy of the State and the Office of General Services to encourage meaningful minority- and women-owned business enterprise participation in this project by contractors, subcontractors and suppliers under the Contract, and all bidders are expected to cooperate in implementing this policy. OGS hereby establishes an overall goal of 30% for MWBE participation, 15% for Minority-Owned Business Enterprises ("MBE") participation and 15% for Women-Owned Business Enterprises ("WBE") participation (based on the current availability of qualified MBEs and WBEs). The total contract goal can be obtained by utilizing any combination of MBE and/or WBE participation for subcontracting and supplies acquired under this Contract.

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

The Bidding and Contract Documents for this Project are available on compact disc (CD) only, and may be obtained for an \$8.00 deposit per set, plus a \$2.00 per set shipping and handling fee. Contractors and other interested parties can order CD's on-line through a secure web interface available 24 hours a day, 7 days a week. Please use the following link for ordering and payment instructions: <http://www.ogs.ny.gov/bu/dc/esb/acquirebid.asp>.

For questions about purchase of bid documents, please send an e-mail to D&C.Plans@ogs.ny.gov, or call 1-877-647-7526.

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

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

PROVIDE
BATTALION HEADQUARTERS
 Camp Smith Training Site
 Cortlandt Manor, Westchester County

Sealed bids for Project Nos. 45404-C, 45404-H, 45404-P, 45404-E, comprising separate contracts for Construction Work, HVAC Work, Plumbing Work, and Electrical Work, Provide Battalion Headquarters, Building 75, Camp Smith Training Site, 11 Bear Mountain Bridge Road, Cortlandt Manor, (Westchester County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Division of Military and Naval Affairs, until 2:00 p.m. on Wednesday, August 24, 2016, when they will be publicly opened and read. Each bid must be prepared and submitted in accordance with the Instructions to Bidders and must be accompanied by a certified check, bank check, or bid bond in the amount of \$40,800 for C, \$16,100 for H, \$11,500 for P, and \$16,700 for E.

All successful bidders on a multiple trade project or the successful bidder with a bid over \$200,000 on a single trade project, will be required to furnish a Performance Bond and a Labor and Material Bond in the statutory form of public bonds required by Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract estimated to be between \$1,000,000 and \$2,000,000 for C, between \$100,000 and \$250,000 for H, between \$100,000 and \$250,000 for P, and between \$100,000 and \$250,000 for E. The requirement for Labor and Material and Performance Bonds may be waived on a bid under \$200,000 on a single trade project.

Pursuant to State Finance Law § 139-j and § 139-k, this solicitation includes and imposes certain restrictions on communications between OGS D&C and a bidder during the procurement process. A bidder is restricted from making contacts from the earliest notice of intent to solicit offers through final award and approval of the Procurement Contract by OGS D&C and Office of the State Comptroller ("restricted period") to other than designated staff unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a). Designated staff are Frank Peris and Carl Ruppert in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862 and John Lewyckyj, Deputy Director, Design & Construction Group, telephone (518) 474-0201, fax (518) 486-1650. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the bidder pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a 4 year period, the bidder is debarred from obtaining governmental Procurement Contracts. Bidders responding to this Advertisement must familiarize themselves with the new Legislative and State Finance Law requirements and will be expected to affirm that they understand and agree to comply on the bid form. Further information about these requirements can be found within the project manual or at: <http://ogs.ny.gov/aboutogs/regulations/defaultAdvisoryCouncil.asp>.

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

The State intends to expedite award of this Contract and the Contractor shall be prepared to proceed with the Work accordingly. Bidders are warned that time is of the essence of the Contract and completion of the Work must be within 249 days after the Agreement is approved by the Comptroller. Due to the tightness of the construction schedule, bidders should consider the necessity for an increased work force and shift operations.

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 10:00 a.m. on August 12, 2016 at Camp Smith, Office Field Trailer, 11 Bear Mountain Bridge Road, Cortlandt Manor,

NY. Prospective bidders are urged to visit the site at this time. Prospective bidders or their representatives attending the pre-bid site visit will not be admitted on facility grounds without proper photo identification. Note that parking restrictions and security provisions will apply and all vehicles will be subject to search.

Phone the office of Ida Colon, (631) 951-0248 Ext. 102 a minimum of 72 hours in advance of the date to provide the names of those who will attend the pre-bid site visit.

It is the policy of the State and the Office of General Services to encourage meaningful minority- and women-owned business enterprise participation in this project by contractors, subcontractors and suppliers under the Contract, and all bidders are expected to cooperate in implementing this policy. OGS hereby establishes an overall goal of 30% for MWBE participation, 15% for Minority-Owned Business Enterprises ("MBE") participation and 15% for Women-Owned Business Enterprises ("WBE") participation (based on the current availability of qualified MBEs and WBEs) for Construction, HVAC, Plumbing and Electrical trades. The total contract goal can be obtained by utilizing any combination of MBE and /or WBE participation for subcontracting and supplies acquired under this Contract.

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

The Bidding and Contract Documents for this Project are available on compact disc (CD) only, and may be obtained for an \$8.00 deposit per set, plus a \$2.00 per set shipping and handling fee. Contractors and other interested parties can order CD's on-line through a secure web interface available 24 hours a day, 7 days a week. Please use the following link at the OGS website for ordering and payment instructions: <http://www.ogs.ny.gov/bu/dc/esb/acquirebid.asp>.

For questions about purchase of bid documents, please send an e-mail to D&C.Plans@ogs.ny.gov, or call 1-877-647-7526.

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

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

PROVIDE
CONCRETE AND MECHANICAL SYSTEM REPAIRS
 Office of General Services
 Various Locations, Albany County

Sealed bid for Project Nos. 45414-H, for HVAC Work, Provide Concrete and Mechanical System Repairs, Office of General Services, Various Locations (Albany County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Contract Administration, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Office of General Services, until 2:00 p.m. on Wednesday, August 17, 2016, when they will be publicly opened and read. Each bid must be prepared and submitted in accordance with the Instructions to Bidders and must be accompanied by a certified check, bank check, or bid bond in the amount of \$24,000 for H.

All successful bidders on a multiple trade project or the successful bidder with a bid over \$200,000 on a single trade project, will be required to furnish a Performance Bond and a Labor and Material Bond in the statutory form of public bonds required by Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract estimated to be between \$500,000 and \$1,000,000 for H. The requirement for Labor and Material and Performance Bonds may be waived on a bid under \$200,000 on a single trade project.

Pursuant to State Finance Law § 139-j and § 139-k, this solicitation includes and imposes certain restrictions on communications between OGS D&C and a bidder during the procurement process. A bidder is restricted from making contacts from the earliest notice of intent to solicit offers through final award and approval of the Procurement Contract by OGS D&C and Office of the State Comptroller ("restricted period") to other than designated staff unless it is a contact that is

included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a). Designated staff are Frank Peris and Carl Ruppert in the Bureau of Contract Awards, telephone (518) 474-0203, fax (518) 473-7862 and John Lewyckyj, Deputy Director of Design & Construction, telephone (518) 474-0201, fax (518) 486-1650. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the bidder pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a 4 year period, the bidder is debarred from obtaining governmental Procurement Contracts. Bidders responding to this Advertisement must familiarize themselves with the new Legislative and State Finance Law requirements and will be expected to affirm that they understand and agree to comply on the bid form. Further information about these requirements can be found within the project manual or at: <http://ogs.ny.gov/aboutogs/regulations/defaultAdvisoryCouncil.asp>.

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

The State intends to expedite award of this Contract and the Contractor shall be prepared to proceed with the Work accordingly. Bidders are warned that time is of the essence of the Contract and completion of the Work must be within 1094 days after the Agreement is approved by the Comptroller. Due to the tightness of the construction schedule, bidders should consider the necessity for an increased work force and shift operations.

It is the policy of the State and the Office of General Services to encourage meaningful minority- and women-owned business enterprise participation in this project by contractors, subcontractors and suppliers under the Contract, and all bidders are expected to cooperate in implementing this policy. OGS hereby establishes an overall goal of 30% for MWBE participation, 15% for Minority-Owned Business Enterprises ("MBE") participation and 15% for Women-Owned Business Enterprises ("WBE") participation (based on the current availability of qualified MBEs and WBEs). The total contract goal can be obtained by utilizing any combination of MBE and/or WBE participation for subcontracting and supplies acquired under this Contract.

It is the policy of the State and the Office of General Services to encourage meaningful minority business enterprise participation in this project by contractors, subcontractors and suppliers who perform commercially useful functions under the Contract, and all bidders are expected to cooperate in implementing this policy.

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

The Bidding and Contract Documents for this Project are available on compact disc (CD) only, and may be obtained for an \$8.00 deposit per set, plus a \$2.00 per set shipping and handling fee. Contractors and other interested parties can order CD's on-line through a secure web interface available 24 hours a day, 7 days a week. Please use the following link at the OGS website for ordering and payment instructions: <http://www.ogs.ny.gov/bu/dc/esb/acquirebid.asp>.

For questions about purchase of bid documents, please send an e-mail to D&C.Plans@ogs.ny.gov, or call toll free at 1-877-647-7526.

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

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

PROVIDE
MODIFIED BITUMEN ROOFING SYSTEM
NYS School for the Blind
Batavia, Genesee County

Sealed bids for Project No. 45418-C, for Construction Work, Provide Modified Bitumen Roofing System, NYS School for the

Blind, 2A Richmond Avenue, Batavia (Genesee County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the State Education Department, until 2:00 p.m. on Wednesday, August 17, 2016, when they will be publicly opened and read. Each bid must be prepared and submitted in accordance with the Instructions to Bidders and must be accompanied by a certified check, bank check, or bid bond in the amount of \$52,700 for C.

All successful bidders on a multiple trade project or the successful bidder with a bid over \$200,000 on a single trade project, will be required to furnish a Performance Bond and a Labor and Material Bond in the statutory form of public bonds required by Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract estimated to be between \$1,000,000 and \$2,000,000 for C. The requirement for Labor and Material and Performance Bonds may be waived on a bid under \$200,000 on a single trade project.

Pursuant to State Finance Law § 139-j and § 139-k, this solicitation includes and imposes certain restrictions on communications between OGS D&C and a bidder during the procurement process. A bidder is restricted from making contacts from the earliest notice of intent to solicit offers through final award and approval of the Procurement Contract by OGS D&C and Office of the State Comptroller ("restricted period") to other than designated staff unless it is a contract that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a). Designated staff are Frank Peris and Carl Ruppert in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862 and John Lewyckyj, Deputy Director, Design & Construction Group, telephone (518) 474-0201, fax (518) 486-1650. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the bidder pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a 4 year period, the bidder is debarred from obtaining governmental Procurement Contracts. Bidders responding to this Advertisement must familiarize themselves with the new Legislative and State Finance Law requirements and will be expected to affirm that they understand and agree to comply on the bid form. Further information about these requirements can be found within the project manual or at: <http://ogs.ny.gov/aboutogs/regulations/defaultAdvisoryCouncil.asp>.

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

The State intends to expedite award of this Contract and the Contractor shall be prepared to proceed with the Work accordingly. Bidders are warned that time is of the essence of the Contract and completion of the Work must be within 350 days after the Agreement is approved by the Comptroller. Due to the tightness of the construction schedule, bidders should consider the necessity for an increased work force and shift operations.

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 10:00 a.m. on August 4, 2016 at NYS School for the Blind, 2A Richmond Avenue, Batavia, NY. Prospective bidders are urged to visit the site at this time. Prospective bidders or their representatives attending the pre-bid site visit will not be admitted on facility grounds without proper photo identification. Note that parking restrictions and security provisions will apply and all vehicles will be subject to search.

For assistance pertaining to the site visit only, please phone Allyson Youdsavage (716) 937-4200.

It is the policy of the State and the Office of General Services to encourage meaningful minority- and women-owned business enterprise participation in this project by contractors, subcontractors and suppliers under the Contract, and all bidders are expected to cooperate in implementing this policy. OGS hereby establishes an overall goal

of 30% for MWBE participation, 15% for Minority-Owned Business Enterprises (“MBE”) participation and 15% for Women-Owned Business Enterprises (“WBE”) participation (based on the current availability of qualified MBEs and WBEs). The total contract goal can be obtained by utilizing any combination of MBE and/or WBE participation for subcontracting and supplies acquired under this Contract.

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

The Bidding and Contract Documents for this Project are available on compact disc (CD) only, and may be obtained for an \$8.00 deposit per set, plus a \$2.00 per set shipping and handling fee. Contractors and other interested parties can order CD’s on-line through a secure web interface available 24 hours a day, 7 days a week. Please use the following link at the OGS website for ordering and payment instructions: <http://www.ogs.ny.gov/bu/dc/esb/acquirebid.asp>.

For questions about purchase of bid documents, please send an e-mail to D&C.Plans@ogs.ny.gov, or call 1-877-647-7526.

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

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

PROVIDE
MOV/POV PARKING LOTS
Camp Smith Training Site
Cortlandt Manor, Westchester County

Sealed bids for Project Nos. 45425-C, 45425-E, comprising separate contracts for Construction Work and Electrical Work, Provide MOV & POV Parking Lots, Camp Smith Training Site, 11 Bear Mountain Bridge Road, Cortlandt Manor, (Westchester County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Division of Military and Naval Affairs, until 2:00 p.m. on Wednesday, August 24, 2016, when they will be publicly opened and read. Each bid must be prepared and submitted in accordance with the Instructions to Bidders and must be accompanied by a certified check, bank check, or bid bond in the amount of \$77,900 for C and \$8,200 for E.

All successful bidders on a multiple trade project or the successful bidder with a bid over \$200,000 on a single trade project, will be required to furnish a Performance Bond and a Labor and Material Bond in the statutory form of public bonds required by Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract estimated to be between \$2,000,000 and \$3,000,000 for C and between \$50,000 and \$100,000 for E. The requirement for Labor and Material and Performance Bonds may be waived on a bid under \$200,000 on a single trade project.

Pursuant to State Finance Law § 139-j and § 139-k, this solicitation includes and imposes certain restrictions on communications between OGS D&C and a bidder during the procurement process. A bidder is restricted from making contacts from the earliest notice of intent to solicit offers through final award and approval of the Procurement Contract by OGS D&C and Office of the State Comptroller (“restricted period”) to other than designated staff unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a). Designated staff are Frank Peris and Carl Ruppert in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862 and John Lewyckyj, Deputy Director, Design & Construction Group, telephone (518) 474-0201, fax (518) 486-1650. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the bidder pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a 4 year period, the bidder is debarred from obtaining governmental Procurement

Contracts. Bidders responding to this Advertisement must familiarize themselves with the new Legislative and State Finance Law requirements and will be expected to affirm that they understand and agree to comply on the bid form. Further information about these requirements can be found within the project manual or at: <http://ogs.ny.gov/aboutogs/regulations/defaultAdvisoryCouncil.asp>.

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

The State intends to expedite award of this Contract and the Contractor shall be prepared to proceed with the Work accordingly. Bidders are warned that time is of the essence of the Contract and completion of the Work must be within 580 days after the Agreement is approved by the Comptroller. Due to the tightness of the construction schedule, bidders should consider the necessity for an increased work force and shift operations.

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 1:00 p.m. on August 12, 2016 at Camp Smith Training Site, OGS Field Office Trailer, 11 Bear Mountain Bridge Road, Cortlandt Manor, NY. Prospective bidders are urged to visit the site at this time. Prospective bidders or their representatives attending the pre-bid site visit will not be admitted on facility grounds without proper photo identification. Note that parking restrictions and security provisions will apply and all vehicles will be subject to search.

Phone the office of Ida Colon, (631) 951-0248 Ext. 102 a minimum of 24 hours in advance of the date to provide the names of those who will attend the pre-bid site visit.

It is the policy of the State and the Office of General Services to encourage meaningful minority- and women-owned business enterprise participation in this project by contractors, subcontractors and suppliers under the Contract, and all bidders are expected to cooperate in implementing this policy. OGS hereby establishes an overall goal of 30% for MWBE participation, 15% for Minority-Owned Business Enterprises (“MBE”) participation and 15% for Women-Owned Business Enterprises (“WBE”) participation (based on the current availability of qualified MBEs and WBEs) for Construction. The total contract goal can be obtained by utilizing any combination of MBE and/or WBE participation for subcontracting and supplies acquired under this Contract.

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

The Bidding and Contract Documents for this Project are available on compact disc (CD) only, and may be obtained for an \$8.00 deposit per set, plus a \$2.00 per set shipping and handling fee. Contractors and other interested parties can order CD’s on-line through a secure web interface available 24 hours a day, 7 days a week. Please use the following link at the OGS website for ordering and payment instructions: <http://www.ogs.ny.gov/bu/dc/esb/acquirebid.asp>.

For questions about purchase of bid documents, please send an e-mail to D&C.Plans@ogs.ny.gov, or call 1-877-647-7526.

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

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

MISCELLANEOUS NOTICES/HEARINGS

Notice of Abandoned Property Received by the State Comptroller

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

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

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

PUBLIC NOTICE Broome County

Broome County is soliciting proposals from Administrative Service Agencies, Trustees, and Financial Organizations for services in connection with a Deferred Compensation Plan that will meet the requirements of Section 457 of the Internal Revenue Code and Section 5 of the State Finance Law, including all rules and regulations issued pursuant thereto.

A copy of the proposal questionnaire may be obtained from: Empire State Purchasing Group

All proposals must be submitted not later than 30 days from the date of publication in the New York State Register.

PUBLIC NOTICE Office of Fire Prevention and Control

Pursuant to Section 176-b of the Town Law, the Office of Fire Prevention and Control hereby gives notice of the following:

Application for Waiver of the Limitation on Non-resident Members of Volunteer Fire Companies

An application for a waiver of the requirements of paragraph a of subdivision 7 of section 176-b of the Town Law, which limits the membership of volunteer fire companies to forty-five per centum of the actual membership of the fire company, has been submitted by the West Endicott Hose Company, County of Broome.

Pursuant to section 176-b of the Town Law, the non-resident membership limit shall be waived provided that no adjacent fire department objects within sixty days of the publication of this notice.

Objections shall be made in writing, setting forth the reasons such waiver should not be granted, and shall be submitted to: Bryant D. Stevens, State Fire Administrator, Office of Fire Prevention and Control, 1220 Washington Ave., Bldg. 7A, Fl. 2, Albany, NY 12226

Objections must be received by the State Fire Administrator within sixty days of the date of publication of this notice.

In cases where an objection is properly filed, the State Fire Administrator shall have the authority to grant a waiver upon consideration of (1) the difficulty of the fire company or district in retaining and recruiting adequate personnel; (2) any alternative means available to the fire company or district to address such difficulties; and (3) the impact of the waiver on adjacent fire departments.

For further information, please contact: FPS Mackenzie A. Jewell, Office of Fire Prevention and Control, 1220 Washington Ave., Bldg. 7A, Fl. 2, Albany, NY 12226, (518) 474-6746, Mackenzie.Jewell@dhses.ny.gov

PUBLIC NOTICE REVISED Department of Health

Please note this is a revision to the Public Notice dated August 3, 2016: New York State is submitting an amended Home and Community-Based Services (HCBS) Statewide Transition Plan (STP) as required by the Centers for Medicare and Medicaid Services' (CMS) HCBS Final Rule.

To read the full plan, please go to: https://www.health.ny.gov/health_care/medicaid/redesign/home_community_based_settings.htm

This document follows our initial STP and provides more specificity about both systemic and site compliance with the requirements of the rule, details our assessment process and remediation plans, and identifies categories of sites that will require heightened scrutiny.

We welcome public comment on this plan.

The deadline for comments has been extended to September 9, 2016 by close of business. Please email comments regarding the Statewide Transition Plan to HCBSrule@health.ny.gov, or send written comments to: Department of Health, Office of Health Insurance Program, Division of Long Term Care, Attn: Deborah Rhatigan, One Commerce Plaza, 99 Washington Ave., Suite 1620, Albany, NY 12210

PUBLIC NOTICE Department of Health

Pursuant to 42 CFR Section 447.205, the Department of Health hereby gives public notice of the following:

The Department of Health proposes to amend the Title XIX (Medicaid) State Plan for non-institutional services. The following changes are proposed:

Effective September 1, 2016 through November 30, 2016 the State will continue to reimburse converted Targeted Case Management (TCM) providers at their existing Health Home Legacy rates. Health Home per member rates, for Health Home providers including TCM providers, that are based on three tiers "High, Medium, Low", acuity, functional status, and region and a uniform case finding fee, which were currently scheduled to take effect on September 1, 2016, will now become effective on December 1, 2016. Health Home per member rates to implement court orders for Assisted Outpatient population (Health Home Plus) and the Adult Home population will remain in effect and unchanged.

The public is invited to review and comment on this proposed State Plan Amendment. Copies of which will be available for public review

on the Department's website at http://www.health.ny.gov/regulations/state_plans/status.

Copies of the proposed State Plan Amendments will be on file in each local (county) social services district and available for public review.

For the New York City district, copies will be available at the following places:

New York County
250 Church Street
New York, New York 10018

Queens County, Queens Center
3220 Northern Boulevard
Long Island City, New York 11101

Kings County, Fulton Center
114 Willoughby Street
Brooklyn, New York 11201

Bronx County, Tremont Center
1916 Monterey Avenue
Bronx, New York 10457

Richmond County, Richmond Center
95 Central Avenue, St. George
Staten Island, New York 10301

For further information and to review and comment, please contact: Department of Health, Division of Finance and Rate Setting, 99 Washington Ave., One Commerce Plaza, Suite 1460, Albany, NY 12210, spa_inquiries@health.ny.gov

PUBLIC NOTICE

Housing and Community Renewal
New York State Draft
2017 Annual Action Plan

Public Comment Period Announcement

To participate in certain federal community development and housing programs, the State of New York must prepare a five-year Consolidated Plan and an annual Action Plan and provide opportunities for citizens to participate in its development. As part of this process, New York State invites interested persons to review and comment on the Annual Action Plan for 2017 during an upcoming public comment period.

The Consolidated Plan and the Annual Action Plan focus principally on four federal programs: the New York State Community Development Block Grant Program (CDBG); the HOME Investment Partnerships Program (HOME); the Housing Opportunities for Persons with AIDS Program (HOPWA); and the Emergency Shelter Grants Program (ESGP).

The Annual Action Plan will describe the State's planned use of federal Fiscal Year 2016 CDBG, HOME, HOPWA and ESGP funds it administers to address the needs identified by its five-year Consolidated Plan and further the Consolidated Plan's objectives, and will also describe the State's methods for distributing these funds.

The 30-day public comment period will begin on Thursday, September 1, 2016 and extend through close of business Friday, September 30, 2016. Beginning on September 1, 2016, New York State's draft Annual Action Plan for 2017 may be viewed on and downloaded from the New York State Housing and Community Renewal (HCR) website at www.nyshcr.org. In addition, copies can be requested by email (HCRConPln@nyshcr.org) or by calling 1-866-ASK-DHCR (275-3427).

Comments should be mailed to: NYS HCR, Attention: Alison Murphy, 38-40 State St., Albany, NY 12207 or emailed to HCRConPln@nyshcr.org. Comments must be received by close of business Friday, September 30, 2016.

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, September 22nd, 2016 at 10:30 AM at Sonnenberg Gardens & Mansion State Historic Site, 151 Charlotte Street, Canandaigua, New York 14424.

The following properties will be considered:

1. Le Roy Downtown Historic District, Le Roy, Genesee County
2. Buffalo Public School #24 (PS 24), Buffalo, Erie County
3. Kraft & Son Carting Building, Buffalo, Erie County
4. F.N. Burt Company Factory "C", Buffalo, Erie County
5. Buffalo Milk Company Building, Buffalo, Erie County
6. East Main Street Downtown Historic District, Rochester, Monroe County
7. Oak Knitting Mill, Syracuse, Onondaga County
8. Syracuse Lighting Company, Syracuse, Onondaga County
9. The Terminal Building, Rochester, Monroe County
10. Lincoln Alliance Building, Rochester, Monroe County
11. John W. Jones Court Apartments, Elmira, Chemung County
12. George Washington School, Elmira, Chemung County
13. Cornwallville Cemetery, Durham, Greene County
14. Blauvelt-Cropsey Farm, Clarkstown, Rockland County
15. John Green House, Nyack, Rockland County
16. International Shirt & Collar Company Building, Troy, Rensselaer County
17. St. John's Episcopal Church, Pleasantville, Westchester County
18. Moss Street Cemetery, Hudson Falls, Washington County
19. Hudson Theatre, New York, New York County
20. Stanfordville Station, Stanford, Dutchess County
21. Jewell Family Farmhouse, Guilford, Chenango County
22. Common School District 32 School, Trout Creek, Delaware County
23. Hawley-Green Street Historic District Boundary Expansion, Syracuse, Onondaga County
24. Bagg's Square East Historic District, Utica, Oneida County
25. Camp Taiga, Long Lake, Hamilton 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, September 21st or may be submitted in person at the meeting by contacting Ruth L. Pierpont at the same address no later than September 21st.

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

An open board meeting of the NYS Hearing Aid Dispensing Advisory Board will be held on September 28, 2016 at 10:30 a.m. at the New York State Department of State, 99 Washington Ave., 5th Fl. Conference Rm., Albany; 65 Court St., 2nd Fl. Conference Rm.; and, 123 William St., 2nd Fl. Conference Rm., New York City.

Should you require further information, please contact: Sharon Charland at sharon.charland@dos.ny.gov or (518) 473-2733

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: June 1-30, 2016.

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

FOR FURTHER INFORMATION CONTACT: Jason E. Oyler, General 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(e) and (f) for the time period specified above:

Approvals By Rule Issued Under 18 CFR 806.22(e):

1. The Hershey Company, West Hershey Plant, ABR-201606003, Derry Township, Dauphin County, Pa.; Consumptive Use of Up to 0.499 mgd; Approval Date: June 17, 2016.

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

1. Chesapeake Appalachia, LLC, Pad ID: Gestewitz, ABR-20111002.R1, North Towanda Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: June 2, 2016.

2. Chesapeake Appalachia, LLC, Pad ID: Coyle, ABR-20111009.R1, Albany Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: June 2, 2016.

3. Chesapeake Appalachia, LLC, Pad ID: Bartholomew, ABR-20111012.R1, Franklin Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: June 2, 2016.

4. Chesapeake Appalachia, LLC, Pad ID: Dulcey, ABR-20111020.R1, Wilnot Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: June 2, 2016.

5. Chesapeake Appalachia, LLC, Pad ID: Gregerson, ABR-20111025.R1, Auburn Township, Susquehanna County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: June 2, 2016.

6. SWEPI LP, Pad ID: Weiner 882, ABR-201103045.R1, Farmington Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: June 2, 2016.

7. SWEPI LP, Pad ID: Swan 1122, ABR-201104031.R1, Farmington Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: June 2, 2016.

8. Anadarko E&P Onshore LLC, Pad ID: COP Tract 027B Pad A, ABR-201107030.R1, McHenry Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: June 3, 2016.

9. Anadarko E&P Onshore LLC, Pad ID: COP Tract 356 Pad G, ABR-201108017.R1, Cummings Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: June 3, 2016.

10. Chief Oil & Gas LLC, Pad ID: Bouse Drilling Pad #1, ABR-201110008.R1, Monroe Township, Bradford County, Pa.; Consumptive Use of Up to 2.0000 mgd; Approval Date: June 3, 2016.

11. Chief Oil & Gas LLC, Pad ID: Nelson Drilling Pad #1, ABR-20111031.R1, Forks Township, Sullivan County, Pa.; Consumptive Use of Up to 2.0000 mgd; Approval Date: June 3, 2016.

12. Seneca Resources Corporation, Pad ID: Gamble Pad R, ABR-201606001, Eldred Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: June 3, 2016.

13. Seneca Resources Corporation, Pad ID: DCNR 100 Pad G, ABR-201108032.R1, McIntyre Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: June 3, 2016.

14. Chief Oil & Gas LLC, Pad ID: Beirne Green Hills Farms A Drilling Pad #1, ABR-201111024.R1, Asylum and Monroe Townships, Bradford County, Pa.; Consumptive Use of Up to 2.0000 mgd; Approval Date: June 8, 2016.

15. EXCO Resources (PA), LLC, Pad ID: Cadwalader Pad, ABR-

201103039.R1, Cogan House Township, Lycoming County, Pa.; Consumptive Use of Up to 8.0000 mgd; Approval Date: June 8, 2016.

16. Chesapeake Appalachia, LLC, Pad ID: Hess, ABR-201105004.R1, Rome Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: June 10, 2016.

17. Chief Oil & Gas LLC, Pad ID: Madigan Farms A Drilling Pad #1, ABR-201111016.R1, Burlington Township, Bradford County, Pa.; Consumptive Use of Up to 2.0000 mgd; Approval Date: June 10, 2016.

18. EOG Resources, Inc., Pad ID: HOLCOMBE 1H Pad, ABR-201107022.R1, Smithfield Township, Bradford County, Pa.; Consumptive Use of Up to 4.9990 mgd; Approval Date: June 10, 2016.

19. EOG Resources, Inc., Pad ID: STAHL 1H Pad, ABR-201107021.R1, Smithfield Township, Bradford County, Pa.; Consumptive Use of Up to 4.9990 mgd; Approval Date: June 10, 2016.

20. Chesapeake Appalachia, LLC, Pad ID: LW, ABR-201111027.R1, Cherry Township, Sullivan County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: June 13, 2016.

21. Endless Mountain Energy Partners, LLC, Pad ID: Sturgis-B, ABR-201105019.R1, Gallagher Township, Clinton County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: June 13, 2016.

22. Energy Corporation of America, Pad ID: Coldstream Affiliates B, ABR-201110019.R1, Goshen Township, Clearfield County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: June 13, 2016.

23. SWEPI LP, Pad ID: Showalter 822, ABR-201105018.R1, Chatham Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: June 13, 2016.

24. Range Resources – Appalachia, LLC, Pad ID: Mohawk South Unit Well Pad, ABR-201606002, Gallagher Township, Clinton County, Pa.; Consumptive Use of Up to 1.0000 mgd; Approval Date: June 14, 2016.

25. Chesapeake Appalachia, LLC, Pad ID: Robbins, ABR-20111018.R1, Ulster Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: June 21, 2016.

26. Chief Oil & Gas LLC, Pad ID: Squier B Drilling Pad #1, ABR-201110007.R1, Springville Township, Susquehanna County, Pa.; Consumptive Use of Up to 2.0000 mgd; Approval Date: June 21, 2016.

27. Talisman Energy USA Inc., Pad ID: 07 185 Camp Comfort, ABR-201106025.R1, Middletown Township, Susquehanna County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: June 21, 2016.

28. SWN Production Company, LLC, Pad ID: Zeffer Pad, ABR-201108029.R1, New Milford Township, Susquehanna County, Pa.; Consumptive Use of Up to 4.9900 mgd; Approval Date: June 23, 2016.

29. SWN Production Company, LLC, Pad ID: Scott Pad, ABR-201108030.R1, New Milford Township, Susquehanna County, Pa.; Consumptive Use of Up to 4.9900 mgd; Approval Date: June 23, 2016.

30. Clean Energy E&P, LLC, Pad ID: Whispering Pines Pad 1, ABR-201606004, Delmar Township, Tioga County, Pa.; Consumptive Use of Up to 2.0000 mgd; Approval Date: June 24, 2016.

31. Seneca Resources Corporation, Pad ID: DCNR 595 Pad L, ABR-201108033.R1, Bloss Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: June 24, 2016.

32. SWEPI LP, Pad ID: Sanchis 1129, ABR-201105017.R1, Farmington Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: June 24, 2016.

33. SWEPI LP, Pad ID: Drake 274, ABR-201106003.R1, Lawrence Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: June 24, 2016.

34. SWEPI LP, Pad ID: Fuller 826, ABR-201606005, Middlebury Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: June 24, 2016.

35. Talisman Energy USA Inc., Pad ID: 02 011 DCNR 587, ABR-201106029.R1, Ward Township, Tioga County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: June 24, 2016.

36. Talisman Energy USA Inc., Pad ID: 03-086 Everts P, ABR-201606006, Columbia Township, Bradford County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: June 24, 2016.

37. Chesapeake Appalachia, LLC, Pad ID: Lines, ABR-201111017.R1, Monroe Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: June 28, 2016.

38. Chesapeake Appalachia, LLC, Pad ID: Knapp, ABR-201111003.R1, Burlington and Ulster Townships, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: June 28, 2016.

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

Dated: July 28, 2016.

Stephanie L. Richardson,
Secretary to the Commission.

PUBLIC NOTICE

Susquehanna River Basin Commission

Projects Rescinded for Consumptive Uses of Water

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

DATES: June 1-30, 2016.

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

FOR FURTHER INFORMATION CONTACT: Jason E. Oyler, General 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, being rescinded for the consumptive use of water pursuant to the Commission's approval by rule process set forth in 18 CFR § 806.22(e) and § 806.22(f) for the time period specified above:

Rescinded ABR Issued

1. Seneca Resources Corporation, Pad ID: Gamble Pad C, ABR-201506006, Gamble Township, Lycoming County, Pa.; Rescind Date: June 15, 2016.

2. Atlas Resources, LLC, Pad ID: Perry Well Pad, ABR-201201019, Mill Creek Township, Lycoming County, Pa.; Rescind Date: June 15, 2016.

3. Atlas Resources, LLC, Pad ID: Stubler Pad B, ABR-201307006, Gamble Township, Lycoming County, Pa.; Rescind Date: June 15, 2016.

4. EOG Resources, Inc., Pad ID: GHFC Pad A, ABR-201110030, Lawrence Township, Clearfield County, Pa.; Rescind Date: June 15, 2016.

5. EOG Resources, Inc., Pad ID: GHFC Pad B, ABR-201110029, Lawrence Township, Clearfield County, Pa.; Rescind Date: June 15, 2016.

6. EOG Resources, Inc., Pad ID: GHFC Pad D, ABR-201203009, Goshen Township, Clearfield County, Pa.; Rescind Date: June 15, 2016.

7. Anadarko E&P Onshore, LLC, Pad ID: COP Tr 244 #1000H, ABR-20090927.R1, Rush Township, Centre County, Pa.; Rescind Date: June 16, 2016.

8. Anadarko E&P Onshore, LLC, Pad ID: COP Tr 244 #1001H & #1002H, ABR-20090928.R1, Rush Township, Centre County, Pa.; Rescind Date: June 16, 2016.

9. Anadarko E&P Onshore, LLC, Pad ID: COP Tr 342 D, ABR-20100349.R1, Beech Creek Township, Clinton County, Pa.; Rescind Date: June 16, 2016.

10. Anadarko E&P Onshore, LLC, Pad ID: COP Tr 344 Pad B, ABR-201008019.R1, Grugan Township, Clinton County, Pa.; Rescind Date: June 16, 2016.

11. Anadarko E&P Onshore, LLC, Pad ID: Tx Gulf B #2H & #3H, ABR-20090823.R1, Beech Creek Township, Clinton County, Pa.; Rescind Date: June 16, 2016.

12. Anadarko E&P Onshore, LLC, Pad ID: Williams S. Kieser Pad A, ABR-201011046.R1, Cogan House Township, Lycoming County, Pa.; Rescind Date: June 16, 2016.

13. American Energy - Marcellus, LLC, Pad ID: Sooner Magic 1, ABR-201412001, Union Township, Huntingdon County, Pa.; Rescind Date: June 29, 2016.

14. SWN Production Company, LLC, Pad ID: WY 03 LUMBER PAD, ABR-201401005, Tunkhannock Township, Wyoming County, Pa.; Rescind Date: June 29, 2016.

15. SWN Production Company, LLC, Pad ID: WY 05 DZIUBA BENJAMIN PAD, ABR-201402003, Eaton Township, Wyoming County, Pa.; Rescind Date: June 29, 2016.

16. SWN Production Company, LLC, Pad ID: FRIES Pad, ABR-201112033, Lenox Township, Susquehanna County, Pa.; Rescind Date: June 29, 2016.

17. SWN Production Company, LLC, Pad ID: WY 02 HARDING PAD, ABR-201402007, Tunkhannock Township, Wyoming County, Pa.; Rescind Date: June 29, 2016.

18. SWN Production Company, LLC, Pad ID: Malling Well Pad, ABR-201208017, Silver Lake Township, Susquehanna County, Pa.; Rescind Date: June 29, 2016.

19. SWN Production Company, LLC, Pad ID: Nota Well Pad, ABR-201210019, Franklin Township, Susquehanna County, Pa.; Rescind Date: June 29, 2016.

20. SWN Production Company, LLC, Pad ID: TI-03 Porter Dennis - Pad, ABR-201403001, Union Township, Tioga County, Pa.; Rescind Date: June 29, 2016.

21. SWN Production Company, LLC, Pad ID: WHENGREEN, ABR-201111033, Lenox Township, Susquehanna County, Pa.; Rescind Date: June 29, 2016.

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

Dated: July 28, 2016.

Stephanie L. Richardson,
Secretary to the Commission.