
NEW YORK STATE

REGISTER

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State agencies must specify in each notice which proposes a rule the last date on which they will accept public comment. Agencies must always accept public comment: for a minimum of 45 days following publication in the *Register* of a Notice of Proposed Rule Making, or a Notice of Emergency Adoption and Proposed Rule Making; and for 30 days after publication of a Notice of Revised Rule Making, or a Notice of Emergency Adoption and 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 45-day period expires on December 30, 2017
- the 30-day period expires on December 15, 2017

**ANDREW M. CUOMO
GOVERNOR**

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SECRETARY OF STATE**

NEW YORK STATE DEPARTMENT OF STATE

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NEW YORK STATE REGISTER

Be a part of the rule making process!

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

To be considered, comments should reach the agency before expiration of the public comment period. The law provides for a minimum 45-day public comment period after publication in the *Register* of every Notice of Proposed Rule Making, 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 expiration of the public comment period.

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

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

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

The *Register* costs \$80 a year for a subscription mailed first class and \$40 for periodical (second) class. Prepayment is required. To order, send a check or money order payable to the NYS Department of State to the following address:

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One Commerce Plaza
99 Washington Avenue
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Albany, NY 12231-0001
Telephone: (518) 474-6957

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

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

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RULE MAKING ACTIVITIES

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

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

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

Office of Children and Family Services

NOTICE OF ADOPTION

Duty of Mandated Reporters to Report Incidents Involving Vulnerable Persons

I.D. No. CFS-36-17-00005-A

Filing No. 936

Filing Date: 2017-10-25

Effective Date: 2017-11-15

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

Action taken: Amendment of section 433.3 of Title 18 NYCRR.

Statutory authority: Social Services Law, sections 20(3)(d), 34(3)(f) and 491

Subject: Duty of mandated reporters to report incidents involving vulnerable persons.

Purpose: To implement statutory requirement of duty of mandated reporters to report incidents involving vulnerable persons.

Text of rule and any required statements and analyses may be obtained from: Leslie Robinson, Senior Attorney, New York State Office of Children and Family Services, 52 Washington Street, Rensselaer, New York 12144, (518) 474-3333, email: Regcomments@ocfs.ny.gov

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

Text of rule and any required statements and analyses may be obtained from: Leslie Robinson, Senior Attorney, New York State Office of Children and Family Services, 52 Washington Street, Rensselaer, New York 12144, (518) 474-3333, email: Regcomments@ocfs.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 2020, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

The agency received no public comment.

Department of Economic Development

EMERGENCY/PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Life Sciences Research and Development Tax Credit

I.D. No. EDV-46-17-00001-EP

Filing No. 935

Filing Date: 2017-10-25

Effective Date: 2017-10-25

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

Proposed Action: Addition of Part 260 to Title 5 NYCRR.

Statutory authority: Tax Law, section 43

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

Specific reasons underlying the finding of necessity: Regulatory action is needed immediately to implement the statutory changes contained in Part K of Chapter 59 of the Laws of 2017. The emergency rule implements the Life Sciences Research and Development Tax Credit. The Life Sciences Research and Development Tax Credit is designed to attract new life sciences technologies to New York State, promote critical public and private sector investment in emerging life sciences fields in New York State and create and expand life sciences related businesses and employment. The rule creates the administrative procedures of the program. It is critical to implement this program immediately because life science companies interested in locating or expanding their activities in New York state are approaching the Department of Economic Development in an effort to access funding for their proposed projects. By waiting for the standard rulemaking process to unfold, the State risks losing important economic development opportunities to states with competing life sciences incentive programs.

Subject: Life Sciences Research and Development Tax Credit.

Purpose: Allow Department to implement the Life Sciences Research and Development Tax Credit program.

Substance of emergency/proposed rule (Full text is posted at the following State website: esd.ny.gov): The regulation creates new Part 260 in 5 NYCRR as follows:

1) The purpose and general description section makes clear that the purpose of the regulations is to set forth the administrative process governing the Life Sciences Research and Development Tax Credit Program (the "Program").

2) The regulation adds definitions relevant to the Program. Key definitions include, but are not limited to, "certificate of tax credit", "life sciences", "life sciences company", "research and development expenditures" and "related person".

3) The regulation then articulates the eligibility criteria for the program. These include the fact that an applicant must be: (1) a qualified life sciences company; (2) a new business; (3) in substantial compliance with all worker protection and environmental laws and regulations; and 4) not owe past due state or local taxes.

4) The regulation then creates the application and application review process for the Program. The regulation requires that an applicant must submit a complete application and that the Commissioner, upon receipt of such complete application, will determine whether the applicant meets the eligibility criteria. If an applicant does not meet the eligibility criteria, the applicant will not be accepted into the Program. Having determined that an application is complete and meets the eligibility criteria, the Department will admit the applicant to the program and issue a certificate of tax credit in an amount based upon the review of qualified expenditures and calculation of the credit.

In terms of application review, a life sciences research and development company must submit evidence to the Department that they meet the eligibility requirements required by this regulation and have research and development expenditures in New York in order to receive benefits under the program. Such evidence may include, but not be limited to, the articles of incorporation of the company; relevant tax returns, financial statements; job descriptions and salaries of employees, quarterly combined withholding, wage reporting, and unemployment insurance returns filed with the NYS Tax Department and any other information the Commissioner deems necessary to determine eligibility of the company.

The regulation further prescribes that if a life sciences research and development company fails to demonstrate that it has satisfied the eligibility requirements, the Department will deny its application. A company may appeal this denial. If the Department reviews such evidence and finds it sufficient, the Department will calculate the appropriate amount of tax credit and issue a certificate of tax credit for one taxable year. In order to receive a certificate of tax credit for subsequent taxable years, the life sciences research and development company must reapply to the program and meet the eligibility criteria set forth in the regulation.

5) The regulation next addresses how the credit is calculated. It specifies that a taxpayer that is a qualified life sciences company, or that is a sole proprietor or a partner in a partnership that is a qualified life sciences company or a shareholder of a New York S corporation that is a qualified life sciences company, and is subject to tax under article nine-A or twenty-two of the Tax Law shall be allowed a credit against such tax for a period of three years provided that no credit shall be allowed for taxable years beginning on or after January first, two thousand twenty-eight.

For a qualified life sciences company that employs ten (10) or more persons during the taxable year, the amount of the credit shall be equal to fifteen (15%) percent of such qualified life sciences company's research and development expenditures in this state for the taxable year. For a qualified life sciences company that employs less than ten (10) persons during the taxable year, the amount of the credit shall be equal to twenty (20%) percent of such qualified life sciences company's research and development expenditures in this state for the taxable year.

The regulation then explains that credit shall be allowed only with respect to the first taxable year during which the criteria are satisfied, and with respect to each of the two taxable years next following (but only, with respect to each of such years, if such criteria are satisfied). Subsequent certifications of the life sciences company by the department of economic development may not extend the three taxable year time limitation.

The total amount of credit allowable to a qualified life sciences company shall not exceed five hundred thousand dollars in any taxable year. In addition, the regulation makes clear that no research and development expenditures made by the life sciences company and used either as the basis for the allowance of the credit or used in the calculation of the credit shall be used to claim any other credit or be used in the calculation of any other credit.

6) The regulation also prescribes that the aggregate maximum amount of the credits allowed shall be \$10 million, to be taken from funds allocated to the Excelsior Jobs tax credit program.

7) Next, the regulation addresses some administrative matters. For example, it provides that aggregate amount of credits shall be allocated by the Department among taxpayers in order of priority based upon the date of filing a complete application. If the total amount of allocated credits applied for in any particular year exceeds the aggregate amount of tax credits allowed for such year, the excess shall be treated as having been applied for on the first day of the subsequent year. The tax credit shall be refundable as provided in the Tax Law. If a life sciences research and development company fails to satisfy the eligibility criteria it will lose the ability to claim credit for that year.

8) In addition, regarding recordkeeping, each life sciences research and development company shall keep all relevant records for their duration of program participation plus three years. The Department shall have the right to inspect all relevant records upon reasonable notice to the life sciences research and development company.

9) Next, the regulation delineates the appeal procedures for applicants whose applications have been denied by the Department.

10) The regulation concludes with a section allowing for the exchange of information pertaining to tax credits between employees of the Department and the Department of Taxation and Finance.

The full text of the emergency rule is available at the Department's website at www.esd.ny.gov.

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 January 22, 2018.

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

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

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

Regulatory Impact Statement

STATUTORY AUTHORITY:

Part K of Chapter 59 of the Laws of 2017 requires the New York State Department of Economic Development ("DED") to establish criteria for the Life Sciences Research and Development Tax Credit via rulemaking.

LEGISLATIVE OBJECTIVES:

The rulemaking accords with the public policy objectives the Legislature sought to advance since it creates the administrative framework for the Life Sciences Research and Development Tax Credit. The tax credit is designed to create and expand life sciences businesses and employment throughout New York State.

NEEDS AND BENEFITS:

The Life Sciences Research and Development Tax Credit is designed to attract new life sciences technologies to New York State, promote critical public and private sector investment in emerging life sciences fields in New York State and create and expand life sciences related businesses and employment. The rule creates the administrative procedures of the program. It is critical to implement this program immediately because life science companies interested in locating or expanding their activities in New York State are approaching the Department of Economic Development in an effort to access funding for their proposed projects. By waiting for the standard rulemaking process to unfold, the State risks losing important economic development opportunities to states with competing life sciences incentive programs.

COSTS:

A. Costs to private regulated parties: None. There are no regulated parties in the Life Sciences Research and Development Tax Credit, only voluntary participants.

B. Costs to the agency, the State, and local governments: DED does not anticipate substantial extra costs associated with running the program outlined in this rulemaking. There is no additional cost to local governments.

C. Costs to the State government: The \$10 million for this program is funded out of the Excelsior Tax credit program. The Department estimates that any costs associated with this program will be offset by the positive economic impact the program will bring to New York State.

LOCAL GOVERNMENT MANDATES:

None. Local governments are not eligible to participate in the Life Sciences Research and Development Tax Credit.

PAPERWORK:

The emergency rule will require applicants to fill out an application to participate in the Life Sciences Research and Development Tax Credit. Such application will require applicants to provide certain business financial information to the Department as part of the process.

DUPLICATION:

The emergency rule conforms to provisions of section 43 of the Tax Law and does not otherwise duplicate any state or federal statutes or regulations.

ALTERNATIVES:

No alternatives were considered with regard to implementing this rulemaking.

FEDERAL STANDARDS:

There are no federal standards with regard to the Life Sciences Research and Development Tax Credit. Therefore, the emergency rule does not exceed any Federal standard.

COMPLIANCE SCHEDULE:

Part K of Chapter 59 of the Laws of 2017 requires the Department to adopt regulations (emergency) for the program by October 31, 2017. Applicants may apply for taxable years beginning on or after January 1, 2018.

Regulatory Flexibility Analysis

The Life Sciences Research and Development Tax Credit is a statewide tax credit program. Although there are small businesses in New York State that are eligible to participate in the program, participation by the businesses is entirely at their discretion. The emergency rule will not have a substantial adverse economic impact on small businesses and local governments. On the contrary, because the rule creates a tax credit program

designed to attract business and jobs to New York State, it will have a positive economic impact on the State. Accordingly, a regulatory flexibility analysis for small business and local governments is not required and one has not been prepared.

Rural Area Flexibility Analysis

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

Job Impact Statement

The proposed rule relates to the Life Sciences Research and Development Tax Credit. This Program will enable New York State to provide financial assistance to life sciences companies that commit to making research and development investment in the State. This Program, given its design and purpose, will have a substantial positive impact on job retention and creation, and employment opportunities. Because this rule will authorize the Department of Economic Development to immediately begin offering financial incentives to life sciences businesses that commit to creating or retaining jobs, it will only have a positive impact on job and employment opportunities. Accordingly, a job impact statement is not required and one has not been prepared.

Department of Financial Services

EMERGENCY RULE MAKING

Minimum Standards for Form, Content and Sale of Health Insurance, Including Standards of Full and Fair Disclosure

I.D. No. DFS-25-17-00002-E
Filing No. 941
Filing Date: 2017-10-30
Effective Date: 2017-10-30

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

Action taken: Amendment of Part 52 (Regulation 62) of Title 11 NYCRR.

Statutory authority: Financial Services Law, sections 202, 302; Insurance Law, sections 301, 2606, 2607, 2608, 3201, 3221(h), 3231(a), 3232(g), (h), 3240(b), (d), 4303(l), 4317(a), 4318(g), (h) and 4328(b)(1)

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

Specific reasons underlying the finding of necessity: There is a movement underway in Congress to repeal and replace the federal Affordable Care Act (“ACA”), including the requirement that issuers cover essential health benefits (“EHB”), such as benefits for maternity and newborn care and mental health and substance use disorder services, and the prohibition against discrimination in the issuance and rating of accident and health insurance because of factors such as race, color, national origin, sex, age, and disability. This rule would require every individual and small group accident and health insurance policy or contract (other than a grandfathered health plan) delivered or issued for delivery in New York that provides hospital, surgical, or medical expense coverage and every student accident and health insurance policy or contract delivered or issued for delivery in New York to provide coverage of at least the enumerated ten categories of EHB if the EHB provisions in 42 U.S.C. § 18022 and 45 C.F.R. 156.100 et seq. are no longer in effect or are modified as determined by the Superintendent of Financial Services. This will ensure that people covered under individual, small group, and student accident and health insurance policies and contracts will continue to have coverage for these important benefits.

In addition, the rule would, with regard to an individual or small group accident and health insurance policy that provides hospital, surgical, or medical expense coverage and a student accident and health insurance policy or contract delivered or issued for delivery in New York State, reaf-

firm that an issuer is prohibited from discriminating because of race, color, creed, national origin, sex, age, marital status, disability, or a preexisting condition and to clarify the scope of such prohibitions.

For the public health and general welfare, the Department is promulgating this rule on an emergency basis in the event that Congress repeals the ACA.

Subject: Minimum standards for form, content and sale of health insurance, including standards of full and fair disclosure.

Purpose: To ensure coverage for essential health benefits in all individual, small group, and student accident and health policies.

Text of emergency rule: A new subdivision 52.1(q) is added as follows:

(q)(1) *The federal Patient Protection and Affordable Care Act (“ACA”) requires all individual and small group accident and health insurance policies delivered or issued for delivery in this State that provide hospital, surgical, or medical expense coverage and are not grandfathered health plans, and all student accident and health insurance policies delivered or issued for delivery in this State to include coverage for ten categories of essential health benefits. The essential health benefits provide a set of minimum standards that ensure that all individual and small group accident and health insurance policies that provide hospital, surgical, or medical expense coverage and are not grandfathered health plans, and all student accident and health insurance policies provide their insureds with comprehensive coverage for medically necessary care. Independent of the ACA, the Insurance Law and this Title include broad protections to ensure that all accident and health insurance coverage sold in this State is comprehensive and that insurers shall not discriminate against residents of this State based on race, color, creed, national origin, sex, age, marital status, disability, or preexisting condition.*

(2) *It is the policy of this State that all individual and small group accident and health insurance policies that provide hospital, surgical, or medical expense coverage and are not grandfathered health plans, and all student accident and health insurance policies provide insureds with essential health benefits and that insurers shall not discriminate against residents of this State based on race, color, creed, national origin, sex, age, marital status, disability, or preexisting condition, whether in issuing policies or setting premiums. Accordingly, irrespective of any changes to the essential health benefit rules in the ACA, as set forth in section 52.71 of this Part, this State will continue to require that individual and small group accident and health insurance policies that provide hospital, surgical, or medical expense coverage and are not grandfathered health plans, and student accident and health insurance policies cover the same essential health benefits and be subject to the same benchmark plan and model contract rules as currently apply. Similarly, irrespective of any changes to the anti-discrimination rules in the ACA, as set forth in section 52.72 of this Part, this State will continue to ensure that all New York insureds covered by individual and small group accident and health insurance policies that provide hospital, surgical, or medical expense coverage and student accident and health insurance policies are not subject to discrimination based on race, color, creed, national origin, sex, age, marital status, disability, or preexisting condition.*

A new section 52.71 is added as follows:

§ 52.71 Essential health benefits.

(a) *Every individual and small group accident and health insurance policy that provides hospital, surgical, or medical expense coverage and is not a grandfathered health plan, and every student accident and health insurance policy shall provide coverage of at least the following essential health benefits:*

(1) *ambulatory patient services, such as office visits, ambulatory surgical services, dialysis, radiology services, chemotherapy, infertility treatment, abortion services, hospice care, and diabetic equipment, supplies and self-management education;*

(2) *emergency services, such as emergency room services, urgent care services, and ambulance services;*

(3) *hospitalization, such as preadmission testing, inpatient physician and surgical services, hospital care, skilled nursing facility care, and hospice care;*

(4) *maternity and newborn care, such as delivery, prenatal and postnatal care, and breastfeeding education and equipment;*

(5) *mental health and substance use disorder services, including behavioral health treatment, such as inpatient and outpatient services for the diagnosis and treatment of mental, nervous and emotional disorders including maternal depression, screening, diagnosis and treatment for autism spectrum disorder, and inpatient and outpatient services for the diagnosis and treatment of substance use disorder;*

(6) *prescription drugs, such as coverage for generic, brand name and specialty drugs, enteral formulas, contraceptive drugs and devices, abortifacient drugs, and orally administered anti-cancer medication;*

(7) *rehabilitative and habilitative services and devices, such as durable medical equipment, medical supplies, prosthetic devices, hearing aids,*

chiropractic care, physical therapy, occupational therapy, speech therapy, and home health care;

(8) laboratory services, such as diagnostic testing;

(9) preventive and wellness services and chronic disease management, such as well child visits, immunizations, mammography, gynecological exams including cervical cytology screening, bone density measurements or testing, and prostate cancer screening; and

(10) pediatric services, including oral and vision care, such as preventive and routine pediatric vision and dental care, and prescription lenses and frames.

(b) The scope of the minimum benefits covered as essential health benefits pursuant to subdivision (a) of this section shall be equal to the benefits provided by the benchmark plan selected by the superintendent as the New York Benchmark Plan in accordance with this section.

(c) Subject to subdivisions (d) and (e) of this section, the superintendent may select the New York Benchmark Plan in consultation with the commissioner of health from any of the following plans:

(1) Small group market health plan. The largest health plan by enrollment in any of the three largest small group insurance products by enrollment in the small group market in this state;

(2) State employee health benefit plan. Any of the largest three employee health benefit plan options by enrollment offered and generally available to state employees in this state;

(3) FEHBP plan. Any of the largest three national Federal Employees Health Benefits Program (FEHBP) plan options by aggregate enrollment that is offered to all health-benefits-eligible federal employees under 5 U.S.C. section 8903;

(4) HMO. The coverage plan with the largest insured commercial non-Medicaid enrollment offered by a health maintenance organization operating in this State; or

(5) Any other plan identified by the superintendent as a typical employer plan providing the coverage of essential health benefits required by this section.

(d)(1) In order to be eligible to be selected as the New York Benchmark Plan, a plan shall provide coverage of at least the categories of benefits identified in subdivision (a) of this section.

(2) Coverage in each benefit category. A plan not providing any coverage in one or more of the categories described in paragraph (1) of this subdivision may be selected as the New York Benchmark Plan if the plan is supplemented as follows:

(i) General supplementation methodology. A plan that does not include items or services within one or more of the categories described in subdivision (a) of this section shall be supplemented by the addition of the entire category of such benefits offered under any other benchmark plan option described in subdivision (c) of this section unless otherwise described in this subdivision.

(ii) Supplementing pediatric oral services. A plan lacking the category of pediatric oral services shall be supplemented by the addition of the entire category of pediatric oral benefits from one of the following:

(a) The Federal Employees Dental/Vision Program ("FEDVIP") dental plan with the largest national enrollment that is described in and offered to federal employees under 5 U.S.C. section 8952; or

(b) The benefits available under that State's separate Children's Health Insurance Program ("CHIP") plan, if a separate CHIP plan exists, to the eligibility group with the highest enrollment.

(iii) Supplementing pediatric vision services. A plan lacking the category of pediatric vision services shall be supplemented by the addition of the entire category of pediatric vision benefits from one of the following:

(a) The FEDVIP vision plan with the largest national enrollment that is offered to federal employees under 5 U.S.C. section 8982; or

(b) The benefits available under the State's separate CHIP plan, if a separate CHIP plan exists, to the eligibility group with the highest enrollment.

(e) The superintendent may issue model contract language identifying the coverage requirements for all individual and small group accident and health insurance policies that provide hospital, surgical, or medical expense coverage and all student accident and health insurance policies delivered or issued for delivery in this State.

(f) The model language issued by the superintendent summarizes the federal and state laws and rules that are applicable to health insurance policies delivered or issued for delivery in this State, including the requirement that the policies include coverage for essential health benefits required by the federal Patient Protection and Affordable Care Act. Every individual and small group accident and health insurance policy that provides hospital, surgical, or medical expense coverage and every student accident and health insurance policy delivered or issued for delivery in this State shall comply with the federal and state laws and rules that are applicable to health insurance policies issued in New York State as set forth in the model language.

(g) Except for subdivisions (e) and (f) of this section, the provisions of

this section shall not be applicable unless and until the essential health benefits provision in 42 U.S.C. section 18022 and 45 C.F.R. 156.100 et seq. are no longer in effect or are modified as determined by the superintendent.

A new section 52.72 is added as follows:

§ 52.72 Nondiscrimination on the basis of race, color, creed, national origin, sex, age, marital status, disability, or preexisting condition.

(a) With regard to an individual or small group accident and health insurance policy that provides hospital, surgical, or medical expense coverage and a student accident and health insurance policy delivered or issued for delivery in this State, no insurer shall, because of race, color, creed, national origin, sex, age, marital status, disability, or preexisting condition:

(1) make any distinction or discrimination between persons as to the premiums or rates charged for the policy or in any other manner whatever;

(2) demand or require a greater premium from any person than it requires at that time from others in similar cases;

(3) make or require any rebate, discrimination or discount upon the amount to be paid or the service to be rendered on any policy;

(4) insert in the policy any condition, or make any stipulation, whereby the insured binds his or herself, or his or her heirs, executors, administrators or assigns, to accept any sum or service less than the full value or amount of such policy in case of a claim thereon except such conditions and stipulations as are imposed upon others in similar cases; and any such stipulation or condition so made or inserted shall be void;

(5) reject any application for a policy issued or sold by it;

(6) cancel or refuse to issue, renew or sell such policy after appropriate application therefor; or

(7) fix any lower rate or discriminate in the fees or commissions of insurance agents or insurance brokers for writing or renewing such a policy.

(b) For the purposes of this section, "disability" shall have the same meaning set forth in Executive Law section 292(21).

(c)(1) Discrimination because of national origin shall include discrimination based on an individual's, or his or her ancestor's, place of origin (such as country or world region) or an individual's manifestation of the physical, cultural, or linguistic characteristics of a national origin group.

(2) Discrimination because of sex shall include discrimination on the basis of pregnancy, false pregnancy, termination of pregnancy, or recovery therefrom, childbirth or related medical conditions, sex stereotyping, and gender identity.

This notice is intended to serve only as a notice of emergency adoption. This agency intends to adopt the provisions of this emergency rule as a permanent rule, having previously submitted to the Department of State a notice of proposed rule making, I.D. No. DFS-25-17-00002-EP, Issue of June 21, 2017. The emergency rule will expire December 28, 2017.

Text of rule and any required statements and analyses may be obtained from: Nathaniel Dorfman, New York State Department of Financial Services, One State Street, New York, NY 10004, (212) 709-5538, email: Nathaniel.Dorfman@dfs.ny.gov

Regulatory Impact Statement

1. Statutory authority: Financial Services Law §§ 202 and 302 and Insurance Law §§ 301, 2606, 2607, 2608, 3201, 3217, 3221(h), 3231(a), 3232(g) and (h), 3240(b) and (d), 4303(II), 4317(a), 4318(g) and (h), and 4328(b)(1).

Financial Services Law § 202 establishes the office of the Superintendent of Financial Services ("Superintendent"). Financial Services Law § 302 and Insurance Law § 301, in material part, authorize the Superintendent to effectuate any power accorded to the Superintendent by the Financial Services Law, Insurance Law, or any other law, and to prescribe regulations interpreting the Insurance Law.

Insurance Law § 2606 prohibits discrimination because of race, color, creed, national origin, or disability, Insurance Law § 2607 prohibits discrimination because of sex or marital status, and Insurance Law § 2608 prohibits discrimination because of treatment for a mental disability.

Insurance Law § 3201 requires a policy form delivered or issued for delivery in New York to be filed with and approved by the Superintendent.

Insurance Law § 3217 requires the Superintendent to issue such regulations as the Superintendent deems necessary or desirable to establish minimum standards for the form, content and sale of accident and health insurance policies and subscriber contracts offered by a corporation authorized under Insurance Law Article 43 and entities licensed pursuant to Public Health Law article 43.

Insurance Law § 3221(h), 3240(d), 4303(II), and 4328(b)(1) require an individual or small group health insurance policy or contract delivered or issued for delivery in New York, including a health maintenance organization ("HMO") contract (other than a grandfathered health plan), that provides hospital, medical or surgical expense coverage, and a student ac-

cident and health policy or contract delivered or issued for delivery in New York, to provide coverage for essential health benefits (“EHB”) as defined in 42 U.S.C. § 18022(b).

Insurance Law §§ 3231(a) and 4317(a) require an individual and small group health insurance policy or contract, including an HMO contract, to be community rated.

Insurance Law §§ 3232(g) and (h), 3240(b), and 4318(g) and (h) prohibit an issuer from imposing any preexisting condition exclusion in any individual, group or blanket health insurance policy or contract, including an HMO contract, that provides hospital, medical or surgical expense coverage and is not an individual grandfathered health plan and any student accident and health insurance policy or contract.

2. Legislative objectives: Insurance Law §§ 3221(h), 3240(d), 4303(II), and 4328(b)(1) require an individual or small group policy or contract delivered or issued for delivery in New York (other than a grandfathered health plan) that provides coverage for hospital, medical or surgical expense, and a student accident and health insurance policy or contract delivered or issued for delivery in New York, to provide coverage for EHB defined in 42 U.S.C. § 18022(b). In addition, Insurance Law §§ 3232(g) and (h), 3240(b), and 4318(g) and (h) prohibit an issuer from imposing any preexisting condition exclusion in any individual, group or blanket health insurance policy or contract that provides hospital, medical or surgical expense coverage and is not a grandfathered health plan and in any student accident and health insurance policy or contract. Insurance Law Article 26 prohibits discrimination because of race, color, creed, national origin, disability, sex, or marital status.

This rule accords with the public policy objectives that the Legislature sought to advance in Insurance Law §§ 3221(h), 3240(d), 4303(II), 4328(b)(1) by requiring every individual and small group accident and health insurance policy or contract delivered or issued for delivery in New York that provides hospital, surgical, or medical expense coverage (other than a grandfathered health plan), and every student accident and health insurance policy or contract delivered or issued for delivery in New York, to provide coverage of at least the enumerated ten categories of EHB if the EHB provision in 42 U.S.C. § 18022 and 45 C.F.R. 156.100 et seq. are no longer in effect or are modified as determined by the Superintendent.

This rule also accords with the public policy objectives that the Legislature sought to advance in Insurance Law Article 26, which prohibits an issuer from discriminating because of race, color, creed, national origin, sex, age, marital status, disability, or a preexisting condition with respect to an individual or small group accident and health insurance policy or contract that provides hospital, surgical, or medical expense coverage or a student accident and health insurance policy or contract.

3. Needs and benefits: There is movement underway in Congress to repeal and replace the federal Affordable Care Act (“ACA”), including the requirement that issuers cover EHB, such as benefits for maternity and newborn care and mental health and substance use disorder services, and the prohibition against discrimination in the issuance and rating of accident and health insurance because of factors such as race, color, national origin, sex, age, and disability. This rule would require every individual and small group accident and health insurance policy or contract (other than a grandfathered health plan) delivered or issued for delivery in New York that provides hospital, surgical, or medical expense coverage and every student accident and health insurance policy or contract delivered or issued for delivery in New York to provide coverage of at least the enumerated ten categories of EHB if the EHB provisions in 42 U.S.C. § 18022 and 45 C.F.R. 156.100 et seq. are no longer in effect or are modified as determined by the Superintendent. This will ensure that people covered under individual, small group, and student accident and health insurance policies and contracts will continue to have coverage for these important benefits.

In addition, the rule would, with regard to an individual or small group accident and health insurance policy that provides hospital, surgical, or medical expense coverage and a student accident and health insurance policy or contract delivered or issued for delivery in New York State, reaffirm that an issuer is prohibited from discriminating because of race, color, creed, national origin, sex, age, marital status, disability, or a preexisting condition and to clarify the scope of such prohibitions.

4. Costs: This rule will not impose compliance costs on issuers because it only continues the existing protections provided under the ACA.

The Department will not incur costs for the implementation and continuation of this rule.

This rule does not impose compliance costs on state or local governments.

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

6. Paperwork: This rule does not impose any reporting requirements, including forms and other paperwork.

7. Duplication: With regard to the section in the rule that pertains to

EHB, it does not duplicate or conflict with any existing state or federal rules or other legal requirements because it only applies if Congress repeals the ACA. With regard to the section in the rule that pertains to nondiscrimination, there is some duplication and overlap with Insurance Law Article 26.

8. Alternatives: The Department considered not promulgating the rule. However, the Department is concerned about the negative impact on consumers if the protections under the ACA are repealed. As a result, the Department determined that it is necessary to promulgate this rule requiring coverage of EHB and continuing to prohibit discrimination for the individual and small group health insurance markets and for student accident and health insurance.

Another alternative considered by the Department was to implement the amendment immediately. However, if the ACA remains in effect in its current form, then there is no need to implement mandating the EHB benefits in the regulation.

9. Federal standards: The rule does not exceed any minimum standards of the federal government for the same or similar subject areas.

10. Compliance schedule: The Department is promulgating this rule on an emergency basis in the event that Congress repeals the ACA.

Regulatory Flexibility Analysis

Small businesses: The Department of Financial Services finds that this rule will not impose any adverse economic impact on small businesses and will not impose any reporting, recordkeeping, or other compliance requirements on small businesses. The basis for this finding is that this rule is directed at insurers and health maintenance organizations (“HMOs”), which do not fall within the definition of a “small business” as defined by State Administrative Procedure Act § 102(8), because in general they are not independently owned and do not have fewer than 100 employees.

Local governments:

The rule does not impose any impact, including any adverse impact, or reporting, recordkeeping, or other compliance requirements on any local governments. The basis for this finding is that this rule is directed at insurers and HMOs.

Rural Area Flexibility Analysis

1. Types and estimated numbers of rural areas: Insurers and health maintenance organizations (“HMOs”) (collectively, “issuers”) affected by this rule operate in every county in this state, including rural areas as defined by State Administrative Procedure Act § 102(10).

2. Reporting, recordkeeping and other compliance requirements; and professional services: The rule does not impose additional reporting, recordkeeping, and other compliance requirements on issuers located in rural areas. An issuer in a rural area should not need to retain professional services to comply with this rule.

3. Costs: This rule will not impose compliance costs on issuers, including issuers in rural areas.

4. Minimizing adverse impact: This rule uniformly affects issuers that are located in both rural and non-rural areas of New York State. The rule should not have an adverse impact on rural areas.

5. Rural area participation: The Department of Financial Services (“Department”) is promulgating this rule on an emergency basis in the event that Congress repeals the ACA. Issuers in rural areas will have an opportunity to participate in the rule making process when the proposed rule is published in the State Register and posted on the Department’s website.

Job Impact Statement

This rule should not adversely impact jobs or employment opportunities in New York State. This rule would require every individual and small group accident and health insurance policy or contract (other than a grandfathered health plan) delivered or issued for delivery in New York that provides hospital, surgical, or medical expense coverage and every student accident and health insurance policy or contract delivered or issued for delivery in New York to continue providing coverage of at least the enumerated ten categories of essential health benefits (“EHB”) if the EHB provisions in 42 U.S.C. § 18022 and 45 C.F.R. 156.100 et seq. are no longer in effect or are modified as determined by the Superintendent of Financial Services. This will ensure that people covered under individual, small group, and student accident and health insurance policies and contracts will continue to have coverage for these important benefits.

In addition, the rule would, with regard to an individual or small group accident and health insurance policy that provides hospital, surgical, or medical expense coverage and a student accident and health insurance policy or contract delivered or issued for delivery in New York State, reaffirm that an issuer is prohibited from discriminating because of race, color, creed, national origin, sex, age, marital status, disability, or a preexisting condition and to clarify the scope of such prohibitions.

Assessment of Public Comment

The agency received no public comment.

**EMERGENCY
RULE MAKING**

Business Conduct of Mortgage Loan Servicers

I.D. No. DFS-46-17-00003-E

Filing No. 938

Filing Date: 2017-10-26

Effective Date: 2017-10-30

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

Action taken: Addition of Part 419 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: The legislature required the registration of mortgage loan servicers as part of the Mortgage Lending Reform Law of 2008 (Ch. 472, Laws of 2008, hereinafter, the "Mortgage Lending Reform Law") to help address the existing foreclosure crisis in the state. By registering servicers and requiring that servicers engage in the business of mortgage loan servicing in compliance with rules and regulations adopted by the Superintendent, the legislature intended to help ensure that servicers conduct their business in a manner acceptable to the Department. However, since the passage of the Mortgage Lending Reform Law, foreclosures continue to pose a significant threat to New York homeowners. The Department continues to receive complaints from homeowners and housing advocates that mortgage loan servicers' response to delinquencies and their efforts at loss mitigation are inadequate. These rules are intended to provide clear guidance to mortgage loan servicers as to the procedures and standards they should follow with respect to loan delinquencies. The rules impose a duty of fair dealing on loan servicers in their communications, transactions and other dealings with borrowers. In addition, the rule sets standards with respect to the handling of loan delinquencies and loss mitigation. The rule further requires specific reporting on the status of delinquent loans with the Department so that it has the information necessary to assess loan servicers' performance.

In addition to addressing the pressing issue of mortgage loan delinquencies and loss mitigation, the rule addresses other areas of significant concern to homeowners, including the handling of borrower complaints and inquiries, the payment of taxes and insurance, crediting of payments and handling of late payments, payoff balances and servicer fees. The rule also sets forth prohibited practices such as engaging in deceptive practices or placing homeowners' insurance on property when the servicers has reason to know that the homeowner has an effective policy for such insurance.

Subject: Business conduct of mortgage loan servicers.

Purpose: To implement the purpose and provisions of the Mortgage Lending Reform Law of 2008 with respect to mortgage loan servicers.

Substance of emergency rule (Full text is posted at the following State website: <http://www.dfs.ny.gov/legal/regulations/emergency/banking/emergbanking.htm>):

Section 419.1 contains definitions of terms that are used in Part 419 and not otherwise defined in Part 418, including "Servicer", "Qualified Written Request" and "Loan Modification".

Section 419.2 establishes a duty of fair dealing for Servicers in connection with their transactions with borrowers, which includes a duty to pursue loss mitigation with the borrower as set forth in Section 419.11.

Section 419.3 requires compliance with other State and Federal laws relating to mortgage loan servicing, including Banking Law Article 12-D, RESPA, and the Truth-in-Lending Act.

Section 419.4 describes the requirements and procedures for handling to consumer complaints and inquiries.

Section 419.5 describes the requirements for a servicer making payments of taxes or insurance premiums for borrowers.

Section 419.6 describes requirements for crediting payments from borrowers and handling late payments.

Section 419.7 describes the requirements of an annual account statement which must be provided to borrowers in plain language showing the unpaid principal balance at the end of the preceding 12-month period, the interest paid during that period and the amounts deposited into and disbursed from escrow. The section also describes the Servicer's obligations with respect to providing a payment history when requested by the borrower or borrower's representative.

Section 419.8 requires a late payment notice be sent to a borrower no later than 17 days after the payment remains unpaid.

Section 419.9 describes the required provision of a payoff statement

that contains a clear, understandable and accurate statement of the total amount that is required to pay off the mortgage loan as of a specified date.

Section 419.10 sets forth the requirements relating to fees permitted to be collected by Servicers and also requires Servicers to maintain and update at least semi-annually a schedule of standard or common fees on their website.

Section 419.11 sets forth the Servicer's obligations with respect to handling of loan delinquencies and loss mitigation, including an obligation to make reasonable and good faith efforts to pursue appropriate loss mitigation options, including loan modifications. This Section includes requirements relating to procedures and protocols for handling loss mitigation, providing borrowers with information regarding the Servicer's loss mitigation process, decision-making and available counseling programs and resources.

Section 419.12 describes the quarterly reports that the Superintendent may require Servicers to submit to the Superintendent, including information relating to the aggregate number of mortgages serviced by the Servicer, the number of mortgages in default, information relating to loss mitigation activities, and information relating to mortgage modifications.

Section 419.13 describes the books and records that Servicers are required to maintain as well as other reports the Superintendent may require Servicers to file in order to determine whether the Servicer is complying with applicable laws and regulations. These include books and records regarding loan payments received, communications with borrowers, financial reports and audited financial statements.

Section 419.14 sets forth the activities prohibited by the regulation, including engaging in misrepresentations or material omissions and placing insurance on a mortgage property without written notice when the Servicer has reason to know the homeowner has an effective policy in place.

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 January 23, 2018.

Text of rule and any required statements and analyses may be obtained from: Christine M. Tomczak, New York State Department of Financial Services, One State Street, New York, New York 10004-1417, (212) 709-1642

Regulatory Impact Statement

1. Statutory authority.

Article 12-D of the Banking Law, as amended by the Legislature in the Mortgage Lending Reform Law of 2008 (Ch. 472, Laws of 2008, hereinafter, the "Mortgage Lending Reform Law"), creates a framework for the regulation of mortgage loan servicers. Mortgage loan servicers 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 Mortgage Lending Reform 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. 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. The functions and powers of the banking board have since been transferred to the Superintendent of Financial Services, pursuant to Part A of Chapter 62 of the Laws of 2011, Section 89.

New Paragraph (d) was added to Subsection (5) of Section 590 by the Mortgage Lending Reform 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 promulgated by the Banking Board or prescribed by the Superintendent, and all applicable federal laws, rules and regulations.

New Subsection (1) of Section 595-b was added by the Mortgage Lending Reform 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 Mortgage Lending Reform 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 Mortgage Lending Reform 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 Mortgage Lending Reform 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 Mortgage Lending Reform 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 Mortgage Lending Reform 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 mortgage loan servicer registration and branch applications are established in accordance with Banking Law Section 18-a.

2. Legislative objectives.

The Mortgage Lending Reform Law was intended to address various problems related to residential mortgage loans in this State. The 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 Mortgage Lending Reform Law requires that entities be registered with the Superintendent in order to engage in the business of servicing mortgage loans in this state. The new 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 Banking Board and 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.

Part 418 of the Superintendent's Regulations, initially adopted on an emergency basis on July 1 2009, addresses the first component of the mortgage servicing statute by setting standards and procedures for applications for registration as a mortgage loan servicer, for approving and denying applications to be registered as a mortgage loan servicer, for approving changes of control, for suspending, terminating or revoking the registration of a mortgage loan servicer as well as setting financial responsibility standards for mortgage loan servicers.

Part 419 addresses the business practices of mortgage loan servicers in connection with their servicing of residential mortgage loans. This part addresses the obligations of mortgage loan servicers in their communications, transactions and general dealings with borrowers, including the handling of consumer complaints and inquiries, handling of escrow payments, crediting of payments, charging of fees, loss mitigation procedures and provision of payment histories and payoff statements. This part also imposes certain recordkeeping and reporting requirements in order to enable the Superintendent to monitor servicers' conduct and prohibits certain practices such as engaging in deceptive business practices.

Collectively, the provisions of Part 418 and 419 implement the intent of the Legislature to register and supervise mortgage loan servicers.

3. Needs and benefits.

The Mortgage Lending Reform Law adopted a multifaceted approach to the lack of supervision of the mortgage loan industry, particularly with respect to servicing and foreclosure. It addressed 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.

Until July 1, 2009, when the mortgage loan servicer registration provisions first became effective, the 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 act as agents for owners of mortgages in negotiations relating to loss mitigation when a mortgage becomes delinquent. 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; erroneously force-placing insurance when borrowers already have insurance; and failing to engage in prompt and appropriate loss mitigation efforts.

More than 2,000,000 loans on residential one-to-four family properties are being serviced in New York. Of these over 9% were seriously delinquent as of the first quarter of 2012. Despite various initiatives adopted at the state level and the creation of federal programs such as Making Home Affordable to encourage loan modifications and help at risk homeowners, the number of loans modified, have not kept pace with the number of foreclosures. Foreclosures impose costs not only on borrowers and lenders but also on neighboring homeowners, cities and towns. They drive down home prices, diminish tax revenues and have adverse social consequences and costs.

As noted above, Part 418, initially adopted on an emergency basis on July 1 2009, relates to the first component of the mortgage servicing statute – the registration of mortgage loan servicers. It was 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. It also provided for the suspension, revocation and termination of licensees involved in wrongdoing and establishes minimum financial standards for mortgage loan servicers.

Part 419 addresses the business practices of mortgage loan servicers and establishes certain consumer protections for homeowners whose residential mortgage loans are being serviced. These regulations provide standards and procedures for servicers to follow in their course of dealings with borrowers, including the handling of borrower complaints and inquiries, payment of taxes and insurance premiums, crediting of borrower payments, provision of annual statements of the borrower's account, authorized fees, late charges and handling of loan delinquencies and loss mitigation. Part 419 also identifies practices that are prohibited and imposes certain reporting and record-keeping requirements to enable the Superintendent to determine the servicer's compliance with applicable laws, its financial condition and the status of its servicing portfolio.

Since the adoption of Part 418, 67 entities have been approved for registration or have pending applications and nearly 400 entities have indicated that they are a mortgage banker, broker, bank or other organization exempt from the registration requirements.

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 are required to comply with the conduct of business and consumer protection rules applicable to mortgage loan servicers.

These regulations will improve accountability and the quality of service in the mortgage loan industry and will help promote alternatives to foreclosure in the state.

4. Costs.

The requirements of Part 419 do not impose any direct costs on mortgage loan servicers. Although mortgage loan servicers may incur some additional costs as a result of complying with Part 419, the overwhelming majority of mortgage loan servicers are banks, operating subsidiaries or affiliates of banks, large independent servicers or other financial services entities that service millions, and even billions, of dollars in loans and have the experience, resources and systems to comply with these requirements. Moreover, any additional costs are likely to be mitigated by the fact that many of the requirements of Part 419, including those relating to the handling of residential mortgage delinquencies and loss mitigation (419.11) and quarterly reporting (419.12), are consistent with or substantially similar to standards found in other federal or state laws, federal mortgage modification programs or servicers own protocols.

For example, Fannie Mae and Freddie Mac, which own or insure approximately 90% of the nation's securitized mortgage loans, have similar guidelines governing various aspects of mortgage servicing, including

handling of loan delinquencies. In addition, over 100 mortgage loan servicers participate in the federal Making Home Affordable (MHA) program which requires adherence to standards for handling of loan delinquencies and loss mitigation similar to those contained in these regulations. Those servicers not participating in MHA have, for the most part, adopted programs which parallel many components of MHA.

Reporting on loan delinquencies and loss mitigation has likewise become increasingly common. The OCC publishes quarterly reports on credit performance, loss mitigation efforts and foreclosures based on data provided by national banks and thrifts. And, states such as Maryland and North Carolina have adopted similar reporting requirements to those contained in section 419.12.

Many of the other requirements of Part 419 such as those related to handling of taxes, insurance and escrow payments, collection of late fees and charges, crediting of payments derive from federal or state laws and reflect best industry practices. The periodic reporting and bookkeeping and record keeping requirements are also standard among financial services businesses, including mortgage bankers and brokers (see, for example section 410 of the Superintendent's Regulations).

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 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.

Part 419 requires mortgage loan servicers to keep books and records related to its servicing for a period of three years and to produce quarterly reports and financial statements as well as annual and other reports requested by the Superintendent. It is anticipated that the quarterly reporting relating to mortgage loan servicing will be done electronically and would therefore be virtually paperless. The other recordkeeping and reporting requirements are consistent with standards generally required of mortgage bankers and brokers and other regulated financial services entities.

7. Duplication.

The regulation does not duplicate, overlap or conflict with any other regulations. The various federal laws that touch upon aspects of mortgage loan servicing are noted in Section 9 "Federal Standards" below.

8. Alternatives.

The Mortgage Lending Reform Law required the registration of mortgage loan servicers and empowered the Superintendent to prescribe rules and regulations to guide the business of mortgage servicing. The purpose of the regulation is to carry out this statutory mandate to register mortgage loan servicers and regulate the manner in which they conduct business. The Department circulated a proposed draft of Part 419 and received comments from and met with industry and consumer groups. The current Part 419 reflects the input received. The alternative to these regulations is to do nothing or to wait for the newly created federal bureau of consumer protection to promulgate national rules, which could take years, may not happen at all or may not address all the practices covered by the rule. Thus, neither of those alternatives would effectuate the intent of the legislature to address the current foreclosure crisis, help at-risk homeowners vis-à-vis their loan servicers and ensure that mortgage loan servicers engage in fair and appropriate servicing practices.

9. Federal standards.

Currently, mortgage loan servicers are not required to be registered by any federal agencies, and there are no comprehensive federal rules governing mortgage loan servicing. Federal laws such as the Real Estate Settlement Procedures Act of 1974, 12 U.S.C. § 2601 et seq. and regulations adopted thereunder, 24 C.F.R. Part 3500, and the Truth-in-Lending Act, 15 U.S.C. section 1600 et seq. and Regulation Z adopted thereunder, 12 C.F.R. section 226 et seq., govern some aspects of mortgage loan servicing, and there have been some recent amendments to those laws and regulations regarding mortgage loan servicing. For example, Regulation Z, 12 C.F.R. section 226.36(c), was recently amended to address the crediting of payments, imposition of late charges and the provision of payoff statements. In addition, the recently enacted Dodd-Frank Wall Street Reform and Protection Act of 2010 (Dodd-Frank Act) establishes requirements for the handling of escrow accounts, obtaining force-placed insurance, responding to borrower requests and providing information related to the owner of the loan.

Additionally, the newly created Bureau of Consumer Financial Protection established by the Dodd-Frank Act may soon propose additional regulations for mortgage loan servicers.

10. Compliance schedule.

Similar emergency regulations first became effective on October 1, 2010.

Regulatory Flexibility Analysis

1. Effect of the Rule:

The rule will not have any impact on local governments. The Mortgage Lending Reform Law of 2008 (Ch. 472, Laws of 2008, hereinafter, the "Mortgage Lending Reform Law") requires all mortgage loan servicers, whether registered or exempt from registration under the law, to service mortgage loans in accordance with the rules and regulations promulgated by the Banking Board or Superintendent. The functions and powers of the Banking Board have since been transferred to the Superintendent of Financial Services, pursuant to Part A of Chapter 62 of the Laws of 2011, Section 89. Of the 67 entities which have been approved for registration or have pending applications and the nearly 400 entities which have indicated that they are exempt from the registration requirements, it is estimated that very few are small businesses.

2. Compliance Requirements:

The provisions of the Mortgage Lending Reform Law relating to mortgage loan servicers has two main components: it requires the registration by the Department of servicers who are not a bank, mortgage banker, mortgage broker or other 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 Mortgage Lending Reform Law relating to mortgage loan servicers (the "Mortgage Loan Servicer Business Conduct Regulations").

The provisions of the Mortgage Lending Reform Law requiring registration of mortgage loan servicers which are not mortgage bankers, mortgage brokers or exempt organizations became effective on July 1, 2009. Part 418 of the Superintendent's Regulations, initially adopted on an emergency basis on July 1 2009, sets for the standards and procedures for applications for registration as a mortgage loan servicer, for approving and denying applications to be registered as a mortgage loan servicer, for approving changes of control, for suspending, terminating or revoking the registration of a mortgage loan servicer as well as the financial responsibility standards for mortgage loan servicers.

Part 419 implements the provisions of the Mortgage Lending Reform Law by setting the standards by which mortgage loan servicers conduct the business of mortgage loan servicing. The rule sets the standards for handling complaints, payments of taxes and insurance, crediting of borrower payments, late payments, account statements, delinquencies and loss mitigation, fees and recordkeeping.

3. Professional Services:

None.

4. Compliance Costs:

The requirements of Part 419 do not impose any direct costs on mortgage loan servicers. Although mortgage loan servicers may incur some additional costs as a result of complying with Part 419, the overwhelming majority of mortgage loan servicers are banks, operating subsidiaries or affiliates of banks, large independent servicers or other financial services entities that service millions, and even billions, of dollars in loans and have the experience, resources and systems to comply with these requirements. Moreover, any additional costs are likely to be mitigated by the fact that many of the requirements of Part 419, including those relating to the handling of residential mortgage delinquencies and loss mitigation (419.11) and quarterly reporting (419.12), are consistent with or substantially similar to standards found in other federal or state laws, federal mortgage modification programs or servicers own protocols.

For example, Fannie Mae and Freddie Mac, which own or insure approximately 90% of the nation's securitized mortgage loans, have similar guidelines governing various aspects of mortgage servicing, including handling of loan delinquencies. In addition, over 100 mortgage loan servicers participate in the federal Making Home Affordable (MHA) program which requires adherence to standards for handling of loan delinquencies and loss mitigation similar to those contained in these regulations. Those servicers not participating in MHA have, for the most part, adopted programs which parallel many components of MHA.

Reporting on loan delinquencies and loss mitigation has likewise become increasingly common. The OCC publishes quarterly reports on credit performance, loss mitigation efforts and foreclosures based on data provided by national banks and thrifts. And, states such as Maryland and North Carolina have adopted similar reporting requirements to those contained in section 419.12.

Many of the other requirements of Part 419 such as those related to handling of taxes, insurance and escrow payments, collection of late fees and charges, crediting of payments derive from federal or state laws and reflect best industry practices. The periodic reporting and bookkeeping and record keeping requirements are also standard among financial services businesses, including mortgage bankers and brokers (see, for example section 410 of the Superintendent's Regulations).

Compliance with the rule should improve the servicing of residential mortgage loans in New York, including the handling of mortgage delinquencies, help prevent unnecessary foreclosures and reduce consumer complaints regarding the servicing of residential mortgage loans.

5. Economic and Technological Feasibility:

For the reasons noted in Section 4 above, the rule should impose no adverse economic or technological burden on mortgage loan servicers that are small businesses.

6. Minimizing Adverse Impacts:

As noted in Section 1 above, most servicers are not small businesses. Many of the requirements contained in the rule derive from federal or state laws, existing servicer guidelines utilized by Fannie Mae and Freddie Mac and best industry practices.

Moreover, 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, help borrowers at risk of foreclosure and decrease the number of foreclosures in this state.

7. Small Business and Local Government Participation:

The Department distributed a draft of proposed Part 419 to industry representatives, received industry comments on the proposed rule and met with industry representatives in person. The Department likewise distributed a draft of proposed Part 419 to consumer groups, received their comments on the proposed rule and met with consumer representatives to discuss the proposed rule in person. The rule reflects the input received from both industry and consumer groups.

Rural Area Flexibility Analysis

Types and Estimated Numbers: Since the adoption of the Mortgage Lending Reform Law of 2008 (Ch. 472, Laws of 2008, hereinafter, the "Mortgage Lending Reform Law"), which required mortgage loan servicers to be registered with the Department unless exempted under the law, 67 entities have pending applications or have been approved for registration and nearly 400 entities have indicated that they are a mortgage banker, broker, bank or other organization exempt from the registration requirements. Only one of the non-exempt entities applying for registration is located in New York and operating in a rural area. Of the exempt organizations, all of which are required to comply with the conduct of business contained in Part 419, approximately 400 are located in New York, including several in rural areas. However, the overwhelming majority of exempt organizations, regardless of where located, are banks or credit unions that are already regulated and are thus familiar with complying with the types of requirements contained in this regulation.

Compliance Requirements: The provisions of the Mortgage Lending Reform Law relating to mortgage loan servicers has two main components: it requires the registration by the Department of servicers that are not a bank, mortgage banker, mortgage broker or other exempt organization (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 Mortgage Lending Reform Law relating to mortgage loan servicers (the "MLS Business Conduct Regulations").

The provisions of the Mortgage Lending Reform Law of 2008 requiring registration of mortgage loan servicers which are not mortgage bankers, mortgage brokers or exempt organizations became effective on July 1, 2009. Part 418 of the Superintendent's Regulations, initially adopted on an emergency basis on July 1, 2010, sets forth the standards and procedures for applications for registration as a mortgage loan servicer, for approving and denying applications to be registered as a mortgage loan servicer, for approving changes of control, for suspending, terminating or revoking the registration of a mortgage loan servicer as well as the financial responsibility standards for mortgage loan servicers.

Part 419 implements the provisions of the Mortgage Lending Reform Law of 2008 by setting the standards by which mortgage loan servicers conduct the business of mortgage loan servicing. The rule sets the standards for handling complaints, payments of taxes and insurance, crediting borrower payments, late payments, account statements, delinquencies and loss mitigation and fees. This part also imposes certain recordkeeping and reporting requirements in order to enable the Superintendent to monitor services' conduct and prohibits certain practices such as engaging in deceptive business practices.

Costs: The requirements of Part 419 do not impose any direct costs on mortgage loan servicers. The periodic reporting requirements of Part 419 are consistent with those imposed on other regulated entities. In addition, many of the other requirements of Part 419, such as those related to the handling of loan delinquencies, taxes, insurance and escrow payments, collection of late fees and charges and crediting of payments, derive from federal or state laws, current federal loan modification programs, servicing guidelines utilized by Fannie Mae and Freddie Mac or servicers' own protocols. Although mortgage loan servicers may incur some additional

costs as a result of complying with Part 419, the overwhelming majority of mortgage loan servicers are banks, credit unions, operating subsidiaries or affiliates of banks, large independent servicers or other financial services entities that service millions, and even billions, of dollars in loans and have the experience, resources and systems to comply with these requirements. Of the 67 entities that have been approved for registration or that have pending applications, only one is located in a rural area of New York State. Of the few exempt organizations located in rural areas of New York, virtually all are banks or credit unions. Moreover, compliance with the rule should improve the servicing of residential mortgage loans in New York, including the handling of mortgage delinquencies, help prevent unnecessary foreclosures and reduce consumer complaints regarding the servicing of residential mortgage loans.

Minimizing Adverse Impacts: As noted in the "Costs" section above, while mortgage loan servicers may incur some higher costs as a result of complying with the rules, the Department does not believe that the rule will impose any meaningful adverse economic impact upon private or public entities in rural areas.

In addition, it should be noted that Part 418, which establishes the application and financial requirements for mortgage loan servicers, authorizes the Superintendent to reduce or waive the otherwise applicable financial responsibility requirements in the case of mortgage loans servicers that service not more than 12 mortgage loans or more than \$5,000,000 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 on mortgage loan servicers operating in rural areas.

Rural Area Participation: The Department issued a draft of Part 419 in December 2009 and held meetings with and received comments from industry and consumer groups following the release of the draft rule. The Department also maintains continuous contact with large segments of the servicing industry though its regulation of mortgage bankers and brokers and its work in the area of foreclosure prevention. The Department likewise maintains close contact with a variety of consumer groups through its community outreach programs and foreclosure mitigation programs. The Department has utilized this knowledge base in drafting the regulation.

Job Impact Statement

Article 12-D of the Banking Law, as amended by the Mortgage Lending Reform Law (Ch. 472, Laws of 2008), requires persons and entities which engage in the business of servicing mortgage loans after July 1, 2009 to be registered with the Superintendent. Part 418 of the Superintendent's Regulations, initially adopted on an emergency basis on July 1, 2009, sets forth the application, exemption and approval procedures for registration as a mortgage loan servicer, as well as financial responsibility requirements for applicants, registrants and exempted persons.

Part 419 addresses the business practices of mortgage loan servicers in connection with their servicing of residential mortgage loans. Thus, this part addresses the obligations of mortgage loan servicers in their communications, transactions and general dealings with borrowers, including the handling of consumer complaints and inquiries, handling of escrow payments, crediting of payments, charging of fees, loss mitigation procedures and provision of payment histories and payoff statements. This part also imposes certain recordkeeping and reporting requirements in order to enable the Superintendent to monitor services' conduct and prohibits certain practices such as engaging in deceptive business practices.

Compliance with Part 419 is not expected to have a significant adverse effect on jobs or employment activities within the mortgage loan servicing industry. The vast majority of mortgage loan servicers are sophisticated financial entities that service millions, if not billions, of dollars in loans and have the experience, resources and systems to comply with the requirements of the rule. Moreover, many of the requirements of the rule reflect derive from federal or state laws and reflect existing best industry practices.

New York State Joint Commission on Public Ethics

EMERGENCY RULE MAKING

Records Access

I.D. No. JPE-34-17-00002-E

Filing No. 945

Filing Date: 2017-10-31

Effective Date: 2017-10-31

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

Action taken: Amendment of Part 937 of Title 19 NYCRR.

Statutory authority: Executive Law, section 94(9)(c) and (19)

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

Specific reasons underlying the finding of necessity: The current version of Part 937 contains inaccurate information, including reference to our predecessor agency. The formal rulemaking process would have resulted in a continued period of time during which Part 937 would not accurately reflect the Joint Commission on Public Ethics ("Commission") statutory directives related to records access. The amendments to Part 937 will clarify procedures regarding access to the Commission's records and is necessary for the public welfare.

Subject: Records access.

Purpose: To update regulations governing records access.

Text of emergency rule: PART 937

ACCESS TO PUBLICLY AVAILABLE RECORDS

§ 937.1 Scope and purpose

These regulations provide information concerning the procedures by which [the publicly available record set forth in section 94 (17) (a) of the Executive Law may be obtained from the New York State Commission on Public Integrity ("Commission")] These records include:] records of the Joint Commission on Public Ethics ("Commission") shall be available for public inspection and copying. Pursuant to Executive Law section 94(19)(a) the only records of the Commission which shall be available for public inspection and copying are set forth below:

(a) The information set forth in an annual statement of financial disclosure filed pursuant to section 73-a of the Public Officers Law except the categories of value or amount, which shall remain confidential, and any other item of information deleted pursuant to Section 94(9)(h) [and (m)] of the Executive Law (*Effective until January 1, 2013*);

(b) *The information set forth in an annual statement of financial disclosure filed pursuant to section 73-a of the Public Officers Law except information deleted pursuant Section 94 (9)(h) of the Executive Law (Effective January 1, 2013);*

(b)(c) Notices of Delinquency sent pursuant to section 94(1[1]2) of the Executive Law;

[(c) Notices of Reasonable Cause sent pursuant to section 94(12)(b) of the Executive Law;]

(d) Notices of Civil Assessments imposed pursuant to section 94(1[3]4) of the Executive Law that shall include a description of the nature of the alleged wrongdoing, the procedural history of the complaint, the findings and determinations made by the Commission, and any sanction imposed;

(e) The terms of any Settlement Agreement or compromise of a complaint or referral that includes a fine, penalty or other remedy; [and]

(f) Those records required to be held or maintained publicly available pursuant to article one-A of the Legislative Law[.];and

(g) *Substantial basis investigation reports issued by the Commission pursuant to section 94 (14-a) and (14-b) of the Executive Law. With respect to reports concerning members of the Legislature or legislative employees or candidates for member of the Legislature, the Commission shall not publicly disclose or otherwise disseminate such reports except in conformance with the requirements of section 80(9)(b) of the Legislative Law.*

§ 937.2 Designation of records access officer

(a) The Commission designates its Public Information Officer to act as the Records Access Officer.

(b) The Records Access Officer is responsible for ensuring compliance with the regulations herein.

(c) The Records Access Officer is responsible for ensuring that Commission staff perform the following actions:

(1) assist the requester in identifying the record sought, if necessary;

(2) upon locating the requested record:

(i) make the record [promptly] available for inspection in accordance with Subparts 937.3 and 937.4 herein; or

(ii) make copies free of charge unless the request is for more than 40 pages, in which case the Commission shall charge \$ 0.25 per copy or the cost of electronic reproduction.

[(iii) upon request, certify that a record is a true copy or reproduction.]

§ 937.3 Requests for access to publicly available records

(a) A request for access to records shall be in writing or on a form approved by the Commission.

(b) A request shall reasonably describe the record sought. To the extent possible, a requesting person should supply identifying details such as the name of the person, entity or title associated with the record sought and dates or filing period.

(c) A response to a request that reasonably describes the record sought shall be made within five business days of receipt of the request by:

(1) granting access to the record; or

(2) acknowledging the receipt of the request in writing, including an approximate date when the request will be granted, which shall be reasonable under the circumstances and shall not be more than twenty business days after the date of the acknowledgement, or providing a statement in writing indicating the reason for the inability to grant the request within that time and a date certain, within a reasonable period under the circumstances of the request, when the request will be granted; or

(3) if receipt of the request was acknowledged in writing and included an approximate date when the request would be granted within twenty business days of such acknowledgement, but circumstances prevent disclosure within that time, providing a statement in writing within twenty business days of such acknowledgement specifying the reason for the inability to do so and a date certain, within a reasonable period under the circumstances of the request, when the request will be granted.

§ 937.4 Location of records for inspection

(a) [Upon arranging an appointment with the] *Once granted, access to records will be arranged by the Records Access Officer, and the records [set forth in Subpart 937.1 shall be available for public inspection at the Commission's office.] will be made available in a convenient and appropriate manner.*

(b) [Such] A[a]ppointments for public inspection of records at the Commission's office shall be arranged on days that the Commission is regularly open for business and during the hours of 9a.m.- 4:30p.m.

§ 937.5 Deletion of certain items of information from financial disclosure statements

(a) Prior to making any financial disclosure statement publicly available, the Records Access Officer shall delete [the categories of value or amount and] any other item of information that the Commission has determined to delete pursuant to section 94(9)(h) [and (m)] of the Executive Law[.], and for filings prior to January 1, 2013, the categories of value and amount.

(b) In accordance with the rules set forth in 19 NYCRR 941.[19]17(b)(1), pending any application for deletion to the executive director or notice of appeal filed with the members of the Commission, all information which is the subject or a part of the application or appeal shall remain confidential. Upon an adverse determination on appeal by the members of the Commission, the reporting individual may request, within five calendar days of receipt of an adverse determination, and upon such request the Commission shall provide, that any information which is the subject or part of the application remain confidential for a period of thirty days following notice of such determination. In the event that the reporting individual resigns from office prior to the issuance of a determination and holds no other office subject to the jurisdiction of the Commission, the information shall not be made public and shall be expunged in its entirety.

937.6 Records access appeals

(a) *The General Counsel, or Deputy General Counsel in the General Counsel's stead, shall act as the Records Access Appeals Officer.*

(b) *Any person denied access in whole or in part to a record or records requested may within thirty days appeal in writing such denial to the Records Access Appeals Officer who shall within ten business days of the receipt of such appeal fully explain in writing to the person requesting the record the reasons for further denial, or provide access to the record sought. This shall constitute the final determination of the Commission.*

This notice is intended to serve only as a notice of emergency adoption. This agency intends to adopt the provisions of this emergency rule as a permanent rule, having previously submitted to the Department of State a notice of proposed rule making, I.D. No. JPE-34-17-00002-EP, Issue of August 23, 2017. The emergency rule will expire December 29, 2017.

Text of rule and any required statements and analyses may be obtained from: Carol C. Quinn, Deputy Director of Lobbying Guidance, Joint Commission on Public Ethics, 540 Broadway, Albany, New York 12207, (518) 408-3976, email: carol.quinn@jcope.ny.gov

Regulatory Impact Statement

1. **Statutory Authority:** Section 9(c) of the Executive Law provides the Joint Commission on Public Ethics (“Commission”) with authority to adopt, amend, and rescind regulations to govern the procedures of the Commission. Section 94(19) of the Executive Law further provides which records of the Commission shall be available for public inspection and copying.

2. **Legislative Objectives:** The Public Integrity Reform Act of 2011 (“PIRA”) established the Commission and authorized the Commission to exercise the powers and duties set forth in section 94 of the Executive Law with respect to record access. This regulation provides updates to a preceding regulation on the gaining of record access.

3. **Needs and Benefits:** The proposed rulemaking will provide clarification relating to access to Commission records.

4. **Costs:**
 a. Costs to regulated parties for implementation and compliance: Minimal.

b. Costs to the agency, state and local governments for the implementation and continuation of the rule: No costs to such entities.

c. Cost information is based on the fact that this rule implements the requirements set forth in Section 94(19) of the Executive Law.

d. Cost information is based on the fact that this rule implements the requirements set forth in Section 94(19) of the Executive Law.

5. **Local Government Mandates:** The proposed regulation does not impose new programs, services, duties or responsibilities upon any county, city, town, village, school district, fire district or other special district.

6. **Paperwork:** This regulation may require the preparation of additional forms or paperwork. Such additional paperwork is expected to be minimal.

7. **Duplication:** This regulation does not duplicate any existing federal, state or local regulations.

8. **Alternatives:** This regulation is an updated version of a previous regulation concerning the same material.

9. **Federal Standards:** This regulation pertains to requirements that specifically relate to record access at the Commission. This regulation does not exceed any minimum standards of the federal government with regard to a similar subject area.

10. **Compliance Schedule:** Compliance shall take effect upon adoption.

Regulatory Flexibility Analysis

A Regulatory Flexibility Analysis for Small Businesses and Local Governments is not submitted with this Notice of Proposed Rulemaking because the proposed rulemaking will not impose any adverse economic impact on small businesses or local governments, nor will it require or impose any reporting, record-keeping, or other affirmative acts on the part of these entities for compliance purposes. The Joint Commission on Public Ethics makes this finding based on the fact that the rule implements current law and, therefore, imposes no new requirements on such entities.

Rural Area Flexibility Analysis

A Rural Area Flexibility Analysis is not submitted with this Notice of Proposed Rulemaking because the proposed rulemaking will not impose any adverse economic impact on rural areas, nor will it require or impose any reporting, record-keeping, or other affirmative acts on the part of rural areas. The Joint Commission on Public Ethics makes this finding based on the fact that the rule implements current law and, therefore, imposes no new requirements on such entities. Rural areas are not affected.

Job Impact Statement

A Job Impact Statement is not submitted with this Notice of Proposed Rulemaking because the proposed rulemaking will have limited, if any, impact on jobs or employment opportunities. This regulation implements current law and, therefore, imposes no new requirements. This regulation does not relate to job or employment opportunities.

Assessment of Public Comment

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

NOTICE OF ADOPTION

Records Access

I.D. No. JPE-34-17-00002-A

Filing No. 944

Filing Date: 2017-10-31

Effective Date: 2017-11-15

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

Action taken: Amendment of Part 937 of Title 19 NYCRR.

Statutory authority: Executive Law, section 94(9)(c) and (19)

Subject: Records access.

Purpose: To update regulations governing records access.

Text or summary was published in the August 23, 2017 issue of the Register, I.D. No. JPE-34-17-00002-EP.

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

Text of rule and any required statements and analyses may be obtained from: Carol C. Quinn, Joint Commission on Public Ethics, 540 Broadway, Albany, New York 12207, (518) 408-3976, email: carol.quinn@jcope.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 2022, 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.

State Liquor Authority

NOTICE OF ADOPTION

Repeal of Archaic Rules Regarding Local Boards, Removals of Package Stores, and Retail Price Affirmations

I.D. No. LQR-33-17-00009-A

Filing No. 940

Filing Date: 2017-10-30

Effective Date: 2017-11-15

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

Action taken: Repeal of sections 40.6, 65.7, Parts 45 and 66 of Title 9 NYCRR.

Statutory authority: Alcoholic Beverage Control Law, section 101-b(4)

Subject: Repeal of archaic rules regarding local boards, removals of package stores, and retail price affirmations.

Purpose: To repeal archaic rules regarding local boards, removals of package stores, and retail price affirmations.

Text or summary was published in the August 16, 2017 issue of the Register, I.D. No. LQR-33-17-00009-P.

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

Text of rule and any required statements and analyses may be obtained from: Paul Karamanol, Senior Attorney, State Liquor Authority, 80 South Swan Street, Suite 900, Albany, NY 12210, (518) 474-3114, email: paul.karamanol@sla.ny.gov

Assessment of Public Comment

The agency received no public comment.

Office for People with Developmental Disabilities

NOTICE OF ADOPTION

Agency Name Change Update

I.D. No. PDD-36-17-00014-A

Filing No. 943

Filing Date: 2017-10-31

Effective Date: 2017-11-15

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

Action taken: Amendment of Parts 630 and 671 of Title 14 NYCRR.

Statutory authority: Mental Hygiene Law, section 13.09(b)

Subject: Agency name change update.

Purpose: To update the agency name in Title 14 NYCRR Parts 630 and 671.

Text or summary was published in the September 6, 2017 issue of the Register, I.D. No. PDD-36-17-00014-P.

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

Text of rule and any required statements and analyses may be obtained from: Office of Counsel, Bureau of Policy and Regulatory Affairs, Office for People With Developmental Disabilities (OPWDD), 44 Holland Avenue, 3rd Floor, Albany, NY 12229, (518) 474-7700, email: rau.unit@opwdd.ny.gov

Additional matter required by statute: Pursuant to the requirements of the State Environmental Quality Review Act, OPWDD, as lead agency, has determined that the action described herein will have no effect on the environment and an E.I.S. is not needed.

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2020, 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.

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

Subject: Submetering of electricity.

Purpose: To approve Franklin's notice of intent to submeter electricity.

Substance of final rule: The Commission, on October 19, 2017, adopted an order approving Franklin Place Condominium's notice of intent to submeter electricity at 5 Franklin Place, New York, New York, located in the service territory of Consolidated Edison Company of New York, Inc., 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-0082SA1)

NOTICE OF ADOPTION

Waiver Request of 16 NYCRR Part 96

I.D. No. PSC-38-16-00006-A

Filing Date: 2017-10-25

Effective Date: 2017-10-25

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

Action taken: On 10/19/17, the PSC adopted an order approving Community Counseling and Mediation's (CC&M) request for a waiver of 16 NYCRR Part 96.

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

Subject: Waiver request of 16 NYCRR Part 96.

Purpose: To approve CC&M's request for a waiver of 16 NYCRR Part 96.

Substance of final rule: The Commission, on October 19, 2017, adopted an order approving Community Counseling and Mediation's request for waiver of the energy audit and energy efficiency plan requirements in 16 NYCRR Part 96, 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-0249SA2)

NOTICE OF ADOPTION

Electric Metering Equipment

I.D. No. PSC-45-16-00011-A

Filing Date: 2017-10-26

Effective Date: 2017-10-26

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

Action taken: On 10/19/17, the PSC adopted an order approving Landis+Gyr Inc.'s (L+G) petition to use the Focus AXe and RXRe electric meters, with L+G Gridstream series 5 wireless mesh communications for electric metering applications in New York State.

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

Subject: Electric metering equipment.

Purpose: To approve L+G's petition to use electric metering equipment in New York State.

Public Service Commission

NOTICE OF ADOPTION

Submetering of Electricity

I.D. No. PSC-38-15-00008-A

Filing Date: 2017-10-25

Effective Date: 2017-10-25

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

Action taken: On 10/19/17, the PSC adopted an order approving Community Counseling and Mediation's (CC&M) notice of intent to submeter electricity at 226 Linden Boulevard, Brooklyn, New York.

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

Subject: Submetering of electricity.

Purpose: To approve CC&M's notice of intent to submeter electricity.

Substance of final rule: The Commission, on October 19, 2017, adopted an order approving Community Counseling and Mediation's notice of intent to submeter electricity at 226 Linden Boulevard, Brooklyn, New York, located in the service territory of Consolidated Edison Company of New York, Inc., 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-0249SA1)

NOTICE OF ADOPTION

Submetering of Electricity

I.D. No. PSC-13-16-00009-A

Filing Date: 2017-10-26

Effective Date: 2017-10-26

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

Action taken: On 10/19/17, the PSC adopted an order approving Franklin Place Condominium's (Franklin) notice of intent to submeter electricity at 5 Franklin Place, New York, New York.

Substance of final rule: The Commission, on October 19, 2017, adopted an order approving Landis+Gyr Inc.'s (L+G) petition to use the Focus AXe and RXRe electric meters in meter writing Forms 1S, 2S, 2Se, 3S, 4S, 12S and 25S with L+G Gridstream series 5 wireless mesh radio frequency communications for electric metering applications in New York State, 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-0549SA1)

NOTICE OF ADOPTION

Interest on Reimbursement Amount

I.D. No. PSC-04-17-00010-A

Filing Date: 2017-10-25

Effective Date: 2017-10-25

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

Action taken: On 10/19/17, the PSC adopted an order clarifying the interest requirement on the reimbursement amount between Niagara Mohawk Power Corporation d/b/a National Grid (Niagara Mohawk) and Glenwyck Development, LLC (Glenwyck).

Statutory authority: Public Service Law, sections 31, 65 and 66

Subject: Interest on reimbursement amount.

Purpose: To clarify the interest requirement on the reimbursement amount between Niagara Mohawk and Glenwyck.

Substance of final rule: The Commission, on October 19, 2017, adopted an order clarifying the interest requirement on the reimbursement amount between Niagara Mohawk Power Corporation d/b/a National Grid (Niagara Mohawk) and Glenwyck Development, LLC (Glenwyck) for past trenching costs. Niagara Mohawk is not required to pay interest on the \$11,309.10 payment to Glenwyck pursuant to the October 17, 2016 Order Granting Relief and Ordering Tariff Changes, subject to the terms and conditions set forth in the order.

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

Text of rule may be obtained from: 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-0560SA2)

NOTICE OF ADOPTION

Water Metering Equipment

I.D. No. PSC-11-17-00006-A

Filing Date: 2017-10-26

Effective Date: 2017-10-26

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

Action taken: On 10/19/17, the PSC adopted an order approving New York American Water Company, Inc.'s (NYAW) petition to use the Itron 100W+ water meter endpoint (AMR) ancillary device for use in water meter applications in New York State.

Statutory authority: Public Service Law, section 89-d(1)

Subject: Water metering equipment.

Purpose: To approve NYAW's petition to use the Itron 100W+ for water metering applications in New York State.

Substance of final rule: The Commission, on October 19, 2017, adopted an order approving New York American Water Company, Inc.'s petition to use the Itron 100W+ water meter endpoint automatic meter reading (AMR) ancillary device for use in water meter applications in New York State, 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.

(17-W-0090SA1)

NOTICE OF ADOPTION

Submetering of Electricity

I.D. No. PSC-11-17-00009-A

Filing Date: 2017-10-25

Effective Date: 2017-10-25

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

Action taken: On 10/19/17, the PSC adopted an order approving 8th and C HDfC's (8th and C) petition to submeter electricity at 334 East 8th Street, New York, New York.

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

Subject: Submetering of electricity.

Purpose: To approve 8th and C's notice of intent to submeter electricity.

Substance of final rule: The Commission, on October 19, 2017, adopted an order approving 8th and C HDfC's petition to submeter electricity at 334 East 8th Street, New York, New York, located in the service territory of Consolidated Edison Company of New York, Inc., 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.

(17-E-0052SA1)

NOTICE OF ADOPTION

Submetering of Electricity and Waiver Request

I.D. No. PSC-14-17-00019-A

Filing Date: 2017-10-25

Effective Date: 2017-10-25

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

Action taken: On 10/19/17, the PSC adopted an order approving 125 Metropolitan LLC and 125 Metropolitan LI LLC's (125 Metro) notice of intent to submeter electricity at 94 North 3rd Street, Brooklyn, New York and request for waiver of 16 NYCRR section 96.5(k)(3).

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

Subject: Submetering of electricity and waiver request.

Purpose: To approve 125 Metro's notice of intent to submeter electricity and request for waiver of 16 NYCRR section 96.5(k)(3).

Substance of final rule: The Commission, on October 19, 2017, adopted an order approving 125 Metropolitan LLC and 125 Metropolitan LI LLC's notice of intent to submeter electricity at 94 North 3rd Street, Brooklyn, New York, located in the service territory of Consolidated Edison

Company of New York, Inc. and request for waiver of the energy audit and energy efficiency plan requirements in 16 NYCRR § 96.5(k)(3), 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.

(17-E-0107SA1)

NOTICE OF ADOPTION

Submetering of Electricity

I.D. No. PSC-24-17-00015-A

Filing Date: 2017-10-26

Effective Date: 2017-10-26

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

Action taken: On 10/19/17, the PSC adopted an order approving 522-528 LLC's (522-528) notice of intent to submeter electricity at 509 Pacific Street, Brooklyn, New York.

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

Subject: Submetering of electricity.

Purpose: To approve 522-528's notice of intent to submeter electricity.

Substance of final rule: The Commission, on October 19, 2017, adopted an order approving 522-528 LLC's notice of intent to submeter electricity at 509 Pacific Street, Brooklyn, New York, located in the service territory of Consolidated Edison Company of New York, Inc., 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.

(17-E-0235SA1)

NOTICE OF ADOPTION

Submetering of Electricity and Waiver Request

I.D. No. PSC-26-17-00006-A

Filing Date: 2017-10-26

Effective Date: 2017-10-26

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

Action taken: On 10/19/17, the PSC adopted an order approving Our Lady of Lourdes' (Lourdes) notice of intent to submeter electricity at multiple addresses and request for waiver of 16 NYCRR section 96.5(k)(3).

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

Subject: Submetering of electricity and waiver request.

Purpose: To approve Lourdes' notice of intent to submeter electricity and request for waiver of 16 NYCRR section 96.5(k)(3).

Substance of final rule: The Commission, on October 19, 2017, adopted an order approving Our Lady of Lourdes' notice of intent to submeter electricity at 11 De Sales Place, 21 De Sales Place and 1875 Broadway, Brooklyn, New York, located in the service territory of Consolidated Edison Company of New York, Inc. and request for waiver of the energy audit and energy efficiency plan requirements in 16 NYCRR § 96.5(k)(3), 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.

(17-E-0201SA1)

NOTICE OF ADOPTION

Submetering of Electricity and Waiver Request

I.D. No. PSC-30-17-00026-A

Filing Date: 2017-10-25

Effective Date: 2017-10-25

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

Action taken: On 10/19/17, the PSC adopted an order approving 606 West 57 LLC's (606 West) notice of intent to submeter electricity at 606 West 57th Street, New York, New York and request for waiver of 16 NYCRR section 96.5(k)(3).

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

Subject: Submetering of electricity and waiver request.

Purpose: To approve 606 West's notice of intent to submeter electricity and request for waiver of 16 NYCRR section 96.5(k)(3).

Substance of final rule: The Commission, on October 19, 2017, adopted an order approving 606 West 57 LLC's notice of intent to submeter electricity at 606 West 57th Street, New York, New York, located in the service territory of Consolidated Edison Company of New York, Inc. and request for waiver of the energy audit and energy efficiency plan requirements in 16 NYCRR § 96.5(k)(3), 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.

(17-E-0155SA1)

NOTICE OF ADOPTION

Tariff Amendments

I.D. No. PSC-30-17-00028-A

Filing Date: 2017-10-25

Effective Date: 2017-10-25

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

Action taken: On 10/19/17, the PSC adopted an order approving Consolidated Edison Company of New York, Inc.'s (Con Edison) tariff amendments to P.S.C. No. 9—Gas.

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

Subject: Tariff amendments.

Purpose: To approve Con Edison's tariff amendments to P.S.C. No. 9—Gas.

Substance of final rule: The Commission, on October 19, 2017, adopted an order approving Consolidated Edison Company of New York, Inc.'s tariff amendments to P.S.C. No. 9 – Gas, to modify the Daily Delivery Service Program and the treatment of certain non-firm revenues in response to the Order Approving Tariff Amendments, issued on October 17, 2016, in Case 16-G-0406, 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.

(17-G-0405SA1)

NOTICE OF ADOPTION

Waiver Request of 16 NYCRR Section 96.2(b)(3)

I.D. No. PSC-33-17-00014-A

Filing Date: 2017-10-25

Effective Date: 2017-10-25

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

Action taken: On 10/19/17, the PSC adopted an order approving 8th and C HDFC's (8th and C) request for a waiver of 16 NYCRR section 96.2(b)(3).

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

Subject: Waiver request of 16 NYCRR section 96.2(b)(3).

Purpose: To approve 8th and C's request for a waiver of 16 NYCRR section 96.2(b)(3).

Substance of final rule: The Commission, on October 19, 2017, adopted an order approving 8th and C HDFC's request for waiver of the participation requirement in demand response or the deployment of an on-site cogeneration plant or alternative, advanced energy efficiency design in 16 NYCRR § 96.2(b)(3), 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.

(17-E-0052SA2)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Drift Marketplace, Inc.'s Petition for Rehearing

I.D. No. PSC-46-17-00004-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 petition filed on October 16, 2017 by Drift Marketplace, Inc. requesting rehearing of the Commission's September 15, 2017 Order Denying Drift Marketplace Inc.'s Petition.

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

Subject: Drift Marketplace, Inc.'s petition for rehearing.

Purpose: To consider the petition for rehearing filed by Drift Marketplace, Inc.

Substance of proposed rule: The New York State Public Service Commission (Commission) is considering a Petition for Rehearing and Clarification of the Order Denying Drift Marketplace Inc.'s Petition of Waiver of the Prohibition on Service to Low-Income Customers by Energy Service Companies (Petition), filed on October 16, 2017, by Drift Marketplace Inc. (Drift). Drift's Petition seeks rehearing of the Commission's Order Denying Drift Marketplace Inc.'s Petition of Waiver of the Prohibition on Service to Low-Income Customers by Energy Service

Companies (Order), issued on September 15, 2017, with respect to the following issues: (1) the standard of review used by the Commission in determining the suitability of a guaranteed savings program; and (2) whether information provided to Department of Public Service Staff was addressed in the Order. The full text of the petition may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. Upon conducting its evaluation of the Petition, the Commission may reaffirm its initial decision or adhere to it with additional rationale in denying the Petition, modify or reverse the decision in granting the Petition in whole or in part, or take other action as it deems necessary with respect to the Petition. However, the Commission will limit its review to the issues raised by the Petition.

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

(12-M-0476SP28)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

To Consider Further Proposed Amendments to the Original Criteria to Grandfathering Established in the Transition Plan

I.D. No. PSC-46-17-00005-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 filing by Solar Alliance Freedom, Inc. on October 24, 2017, requesting an extension of time from two October 26, 2017 project payment deadlines imposed by the New York State Standardized Interconnection Requirements.

Statutory authority: Public Service Law, sections 5(2), 65(1), (3), 66(1), (2), (3), (4), (5), (9), (12), 66-c, 66-j and 66-l

Subject: To consider further proposed amendments to the original criteria to grandfathering established in the Transition Plan.

Purpose: To modify grandfathering criteria.

Substance of proposed rule: The Public Service Commission (Commission) is considering a filing made by Solar Alliance Freedom, Inc. on October 24, 2017, requesting an extension of time from the October 26, 2017 deadline imposed by the New York State Standardized Interconnection Requirements (SIRs) to pay the 25% estimated interconnection fee for two solar photovoltaic projects proposed in Central Hudson Gas & Electric service territory. The full text of the filing may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject, or modify, in whole or in part, the requested relief, 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.

(14-E-0151SP7)

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

To Consider Further Proposed Amendments to the Original Criteria to Grandfathering Established in the Transition Plan

I.D. No. PSC-46-17-00006-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 two petitions filed by Solar Liberty Energy Systems, Inc. on August 10, 2017 requesting that the Commission clarify or grant relief so that five of its solar photovoltaic projects may retain monetary crediting grandfathering.

Statutory authority: Public Service Law, sections 5(2), 65(1), (3), 66(1), (2), (3), (4), (5), (9), (12), 66-c, 66-j and 66-l

Subject: To consider further proposed amendments to the original criteria to grandfathering established in the Transition Plan.

Purpose: To modify grandfathering criteria.

Substance of proposed rule: The Public Service Commission (Commission) is considering multiple filings made by Solar Liberty Energy Systems, Inc., on August 10, 2017, requesting amendments to the Commission's Transition Plan established in the Order Granting Rehearing in Part, Establishing Transition Plan, and Making Other Findings, issued on April 17, 2015 in Cases 14-E-0151 and 14-E-0422 (Transition Plan Order) and the Commission's Order Modifying Transition Plan and Making Other Findings (Modifying Order) issued December 16, 2016 in the same cases. The filings request that the Commission consider amending the Transition Plan milestones adopted in the Modifying Order to extend the November 30, 2017 mechanical completion milestone, and extend the December 31, 2017 in-service milestone, and request that the Commission confirm that completion of a grandfathered project in NYSERDA's NY-Sun MW Block Program, or that a state, municipal, district, or local governmental entity has solicited will retain grandfathered status even if the project is not in-service by the Transition Plan Order's December 31, 2017 default deadline. The full text of the filings may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject, or modify, in whole or in part, the requested amendments and exceptions to the Transition Plan, 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.

(14-E-0151SP4)

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

Petition to Issue Unsecured Debt Obligations

I.D. No. PSC-46-17-00007-P

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

Proposed Action: The Commission is considering a petition filed by New York American Water Company, Inc. requesting authority to issue unsecured debt obligations.

Statutory authority: Public Service Law, section 89-f

Subject: Petition to issue unsecured debt obligations.

Purpose: To consider the Company's request to issue unsecured debt obligations.

Substance of proposed rule: The Public Service Commission is consider-

ing a petition filed by New York American Water Company, Inc. (the Company), on October 16, 2017, requesting authority to issue unsecured debt obligations of the Company having a maturity of more than one year. The requested authority would permit the Company to refinance up to \$15,000,000 in aggregate principal amount of unsecured debt obligations of the Company having a maturity of more than one through March 31, 2021; and to issue and sell up to \$63,500,000 of unsecured debt obligations having a maturity of more than one year through March 31, 2021. The full text of the petition may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. 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.

(17-W-0618SP1)

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

Consequences Pursuant to the Commission's Uniform Business Practices (UBP)

I.D. No. PSC-46-17-00008-P

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

Proposed Action: The Public Service Commission is considering whether to impose consequences on an energy services company (ESCO), MPower Energy LLC (MPower), for apparent non-compliance with Commission requirements.

Statutory authority: Public Service Law, sections 4, 65 and 66

Subject: Consequences pursuant to the Commission's Uniform Business Practices (UBP).

Purpose: To consider whether to impose consequences on MPower for its apparent non-compliance with Commission requirements.

Substance of proposed rule: The Public Service Commission (Commission) is considering whether to impose consequences, pursuant to section two of the Commission's Uniform Business Practices (UBP), on MPower Energy LLC (MPower), an energy services company (ESCO). On October 20, 2017, the Commission issued an Order Instituting Proceeding and to Show Cause (Show Cause Order), which explained the results of an investigation showing multiple instances where MPower apparently failed to comply with Commission requirements. The Show Cause Order stated that the Commission may revoke MPower's eligibility to operate in New York, or may impose any of the consequences set forth in the UBP section 2.D.6.b. The Show Cause Order required MPower to respond explaining why its ability to enroll new residential and non-residential customers should not be suspended until the Commission orders otherwise; and its eligibility to operate in New York should not be revoked or why other consequences should not be imposed. The full case record may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. 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.

(17-M-0552SP1)

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

Requirements Pertaining to Inspections and Reporting on Plastic Fusions Installed in Gas Company Service Territories

I.D. No. PSC-46-17-00009-P

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

Proposed Action: The Commission is considering modifications to the requirements pertaining to inspections and reporting on plastic fusions installed in gas company service territories and implementing new inspection protocols.

Statutory authority: Public Service Law, sections 65 and 66

Subject: Requirements pertaining to inspections and reporting on plastic fusions installed in gas company service territories.

Purpose: To clarify prior requirements and establish new requirements for plastic fusion qualifications and inspections.

Substance of proposed rule: The Commission is considering modifying the requirements set forth in its Order Requiring Local Distribution Companies to Follow and Complete Remediation Plans as Modified by this Order and to Implement New Inspection Protocols, issued May 15, 2015 (May 15 Order). The May 15 Order required that all completed plastic fusions be inspected by a person other than the fuser before being placed into service. The Commission may now require that the inspector of a plastic fusion may not be an equal or subordinate of the person completing the plastic fusion and that the inspector (commonly referred to as "peer inspector") has been qualified by appropriate training or experience in evaluating the acceptability of plastic pipe joints made under the applicable joining procedures and this training and experience has been verified through documented evaluation(s). Regarding collaboration between the fuser and the inspector, the Commission is considering authorizing such collaboration with two caveats: that such collaboration should (1) not be routinely used for all inspections; and (2) once a fuse is signed off on by the fuser, all collaboration should cease. The Commission is also considering adding specific requirements to Quality Assurance (QA) programs at local distribution companies (LDCs) to make sure the QA programs are robust and most effective. The Commission is considering that QA programs must require that a statistically significant number of random checks would be performed on work that has been deemed finally completed. Two other QA program requirements being considered include, first, re-digging of completed jobs for inspection some time after the work was completed. Second, the Commission is considering requiring QA inspectors to have been qualified by appropriate training or experience in evaluating the acceptability of plastic pipe joints made under the applicable joining procedures, as well as other required construction tasks including, but not limited to, installation of tracer wire, depth of cover clearance from other underground structures, etc., and that this training and experience be verified through documented evaluation(s). The Commission is also considering requiring that both positive and negative inspection results be recorded and reported. That is, the results of any plastic fusion that failed visual inspection, whether or not the fuse was placed into service, would be documented. While this will likely require that each step of the installation of a completed fusion is recorded, the need exists to make sure fusers who repeatedly produce visually failing fuses and second person inspectors who approve visually unacceptable fuses are identified (even if the fuse ultimately placed into service passed inspection) because recently adopted Commission rules require that people who complete plastic fusions must be requalified after each visually failed fuse. With respect to reporting requirements, the Commission is considering reducing the reporting requirements of fusions inspected in the normal course of business. That is, in any month in which an LDC finds zero fuses that failed visual inspection, no reporting is necessary. LDC's monthly reporting, required by the May 15 Order, would continue only for visually failed fuses found in the regular course of business; monthly reporting on each fuse found to be visually defective would continue until the fuse is remediated or replaced. The Commission will consider a new, annual, reporting requirement summarizing the prior years' passes and fails, to replace the current monthly reporting requirements. It would remain in the

LDC's discretion whether to remediate or replace a visually failed fuse found in the normal course of business based upon the fuse's location or the type of fuse. If a fuse is removed, the Commission is considering the requirement that each fuse removed be destructively tested and the results reported in the new, annual, plastic fusion reporting being considered. If, upon discovery of a visually failed fuse, it is impossible to replace or remediate the fuse immediately, LDCs would have six months to replace or remediate the fuse but would need to keep the fuse under regular surveillance until it was replaced or remediated. While LDCs have been directed by the Department of Public Service's Chief of Pipeline Safety to track the costs of their assessment and remediation of plastic fuses completed by non-qualified workers, the Commission is considering requiring each LDC to hold ratepayers harmless with respect to the costs incurred by LDCs for the assessment and remediation after having found improper plastic fusion qualifications or lapses. In other words, in each LDCs' next rate filing, such costs would be identified, normalized out and removed from the historic test year data upon which rates will be set. This would ensure the specific costs will be excluded when setting future LDC delivery rates. The full case record may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject, or modify, in whole or in part, the relief requested 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.

(14-G-0212SP4)

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

Compliance with Plastic Fusion Requirements

I.D. No. PSC-46-17-00010-P

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

Proposed Action: The Commission is considering whether to require National Fuel Gas Distribution Corporation (NFG) to comply with plastic fusion training requirements and to report compliance failures.

Statutory authority: Public Service Law, sections 65 and 66

Subject: Compliance with plastic fusion requirements.

Purpose: To consider requiring NFG to comply with current and new plastic fusion requirements and report compliance failures.

Substance of proposed rule: The Commission is considering whether to require National Fuel Gas Distribution Corporation (NFG) to comply with all plastic fuser and Operator Qualification requirements for the completion of plastic fuses and to report to the Commission, in the future, if it, or any of its contractors, have failed to comply with the Order Requiring Local Distribution Companies to Follow and Complete Remediation Plans as Modified by this Order and to Implement New Inspection Protocols, issued May 15, 2015 (May 15 Order) or new plastic fuser or inspector qualification requirements adopted by the Commission. NFG experienced a severe gas incident in 2004 due to NFG's failure to properly qualify its plastic fusion workforce. Despite having been warned of the company's improper plastic fuser qualification problems by the 2004 incident in its Pennsylvania service territory, NFG, after the May 15 Order, reported a second breach of the plastic fuser qualification requirements. The full case record may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject, or modify, in whole or in part, the relief requested 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.

(14-G-0212SP5)

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

M&R Energy Resource Corp.'s Petition for Rehearing

I.D. No. PSC-46-17-00011-P

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

Proposed Action: The Commission is considering a petition filed on October 16, 2017 by M&R Energy Resource Corp. requesting rehearing of the Commission's September 15, 2017 Order Denying M&R Energy Resource Corp.'s Petition.

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

Subject: M&R Energy Resource Corp.'s petition for rehearing.

Purpose: To consider the petition for rehearing filed by M&R Energy Resource Corp.

Substance of proposed rule: The New York State Public Service Commission (Commission) is considering a Petition for Rehearing and Clarification of the Order Denying M&R Energy Resource Corp.'s Petition of Waiver of the Prohibition on Service to Low-Income Customers by Energy Service Companies (Petition), filed on October 16, 2017, by M&R Energy Resource Corp. (M&R). M&R's Petition seeks rehearing of the Commission's Order Denying M&R Energy Resource Corp.'s Petition of Waiver of the Prohibition on Service to Low-Income Customers by Energy Service Companies (Order), issued on September 15, 2017, with respect to the following issues: (1) the standard of review used by the Commission in determining the suitability of a guaranteed savings program; and (2) whether information provided to Department of Public Service Staff was addressed in the Order. The full text of the petition may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. Upon conducting its evaluation of the Petition, the Commission may reaffirm its initial decision or adhere to it with additional rationale in denying the Petition, modify or reverse the decision in granting the Petition in whole or in part, or take other action as it deems necessary with respect to the Petition. However, the Commission will limit its review to the issues raised by the Petition.

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

(12-M-0476SP29)

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

To Consider Further Proposed Amendments to the Original Criteria to Grandfathering Established in the Transition Plan

I.D. No. PSC-46-17-00012-P

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

Proposed Action: The Commission is considering a filing by SolarCity Corporation d/b/a Tesla Energy, on October 16, 2017, requesting that the Commission clarify or grant relief so that its Hamilton College solar project may retain monetary crediting grandfathering.

Statutory authority: Public Service Law, sections 5(2), 65(1), (3), 66(1), (2), (3), (4), (5), (9), (12), 66-c, 66-j and 66-l

Subject: To consider further proposed amendments to the original criteria to grandfathering established in the Transition Plan.

Purpose: To modify grandfathering criteria.

Substance of proposed rule: The Public Service Commission (Commission) is considering a filing made by SolarCity Corporation d/b/a Tesla Energy, on October 16, 2017, requesting that the Commission clarify that Hamilton College's solar project will continue to retain monetary credits despite not achieving the November 30, 2017 physical completion milestone imposed by the Commission's Order Modifying Transition Plan and Making Other Findings (Modifying Order) issued December 16, 2016. The filing requests that the Commission clarify that the NYSEDA Program Opportunity Notice or NY-Sun MW Block Program deadline controls, and the Hamilton College project will retain monetary credits throughout the full term of the existing MW block award. The full text of the filing may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject, or modify, in whole or in part, the requested amendments and exceptions to the Transition Plan, 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.

(14-E-0151SP6)

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

Annual Reconciliation of Gas Expenses and Gas Cost Recoveries

I.D. No. PSC-46-17-00013-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 the filings made by various local gas distribution companies (LDCs) and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries.

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

Subject: Annual Reconciliation of Gas Expenses and Gas Cost Recoveries.

Purpose: To consider filings of LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries.

Substance of proposed rule: The Commission is considering the filings made by various local gas distribution companies (LDCs) and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries. The LDCs pass the cost of the gas commodity on to customers. Once a year the LDCs are required to reconcile the commodity related expenses actually incurred during the 12 month period ended August 31 and reconcile those with the amounts actually recovered from customers. Any over- or under- recoveries may be passed back or recovered from customers during the following calendar year. The full text of the filings may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject, or modify, in whole or in part, the relief requested 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.

(17-G-0454SP1)

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

To Consider Further Proposed Amendments to the Original Criteria to Grandfathering Established in the Transition Plan

I.D. No. PSC-46-17-00014-P

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

Proposed Action: The Commission is considering a filing by the Town of DeWitt on October 6, 2017, requesting that the Commission clarify or grant relief so that its solar photovoltaic project may retain monetary crediting grandfathering.

Statutory authority: Public Service Law, sections 5(2), 65(1), (3), 66(1), (2), (3), (4), (5), (9), (12), 66-c, 66-j and 66-l

Subject: To consider further proposed amendments to the original criteria to grandfathering established in the Transition Plan.

Purpose: To modify grandfathering criteria.

Substance of proposed rule: The Public Service Commission (Commission) is considering a filing made by the Town of DeWitt on October 6, 2017, requesting amendments to the Commission's Transition Plan established in the Order Granting Rehearing in Part, Establishing Transition Plan, and Making Other Findings, issued on April 17, 2015 in Cases 14-E-0151 and 14-E-0422 (Transition Plan Order) and the Commission's Order Modifying Transition Plan and Making Other Findings (Modifying Order) issued December 16, 2016 in the same cases. The Town of DeWitt requests an extension of the Transition Plan Modifying Order's mechanically complete milestone to March 31, 2018, and an extension of the default in-service deadline to December 31, 2018. Furthermore, the Town of DeWitt requests that the Commission clarify that the town, as a relevant government entity, has the authority to establish the in-service deadline. The full text of the filing may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject, or modify, in whole or in part, the requested amendments and exceptions to the Transition Plan, 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.

(14-E-0151SP5)

Urban Development Corporation

EMERGENCY RULE MAKING

Life Sciences Initiative Program

I.D. No. UDC-46-17-00002-E

Filing No. 937

Filing Date: 2017-10-26

Effective Date: 2017-10-26

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

Action taken: Addition of Part 4255 to Title 21 NYCRR.

Statutory authority: Urban Development Corporation Act, sections 5(4), 9-c and 16-aa; L. 2017, ch. 58, part TT

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

Specific reasons underlying the finding of necessity: Regulatory action is needed immediately to implement the statutory changes contained in Part TT of Chapter 58 of the Laws of 2017. The emergency rule implements the Capital Assistance component of the Life Sciences Initiative Program. The Capital Assistance component is designed to attract new life sciences technologies to New York State, promote critical public and private sector investment in emerging life sciences fields in New York State and create and expand life sciences related businesses and employment. The rule creates the administrative procedures of the program. It is critical to implement this program immediately because life science companies interested in locating or expanding their activities in New York state are approaching UDC in an effort to access funding for their proposed projects. By waiting for the standard rulemaking process to unfold, the State risks losing important economic development opportunities to states with competing life sciences incentive programs.

Subject: Life Sciences Initiative Program.

Purpose: Allow Corporation to implement the Capital Assistance component of the Life Sciences Initiatives program.

Text of emergency rule: Part 4255 Life Sciences Initiative Program

Section 4255.1 Purpose and General Description.

The Life Sciences Initiatives Program (the "Program") is established for the purpose of nurturing, growing and retaining new life sciences companies in New York State, attracting existing companies from outside New York State, promoting critical public and private sector investment in emerging life sciences fields in the State, and creating and expanding life sciences related businesses and employment. It is intended to operate in areas identified by the New York State Urban Development Corporation ("the Corporation") as having significant potential for economic growth in New York, or in which the application of new life sciences technologies could significantly enhance the productivity and stability of New York businesses.

The first component of this Program, Capital Assistance, is a critical component to this Initiative as it endeavors to attract new life sciences technologies to the State, promote critical public and private sector investment in emerging life sciences fields in the State and create and expand life sciences related businesses and employment throughout the State. The Corporation anticipates the other elements of the program to include support for venture investments as well as the support of research labs and medical centers. The Corporation may allocate funds from the Program to cover the Corporation's administrative costs associated with the Program.

If the proposal satisfies the applicable requirements and Program funding is available, the proposal may be presented to the Corporation's Directors or President/Chief Executive Officer for consideration and approval in accordance with applicable law and regulations. The Directors normally meet once a month. If the project is approved for funding and if it involves the acquisition, construction, reconstruction, rehabilitation, alteration or improvement of any property, the Corporation will schedule a public hearing in accordance with the Act and will take such further action as may be required by the Act and applicable law and regulations. After approval by the Corporation and a public hearing, if required, the project may then be reviewed by the State Public Authorities Control Board ("PACB"), which also generally meets once a month, in accordance with PACB requirements and policies. Following Directors' approval, and

PACB approval, if required, documentation will be prepared by the Corporation. Notwithstanding the foregoing, no Program project shall be funded if sufficient Program monies are not received by the Corporation for such project.

Section 4255.2 Capital Assistance Program

(a) Definitions. For the purposes of this section, the terms below shall have the following meaning:

(1) "Life Sciences" shall mean advanced and applied sciences that expand the understanding of human physiology and have the potential to lead to medical advances or therapeutic applications including, but not limited to, academic medical centers, agricultural biotechnology, biogenetics, bioinformatics, biomedical engineering, biopharmaceuticals, biotechnology, chemical synthesis, chemistry technology, diagnostics, genomics, image analysis, marine biology, marine technology, medical devices, nanotechnology, natural product pharmaceuticals, proteomics, regenerative medicine, RNA interference, stem cell research, clinical trials, including, but not limited to, neurological clinical trials and veterinary science.

(2) "Life Sciences Entity" shall mean a non-retail business corporation, partnership, firm, or any other non-retail business entity, not for profit organization or academic medical center, unincorporated association, or other entity engaged in life sciences research, development, manufacturing or commercialization.

(3) "Corporation" shall mean the New York State Urban Development Corporation doing business as Empire State Development.

(4) "Life Sciences Economic Development Benefits" means the creation, expansion, enhancement or acceleration of life sciences programs throughout the State that leads to:

- i. the commercialization of life sciences in New York State;
- ii. the creation or retention of jobs in the life sciences industry employing full time permanent employees;
- iii. the promotion of the life science ecosystem within a region of the State;
- iv. new patents in life science;
- v. additional commercial laboratory space; or
- vi. additional venture capital money for Life Sciences Entities in New York State.

(5) "Evaluation Criteria" shall mean the criteria set forth in paragraph d of this Section 4255.2 to be applied by the Corporation in evaluating applications for Capital Assistance Program funding.

(6) "Full Time Permanent Employee" shall mean (i) a full-time, permanent, private-sector employee on a Life Sciences Entity's payroll, who has worked at the Project Location for a minimum of 35 hours per week for not less than four consecutive weeks and who is entitled to receive the usual and customary fringe benefits extended by the entity to other employees with comparable rank and duties; or (ii) two part-time, permanent, private-sector employees on the Life Sciences Entity's payroll, who have worked at the project location for a combined minimum of 35 hours per week for not less than four consecutive weeks and who are entitled to receive the usual and customary fringe benefits extended by the entity to other employees with comparable rank and duties.

(b) Available Capital Assistance.

The Capital Assistance Program makes available financial assistance in the form of grants or loans (secured or unsecured), or a combination of such assistance, in the Corporation's discretion, for use by Life Sciences Entities for Eligible Uses as set forth in paragraph e of this Section 4255.2.

(c) Application Process.

(1) Applications from Life Sciences Entities will be accepted on a rolling basis throughout the year. Life Sciences Entities requesting Capital Assistance shall provide the following information about the project and the applicant, as applicable, in a form provided by, or otherwise acceptable to, the Corporation:

i. a description of the project or activity, including information indicating how the proposed project or activity will create, expand, enhance or accelerate the commercial life science industry through programs, research, job creation and retention within New York state and will result in the other Life Sciences Economic Development Benefits as defined in paragraph A (4) of this Section 4255.2;

ii. the number and amount of other funding, including federal, that the applicant has applied for, is eligible for or has received for the same initiative;

iii. the number of jobs in the life sciences industry employing Full Time Permanent Employees to be created or retained as a result of the proposed project or activity, the titles or classifications of such jobs and the average annual salaries associated with each;

iv. information about the applicant, including but not limited to, its history, ownership, size, primary products offered or services rendered, major customers, its market and marketing strategy;

v. information about the proposed project financing including, but not limited to, total project cost, total Program assistance requested, a

budget breakdown of the sources and proposed uses of all funding, a description of the need for the requested Program funding and justification for the amount requested;

vi. a description of how the project will be implemented, including a project schedule, and the current status of the project;

vii. anticipated project results; and

viii. information with respect to the site of the project and the impact, if any, on the environment and any landmark or historic properties.

(2) Depending on the nature of the project or activity (such as acquisition of machinery and equipment; acquisition, construction or renovation of property, etc.) and the type of assistance requested, Life Science Entities may be required to provide other information about the project, including some or all of the following, as may be appropriate:

- i. a complete set of financial statements for at least the three preceding fiscal years, operating pro formas going forward three years, and current financial statements for any proposed guarantors;
- ii. a list of proposed collateral, with any available appraisals;
- iii. resumes of principal officers and a list of owners, shareholders, or partners;
- iv. a copy of any related real estate purchase option or contract for sale;
- v. a legal description and survey of the property;
- vi. a construction-to-occupancy schedule; and
- vii. copies of any preliminary architectural drawings, scope of work, cost estimates and schematics.

(3) Applications may include a request for funding for single or multiple Life Sciences projects or activities.

(4) Upon receipt of the application, the Corporation shall review the application for eligibility, completeness, and conformance with the applicable requirements of these guidelines. Applications shall be processed in full compliance with the applicable provisions of section 16-aa of the Urban Development Corporation Act.

(d) Evaluation Criteria.

The Corporation shall evaluate applications for Capital Assistance in accordance with the following criteria as applicable:

(1) the financial condition of the entity undertaking the project, including its profitability or potential to generate profits; liquidity; ability to service debt and its leverage ratio;

(2) management experience, ability and relevant knowledge and the relevant entity's general ability to carry out the project;

(3) satisfactory credit references;

(4) the absence of state or local tax judgments; provided however, in the case of a tax certiorari proceeding a life sciences entity would not be considered in arrears until a final decision is made with respect to such proceeding;

(5) whether the applicant clearly demonstrates how the proposal will result in Life Sciences Economic Development Benefits and the likelihood that the project will result in Life Sciences Economic Development Benefits to the State;

(6) the availability of other sources of funding, including offers of assistance from locations outside of the State, including the federal government, and the amount of private financing leveraged by Program funds; and

(7) the Corporation may consider the terms of any economic development assistance available as an incentive for the location of the proposed project outside the State.

(e) Eligible Uses.

Capital Assistance Program funds may be used for:

(1) new construction, renovation or leasehold improvements;

(2) the acquisition or leasing of land, buildings, machinery and equipment;

(3) working capital, including, without limitation, workforce development; and

(4) feasibility or planning studies.

(f) Ineligible Uses.

Institutions that are exclusively health care providers and/or requests for the purchase of equipment associated with standard healthcare delivery are not eligible for Capital Assistance Program funding.

(g) Reporting Requirements.

Applicants shall submit an annual report satisfactory to the Corporation on the operation and accomplishments of the project including, without limitation, a description of the activities undertaken, the economic impact of the project, the number and amount of other sources of funding for the project including federal funds, jobs employing Full Time Permanent Employees created and retained, and the average salary of such jobs.

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 January 23, 2018.

Text of rule and any required statements and analyses may be obtained from: Thomas P. Regan, New York State Urban Development Corporation, 625 Broadway, Albany, NY 12245, (518) 292-5123, email: thomas.regan@esd.ny.gov

Regulatory Impact Statement**STATUTORY AUTHORITY:**

Part TT of Chapter 58 of the Laws of 2017 requires the New York State Urban Development Corporation (“UDC”) to establish criteria for the Life Sciences Initiatives Program via rulemaking.

LEGISLATIVE OBJECTIVES:

The rulemaking accords with the public policy objectives the Legislature sought to advance since it creates the administrative framework for the Life Sciences Capital Assistance Program. The program is designed to create and expand life sciences businesses and employment throughout New York State.

NEEDS AND BENEFITS:

The Capital Assistance Program is designed to attract new life sciences technologies to New York State, promote critical public and private sector investment in emerging life sciences fields in New York State and create and expand life sciences related businesses and employment. The rule creates the administrative procedures of the program. It is critical to implement this program immediately because life science companies interested in locating or expanding their activities in New York state are approaching UDC in an effort to access funding for their proposed projects. By waiting for the standard rulemaking process to unfold, the State risks losing important economic development opportunities to states with competing life sciences incentive programs.

COSTS:

A. Costs to private regulated parties: None. There are no regulated parties in the Life Sciences Capital Assistance Program, only voluntary participants.

B. Costs to the agency, the State, and local governments: UDC does not anticipate substantial extra costs associated with running the program outlined in this rulemaking. The program appropriation makes funding available for the Corporation’s administrative costs. There is no additional cost to local governments.

C. Costs to the State government: The money to fund this grant program is part of the Governor’s \$320 million Life Sciences Initiative passed in FY 2018 budget. The Corporation believes the costs of this program will be offset by the positive economic impact of the program.

LOCAL GOVERNMENT MANDATES:

None. Local governments are not eligible to participate in the Life Sciences Capital Assistance Program.

PAPERWORK:

The emergency rule will require applicants to fill out an application to participate in the Life Sciences Capital Assistance program. Such application will require applicants to provide certain business financial information to the Corporation as part of the process.

DUPLICATION:

The emergency rule conforms to provisions of section 16-aa of the New York State Urban Development Corporation Act and does not otherwise duplicate any state or federal statutes or regulations.

ALTERNATIVES:

No alternatives were considered with regard to implementing this rulemaking.

FEDERAL STANDARDS:

There are no federal standards with regard to the Life Sciences Capital Assistance Program. Therefore, the emergency rule does not exceed any Federal standard.

COMPLIANCE SCHEDULE:

The period of time the state needs to assure compliance is negligible.

Regulatory Flexibility Analysis

The Life Sciences Capital Assistance Program is a statewide grant program. Although there are small businesses in New York State that are eligible to participate in the program, participation by the businesses is entirely at their discretion. The emergency rule will not have a substantial adverse economic impact on small businesses and local governments. On the contrary, because the rule creates a grant program designed to attract business and jobs to New York State, it will have a positive economic impact on the State. Accordingly, a regulatory flexibility analysis for small business and local governments is not required and one has not been prepared.

Rural Area Flexibility Analysis

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

Job Impact Statement

The proposed rule relates to the Capital Assistance component of the Life Sciences Initiative Program. This Program will enable New York State to provide financial assistance to life sciences companies that commit to create or retain jobs and/or to make significant capital investment in the State. This Program, given its design and purpose, will have a substantial positive impact on job retention and creation, and employment opportunities. Because this rule will authorize the Corporation to immediately begin offering financial incentives to life sciences businesses that commit to creating or retaining jobs, it will only have a positive impact on job and employment opportunities. Accordingly, a job impact statement is not required and one has not been prepared.

**HEARINGS SCHEDULED
FOR PROPOSED RULE MAKINGS**

Agency I.D. No.	Subject Matter	Location—Date—Time
Long Island Power Authority		
LPA-41-17-00010-P	The undergrounding provisions of the Authority’s Tariff for Electric Service	H. Lee Dennison Bldg., 100 Veterans Memorial Hwy., Hauppauge, NY—November 27, 2017, 10:00 a.m. Long Island Power Authority, 333 Earle Ovington Blvd., 4th Fl., Uniondale, NY—November 27, 2017, 2:00 p.m.
LPA-41-17-00011-P	The remote meter reading provisions of the Authority’s Tariff for Electric Service	H. Lee Dennison Bldg., 100 Veterans Memorial Hwy., Hauppauge, NY—November 27, 2017, 10:00 a.m. Long Island Power Authority, 333 Earle Ovington Blvd., 4th Fl., Uniondale, NY—November 27, 2017, 2:00 p.m.
LPA-41-17-00012-P	The net energy metering provisions of the Authority’s Tariff for Electric Service	H. Lee Dennison Bldg., 100 Veterans Memorial Hwy., Hauppauge, NY—November 27, 2017, 10:00 a.m. Long Island Power Authority, 333 Earle Ovington Blvd., 4th Fl., Uniondale, NY—November 27, 2017, 2:00 p.m.
Public Service Commission		
PSC-41-17-00006-P	Major electric rate filing	Department of Public Service, Agency Bldg. 3, 19th Fl. Boardroom, Albany, NY—January 9, 2018, 10:00 a.m. (Evidentiary Hearing)* *On occasion, there are requests to reschedule or postpone evidentiary hearing dates. If such a request is granted, notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Case 17-E-0459.
PSC-41-17-00007-P	Major gas rate filing	Department of Public Service, Agency Bldg. 3, 19th Fl. Boardroom, Albany, NY—January 9, 2018, 10:00 a.m. (Evidentiary Hearing)* *On occasion, there are requests to reschedule or postpone evidentiary hearing dates. If such a request is granted, notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Case 17-G-0460.
PSC-42-17-00005-P	Complaint for review of rates charged for water service to commercial and residential customers of water works corporation	Department of Public Service, Agency Bldg. 3, 3rd Fl. Hearing Rm., Albany, NY—December 6, 2017 and daily on succeeding business days as needed, 10:30 a.m. (Evidentiary Hearing)* *On occasion, there are requests to reschedule or postpone evidentiary hearing dates. If such a request is granted, notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Case 17-W-0049.
PSC-45-17-00008-P	Major water rate filing	Department of Public Service, Agency Bldg. 3, 3rd Fl. Hearing Rm., Albany, NY—January 29, 2018 and continuing daily as needed, 10:30 a.m. (Evidentiary Hearing)* *On occasion, there are requests to reschedule or postpone evidentiary hearing dates. If such a request is granted, notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Case 17-W-0528.

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
AGING, OFFICE FOR THE			
AGE-42-17-00001-P	10/18/18	Administration of the Long Term Care Ombudsman Program	To bring NYSOFA's rules and regulations governing LTCOP into conformance with the Federal Statute and regulations.
ALCOHOLISM AND SUBSTANCE ABUSE SERVICES, OFFICE OF			
ASA-24-17-00017-RP	06/14/18	General service standards for chemical dependence outpatient (CD-OP) and opioid treatment programs (OTP)	Conforms HIV and Hepatitis testing in accordance with the public health law; clarifies the services a peer may provide
ASA-24-17-00018-RP	06/14/18	Residential services	Conforms HIV and Hepatitis testing requirements in residential settings with public health law
ASA-41-17-00001-P	10/11/18	Establishment, Incorporation and Certification of Providers of Substance Use Disorder Services	Clarifies the obligation to recognize alcohol/substance abuse programs operated by Indian Health Services facilities
ASA-44-17-00001-P	11/01/18	Repeal Part 14 NYCRR Part 830 (Acupuncture) and add new Part 830 (Designated Services; acupuncture and telepractice)	Repeal obsolete regulations and incorporate provisions into a new Part with additional provisions
ASA-44-17-00002-P	11/01/18	Children's behavioral health services	Defines and implements children's behavioral health services pursuant to the EPSDT program in New York
CIVIL SERVICE, DEPARTMENT OF			
*CVS-44-16-00001-P	11/02/17	Jurisdictional Classification	To classify a position in the exempt class
*CVS-44-16-00002-P	11/02/17	Jurisdictional Classification	To classify a position in the exempt class
*CVS-44-16-00003-P	11/02/17	Jurisdictional Classification	To classify a position in the exempt class
*CVS-44-16-00004-P	11/02/17	Jurisdictional Classification	To classify a position in the exempt class and to delete a position from the non-competitive class

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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
*CVS-44-16-00005-P	11/02/17	Jurisdictional Classification	To delete a position from and classify a position in the non-competitive class
*CVS-44-16-00006-P	11/02/17	Jurisdictional Classification	To classify a position in the exempt class
*CVS-44-16-00007-P	11/02/17	Jurisdictional Classification	To classify a position in the exempt class
*CVS-44-16-00008-P	11/02/17	Jurisdictional Classification	To classify a position in the non-competitive class
*CVS-44-16-00009-P	11/02/17	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-46-16-00001-P	11/16/17	Jurisdictional Classification	To classify a position in the exempt class
CVS-46-16-00002-P	11/16/17	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-46-16-00003-P	11/16/17	Jurisdictional Classification	To classify positions in the exempt class
CVS-46-16-00004-P	11/16/17	Jurisdictional Classification	To delete a position from and classify a position in the exempt class
CVS-01-17-00006-P	01/04/18	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-01-17-00007-P	01/04/18	Jurisdictional Classification	To delete a position from and classify positions in the non-competitive class
CVS-01-17-00008-P	01/04/18	Jurisdictional Classification	To classify a position in the exempt class
CVS-01-17-00009-P	01/04/18	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-01-17-00010-P	01/04/18	Jurisdictional Classification	To classify a position in the exempt class
CVS-01-17-00011-P	01/04/18	Jurisdictional Classification	To classify a position in the exempt class
CVS-01-17-00012-P	01/04/18	Jurisdictional Classification	To delete a position from and classify a position in the exempt class
CVS-01-17-00013-P	01/04/18	Jurisdictional Classification	To classify a position in the exempt class
CVS-01-17-00014-P	01/04/18	Jurisdictional Classification	To delete a position from and classify a position in the exempt class
CVS-01-17-00015-P	01/04/18	Jurisdictional Classification	To classify a position in the exempt class
CVS-01-17-00017-P	01/04/18	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-04-17-00003-P	01/25/18	Jurisdictional Classification	To classify a position in the exempt class
CVS-04-17-00004-P	01/25/18	Jurisdictional Classification	To classify positions in the exempt class
CVS-07-17-00003-P	02/15/18	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-07-17-00004-P	02/15/18	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-07-17-00005-P	02/15/18	Jurisdictional Classification	To classify a position in the exempt class
CVS-07-17-00006-P	02/15/18	Jurisdictional Classification	To classify positions in the exempt class
CVS-07-17-00007-P	02/15/18	Jurisdictional Classification	To classify a position non-competitive class.
CVS-12-17-00004-P	03/22/18	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-12-17-00005-P	03/22/18	Jurisdictional Classification	To delete a position from and classify a position in the non-competitive class.
CVS-12-17-00006-P	03/22/18	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class.
CVS-12-17-00007-P	03/22/18	Jurisdictional Classification	To classify positions in the exempt class
CVS-12-17-00008-P	03/22/18	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-12-17-00009-P	03/22/18	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-12-17-00010-P	03/22/18	Jurisdictional Classification	To delete positions from and classify positions in the exempt class
CVS-17-17-00002-P	04/26/18	Supplemental military leave benefits	To extend the availability of supplemental military leave benefits for certain New York State employees until December 31, 2017
CVS-18-17-00001-P	05/03/18	Jurisdictional Classification	To classify a position in the exempt class
CVS-18-17-00002-P	05/03/18	Jurisdictional Classification	To classify a position in the exempt class
CVS-18-17-00003-P	05/03/18	Jurisdictional Classification	To classify positions in the exempt class
CVS-18-17-00004-P	05/03/18	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-18-17-00005-P	05/03/18	Jurisdictional Classification	To classify positions in the exempt class
CVS-18-17-00006-P	05/03/18	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-18-17-00007-P	05/03/18	Jurisdictional Classification	To classify a position in the exempt class
CVS-18-17-00008-P	05/03/18	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-18-17-00009-P	05/03/18	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-18-17-00010-P	05/03/18	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-18-17-00011-P	05/03/18	Jurisdictional Classification	To classify positions in the exempt class

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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-18-17-00012-P	05/03/18	Jurisdictional Classification	To classify positions in the exempt class
CVS-18-17-00013-P	05/03/18	Jurisdictional Classification	To delete a position from and classify a position in the exempt class
CVS-18-17-00014-P	05/03/18	Jurisdictional Classification	To classify positions in the exempt and non-competitive classes
CVS-18-17-00015-P	05/03/18	Jurisdictional Classification	To classify positions in the exempt class
CVS-18-17-00016-P	05/03/18	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-18-17-00017-P	05/03/18	Jurisdictional Classification	To classify positions in the exempt class and delete positions from the non-competitive class
CVS-23-17-00001-P	06/07/18	Jurisdictional Classification	To delete a position from and classify a position in the exempt class
CVS-23-17-00002-P	06/07/18	Jurisdictional Classification	To classify a position in the exempt class
CVS-23-17-00003-P	06/07/18	Jurisdictional Classification	To classify positions in the exempt class
CVS-23-17-00005-P	06/07/18	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-23-17-00006-P	06/07/18	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-23-17-00007-P	06/07/18	Jurisdictional Classification	To classify a position in the exempt class
CVS-23-17-00008-P	06/07/18	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-23-17-00009-P	06/07/18	Jurisdictional Classification	To classify a position in the exempt class
CVS-23-17-00010-P	06/07/18	Jurisdictional Classification	To classify positions in the exempt class
CVS-23-17-00011-P	06/07/18	Jurisdictional Classification	To classify positions in the exempt class
CVS-23-17-00012-P	06/07/18	Jurisdictional Classification	To delete positions from and classify positions in the exempt class
CVS-23-17-00013-P	06/07/18	Jurisdictional Classification	To delete positions from and classify positions in the exempt class
CVS-23-17-00014-P	06/07/18	Jurisdictional Classification	To delete positions from and classify positions in the exempt class
CVS-30-17-00006-P	07/26/18	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-30-17-00007-P	07/26/18	Jurisdictional Classification	To classify positions in the exempt class
CVS-30-17-00008-P	07/26/18	Jurisdictional Classification	To classify a position in the exempt class
CVS-30-17-00009-P	07/26/18	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-30-17-00010-P	07/26/18	Jurisdictional Classification	To delete a position from and classify a position in the exempt class
CVS-30-17-00011-P	07/26/18	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-30-17-00012-P	07/26/18	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-30-17-00013-P	07/26/18	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-30-17-00014-P	07/26/18	Jurisdictional Classification	To classify a position in the non-competitive class.
CVS-30-17-00015-P	07/26/18	Jurisdictional Classification	To classify a position in the exempt class
CVS-30-17-00016-P	07/26/18	Jurisdictional Classification	To classify a position in the exempt class
CVS-30-17-00017-P	07/26/18	Jurisdictional Classification	To classify a position in the exempt class
CVS-30-17-00018-P	07/26/18	Jurisdictional Classification	To classify a position in the exempt class
CVS-30-17-00019-P	07/26/18	Jurisdictional Classification	To classify a position in the exempt class
CVS-30-17-00020-P	07/26/18	Jurisdictional Classification	To delete positions from and classify positions in the exempt class and to delete positions from the non-competitive class.
CVS-30-17-00021-P	07/26/18	Jurisdictional Classification	To add a subheading and to classify positions in the non-competitive class
CVS-30-17-00022-P	07/26/18	Jurisdictional Classification	To classify positions in the exempt class
CVS-30-17-00023-P	07/26/18	Jurisdictional Classification	To classify positions in the exempt and non-competitive classes
CVS-33-17-00002-P	08/16/18	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-33-17-00003-P	08/16/18	Jurisdictional Classification	To classify a position in the exempt class
CVS-33-17-00004-P	08/16/18	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-33-17-00005-P	08/16/18	Jurisdictional Classification	To delete a position from and classify a position in the non-competitive class
CVS-33-17-00006-P	08/16/18	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-33-17-00007-P	08/16/18	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-33-17-00008-P	08/16/18	Jurisdictional Classification	To classify positions in the exempt and non-competitive classes

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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
COMMISSIONER OF PILOTS, BOARD OF			
COP-41-17-00009-P	10/11/18	Sandy Hook Pilot Apprentices	To amend the Sandy Hook pilot apprenticeship program
CORRECTION, STATE COMMISSION OF			
CMC-44-17-00003-P	11/01/18	Inmate confinement and deprivation	Require local correctional facilities to record, review and report inmate cell confinement and essential service deprivation
CMC-44-17-00012-P	11/01/18	Inmate confinement and deprivation	Require local correctional facilities to record, review and report inmate cell confinement and essential service deprivation
CORRECTIONS AND COMMUNITY SUPERVISION, DEPARTMENT OF			
CCS-35-17-00001-EP	08/30/18	Officials of the Department of Corrections and Community Supervision	To designate certain employees of the Department as officials with peace officer status
CCS-39-17-00001-P	09/27/18	Temporary Release Program Rules and Regulations	To amend current regulations governing the temporary release program consistent with governing statutes and agency directives.
ECONOMIC DEVELOPMENT, DEPARTMENT OF			
EDV-46-17-00001-EP	11/15/18	Life Sciences Research and Development Tax Credit	Allow Dept to implement the Life Sciences Research and Development Tax Credit program
EDUCATION DEPARTMENT			
EDU-21-17-00008-ERP	05/24/18	The education of homeless children and youths (McKinney-Vento Homeless Assistance Act)	Required by the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. section 11431 et seq.), as amended by ESSA
EDU-27-17-00006-P	07/05/18	Interstate Compact for Educational Opportunity for Military Children and Physical Education Requirements for a Diploma.	To implement Ch. 328 of the Laws of 2014 and to provide flexibility in the physical education diploma requirements.
EDU-37-17-00003-P	09/13/18	Requirements for the Educational Leadership Service	Modify the educational requirements for out-of-state candidates seeking licensure in New York
EDU-39-17-00006-EP	09/27/18	Conditional initial certificates for classroom teachers	Allow out-of-state teachers obtain a conditional cert. while completing their edTPA req. during their 1st year of employ in NY
EDU-39-17-00012-P	09/27/18	Eligibility for Tuition Assistance Program	Amend definition of full-time study for students in their last year of high school
EDU-39-17-00013-P	09/27/18	Principal Preparation Programs and Annual Professional Performance Reviews	Establishes new professional practice guidelines and expectations for principals
EDU-44-17-00004-P	11/01/18	Limited license in speech-language pathology	To subject applicants who have been issued a limited license, to the same experience requirements as applicants for a license
EDU-44-17-00005-P	11/01/18	Definition of occupational therapy practice	To conform the definition of occupational therapy practice to changes to Education Law 7901 by chapter 460 of the Laws of 2011

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
EDUCATION DEPARTMENT			
EDU-44-17-00006-EP	11/01/18	Mandatory Quality Review Program (MQRP) in public accountancy	Eliminates the requirement that a sponsoring organization which oversees the MQRP be located in New York State.
EDU-44-17-00007-EP	11/01/18	Continuing teacher and leader education Requirements	To require continuing teacher and leader education for certain teachers and school leaders in non-public schools
EDU-44-17-00008-P	11/01/18	Transitional H Certification Pathway	Allows NYS licensed CPAs with 3 years of exp. auditing NYS school dist., BOCES, municipalities to seek a business leader cert.
EDU-44-17-00009-P	11/01/18	New Pathway to a NYS High School Equivalency Diploma	Allows students to use passing scores on certain Regents examinations in lieu of certain sub-tasks on TASC
EDU-44-17-00010-EP	11/01/18	Temporary teaching certificates	Temporary certificates for teachers displaced from Puerto Rico and/or US territory as a result of Hurricane Maria
ELECTIONS, STATE BOARD OF			
SBE-21-17-00005-RP	05/24/18	Designation of treasurer removal committee and related procedures	To implement the process of treasurer removal provided for by Part C of Chapter 286 of the Laws of 2016
SBE-28-17-00004-P	07/12/18	Use of independent automated audit tools	To implement the amendment to Election Law 9-211 permitting use of independent automated audit tools
ENVIRONMENTAL CONSERVATION, DEPARTMENT OF			
ENV-06-17-00001-P	03/31/18	Amendments to 6 NYCRR Part 617 (which implement the State Environmental Quality Review Act [Article 8 of the ECL])	The purpose of the rule making is to streamline the SEQR process without sacrificing meaningful environmental review
ENV-14-17-00001-P	05/25/18	Prevention and Control of Environmental Pollution by Radioactive Materials	To amend regulations pertaining to disposal and release of radioactive materials to the environment
ENV-16-17-00003-P	04/19/18	Permits for taking surfclams	To reduce paperwork and streamline the surfclam permitting process
ENV-19-17-00003-P	06/30/18	Part 232 regulates entities that operate dry cleaning machines.	Repeal and replace Part 232 to reduce alternative solvent and perc emissions.
ENV-22-17-00001-EP	05/31/18	Regulations governing the recreational harvest of summer flounder	To revise regulations concerning the recreational harvest of summer flounder in New York State
ENV-28-17-00003-P	07/12/18	Management of crustaceans, horseshoe crabs (HSC) and whelk; protection of terrapin	Modify rules on terrapin excluder device, HSC harvest limit and whelk reporting
FINANCIAL SERVICES, DEPARTMENT OF			
*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

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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
FINANCIAL SERVICES, DEPARTMENT OF			
DFS-11-17-00003-P	03/15/18	Continuing Care Retirement Communities	Amend rules related to permitted investments, financial transactions, reporting requirements and add new optional contract type
DFS-18-17-00020-P	05/03/18	Establishment And Operation Of Market Stabilization Mechanisms For Certain Health Insurance Markets	To allow for the implementation of a market stabilization pool for the small group health insurance market
DFS-20-17-00001-P	05/17/18	Private Passenger Motor Vehicle Insurance Multi-Tier Programs	To ensure education level attained/occupational status in initial tier placement/movement does not result in unfair rate
DFS-25-17-00002-EP	06/21/18	Minimum standards for form, content and sale of health insurance, including standards of full and fair disclosure	To ensure coverage for essential health benefits in all individual, small group, and student accident and health policies
DFS-32-17-00017-P	08/09/18	Holding Companies	To make technical correction to and clarification of 11 NYCRR section 80-1.6(3)
DFS-35-17-00003-P	08/30/18	Privacy of Consumer Financial and Health Information, General Provisions	To incorporate recent changes to federal privacy laws regarding information maintained by financial institutions
DFS-39-17-00002-P	09/27/18	Minimum Standards for Form, Content and Sale of Health Insurance, Including Standards of Full and Fair Disclosure	Provide a formulary exception process for medication for the detoxification or maintenance treatment of a substance use disorder
DFS-40-17-00003-P	10/04/18	Registration Requirements and Prohibited Practices for Credit Reporting Agencies	To address deficient practices of consumer credit reporting agencies and protect user of and the market for financial services
GAMING COMMISSION, NEW YORK STATE			
SGC-45-16-00004-P	11/09/17	Anti-stacking of NSAIDs and diclofenac made a 48 hour NSAID	To enable the Commission to preserve the integrity of pari-mutuel racing while generating reasonable revenue for the support of
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-37-16-00024-RP	12/13/17	Medical Use of Marihuana	To comprehensively regulate the manufacture, sale and use of medical marihuana
*HLT-41-16-00002-ERP	01/10/18	Residential Health Care Facility Quality Pool	To reward NYS facilities with the highest quality outcomes as determined by methodology developed by regulation
HLT-07-17-00009-P	02/15/18	Public Water Systems	To incorporate federal rules and revisions to Public Health Law
HLT-20-17-00013-P	05/17/18	Lead Testing in School Drinking Water	Requires lead testing and remediation of potable drinking water in schools
HLT-21-17-00001-EP	05/24/18	Physician and Pharmacies; Prescribing, Administering and Dispensing for the Treatment of Narcotic Addiction	To allow any authorized practitioner to prescribe, administer & dispense buprenorphine for the treatment of narcotic addiction.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
HEALTH, DEPARTMENT OF			
HLT-25-17-00010-P	06/21/18	Communication Between Clinical Laboratory Physicians and Patients	To allow lab physicians to discuss the meaning and interpretation of test results with patients under certain circumstances
HLT-28-17-00001-P	07/12/18	Children's Behavioral Health and Health Services	To authorize Medicaid coverage of new behavioral health and health services for children under 21 years of age
HLT-28-17-00009-P	08/17/18	Early Intervention Program	To conform existing program regulations to federal regulations and state statute
HLT-33-17-00022-P	08/16/18	Medical Conditions For Which An Exemption From Restrictions On Tinted Glass May Be Issued	Amend the existing list of medical conditions for a NYSregistered driver or habitual passenger for an exemption to tinted glass
HLT-38-17-00001-P	09/20/18	Trauma Centers	Requires hospitals to be verified by the American College of Surgeons Committee to be designated trauma centers by the Dept.
HLT-43-17-00001-EP	10/25/18	Medical Use of Marihuana	To allow certain defined facilities to become a designated caregiver for a certified patient in NYS's Medical Marihuana Program
JOINT COMMISSION ON PUBLIC ETHICS, NEW YORK STATE			
JPE-34-17-00003-P	08/23/18	Comprehensive lobbying regulations	To set forth comprehensive lobbying regulations that implement the provisions of the Lobbying Act
JPE-34-17-00004-P	08/23/18	Source of funding reporting.	To make consistent with the new comprehensive lobbying regulations at Part 943 and clarify exemption procedures.
JPE-42-17-00003-P	10/18/18	Financial disclosure statements	To add a right of appeal to provisions governing exemptions related to filing a financial disclosure statement
LIQUOR AUTHORITY, STATE			
LQR-35-17-00002-P	10/25/18	Updated price posting rules, and recordkeeping requirements, and repeal of license durations and whiskey dividend rules	To update price posting rules, and recordkeeping requirements, and repeal of license duration rules and whiskey dividend rules
LONG ISLAND POWER AUTHORITY			
*LPA-08-01-00003-P	exempt	Pole attachments and related matters	To approve revisions to the authority's tariff
*LPA-41-02-00005-P	exempt	Tariff for electric service	To revise the tariff for electric service
*LPA-04-06-00007-P	exempt	Tariff for electric service	To adopt provisions of a ratepayer protection plan
*LPA-03-10-00004-P	exempt	Residential late payment charges	To extend the application of late payment charges to residential customers
LPA-41-17-00010-P	exempt	The undergrounding provisions of the Authority's Tariff for Electric Service	To offer local communities a mechanism for financing the additional cost of undergrounding projects

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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
LONG ISLAND POWER AUTHORITY			
LPA-41-17-00011-P	..... exempt	The remote meter reading provisions of the Authority's Tariff for Electric Service	To eliminate charges for remote meter reading
LPA-41-17-00012-P	..... exempt	The net energy metering provisions of the Authority's Tariff for Electric Service	To update the Authority's net energy metering provisions consistent with the rest of New York State
MENTAL HEALTH, OFFICE OF			
OMH-31-17-00001-P	..... 08/02/18	Early and Periodic Screening, Diagnostic and Treatment Services for Children	To promote the expansion of behavioral health services for children and youth under 21 years of age
MOTOR VEHICLES, DEPARTMENT OF			
MTV-26-17-00003-EP	..... 06/28/18	Insurance requirements for TNC vehicles	Technical amendment regarding insurance requirements for TNC vehicles
NIAGARA FALLS WATER BOARD			
*NFW-04-13-00004-EP	..... exempt	Adoption of Rates, Fees and Charges	To pay for the increased costs necessary to operate, maintain and manage the system, and to achieve covenants with bondholders
*NFW-13-14-00006-EP	..... exempt	Adoption of Rates, Fees and Charges	To pay for increased costs necessary to operate, maintain and manage the system and to achieve covenants with the bondholders
NIAGARA FRONTIER TRANSPORTATION AUTHORITY			
NFT-23-17-00016-P	..... 06/07/18	Procurement Guidelines of the Niagara Frontier Transportation Authority and Niagara Frontier Transit Metro System, Inc.	To amend Procurement Guidelines to reflect changes in law, clarifying provisions and change signing authority level
POWER AUTHORITY OF THE STATE OF NEW YORK			
*PAS-01-10-00010-P	..... exempt	Rates for the sale of power and energy	Update ECSB Programs customers' service tariffs to streamline them/include additional required information
PAS-41-17-00002-P	..... exempt	Rates for the Sale of Power and Energy	To align rates and costs
PUBLIC SERVICE COMMISSION			
*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-12-00-00001-P	..... exempt	Winter bundled sales service election date by Central Hudson Gas & Electric Corporation	To revise the date
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-07-02-00032-P	..... exempt	Uniform business practices	To consider modification
*PSC-36-03-00010-P	..... exempt	Performance assurance plan by Verizon New York	To consider changes
*PSC-40-03-00015-P	..... exempt	Receipt of payment of bills by St. Lawrence Gas Company	To revise the process
*PSC-41-03-00010-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-41-03-00011-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-44-03-00009-P	..... exempt	Retail access data between jurisdictional utilities	To accommodate changes in retail access market structure or commission mandates
*PSC-02-04-00008-P	..... exempt	Delivery rates for Con Edison's customers in New York City and Westchester County by the City of New York	To rehear the Nov. 25, 2003 order
*PSC-06-04-00009-P	..... exempt	Transfer of ownership interest by SCS Energy LLC and AE Investors LLC	To transfer interest in Steinway Creek Electric Generating Company LLC to AE Investors LLC
*PSC-10-04-00005-P	..... exempt	Temporary protective order	To consider adopting a protective order
*PSC-10-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and VIC-RMTS-DC, L.L.C. d/b/a Verizon Avenue	To amend the agreement
*PSC-14-04-00008-P	..... exempt	Submetering of natural gas service to industrial and commercial customers by Hamburg Fairgrounds	To submeter gas service to commercial customers located at the Buffalo Speedway
*PSC-15-04-00022-P	..... exempt	Submetering of electricity by Glenn Gardens Associates, L.P.	To permit submetering at 175 W. 87th St., New York, NY
*PSC-21-04-00013-P	..... exempt	Verizon performance assurance plan by Metropolitan Telecommunications	To clarify the appropriate performance level
*PSC-22-04-00010-P	..... exempt	Approval of new types of electricity meters by Powell Power Electric Company	To permit the use of the PE-1250 electronic meter
*PSC-22-04-00013-P	..... exempt	Major gas rate increase by Consolidated Edison Company of New York, Inc.	To increase annual gas revenues
*PSC-22-04-00016-P	..... exempt	Master metering of water by South Liberty Corporation	To waive the requirement for installation of separate water meters
*PSC-25-04-00012-P	..... exempt	Interconnection agreement between Frontier Communications of Ausable Valley, Inc., et al. and Sprint Communications Company, L.P.	To amend the agreement
*PSC-27-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-27-04-00009-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-28-04-00006-P	..... exempt	Approval of loans by Dunkirk & Fredonia Telephone Company and Cassadaga Telephone Corporation	To authorize participation in the parent corporation's line of credit
*PSC-31-04-00023-P	..... exempt	Distributed generation service by Consolidated Edison Company of New York, Inc.	To provide an application form
*PSC-34-04-00031-P	..... exempt	Flat rate residential service by Emerald Green Lake Louise Marie Water Company, Inc.	To set appropriate level of permanent rates
*PSC-35-04-00017-P	..... exempt	Application form for distributed generation by Orange and Rockland Utilities, Inc.	To establish a new supplementary application form for customers
*PSC-43-04-00016-P	..... exempt	Accounts recievable by Rochester Gas and Electric Corporation	To include in its tariff provisions for the purchase of ESCO accounts recievable
*PSC-46-04-00012-P	..... exempt	Service application form by Consolidated Edison Company of New York, Inc.	To revise the form and make housekeeping changes
*PSC-46-04-00013-P	..... exempt	Rules and guidelines governing installation of metering equipment	To establish uniform statewide business practices
*PSC-02-05-00006-P	..... exempt	Violation of the July 22, 2004 order by Dutchess Estates Water Company, Inc.	To consider imposing remedial actions against the company and its owners, officers and directors
*PSC-09-05-00009-P	..... exempt	Submetering of natural gas service by Hamlet on Olde Oyster Bay	To consider submetering of natural gas to a commercial customer
*PSC-14-05-00006-P	..... exempt	Request for deferred accounting authorization by Freeport Electric Inc.	To defer expenses beyond the end of the fiscal year
*PSC-18-05-00009-P	..... exempt	Marketer Assignment Program by Consolidated Edison Company of New York, Inc.	To implement the program
*PSC-20-05-00028-P	..... exempt	Delivery point aggregation fee by Allied Frozen Storage, Inc.	To review the calculation of the fee
*PSC-25-05-00011-P	..... exempt	Metering, balancing and cashout provisions by Central Hudson Gas & Electric Corporation	To establish provisions for gas customers taking service under Service Classification Nos. 8, 9 and 11
*PSC-27-05-00018-P	..... exempt	Annual reconciliation of gas costs by New York State Electric & Gas Corporation	To consider the manner in which the gas cost incentive mechanism has been applied
*PSC-41-05-00013-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries by local distribution companies and municipalities	To consider the filings
*PSC-45-05-00011-P	..... exempt	Treatment of lost and unaccounted gas costs by Corning Natural Gas Corporation	To defer certain costs
*PSC-46-05-00015-P	..... exempt	Sale of real and personal property by the Brooklyn Union Gas Company d/b/a KeySpan Energy Delivery New York and Steel Arrow, LLC	To consider the sale
*PSC-47-05-00009-P	..... exempt	Transferral of gas supplies by Corning Natural Gas Corporation	To approve the transfer

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-50-05-00008-P	..... exempt	Long-term debt by Saratoga Glen Hollow Water Supply Corp.	To obtain long-term debt
*PSC-04-06-00024-P	..... exempt	Transfer of ownership interests by Mirant NY-Gen LLC and Orange and Rockland Utilities, Inc.	To approve of the transfer
*PSC-06-06-00015-P	..... exempt	Gas curtailment policies and procedures	To examine the manner and extent to which gas curtailment policies and procedures should be modified and/or established
*PSC-07-06-00009-P	..... exempt	Modification of the current Environmental Disclosure Program	To include an attributes accounting system
*PSC-22-06-00019-P	..... exempt	Hourly pricing by National Grid	To assess the impacts
*PSC-22-06-00020-P	..... exempt	Hourly pricing by New York State Electric & Gas Corporation	To assess the impacts
*PSC-22-06-00021-P	..... exempt	Hourly pricing by Rochester Gas & Electric Corporation	To assess the impacts
*PSC-22-06-00022-P	..... exempt	Hourly pricing by Consolidated Edison Company of New York, Inc.	To assess the impacts
*PSC-22-06-00023-P	..... exempt	Hourly pricing by Orange and Rockland Utilities, Inc.	To assess the impacts
*PSC-24-06-00005-EP	..... exempt	Supplemental home energy assistance benefits	To extend the deadline to Central Hudson's low-income customers
*PSC-25-06-00017-P	..... exempt	Purchased power adjustment by Massena Electric Department	To revise the method of calculating the purchased power adjustment and update the factor of adjustment
*PSC-34-06-00009-P	..... exempt	Inter-carrier telephone service quality standards and metrics by the Carrier Working Group	To incorporate appropriate modifications
*PSC-37-06-00015-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-37-06-00017-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-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-04-07-00012-P	..... exempt	Petition for rehearing by Orange and Rockland Utilities, Inc.	To clarify the order
*PSC-06-07-00015-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for electric service
*PSC-06-07-00020-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for gas service
*PSC-11-07-00010-P	..... exempt	Investigation of the electric power outages by the Consolidated Edison Company of New York, Inc.	To implement the recommendations in the staff's investigation

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-11-07-00011-P	..... exempt	Storm-related power outages by Consolidated Edison Company of New York, Inc.	To modify the company's response to power outages, the timing for any such changes and other related matters
*PSC-17-07-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and BridgeCom International, Inc.	To amend the agreement
*PSC-18-07-00010-P	..... exempt	Existing electric generating stations by Independent Power Producers of New York, Inc.	To repower and upgrade existing electric generating stations owned by Rochester Gas and Electric Corporation
*PSC-20-07-00016-P	..... exempt	Tariff revisions and making rates permanent by New York State Electric & Gas Corporation	To seek rehearing
*PSC-21-07-00007-P	..... exempt	Natural Gas Supply and Acquisition Plan by Corning Natural Gas Corporation	To revise the rates, charges, rules and regulations for gas service
*PSC-22-07-00015-P	..... exempt	Demand Side Management Program by Consolidated Edison Company of New York, Inc.	To recover incremental program costs and lost revenue
*PSC-23-07-00022-P	..... exempt	Supplier, transportation, balancing and aggregation service by National Fuel Gas Distribution Corporation	To explicitly state in the company's tariff that the threshold level of elective upstream transmission capacity is a maximum of 112,600 Dth/day of marketer-provided upstream capacity
*PSC-24-07-00012-P	..... exempt	Gas Efficiency Program by the City of New York	To consider rehearing a decision establishing a Gas Efficiency Program
*PSC-39-07-00017-P	..... exempt	Gas bill issuance charge by New York State Electric & Gas Corporation	To create a gas bill issuance charge unbundled from delivery rates
*PSC-41-07-00009-P	..... exempt	Submetering of electricity rehearing	To seek reversal
*PSC-42-07-00012-P	..... exempt	Energy efficiency program by Orange and Rockland Utilities, Inc.	To consider any energy efficiency program for Orange and Rockland Utilities, Inc.'s electric service
*PSC-42-07-00013-P	..... exempt	Revenue decoupling by Orange and Rockland Utilities, Inc.	To consider a revenue decoupling mechanism for Orange and Rockland Utilities, Inc.
*PSC-45-07-00005-P	..... exempt	Customer incentive programs by Orange and Rockland Utilities, Inc.	To establish a tariff provision
*PSC-02-08-00006-P	..... exempt	Additional central office codes in the 315 area code region	To consider options for making additional codes
*PSC-03-08-00006-P	..... exempt	Rehearing of the accounting determinations	To grant or deny a petition for rehearing of the accounting determinations
*PSC-04-08-00010-P	..... exempt	Granting of easement rights on utility property by Central Hudson Gas & Electric Corporation	To grant easement rights to Millennium Pipeline Company, L.L.C.
*PSC-04-08-00012-P	..... exempt	Marketing practices of energy service companies by the Consumer Protection Board and New York City Department of Consumer Affairs	To consider modifying the commission's regulation over marketing practices of energy service companies

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-08-08-00016-P	..... exempt	Transfer of ownership by Entergy Nuclear Fitzpatrick LLC, et al.	To consider the transfer
*PSC-12-08-00019-P	..... exempt	Extend the provisions of the existing electric rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-12-08-00021-P	..... exempt	Extend the provisions of the existing gas rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-13-08-00011-P	..... exempt	Waiver of commission policy and NYSEG tariff by Turner Engineering, PC	To grant or deny Turner's petition
*PSC-13-08-00012-P	..... exempt	Voltage drops by New York State Electric & Gas Corporation	To grant or deny the petition
*PSC-23-08-00008-P	..... exempt	Petition requesting rehearing and clarification of the commission's April 25, 2008 order denying petition of public utility law project	To consider whether to grant or deny, in whole or in part, the May 7, 2008 Public Utility Law Project (PULP) petition for rehearing and clarification of the commission's April 25, 2008 order denying petition of Public Utility Law Project
*PSC-23-08-00009-P	..... exempt	The transfer of certain real property with an original cost under \$100,000 in the Town of Throop	To consider the filing for the transfer of certain real property in the Town of Throop
*PSC-25-08-00007-P	..... exempt	Policies and procedures regarding the selection of regulatory proposals to meet reliability needs	To establish policies and procedures regarding the selection of regulatory proposals to meet reliability needs
*PSC-25-08-00008-P	..... exempt	Report on Callable Load Opportunities	Rider U report assessing callable load opportunities in New York City and Westchester County during the next 10 years
*PSC-28-08-00004-P	..... exempt	Con Edison's procedure for providing customers access to their account information	To consider Con Edison's implementation plan and timetable for providing customers access to their account information
*PSC-31-08-00025-P	..... exempt	Recovery of reasonable DRS costs from the cost mitigation reserve (CMR)	To authorize recovery of the DRS costs from the CMR
*PSC-32-08-00009-P	..... exempt	The ESCO referral program for KEDNY to be implemented by October 1, 2008	To approve, reject or modify, in whole or in part, KEDNY's recommended ESCO referral program
*PSC-33-08-00008-P	..... exempt	Noble Allegany's request for lightened regulation	To consider Noble Allegany's request for lightened regulation as an electric corporation
*PSC-36-08-00019-P	..... exempt	Land Transfer in the Borough of Manhattan, New York	To consider petition for transfer of real property to NYPH
*PSC-39-08-00010-P	..... exempt	RG&E's economic development plan and tariffs	Consideration of the approval of RG&E's economic development plan and tariffs
*PSC-40-08-00010-P	..... exempt	Loans from regulated company to its parent	To determine if the cash management program resulting in loans to the parent should be approved

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-41-08-00009-P	..... exempt	Transfer of control of cable TV franchise	To determine if the transfer of control of Margaretville's cable TV subsidiary should be approved
*PSC-43-08-00014-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-46-08-00008-P	..... exempt	Property transfer in the Village of Avon, New York	To consider a petition for the transfer of street lighting and attached equipment to the Village of Avon, New York
*PSC-46-08-00010-P	..... exempt	A transfer of indirect ownership interests in nuclear generation facilities	Consideration of approval of a transfer of indirect ownership interests in nuclear generation facilities
*PSC-46-08-00014-P	..... exempt	The attachment of cellular antennae to an electric transmission tower	To approve, reject or modify the request for permission to attach cellular antennae to an electric transmission tower
*PSC-48-08-00005-P	..... exempt	A National Grid high efficiency gas heating equipment rebate program	To expand eligibility to customers converting from oil to natural gas
*PSC-48-08-00008-P	..... exempt	Petition for the master metering and submetering of electricity	To consider the request of Bay City Metering, to master meter & submeter electricity at 345 E. 81st St., New York, New York
*PSC-48-08-00009-P	..... exempt	Petition for the submetering of electricity	To consider the request of PCV/ST to submeter electricity at Peter Cooper Village & Stuyvesant Town, New York, New York
*PSC-50-08-00018-P	..... exempt	Market Supply Charge	A study on the implementation of a revised Market Supply Charge
*PSC-51-08-00006-P	..... exempt	Commission's October 27, 2008 Order on Future of Retail Access Programs in Case 07-M-0458	To consider a Petition for rehearing of the Commission's October 27, 2008 Order in Case 07-M-0458
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-05-09-00008-P	..... exempt	Revenue allocation, rate design, performance metrics, and other non-revenue requirement issues	To consider any remaining non-revenue requirement issues related to the Company's May 9, 2008 tariff filing
*PSC-05-09-00009-P	..... exempt	Numerous decisions involving the steam system including cost allocation, energy efficiency and capital projects	To consider the long term impacts on steam rates and on public policy of various options concerning the steam system
*PSC-06-09-00007-P	..... exempt	Interconnection of the networks between Frontier Comm. and WVT Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier Comm. and WVT Comm.
*PSC-07-09-00015-P	..... exempt	Transfer certain utility assets located in the Town of Montgomery from plant held for future use to non-utility property	To consider the request to transfer certain utility assets located in the Town of Montgomery to non-utility assets
*PSC-07-09-00017-P	..... exempt	Request for authorization to defer the incremental costs incurred in the restoration work resulting from the ice storm	To allow the company to defer the incremental costs incurred in the restoration work resulting from the ice storm
*PSC-07-09-00018-P	..... exempt	Whether to permit the submetering of natural gas service to an industrial and commercial customer at Cooper Union, New York, NY	To consider the request of Cooper Union, to submeter natural gas at 41 Cooper Square, New York, New York
*PSC-12-09-00010-P	..... exempt	Charges for commodity	To charge customers for commodity costs
*PSC-12-09-00012-P	..... exempt	Charges for commodity	To charge customers for commodity costs
*PSC-13-09-00008-P	..... exempt	Options for making additional central office codes available in the 718/347 numbering plan area	To consider options for making additional central office codes available in the 718/347 numbering plan area
*PSC-14-09-00014-P	..... exempt	The regulation of revenue requirements for municipal utilities by the Public Service Commission	To determine whether the regulation of revenue requirements for municipal utilities should be modified
*PSC-16-09-00010-P	..... exempt	Petition for the submetering of electricity	To consider the request of AMPS on behalf of Park Imperial to submeter electricity at 230 W. 56th Street, in New York, New York
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-17-09-00015-P	..... exempt	The construction of a tower for wireless antennas on land owned by National Grid	To approve, reject or modify the petition to build a tower for wireless antennas in the Town of Onondaga
*PSC-18-09-00012-P	..... exempt	Petition for rehearing of Order approving the submetering of electricity	To consider the request of Frank Signore to rehear petition to submeter electricity at One City Place in White Plains, New York
*PSC-18-09-00013-P	..... exempt	Petition for the submetering of electricity	To consider the request of Living Opportunities of DePaul to submeter electricity at E. Main St. located in Batavia, New York
*PSC-18-09-00017-P	..... exempt	Approval of an arrangement for attachment of wireless antennas to the utility's transmission facilities in the City of Yonkers	To approve, reject or modify the petition for the existing wireless antenna attachment to the utility's transmission tower
*PSC-20-09-00016-P	..... exempt	The recovery of, and accounting for, costs associated with the Companies' advanced metering infrastructure (AMI) pilots etc	To consider a filing of the Companies as to the recovery of, and accounting for, costs associated with it's AMI pilots etc
*PSC-20-09-00017-P	..... exempt	The recovery of, and accounting for, costs associated with CHG&E's AMI pilot program	To consider a filing of CHG&E as to the recovery of, and accounting for, costs associated with it's AMI pilot program
*PSC-22-09-00011-P	..... exempt	Cost allocation for Consolidated Edison's East River Repowering Project	To determine whether any changes are warranted in the cost allocation of Consolidated Edison's East River Repowering Project
*PSC-25-09-00005-P	..... exempt	Whether to grant, deny, or modify, in whole or in part, the petition	Whether to grant, deny, or modify, in whole or in part, the petition
*PSC-25-09-00006-P	..... exempt	Electric utility implementation plans for proposed web based SIR application process and project status database	To determine if the proposed web based SIR systems are adequate and meet requirements needed for implementation
*PSC-25-09-00007-P	..... exempt	Electric rates for Consolidated Edison Company of New York, Inc	Consider a Petition for Rehearing filed by Consolidated Edison Company of New York, Inc
*PSC-27-09-00011-P	..... exempt	Interconnection of the networks between Vernon and tw telecom of new york l.p. for local exchange service and exchange access.	To review the terms and conditions of the negotiated agreement between Vernon and tw telecom of new york l.p.
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-34-09-00017-P	..... exempt	To consider the transfer of control of Plattsburgh Cablevision, Inc. d/b/a Charter Communications to CH Communications, LLC	To allow the Plattsburgh Cablevision, Inc. to distribute its equity interest in CH Communications, LLC
*PSC-36-09-00008-P	..... exempt	The increase in the non-bypassable charge implemented by RG&E on June 1, 2009	Considering exemptions from the increase in the non-bypassable charge implemented by RG&E on June 1, 2009
*PSC-37-09-00015-P	..... exempt	Sale of customer-generated steam to the Con Edison steam system	To establish a mechanism for sale of customer-generated steam to the Con Edison steam system
*PSC-37-09-00016-P	..... exempt	Applicability of electronic signatures to Deferred Payment Agreements	To determine whether electronic signatures can be accepted for Deferred Payment Agreements
*PSC-39-09-00015-P	..... exempt	Modifications to the \$5 Bill Credit Program	Consideration of petition of National Grid to modify the Low Income \$5 Bill Credit Program
*PSC-39-09-00018-P	..... exempt	The offset of deferral balances with Positive Benefit Adjustments	To consider a petition to offset deferral balances with Positive Benefit Adjustments
*PSC-40-09-00013-P	..... exempt	Uniform System of Accounts - request for deferral and amortization of costs	To consider a petition to defer and amortize costs
*PSC-51-09-00029-P	..... exempt	Rules and guidelines for the exchange of retail access data between jurisdictional utilities and eligible ESCOs	To revise the uniform Electronic Data Interchange Standards and business practices to incorporate a contest period
*PSC-51-09-00030-P	..... exempt	Waiver or modification of Capital Expenditure condition of merger	To allow the companies to expend less funds for capital improvement than required by the merger
*PSC-52-09-00006-P	..... exempt	ACE's petition for rehearing for an order regarding generator-specific energy deliverability study methodology	To consider whether to change the Order Prescribing Study Methodology
*PSC-52-09-00008-P	..... exempt	Approval for the New York Independent System Operator, Inc. to incur indebtedness and borrow up to \$50,000,000	To finance the renovation and construction of the New York Independent System Operator, Inc.'s power control center facilities
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-08-10-00009-P	..... exempt	Consolidated Edison of New York, Inc. energy efficiency programs	To modify approved energy efficiency programs
*PSC-12-10-00015-P	..... exempt	Recommendations made by Staff intended to enhance the safety of Con Edison's gas operations	To require that Con Edison implement the Staff recommendations intended to enhance the safety of Con Edison's gas operations
*PSC-14-10-00010-P	..... exempt	Petition for the submetering of electricity	To consider the request of 61 Jane Street Owners Corporation to submeter Electricity at 61 Jane Street, Manhattan, NY
*PSC-16-10-00005-P	..... exempt	To consider adopting and expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-16-10-00007-P	..... exempt	Interconnection of the networks between TDS Telecom and PAETEC Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between TDS Telecom and PAETEC Communications
*PSC-16-10-00015-P	..... exempt	Interconnection of the networks between Frontier and Choice One Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier and Choice One Communications
*PSC-18-10-00009-P	..... exempt	Electric utility transmission right-of-way management practices	To consider electric utility transmission right-of-way management practices
*PSC-19-10-00022-P	..... exempt	Whether National Grid should be permitted to transfer a parcel of property located at 1 Eddy Street, Fort Edward, New York	To decide whether to approve National Grid's request to transfer a parcel of vacant property in Fort Edward, New York
*PSC-22-10-00006-P	..... exempt	Requirement that Noble demonstrate that its affiliated electric corporations operating in New York are providing safe service	Consider requiring that Noble demonstrate that its affiliated electric corporations in New York are providing safe service
*PSC-22-10-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of 48-52 Franklin Street to submeter electricity at 50 Franklin Street, New York, New York
*PSC-24-10-00009-P	..... exempt	Verizon New York Inc. tariff regulations relating to voice messaging service	To remove tariff regulations relating to retail voice messaging service from Verizon New York Inc.'s tariff
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-34-10-00005-P	..... exempt	Approval of a contract for \$250,000 in tank repairs that may be a financing	To decide whether to approve a contract between the parties that may be a financing of \$250,000 for tank repairs
*PSC-34-10-00006-P	..... exempt	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program
*PSC-36-10-00010-P	..... exempt	Central Hudson's procedures, terms and conditions for an economic development plan	Consideration of Central Hudson's procedures, terms and conditions for an economic development plan
*PSC-40-10-00014-P	..... exempt	Disposition of a state sales tax refund	To determine how much of a state sales tax refund should be retained by National Grid
*PSC-40-10-00021-P	..... exempt	Whether to permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall	To permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall
*PSC-41-10-00018-P	..... exempt	Amount of hourly interval data provided to Hourly Pricing customers who have not installed a phone line to read meter	Allow Central Hudson to provide less than a years worth of interval data and charge for manual meter reading for some customers
*PSC-41-10-00022-P	..... exempt	Request for waiver of the individual living unit metering requirements at 5742 Route 5, Vernon, NY	Request for waiver of the individual living unit metering requirements at 5742 Route 5, Vernon, NY
*PSC-42-10-00011-P	..... exempt	Petition for the submetering of electricity	To consider the request of 4858 Group, LLC to submeter electricity at 456 Main Street, Buffalo, New York
*PSC-43-10-00016-P	..... exempt	Utility Access to Ducts, Conduit Facilities and Utility Poles	To review the complaint from Optical Communications Group
*PSC-44-10-00003-P	..... exempt	Third and fourth stage gas rate increase by Corning Natural Gas Corporation	To consider Corning Natural Gas Corporation's request for a third and fourth stage gas rate increase
*PSC-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-16-11-00011-P	..... exempt	The Energy Efficiency Portfolio Standard	To promote gas and electricity energy conservation programs in New York
*PSC-19-11-00007-P	..... exempt	Utility price reporting requirements related to the Commission's "Power to Choose" website	Modify the Commission's utility electric commodity price reporting requirements related to the "Power to Choose" website
*PSC-20-11-00012-P	..... exempt	Petition for the submetering of electricity	To consider the request of KMW Group LLC to submeter electricity at 122 West Street, Brooklyn, New York
*PSC-20-11-00013-P	..... exempt	Determining the reasonableness of Niagara Mohawk Power Corporation d/b/a National Grid 's make ready charges	To determine if the make ready charges of Niagara Mohawk Power Corporation d/b/a National Grid are reasonable
*PSC-22-11-00004-P	..... exempt	Whether to permit the use of the Sensus accWAVE for use in residential gas meter applications	To permit gas utilities in New York State to use the Sensus accWAVE diaphragm gas meter
*PSC-23-11-00018-P	..... exempt	NYSERDA's energy efficiency program for low-income customers	To promote energy conservation in New York State
*PSC-26-11-00007-P	..... exempt	Water rates and charges	To approve an increase in annual revenues by about \$25,266 or 50%
*PSC-26-11-00009-P	..... exempt	Petition for the submetering of electricity at commercial property	To consider the request of by Hoosick River Hardwoods, LLC to submeter electricity at 28 Taylor Avenue, in Berlin, New York
*PSC-26-11-00012-P	..... exempt	Waiver of generation retirement notice requirements	Consideration of waiver of generation retirement notice requirements
*PSC-29-11-00011-P	..... exempt	Petition requesting the Commission reconsider its May 19, 2011 Order and conduct a hearing, and petition to stay said Order.	To consider whether to grant or deny, in whole or in part, Windstream New York's Petition For Reconsideration and Rehearing.
*PSC-35-11-00011-P	..... exempt	Whether to permit Consolidated Edison a waiver to commission regulations Part 226.8	Permit Consolidated Edison to conduct a inspection program in lieu of testing the accuracy of Category C meters
*PSC-36-11-00006-P	..... exempt	To consider expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-38-11-00002-P	..... exempt	Operation and maintenance procedures pertaining to steam trap caps	Adopt modified steam operation and maintenance procedures
*PSC-38-11-00003-P	..... exempt	Waiver of certain provisions of the electric service tariffs of Con Edison	Consideration of waiver of certain provisions of the electric service tariffs of Con Edison
*PSC-40-11-00010-P	..... exempt	Participation of regulated local exchange carriers in the New York Data Exchange, Inc. (NYDE)	Whether to partially modify its order requiring regulated local exchange carriers' participation NYDE
*PSC-40-11-00012-P	..... exempt	Granting of transfer of plant in-service to a regulatory asset	To approve transfer and recovery of unamortized plant investment
*PSC-42-11-00018-P	..... exempt	Availability of telecommunications services in New York State at just and reasonable rates	Providing funding support to help ensure availability of affordable telecommunications service throughout New York

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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-01-12-00007-P	..... exempt	The New York State Reliability Council's revisions to its rules and measurements	To adopt revisions to various rules and measurements of the New York State Reliability Council
*PSC-01-12-00008-P	..... exempt	Transfer of real property and easements from NMPNS to NMP3	Consideration of the transfer of real property and easements from NMPNS to NMP3
*PSC-01-12-00009-P	..... exempt	Recovery of expenses related to the expansion of Con Edison's ESCO referral program, PowerMove	To determine how and to what extent expenses related to the Expansion of Con Edison's ESCO referral program should be recovered
*PSC-11-12-00002-P	..... exempt	Whether to grant, deny or modify, in whole or part, Hegeman's petition for a waiver of Commission policy and Con Edison tariff	Whether to grant, deny or modify, in whole or part, Hegeman's petition for a waiver of Commission policy and Con Edison tariff
*PSC-11-12-00005-P	..... exempt	Transfer of land and water supply assets	Transfer the land and associated water supply assets of Groman Shores, LLC to Robert Groman
*PSC-13-12-00005-P	..... exempt	Authorization to transfer certain real property	To decide whether to approve the transfer of certain real property
*PSC-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-23-12-00005-P	..... exempt	EEPS multifamily programs administered by Consolidated Edison Company of New York, Inc.	To redesign the multifamily electric and gas programs and modify the budgets and targets
*PSC-23-12-00007-P	..... exempt	The approval of a financing upon a transfer to Alliance of upstream ownership interests in a generation facility	To consider the approval of a financing upon a transfer to Alliance of upstream ownership interests in a generation facility
*PSC-23-12-00009-P	..... exempt	Over earnings sharing between rate payers and shareholders	To establish an Earnings Sharing Mechanism to be applied following the conclusion of Corning's rate plan
*PSC-27-12-00012-P	..... exempt	Implementation of recommendations made in a Management Audit Report	To consider implementation of recommendations made in a Management Audit Report
*PSC-28-12-00013-P	..... exempt	Exemption of reliability reporting statistics for the purpose of the 2012 Reliability Performance Mechanism	Consideration of Orange and Rockland Utilities request for exemption of the 2012 reliability reporting statistics
*PSC-29-12-00019-P	..... exempt	Waiver of 16 NYCRR 894.1 through 894.4	To allow the Town of Hamden to waive certain preliminary franchising procedures to expedite the franchising process.
*PSC-30-12-00010-P	..... exempt	Waiver of 16 NYCRR 894.1 through 894.4	To allow the Town of Andes to waive certain preliminary franchising procedures to expedite the franchising process
*PSC-33-12-00009-P	..... exempt	Telecommunications companies ability to attach to utility company poles	Consideration of Tech Valley's ability to attach to Central Hudson poles
*PSC-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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-27-13-00014-P	..... exempt	Columbia Gas Transmission Corporation Cost Refund	For approval for temporary waiver of tariff provisions regarding its Columbia Gas Transmission Corporation cost refund.
*PSC-28-13-00014-P	..... exempt	Provision for the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces	To consider the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces
*PSC-28-13-00016-P	..... exempt	The request of NGT for lightened regulation as a gas corporation.	To consider whether to approve, reject, or modify the request of Niagara gas transport of Lockport, NY LLC.
*PSC-28-13-00017-P	..... exempt	The request by TE for waiver of regulations requiring that natural gas be odorized in certain gathering line segments	Consider the request by TE for waiver of regulations that gas be odorized in certain lines
*PSC-32-13-00009-P	..... exempt	To consider the definition of "misleading or deceptive conduct" in the Commission's Uniform Business Practices	To consider the definition of "misleading or deceptive conduct" in the Commission's Uniform Business Practices
*PSC-32-13-00010-P	..... exempt	Permission to write off and eliminate record keeping for regulatory reserves for Pensions and Other Post Retirement Benefits	To allow write off and eliminate record keeping of Pension and Other Post Retirement Benefits Reserves
*PSC-32-13-00012-P	..... exempt	To consider whether NYSEG should be required to undertake actions to protect its name and to minimize customer confusion	To consider whether NYSEG should be required to undertake actions to protect its name and to minimize customer confusion
*PSC-33-13-00027-P	..... exempt	Waive underground facility requirements for new construction in residential subdivisions to allow for overhead electric lines.	Determine whether Chapin Lumberland, LLC subdivision will be allowed overhead electric distribution and service lines.
*PSC-33-13-00029-P	..... exempt	Deferral of incremental costs associated with the restoration of steam service following Superstorm Sandy.	To consider a petition by Con Edison to defer certain incremental steam system restoration costs relating to Superstorm Sandy.
*PSC-34-13-00004-P	..... exempt	Escrow account and surcharge to fund extraordinary repairs	To approve the establishment of an escrow account and surcharge
*PSC-37-13-00007-P	..... exempt	Dissolution of Garrow Water Works Company, Inc..	To allow for the dissolution of Garrow Water Works Company, Inc.
*PSC-39-13-00010-P	..... exempt	NY-Sun initiative within the Customer-Sited Tier of the RPS Program.	To increase the statewide adoption of customer sited photovoltaic solar generation through the NY-Sun Initiative.
*PSC-42-13-00013-P	..... exempt	Failure to Provide Escrow Information	The closure of the Escrow Account
*PSC-42-13-00015-P	..... exempt	Failure to Provide Escrow Information	The closure of the Escrow Account
*PSC-43-13-00015-P	..... exempt	Petition for submetering of electricity	To consider the request of 2701 Kingsbridge Terrace L.P. to submeter electricity at 2701 Kingsbridge Terrace, Bronx, N.Y.
*PSC-45-13-00021-P	..... exempt	Investigation into effect of bifurcation of gas and electric utility service on Long Island.	To consider a Petition for an investigation into effect of bifurcation of gas and electric utility service on Long Island.
*PSC-45-13-00022-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4)	To consider a waiver of certain regulations relating to the content of an application for transmission line siting

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-45-13-00023-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00024-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4); waiver of filing deadlines.	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00025-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-47-13-00009-P	..... exempt	Petition for submetering of electricity.	To consider the request of Hegeman Avenue Housing L.P. to submeter electricity at 39 Hegeman Avenue, Brooklyn, N.Y.
*PSC-47-13-00012-P	..... exempt	Conditioning, restricting or prohibiting the purchase of services by NYSEG and RG&E from certain affiliates.	Consideration of conditioning, restricting or prohibiting the purchase of services by NYSEG and RG&E from certain affiliates.
*PSC-49-13-00008-P	..... exempt	Authorization to transfer all of Crystal Water Supply Company, Inc. stocks to Essel Infra West Inc.	To allow Crystal Water Supply Company, Inc to transfer all of its issued and outstanding stocks to Essel Infra West Inc.
*PSC-51-13-00009-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing.	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates.
*PSC-51-13-00010-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing.	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates.
*PSC-51-13-00011-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing.	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates.
*PSC-52-13-00012-P	..... exempt	The development of reliability contingency plan(s) to address the potential retirement of Indian Point Energy Center (IPEC).	To address the petition for rehearing and reconsideration/motion for clarification of the IPEC reliability contingency plan(s).
*PSC-52-13-00015-P	..... exempt	To enter into a loan agreement with the banks for up to an amount of \$94,000.	To consider allowing Knolls Water Company to enter into a long-term loan agreement.
*PSC-04-14-00005-P	..... exempt	National Fuel Gas Corporation's Conservation Incentive Programs.	To modify National Fuel Gas Corporation's Non-Residential Conservation Incentive Program.
*PSC-05-14-00010-P	..... exempt	The New York State Reliability Council's revisions to its rules and measurements	To adopt revisions to various rules and measurements of the New York State Reliability Council
*PSC-07-14-00008-P	..... exempt	Petition for submetering of electricity	To consider the request of Greater Centennial Homes HDFC, Inc. to submeter electricity at 102, 103 and 106 W 5th Street, et al.
*PSC-07-14-00012-P	..... exempt	Water rates and charges	Implementation of Long-Term Water Supply Surcharge to recover costs associated with the Haverstraw Water Supply Project
*PSC-08-14-00015-P	..... exempt	Verizon New York Inc.'s service quality and Customer Trouble Report Rate (CTRR) levels at certain central office entities	To improve Verizon New York Inc.'s service quality and the Customer Trouble Report Rate levels at certain central office entities

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-10-14-00006-P	..... exempt	Actions to facilitate the availability of ESCO value-added offerings, ESCO eligibility and ESCO compliance	To facilitate ESCO value-added offerings and to make changes to ESCO eligibility and to ensure ESCO compliance
*PSC-11-14-00003-P	..... exempt	Provision for the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces	To consider the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces
*PSC-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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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.
*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-32-14-00012-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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-36-14-00011-P	..... exempt	To defer pension settlement losses associated with retirements in the year ended March 31, 2014.	To resolve the ratemaking of the pension settlement loss.
*PSC-38-14-00003-P	..... exempt	Whether to approve, reject or modify, in whole or in part a time-sensitive rate pilot program.	Whether to approve, reject or modify, in whole or in part a time-sensitive rate pilot program.
*PSC-38-14-00004-P	..... exempt	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.
*PSC-38-14-00005-P	..... exempt	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.
*PSC-38-14-00007-P	..... exempt	Whether to expand Con Edison's low income program to include Medicaid recipients.	Whether to expand Con Edison's low income program to include Medicaid recipients.
*PSC-38-14-00008-P	..... exempt	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.
*PSC-38-14-00010-P	..... exempt	Inter-carrier telephone service quality standard and metrics and administrative changes.	To review recommendations from the Carrier Working Group and incorporate appropriate modifications to the existing Guidelines.
*PSC-38-14-00012-P	..... exempt	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.
*PSC-38-14-00018-P	..... exempt	New electric utility demand response tariffs may be adopted.	To develop mature DER markets by enabling the development and use of DR as an economic system resource.
*PSC-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.

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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-17-15-00007-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-18-15-00005-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-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-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-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-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-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-35-15-00014-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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-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-41-15-00009-P	..... exempt	Main Tier of the Renewable Portfolio Standard program	To consider allocating funding from the Main Tier to an eligible hydroelectric facility
*PSC-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-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-47-15-00013-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-50-15-00006-P	..... exempt	The reduction of rates.	To consider the reduction of rates charged by Independent Water Works, Inc.
*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-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-01-16-00005-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-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-04-16-00011-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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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-06-16-00010-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-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-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-15-16-00012-P	..... exempt	Adequate service of Verizon New York, Inc.	To consider the adequacy of Verizon New York Inc.'s service quality
*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-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-20-16-00010-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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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-22-16-00013-P	..... exempt	Disposition of tax refunds and other related matters.	To consider the disposition of tax refunds and other related matters.
*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-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-25-16-00024-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-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-29-16-00024-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-32-16-00012-P	..... exempt	Benefit-Cost Analysis Handbooks.	To evaluate proposed methodologies of benefit-cost evaluation.
*PSC-33-16-00001-EP	..... exempt	Use of escrow funds for repairs.	To authorize the use of escrow account funds for repairs.
*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-34-16-00005-P	..... exempt	Community Choice Aggregation (CCA) Data Services.	To consider the implementation of fees for CCA Data Services requested by CCA Administrators.
*PSC-34-16-00006-P	..... exempt	Community Choice Aggregation (CCA) Data Services.	To consider the implementation of fees for CCA Data Services requested by CCA Administrators.
*PSC-34-16-00008-P	..... exempt	Community Choice Aggregation (CCA) Data Services.	To consider the implementation of fees for CCA Data Services requested by CCA Administrators.
*PSC-34-16-00009-P	..... exempt	Community Choice Aggregation (CCA) Data Services.	To consider the implementation of fees for CCA Data Services requested by CCA Administrators.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-34-16-00010-P	..... exempt	Community Choice Aggregation (CCA) Data Services.	To consider the implementation of fees for CCA Data Services requested by CCA Administrators.
*PSC-34-16-00011-P	..... exempt	Community Choice Aggregation (CCA) Data Services.	To consider the implementation of fees for CCA Data Services requested by CCA Administrators.
*PSC-34-16-00012-P	..... exempt	Community Choice Aggregation (CCA) Data Services.	To consider the implementation of fees for CCA Data Services requested by CCA Administrators.
*PSC-34-16-00013-P	..... exempt	Community Choice Aggregation (CCA) Data Services.	To consider the implementation of fees for CCA Data Services requested by CCA Administrators.
*PSC-34-16-00015-P	..... exempt	Community Choice Aggregation (CCA) Data Services.	To consider the implementation of fees for CCA Data Services requested by CCA Administrators.
*PSC-35-16-00015-P	..... exempt	NYSRC's revisions to its rules and measurements	To consider revisions to various rules and measurements of the NYSRC
*PSC-36-16-00003-P	..... exempt	Petition regarding the Commission's July 14, 2016 Order Denying Petition.	To consider the terms and conditions of utility service received by Fastrac Markets, LLC.
*PSC-36-16-00004-P	..... exempt	Recovery of costs for installation of electric service.	To consider the recovery of costs for installation of electric service.
*PSC-40-16-00013-P	..... exempt	Surcharge to recover costs of Dynamic Load Management Programs.	To consider a surcharge to recover costs of the Dynamic Load Management Programs.
*PSC-40-16-00014-P	..... exempt	Surcharge to recover costs of Dynamic Load Management Programs.	To consider a surcharge to recover costs of the Dynamic Load Management Programs.
*PSC-40-16-00015-P	..... exempt	Notice of Intent to submeter electricity.	To consider the Notice of Intent to submeter electricity at 175 Huguenot Street, New Rochelle, New York.
*PSC-40-16-00017-P	..... exempt	Request for waiver of 16 NYCRR sections 96.5(a) and 96.6(b)	To consider the request for waiver of 16 NYCRR sections 96.5(a) and 96.6(b)
*PSC-40-16-00018-P	..... exempt	Petition for commercial electric meter.	To consider the petition to use the Itron OpenWay Riva commercial meter in electric metering applications.
*PSC-40-16-00019-P	..... exempt	Surcharge to recover costs of Dynamic Load Management Programs.	To consider a surcharge to recover costs of the Dynamic Load Management Programs.
*PSC-40-16-00020-P	..... exempt	Notice of Intent to submeter electricity.	To consider the Notice of Intent of 501 Broadway Troy, LLC to submeter electricity at 501 Broadway, Troy, New York.
*PSC-40-16-00021-P	..... exempt	Surcharge to recover costs of Dynamic Load Management Programs.	To consider a surcharge to recover costs of the Dynamic Load Management Programs.
*PSC-40-16-00025-P	..... exempt	Consequences pursuant to the Commission's Uniform Business Practices (UBP).	To consider whether to impose consequences on Smart One for its apparent non-compliance with Commission requirements.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-40-16-00026-P	..... exempt	Compliance filing establishing an interruptible gas service sales rate.	To consider RG&E's proposed revisions to establish an interruptible gas service sales rate.
*PSC-42-16-00014-P	..... exempt	Proposed Public Policy Transmission Needs/ Public Policy Requirements, as defined under the NYISO tariff.	To identify any proposed Public Policy Transmission Needs/Public Policy Requirements for referral to the NYISO.
*PSC-44-16-00015-P	..... exempt	Surcharge to recover costs of Dynamic Load Management Programs	To consider a surcharge to recover costs of the Dynamic Load Management Programs
PSC-45-16-00008-P	..... exempt	Petition to use a commercial electric meter.	To consider the petition to use the Landis+Gyr S4X Commercial Meter with Gridstream Series 5 RF Mesh IP AMI.
PSC-47-16-00009-P	..... exempt	Petition to use commercial electric meters	To consider the petition of Itron, Inc. to use the Itron CP2SO and CP2SOA in commercial electric meter applications
PSC-47-16-00010-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
PSC-47-16-00013-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
PSC-47-16-00014-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
PSC-47-16-00016-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
PSC-49-16-00005-P	..... exempt	Waiver of certain rules and requirements pertaining to cable television franchise.	To determine whether to waive any regulations.
PSC-01-17-00018-P	..... exempt	The addition of Company-owned LED options under SC No. 1 - Street Lighting Service	To consider the addition of Company-owned LED lighting options for customers served under SC No. 1
PSC-01-17-00022-P	..... exempt	The addition of Company-owned LED options under SC No. 3 - Standard Street Lighting Service	To consider the addition of Company-owned LED lighting options for customers served under SC No. 3
PSC-02-17-00010-P	..... exempt	Implementation of the four EAMs.	To consider the implementation of EAMs for RG&E.
PSC-02-17-00012-P	..... exempt	Implementation of the four EAMs.	To consider the implementation of EAMs for NYSEG.
PSC-03-17-00003-P	..... exempt	Good Energy, L.P.'s Community Choice Aggregation Implementation Plan and Data Protection Plan.	To ensure appropriate consumer protections.
PSC-07-17-00019-P	..... exempt	Deferral and recovery of incremental costs	To consider deferring costs related to water main leak repairs for subsequent recovery
PSC-08-17-00007-P	..... exempt	Notice of Intent to submeter electricity.	To consider the Notice of Intent to submeter electricity at 327 Central Park West, New York, New York.
PSC-12-17-00012-P exempt	Amendments to the UBP.	To consider amendments to the UBP.

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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-12-17-00017-P	..... exempt	Amendments to the UBP.	To consider the petition for amendments to the UBP.
PSC-14-17-00016-P	..... exempt	Waiver to the prohibition on service to low-income customers by ESCOs..	To consider the petition for a waiver to the prohibition on service to low-income customers by ESCOs.
PSC-14-17-00017-P	..... exempt	Petition for Full-Scale Deployment of AMI and to Establish an AMI Surcharge.	To consider the petition for Full-Scale Deployment of AMI and to Establish an AMI Surcharge.
PSC-18-17-00024-P	..... exempt	A petition for rehearing or reconsideration of the Order Addressing Public Policy Transmission Need for AC Transmission Upgrades	To determine whether Public Policy Transmission Need/Public Policy Requirements continue to exist.
PSC-18-17-00025-P	..... exempt	A petition for rehearing or reconsideration of the Order on Remand Denying Refunds.	To determine whether IPANY and individual pay telephone providers are entitled to refunds from Verizon New York Inc.
PSC-18-17-00026-P	..... exempt	Revisions to the Dynamic Load Management surcharge.	To consider revisions to the Dynamic Load Management surcharge.
PSC-18-17-00027-P	..... exempt	A petition for rehearing or clarification of the March 9, 2017 Order.	To determine appropriate treatment of submetered energy users in community distributed generation programs.
PSC-18-17-00028-P	..... exempt	A petition for rehearing, reconsideration, or clarification of the March 9, 2017 Order.	To determine appropriate treatment of environmental attributes related to distributed energy resources.
PSC-18-17-00031-P	..... exempt	Notice of Intent to submeter electricity and waiver of energy audit requirement.	To consider the Notice of Intent to submeter electricity at 1328 Fulton Street, Brooklyn, NY and waiver of 16 NYCRR § 96.5(k)(3).
PSC-18-17-00033-P	..... exempt	Use of the ROMET AdEM-T volumetric corrector.	To consider the use of the ROMET AdEM-T volumetric corrector.
PSC-18-17-00034-P	..... exempt	Use of the ROMET AdEM-PTZ volumetric corrector.	To consider the use of the ROMET AdEM-PTZ volumetric corrector.
PSC-19-17-00004-P	..... exempt	NYAW's request to defer and amortize, for future rate recognition, pension settlement payout losses incurred in 2016.	Consideration of NYAW's petition to defer and amortize, for future rate recognition, pension payout losses incurred in 2016.
PSC-20-17-00008-P	..... exempt	Compressed natural gas as a motor fuel for diesel fueled vehicles.	To consider a report filed by National Grid NY regarding the potential for adoption of compressed natural gas as a motor fuel.
PSC-20-17-00010-P	..... exempt	Compressed natural gas as a motor fuel for diesel fueled vehicles.	To consider a report filed by National Grid regarding the potential for adoption of compressed natural gas as a motor fuel.
PSC-20-17-00011-P	..... exempt	Notice of Intent to submeter electricity.	To consider the Notice of Intent of FreeWythe, LLC to submeter electricity at 60 South 2nd Street, Brooklyn, New York.
PSC-21-17-00012-P	..... exempt	Compensation for distributed generation systems located at farms.	To consider appropriate compensation and policies for distributed generation systems located at farms.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-21-17-00013-P	..... exempt	The establishment and implementation of Earnings Adjustment Mechanisms.	To consider the establishment and implementation of Earnings Adjustment Mechanisms.
PSC-21-17-00015-P	..... exempt	Expansion of Energy Efficiency and Advanced Metering Infrastructure Programs, and implementation of NWA framework.	To consider expanded Energy Efficiency and AMI programs and framework for implementing NWA projects and related cost recovery.
PSC-21-17-00018-P	..... exempt	Proposed agreement for the provision of water service by Saratoga Water Services, Inc.	To consider a waiver and approval of terms of a service agreement.
PSC-22-17-00004-P	..... exempt	Financial incentives to create customer savings and develop market-enabling tools, with a focus on outcomes and incentives	To consider the proposed Interconnection Survey Process and Earnings Adjustment Mechanisms
PSC-22-17-00006-P	..... exempt	Revisions to the delivery discount and monthly customer charge for SC No. 3 and the commodity price for SC 15	To consider revisions to the delivery discount and monthly customer charge for SC No. 3 and the commodity price for SC 15
PSC-22-17-00007-P	..... exempt	Certain Commission requirements related to blockable central office codes	To consider a change to certain Commission requirements related to blockable central office codes
PSC-22-17-00008-P	..... exempt	Petition to submeter electricity and waiver request	To consider the petition to submeter electricity at 412-14 East 10th Street, New York, New York and waiver of 16 NYCRR § 96.2(b)
PSC-23-17-00019-P	..... exempt	Clean Energy Standard	To promote and maintain renewable and zero-emission electric energy resources
PSC-23-17-00021-P	..... exempt	Petition to transfer cable systems.	To consider Nicholville et. al.'s request to transfer cable systems in an internal restructuring.
PSC-23-17-00022-P	..... exempt	Changes in regulation of ESCOs, including restrictions on or prohibitions of marketing or offering certain products or services.	To ensure consumer protection for ESCO customers.
PSC-24-17-00006-P	..... exempt	Development of the Utility Energy Registry.	Improved data access.
PSC-24-17-00010-P	..... exempt	Petition to submeter electricity.	To consider the petition of Bay View Home Association, Inc. to submeter electricity at 671 47th Street Brooklyn, New York.
PSC-24-17-00014-P	..... exempt	An alternative methodology for calculating billing adjustments.	To consider an alternative methodology for calculating billing adjustments.
PSC-24-17-00016-P	..... exempt	Notice of Intent to submeter electricity.	To consider the Notice of Intent of 56 Leonard Street Condominium to submeter electricity at 56 Leonard Street, New York, NY.
PSC-25-17-00005-P	..... exempt	Minor rate filing	To consider an increase in annual revenues by \$154,329 or 116%
PSC-25-17-00006-P	..... exempt	Notice of Intent to submeter electricity	To consider the Notice of Intent of The Charles Condominiums, LLC to submeter electricity at 1355 First Avenue, New York, NY
PSC-26-17-00005-P	..... exempt	Notice of Intent to submeter electricity.	To consider the Notice of Intent to submeter electricity at 125 Waverly Street, Yonkers, New York.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-27-17-00012-P	..... exempt	Conclusion of the Energy Efficiency Portfolio Standard programs.	To address the conclusion of EEPS programs, award EEPS 1 and 2 shareholder incentives, and remediate EEPS 1 overspending.
PSC-27-17-00013-P	..... exempt	Issuance by Corning Natural Gas of long-term indebtedness.	To consider Corning to issue long-term indebtedness in the amount of \$44,064,353.
PSC-27-17-00014-P	..... exempt	Major electric rate filing.	To consider an increase in NMPC's electric delivery revenues by approximately \$326 million (or 13.0% in total revenues).
PSC-27-17-00017-P	..... exempt	Major gas rate filing.	To consider an increase in NMPC's gas delivery revenues by approximately \$81 million (14.0% in total revenues).
PSC-28-17-00008-P	..... exempt	FASB update on pension and OPEB net periodic costs	To consider whether to adopt the FASB update
PSC-29-17-00006-P	..... exempt	Petition to submeter gas.	To consider the petition of LaGuardia Gateway Partners, to submeter gas at LaGuardia Airport Central Terminal B, Flushing, NY.
PSC-30-17-00030-P	..... exempt	Time of Use Rates.	To consider the establishment of a new TOU rate for customers not currently taking service under Central Hudson's TOU rate.
PSC-30-17-00031-P	..... exempt	Proposed tariff filing to implement electric rate options on a pilot basis for the Energy Smart Community Project.	To consider tariff revisions implementing electric rate options on a pilot basis for the Energy Smart Community Project.
PSC-31-17-00007-P	..... exempt	Notice of intent to submeter electricity	To consider the notice of intent of 685 First Realty Company, LLC to submeter electricity at 685 1st Avenue, New York, New York
PSC-31-17-00008-P	..... exempt	Petition to submeter electricity and waiver request.	To consider the petition to submeter electricity and waiver request of 16 NYCRR § 96.5(k)(3).
PSC-31-17-00009-P	..... exempt	Issuance of promissory notes	To consider the petition of National Fuel Gas Distribution Corp. to issue up to \$400 million in promissory notes
PSC-31-17-00010-P	..... exempt	Notice of intent to submeter electricity	To consider the notice of intent of 11737 Owners Corp. to submeter electricity at 117 East 37th Street, New York, New York
PSC-31-17-00011-P	..... exempt	Notice of intent to submeter electricity and waiver request	To consider the notice of intent to submeter electricity and waiver request of 16 NYCRR § 96.5(k)(3)
PSC-31-17-00012-P	..... exempt	Minor rate filing.	To consider an increase in annual revenues of about \$304,629 or 14%.
PSC-32-17-00006-P	..... exempt	Petition to amend bill estimation procedures for AMI.	To consider the petition of Con Edison to amend its current bill estimation procedures for AMI.
PSC-32-17-00007-P	..... exempt	Petition to amend bill estimation procedures for AMI.	To consider the petition of Orange and Rockland to amend its current bill estimation procedures for AMI.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-32-17-00008-P	..... exempt	Consideration of the National Grid companies' Implementation Plan and audit recommendations.	To consider the National Grid companies' Implementation Plan.
PSC-32-17-00009-P	..... exempt	Pilot project, request to include capital costs in rate base and deferral of incremental expense.	To consider the pilot project, request to include capital costs in rate base and deferral of incremental expense.
PSC-32-17-00010-P	..... exempt	Consideration of NFGD's Implementation Plan and audit recommendations.	To consider NFGD's Implementation Plan.
PSC-32-17-00011-P	..... exempt	Minor rate filing.	To consider an increase in annual revenues of about \$625,974 or 14.6%.
PSC-32-17-00012-P	..... exempt	Consideration of O&R's Implementation Plan and audit recommendations.	To consider O&R's Implementation Plan.
PSC-32-17-00013-P	..... exempt	Consideration of NYSEG and RG&E's Implementation Plan and audit recommendations.	To consider the NYSEG and RG&E Implementation Plan.
PSC-32-17-00014-P	..... exempt	Consideration of Central Hudson's Implementation Plan and audit recommendations.	To consider Central Hudson's Implementation Plan.
PSC-32-17-00015-P	..... exempt	Consideration of Con Edison's Implementation Plan and audit recommendations.	To consider Con Edison's Implementation Plan.
PSC-32-17-00016-P	..... exempt	Initial Tariff Schedule and escrow account which includes rates, charges, rules and regulations for water service.	To consider the proposed Initial Tariff Schedule, initial rate, and escrow account.
PSC-33-17-00012-P	..... exempt	Notice of intent to submeter electricity.	To consider the notice of intent of BOP Greenpoint G LLC to submeter electricity at 37 Blue Slip, Brooklyn, New York.
PSC-33-17-00013-P	..... exempt	The obligation of electric utilities to pay for the extension of electric service to residential developments.	To consider if National Grid should change its practices and compensate the petitioners for past charges.
PSC-33-17-00015-P	..... exempt	Electric energy storage systems to import from and export to Con Edison's distribution system.	To consider revisions to P.S.C. No. 10 - Electricity related to electric energy storage systems.
PSC-33-17-00016-P	..... exempt	Gas service to power generators.	To consider proposals in the report regarding service to power generators and related proposed tariff revisions.
PSC-33-17-00017-P	..... exempt	Notice of intent to submeter electricity.	To consider the notice of intent of Bridge Land Vestry LLC to submeter electricity at 70 Vestry Street, New York, New York.
PSC-33-17-00018-P	..... exempt	Notice of intent to submeter electricity.	To consider the notice of intent to submeter electricity at 242 West 53rd Street, New York, New York.
PSC-33-17-00019-P	..... exempt	Petition to submeter electricity.	To consider the petition of 225 East 74th Apartments Corp. to submeter electricity at 225 East 74th Street New York, New York.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-33-17-00020-P	..... exempt	Gas service to power generators.	To consider proposals in the report regarding service to power generators and related proposed tariff revisions.
PSC-33-17-00021-P	..... exempt	Notice of intent to submeter electricity.	To consider the notice of intent of 1 DSA Owner LLC to submeter electricity at 242 Broome Street, New York, New York.
PSC-34-17-00005-P	..... exempt	Proposed electric and gas energy efficiency budget and metrics plan	To establish an energy efficiency budget and metrics plan for the Company's electric and gas portfolios for the years 2017-2020
PSC-34-17-00006-P	..... exempt	Proposed gas energy efficiency budget and metrics plan	To establish an energy efficiency budget and metrics plan for the Company's gas portfolio for the years 2017-2020
PSC-34-17-00007-P	..... exempt	Proposed electric and gas energy efficiency budget and metrics plan	To establish an energy efficiency budget and metrics plan for the Companies' electric and gas portfolios for 2019-2020
PSC-34-17-00008-P	..... exempt	Proposed electric and gas energy efficiency budget and metrics plan	To establish an energy efficiency budget and metrics plan for the Company's electric and gas portfolios for 2019-2020
PSC-34-17-00009-P	..... exempt	Proposed electric and gas energy efficiency budget and metrics plan	To establish an energy efficiency budget and metrics plan for the Company's electric and gas portfolios for the years 2018-2020
PSC-34-17-00011-P	..... exempt	Waiver to permit Energy Cooperative of America to serve low-income customers	To consider the petition for a waiver
PSC-34-17-00012-P	..... exempt	Proposed electric and gas energy efficiency budget and metrics plan	To establish an energy efficiency budget and metrics plan for the Company's electric and gas portfolios for the years 2017-2020
PSC-34-17-00013-P	..... exempt	Proposed gas energy efficiency budget and metrics plan	To establish an energy efficiency budget and metrics plan for the Company's gas portfolio for the years 2017-2020
PSC-34-17-00014-P	..... exempt	Proposed gas energy efficiency budget and metrics plan	To establish an energy efficiency budget and metrics plan for the Company's gas portfolio for the years 2017-2020
PSC-34-17-00015-P	..... exempt	Notice of intent to submeter electricity	To consider the notice of intent to submeter electricity and waiver request of 16 NYCRR § 96.5(k)(3)
PSC-34-17-00016-P	..... exempt	Proposed transfer of ownership interests in the James A. FitzPatrick Nuclear Power Plant and related assets	To consider the proposed transfer of ownership interests in the James A. FitzPatrick Nuclear Power Plant and related assets
PSC-34-17-00017-P	..... exempt	Use of the Honeywell Mercury EC350 volumetric corrector in gas metering applications	To consider the use of the Honeywell Mercury EC350 volumetric corrector in gas metering applications
PSC-34-17-00018-P	..... exempt	Use of the Artech UCE-7, URJ-17, VCE-17 and CRB-17 transformers in electric metering applications	To consider the use of the Artech UCE-7, URJ-17, VCE-17 and CRB-17 transformers in electric metering applications
PSC-34-17-00019-P	..... exempt	Development of an aggregation standard for release of whole-building energy data to building owners	Improved energy data access to support state energy efficiency and demand reduction goals

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-35-17-00007-EP	..... exempt	Reviews, inspections, assessments, repairs and supplements to electrical systems and equipment, and increased reporting	To safeguard and maintain adequate electric utility service to the MTA subway system
PSC-36-17-00008-P	..... exempt	Notice of Intent to submeter electricity.	To consider the Notice of Intent to submeter electricity at 233 Landing Road, Bronx, New York and waiver request.
PSC-36-17-00009-P	..... exempt	Clarification of the Commission's Order Extending the BQDM Program.	To consider Con Edison's petition for clarification of the Commission's Order Extending BQDM Program.
PSC-36-17-00010-P	..... exempt	Notice of Intent to submeter electricity.	To consider the Notice of Intent of The Heritage Dean Street, LLC, to submeter electricity at 470 Dean St, Brooklyn, New York.
PSC-36-17-00011-P	..... exempt	Notice of Intent to submeter electricity.	To consider the Notice of Intent to submeter electricity at 229 Cherry Street, New York, New York and waiver request.
PSC-36-17-00012-P	..... exempt	Petition to amend bill estimation procedures for AMI.	To consider the petition of Con Edison to amend its current bill estimation procedures for AMI.
PSC-36-17-00013-P	..... exempt	Clarification of Weather Normalization Adjustment language.	To consider clarification of Weather Normalization Adjustment language.
PSC-37-17-00004-P	..... exempt	Community Distributed Generation compensation after Tranche 3.	To encourage the development of distributed energy resources while managing impacts on non-participants.
PSC-37-17-00005-P	..... exempt	Financial incentives to create customer savings and develop market-enabling tools, with a focus on outcomes and incentives.	To consider the revised Interconnection Survey Process and Earnings Adjustment Mechanisms.
PSC-37-17-00006-P	..... exempt	Petition to submeter electricity.	To consider the petition of ACC OP (Park Point SU) LLC to submeter electricity at 417 Comstock Avenue, Syracuse, New York.
PSC-37-17-00007-P	..... exempt	Lifeline Service that offers a discounted rate to service to qualifying low income consumers.	To consider changes to the Commission's requirements related to eligibility for the supplemental New York Lifeline discount.
PSC-37-17-00008-P	..... exempt	Petition to move room air conditioning programs to Rider L, make changes to Rider L and continue the Connected Devices Pilot.	To consider Con Edison's proposals made by the petition and accompanying tariff filing.
PSC-37-17-00009-P	..... exempt	Fishers Island Water Works Corporation's rates for the provision of water.	To consider an increase in Fishers Island Water Works Corporation's annual water revenues by approximately \$296,031 or 44.5%.
PSC-37-17-00010-P	..... exempt	Revisions to electric and gas Sales or Delivery Service Application for Non-Residential Customers.	To consider revisions to its electric and gas Sales or Delivery Service Application for Non-Residential Customers.
PSC-39-17-00007-P	..... exempt	Rider Q - Standby Rate Pilot.	To consider the implementation of Rider Q - Standby Rate Pilot.
PSC-39-17-00008-P	..... exempt	Petition to submeter electricity and waiver request.	To consider the petition to submeter electricity and waiver request of 16 NYCRR § 96.5(k)(3).

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-39-17-00009-P	..... exempt	Whether a proposed agreement for the provision of water service by Saratoga Water Services, Inc. is in the public interest.	To consider the terms of a service agreement and waiver.
PSC-39-17-00010-P	..... exempt	Waiver of certain rules and requirements pertaining to cable television franchise.	To determine whether to waive any regulations.
PSC-39-17-00011-P	..... exempt	Whether to direct New York State Electric & Gas to complete electric facility upgrades at no charge to Hanehan.	To determine financial responsibility between NYSEG and Hanehan for the electric service upgrades to Hanehan.
PSC-40-17-00004-P	..... exempt	Notice of intent to submeter electricity and waiver request	To consider the notice of intent to submeter electricity and waiver of 16 NYCRR § 96.5(k)(3)
PSC-40-17-00005-P	..... exempt	Consequences pursuant to the Commission's Uniform Business Practices (UBP)	To consider whether to impose consequences on Flanders for its apparent non-compliance with Commission requirements
PSC-40-17-00006-P	..... exempt	The aggregation of electric service for the Empire State Plaza and the Sheridan Avenue Steam Plant	To consider a waiver of National Grid's tariff provision requiring all electric delivery points to be on the same premises
PSC-40-17-00007-P	..... exempt	Notice of intent to submeter electricity	To consider the notice of intent of CPS Fee Company LLC to submeter electricity
PSC-40-17-00008-P	..... exempt	Proposed transfer of interests in Danskammer, issuance of long-term debt by owner and continuing lightened regulation	To consider proposed transfer of interests in Danskammer, issuance of long-term debt and continuing lightened regulation
PSC-40-17-00009-P	..... exempt	Petition to issue and sell unsecured debt obligations	To consider Orange and Rockland's request to issue and sell unsecured debt obligations
PSC-40-17-00010-P	..... exempt	Eligibility for Value of Distributed Energy Resource tariffs	To encourage the development of distributed energy resources while managing impacts on non-participants
PSC-41-17-00003-P	..... exempt	Petition to submeter electricity.	To consider the petition of Hillside Association, Inc. to submeter electricity at 566 44th Street, Brooklyn, New York.
PSC-41-17-00005-P	..... exempt	Notice of intent to submeter electricity.	To consider the notice of intent of Sandy 350 LLC to submeter electricity at 350 Clarkson Avenue, Brooklyn, New York.
PSC-41-17-00006-P	..... exempt	Major electric rate filing.	To consider an increase in CHG&E's electric delivery revenues by approximately \$43 million (or 7.9% in total revenues).
PSC-41-17-00007-P	..... exempt	Major gas rate filing.	To consider an increase in CHG&E's gas delivery revenues by approximately \$18.1 million (or 12.3% in total revenues).
PSC-41-17-00008-P	..... exempt	Petition to submeter electricity.	To consider the petition of 1115 Fifth Avenue Corporation to submeter electricity at 1115 Fifth Avenue, New York, New York.
PSC-42-17-00004-P	..... exempt	NYSRC's revisions to its rules and measurements.	To consider revisions to various rules and measurements of the NYSRC.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-42-17-00005-P	..... exempt	Complaint for review of rates charged for water service to commercial and residential customers of water works corporation.	To consider the complaint filed on January 3, 2017 by Bristol customers.
PSC-42-17-00006-P	..... exempt	Notice of Intent to submeter electricity.	To consider the Notice of Intent of 45 John NY LLC to submeter electricity at 45 John Street, New York, New York.
PSC-42-17-00007-P	..... exempt	Ampersand Kayuta Lake Hyrdo, LLC's 460 kW hydroelectric facility in Boonville, New York.	To promote and maintain renewable electric energy resources.
PSC-42-17-00008-P	..... exempt	Ampersand Chasm Falls Hydro, LLC's 1.6 MW hydroelectric facility in Chateaugay, New York	To promote and maintain renewable electric energy resources.
PSC-42-17-00009-P	..... exempt	To obtain a letter of credit and increase the currently capped debt.	To consider the Petitioner's request for a letter of credit and increase the currently capped debt.
PSC-42-17-00010-P	..... exempt	Petition for rehearing of negative revenue adjustment and contents of annual Performance Report.	To consider NFGD's petition for rehearing.
PSC-43-17-00003-P	..... exempt	Notice of intent to submeter electricity and waiver request	To consider the notice of intent to submeter electricity and waiver request
PSC-43-17-00004-P	..... exempt	ReEnergy Lyonsdale, LLC's 22 MW biomass facility located in Lewis County, New York	To promote and maintain renewable electric energy resources
PSC-44-17-00011-P	..... exempt	Implementation of program rules for Renewable Energy Standard (RES) and Zero-Emission Credit (ZEC) requirement.	To promote and maintain renewable and zero-emission electric energy resources.
PSC-45-17-00004-P	..... exempt	Interval data charges for ESCOs.	To consider the elimination of interval data charges for ESCOs.
PSC-45-17-00005-P	..... exempt	Existing baseline resources under Tier 2 of the Renewable Energy Standard Program.	To promote and maintain renewable and zero-emission electric energy resources.
PSC-45-17-00006-P	..... exempt	Arrow Park, Inc.'s rates for the provision of water.	To consider an increase in Arrow Park, Inc.'s annual water revenues by approximately \$11,200 or 62.06%.
PSC-45-17-00007-P	..... exempt	Request for waiver of the individual metering requirements of 16 NYCRR Part 96.	To consider the request for waiver of the individual metering requirements of 16 NYCRR Part 96.
PSC-45-17-00008-P	..... exempt	Major water rate filing.	To consider an increase in SUEZ O-N's annual revenue requirement by approximately \$600,000, or 33.4%.
PSC-46-17-00004-P	..... exempt	Drift Marketplace, Inc.'s petition for rehearing	To consider the petition for rehearing filed by Drift Marketplace, Inc.
PSC-46-17-00005-P	..... exempt	To consider further proposed amendments to the original criteria to grandfathering established in the Transition Plan	To modify grandfathering criteria
PSC-46-17-00006-P	..... exempt	To consider further proposed amendments to the original criteria to grandfathering established in the Transition Plan	To modify grandfathering criteria

Action Pending Index**NYS Register/November 15, 2017**

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-46-17-00007-P	..... exempt	Petition to issue unsecured debt obligations	To consider the Company's request to issue unsecured debt obligations
PSC-46-17-00008-P	..... exempt	Consequences pursuant to the Commission's Uniform Business Practices (UBP)	To consider whether to impose consequences on MPower for its apparent non-compliance with Commission requirements
PSC-46-17-00009-P	..... exempt	Requirements pertaining to inspections and reporting on plastic fusions installed in gas company service territories	To clarify prior requirements and establish new requirements for plastic fusion qualifications and inspections
PSC-46-17-00010-P	..... exempt	Compliance with plastic fusion requirements	To consider requiring NFG to comply with current and new plastic fusion requirements and report compliance failures
PSC-46-17-00011-P	..... exempt	M&R Energy Resource Corp.'s petition for rehearing	To consider the petition for rehearing filed by M&R Energy Resource Corp.
PSC-46-17-00012-P	..... exempt	To consider further proposed amendments to the original criteria to grandfathering established in the Transition Plan	To modify grandfathering criteria
PSC-46-17-00013-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	To consider filings of LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
PSC-46-17-00014-P	..... exempt	To consider further proposed amendments to the original criteria to grandfathering established in the Transition Plan	To modify grandfathering criteria
STATE, DEPARTMENT OF			
DOS-30-17-00001-P	..... 07/26/18	Esthetics curriculum and waxing procedures	To update the qualifying curriculum for esthetics and ensure that waxing procedures are safe and sanitary.
DOS-31-17-00005-P	..... 08/02/18	Continuing education requirements	To amend the education requirements to include 1 hour of instruction on telecoil (t-coil) and other assistive listening devices
DOS-32-17-00002-P	..... 08/09/18	Alarm installation, servicing and maintenance	Update current regulations for industry improvement and to make technical changes to existing text
DOS-42-17-00002-P	..... 10/18/18	Appraisal Standards	To adopt the 2018-2019 edition of the Uniform Standards of Professional Appraisal Practice
STATE UNIVERSITY OF NEW YORK			
SUN-06-17-00003-P	..... 02/08/18	proposed amendments to traffic and parking regulations at SUNY Binghamton	Amend existing regulations to update traffic and parking regulations
SUN-30-17-00024-P	..... 07/26/18	The governance, structure and operations of SUNY authorized charter schools pertaining to teacher compliance	Provide alternative teacher certification compliance pathways for SUNY charter schools with strong student performance.
TAXATION AND FINANCE, DEPARTMENT OF			
TAF-51-16-00002-EP	..... 12/21/17	Metropolitan Transportation Business Tax Surcharge	To provide metropolitan transportation business tax rate for tax year 2017

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
TAXATION AND FINANCE, DEPARTMENT OF			
TAF-35-17-00004-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 October 1, 2017 through December 31, 2017
TAF-37-17-00002-P	..... 09/13/18	Reference to forms required to file a petition or an exception with the Division of Tax Appeals	To delete parenthetical references to form numbers that are no longer in use, as the agency has updated and renumbered its forms
TEMPORARY AND DISABILITY ASSISTANCE, OFFICE OF			
TDA-35-17-00005-P	..... 08/30/18	Application process for the Supplemental Nutrition Assistance Program (SNAP)	To align State regulations for SNAP application process with federal statutory and regulatory requirements and SNAP policy
TDA-38-17-00002-EP	..... 09/20/18	Standard Utility Allowances (SUAs) for the Supplemental Nutrition Assistance Program (SNAP)	These regulatory amendments set forth the federally-mandated and approved SUAs as of 10/1/17
TDA-39-17-00005-P	..... 09/27/18	Public Assistance (PA) budgetary method	To update State regulations governing treatment of income in excess of standard of need in PA households, consistent with SSL § 131-n(1).
TDA-40-17-00002-P	..... 10/04/18	Support obligations	To amend State regulations concerning support obligations to reflect federal statutory requirements and current terminology used by the child support program, and to conform regulatory citations with federal and State laws
WORKERS' COMPENSATION BOARD			
WCB-36-17-00015-P	..... 09/06/18	Permanent Impairment Guidelines for Schedule Loss of Use Determinations	Incorporate Workers' Compensation Impairment Guidelines for determination of permanent impairment

GUIDANCE DOCUMENTS

Not less than once each year, every agency shall submit to the Secretary of State for publication in the *State Register* a list of all Guidance Documents on which the agency currently relies [SAPA, section 202-e(1)]. However, an agency may be exempted from compliance with the requirements of SAPA section 202-e(1) if the agency has published on its website the full text of all Guidance Documents on which it currently relies [SAPA, section 202-e(2)].

Department of Taxation and Finance

The Department of Taxation and Finance has published the full text of all guidance documents on which said agency currently relies on at the following website: <http://www.tax.ny.gov>

SECURITIES OFFERINGS

STATE NOTICES

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

DEALERS; BROKERS

16 Pioneer of the Nile/Stage Magic, LLC
800 Arbor Dr. N, Louisville, KY 40223

Aggreko plc
120 Bothwell St., 8th Fl., Glasgow, G2 7JS, Scotland, United Kingdom
State or country in which incorporated — Scotland

Alt. Bet Exchange, LLC
250 174th St., #2104, Sunny Isles Beach, FL 33160
State or country in which incorporated — Delaware

Apellis Pharmaceuticals, Inc.
6400 Westwind Way, Suite A, Crestwood, KY 40014
State or country in which incorporated — Delaware

Aqua-Spark PB CV
Achter Sint Pieter 5, Utrecht, Netherlands 3512 HP
Partnership — Aqua-Spark Management B.V.

BDS Mercury LLC
500 N. Broadway, Suite 241, Jericho, NY 11753
State or country in which incorporated — Delaware

Biosceptre International Limited
Jonas Webb Bldg., Babraham Research Campus, Babraham, Cambridge, United Kingdom CB22 3AT
State or country in which incorporated — United Kingdom

BR Grand Dominion, DST
712 Fifth Ave., 9th Fl., New York, NY 10019

Burrow, Inc.
33 W. 17th St., 5th Fl., New York, NY 10011
State or country in which incorporated — Delaware

Capitol Hill Partners, LLC
1424 4th Ave., Suite 905, Seattle, WA 98101-2224
State or country in which incorporated — Washington

CCSP Summer Broadway LLC
c/o CCS Production LLC, 255 Hudson St., PH E New York, NY 10013
State or country in which incorporated — New York limited liability company

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

Elden Drive Capital 1 LLC
c/o National Realty Investment Advisors, LLC, 1325 Paterson Plank Rd., 2nd. Fl., Secaucus, NJ 07094
State or country in which incorporated — New Jersey limited liability company

Emerald Acquisitions 2017, LLC
75 14th St., Suite 2200, Atlanta, GA 30309
Partnership — Emerald Acquisitions Manager, LLC

Enertiv, Inc.
320 W. 37th St., Suite 1500, New York, NY 10018
State or country in which incorporated — Delaware

Goddess Approved Productions, LLC
155 E. 34th St., Apt. 11N, New York, NY 10016
State or country in which incorporated — Delaware

Herbert J. Sims & Co. Inc.
2150 Post Rd., Suite 301, Fairfield, CT 06824
State or country in which incorporated — Delaware

Howard County Energy Fund, LP
6142 Campbell Rd., Dallas, TX 75248
State or country in which incorporated — Texas

Hudson Housing Tax Credit LXXXIV LP
630 Fifth Ave., 28th Fl., New York, NY 10111
Partnership — Hudson GP LXXXIV LLC

Invesco Global Direct Real Estate Feeder Fund S.á.r.l. SICAV-SIF
37A, Avenue J.-F. Kennedy, L-1855 Luxembourg, Grand Duchy of Luxembourg
State or country in which incorporated — Luxembourg

Invesco Global Direct Real Estate Fund FCP-SIF
37A, Avenue J.-F. Kennedy, L-1855 Luxembourg, Grand Duchy of Luxembourg
State or country in which incorporated — Luxembourg

Investment Managers Series Trust II
235 W. Galena St., Milwaukee, WI 53212
State or country in which incorporated — Delaware

Iroquois Valley Farms LLC
708 Church St., Evanston, IL 60201
State or country in which incorporated — Illinois limited liability company

Kenwood Rd Capital 8 LLC
c/o National Realty Investment Advisors, LLC, 1325 Paterson Plank Rd., 2nd Fl., Secaucus, NJ 07094
State or country in which incorporated — New Jersey limited liability company

Mill Point Capital Executive Partners, L.P.
555 Madison Ave., 16th Fl., New York, NY 10022
Partnership — Mill Point Capital Partners, GP, L.P.

Mill Point Capital Partners, L.P.
555 Madison Ave., 16th Fl., New York, NY 10022
Partnership — Mill Point Capital Partners, GP, L.P.

Mill Point Capital Partners A, L.P.
555 Madison Ave., 16th Fl., New York, NY 10022
Partnership — Mill Point Capital Partners, GP, L.P.

Mittleman Brothers Fund, LP
105 Maxess Rd., Suite 207, Melville, NY 11747
Partnership — Mittleman Brothers Fund GP, LLC

MLG/PF MSP SW Industrial Co-Investor LLC
c/o Timothy J. Wallen, 13400 Bishops Lane, Suite 270, Brookfield,
WI 53005
State or country in which incorporated — Wisconsin

Motus Global, Inc.
200 Sunrise Hwy., 2nd Fl., Rockville Centre, NY 11570
Partnership — Delaware

Orchid Asia VII, L.P.
c/o Maples Corporate Services Limited, Uglan House, PO Box 309,
Grand Cayman, Cayman Islands KY1-1104
Partnership — OAVII Holdings, L.P.

Partners for Payment Relief DE IV, LLC
200 Berwyn Park, Suite 210, 920 Cassatt Rd., Berwyn, PA 19212

Passco Capital, Inc.
2050 Main St., Suite 650, Irvine, CA 92614
State or country in which incorporated — California

Peppertree Ranch LLC
1209 Santiago Dr., Newport Beach, CA 92660
State or country in which incorporated — California

Prairiegrass Equity LLC
c/o Mandel Group, Inc., 330 E. Kilbourn Ave., Suite 600 S, Milwau-
kee, WI 53202
State or country in which incorporated — Wisconsin

Prana Growth Fund I, L.P.
75 Broadway, Suite 230, San Francisco, CA 94111
Partnership — Prana Fund Manager, LLC

Precog Capital Partners, L.P.
105 Maxess Rd., Suite 207, Melville, NY 11747
Partnership — Mittleman Investment Management, LLC

Presidium Harlingen Partner, LLC
3100 McKinnon St., Suite 250, Dallas, TX 75201

Proof of Work Fund LP
230 Atlantic Ave., 3G, Lynbrook, NY 11563
Partnership — Proof of Work GP LLC

Rollingwood Richmond Associates LP
c/o Capital Solutions, Inc., 910 Harvest Dr., Suite 105, Blue Bell, PA
19422
Partnership — HRG Rollingwood GP LLC

Rowboat Advisors, Inc.
1147 Marcussen Dr., Menlo Park, CA 94205
State or country in which incorporated — Delaware

SMTP Co-Invest I L.P.
676 N. Michigan Ave., Suite 4000, Chicago, IL 60611
Partnership — Satter Medical Technology GP, L.P.

Sosnowski Fund, LP, The
2701 Sunset Ridge Dr., Suite 607, Rockwall, TX 75032
Partnership — SRC Capital, LP

Sunniva Inc.
Suite 400, 355 - 4th Ave. SW, Calgary, AB, Canada T2P 0J1
State or country in which incorporated — Canada

Unbound Technologies, Inc.
1755 Broadway, #53, Oakland, CA 94612
State or country in which incorporated — Delaware

We Mission Triangle Point LLC
12 College Rd., Monsey, NY 10952
State or country in which incorporated — Delaware

Windjammer Senior Equity Fund V Feeder, L.P.
610 Newport Center Dr., Suite 1100, Newport Beach, CA 92660
Partnership — Windjammer Capital Partners, LLC

ADVERTISEMENTS FOR BIDDERS/CONTRACTORS

SEALED BIDS

REPLACE ROOFS

Washington Correctional Facility
Comstock, Washington County

Sealed bids for Project No. 45222-C, for Construction Work, Replace Roofs, Buildings 5, 6, 7, 8, 11 & 16, Washington Correctional Facility, PO Box, 72 Lock 11 Lane, Comstock (Washington 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 Department of Corrections and Community Supervision, until 2:00 p.m. on Wednesday, November 29, 2017, 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 \$81,000 for C.

All successful bidders 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.

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 posting, on the OGS website, in a newspaper of general circulation, or in the Contract Reporter of written notice, advertisement or solicitation of offers through final award and approval of the contract by OGS D&C and the 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 Jessica Hoffman, Carl Ruppert and Pierre Alric 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 four-year period, the bidder is debarred from obtaining governmental Procurement Contracts. Bidders responding to this Advertisement must familiarize themselves with the 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://www.ogs.ny.gov/aboutOGS/regulations/defaultAdvisoryCouncil.html>

The substantial completion date for this project is 653 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 November 16, 2017 at OGS Field Office, 11607 SR22, Comstock, 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 William Belden, (518) 473-5545 a minimum of 72 hours in advance of the date to provide the names of those who will attend the pre-bid site visit.

Pursuant to New York State Executive Law Article 15-A and the rules and regulations promulgated thereunder, OGS is required to promote opportunities for the maximum feasible participation of New York State-certified Minority- and Women-owned Business Enterprises ("MWBEs") and the employment of minority group members and women in the performance of OGS contracts. 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 DC.Plans@ogs.ny.gov, or call (518) 474-0203.

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

Division of Criminal Justice Services
Commission on Forensic Science

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

Date: December 8, 2017
Time: 9:00 a.m. - 1:00 p.m.
Place: Empire State Development Corporation
633 3rd Ave.
37th Fl. Conference Rm.
New York, NY
*Identification and sign-in required
Video Conference Site: Division of Criminal Justice Services
Alfred E. Smith Office Bldg.
CrimeStat Rm. 118
80 S. Swan St.
Albany, NY

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

PUBLIC NOTICE

Department of State
F-2017-0660

Date of Issuance – November 15, 2017

The New York State Department of State (DOS) is required by Federal regulations to provide timely public notice for the activities described below, which are subject to the consistency provisions of the Federal Coastal Zone Management Act of 1972, as amended.

The applicant has certified that the proposed activity complies with and will be conducted in a manner consistent with the approved New York State Coastal Management Program. The applicant's consistency certification and accompanying public information and data are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York.

In F-2017-0660, or the "James Ellis Dock Extension", the applicant – James Ellis – proposes extend an existing 80 feet by 8 feet dock by an additional 90 feet waterward. The project is located 9351 River Shore Drive, Niagara Falls, NY on the Niagara River.

Any interested parties and/or agencies desiring to express their views concerning the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice, or, December 15, 2017.

Comments should be addressed to the Consistency Review Unit, Department of State, Planning, Development and Community Infrastructure, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-6000, Fax (518) 473-2464. Electronic submissions can be made by email at: CR@dos.ny.gov.

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

PUBLIC NOTICE

Department of State
F-2017-0750

Date of Issuance – November 15, 2017

The New York State Department of State (DOS) is required by Federal regulations to provide timely public notice for the activities described below, which are subject to the consistency provisions of the Federal Coastal Zone Management Act of 1972, as amended.

The applicant has certified that the proposed activity complies with and will be conducted in a manner consistent with the approved New York State Coastal Management Program. The applicant's consistency certification and accompanying public information and data are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York.

In F-2017-0750, Mr. Anthony Ciarletta, is proposing to install a new bulkhead, boat launching ramp, and a fixed timber pile-supported pier, with a platform, boat lift, and jet ski lift in Great South Bay at 640 Tuckahoe Road, Village of Amityville, Suffolk County.

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice, or, December 15, 2017.

Comments should be addressed to the Consistency Review Unit, Department of State, Office of Planning, Development & Community Infrastructure, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-6000, Fax (518) 473-2464. Electronic submissions can be made by email at: CR@dos.ny.gov.

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

PUBLIC NOTICE

Department of State
F-2017-0788

Date of Issuance – November 15, 2017

The New York State Department of State (DOS) is required by Federal regulations to provide timely public notice for the activities described below, which are subject to the consistency provisions of the Federal Coastal Zone Management Act of 1972, as amended.

The applicant has certified that the proposed activity complies with and will be conducted in a manner consistent with the approved New York State Coastal Management Program. The applicant's consistency certification and accompanying public information and data are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York.

In F-2017-0788, Mark Rosenberg, is proposing to install a 4' x 60' pier 3' x 18' ramp, 8' x 24' float supported by 4 piles and 4 additional mooring piles extending from his property at 2 Rizkin Place, Island Park, Nassau County into Island Park Harbor.

The proposed activities would be undertaken in the State-designated Significant Coastal Fish and Wildlife Habitat (SCFWH) unit of West Hempstead Bay. Information on this habitat to be evaluated in considering this project may be found on the Office of Planning and Development's website: <http://www.dos.ny.gov/opd/programs/consistency/scfwhabitats.html>

The applicant's consistency certification and supporting information are also available at: http://www.dos.ny.gov/opd/programs/pdfs/Consistency/F-2017-0788_ForWebPN.pdf

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 15 days from the date of publication of this notice, or, November 30, 2017.

Comments should be addressed to the Consistency Review Unit, Department of State, Office of Planning, Development & Community Infrastructure, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-6000, Fax (518) 473-2464. Electronic submissions can be made by email at: CR@dos.ny.gov.

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

PUBLIC NOTICE

Department of State
F-2017-0801

Date of Issuance – November 15, 2017

The New York State Department of State (DOS) is required by Federal regulations to provide timely public notice for the activities described below, which are subject to the consistency provisions of the Federal Coastal Zone Management Act of 1972, as amended.

The applicant has certified that the proposed activity complies with and will be conducted in a manner consistent with the approved New York State Coastal Management Program. The applicant's consistency certification and accompanying public information and data are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York.

In F-2017-0801, New York City Economic Development Corporation (NYCEDC or EDC), is proposing the Pier 4 Ferry Landing Rehabilitation at the Brooklyn Army Terminal in Upper Bay at 6224 2nd Avenue, Borough of Brooklyn, Kings County. The purpose of this replacement is to provide direct access for a passenger ferry service at Pier 4, to upgrade the current ferry access for improved ADA and Local Law 68 compliance and passenger safety, and to modernize the ferry stop to be more consistent with other ferry landings utilized by New York City Ferry Services. The scope of work includes: installation of a new 90 foot by 35 foot steel ferry landing barge, anchor piles, support piles, and mooring/breasting dolphins; and removal of the existing ferry barge and associated anchor piles.

The proposed activities would be undertaken within the New York City Waterfront Revitalization Program (WRP) planning area. As the WRP is a component of the NYSCMP, activities under federal permitting authority are also subject to review for their consistency with the local program and its specific provisions and policies.

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice, or, December 15, 2017.

Comments should be addressed to the Consistency Review Unit, Department of State, Office of Planning, Development & Community Infrastructure, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-6000, Fax (518) 473-2464. Electronic submissions can be made by email at: CR@dos.ny.gov.

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

PUBLIC NOTICE

Department of State
F-2017-0824

Date of Issuance – November 15, 2017

The New York State Department of State (DOS) is required by Federal regulations to provide timely public notice for the activities described below, which are subject to the consistency provisions of the Federal Coastal Zone Management Act of 1972, as amended.

The applicant has certified that the proposed activity complies with and will be conducted in a manner consistent with the approved New York State Coastal Management Program. The applicant's consistency certification and accompanying public information and data are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York.

In F-2017-0824, East Rockaway Union Free School District, is proposing a bank stabilization project along Mill River at the East Rockaway Jr-Sr High School located at 443 Ocean Avenue within the Village of East Rockaway, Nassau County. The proposed activity includes stabilizing approximately 80 linear feet of shoreline by installing stone riprap consisting of hard quarry cut stone, limestone or granite.

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice, or, December 15, 2017.

Comments should be addressed to the Consistency Review Unit, Department of State, Office of Planning, Development & Community Infrastructure, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-6000, Fax (518) 473-2464. Electronic submissions can be made by email at: CR@dos.ny.gov.

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

PUBLIC NOTICE

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: September 1-30, 2017.

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

FOR FURTHER INFORMATION CONTACT: Jason E. Oyler, General Counsel, 717-238-0423, ext. 1312, 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 § 806.22 (f) for the time period specified above:

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

1. Rutter Bros. Dairy, Inc., d/b/a Rutter's Dairy, Inc., ABR-201709007, Manchester Township, York County, Pa.; Consumptive Use of Up to 0.0400 mgd; Approval Date: September 29, 2017.

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

1. Inflection Energy (PA), LLC, Pad ID: Fox B Well Site, ABR-201709001, Shrewsbury Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: September 7, 2017.

2. Chesapeake Appalachia, LLC, Pad ID: Shumhurst2, ABR-201709002, Tuscarora Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: September 14, 2017.

3. Cabot Oil & Gas Corporation, Pad ID: Precision Capital LP P1, ABR-201709003, Lathrop Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: September 18, 2017.

4. Cabot Oil & Gas Corporation, Pad ID: PennayG P1, ABR-201709004, Brooklyn Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: September 18, 2017.

5. Chesapeake Appalachia, LLC, Pad ID: Rosiemar, ABR-201301016.R1, Auburn Township, Susquehanna County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: September 18, 2017.

6. EOG Resources, Inc., Pad ID: WARD B Pad, ABR-201210009.R1, Springfield Township, Bradford County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: September 25, 2017.

7. EOG Resources, Inc., Pad ID: KLINE A Pad, ABR-201210010.R1, Springfield Township, Bradford County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: September 25, 2017.

8. EOG Resources, Inc., Pad ID: GRIPPIN A Pad, ABR-201210015.R1, Springfield Township, Bradford County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: September 25, 2017.

9. EOG Resources, Inc., Pad ID: KINGSLY E Pad, ABR-201210016.R1, Springfield Township, Bradford County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: September 25, 2017.

10. Pennsylvania General Energy Company, LLC, Pad ID: COP Tract 322 Pad A, ABR-201301004.R1, McHenry and Cummings Townships, Lycoming County, Pa.; Consumptive Use of Up to 3.5000 mgd; Approval Date: September 25, 2017.

11. Pennsylvania General Energy Company, LLC, Pad ID: COP Tract 322 Pad B, ABR-201301005.R1, McHenry and Cummings Townships, Lycoming County, Pa.; Consumptive Use of Up to 3.5000 mgd; Approval Date: September 25, 2017.

12. ARD Operating, LLC, Pad ID: Mountain Meadow Lodge Pad B, ABR-201709005, McIntyre Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: September 28, 2017.

13. ARD Operating, LLC, Pad ID: Mountain Meadow Lodge Pad A, ABR-201709006, McIntyre Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: September 28, 2017.

14. EOG Resources, Inc., Pad ID: KLINE B Pad, ABR-201210011.R1, Springfield Township, Bradford County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: September 29, 2017.

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

Dated: October 30, 2017.

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 re-

scinded by the Susquehanna River Basin Commission during the period set forth in "DATES."

DATES: September 1-30, 2017.

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. Repsol Oil & Gas USA, LLC, Pad ID: RENNEKAMP (05 104) R, ABR-201108044.R1, Pike Township, Bradford County, Pa.; Rescind Date: September 20, 2017.

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

Dated: October 30, 2017.

Stephanie L. Richardson,
Secretary to the Commission.

PUBLIC NOTICE

**Department of Taxation and Finance
Interest Rates**

The Commissioner of Taxation and Finance hereby sets the interest rates for the months of January, February, and March, 2018 pursuant to sections 697(j) and 1096(e) of the Tax Law, as follows:

For purposes of section 697(j) the overpayment rate of interest is set at 3 percent per annum, and the underpayment rate of interest is set at 7.5 percent per annum. For purposes of section 1096(e), the overpayment rate of interest is set at 3 percent per annum, and the underpayment rate of interest is set at 8 percent per annum. (The underpayment rates set pursuant to sections 697(j) and 1096(e) may not be less than 7.5 percent per annum.) Pursuant to section 1145(a)(1) of the Tax Law, the underpayment rate for State and local sales and use taxes administered by the Commissioner of Taxation and Finance is 14.5 percent per annum. The underpayment rate for the special assessments on hazardous waste imposed by section 27-0923 of the Environmental Conservation Law is 15 percent.

For the interest rates applicable to overpayments (refunds) and underpayments (late payments and assessments) of the following taxes administered by the Commissioner of Taxation and Finance for the period January 1, 2018 through March 31, 2018, see the table below:

**1/1/18 - 3/31/18
Interest Rate Per Annum
Compounded Daily**

Commonly viewed tax types	Refunds	Late Payments & Assessments
Income **	3%	7.5%
Sales and use	3%	14.5% *
Withholding	3%	8%
Corporation **	3%	8%
All other tax types	Refunds	Late Payments & Assessments
Alcoholic Beverage	3%	8%
Authorized Combative Sports	3%	8%
Beverage Container Deposits	3%	8%
Cigarette	NA	8%
Diesel Motor Fuel	3%	8%
Estate	3%	7.5%
Fuel Use Tax	***	***

Generation-Skipping Transfer	3%	7.5%
Hazardous Waste	3%	15%
Highway Use	3%	8%
Medical Marihuana	3%	8%
New York City Taxicab and Hail Vehicle Trip Tax	3%	8%
Metropolitan Commuter Transportation Mobility Tax	3%	7.5%
Mortgage Recording	3%	8%
Motor Fuel	3%	8%
Petroleum Business	3%	8%
Real Estate Transfer	3%	8%
Tobacco Products	NA	8%
Transportation Network Company Assessment	3%	8%
Waste Tire Fee	3%	8%

* The Tax Law requires the interest rate on sales tax assessments or late payments to be set at 14-1/2% for this quarter. However, if the Commissioner determines that the failure to pay or the delay in payment is due to reasonable cause and not willful neglect, the Commissioner may impose interest at the corporation tax late payment and assessment rate. That rate is 8% for this quarter.

** There are a number of state and local governmental bodies that have interest rates tied to the overpayment and underpayment rates contained in either section 697(j) (Income Tax) or section 1096(e) (Corporation Tax) of the Tax Law. For purposes of section 697(j) and section 1096(e) of the Tax Law, the overpayment rate for this period is 3%. For purposes of section 697(j) of the Tax Law, the underpayment rate for this period is 7.5%. For purposes of section 1096(e) of the Tax Law, the underpayment rate for this period is 8%.

*** Under section 527(f) of the Tax Law, the interest rates relating to the Fuel Use tax are set pursuant to the International Fuel Tax Agreement (IFTA). For more information regarding IFTA interest rates, see www.iftach.org.

For further information contact: Kathleen O'Connell, Office of Counsel, Department of Taxation and Finance, W. A. Harriman Campus, Albany, NY 12227, (518) 530-4153 For rates for previous periods, visit the Department of Taxation and Finance website: www.tax.ny.gov/taxnews/int_curr.htm

PUBLIC NOTICE

Department of Taxation and Finance Tax Law Article 13-A Rates

Pursuant to the provisions of subdivisions (e), (f), (g) and (h) of section 301-a, subdivision (b) of section 301-d, subdivisions (b) and (c) of section 301-e, subdivisions (a) and (c) of section 301-j and subdivision (a) of section 308 of the Tax Law, the Commissioner of Taxation and Finance hereby gives public notice regarding the petroleum business tax (Tax Law, Article 13-A) rate adjustment calculation and the resulting rates effective January 1, 2018 (effective March 1, 2018 for quarterly filers), as follows: The motor fuel and highway diesel motor fuel rate is adjusted from \$.097 to \$.101; the non-highway diesel motor fuel rate is adjusted from \$.089 to \$.093; the residual petroleum product rate is adjusted from \$.068 to \$.071; the kero-jet fuel rate is adjusted from \$.065 to \$.068; the aviation gasoline rate is adjusted from \$.097 to \$.101; the rate of the supplemental tax on aviation gasoline is adjusted from \$.065 to \$.068; and the rate of the supplemental petroleum business tax is adjusted from \$.065 to \$.068. The separate rate of supplemental petroleum business tax with respect to highway diesel motor fuel is adjusted from \$.0475 to \$.0505; it is computed by subtracting one and three-quarters cents from the adjusted rate of the supplemental petroleum business tax. The railroad diesel rate is adjusted from \$.084 to \$.088; it is computed by subtracting one and three-tenths cents from the motor fuel and highway diesel motor fuel rate.

The basic utility credit (or reimbursement) rate with respect to residual petroleum product is adjusted from \$.0542 to \$.0569 and the basic utility credit (or reimbursement) rate with respect to non-highway diesel motor fuel product is adjusted from \$.0545 to \$.0572. The basic utility credit (or reimbursement) rates are further adjusted by adding one-half of one cent to the adjusted basic rates of the utility credits (or reimbursements); as a result, the utility credit (or reimbursement) rate with respect to residual petroleum product is adjusted from \$.0592 to \$.0619, and the utility credit (or reimbursement) rate with respect to non-highway diesel motor fuel product is adjusted from \$.0595 to \$.0622.

The adjusted petroleum business tax rates are obtained by multiplying the existing rates by a fraction, the numerator of which is the sum of the monthly producer price indices (unadjusted) for refined petroleum products for the twelve consecutive months ending with the month of August 2017, and the denominator of which is the sum of the monthly producer price indices (unadjusted) for refined petroleum products for the twelve consecutive months ending with the month of August 2016. Such monthly producer price indices for the twelve consecutive months ending with the month of August 2017, are 154.2, 159.0, 152.1, 156.3, 165.3, 166.5, 165.0, 170.6, 165.6, 165.4, 166.1, and 175.7, which total 1961.8. Such monthly producer price indices for the twelve consecutive months ending with the month of August 2016, are 165.8, 161.3, 156.2, 138.6, 125.4, 114.6, 122.2, 132.4, 144.3, 157.9, 154.6, and 148.2, which total 1721.5. The producer price index for the category of commodities designated as refined petroleum products is published monthly by the Bureau of Labor Statistics of the U.S. Department of Labor. As required by law, the adjusted rates, except the utility credit (or reimbursement) rates and the rate of supplemental petroleum business tax with respect to highway diesel motor fuel, have been rounded to the nearest tenth of one cent. The utility credit (or reimbursement) rates and the rate of supplemental petroleum business tax with respect to highway diesel motor fuel have been rounded to the nearest hundredth of one cent. Section 301-a of the Tax Law does not allow the rates to change by more than 5 percent of the rates in effect on December 31. The computed rate change would be an increase of 14 percent; therefore, all the above rates were subject to the 5 percent limitation.

For further information contact: Denise Conroy, Department of Taxation & Finance, Taxpayer Guidance Division, W.A. Harriman Campus, Albany, NY 12227, (518) 530-4119, e-mail: Denise.Conroy@tax.ny.gov

PUBLIC NOTICE

Uniform Code Regional Boards of Review

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

2017-0355 Matter of Joe Wachala, Residence. The location of the property is at 6723 Minnick Road, Town of Lockport (Niagara County). The petitioner requests a variance from 2015 International Residential Code reference J601.4 Ceiling Height (Relief Sought: Reduction in the required ceiling height).

2017-0423 Matter of Shur Gain. The location of the property is at 3422 Dutch Hollow Road, Town of Sheldon (Wyoming County). The petitioner requests a variance from 2015 International Building Code reference 508.4 Fire Separation (Relief Sought: Reduction in the required separation between occupancies (Table 508.4)

2017-0451 Matter of Arrowhead Spring Vineyard. The location of the property is at 4746 Townline Road, Town of Cambria (Niagara County). The petitioner requests a variance from NYS Building Code reference 903.2.1.2 Sprinklers (Construction of building without sprinklers in assembly space) and 903.2.10 Sprinklers (Construction of building without sprinklers in windowless basement).

2017-0452 Matter of Montante Morgan Gates Circle. The location of the property is at 1299 Delaware Avenue, City of Buffalo (Erie County). The petitioner requests a variance from 2015 NYS Building Code reference 705.6 Structural Stability. The petitioner request relief from the interior supporting elements remain 1 hour supporting 2 hour exterior walls.

2017-0455 The Matter of Plattsburgh International Airport, 42 Airport Lane, Plattsburgh, N.Y. Attn: Michael Zurlo, County Administrator, 137 Margaret Street, Plattsburgh, N.Y.12901 The petitioner requests a variance to allow cracks in the SFRM which is not allowed per Chapter 7, Section 704.13.5, of the Building Code of New York State.

EXECUTIVE ORDERS

Executive Order No. 171: Organ Donation Policy.

WHEREAS, there is a severe shortage of organs available for transplant in the United States, including in New York; and

WHEREAS, the donation of organs is essential for many life-saving procedures to be performed in New York State; and

WHEREAS, there are approximately 10,000 New Yorkers currently in need of an organ transplant; and

WHEREAS, only twenty-eight percent (28%) of New York's eligible population (approximately 4.5 million) have registered to donate their organs, eyes or tissues; and

WHEREAS, this severe shortage of organs donated and available for transplantation in the State of New York detrimentally affects the health of thousands of our most vulnerable and at risk New Yorkers; and

WHEREAS, an increase in the availability of donated organs, eyes and tissues would reduce the severity and length of many forms of injury and illness and the cost of public medical services, thereby promoting public health and safety; and

WHEREAS, such donations are entirely voluntary and a matter of individual choice, without compensation, and should be encouraged; and

WHEREAS, it is critical that the State of New York take additional steps to ensure that New Yorkers in need have access to viable organs in a timely manner; and

WHEREAS, the State of New York is committed to increasing organ donation and increasing awareness about donation and its benefits; and the State possesses the necessary expertise, resources, and infrastructure to accomplish this goal.

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and Laws of the State of New York, do hereby order as follows:

I. It is hereby established that the policy of the State of New York is to increase the number of registered organ donors in New York State.

II. To effectuate this policy, the Department of Health is hereby directed to work with the New York State Transplant Council, the New York Alliance for Donation, providers, and hospital systems licensed to provide organ transplant services to develop approaches to increase the number of registered organ donors in the State, including but not limited to opportunities for individuals to enroll in the NYS Donate Life Registry when applying for government benefits, services, and licenses.

III. This approach shall be adopted by all State agencies and departments over which the Governor has executive authority ("State entity").

IV. Every State entity shall cooperate with the Department of Health, and furnish such information and assistance as reasonably necessary. The Department of Health and the Office of Information Technology Services are directed to make staff available to provide the State entities with any assistance that may be necessary to ensure effective implementation.

V. Consistent with existing law, organ donor enrollment shall be completely voluntary.

VI. Nothing in this Executive Order shall limit an individual's ability to register as an organ donor through existing means, including but

not limited to: (i) indication made on the application or renewal form of a driver's license, (ii) indication made on a non-driver identification card application or renewal form, (iii) indication made on a voter registration form, (iv) indication made on the application for health care coverage offered through the state health benefit exchange, (v) enrollment through the donate life registry website, (vi) paper enrollment submitted to the NYS Donate Life Registry, or (vii) through any other method identified by the Commissioner of Health.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany this sixteenth day of October in the year two thousand seventeen.

BY THE GOVERNOR

/S/ Andrew M. Cuomo

/s/ Melissa DeRosa

Secretary to the Governor

