
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 60 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 45 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 60 days after publication of the notice, and comments must be accepted for at least 5 days after the last required hearing. When the public comment period ends on a Saturday, Sunday or legal holiday, agencies must accept comment through the close of business on the next succeeding workday.

For notices published in this issue:

- the 60-day period expires on September 5, 2021
- the 45-day period expires on August 21, 2021
- the 30-day period expires on August 6, 2021

**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 60-day public comment period after publication in the *Register* of every Notice of Proposed Rule Making, and a 45-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

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

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

Department of Agriculture and Markets

NOTICE OF WITHDRAWAL

Regulated Commodity Labeling, Packaging and Method of Sale Requirements

I.D. No. AAM-12-20-00006-W

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

Action taken: Notice of proposed rule making, I.D. No. AAM-12-20-00006-P, has been withdrawn from consideration. The notice of proposed rule making was published in the *State Register* on May 19, 2021.

Subject: Regulated commodity labeling, packaging and method of sale requirements.

Reason(s) for withdrawal of the proposed rule: Non-consensus rule making designation required.

Office of Alcoholism and Substance Abuse Services

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

General Provisions Applicable to All OASAS Programs

I.D. No. ASA-27-21-00009-P

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

Proposed Action: Amendment of Part 800 of Title 14 NYCRR. This rule is proposed pursuant to SAPA section 207(3), 5-Year Review of Existing Rules.

Statutory authority: Mental Hygiene Law, sections 19.07(e), 19.09(b), 32.01, 32.07(a); Executive Law, art. 15

Subject: General provisions applicable to all OASAS programs.

Purpose: To identify those provisions that are required of all OASAS certified, funded or otherwise authorized programs.

Substance of proposed rule (Full text is posted at the following State website: oasas.ny.gov/legal): In addition to technical amendments updating this regulation consistent with Title 14, the Proposed Rule amends Part 800 as follows:

§ 800.1 Applicability. Adds new section regarding applicability of these provisions.

§ 800.3 Incorporation by Reference. Adds OASAS SUD Counselor Scope of Practice to documents Incorporated by Reference.

§ 800.4 Definitions. Removes the timeframe for a physician to obtain their DATA 200 waiver now that training is easily available online; updates definitions in accordance with agency policy; removes duplicative definitions contained in Title 14; and, adds new definitions used in Title 14 that are applicable to all programs.

§ 800.5 Access to Treatment. Adds a new section regarding access to treatment which addresses efforts to reduce disparities in OASAS programs, voluntary admission, priority admission, plan of safe care development and records retention policies applicable to all programs.

§ 800.6 Access to Medication Assisted Treatment. Removes the time to obtain DATA 2000 waiver training for appropriate prescribers and updates naloxone policy consistent with guidance already issued by the office.

Text of proposed rule and any required statements and analyses may be obtained from: Kelly Grace, NYS Office of Addiction Services and Supports, 1450 Western Avenue, Albany, NY 12203, (518) 485-2312, email: Kelly.Grace@oasas.ny.gov

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

Public comment will be received until: 60 days after publication of this notice.

Reasoned Justification for Modification of the Rule

The proposed rule amends Part 800 to update language consistent with agency statutory and regulatory provisions; incorporates by reference the OASAS substance use disorder counselor scope of practice; references any additional level of care determination modules developed for the existing tool; removes the time period allowed for practitioners to obtain a DATA 200 waiver to prescribe buprenorphine in accordance with federal rules now that such training is easily available online; updates and consolidates various definitions; and, adds a new section related to patient access to treatment which consolidates various provisions identified in guidance, local service bulletins and conflicting regulatory provisions into

one section now applicable to all certified, funded or otherwise authorized programs. The time period to maintain records subject to Medicaid and Medicare audit is now identified as ten (10) years to comply with case law (Cochise Consultancy, Inc. v. United States ex rel. Hunt, 139 S.Ct. 1507 (2019)) and the federal False Claims Act.

This proposed rule, in addition to updating language consistent with statutory and regulatory provisions, also consolidates guidance, administrative directives and conflicting regulatory provisions in one regulation applicable to all programs providing clarity for prevention, treatment and recovery programs. This proposed regulation was reviewed and approved by the Behavioral Health Services Advisory Council on June 17, 2021.

Regulatory Impact Statement

1. Statutory Authority:

(a) Section 19.07(e) of the Mental Hygiene Law authorizes the Commissioner of the Office of Addiction Services and Supports to adopt standards including necessary rules and regulations pertaining to addiction services.

(b) Section 19.09(b) of the Mental Hygiene Law authorizes the Commissioner of the Office of Addiction Services and Supports to adopt regulations necessary and proper to implement any matter under his or her jurisdiction.

(c) Section 32.01 of the Mental Hygiene Law authorizes the Commissioner of the Office of Addiction Services and Supports to adopt any regulation reasonably necessary to implement and effectively exercise the powers and perform the duties conferred by Article 32 of the Mental Hygiene Law.

(d) Section 32.07(a) of the Mental Hygiene Law authorizes the Commissioner of the Office of Addiction Services and Supports to adopt regulations to effectuate the provisions and purposes of Article 32 of the Mental Hygiene Law.

(e) Article 15 of the Executive Law enacts the Human Rights Law prohibiting discrimination against various protected classes.

2. Legislative Objectives: The legislature has authorized OASAS to establish standards and regulations governing the provision of addiction treatment services and well as standards for providers seeking to offer such services.

3. Needs and Benefits: This regulation is amended and updated consistent with other regulations contained in Title 14. Additionally, most of the provisions included in the newly added Access to Care section of the regulation are provisions that are already required of OASAS programs through guidance and Local Services Bulletins but are hereby consolidated in one location. Providers are required pursuant to Part 815 to have policies and procedures addressing a wide range of patient rights issues, including provider responsibilities regarding language access, quality improvement based on patient feedback and complaints, and patients' rights. OASAS is including the reference to the NYS Human Rights Law to ensure providers are aware of the included protected classes contained therein and that policies and procedures incorporate affirmative steps programs may undertake to ensure equitable access to care.

4. Costs: No additional administrative costs to the agency are anticipated. The amendments may require amending existing policies and procedures which programs may achieve with existing staff.

5. Paperwork: There is no additional paperwork beyond what is already required. Most of the provisions included in the regulation are already required through various guidance documents and Local Services Bulletins issued by the Office. The social equity provisions may require amendments to existing policies and procedures.

6. Local Government Mandates: Local governments may operate programs certified by OASAS and therefore may be required to update their policies and procedures consistent with regulatory requirements.

7. Duplications: This proposed rule does not duplicate, overlap, or conflict with any State or federal statute or rule.

8. Alternatives: The alternative is to leave the regulation as it currently reads, with language inconsistent with the rest of Title 14 and updates to the mental hygiene law. Additionally, providers often claim they are not aware of the various requirements contained in guidance and Local Services Bulletins which are being consolidated here. The provisions relating to affirmatively addressing equitable access to care may require revisions to policies and procedures by some providers but many providers already address this.

9. Federal Standards: This regulation does not conflict with federal standards.

10. Compliance Schedule: This rulemaking will be effective upon publication of a Notice of Adoption in the State Register.

Regulatory Flexibility Analysis

OASAS has determined that the rule will not impose any adverse economic impact or reporting, recordkeeping or other compliance requirements on small businesses or local governments because the amended regulation imposes minimal new requirements on providers of OASAS

services. Most of the requirements added into regulation are already required of OASAS programs by guidance and Local Service Bulletins issued by the Office.

Rural Area Flexibility Analysis

OASAS has determined that the rule will not impose any adverse impact on rural areas or reporting, recordkeeping or other compliance requirements on public or private entities in rural areas because the amended regulation imposes minimal new requirements on providers of OASAS services. Most of the requirements added into regulation are already required of OASAS programs by guidance and Local Service Bulletins issued by the Office.

Job Impact Statement

OASAS is not submitting a Job Impact Statement for this rulemaking. OASAS does not anticipate a substantial adverse impact on jobs and employment opportunities because the amended regulation does not impose any new employment or training requirements on prevention, treatment or recovery programs. Most of the requirements added into the regulation are already required of OASAS programs by guidance and Local Services Bulletins issued by the Office and conformance with the regulatory provisions will not require additional staff.

REVISED RULE MAKING NO HEARING(S) SCHEDULED

Patient's Rights in OASAS Programs

I.D. No. ASA-28-20-00013-RP

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

Proposed Action: Amendment of Part 815 of Title 14 NYCRR.

Statutory authority: Mental Hygiene Law, sections 19.07(c), (e), 19.09(b), 19.20, 19.20-a, 19.21(b), 22.03, 22.07, 32.01, 32.07(a), 32.05; Social Services Law, section 492; Protection of People with Special Needs Act, L. 2012, ch. 501

Subject: Patient's rights in OASAS programs.

Purpose: To set-forth the minimum regulatory requirements for patient rights in OASAS certified, funded or otherwise authorized programs.

Text of revised rule: § 815.1 is amended to read as follows:

This Part sets forth minimum standards to protect patient rights. For purposes of this Part, a patient is a person receiving services from a provider certified, *funded or otherwise authorized* [authorized, licensed, funded or operated] by the Office. The term "patient" as used in this Part includes, but is not limited to, terms such as "client", "resident", "consumer", "customer", "participant" or such other term which applies to a current or former service recipient.

§ 815.3 is amended to read as follows:

This Part applies to any provider currently certified, *funded or otherwise authorized* [authorized, licensed, operated or funded] by OASAS to provide addiction services.

A new subdivision (r) is added to § 815.4 to read as follows:

(r) *Providers shall develop and implement policies and procedures to ensure the provision of culturally competent and affirming services for patients consistent with their sexual orientation and gender identity or expression.*

§ 815.4(a) is amended to read as follows:

The facility or provider agency as program sponsor shall establish policies and procedures *and ensure that staff are adequately trained on the content of such policies and procedures*, to protect patient rights.

New paragraphs (19), (20), and (21) are added to subdivision (a) of § 815.5 to read as follows:

(19) *Patients have the right to placement in gender segregated settings based on their gender identity or expression.*

(20) *Patients have the right to culturally competent and affirming care and to be free from harassment and/or discrimination based on their sexual orientation or their gender identity or expression.*

(21) *Prohibition against discrimination in admission. No individual that meets the level of care criteria shall be denied admission to any program based solely on the individual's:*

(i) *prior treatment history;*

(ii) *referral source;*

(iii) *pregnancy;*

(iv) *history of contact with the criminal justice system;*

(v) *HIV or AIDS status;*

(vi) *physical or mental disability;*

(vii) *lack of cooperation by significant others in the treatment process;*

(viii) toxicology test results;

(ix) use of any illicit or prescribed substance, including but not limited to, benzodiazepines; or

(x) use of medications for substance use disorder prescribed and monitored by an appropriate practitioner.

New subdivision (d) is added to § 815.12 to read as follows:

(d) All staff shall be regularly trained on maintaining appropriate boundaries with clients.

Revised rule compared with proposed rule: Substantial revisions were made in sections 815.4 and 815.12.

Text of revised proposed rule and any required statements and analyses may be obtained from Kelly Grace, Office of Addiction Services and Supports, 1450 Western Avenue, Albany, NY 12203, (518) 485-2312, email: Kelly.Grace@oasas.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.

Revised Regulatory Impact Statement

1. Statutory Authority:

(a) Section 19.07(c) of the Mental Hygiene Law (“MHL”) charges the Commissioner (“Commissioner”) of the New York State Office of Alcoholism and Substance Abuse Services (“the Office”) with the responsibility of ensuring that the personal and civil rights of persons receiving care, treatment and rehabilitation are adequately protected.

(b) Section 19.07(e) of the MHL authorizes the Commissioner to adopt standards including necessary rules and regulations pertaining to chemical dependence services.

(c) Section 19.09(b) of the MHL authorizes the Commissioner to adopt regulations necessary and proper to implement any matter under their jurisdiction.

(d) Section 19.20 of the MHL authorizes the Office to receive and review criminal history information from the Justice Center related to employees or volunteers of treatment facilities certified, licensed, funded or operated by the Office.

(e) Section 19.20-a of the MHL authorizes the Office to receive and review criminal history information from the Justice Center related to persons seeking to be credentialed by the Office or applicants for an operating certificate issued by the Office.

(f) Section 19.21(b) of the MHL authorizes the Commissioner to adopt regulations concerning the licensing, certification, inspection, and treatment standards of all facilities that treat alcoholism and substance dependency.

(g) Section 22.03 of the MHL requires the director of any chemical dependency program to establish, communicate and post patient rights, to include information about how to communicate with the Office and the Commissioner.

(h) Section 22.07(c) of the MHL authorizes the Commissioner to adopt rules and regulations and take any other necessary action to ensure that the rights of individuals who have received or are receiving chemical dependence services are protected.

(i) Section 32.01 of the MHL authorizes the Commissioner to adopt any regulation reasonably necessary to implement and effectively exercise the powers and perform the duties conferred by article 32 of the MHL.

(j) Section 32.07(a) of the MHL authorizes the Commissioner to adopt regulations to effectuate the provisions and purposes of Article 32 of the MHL.

(k) Section 32.05 of the MHL indicates that no provider of services shall engage in any chemical dependence treatment activities without an operating certificate issued by the Commissioner.

(l) Section 492 of the Social Services Law established the Vulnerable Persons’ Central Register.

(m) The Protection of People with Special Needs Act (chapter 501 of the Laws of 2012) established the Justice Center for the Protection of People with Special Needs.

(n) Section 32.06 of the MHL prohibits the offering or acceptance of a payment, benefit or consideration in any form, in exchange for the referral of any person as a potential patient for substance use disorder services.

2. Legislative Objectives: Articles 19 and 32 of the Mental Hygiene Law authorize the promulgation of rules and regulations to regulate and assure the consistent quality of services provided within the state to persons with or at risk of a substance use disorder and/or problem gambling. The Office is also directed to foster programs for the training and development of persons capable of providing substance use disorder and gambling addiction services. This amendment will make technical amendments to replace outdated terminology with current terminology, and include language related to patient rights consistent with legislative objectives.

3. Needs and Benefits: The proposed rule will replace “authorize, licensed, funded, or operated” with “funded or otherwise authorized” in

order to replace outdated terminology with current terminology. The amendment will also include the addition of language related to provider requirements and patient rights consistent with the existing Local Services Bulletin (LSB) on provision of affirming care for Lesbian, Gay, Bisexual, Transgender, and Questioning (LGBTQ) patients. The addition of language in Part 815 adds regulatory language for a pre-existing administrative requirement. This will strengthen the agency’s expectations of providers for the provision of LGBTQ competent and affirming care thereby creating a better healthcare environment for individuals seeking substance use disorder treatment in New York. The revised regulatory amendments clarify language on non-discrimination policies which are included in OASAS programmatic regulations and are hereby placed in one regulation for clarity and consistency for providers and provide clarity on existing agency requirements.

4. Costs: No additional administrative costs to the agency are anticipated. No additional costs to programs/providers are anticipated as the minimum requirements outlined in this regulation are already required administratively by a local services bulletin issued by OASAS in 2017 and updated in 2019.

5. Paperwork: The proposed regulation will not require any additional paperwork as these requirements are already required administratively by a local services bulletin issued by OASAS in 2017 and updated in 2019. Non-discrimination policies are already required by OASAS programmatic regulations under which programs are certified and OASAS already requires staff training on policies and procedures and appropriate client/staff relationships, additional language added to the regulation is for clarity.

6. Local Government Mandates: This regulation imposes no new mandates on local governments operating certified OASAS programs even if they employ OASAS credentialed professionals.

7. Duplications: This proposed rule does not duplicate any State or federal statute or rule.

8. Alternatives: One alternative would be for the agency to leave the outdated language in the regulation. However, the agency is proposing the amendments in order to be consistent with legislative objectives and existing agency requirements. For those providers that are not otherwise compliant, corrective action plans will be required for failure to comply with existing agency guidance. Providing clarity within the regulation allows for providers to ensure that they are compliant with agency expectations in advance of a program review.

9. Federal Standards: This regulation does not conflict with federal standards.

10. Compliance Schedule: This rule making will be effective upon publication of a Notice of Adoption in the State Register.

Revised Regulatory Flexibility Analysis

OASAS has determined that the rule will not impose any adverse economic impact or reporting, recordkeeping or other compliance requirements on small businesses or local governments because amendments to the revised regulations clarify language on non-discrimination policies which are included in OASAS programmatic regulations and are hereby placed in one regulation for clarity and consistency for providers. Other regulatory amendments are made for clarity and are based on existing agency requirements.

Revised Rural Area Flexibility Analysis

OASAS has determined that the rule will not impose any adverse impact on rural areas or reporting, recordkeeping or other compliance requirements on public or private entities in rural areas because the amendments to the revised regulations clarify language on non-discrimination policies which are included in OASAS programmatic regulations and are hereby placed in one regulation for clarity and consistency for providers. Other regulatory amendments are made for clarity and are based on existing agency requirements.

Revised Job Impact Statement

No change in the number of jobs and employment opportunities is anticipated as a result of the proposed amendment to the revised regulations because the amendments clarify language on non-discrimination policies which are included in OASAS programmatic regulations and are hereby placed in one regulation for clarity and consistency for providers. Other regulatory amendments are made for clarity and are based on existing agency requirements. The providers will not need to hire additional staff or reduce staff size; the proposed changes will not adversely impact jobs outside of the agency; the proposed changes will not result in the loss of any jobs within New York State.

Assessment of Public Comment

The agency received no public comment.

Office of Children and Family Services

EMERGENCY/PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

To Clarify the Authorization and Payment Requirements of Part 415 and Revise the Sliding Fee Scale for Families

I.D. No. CFS-27-21-00001-EP

Filing No. 748

Filing Date: 2021-06-16

Effective Date: 2021-06-16

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

Proposed Action: Amendment of sections 415.0 and 415.3 of Title 18 NYCRR.

Statutory authority: Social Services Law, sections 20(3)(d), 34(3)(f), 410-u(2) and 410-x(6)

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

Specific reasons underlying the finding of necessity: This emergency rule is necessary for the preservation of the general welfare of the families of New York State. First, this rule revises the applicability of Part 415 of Title 18 of the New York State Codes, Rules and Regulations to clarify that the authorization and payment requirements of Part 415 apply only to child care services provided under the portion of the Block Grant for Child Care allocated to social services districts to provide child care assistance to families receiving family assistance and to other low-income families, as defined in Social Services Law section 410-u, and Title XX of the Federal Social Security Act. This revision is necessary to expeditiously expand access to child care assistance and allow the New York State Office of Children and Family Services to obligate and liquidate funds allocated to the Block Grant for Child Care in accordance with timelines under the federal Coronavirus Aid, Relief, and Economic Security Act, the Coronavirus Response and Relief Supplemental Appropriations Act of 2021, the American Rescue Plan Act, and New York State budget appropriations. Second, this rule revises the sliding fee scale for families receiving child care services that are required to pay an income-based portion of a family share. Previously, social services districts had the option to choose an income factor of 10 to 35 percent; districts will now have to choose an income factor of at least 1 but no more than 10 percent. This revision is necessary to implement a statutory amendment to Social Services Law section 410-x(6).

Subject: To clarify the authorization and payment requirements of Part 415 and revise the sliding fee scale for families.

Purpose: To clarify the authorization and payment requirements of Part 415 and revise the sliding fee scale for families.

Text of emergency/proposed rule: Part 415 of Title 18 of the New York State Codes, Rules and Regulations (NYCRR) is hereby amended to read as follows:

Section 415.0 of Title 18 NYCRR is amended to read as follows:

Applicability. This Part governs the authorization and payment of publicly funded child care services for children [under any provision of the Social Services Law or] pursuant to the portion of the Block Grant for Child Care allocated to social services districts to provide child care assistance to families receiving family assistance and to other low-income families, as defined in Social Services Law Section 410-u, and Title XX of the Federal Social Security Act to the extent of appropriations made available therefor.

Paragraph (3) of subdivision (e) of section 415.3 of Title 18 NYCRR is amended to read as follows:

(3) The sliding fee scale developed by the social services district must be calculated by subtracting the state income standard, as defined in section 415.1(k) of this Part, for the specific family size of the eligible family from the annual gross income of the eligible family, multiplying the remaining income by a factor of at least 1 but no more than 10 [to 35] percent, as selected by the social services district and included in the district's consolidated services plan or integrated county plan, and dividing the product by 52 to determine a weekly family share. The same per-

centage factor must be used for all families receiving child care services that are required to pay an income-based portion of a family share.

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 September 13, 2021.

Text of rule and any required statements and analyses may be obtained from: Frank J. Nuara, Office of Children and Family Services, 52 Washington St., Rensselaer, NY 12144, (914) 589-3096, email: REGCOMMENTS@ocfs.ny.gov

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

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement

1) Statutory Authority:

Section 20(3)(d) of the Social Services Law (SSL) authorizes the commissioner of the New York State Office of Children and Family Services (OCFS) to establish rules, regulations, and policies to carry out OCFS' powers and duties under the SSL.

Section 34(3)(f) of the SSL authorizes OCFS to establish regulations for the administration of public assistance and care within the state.

Section 410-u(2) of the SSL divides the Block Grant for Child Care into two parts: the first comprised of funds retained by the state to provide child care on a statewide basis to special groups and for activities to increase the availability and/or quality of child care programs, and the second allocated to social services districts to provide child care assistance to families receiving family assistance and to other low income families.

Section 410-x(6) of the SSL requires child care assistance to be provided on a sliding fee basis, pursuant to department regulations, based upon the family's ability to pay. A family receiving child care assistance cannot be required to contribute more than 10 percent of its income exceeding the federal poverty level.

2) Legislative Objectives:

First, this rule is necessary to clarify that the authorization and payment requirements of Part 415 apply only to child care services provided under the portion of the Block Grant for Child Care allocated to social services districts to provide child care assistance to families receiving family assistance and to other low income families, as defined in Social Services Law Section 410-u, and Title XX of the Federal Social Security Act. This revision is necessary to expeditiously expand access to child care assistance and allow OCFS to obligate and liquidate funds allocated to the Block Grant for Child Care in accordance with timelines under the federal Coronavirus Aid, Relief, and Economic Security Act, the Coronavirus Response and Relief Supplemental Appropriations Act of 2021, the American Rescue Plan Act, and New York State budget appropriations. Second, this rule revises the sliding fee scale for families receiving child care services that are required to pay an income-based portion of a family share. Previously, social services districts had the option to choose an income factor of 10 to 35 percent; districts will now have to choose an income factor of at least 1 but no more than 10 percent. This revision is necessary to implement a statutory amendment to SSL 410-x(6).

3) Needs and Benefits:

This rule would expand access to child care assistance. Regarding the first revision, OCFS is under time constraints to obligate and spend the listed funds, and recipients greatly need urgent access. OCFS has had calls with stakeholders about the need for child care assistance in the field and the need to obligate these funds in accordance with the relevant requirements. The sliding fee scale revision is necessary to implement a statutory amendment to SSL 410-(6), which took effect on April 16, 2021.

4) Costs:

No additional costs will be assessed with this rule. In fact, there will be a cost savings to many families that will benefit from a reduced family share.

5) Local Government Mandates:

No new mandates are imposed on local governments by this rule.

6) Paperwork:

Currently, 46 of the 58 social services districts will need to update their Child and Family Services Plan to reflect a new sliding fee scale income factor. OCFS will assist in this process.

7) Duplication:

This rule does not duplicate state or federal requirements.

8) Alternatives:

There are no alternatives. Without this rule, OCFS will not be able to obligate and spend the appropriations under the listed funding streams in a timely manner. OCFS also needs this rule to comply with state statute.

9) Federal Standards:

This rule is consistent with applicable federal requirements.

10) Compliance Schedule:

Compliance with this rule will begin immediately.

Regulatory Flexibility Analysis

1) Effect of Rule:

There are approximately 16,200 licensed/registered child care programs

and 17,000 enrolled legally exempt child care programs in New York State, and 58 social services districts.

2) Compliance Requirements:

Currently, 46 of the 58 social services districts will need to update their Child and Family Services Plan to reflect a new sliding fee scale income factor. The New York State Office of Children and Family Services (OCFS) will assist in this process. There are no other new compliance requirements.

3) Professional Services:

Child care programs and local governments will not be required to use or employ any additional professional services as a result of this rule.

4) Compliance Costs:

No additional costs will be assessed with this rule.

5) Economic and Technological Feasibility:

There are no new requirements that will impact economic and/or technological feasibility.

6) Minimizing Adverse Impact:

OCFS does not anticipate an adverse impact.

7) Small Business and Local Government Participation:

OCFS had calls with stakeholders about the need for child care assistance in the field and the need to obligate the listed funds in accordance with the relevant requirements. OCFS will provide guidance, technical assistance, and outreach to those that are impacted by this rule. Specifically, OCFS will assist social services districts that need to update their Child and Family Services Plan to reflect a new sliding fee scale income factor. OCFS will send notice of this rule via email to all child care programs for which it has valid email addresses and post this information on the OCFS child care website. This will include the contact information of someone in OCFS to answer questions on this rule and the email address for the regulations mailbox (regcomments@ocfs.ny.gov) to provide public comments.

Rural Area Flexibility Analysis

1) Types and Estimated Numbers of Rural Areas:

This rule will apply to licensed/registered and enrolled legally exempt child care programs and social services districts in all 44 rural areas of the state.

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

Currently, 46 of the 58 social services districts will need to update their Child and Family Services Plan to reflect a new sliding fee scale income factor. The New York State Office of Children and Family Services (OCFS) will assist in this process.

3) Costs:

There are no new costs associated with this rule in rural areas.

4) Minimizing Adverse Impact:

OCFS does not anticipate any adverse impact to rural area child care programs or social services districts as a result of this rule.

5) Rural Area Participation:

OCFS had calls with stakeholders about the need for child care assistance in the field and the need to obligate the listed funds in accordance with the relevant requirements. OCFS will provide guidance, technical assistance, and outreach to those that are impacted by this rule. Specifically, OCFS will assist social services districts that need to update their Child and Family Services Plan to reflect a new sliding fee scale income standard. OCFS will send notice of this rule via email to child care programs for which it has a valid email address, and post this information on the OCFS child care website. This will include the contact information of someone in OCFS to answer questions on this rule and the email address for the regulations mailbox (regcomments@ocfs.ny.gov) to provide public comments.

Job Impact Statement

1) Nature of Impact:

The New York State Office of Children and Family Services (OCFS) does not anticipate that this rule will have a negative impact on employment opportunities in any region of New York State.

2) Categories and Numbers Affected:

It is estimated that there are 16,200 licensed/registered child care programs and 17,000 enrolled legally exempt child care programs in New York State, and 58 social services districts.

3) Regions of Adverse Impact:

This rule applies to licensed/registered and enrolled legally exempt child care programs and social services districts. There are no regions where this rule will have a disproportionate adverse impact on employment opportunities.

4) Minimizing Adverse Impact:

OCFS does not anticipate an adverse impact.

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

For Licensed and Registered Child Care Programs to Comply with the Anaphylaxis Policy Issued by NYS Department of Health

I.D. No. CFS-27-21-00003-P

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

Proposed Action: Amendment of Parts 414, 415, 416, 417, Subparts 418-1 and 418-2 of Title 18 NYCRR.

Statutory authority: Social Services Law, sections 20, 34, 390 and 410-x

Subject: For licensed and registered child care programs to comply with the anaphylaxis policy issued by NYS Department of Health.

Purpose: For licensed and registered child care programs to comply with the anaphylaxis policy issued by NYS Department of Health.

Substance of proposed rule (Full text is posted at the following State website: <https://ocfs.ny.gov/main/legal/regulatory/pc/>): Pursuant to New York Public Health Law Section 2500-h, licensed and registered child care programs must comply with the anaphylaxis policy jointly issued by the Office and the New York State Department of Health and any amendments thereto. Social Services Law Sections Section 390 and 410-x authorize the Office of Children and Family Services to establish health and safety requirements for any child care provider operating under the Statute. This rule amends Title 18 of the New York State Codes, Rules and Regulations Parts 414, 415, 416, 417 and Subparts 418-1 and 418-2 to include such procedures. Anaphylaxis is a life-threatening allergic response. The joint policy requires that staff and volunteers are aware and trained on preventing anaphylaxis, that child care programs notify the parents of the anaphylaxis policy when the child is enrolled and annually thereafter, as well identifies the signs and symptoms of an anaphylaxis reaction.

In addition, the proposed regulation clarifies the roles and responsibilities for patient-specific epinephrine auto-injectors, and newly authorizes licensed, registered, and legally-exempt group child care programs to possess non-patient specific epinephrine auto-injectors, provided the program complies with all requirements of section 3000-c of public health law.

Finally, the proposed regulation changes the schedule of visits by a health care consultant, for programs administering medication, from every two years to every year.

Text of proposed rule and any required statements and analyses may be obtained from: Frank J. Nuara, Office of Children and Family Services, 52 Washington St., Rensselaer, NY 12144, (518) 474-9778, email: REGCOMMENTS@ocfs.ny.gov

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

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement

1. Statutory Authority

Social Services Law Sections Section 390 and 410-x authorize the Office of Children and Family Services to establish health and safety requirements for any child care provider operating under the Statute.

Public Health Law Section 2500-h requires anaphylactic policies for child day care programs setting forth guidelines and procedures to be followed for both the prevention of anaphylaxis and during a medical emergency resulting from anaphylaxis.

Public Health Law Section 3000-c allows day care facilities to stock non-patient specific epinephrine auto-injectors provided that at least one person who has completed the required training is designated responsible for the storage, maintenance, control, and general oversight of such epinephrine auto-injectors.

2. Legislative Objectives

This rule is necessary to enact Public Health Law Section 2500-h, which requires that OCFS and DOH create a policy for all licensed and registered child care programs to prevent and respond to anaphylactic reactions. Anaphylaxis is a life-threatening allergic response. The joint policy requires that staff and volunteers are aware and trained on preventing anaphylaxis, that child care programs notify the parents anaphylaxis policy when the child is enrolled and annually thereafter, as well identifies the signs and symptoms of an anaphylaxis reaction.

In addition, the proposed regulation clarifies the roles and responsibilities for non-patient-specific epinephrine auto-injectors, and newly authorizes licensed, registered, and legally-exempt group child care programs to possess non-patient specific epinephrine auto-injectors, provided the program complies with all requirements of section 3000-c of public health law.

Due to the new requirements listed above, this rule also changes the required review period for health care consultant-approved Health Care Plans to once every year. Currently, it is once every two years.

3. Needs and Benefits

This rule is necessary to codify state statute, specifically Public Health Law Section 2500-h, which requires anaphylactic policies for child day care programs setting forth guidelines and procedures to be followed for both the prevention of anaphylaxis and during a medical emergency resulting from anaphylaxis, and Public Health Law Section 3000-c, which allows day care facilities to stock non-patient specific epinephrine auto-injectors provided that at least one person who has completed the required training is designated responsible for the storage, maintenance, control, and general oversight of such epinephrine auto-injectors. In addition, requiring child day care programs to follow the new anaphylaxis policy, including the additional training requirements regarding the prevention and response to anaphylaxis, the ability to allow stock non-patient specific epinephrine auto-injectors, and more frequent Health Care Plan review will improve the health and safety of children in care and could be life-saving for children who have life-threatening allergies.

4. Costs

There are minimal costs associated with this regulation on providers. Licensed and registered providers will be responsible for adhering to the joint policy at set forward by OCFS and DOH. The joint policy requires staff and volunteer training on the prevention and response of anaphylactic reactions. The joint policy also requires notification to parents at enrollment and annually thereafter and compliant program procedures. Additionally, licensed, registered, and legally-exempt group programs are not being required to stock non-patient specific epinephrine auto-injectors; it is at program option. Programs whose Health Care Plan requires health care consultant review will be required to have the plan reviewed more often than currently required, which may have an associated cost.

OCFS and DOH will disseminate educational resources to assist programs, and OCFS will make training regarding anaphylaxis and non-patient specific auto-injectors available to child care programs at no cost.

5. Local Government Mandates

No new mandates are imposed on local governments by these proposed regulations.

6. Paperwork

There is limited new paperwork. Child care providers may need to update program procedures and health care plans. Notification of the anaphylaxis policy will need to be provided to parents at enrollment and annually thereafter.

7. Duplication

The new regulations do not duplicate state or federal requirements.

8. Alternatives

The rule is necessary to codify state statute. Guidance alone would not be sufficient to take enforcement action against programs that do not follow the new joint policy. For the policy to be enforceable, regulations are required.

9. Federal Standards

The regulations are consistent with applicable federal requirements.

10. Compliance Schedule

Compliance with the proposed regulations would begin upon adoption.

Regulatory Flexibility Analysis

1. Effect of Rule

There are 16,200 small day care businesses in New York State that are comprised of day care centers, school age child care programs, family and group family day care homes, and one small day care center, and 13,700 legally exempt providers. With the exception of legally-exempt informal, all of these programs will be affected by the regulatory changes proposed.

2. Compliance Requirements

Licensed, registered, and legally-exempt group child care programs are not required to stock non-patient specific epinephrine auto-injectors. However, those that do are required to undergo training.

All licensed and registered child care programs will be required to comply with the joint anaphylaxis policy issued by OCFS and DOH. The joint policy identifies the signs and symptoms of an anaphylactic reaction, requires that staff and volunteers are trained on preventing anaphylaxis, and requires that programs notify parents of the anaphylaxis policy when their child is enrolled and annually thereafter.

All child care programs with a Health Care Plan that requires health care consultant review will be required to have the plan reviewed at least once every year.

3. Professional Services

Child care programs with a Health Care Plan that requires health care consultant review will be required to have the health care consultant review the plan more frequently as a result of these proposed changes.

4. Compliance Costs

There are minimal costs associated with this regulation on providers. Licensed and registered providers will be responsible for adhering to the

joint policy set forward by OCFS and DOH. The joint policy requires notification to parents at enrollment and annually thereafter, compliant program procedures, and staff and volunteer training on the prevention and response of anaphylactic reactions. OCFS and DOH will disseminate educational resources to assist programs. Additionally, licensed, registered, and legally-exempt group programs are not being required to stock non-patient specific epinephrine auto-injectors; it is at program option. Programs whose Health Care Plan requires health care consultant review will be required to have the plan reviewed more often than currently required, which may have an associated cost.

5. Economic and Technological Feasibility

There are no economic or technological issues associated with this rule.

6. Minimizing Adverse Impact

The Office does not anticipate any adverse impact to child care programs as a result of the proposed regulations. Anaphylaxis is a potentially life-threatening response, and thus it is crucial that child care providers are able to recognize and respond to signs and symptoms of anaphylaxis. Training regarding anaphylaxis and non-patient specific auto-injectors will be created by the Office and will be made available at no cost to child care programs.

7. Small Business and Local Government Participation

OCFS, in conjunction with DOH, before finalization, received feedback on the joint policy from stakeholders, including child care health care consultants, medical doctors with a focus on allergic reactions, parents of children with life-threatening allergies, child care providers, pediatricians, and nonprofit organizations with a focus on allergy advocacy.

OCFS will provide guidance, technical assistance, and outreach to those that are impacted by the proposed regulation. OCFS will send notice of this new regulation electronically (via email) to child care providers and post this information on the OCFS child care website. The guidance, technical assistance, and outreach will include the contact information of someone in OCFS to answer questions on the proposed regulations and the email address of the regulation mailbox (regcomments@ocfs.ny.gov) to provide comments on the regulations.

Rural Area Flexibility Analysis

1. Types and Estimated Numbers of Rural Areas

Portions of the proposed regulations will apply to all modalities of licensed/registered child care programs and legally-exempt group child care programs operating in 44 rural areas of the state.

2. Reporting, Recordkeeping and Other Compliance Requirements; and Professional Services

There is limited new paperwork. Child care providers may need to update program procedures and health care plans. Notification of the anaphylaxis policy will need to be provided to parents at enrollment and annually thereafter.

Child care programs with a Health Care Plan that requires health care consultant review will be required to have the health care consultant review the plan more frequently as a result of these proposed changes.

3. Costs

There are minimal costs associated with this regulation on providers. Licensed and registered providers will be responsible for adhering to the joint policy set forward by OCFS and DOH. The joint policy requires notification to parents at enrollment and annually thereafter, compliant program procedures, and staff and volunteer training on the prevention and response of anaphylactic reactions. OCFS and DOH will disseminate educational resources to assist programs. Additionally, licensed, registered, and legally-exempt group programs are not being required to stock non-patient specific epinephrine auto-injectors; it is at program option. Programs whose Health Care Plan requires health care consultant review will be required to have the plan reviewed more often than currently required, which may have an associated cost.

4. Minimizing Adverse Impact

The Office does not anticipate any adverse impact to rural area child care programs as a result of the proposed regulations. Anaphylaxis is a potentially life-threatening response, and thus it is crucial that child care providers are able to recognize and respond to signs and symptoms of anaphylaxis. Training regarding anaphylaxis and non-patient specific auto-injectors will be created by the Office and will be made available at no cost to child care programs.

5. Rural Area Participation

OCFS, in conjunction with DOH, before finalization, received feedback on the joint policy from stakeholders, including child care health care consultants, medical doctors with a focus on allergic reactions, parents of children with life-threatening allergies, child care providers, pediatricians, and nonprofit organizations with a focus on allergy advocacy. These stakeholders represented all regions of the State.

OCFS will provide guidance, technical assistance, and outreach to those that are impacted by the proposed regulation. OCFS will send notice of this new regulation electronically (via email) to child care providers and post this information on the OCFS child care website. The guidance,

technical assistance, and outreach will include the contact information of someone in OCFS to answer questions on the proposed regulations and the email address of the regulation mailbox (regcomments@ocfs.ny.gov) to provide comments on the regulations.

Job Impact Statement

1. Nature of Impact

OCFS does not anticipate that the proposed regulations will have a negative impact on jobs or employment opportunities for child care program employees or caregivers in all regions of New York State. More frequent review of Health Care Plans may actually increase employment opportunities for health care consultants.

2. Categories and Numbers Affected

It is estimated that there are 16,200 licensed and registered programs and 13,700 legally exempt providers.

3. Regions of Adverse Impact

Portions of the new regulation applies to all modalities of licensed/registered and legally exempt group child care in all regions of New York State. There are no regions where the regulations would have a disproportionate adverse impact on jobs or employment opportunities.

4. Minimizing Adverse Impact

The Office does not anticipate any adverse impact to child care programs as a result of the proposed regulations. Anaphylaxis is a potentially life-threatening response, and thus it is crucial that child care providers are able to recognize and respond to signs and symptoms of anaphylaxis. Training regarding anaphylaxis and non-patient specific auto-injectors will be created by the Office and will be made available at no cost to child care programs.

REVISED RULE MAKING NO HEARING(S) SCHEDULED

Host Family Homes

I.D. No. CFS-04-20-00009-RP

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

Proposed Action: Addition of Part 444 to Title 18 NYCRR.

Statutory authority: Social Services Law, sections 20 and 34

Subject: Host Family Homes.

Purpose: The proposed regulations would establish standards for the approval and administration of host family homes.

Substance of revised rule (Full text is posted at the following State website: <https://ocfs.ny.gov/main/legal/regulatory/pc/>): The proposed 18 NYCRR 444.1 would establish a host family home program.

The proposed 18 NYCRR 444.2 provides for relevant definitions of terms such as “parent”, “child”, “host family home agency”, and “host family home”.

The proposed addition of 18 NYCRR 444.3 would establish a prohibition against discrimination or harassment of children or their parents by the host family home agency on the basis of race, creed, color, national origin, age, sex, religion, sexual orientation, gender identity or expression, marital status or disability.

The proposed addition of 18 NYCRR 444.4 would address the responsibility of the host family home agency to provide information to the parent regarding host family homes, services and resources to meet the needs of the family.

The proposed addition of 18 NYCRR 444.5 would address the execution of the designation of person in parental relation and the host family home agency’s responsibility in reviewing the document with the parent and engagement of youth 14 years of age or older regarding initial care and any subsequent extensions.

The proposed addition of 18 NYCRR 444.6 would address the prohibition against any abuse or maltreatment of a child cared for in a host family home and the reporting obligations of staff of the host family home agency where there is reasonable cause to suspect abuse or maltreatment of a child in a host family home.

The proposed addition of 18 NYCRR 444.7 would address the privacy rights of children cared for in a host family home in relation to mail and telephone access and use.

The proposed addition of 18 NYCRR 444.8 would establish limitations on the forms and conditions for the discipline of children cared for in a host family home.

The proposed addition of 18 NYCRR 444.9 would address requirements on the administration of a host family home agency in relation to policies, manuals and clearances of staff.

The proposed addition of 18 NYCRR 444.10 would address the Office of Children and Family Services’ (OCFS) oversight and monitoring of the host family home program.

The proposed addition of 18 NYCRR 444.11 would address the duties and responsibilities of an approved host family home agency in relation to the process for the recruitment and approval of host family homes.

The proposed addition of 18 NYCRR 444.12 would address the conditions for approval of a host family home agency by OCFS.

The proposed addition of 18 NYCRR 444.13 would address the duties and responsibilities of an approved host family home in relation to the care of children cared for in such home.

The proposed addition of 18 NYCRR 444.14 would address the responsibility of the host family home agency to provide specified information on the child and the child’s family to the host family home when a child is cared for in the host family home.

The proposed addition of 18 NYCRR 444.15 would address the standards and criteria for the home study of applicants for approval by a host family home agency as a host family home.

The proposed addition of 18 NYCRR 444.16 would establish health and safety standards required for the approval of a host family home.

The proposed addition of 18 NYCRR 444.17 would address the supervision of responsibilities of the host family home agency in regard to children cared for in an approved host family home.

The proposed addition of 18 NYCRR 444.18 would address the process for the nonrenewal or revocation of the approval of a host family home by the host family home agency.

The proposed amendment of 18 NYCRR 444.19 would address exceptions that may be permissible upon approval of OCFS.

Revised rule compared with proposed rule: Substantive revisions were made in section 444.

Text of revised proposed rule and any required statements and analyses may be obtained from Frank J. Nuara, Office of Children and Family Services, 52 Washington Street, Rensselaer, NY 12144, (518) 474-9778, email: REGCOMMENTS@ocfs.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.

Revised Regulatory Impact Statement

1. Statutory authority:

Section 20(3)(d) of the Social Services Law (SSL) authorizes the New York State Office of Children and Family Services (OCFS) to establish rules and regulations to carry out its powers and duties pursuant to the provisions of the SSL.

Section 34(3)(f) of the SSL requires the commissioner of OCFS to establish regulations for the administration of public assistance and care within New York State.

2. Legislative objectives:

The proposed regulations would establish regulatory standards to address the authority for a voluntary authorized agency to arrange for the free care of a child in a family other than that of the child’s parent, step-parent, grandparent, brother, sister, uncle, aunt or legal guardian and not for adoption, as authorized by section 374 of the SSL.

3. Needs and benefits:

The proposed regulations would establish standards for the approval and administration of host family homes. Host family homes would care for children placed by the parents of the children with a host family home who have been vetted by a host family home agency. Host family home agencies must be nonprofit corporations approved by OCFS. The children cared for in host family homes would not be freed for adoption and would not be in the legal custody of a social services district. The parents of children cared for in host family homes would continue to have financial responsibility for such children.

The host family home and the host family home agency would be subject to the terms and conditions of the regulations established in a new Part 444 of Title 18. The host family home agency would be subject to the approval, inspection and supervision of OCFS.

The proposed regulations would afford parents the ability to obtain short-term care for their children without the need to place the child in public foster care. The care would be provided in an approved host family home, which must comply with specific health, safety and clearance standards. The proposed regulations also establish standards relating to the rights of children and the parents of the children placed in host family homes.

4. Costs:

Costs associated with the proposed regulations include criminal background checks and SCR clearances. The cost of the SCR clearances would be the responsibility of the Host Family Agency and would be considered part of their operating costs. In the absence of any dedicated funding source to support Host Family Agencies, these costs would have no impact on the state.

5. Local government mandates:

The proposed regulations would not impose any additional mandates on social services districts or social services.

6. Paperwork:

The requirements imposed by the proposed regulations would be recorded by the newly created host family home agencies.

7. Duplication:

The proposed regulations would not duplicate other state or federal requirements.

8. Alternatives:

Many public comments were received, and changes were made to the regulations in response. OCFS amended the regulations to clarify this is a primary prevention community-based program that affords parents the opportunity to engage with an OCFS approved host family home agency for the purpose of identifying volunteer host families who are willing and able to care for a child upon the execution of a designation of person in parental relation by a parent as provided for in Section 5-1551 of the NYS General Obligations Law. Additional changes included requiring the child's input when developmentally appropriate; limiting the time a child can be in a host home and clarifying who will be responsible for the financial care of the child.

9. Federal standards:

The proposed regulations would not conflict with current federal standards. There are no comparable federal programs.

10. Compliance schedule:

Compliance with the proposed regulations would begin immediately upon final adoption.

Revised Regulatory Flexibility Analysis

1. Effect of Rule:

The proposed regulations will not affect local departments of social services in New York State because the program established by the proposed regulations may not be administered by a local department of social services, the children served by a host family home agency are not in the legal custody of a local department of social services, and local departments of social services have no legal obligation to purchase the services afforded by a host family home program. The proposed regulations could affect the approximately 83 voluntary authorized agencies in New York State. The edits made to the Express Terms in this revised rule making do not require any changes to the RFA.

2. Compliance Requirements:

The proposed regulations would establish standards for the approval and administration of host family homes. Host family homes would care for children placed by the child's parent(s) with a host family home through the execution of a designation of person in parental regulation. Host family homes would be vetted by an agency that is a nonprofit corporation with the authority to place out children and approved by the New York State Office of Children and Family Services (OCFS). The children who are cared for by host family homes are not in public foster care. Financial responsibility for the children remains with the child's parent(s).

The host family home and the host family home agency would be subject to the terms and conditions of the regulations established by a new Part 444 of Title 18. The host family home agency would be subject to the approval, inspection and supervision of OCFS.

The proposed regulations would establish recordkeeping and reporting requirements imposed on the host family home agency in relation to the administration of a host family home program. The proposed regulations would preclude a host family home from receiving a child for care unless and until the host family home is approved following a home study and required clearances. The proposed regulations would establish compliance standards on the host family home and the host family home agency in relation to the care of children and the rights of such children and their parents.

3. Professional Services:

These proposed regulations would not create the need for additional professional services.

4. Compliance Costs:

Costs associated with the proposed regulations include criminal background checks and Statewide Central Register (SCR) clearances. The cost for SCR clearances would be the responsibility of the host family agency and would be considered part of their operating costs.

5. Economic and Technological Feasibility:

These proposed regulations would not have an adverse economic impact on local departments of social services and would not require the hiring of additional staff.

6. Minimizing Adverse Impact:

It is not anticipated that the proposed regulations would result in an adverse impact on local government agencies or small businesses.

7. Small Business and Local Government Participation:

OCFS has been in contact with Safe Families for Children, a national organization that administers programs similar to those to be established by the proposed regulations.

8. For Rules That Either Establish or Modify a Violation or Penalty:

The proposed regulations would not establish or modify an existing violation or penalty.

Revised Rural Area Flexibility Analysis

1. Types and estimated numbers of rural areas:

The proposed regulations will not affect the 44 local departments of social services that are in rural areas because the programs established by the proposed regulation may not be administered by local departments of social services, the children served by such programs may not be in the legal custody of a local department of social services, and local departments of social services are under no obligation to purchase the services of programs administered a host family home program. The proposed regulations may affect the 35 voluntary authorized agencies that are in rural areas. The edits made to the Express Terms in this revised rule making do not require any changes to the RAFA.

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

The proposed regulations would establish standards for the approval and administration of host family homes. Such homes would care for children placed by parents through the execution of a designation of person in parental relation with a host family home, which has been vetted by a host family home agency for a temporary period of time. A host family home agency would be a nonprofit corporation with the authority to place out children and approved by the New York State Office of Children and Family Services (OCFS). The children who are cared for by a host family home are not public foster children in the legal custody of a local department of services. Financial responsibility for the children would remain with the parents of the children.

The host family home and the host family agency would be subject to the terms and conditions of the regulations established by a new Part 444 of Title 18. The host family agency would be subject to the approval, inspection and regulation of OCFS.

The proposed regulations would establish recordkeeping and reporting requirements imposed on host family home agencies in relation to the administration of host family home programs.

3. Costs:

Costs associated with the proposed regulations include criminal background checks and Statewide Central Register (SCR) clearances. The cost for SCR clearances would be the responsibility of the host family agency and would be considered part of their operating costs. In the absence of any dedicated funding source to support host family agencies, these costs would have no impact on the state.

4. Minimizing adverse impact:

It is not anticipated that the proposed regulations will result in an adverse impact on local departments of social services or small businesses that are in rural areas.

5. Rural area participation:

OCFS has been in contact with Safe Families for Children, a national organization that administers programs similar to those anticipated by the proposed regulations in several locations in the United States.

Revised Job Impact Statement

The proposed amendments to regulations will not have a negative impact on jobs or employment opportunities in either public or private child welfare agencies. A full job impact statement has not been prepared for the proposed regulations as it is assumed that the proposed regulations will not result in the loss of any jobs. The edits made to the Express Terms in this revised rule making do not require any changes to the Job Impact Statement.

Assessment of Public Comment

This assessment responds to comments received by the Office of Children and Family Services (OCFS) on proposed regulations adding Part 444 of Title 18 of the New York State of Codes, Rules and Regulations. The Notice of Proposed Rule Making was contained in the State Register issued on January 29, 2020.

OCFS received 137 comments during the public comment period, which ended on June 15, 2020. Comments were received from the Uniformed Court System, the New York State (NYS) Permanent Judicial Commissioner on Justice for Children, attorneys for children and families, defender services, national and state advocacy agencies, parents impacted by the child welfare system, survivors and child witnesses of domestic violence, voluntary agencies, volunteers for home visiting programs, staff from church organizations, parishioners from churches, a teacher, a licensed social worker from a hospital, college professors, a chief executive officer from an organization, and community-based organizations. Many included comments on more than one provision of the proposed regulations. Every comment was reviewed and considered by OCFS in this assessment.

This summary will provide an overview of the issues receiving the most public comment. In this assessment, OCFS has combined similar comments from numerous commenters for the purpose of the assessment, and response thereto. The consolidated comments and OCFS responses are grouped in categories into the following topic areas: creation of a quasi-

foster care system, child and parent representation, youth protections and youth voice, court oversight, concerns related to the parent – host family home agency agreement, proximity of the host family home to the child's parents or relatives, visitation (parenting time), the child's education, siblings being cared for together, parent and child reunification, financial expectations, host home volunteer requirements and concerns, need for respite services, use of section 5-1551 of the General Obligations Law, mandatory child protective reporting guidelines, monitoring of host family homes, services to parents, the child's mental and health care, kinship, and future fiscal implications for the state, and compliance with the federal Indian Child Welfare Act (ICWA).

The majority of comments interpreted the proposed regulations to represent a quasi-foster care system, and as such felt that children and parents should be afforded attorney representation, and each case should enjoy the review and oversight by the Family Court. Commenters stated that each youth should have a voice in their placement, as do children age 14 and older placed in foster care. OCFS reviewed these comments and wants to clarify that the intent of the proposed regulations was not to build a quasi-foster care system, but rather the proposed regulations are intended to provide a primary prevention community-based program that affords parents the opportunity to engage with an OCFS-approved host family home agency for the purpose of identifying volunteer host families who are willing and able to care for a child.

Commenters in favor of the proposed regulations noted that this primary prevention model is greatly needed in New York State as a resource to parents who have limited child care options and social networks. These families are at risk of being separated and further burdening the child welfare system. Not only does this hosting model prevent child removal in a crisis situation, but it also provides meaningful relationships for the family that will sustain and strengthen them after the crisis.

In response to the concerns raised in the comments, OCFS has made significant revisions to the proposed regulations to more closely align them with a primary prevention model, and to highlight that parents maintain legal custody of their child and are the sole decision makers related to who will care for their child; the proximity of that host family home to the child's home, school and relative; whether the host home can meet the emotional, medical, and mental health needs of their child; and whether it is in the best interest of the siblings to be cared for together. Additionally, the revised regulations note that if a child to be cared for in a host family home is 14 years of age or older, the host family agency should consult with such child regarding such initial care and any subsequent extensions. The intent of the proposed regulations is not and will not be to create a new form of foster care.

Several comments expressed concerns with the terms of the agreement the child's parent would execute with the host family home agency, especially about the length of time the agreement can be in place, the transfer of legal custody by the parent and the renewal of the agreement. Several felt that children could be separated from their parents for long periods of time and were concerned about reunifying a child their parent. OCFS will revise the proposed regulations to clarify that the initial duration of care would be limited to up to six months, with one additional extension of up to six months upon the written consent of the child's parent(s) and the host family home. The transfer of legal custody by the parent to the host family home agency would be eliminated as would the agreement between the child's parent and the host family home agency. By eliminating the transfer of legal custody by the parent and mandating immediate return of the child to the parent upon termination of the designation of person in parental relation, the revised proposed regulation would address the ICWA concerns raised in the comments.

OCFS will revise the proposed regulations to afford greater decision making and control by the child's parent through the use of existing authority by a parent to execute a designation of a person in parental relation as addressed in Article 15-A of Title 5 of the General Obligations Law. The designation of person in parental relation must address the visitation and contact rights of the child with the parent(s) and other relatives while the child is with the host family home; consents for medical care; education of the child; and the right of the parent(s) to terminate his designation of person in relation at any time for the immediate return of the child to the parent(s). Consistent with section 5-1555 of the General Obligations Law, OCFS will revise the proposed regulations to clarify that the designation of person in parental relation does not impose upon the host family home a duty to support the child pursuant section 413 of the Family Court Act. However, to address comments regarding who will be responsible for the financial care of the child, OCFS will revise the proposed regulations to require that the designation of person in parental support must address the financial arrangements for the care of the child as agreed upon by the child's parent(s) and the host family home.

OCFS received some questions and concerns related to the host family home volunteers, such as to how they will be recruited, what training will they receive, the limiting to those with financial means and the potential

misuse of host family homes, potentially exacerbated by significant race, culture, and privilege issues. OCFS will revise the proposed regulations to clarify that the host family home agency will be responsible for the recruitment of host family home volunteers, and as outlined in the proposed regulations, the training of volunteers and the oversight of the host family home upon entry of a child that the child's parent has selected as the person in parental relation. The revised proposed regulations will eliminate any reference to the financial means of a volunteer in order to become a host family home.

Comments were received that New York State currently has available to families respite care services and there is no need for host family homes. While respite is available, a parent must sign a service application with the local department of social services, which no longer affords them a primary prevention service. With the provision of child welfare preventive services, there is an implied risk of removal. Several commenters stated that they felt a host family home model was an innovative opportunity to prevent family separation and extend the relational networks of struggling families.

Comments stated concerns with monitoring of host family home agencies and host family homes. Section 444.8 of the proposed regulation outlines the host family home agency's responsibilities for supervising host family homes, including a visit to the host home within 48 hours of the child entering the host home, and then at a minimum every 30 days or more frequently as necessary. The proposed regulation would require the host family home to allow access by the host family home agency to the host family home for the purpose of the investigation of a complaint regarding the host family home. The proposed regulations also require staff of the host family home agency to make a report to the Statewide Central Register of Child Abuse and Maltreatment whenever they have reasonable cause to suspect that a child in a host family home is abused or maltreated. OCFS will monitor any and all host family home agencies in the same manner it monitors all OCFS licensed or approved agencies, which is at a minimum annually. No additional revisions to the proposed regulation will be made regarding those comments.

Department of Civil Service

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Jurisdictional Classification

I.D. No. CVS-27-21-00004-P

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

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

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

Subject: Jurisdictional Classification.

Purpose: To classify positions in the exempt class.

Text of proposed rule: Amend Appendix 1 of the Rules for the Classified Service, listing positions in the exempt class, in the Executive Department under the subheading "Office of Cannabis Management," by adding thereto the positions of Assistant Counsel (2), Associate Counsel (4), Deputy Counsel, Director Public Information, Executive Assistant, Executive Deputy Director, Hearing Examiner (3), Special Assistant (15) and Special Counsel and by increasing the number of positions of Deputy Director from 2 to 6.

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

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

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-21-00001-P, Issue of January 13, 2021.

Regulatory Flexibility Analysis

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

previously printed under a notice of proposed rule making, I.D. No. CVS-02-21-00001-P, Issue of January 13, 2021.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-21-00001-P, Issue of January 13, 2021.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-21-00001-P, Issue of January 13, 2021.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Jurisdictional Classification

I.D. No. CVS-27-21-00005-P

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

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

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

Subject: Jurisdictional Classification.

Purpose: To classify a position in the exempt class.

Text of proposed rule: Amends Appendix 1 of the Rules for the Classified Service, listing positions in the exempt class, in the Executive Department under the subheading "Office of Victim Services," by adding thereto the position of Program Associate.

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

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

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-21-00001-P, Issue of January 13, 2021.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-21-00001-P, Issue of January 13, 2021.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-21-00001-P, Issue of January 13, 2021.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-21-00001-P, Issue of January 13, 2021.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Jurisdictional Classification

I.D. No. CVS-27-21-00006-P

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

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

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

Subject: Jurisdictional Classification.

Purpose: To delete a position from and classify a position in the exempt class.

Text of proposed rule: Amend Appendix 1 of the Rules for the Classified Service, listing positions in the exempt class, in the Executive Department under the subheading "Office of General Services," by deleting therefrom the position of Associate Counsel and by adding thereto the position of Deputy Counsel.

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

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

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-21-00001-P, Issue of January 13, 2021.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-21-00001-P, Issue of January 13, 2021.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-21-00001-P, Issue of January 13, 2021.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-21-00001-P, Issue of January 13, 2021.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Jurisdictional Classification

I.D. No. CVS-27-21-00007-P

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

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

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

Subject: Jurisdictional Classification.

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

Text of proposed rule: Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Department of Mental Hygiene under the subheading "Office of Addiction Services and Supports," by increasing the number of positions of Regional Coordinator OASAS from 7 to 11.

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

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

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-21-00001-P, Issue of January 13, 2021.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-21-00001-P, Issue of January 13, 2021.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-21-00001-P, Issue of January 13, 2021.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-21-00001-P, Issue of January 13, 2021.

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

Jurisdictional Classification

I.D. No. CVS-27-21-00008-P

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

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

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

Subject: Jurisdictional Classification.

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

Text of proposed rule: Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the New York State Bridge Authority, by adding thereto the positions of Security Technician (Bridge) (15).

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

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

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-21-00001-P, Issue of January 13, 2021.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-21-00001-P, Issue of January 13, 2021.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-21-00001-P, Issue of January 13, 2021.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-21-00001-P, Issue of January 13, 2021.

Department of Financial Services

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

Brokers, Agents and Certain Other Licensees - General

I.D. No. DFS-27-21-00018-P

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

Proposed Action: Amendment of Part 20 of Title 11 NYCRR.

Statutory authority: Financial Services Law, sections 202, 302; Insurance Law, sections 301, 2108(r) and 2132

Subject: Brokers, Agents and Certain Other Licensees - General.

Purpose: To set forth classes licensees must complete to fulfill part of the 15 hour credit hours required by Insurance Law, art. 21.

Text of proposed rule: A new section 20.7 is added as follows:

§ 20.7 Continuing education requirements.

(a) For purposes of this section:

(1) Diversity, inclusion, and elimination of bias instruction means courses or programs of instruction and seminars related to being a licensee that include implicit and explicit bias; equal access to justice; serving a diverse population; diversity and inclusion initiatives in the insurance industry; and sensitivity to cultural and other differences when interacting with clients, potential clients, or other members of the public.

(2) Enhanced flood insurance instruction means courses or programs of instruction and seminars related to being a licensee and the sale of flood insurance through the NFIP that include instruction on NFIP coverage, limits, and rates, including coverage for dwellings in urban environments; annual updates to the NFIP; measures to improve flood insurance affordability; the impact of climate change on flood risk and the NFIP; and the NFIP claims process, including the role of adjusters. Enhanced flood insurance instruction shall not include the minimum training requirements of section 207 of the Flood Insurance Reform Act of 2004 or basic flood education as outlined or published by the Federal Emergency Management Agency.

(3) Ethics and professionalism instruction means courses or programs of instruction and seminars related to a licensee that includes a licensee's professional obligations to clients and potential clients; the sources of a licensee's professional obligations, such as the Insurance Law and regulations promulgated thereunder and court decisions; recognition and resolution of ethical dilemmas; the mechanisms for enforcing professional norms; substance abuse control; and professional values, such as professional development, improving the profession, and the promotion of fairness, justice, and morality.

(4) Flood insurance instruction means courses or programs of instruction and seminars related to a licensee and the sale of flood insurance through the NFIP, including the minimum training requirements of section 207 of the Flood Insurance Reform Act of 2004 and basic flood education as outlined or published by the Federal Emergency Management Agency.

(5) Insurance Law instruction means courses or programs of instruction and seminars related to a licensee that include an overview of the provisions of the Insurance Law and regulations promulgated thereunder that are relevant to a licensee, such as Insurance Law sections 2102, 2114, 2115, 2116, 2117, 2119, 2120, 2122, 2324, 4224, and 6409, Insurance Law Article 26, this Part, and Parts 25, 30, 34, 35, and 224 of this Title.

(6) Licensee means a person who or that is licensed under Insurance Law article 21 and subject to the continuing education requirements set forth in Insurance Law article 21.

(7) NFIP means the National Flood Insurance Program.

(b) Of the 15 credit hours of instruction that a licensee shall complete in accordance with Insurance Law article 21, the licensee shall satisfactorily complete courses or programs of instruction or attend seminars, as the superintendent may approve, that provide:

(1) at least one hour of Insurance Law instruction;

(2) at least one hour of ethics and professionalism instruction;

(3) at least one hour of diversity, inclusion, and elimination of bias instruction;

(4) at least one hour of flood insurance instruction, if the licensee is licensed to sell one or more lines of property/casualty insurance; and

(5) at least three hours of enhanced flood insurance instruction, if the licensee sells flood insurance through the NFIP.

(c) The requirements set forth in subdivision (b) of this section shall apply to a licensee whose license renews on or after April 1, 2022.

Text of proposed rule and any required statements and analyses may be obtained from: Joana Lucashuk, New York State Department of Financial Services, One State Street, 20th Floor, New York, NY 10004, (212) 480-2125, email: Joana.Lucashuk@dfs.ny.gov

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

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement

1. Statutory authority: Financial Services Law Sections 202 and 302 and Insurance Law Sections 301, 2108(r) and 2132.

Financial Services Law Section 202 establishes the office of the Superintendent of Financial Services ("Superintendent"). Financial Services Law Section 302 and Insurance Law Section 301, in material part, authorize the Superintendent to effectuate any power accorded to the Superin-

tendent by the Financial Services Law, Insurance Law, or any other law, and to prescribe regulations interpreting the Insurance Law.

Insurance Law Section 2108(r) sets forth continuing education (“CE”) requirements for resident and non-resident public adjusters.

Insurance Law Section 2132 sets forth CE requirements for certain resident and non-resident persons licensed pursuant to Insurance Law Article 21.

2. Legislative objectives: Insurance Law Sections 2108(r) and 2132 set forth CE requirements for public adjusters and insurance producers (collectively, “licensees”). This amendment to the rule implements and accords with the Legislature’s public policy objectives by setting forth the subject matter areas in which licensees must obtain CE credit.

3. Needs and benefits: Insurance Law Sections 2108(r) and 2132 require a licensee to complete courses or programs of instruction or to attend seminars (collectively, “classes”) equivalent to 15 credit hours of instruction during each full biennial licensing period. However, these sections do not specify the subject matter areas for which the licensees must take the classes. Other jurisdictions require licensees to obtain their credit hours by taking classes in certain subject matter areas. For example, most jurisdictions, including California, Colorado, Connecticut, Delaware, the District of Columbia, Florida, Illinois, Massachusetts, New Hampshire, and New Jersey require licensees to take CE classes on ethics. In addition, many jurisdictions, such as California, Connecticut, Delaware, Florida, Maine, Maryland, and New Jersey require certain licensees to take CE classes on flood insurance.

In addition, certain other licensed professionals, such as attorneys admitted to practice in New York, must take CE classes in certain areas, such as ethics and professionalism and diversity, inclusion, and elimination of bias.

Moreover, Section 207 of the Flood Insurance Reform Act of 2004 (the “Act”) requires that all insurance producers selling flood insurance policies under the National Flood Insurance Program (“NFIP”) be properly trained and educated about the NFIP to ensure that insurance producers may best serve their clients. The Federal Emergency Management Agency (“FEMA”) has established minimum training and education requirements and the Department of Financial Services (“Department”) has approved provider organizations to provide classes that satisfy the minimum FEMA requirements and provide CE credits. However, flood insurance through the NFIP is complicated and the Department has been informed by New York City that some residents have been receiving inaccurate NFIP insurance quotes. Thus, it is important that insurance producers continue to take classes on the NFIP.

The Department has noticed that many licensees are not well-versed in the specific requirements of the New York Insurance Law, which leads to licensees engaging in activities that violate the Insurance Law.

Thus, of the 15 credit hours that a licensee must complete under the Insurance Law, this rule would require a licensee to complete classes that provide: (1) at least one hour of Insurance Law instruction; (2) at least one hour of ethics and professionalism instruction; (3) at least one hour of diversity, inclusion, and elimination of bias instruction; (4) at least one hour of flood insurance instruction, if the licensee is licensed to sell one or more lines of property/casualty insurance; and (5) at least three hours of enhanced flood insurance instruction, if the licensee sells flood insurance through the NFIP. Requiring licensees to take CE classes in the foregoing subject matter areas will enhance the competency of licensees, thereby helping them to better serve their clients and allowing them to respond effectively to the needs of our changing society.

4. Costs: This rule should not impose any compliance costs on licensees because it merely specifies certain subject matter areas in which the licensees must take a minimum number of CE classes and does not increase or otherwise change the number of CE hours required.

The Department may incur costs for the implementation and continuation of this rule because the Department may need to approve new CE course providers and courses in the subject matter areas addressed in the amendments. However, any additional costs incurred should be minimal and the Department should be able to absorb such costs in its ordinary budget.

This rule does not impose compliance costs on local governments because local governments are not subject to the rule.

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 or other paperwork.

7. Duplication: The Act and regulations promulgated thereunder require insurance producers who or that sell flood insurance policies through the NFIP to comply with minimum training and education requirements established by FEMA. This rule requires an insurance producer to complete CE classes that provide at least one hour of flood insurance instruction, if the licensee is licensed to sell one or more lines of property/

casualty insurance and at least three hours of enhanced flood insurance instruction, if the licensee sells flood insurance through the NFIP.

8. Alternatives: The Department considered applying the Insurance Law instruction CE requirement only to licensees who or that received a license within the past two years, including a license for an additional line of authority. However, the Department decided that all licensees could benefit from at least one hour of CE on the New York Insurance Law.

The Department also considered requiring at least one hour of enhanced flood insurance instruction for an insurance producer that sells flood insurance through the NFIP but decided that an insurance producer should take at least three hours of enhanced flood insurance instruction.

The Department considered making the amendment to the rule apply to a licensee whose license renews on or after January 1, 2022 but after receiving comments during the pre-proposed outreach, decided to make the amendment apply to a licensee whose license renews on or after April 1, 2022.

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: This amendment to the rule would apply to a licensee whose license renews on or after April 1, 2022.

Regulatory Flexibility Analysis

1. Effect of rule: Public adjusters and insurance producers (collectively, “licensees”) are affected by this rule. There are approximately 340,887 licensees licensed or certified by the Department of Financial Services (“Department”), of which 143,335 are New York residents, and most of these licensees may be small businesses. A licensee, including a licensee who or that is a small business, should not incur additional costs as a result of this rule because the rule merely specifies certain subject matter areas in which the licensee must take a minimum number of continuing education (“CE”) classes and does not increase or otherwise change the number of CE hours required.

This rule does not apply to local governments.

2. Compliance requirements: A local government will not have to undertake any reporting, recordkeeping, or other affirmative acts to comply with this amendment to the rule because the amendment does not apply to a local government. A licensee also will not have to undertake any reporting or recordkeeping acts. However, of the 15 credit hours that a licensee must complete under the Insurance Law, this rule requires a licensee, including a licensee who or that is a small business, to take a minimum number of CE classes in certain subject matter areas.

3. Professional services: A local government will not need any professional services to comply with this rule because it does not apply to a local government. A licensee, including a licensee who or that is a small business, should not need to retain professional services to comply with this rule.

4. Compliance costs: A local government will not incur any costs to comply with this rule because the rule does not apply to a local government. A licensee, including a licensee who or that is a small business, also should not incur any costs to comply with this rule because it merely specifies certain subject matter areas in which the licensee must take a minimum number of CE classes and does not increase or otherwise change the overall number of CE hours required.

5. Economic and technological feasibility: There should not be any issues pertaining to the economic and technological feasibility of complying with this rule with respect to a local government because this rule does not apply to a local government. There also should not be any issues pertaining to the economic and technological feasibility of complying with this rule with respect to licensees.

6. Minimizing adverse impact: The rule will not have an adverse impact on a local government because this rule does not apply to any local government. However, there may be an adverse impact on a licensee, including a licensee who or that is a small business, but any adverse impact should be minimal because the rule merely specifies certain subject matter areas in which the licensee must take a minimum number of CE classes and does not increase or otherwise change the overall number of CE hours required. The Department considered the approaches suggested in State Administrative Procedure Act (“SAPA”) Section 202-b(1) for minimizing adverse impacts but did not find them applicable.

7. Small business and local government participation: The Department complied with SAPA Section 202-b(6) by posting the rule on its website in May 2021 for informal outreach to licensee trade organizations. Licensees who or that may be small businesses will have a further opportunity to participate in the rule making process when this rule is published in the State Register and posted on the Department’s website again.

Rural Area Flexibility Analysis

1. Types and estimated numbers of rural areas: Public adjusters and insurance producers (collectively, “licensees”) affected by this rule operate in every county in this state, including rural areas as defined by State Administrative Procedure Act Section 102(10).

2. Reporting, recordkeeping and other compliance requirements; and professional services: This rule does not impose additional reporting or recordkeeping requirements on licensees, including licensees in rural areas.

Of the 15 credit hours of classes that a licensee must complete under Insurance Law Article 21, this rule would require a licensee to complete classes that provide: (1) at least one hour of Insurance Law instruction; (2) at least one hour of ethics and professionalism instruction; (3) at least one hour of diversity, inclusion, and elimination of bias instruction; (4) at least one hour of flood insurance instruction, if the licensee is licensed to sell one or more lines of property/casualty insurance; and (5) at least three hours of enhanced flood insurance instruction, if the licensee sells flood insurance through the National Flood Insurance Program.

A licensee, including a licensee 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 licensees, including licensees in rural areas.

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

5. Rural area participation: The Department of Financial Services ("Department") posted the rule on its website in May 2021 for informal outreach to licensees, including licensees in rural areas. Licensees will have a further opportunity to participate in the rule making process when this rule is published in the State Register and posted on the Department's website again.

Job Impact Statement

This rule should not adversely impact jobs or employment opportunities in New York State. This rule merely requires that of the 15 credit hours of classes that public adjusters and insurance producers (collectively, "licensees") must complete under Insurance Law Article 21, licensees must complete classes that provide: (1) at least one hour of Insurance Law instruction; (2) at least one hour of ethics and professionalism instruction; (3) at least one hour of diversity, inclusion, and elimination of bias instruction; (4) at least one hour of flood insurance instruction, if the licensee is licensed to sell one or more lines of property/casualty insurance; and (5) at least three hours of enhanced flood insurance instruction, if the licensee sells flood insurance through the National Flood Insurance Program.

Department of Law

NOTICE OF ADOPTION

Designation of a Privacy Officer

I.D. No. LAW-18-20-00002-A

Filing No. 757

Filing Date: 2021-06-22

Effective Date: 2021-07-07

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

Action taken: Amendment of section 121.2 of Title 13 NYCRR.

Statutory authority: State Administrative Procedure Act, section 202

Subject: Designation of a Privacy Officer.

Purpose: Removal of a named Privacy Officer along with their contact information.

Text of final rule: The relevant provisions will read as follows:

(a) The department's privacy compliance officer is responsible for ensuring compliance with the provisions of the Personal Privacy Protection Law and the regulations herein and for coordinating department's response to requests for records or amendments of records. Responsibility for compliance by all special investigation units and the Statewide Organized Crime Task Force established pursuant to statute shall rest with the deputy attorney general in charge of the investigation unit or the deputy attorney general in charge of the Organized Crime Task Force.

Section 121.2(b) shall be deleted in its entirety.

Final rule as compared with last published rule: Nonsubstantial changes were made in section 121.2.

Text of rule and any required statements and analyses may be obtained from: Abisola Fatade, Department of Law, Office of the Attorney General, 28 Liberty, New York, NY 10005, (212) 416-6207, email: abisola.fatade@ag.ny.gov

Assessment of Public Comment

The agency received no public comment.

Office for People with Developmental Disabilities

NOTICE OF ADOPTION

Billing for Day Program Duration

I.D. No. PDD-15-21-00002-A

Filing No. 747

Filing Date: 2021-06-16

Effective Date: 2021-07-07

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

Action taken: Amendment of section 635-10.5 of Title 14 NYCRR.

Statutory authority: Mental Hygiene Law, sections 13.07, 13.09(b), 13.15(a) and 16.00

Subject: Billing for day program duration.

Purpose: To allow providers of day habilitation and site-based prevocational services to bill for day program duration with greater flexibility.

Text or summary was published in the April 14, 2021 issue of the Register, I.D. No. PDD-15-21-00002-EP.

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

Text of rule and any required statements and analyses may be obtained from: Mary Beth Babcock, Office for People With Developmental Disabilities, 44 Holland Avenue, Albany, NY, (518) 474-7100, email: rau.unit@pwdd.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 2024, 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.

Power Authority of the State of New York

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Rates for the Sale of Power and Energy

I.D. No. PAS-27-21-00017-P

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

Proposed Action: Revision in Electric Rates for the Village of Watkins Glen. Three-part phase-in of rate increase over two years, in accordance with the rule's text.

Statutory authority: Public Authorities Law, section 1005(5)

Subject: Rates for the Sale of Power and Energy.

Purpose: To maintain the system's integrity. This increase in rates is not the result of an Authority rate increase to the Village.

Text of proposed rule: Village of Watkins Glen

Proposed Monthly Rates

(The final rates are shown below. The increases are to be phased-in via three equal steps commencing October 1, 2021 and continuing annually thereafter, concluding on October 1, 2023.)

SC 1 Residential	
Customer Charge	\$ 2.25
Energy Charge, per kWh.	\$ 0.04294
SC 2 Commercial	
Customer Charge	\$ 3.25
Energy Charge, per kWh.	\$ 0.05258
SC 3 Industrial	
Demand Charge, per KW	\$ 6.00
Energy Charge, per kWh.	\$ 0.03304
SC 4 Walmart	
Demand Charge, per KW	\$ 6.00
Energy Charge, per kWh.	\$ 0.05429
SC 5 Cargill	
Demand Charge, per KW	\$ 8.00
Energy Charge, per kWh.	\$ 0.01756
SC 6 Security Lights	
Per month, per unit of:	
175 Watt Mercury Vapor 53 kwh per month	\$ 6.26
250 Watt High Pressure Sodium 75 kwh per month	\$ 9.97
400 Watt Mercury Vapor 120 kwh per month	\$14.16
SC 7 Street Lighting	
Per month:	
Facility Charge, per lamp	\$ 5.30

¹ Average annual purchased power adjustment (PPA) reflected in present and proposed rates.

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

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

Public comment will be received until: 60 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.

Public Service Commission

NOTICE OF ADOPTION

Implementation of NPA Portfolio

I.D. No. PSC-40-20-00003-A

Filing Date: 2021-06-21

Effective Date: 2021-06-21

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

Action taken: On 6/21/21, the PSC adopted an order approving, with modifications, New York State Electric & Gas Corporation's (NYSEG) petition to implement the Non-Pipe Alternative (NPA) Portfolio.

Statutory authority: Public Service Law, sections 5, 5(2), 65 and 66

Subject: Implementation of NPA Portfolio.

Purpose: To approve, with modifications, NYSEG's petition to implement the NPA Portfolio.

Substance of final rule: The Commission, on June 21, 2021, adopted an order approving, with modifications, New York State Electric & Gas Corporation's (NYSEG) petition to implement the Non-Pipe Alternative (NPA) Portfolio. NYSEG shall provide 60 days from the effective date of

the order to allow for negotiations and contract execution for stakeholders to provide the difference in cost between Proposal Five and Proposal Six. NYSEG shall file a letter with the Secretary to the Commission in this proceeding regarding the status of the contract negotiations and execution provided in Ordering Clause No. 2 once such negotiations are concluded or when such contract has been executed. NYSEG shall monitor pressures at the Lansing School and report monthly in accordance with the directives in the body of the order. NYSEG shall develop and file a contingency plan if the pressures at the Lansing School fall to or below 31 pounds per square inch gauge, 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, 3 Empire State Plaza, Albany, New York 12223-1350, (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-0423SA2)

NOTICE OF ADOPTION

Submetering of Electricity and Waiver Request

I.D. No. PSC-47-20-00008-A

Filing Date: 2021-06-21

Effective Date: 2021-06-21

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

Action taken: On 6/21/21, the PSC adopted an order approving CJ Plaza Two LLC's (CJ Plaza Two) notice of intent to submeter electricity at 148-10 Archer Avenue, Jamaica, NY and waiver of energy audit requirements in 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 CJ Plaza Two's notice of intent to submeter electricity and waiver request of 16 NYCRR section 96.5(k)(3).

Substance of final rule: The Commission, on June 21, 2021, adopted an order approving CJ Plaza Two LLC's notice of intent to submeter electricity at 148-10 Archer Avenue, Jamaica, New York, located in the service territory of Consolidated Edison Company of New York, Inc., and waiver of 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, 3 Empire State Plaza, Albany, New York 12223-1350, (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. (20-E-0501SA1)

NOTICE OF ADOPTION

Petition for a Lightened Regulatory Regime

I.D. No. PSC-13-21-00017-A

Filing Date: 2021-06-21

Effective Date: 2021-06-21

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

Action taken: On 6/21/21, the PSC adopted an order approving East River ESS, LLC's (East River) petition for a lightened ratemaking regulatory regime in connection with its energy storage facility of up to approximately 100 MW located in Astoria, Queens, New York.

Statutory authority: Public Service Law, sections 2(12), (13), 5(1)(b), 64,

65, 66, 68, 69, 69-a, 70, 71, 72, 72-a, 105-114, 114-a, 115, 118, 119-b and 119-c

Subject: Petition for a lightened regulatory regime.

Purpose: To approve East River's petition for a lightened regulatory regime.

Substance of final rule: The Commission, on June 21, 2021, adopted an order approving East River ESS, LLC's (East River) petition for a lightened ratemaking regulatory regime in connection with its energy storage facility of up to approximately 100 MW located in Astoria, Queens, New York (Facility). East River's request for issuance of a Certificate of Public Convenience and Necessity, authorizing the construction and ownership of the Facility, is granted, 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, 3 Empire State Plaza, Albany, New York 12223-1350, (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.

(21-E-0122SA1)

NOTICE OF ADOPTION

Submetering of Electricity

I.D. No. PSC-14-21-00008-A

Filing Date: 2021-06-21

Effective Date: 2021-06-21

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

Action taken: On 6/21/21, the PSC adopted an order approving Silo Ridge Condominiums II's (Silo Ridge) notice of intent to submeter electricity at 5021 Route 44, Amenia, 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 Silo Ridge's notice of intent to submeter electricity.

Substance of final rule: The Commission, on June 21, 2021, adopted an order approving Silo Ridge Condominiums II's notice of intent to submeter electricity at 5021 Route 44, Amenia, New York, located in the service territory of New York State Electric and Gas Corporation, 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, 3 Empire State Plaza, Albany, New York 12223-1350, (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.

(21-E-0162SA1)

NOTICE OF ADOPTION

Tariff Amendments

I.D. No. PSC-14-21-00009-A

Filing Date: 2021-06-21

Effective Date: 2021-06-21

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

Action taken: On 6/21/21, the PSC adopted an order approving, with modifications, Niagara Mohawk Power Company d/b/a National Grid's (National Grid) tariff amendments to P.S.C. No. 220—Electricity, to become effective July 1, 2021.

Statutory authority: Public Service Law, sections 65 and 66

Subject: Tariff amendments.

Purpose: To approve, with modifications, National Grid's tariff amendments.

Substance of final rule: The Commission, on June 21, 2021, adopted an order approving, with modifications, Niagara Mohawk Power Company d/b/a National Grid's (National Grid) tariff amendments to P.S.C. No. 220 – Electricity, allowing for recovery of costs associated with additional tiers of Renewable Energy Certificates; modifying the calculation of the Clean Energy Standard Supply (CESS) charge; and allowing National Grid to file CESS statements more frequently than once per year, to become effective July 1, 2021, 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, 3 Empire State Plaza, Albany, New York 12223-1350, (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.

(21-E-0168SA1)

NOTICE OF ADOPTION

Petition Requesting Authorization to Grant Easements

I.D. No. PSC-15-21-00008-A

Filing Date: 2021-06-21

Effective Date: 2021-06-21

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

Action taken: On 6/21/21, the PSC adopted an order approving New York State Electric & Gas Corporation (NYSEG) and NextEra Energy Transmission New York, Inc.'s (NEETNY) petition for NYSEG to grant NEETNY four permanent easements.

Statutory authority: Public Service Law, section 70(1)

Subject: Petition requesting authorization to grant easements.

Purpose: To approve NYSEG and NEETNY's petition for NYSEG to grant NEETNY four permanent easements.

Substance of final rule: The Commission, on June 21, 2021, adopted an order approving New York State Electric & Gas Corporation (NYSEG) and NextEra Energy Transmission New York, Inc.'s (NEETNY) petition for NYSEG to grant NEETNY four permanent easements from NYSEG to NEETNY over certain portions of NYSEG's existing transmission right-of-way in the town of Royalton, Niagara County, New York and in the towns of Alden, Newstead, Lancaster and Elma, Erie County, New York. NYSEG shall file with the Secretary, within 60 days of the closing date of the transactions, a signed copy of the permanent easement agreements. NYSEG shall also file with the Secretary, within 60 days of the close date of the transactions, a copy of the journal entries recorded to account for the transactions, together with the related workpapers, 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, 3 Empire State Plaza, Albany, New York 12223-1350, (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.

(21-M-0166SA1)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Changes to PSL Section 66-p Relating to Billing Information for Residential Rental Premises

I.D. No. PSC-27-21-00010-P

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

Proposed Action: The Commission is considering a proposal filed by Chautauqua Utilities, Inc. to modify its gas tariff schedule regarding changes to PSL Section 66-p relating to billing information for residential rental premises.

Statutory authority: Public Service Law, sections 65, 66 and 66-p

Subject: Changes to PSL Section 66-p relating to billing information for residential rental premises.

Purpose: To establish provisions as necessary to effectuate PSL Section 66-p.

Substance of proposed rule: The Commission is considering a proposal by Chautauqua Utilities, Inc. (the Company) on June 14, 2021, to amend its gas tariff schedule, P.S.C. No. 1 – Gas. The Company proposes to establish provisions relating to billing information for residential rental properties in accordance with the recently enacted Public Service Law Section 66-p which became effective on April 18, 2020.

The Company proposes to include language in its gas tariff specifying that the Company shall provide the prospective tenant and landlord or other authorized person of prospective residential premises the total gas charges incurred for the life at such premises, or the preceding two-year period, whichever is shorter, within ten days of receipt of the written request, at no cost to the requestor. The proposed amendment has an effective date of October 1, 2021.

The full text of the proposal and the full record of the proceeding 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 action 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: Michelle L. Phillips, 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: 60 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.

(20-M-0029SP25)

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

Prohibition on ESCO Service to Low-Income Customers

I.D. No. PSC-27-21-00011-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 June 8, 2021 by NOCO Electric, LLC and NOCO Natural Gas, LLC seeking a waiver to the prohibition on service to low-income customers by energy service companies (ESCOs).

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

Subject: Prohibition on ESCO service to low-income customers.

Purpose: To consider whether NOCO Electric, LLC and NOCO Natural Gas, LLC should be granted a waiver to serve low-income customers.

Substance of proposed rule: The Public Service Commission is considering a petition filed on June 8, 2021 by NOCO Electric, LLC and NOCO Natural Gas, LLC (NOCO) seeking a waiver of the prohibition on service by energy service companies (ESCOs) to low-income customers (Petition). On December 16, 2016, the Commission directed a prohibition on ESCO service to low-income customers (Prohibition Order). The Prohibition Order provided that, if an ESCO can demonstrate that it is capable of providing a product to low-income customers that guarantees savings compared to what the customer would have otherwise paid as a full-service utility customer, it may seek a waiver of the Prohibition Order from the Commission.

In its petition, NOCO seeks such a waiver, indicating that it intends to serve low-income customers with a product that guarantees savings compared to what the customer would have otherwise paid as a full-service utility customer and that it can otherwise meet the Commission's objec-

tives set forth in the Prohibition Order. NOCO explains that its Guarantee Program would be priced at a variable rate calculated each month in a manner that tracks the forecasted utility rate and minimizes the need for true-ups. NOCO proposes to guarantee a savings of at least one percent compared to what the customer would have paid for full default utility service. The term of Guarantee Program agreements would be month-to-month, with the ability for the customer to terminate the agreement without imposition of an early termination fee. NOCO further proposes to provide semi-annual compliance filings to Department of Public Service Staff containing a month-by-month, customer-specific breakdown of what the customer would have paid under full utility service, what the customer actually paid as a NOCO customer, the percentage of savings in dollars, and the status of any applicable refund credit or check.

The full text of the petition and the full record of the proceeding 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 action proposed and may resolve other related matters.

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

Data, views or arguments may be submitted to: Michelle L. Phillips, 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: 60 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-0476SP35)

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

Waiver Request to Reset NUG Rider Rate on One Day's Notice

I.D. No. PSC-27-21-00012-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 waiver request by Pennsylvania Electric Company to reset the non-utility generation (NUG) Rider rate to zero on one day's notice once the current over-collection has been fully refunded.

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

Subject: Waiver request to reset NUG Rider rate on one day's notice.

Purpose: To determine whether NUG Rider rates should be reset on one day's notice.

Substance of proposed rule: The Public Service Commission (Commission) is considering a waiver request filed on June 3, 2021 by Pennsylvania Electric Company (Penelec), to reset its non-utility generation (NUG) Rider rate to zero on one day's notice once the current over-collection has been fully refunded. Additionally, Penelec requests a waiver by the Commission of the requirements of Public Service Law § 66(12)(b) and 16 NYCRR § 720-8.1 regarding a newspaper publication.

In the Commission's May 17, 2012 Order in Case 11-E-0594 (May 2012 Order), Penelec was allowed to collect and credit all costs associated with NUG contracts through its NUG Rider. The May 2012 Order required Penelec to make a filing with the Commission within ninety days after the expiration of Penelec's last NUG contract. The May 2012 Order required Commission action to resolve the final reconciliation of NUG contract costs. Penelec's last significant NUG contract expired on May 15, 2020. Penelec filed a letter requesting to terminate the NUG Rider on August 13, 2020, but the letter was not addressed by the Commission. On April 30, 2021 Penelec filed its NUG Rider rate with an effective date of June 1, 2021 to refund the estimated over-collection to customers over the NUG Rider rate period ending May 31, 2021. Penelec proposes to continue the NUG Rider rate until the over-collection has been fully refunded. Penelec proposes to set the NUG rate to zero on one day's notice when the over-collection is fully refunded.

The full text of the waiver request and the full record of the proceeding may be viewed 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 action 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: Michelle L. Phillips, 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: 60 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.

(11-E-0594SP2)

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

Support for a Hydroelectric Facility Located in Black Brook, New York

I.D. No. PSC-27-21-00013-P

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

Proposed Action: The Commission is considering Oakvale Construction Co., Ltd.'s petition for financial support of a 520 kW hydro facility in Black Brook, New York, under the Renewable Energy Standard Tier 2 Maintenance Tier.

Statutory authority: Public Service Law, sections 4(1), 5(1), (2), 66(2); New York Energy Law, section 6-104(5)(b)

Subject: Support for a hydroelectric facility located in Black Brook, New York.

Purpose: To consider financial support to promote and maintain an existing renewable electric energy resource.

Substance of proposed rule: The Public Service Commission (Commission) is considering the petition filed by Oakvale Construction Co., Ltd. (Oakvale) on June 7, 2021 and supplemented on June 17, 2021 for financial support for its 520 kW Black Brook hydroelectric generating facility (the Facility) located in Black Brook, New York.

Oakvale requests a three year contract authorizing \$35.00/MWh for each Renewable Energy Certificate created by the Facility, as may be authorized in accordance with the Commission's Tier 2 Maintenance Program under the Renewable Energy Standard (RES). The Tier 2 Maintenance Program of the RES, which the Commission adopted in Case 15-E-0302 on August 1, 2016, is intended to support certain existing baseline generation facilities that demonstrate financial need and would cease operations and no longer produce positive emissions attributes without such financial support.

Upon review of the relevant inputs used to calculate the award, including changes to those inputs, the Commission may adjust the award price requested upward or downward. The Commission may also seek to standardize the formula to be utilized in computing the maintenance tier award.

The full text of the petition and the full record of the proceeding 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 action proposed and may resolve other related matters.

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

Data, views or arguments may be submitted to: Michelle Phillips, 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: 60 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-E-0603SP10)

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

PSC Regulation 16 NYCRR §§ 86.3(a)(1), (2), (b)(2), 86.4(b), 88.4(a)(4) and 85-2.3(c)

I.D. No. PSC-27-21-00014-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 motion by New York Power Authority and National Grid for waiver of certain PSL Article VII application requirements and permission to submit unavailable information at a specified future date.

Statutory authority: Public Service Law, sections 4 and 122

Subject: PSC Regulation 16 NYCRR §§ 86.3(a)(1), (2), (b)(2), 86.4(b), 88.4(a)(4) and 85-2.3(c).

Purpose: To consider the applicants requests relating to the content of their application for transmission line siting.

Substance of proposed rule: The Public Service Commission is considering a motion filed by the New York Power Authority and Niagara Mohawk Power Corporation d/b/a National Grid (Applicants) for waiver of certain requirements for the content of an application for authority to construct and operate an electric transmission line pursuant to Public Service Law Article VII.

The Applicants propose rebuilding approximately 100 linear miles of existing 230 kilovolt (kV) transmission lines to either 230 kV or 345 kV and associated substation construction and upgrades (the Project). The Project includes rebuilding all or parts of: NYPA's Moses-Willis 1 & 2, NYPA's Willis-Patnode and NYPA's Willis-Ryan; and National Grid's Adirondack to Porter (Chases Lake-Porter Line 11, Adirondack-Porter Line 12, and Adirondack-Chases Lake Line 13), the extension of the existing 230 kV Rector Road to Chases Lake Line 10, as well as connecting to NYPA's Moses-Adirondack 1&2 ROW. The Project is proposed to be located primarily within existing right-of-way (ROW).

As part of the Article VII process, the Applicants have moved for a waiver of several regulatory requirements. First, the Applicants seek a waiver of Commission regulation 16 NYCRR § 86.3(a)(1), which requires specified information to be shown on New York State Department of Transportation (DOT) topographic maps (1:24,000). The Applicants state that such DOT maps are either not available or do not show the information clearly and request permission to submit United States Geological Survey (USGS) topographical (1:24,000) maps to provide the information required by 16 NYCRR § 86.3(a)(1).

Second, the Applicants move for waiver of § 86.3(a)(2) which require the use of DOT maps at a scale of 1:250,000. The Applicants request to provide the information required by § 86.3(a)(2) on finer scale maps (1:24,000), stating such maps will effectively provide the information required by the regulation.

Third, the Applicant seeks waiver of 16 NYCRR § 86.3(b)(2) which requires submission of aerial photographs of "urban areas and urbanizing fringe areas" taken within six months of the date of filing. The Applicant does not believe that the Project is in an urban or urbanizing fringe area but requests permission to submit the most recent aerial photographs available of the Project route which were taken in 2019 and 2020.

Fourth, the Applicants move for waiver of 16 NYCRR § 86.4(b) requiring maps of any alternative route considered. The Applicants state that they did not consider any alternative routes for the Project because the Project involves the rebuild of existing transmission lines, almost entirely within existing ROW.

Fifth, the Applicant moves for waiver of 16 NYCRR § 88.4(a)(4), which requires appropriate system studies, including the system reliability impact study (SRIS) forwarded by the Transmission Planning Advisory Subcommittee (TPAS) for approval by the NYISO's Operating Committee (OC). Because the NYISO instead required a System Impact Study (SIS) for the proposed facility, the Applicant seeks waiver of the requirement to provide a SRIS stating that the SIS is functionally identical to an SRIS.

In addition to the aforementioned waivers, the Applicants request permission, pursuant to § 85-2.3(c), to provide the SIS as soon as it is completed and forwarded to the NYISO's Operating Committee which is expected to occur in September 2021.

The full text of the motion, the Certificate application, and the full record of the proceeding 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 action 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: Michelle L. Phillips, Secretary, Public Service Commission, Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: secretary@dps.ny.gov

Public comment will be received until: 60 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.

(21-T-0340SP1)

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

Transfer of Street Light Facilities

I.D. No. PSC-27-21-00015-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 State Electric & Gas Corporation for the transfer of certain street lighting facilities to the Town of Lockport, Niagara County, New York.

Statutory authority: Public Service Law, section 70(1)

Subject: Transfer of street light facilities.

Purpose: To consider the transfer of street lighting facilities to the Town of Lockport.

Substance of proposed rule: The Public Service Commission (Commission) is considering a petition filed by New York State Electric & Gas Corporation (NYSEG or the Company) on June 8, 2021, requesting a transfer to the Town of Lockport (the Town) the ownership of its system of street lighting facilities installed throughout the Town.

The street lighting facilities consist of a system of street lighting poles, luminaires, lamps, mast arms, electrical connections and wiring (Facilities). NYSEG requests the Commission's approval of the transaction pursuant to Public Service Law § 70(1), as the original cost of the proposed assets to be transferred is greater than \$100,000.

Based on plant records, NYSEG represents that the original book cost of the Facilities is approximately \$479,191 and the net book value, as of December 31, 2020, is \$100,538. The Company proposes to transfer the ownership of the Facilities to the Town for \$137,910. Upon the closing date of the sale, the Town will become solely responsible and liable for the operation, maintenance, and condition of the Facilities. The transfer will not impact the reliability, safety, operation, or maintenance of NYSEG's electric distribution system.

The full text of the petition and the full record of the proceeding 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 action 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: Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6517, email: secretary@dps.ny.gov

Public comment will be received until: 60 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.

(21-E-0315SP1)

**HEARINGS SCHEDULED
FOR PROPOSED RULE MAKINGS**

Agency I.D. No.	Subject Matter	Location—Date—Time
Agriculture and Markets, Department of		
AAM-23-21-00001-P	Regulated Commodity Labeling, Packaging and Method of Sale Requirements	WebEx, (518) 549-0500, Access: 161 509 994—July 7, 2021, 11:00 a.m.
Environmental Conservation, Department of		
ENV-19-21-00001-P	Set Monitoring, Operational and Reporting Requirements for the Oil and Natural Gas Sector	<p>Electronic webinar—July 20, 2021, 2:00 p.m. and 6:00 p.m.</p> <p>Instructions on how to “join” the hearing webinar and provide an oral statement will be published on the Department’s proposed regulations webpage for 6 NYCRR Part 203 by May 12, 2021. The proposed regulations webpage for 6 NYCRR Part 203 may be accessed at: https://www.dec.ny.gov/regulations/propregulations.html</p> <p>Persons who wish to receive the instructions by mail or telephone may call the Department at (518) 402-9003. Please provide your first and last name, address, and telephone number and reference the Part 203 public comment hearing.</p> <p>The Department will provide interpreter services for hearing impaired persons, and language interpreter services for individuals with difficulty understanding or reading English, at no charge upon written request submitted no later than June 29, 2021. The written request must be addressed to ALJ Lara Q. Olivieri, NYS DEC Office of Hearings and Mediation Services, 625 Broadway, 1st Floor, Albany, NY 12233-1550 or emailed to ALJ Olivieri at: ohms@dec.ny.gov</p>
ENV-24-21-00008-P	Petroleum Bulk Storage (PBS)	<p>Electronic webinar—August 17, 2021, 2:00 p.m. and 6:00 p.m.</p> <p>Instructions on how to “join” the hearing webinar and provide an oral statement will be published on the Department’s proposed regulations webpage for 6 NYCRR Parts 597, 598, and 613 by June 16, 2021. The proposed regulations webpage for 6 NYCRR Parts 597, 598, and 613 may be accessed at: https://www.dec.ny.gov/regulations/propregulations.html</p> <p>Persons who wish to receive the instructions by mail or telephone may call the Department at (518) 402-9003. Please provide your first and last name, address, and telephone number and reference the Parts 597, 598, and 613 public comment hearing.</p> <p>The Department will provide interpreter services for hearing impaired persons, and language interpreter services for individuals with difficulty understanding or reading English, at no charge upon written request submitted no later than July 27, 2021. The written request must be addressed to Chief ALJ James T. McClymonds, NYS DEC Office of Hearings and Mediation Services, 625 Broadway, 1st Floor, Albany, NY 12233-1550 or emailed to Chief ALJ McClymonds at ohms@dec.ny.gov.</p>
ENV-24-21-00009-P	Chemical Bulk Storage (CBS)	Electronic webinar—August 17, 2021, 2:00 p.m. and 6:00 p.m.

Instructions on how to “join” the hearing webinar and provide an oral statement will be published on the Department’s proposed regulations webpage for 6 NYCRR Parts 597, 598, and 613 by June 16, 2021. The proposed regulations webpage for 6 NYCRR Parts 597, 598, and 613 may be accessed at: <https://www.dec.ny.gov/regulations/propregulations.html>

Persons who wish to receive the instructions by mail or telephone may call the Department at (518) 402-9003. Please provide your first and last name, address, and telephone number and reference the Parts 597, 598, and 613 public comment hearing.

The Department will provide interpreter services for hearing impaired persons, and language interpreter services for individuals with difficulty understanding or reading English, at no charge upon written request submitted no later than July 27, 2021. The written request must be addressed to Chief ALJ James T. McClymonds, NYS DEC Office of Hearings and Mediation Services, 625 Broadway, 1st Floor, Albany, NY 12233-1550 or emailed to Chief ALJ McClymonds at ohms@dec.ny.gov.

ENV-26-21-00003-P Product Stewardship and Product Labeling

Electronic webinar—September 8, 2021, 10:00 a.m. and 2:00 p.m.

Instructions on how to “join” the hearing webinar and provide an oral statement will be published on the Department’s proposed regulations webpage for 6 NYCRR Part 368 by June 30, 2021. The proposed regulations webpage for 6 NYCRR Part 368 may be accessed at: <https://www.dec.ny.gov/regulations/propregulations.html>

Persons who wish to receive the instructions by mail or telephone may call the Department at (518) 402-9003. Please provide your first and last name, address, and telephone number and reference the Part 368 public comment hearing.

The Department will provide interpreter services for hearing impaired persons, and language interpreter services for individuals with difficulty understanding or reading English, at no charge upon written request submitted no later than Wednesday, August 18, 2021. The written request must be addressed to ALJ Olivieri, DEC Office of Hearings and Mediation Services, 625 Broadway, 1st Fl., Albany, NY 12233-1550 or emailed to ALJ Olivieri at ohms@dec.ny.gov

Public Service Commission

PSC-19-21-00009-P Major Electric Rate Filing

Teleconference—July 12, 2021, 10:30 a.m. and continuing daily as needed. (Evidentiary Hearing)*

*On occasion, there are requests to reschedule or postpone hearing dates. If such a request is granted, notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Case 21-E-0074.

PSC-19-21-00012-P Major Gas Rate Filing

Teleconference—July 12, 2021, 10:30 a.m. and continuing daily as needed. (Evidentiary Hearing)*

*On occasion, there are requests to reschedule or postpone hearing dates. If such a request is granted, notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Case 21-G-0073.

State, Department of

DOS-19-21-00014-P..... Minimum Standards for Administration and Enforcement of the Uniform Code and Energy Code

99 Washington Ave., Rm. 505, Albany, NY—
July 15, 2021, 10:00 a.m.
Due to the ongoing pandemic, the public hearing scheduled to accept public comments may be held virtually only. Instructions for attendance online or by phone will be provided on the Department of State’s Division of Building Standards and Codes’ website at <https://dos.ny.gov/notice-proposed-rule-making> at least fourteen (14) days prior to the public hearing.

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	0001	P

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
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AGRICULTURE AND MARKETS, DEPARTMENT OF

AAM-21-21-00021-EP	05/26/22	Control of the European Cherry Fruit Fly	To help control the spread of the European Cherry Fruit Fly (ECFF), which renders cherries unmarketable if they are infested
AAM-23-21-00001-P	07/07/22	Regulated commodity labeling, packaging and method of sale requirements	Amend packaging, labeling & method of sale requirements for various commodities to align with industry & federal standards

ALCOHOLISM AND SUBSTANCE ABUSE SERVICES, OFFICE OF

ASA-28-20-00013-RP	12/13/21	Patient Rights	To set-forth the minimum regulatory requirements for patient rights in OASAS certified, funded or otherwise authorized programs
ASA-28-20-00016-RP	09/14/21	Designated Services	To set-forth the minimum regulatory requirements for certified programs to seek an Office designation
ASA-27-21-00009-P	07/07/22	General provisions applicable to all OASAS programs	To identify those provisions that are required of all OASAS certified, funded or otherwise authorized programs

CHILDREN AND FAMILY SERVICES, OFFICE OF

*CFS-04-20-00009-RP	09/14/21	Host Family Homes	The proposed regulations would establish standards for the approval and administration of host family homes.
CFS-49-20-00006-EP	12/09/21	Maintenance reimbursement for residential CSE programs when a student has been absent from the program for more than 15 days.	Remove an existing regulatory barrier that precludes maintenance reimbursement for residential CSE programs.
CFS-27-21-00001-EP	07/07/22	To clarify the authorization and payment requirements of Part 415; to revise the sliding fee scale for families	To clarify the authorization and payment requirements of Part 415; to revise the sliding fee scale for families

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CHILDREN AND FAMILY SERVICES, OFFICE OF			
CFS-27-21-00003-P	07/07/22	For licensed and registered child care programs to comply with the anaphylaxis policy issued by NYS Department of Health	For licensed and registered child care programs to comply with the anaphylaxis policy issued by NYS Department of Health
CIVIL SERVICE, DEPARTMENT OF			
*CVS-06-20-00004-P	09/14/21	Jurisdictional Classification	To classify positions in the non-competitive class
*CVS-13-20-00015-P	09/14/21	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
*CVS-13-20-00016-P	09/14/21	Jurisdictional Classification	To classify positions in the exempt class
*CVS-24-20-00002-P	09/14/21	Jurisdictional Classification	To delete a position from and classify a position in the exempt class
*CVS-24-20-00003-P	09/14/21	Jurisdictional Classification	To classify positions in the non-competitive class
*CVS-24-20-00004-P	09/14/21	Jurisdictional Classification	To classify positions in the non-competitive class
*CVS-24-20-00005-P	09/14/21	Jurisdictional Classification	To classify a position in the non-competitive class
*CVS-24-20-00006-P	09/14/21	Jurisdictional Classification	To classify positions in the exempt class
*CVS-24-20-00007-P	09/14/21	Jurisdictional Classification	To classify positions in the non-competitive class
*CVS-24-20-00008-P	09/14/21	Jurisdictional Classification	To classify positions in the non-competitive class
*CVS-24-20-00009-P	09/14/21	Jurisdictional Classification	To classify positions in the non-competitive class
*CVS-24-20-00010-P	09/14/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-28-20-00004-P	09/14/21	Jurisdictional Classification	To classify positions in the exempt class
CVS-28-20-00005-P	09/14/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-28-20-00006-P	09/14/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-28-20-00007-P	09/14/21	Jurisdictional Classification	To delete a position from the exempt class
CVS-28-20-00008-P	09/14/21	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-28-20-00009-P	09/14/21	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-28-20-00010-P	09/14/21	Jurisdictional Classification	To classify positions in the non-competitive class.
CVS-28-20-00011-P	09/14/21	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-28-20-00012-P	09/14/21	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-32-20-00003-P	09/14/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-32-20-00004-P	09/14/21	Jurisdictional Classification	To classify positions in the exempt and the non-competitive classes
CVS-32-20-00005-P	09/14/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-32-20-00006-P	09/14/21	Jurisdictional Classification	To classify a position in the exempt class
CVS-10-21-00001-P	03/10/22	Jurisdictional Classification	To delete a subheading and positions from and to classify a subheading and positions in the exempt and non-competitive classes
CVS-10-21-00002-P	03/10/22	Jurisdictional Classification	To classify a position in the exempt class and to classify a position from the non-competitive class
CVS-10-21-00003-P	03/10/22	Jurisdictional Classification	To classify a position in the exempt class
CVS-10-21-00004-P	03/10/22	Jurisdictional Classification	To classify a position in the exempt class
CVS-10-21-00005-P	03/10/22	Jurisdictional Classification	To classify a position in the exempt class
CVS-13-21-00005-P	03/31/22	Jurisdictional Classification	To classify a position in the exempt class
CVS-13-21-00006-P	03/31/22	Jurisdictional Classification	To classify a position in the exempt class
CVS-13-21-00007-P	03/31/22	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-13-21-00008-P	03/31/22	Jurisdictional Classification	To classify positions in the exempt class
CVS-14-21-00001-P	04/07/22	Juneteenth Holiday	To add Juneteenth to the listing of holidays in the Attendance Rules
CVS-14-21-00002-P	04/07/22	Supplemental military leave benefits	To extend the availability of supplemental military leave benefits for certain New York State employees until December 31, 2021
CVS-19-21-00003-P	05/12/22	Jurisdictional Classification	To delete a position from and classify a position in the exempt class
CVS-19-21-00004-P	05/12/22	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-19-21-00005-P	05/12/22	Jurisdictional Classification	To delete a position from and classify positions in the non-competitive class
CVS-23-21-00006-P	06/09/22	Jurisdictional Classification	To classify positions in the exempt class
CVS-23-21-00007-P	06/09/22	Jurisdictional Classification	To classify a position in the exempt class
CVS-23-21-00008-P	06/09/22	Jurisdictional Classification	To delete positions from the exempt class
CVS-23-21-00009-P	06/09/22	Jurisdictional Classification	To classify a subheading and positions in the exempt class

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-27-21-00004-P	07/07/22	Jurisdictional Classification	To classify positions in the exempt class
CVS-27-21-00005-P	07/07/22	Jurisdictional Classification	To classify a position in the exempt class
CVS-27-21-00006-P	07/07/22	Jurisdictional Classification	To delete a position from and classify a position in the exempt class
CVS-27-21-00007-P	07/07/22	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-27-21-00008-P	07/07/22	Jurisdictional Classification	To classify positions in the non-competitive class
COMMISSIONER OF PILOTS, BOARD OF			
COP-24-21-00011-P	exempt	Rate increases for pilot services	To offset costs being incurred by pilots by failure of users to properly assess assistance needed from pilots
CORRECTIONS AND COMMUNITY SUPERVISION, DEPARTMENT OF			
CCS-34-20-00001-P	09/14/21	Family Reunion Program	To clarify for logic and consistency, and make additional changes to the current Family Reunion Program
ECONOMIC DEVELOPMENT, DEPARTMENT OF			
EDV-48-20-00001-P	12/02/21	Employee Training Incentive Program	To update the administrative processes for the ETIP program
EDUCATION DEPARTMENT			
*EDU-17-19-00008-P	09/14/21	To require study in language acquisition and literacy development of English language learners in certain teacher preparation	To ensure that newly certified teachers enter the workforce fully prepared to serve our ELL population
*EDU-27-19-00010-P	07/24/21	Substantially Equivalent Instruction for Nonpublic School Students	Provide guidance to local school authorities to assist them in fulfilling their responsibilities under the Compulsory Ed Law
*EDU-20-20-00008-ERP	11/16/21	Addressing the COVID-19 Crisis	To provide flexibility for certain regulatory requirements in response to the COVID-19 crisis
EDU-08-21-00002-P	02/24/22	The Definition of the Term "University"	To clarify and broaden the definition of the term "university"
EDU-13-21-00011-EP	03/31/22	Licensure requirements for Land Surveyors	Adding and amending licensure requirements for Land Surveyors
EDU-13-21-00012-P	03/31/22	Renaming the Languages Other Than English (LOTE) learning standards to "World Languages"	To rename the LOTE learning standards to "World Languages" and corresponding changes to the certificate title and tenure titles
EDU-13-21-00013-P	03/31/22	Eligibility of School Psychology Candidates for the Internship Certificate	To allow candidates enrolled in registered school psychology programs to be eligible for the Internship certificate

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
EDUCATION DEPARTMENT			
EDU-13-21-00014-EP	03/31/22	Addressing the COVID-19 Crisis	To provide regulatory flexibility in response to the COVID-19 crisis
EDU-17-21-00009-EP	04/28/22	Including Emergency Protocols in District-Wide School Safety Plans	To implement Chapter 168 of the Laws of 2020, as amended by Chapter 30 of the Laws of 2021
EDU-17-21-00010-EP	04/28/22	Students' Eligibility to Participate in Interscholastic Competition Until the Conclusion of the Interscholastic Spring Season	To ensure that eligible students are able to complete their interscholastic athletic spring season the year they graduate
EDU-17-21-00011-P	04/28/22	Education Law 310 Appeals to the Commissioner and Initiation Conduct of Proceedings for the Removal of School Officers	To make technical changes and other clarifying amendments to section 310 appeal procedures and requirements
EDU-17-21-00012-EP	04/28/22	Extending the edTPA Safety Net in Response to the COVID-19 Crisis	To extend the edTPA safety net in response to the COVID-19 crisis
EDU-21-21-00006-P	05/26/22	Civic Readiness Pathway to Graduation and the New York State Seal of Civic Readiness	To establish the civic readiness pathway to graduation and the New York State Seal of Civic Readiness
EDU-21-21-00007-EP	05/26/22	Providing flexibility for hands-only CPR instruction, the NYS Seal of Biliteracy, and health examinations and certificates	To provide regulatory flexibility in response to the COVID-19 crisis
EDU-21-21-00008-P	05/26/22	Requirements for Chiropractic Education Programs and Education Requirements for Licensure as a Chiropractor	To conform the Commissioner's regulations to national education standards for postsecondary education
EDU-21-21-00009-P	05/26/22	School Counselor Bilingual & Supplementary Bilingual Education Extension & Registration Requirements	To create the bilingual education extension, supplementary bilingual education extension, and registration requirements for programs leading to the bilingual education extension for initial and professional school counselor certificates
EDU-21-21-00010-P	05/26/22	Adding the Doctor of Business Administration (D.B.A.) Degree and Master of Theological Studies (M.T.S.) Degree in New York State	To add the D.B.A. degree and M.T.S. degree in New York State
EDU-25-21-00014-P	06/23/22	Permanent School Counselor Certificate Requirements	To allow candidates who have an expired Provisional School Counselor certificate and apply for a Permanent School Counselor certificate prior to February 2, 2023
EDU-25-21-00015-P	06/23/22	Extending the Instructional Hour COVID-19 Waiver to the 2021-22 School Year	To provide additional regulatory flexibility by extending the instructional hour COVID-19 waiver to the 2021-22 school year
EDU-25-21-00016-P	06/23/22	Mandatory Peer Review Program in the Profession of Public Accountancy	To conform to the national peer review program standards to enhance enforcement efforts to help ensure the quality of attest services provided by New York public accounting firms
EDU-25-21-00017-P	06/23/22	Financial Viability, Accountability, and Evaluating Academic Progress in Licensed Private Career Schools & Certified ESL Schools	To establish standards of financial viability, accountability, and evaluating academic progress in licensed private career schools and certified English as a second language schools

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
EDUCATION DEPARTMENT			
EDU-25-21-00018-EP	06/23/22	Permitting the Dignity for All Students Act (DASA) Training to be Provided Entirely Online Due to the COVID-19 Crisis	To permit DASA training to be provided entirely online through December 31, 2021 due to the COVID-19 crisis
EDU-25-21-00019-EP	06/23/22	Two-Step Identification Process for Academic Services (AIS) for Students Who Will Be Enrolled in Grades 3-8 in 2021-22	To provide flexibility for the 2-step AIS identification process for students enrolled in grades 3-8 in the 2021-22 school year
ELECTIONS, STATE BOARD OF			
SBE-13-21-00015-P	03/31/22	Implementation of Cyber Security Requirements for Local Boards of Elections	Requires that that every county board of elections adhere to a minimum level of cyber-security standards
ENVIRONMENTAL CONSERVATION, DEPARTMENT OF			
ENV-01-21-00003-ERP	01/06/22	Regulations governing recreational fishing for striped bass	To require circle hooks when fishing recreationally for striped bass using bait
ENV-03-21-00010-P	03/23/22	Application of Site-Specific Criteria to Class I and Class SD Waters	Add site-specific criteria to Class I and SD waters to provide additional water quality protection of the existing best uses
ENV-04-21-00007-P	03/30/22	Chlorpyrifos prohibition	Prohibit distribution, sale, purchase, possession, or use of pesticides that contain the active ingredient chlorpyrifos
ENV-04-21-00008-P	04/07/22	Food Donation and Food Scraps Recycling	Required by Title 22 of Article 27, the rule increases food donation and the recycling of food scraps through composting
ENV-12-21-00004-P	03/24/22	Public use of Wildlife Management Areas, and areas with special regulations	To ensure that public use of WMAs and other sites does not interfere or conflict with intended purposes of those areas
ENV-16-21-00012-P	04/21/22	Regulations governing whelk management	To protect immature whelk from harvest and establish gear and reporting rules for marine resource protection and public safety
ENV-19-21-00001-P	07/20/22	Set monitoring, operational and reporting requirements for the oil and natural gas sector	Reduce emissions of methane and volatile organic compounds from the oil and natural gas sector
ENV-22-21-00001-EP	06/02/22	Peekamoose Valley Riparian Corridor	Protect public health, safety, general welfare and natural resources on the Peekamoose Valley Riparian Corridor
ENV-23-21-00011-P	06/09/22	Deer and Bear Hunting	Strategically increase antlerless deer harvest, expand hunting hours, simplify bear hunting seasons, and enhance hunter safety
ENV-24-21-00007-P	06/16/22	Amendments to permit requirements for trapping fisher and marten in New York State	To remove the requirement for a special fisher trapping permit, and to simplify marten trapping requirements
ENV-24-21-00008-P	08/17/22	Petroleum Bulk Storage (PBS)	To amend the PBS regulations, 6 NYCRR Part 613
ENV-24-21-00009-P	08/17/22	Chemical Bulk Storage (CBS)	To repeal existing 6 NYCRR Parts 596, 598, 599 and replace with new Part 598; and amend existing Part 597; for the CBS program

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
ENVIRONMENTAL CONSERVATION, DEPARTMENT OF			
ENV-26-21-00003-P	09/08/22	Product Stewardship and Product Labeling	Expand, strengthen and clarify existing regulations to establish consistency with federal and state requirements
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
*DFS-25-18-00006-P	exempt	Plan of Conversion by Medical Liability Mutual Insurance Company	To convert a mutual property and casualty insurance company to a stock property and casualty insurance company
*DFS-43-19-00017-RP	09/14/21	Independent Dispute Resolution for Emergency Services and Surpsise Bills	To require notices and consumer disclosure information related to surprise bills and bills for emergency service to be provided
DFS-49-20-00011-P	12/09/21	Credit for Reinsurance	To conform to covered agreements entered into between the US and EU and the US and UK, and implement NAIC models.
DFS-13-21-00001-P	03/31/22	Enterprise Risk Management and Own Risk and Solvency Assessment	To require an entity subject to the rule to describe its ERM function in its enterprise risk report, among other things
DFS-14-21-00007-P	04/07/22	Public Adjusters	To update the rule regarding public adjusters, including to conform to Chapter 546 of the Laws of 2013
DFS-27-21-00018-P	07/07/22	Brokers, Agents and Certain Other Licensees - General	To set forth classes licensees must complete to fulfill part of the 15 hour credit hours required by Ins Law Art. 21
GAMING COMMISSION, NEW YORK STATE			
SGC-34-20-00009-P	08/26/21	Qualification time in harness racing	To improve harness pari-mutuel wagering and generate reasonable revenue for the support of government
SGC-50-20-00007-P	12/16/21	Contactless payment methods for chances in charitable gaming	To promote public health and support of organizations authorized to operate games of chance
SGC-09-21-00014-P	03/03/22	Lasix administrations on race day	To enhance the safety and integrity of pari-mutuel racing
SGC-17-21-00001-P	04/28/22	Time, place and manner of Powerball drawings	To provide that the time, place and manner of Powerball drawings will be as authorized by the Multi-State Lottery Association
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-36-19-00006-P	09/14/21	Limits on Executive Compensation	Removes "Soft Cap" prohibition on covered executive salaries.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
HEALTH, DEPARTMENT OF			
*HLT-46-19-00003-P	09/14/21	Tanning Facilities	To prohibit the use of indoor tanning facilities by individuals less than 18 years of age
*HLT-47-19-00008-P	09/14/21	Hospital Medical Staff - Limited Permit Holders	To repeal extra years of training required for limited permit holders to work in New York State hospitals.
*HLT-51-19-00001-P	09/14/21	Women, Infants and Children (WIC) Program	To support implementation of eWIC; clarify rules for violations, penalties & hearings & conform vendor authorization criteria.
*HLT-04-20-00003-RP	10/22/21	Applied Behavior Analysis	To include Applied Behavior Analysis in the Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) benefit.
*HLT-11-20-00003-P	09/14/21	Adult Day Health Care (ADHC)	To allow for reimbursement of real property leases in certain situations when used for operations of an ADHC program
HLT-27-20-00006-P	09/14/21	Medicaid Managed Care State Fair Hearings and External Appeals Processes and Standards	To address & clarify rules of procedure & presentation of evidence for Medicaid managed care fair hearings & external appeals
HLT-28-20-00019-RP	09/14/21	Personal Care Services (PCS) and Consumer Directed Personal Assistance Program (CDPAP)	To implement a revised assessment process and eligibility criteria for PCS and CDPAP
HLT-31-20-00012-EP	exempt	Hospital Non-comparable Ambulance Acute Rate Add-on	Prevents duplicate claiming by Article 28 hospitals for the ambulance add-on regarding participation in the program
HLT-38-20-00006-P	09/23/21	Medicaid Transportation Program	Medicaid payment standards for emergency ambulance providers participating in an Emergency Triage, Treat & Transport (ET3) model
HLT-45-20-00002-RP	11/10/21	Cannabinoid Hemp	To create a licensing framework for cannabinoid hemp processors and cannabinoid hemp retailers
HLT-05-21-00011-P	02/03/22	Ingredient Disclosures for Vapor Products and E-Cigarettes	To provide for enhanced public awareness of the chemicals used in vapor products and electronic cigarettes
HLT-07-21-00012-P	02/17/22	Rate Setting for Residential Habilitation in Community Residences and for Non-State Providers of Day Habilitation	To amend rate methodologies limiting payments to IRA providers to conform to provisions in approved waiver
HLT-09-21-00009-EP	03/03/22	Surrogacy Programs and Assisted Reproduction Service Providers	To license and regulate surrogacy programs
HLT-19-21-00002-EP	05/12/22	Meeting Space in Transitional Adult Homes	Establish criteria for suitable meeting space to ensure privacy in conversations and submit a compliance plan to the Department
HLT-22-21-00003-P	06/02/22	Reducing Biannual Testing of Adult Care Facility Staff	To remove the requirement for biannual testing of adult care workers
HLT-22-21-00004-P	06/02/22	Hospice Residence Rates	To authorize Medicaid rate of payment to increase the Hospice Residence reimbursement rates by 10 percent

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
HEALTH, DEPARTMENT OF			
HLT-22-21-00005-P	06/02/22	Stroke Services	Amend transition period for existing stroke centers to allow the Dept. to extend the three year transition period, if necessary
HLT-22-21-00009-P	06/02/22	Managed Care Organizations (MCOs)	To maintain the contingent reserve requirement at 7.25% through 2022 applied to Medicaid Managed Care, HIV SNP & HARP programs
HLT-22-21-00010-P	06/02/22	Labeling Requirements Concerning Vent-Free Gas Space Heating Appliances	To adjust the current labeling requirements for unvented gas space heating appliances
HUMAN RIGHTS, DIVISION OF			
HRT-15-21-00005-P	04/14/22	Notice of tenants' rights to reasonable modifications and accommodations for persons with disabilities	To comply with the requirements of Executive Law section 170-d
JOINT COMMISSION ON PUBLIC ETHICS, NEW YORK STATE			
JPE-21-21-00002-P	05/26/22	Records access	To update regulations governing records access
LABOR, DEPARTMENT OF			
*LAB-46-19-00004-P	09/14/21	NY State Public Employees Occupational Safety and Health Standards	To incorporate by reference updates to OSHA standards into the NY State Public Employee Occupational Safety and Health Standards
LAB-49-20-00012-P	12/09/21	Sick Leave Requirements	To provide definitions and standards for the sick leave requirements contained in Section 196-b of the Labor Law
LAB-05-21-00003-EP	02/03/22	Unemployment Insurance (UI) definition of "day of total unemployment"	To prevent an additional financial burden on UI claimants seeking part-time work opportunities and help employers obtain talent
LIQUOR AUTHORITY, STATE			
LQR-12-21-00005-P	06/09/22	Minimum curriculum requirements for ATAP schools	To add information regarding sexual violence prevention to minimum curriculum requirements for ATAP schools
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-15-18-00013-P	exempt	Outdoor area lighting	To add an option and pricing for efficient LED lamps to the Authority's outdoor area lighting

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
LONG ISLAND POWER AUTHORITY			
*LPA-37-18-00013-P	..... exempt	The net energy metering provisions of the Authority's Tariff for Electric Service	To implement PSC guidance increasing eligibility for value stack compensation to larger projects
*LPA-37-18-00017-P	..... exempt	The treatment of electric vehicle charging in the Authority's Tariff for Electric Service.	To effectuate the outcome of the Public Service Commission's proceeding on electric vehicle supply equipment.
*LPA-37-18-00018-P	..... exempt	The treatment of energy storage in the Authority's Tariff for Electric Service.	To effectuate the outcome of the Public Service Commission's proceeding on the NY Energy Storage Roadmap.
*LPA-09-20-00010-P	..... exempt	To update and implement latest requirements for ESCOs proposing to do business within the Authority's service territory.	To strengthen customer protections and be consistent with Public Service Commission orders on retail energy markets.
LPA-28-20-00033-EP	..... exempt	LIPA's late payment charges, reconnection charges, and low-income customer discount enrollment	To allow waiver of late payment and reconnection charges and extend the grace period for re-enrolling in customer bill discounts
LPA-37-20-00013-EP	..... exempt	The terms of deferred payment agreements available to LIPA's commercial customers	To expand eligibility for and ease the terms of deferred payment agreements for LIPA's commercial customers
LPA-12-21-00011-P	..... exempt	LIPA's Long Island Choice (retail choice) tariff	To simplify and improve Long Island Choice based on stakeholder collaborative input
LPA-14-21-00010-P	..... exempt	To increase participation in the NYSEDA GJGNY On-Bill Loan Installment program	To provide low-cost on-bill financing for customers investing in energy efficiency, DERs, and beneficial electrification

LONG ISLAND RAILROAD COMPANY

LIR-39-20-00005-ERP 09/30/21	Requiring wearing masks over the nose and mouth when using terminals, stations, and trains operated by Long Island Rail Road	To safeguard the public health and safety on terminals, stations and trains operated by Long Island Rail Road
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MANHATTAN AND BRONX SURFACE TRANSIT OPERATING AUTHORITY

MBA-39-20-00007-EP 09/30/21	Requiring mask wearing covering the nose and mouth when using facilities and conveyances operated by the MaBSTOA	To safeguard the public health and safety by amending existing rules to require use of masks when using the transit system
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MENTAL HEALTH, OFFICE OF

OMH-09-21-00001-EP 03/03/22	Redesigning Residential Treatment Facilities (RTF)	To provide clarity and provide uniformity relating to RTF's and to implement Chapter 58 of the Laws of 2020
OMH-15-21-00001-EP	..... 04/14/22	Residential treatment facility leave of absence	Update requirements for leave of absence in RTFs; Implement State Plan Amendments effective 7/1/18 (attachment 4.16C (pg 2 & 3)
OMH-20-21-00006-P	..... 05/19/22	Establishment of Youth Assertive Community Treatment (ACT)	To include children in the populations eligible to receive ACT and other conforming changes

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
METRO-NORTH COMMUTER RAILROAD			
MCR-39-20-00004-EP	09/30/21	Requiring mask wearing covering the nose and mouth when using terminals, stations, and trains operated by Metro-North Railroad	To safeguard the public health and safety by amending the rules to require use of masks when using Metro-North facilities
METROPOLITAN TRANSPORTATION AGENCY			
MTA-39-20-00009-EP	09/30/21	Requiring mask wearing covering the nose and mouth when using the facilities and conveyances operated by MTA Bus Company	To safeguard the public health and safety by amending rules to require use of masks when using MTA Bus facilities and conveyance
MTA-16-21-00004-EP	04/21/22	Requiring mask wearing when using the facilities and conveyances of the MTA and its operating affiliates and subsidiaries	To safeguard the public health and safety by adding a new all-agency rule requiring the use of masks in facilities and conveyances
MOTOR VEHICLES, DEPARTMENT OF			
MTV-21-21-00001-P	05/26/22	Dealer Document Fee	Raises the dealer document fee from \$75 to \$175
MTV-26-21-00002-P	06/30/22	Relicensing after revocation	Conforms regulation with Departmental longstanding practice of not issuing a proposed denial of license applications
NEW YORK CITY TRANSIT AUTHORITY			
NTA-39-20-00006-EP	09/30/21	Requiring mask wearing covering the nose and mouth when using facilities and conveyances operated by NYC Transit Authority	To safeguard the public health and safety by amending existing rules to require use of masks when using the transit system
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
OGDENSBURG BRIDGE AND PORT AUTHORITY			
*OBA-33-18-00019-P	exempt	Increase in Bridge Toll Structure	To increase bridge toll revenue in order to become financially self-supporting. Our bridge operations are resulting in deficit.
*OBA-07-19-00019-P	exempt	Increase in Bridge Toll Structure	To increase bridge toll revenue in order to become financially self-supporting. Our bridge operations are resulting in deficit
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
POWER AUTHORITY OF THE STATE OF NEW YORK			
PAS-27-21-00017-P	..... exempt	Rates for the Sale of Power and Energy	To maintain the system's integrity. This increase in rates is not the result of an Authority rate increase to the Village
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
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-22-04-00013-P	..... exempt	Major gas rate increase by Consolidated Edison Company of New York, Inc.	To increase annual gas revenues
*PSC-22-04-00016-P	..... exempt	Master metering of water by South Liberty Corporation	To waive the requirement for installation of separate water meters
*PSC-25-04-00012-P	..... exempt	Interconnection agreement between Frontier Communications of Ausable Valley, Inc., et al. and Sprint Communications Company, L.P.	To amend the agreement
*PSC-27-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-27-04-00009-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-28-04-00006-P	..... exempt	Approval of loans by Dunkirk & Fredonia Telephone Company and Cassadaga Telephone Corporation	To authorize participation in the parent corporation's line of credit
*PSC-31-04-00023-P	..... exempt	Distributed generation service by Consolidated Edison Company of New York, Inc.	To provide an application form
*PSC-34-04-00031-P	..... exempt	Flat rate residential service by Emerald Green Lake Louise Marie Water Company, Inc.	To set appropriate level of permanent rates
*PSC-35-04-00017-P	..... exempt	Application form for distributed generation by Orange and Rockland Utilities, Inc.	To establish a new supplementary application form for customers
*PSC-43-04-00016-P	..... exempt	Accounts 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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-27-05-00018-P	..... exempt	Annual reconciliation of gas costs by New York State Electric & Gas Corporation	To consider the manner in which the gas cost incentive mechanism has been applied
*PSC-41-05-00013-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries by local distribution companies and municipalities	To consider the filings
*PSC-45-05-00011-P	..... exempt	Treatment of lost and unaccounted gas costs by Corning Natural Gas Corporation	To defer certain costs
*PSC-46-05-00015-P	..... exempt	Sale of real and personal property by the Brooklyn Union Gas Company d/b/a KeySpan Energy Delivery New York and Steel Arrow, LLC	To consider the sale
*PSC-47-05-00009-P	..... exempt	Transferral of gas supplies by Corning Natural Gas Corporation	To approve the transfer
*PSC-50-05-00008-P	..... exempt	Long-term debt by Saratoga Glen Hollow Water Supply Corp.	To obtain long-term debt
*PSC-04-06-00024-P	..... exempt	Transfer of ownership interests by Mirant NY-Gen LLC and Orange and Rockland Utilities, Inc.	To approve of the transfer
*PSC-06-06-00015-P	..... exempt	Gas curtailment policies and procedures	To examine the manner and extent to which gas curtailment policies and procedures should be modified and/or established
*PSC-07-06-00009-P	..... exempt	Modification of the current Environmental Disclosure Program	To include an attributes accounting system
*PSC-22-06-00019-P	..... exempt	Hourly pricing by National Grid	To assess the impacts
*PSC-22-06-00020-P	..... exempt	Hourly pricing by New York State Electric & Gas Corporation	To assess the impacts
*PSC-22-06-00021-P	..... exempt	Hourly pricing by Rochester Gas & Electric Corporation	To assess the impacts
*PSC-22-06-00022-P	..... exempt	Hourly pricing by Consolidated Edison Company of New York, Inc.	To assess the impacts
*PSC-22-06-00023-P	..... exempt	Hourly pricing by Orange and Rockland Utilities, Inc.	To assess the impacts
*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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-45-07-00005-P	..... exempt	Customer incentive programs by Orange and Rockland Utilities, Inc.	To establish a tariff provision
*PSC-02-08-00006-P	..... exempt	Additional central office codes in the 315 area code region	To consider options for making additional codes
*PSC-03-08-00006-P	..... exempt	Rehearing of the accounting determinations	To grant or deny a petition for rehearing of the accounting determinations
*PSC-04-08-00010-P	..... exempt	Granting of easement rights on utility property by Central Hudson Gas & Electric Corporation	To grant easement rights to Millennium Pipeline Company, L.L.C.
*PSC-04-08-00012-P	..... exempt	Marketing practices of energy service companies by the Consumer Protection Board and New York City Department of Consumer Affairs	To consider modifying the commission's regulation over marketing practices of energy service companies
*PSC-08-08-00016-P	..... exempt	Transfer of ownership by Entergy Nuclear Fitzpatrick LLC, et al.	To consider the transfer
*PSC-12-08-00019-P	..... exempt	Extend the provisions of the existing electric rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-12-08-00021-P	..... exempt	Extend the provisions of the existing gas rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-13-08-00011-P	..... exempt	Waiver of commission policy and NYSEG tariff by Turner Engineering, PC	To grant or deny Turner's petition
*PSC-13-08-00012-P	..... exempt	Voltage drops by New York State Electric & Gas Corporation	To grant or deny the petition
*PSC-23-08-00008-P	..... exempt	Petition requesting rehearing and clarification of the commission's April 25, 2008 order denying petition of public utility law project	To consider whether to grant or deny, in whole or in part, the May 7, 2008 Public Utility Law Project (PULP) petition for rehearing and clarification of the commission's April 25, 2008 order denying petition of Public Utility Law Project
*PSC-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

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

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-32-09-00009-P	..... exempt	Cost allocation for Consolidated Edison's East River Repowering Project	To determine whether any changes are warranted in the cost allocation of Consolidated Edison's East River Repowering Project
*PSC-34-09-00016-P	..... exempt	Recommendations made in the Management Audit Final Report	To consider whether to take action or recommendations contained in the Management Audit Final Report
*PSC-34-09-00017-P	..... exempt	To consider the transfer of control of Plattsburgh Cablevision, Inc. d/b/a Charter Communications to CH Communications, LLC	To allow the Plattsburgh Cablevision, Inc. to distribute its equity interest in CH Communications, LLC
*PSC-36-09-00008-P	..... exempt	The increase in the non-bypassable charge implemented by RG&E on June 1, 2009	Considering exemptions from the increase in the non-bypassable charge implemented by RG&E on June 1, 2009
*PSC-37-09-00015-P	..... exempt	Sale of customer-generated steam to the Con Edison steam system	To establish a mechanism for sale of customer-generated steam to the Con Edison steam system
*PSC-37-09-00016-P	..... exempt	Applicability of electronic signatures to Deferred Payment Agreements	To determine whether electronic signatures can be accepted for Deferred Payment Agreements
*PSC-39-09-00015-P	..... exempt	Modifications to the \$5 Bill Credit Program	Consideration of petition of National Grid to modify the Low Income \$5 Bill Credit Program
*PSC-39-09-00018-P	..... exempt	The offset of deferral balances with Positive Benefit Adjustments	To consider a petition to offset deferral balances with Positive Benefit Adjustments
*PSC-40-09-00013-P	..... exempt	Uniform System of Accounts - request for deferral and amortization of costs	To consider a petition to defer and amortize costs
*PSC-51-09-00029-P	..... exempt	Rules and guidelines for the exchange of retail access data between jurisdictional utilities and eligible ESCOs	To revise the uniform Electronic Data Interchange Standards and business practices to incorporate a contest period
*PSC-51-09-00030-P	..... exempt	Waiver or modification of Capital Expenditure condition of merger	To allow the companies to expend less funds for capital improvement than required by the merger
*PSC-52-09-00006-P	..... exempt	ACE's petition for rehearing for an order regarding generator-specific energy deliverability study methodology	To consider whether to change the Order Prescribing Study Methodology
*PSC-52-09-00008-P	..... exempt	Approval for the New York Independent System Operator, Inc. to incur indebtedness and borrow up to \$50,000,000	To finance the renovation and construction of the New York Independent System Operator, Inc.'s power control center facilities
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-07-10-00009-P	..... exempt	Petition to revise the Uniform Business Practices	To consider the RESA petition to allow rescission of a customer request to return to full utility service
*PSC-08-10-00007-P	..... exempt	Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847	Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847
*PSC-08-10-00009-P	..... exempt	Consolidated Edison of New York, Inc. energy efficiency programs	To modify approved energy efficiency programs
*PSC-12-10-00015-P	..... exempt	Recommendations made by Staff intended to enhance the safety of Con Edison's gas operations	To require that Con Edison implement the Staff recommendations intended to enhance the safety of Con Edison's gas operations
*PSC-14-10-00010-P	..... exempt	Petition for the submetering of electricity	To consider the request of 61 Jane Street Owners Corporation to submeter Electricity at 61 Jane Street, Manhattan, NY
*PSC-16-10-00005-P	..... exempt	To consider adopting and expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-16-10-00007-P	..... exempt	Interconnection of the networks between TDS Telecom and PAETEC Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between TDS Telecom and PAETEC Communications
*PSC-16-10-00015-P	..... exempt	Interconnection of the networks between Frontier and Choice One Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier and Choice One Communications
*PSC-18-10-00009-P	..... exempt	Electric utility transmission right-of-way management practices	To consider electric utility transmission right-of-way management practices
*PSC-19-10-00022-P	..... exempt	Whether National Grid should be permitted to transfer a parcel of property located at 1 Eddy Street, Fort Edward, New York	To decide whether to approve National Grid's request to transfer a parcel of vacant property in Fort Edward, New York
*PSC-22-10-00006-P	..... exempt	Requirement that Noble demonstrate that its affiliated electric corporations operating in New York are providing safe service	Consider requiring that Noble demonstrate that its affiliated electric corporations in New York are providing safe service
*PSC-22-10-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of 48-52 Franklin Street to submeter electricity at 50 Franklin Street, New York, New York
*PSC-24-10-00009-P	..... exempt	Verizon New York Inc. tariff regulations relating to voice messaging service	To remove tariff regulations relating to retail voice messaging service from Verizon New York Inc.'s tariff
*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-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-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-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-14-11-00009-P	..... exempt	Petition for the submetering of electricity	To consider the request of 83-30 118th Street to submeter electricity at 83-30 118th Street, Kew Gardens, New York
*PSC-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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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-19-12-00023-P	..... exempt	Petition for approval pursuant to Section 70 for the sale of goods with an original cost of less than \$100,000	To consider whether to grant, deny or modify, in whole or in part, the petition filed by Orange and Rockland Utilities, Inc.
*PSC-21-12-00006-P	..... exempt	Tariff filing requirements and refunds	To determine if certain agreements should be filed pursuant to the Public Service Law and if refunds are warranted
*PSC-21-12-00011-P	..... exempt	Whether to grant, deny or modify, in whole or part, the petition for waiver of tariff Rules 8.6 and 47	Whether to grant, deny or modify, in whole or part, the petition for waiver of tariff Rules 8.6 and 47
*PSC-23-12-00007-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-37-12-00009-P	..... exempt	Proposed modification by Con Edison of its procedures to calculate estimated bills to its customers	Proposed modification by Con Edison of its procedures to calculate estimated bills to its customers
*PSC-42-12-00009-P	..... exempt	Regulation of Gipsy Trail Club, Inc.'s long-term financing agreements	To exempt Gipsy Trail Club, Inc. from Commission regulation of its financing agreements
*PSC-45-12-00008-P	..... exempt	Whether to grant, deny or modify, in whole or part, ESHG's petition for a waiver of Commission policy and RG&E tariff	Whether to grant, deny or modify, in whole or part, ESHG's petition for a waiver of Commission policy and RG&E tariff
*PSC-45-12-00010-P	..... exempt	Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District	Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District
*PSC-50-12-00003-P	..... exempt	Affiliate standards for Corning Natural Gas Corporation	To resolve issues raised by Corning Natural Gas Corporation in its petition for rehearing
*PSC-04-13-00006-P	..... exempt	Expansion of mandatory day ahead hourly pricing for customers of Orange and Rockland Utilities with demands above 100 kW	To consider the expansion of mandatory day ahead hourly pricing for customers with demands above 100 kW
*PSC-04-13-00007-P	..... exempt	Authorization to transfer certain real property.	To decide whether to approve the transfer of certain real property.
*PSC-06-13-00008-P	..... exempt	Verizon New York Inc.'s retail service quality	To investigate Verizon New York Inc.'s retail service quality
*PSC-08-13-00012-P	..... exempt	Filing requirements for certain Article VII electric facilities	To ensure that applications for certain electric transmission facilities contain pertinent information
*PSC-08-13-00014-P	..... exempt	Uniform System of Accounts - Request for Accounting Authorization	To allow the company to defer an item of expense or capital beyond the end of the year in which it was incurred
*PSC-12-13-00007-P	..... exempt	Protecting company water mains	To allow the company to require certain customers to make changes to the electrical grounding system at their homes
*PSC-13-13-00008-P	..... exempt	The potential waiver of 16 NYCRR 255.9221(d) completion of integrity assessments for certain gas transmission lines.	To determine whether a waiver of the timely completion of certain gas transmission line integrity assessments should be granted.
*PSC-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-21-13-00009-P	..... exempt	Reporting requirements for natural gas local distribution companies	To help ensure efficient and economic expansion of the natural gas system as appropriate
*PSC-22-13-00009-P	..... exempt	On remand from New York State court litigation, determine the recovery of certain deferred amounts owed NFG by ratepayers	On remand, to determine the recovery of certain deferral amounts owed NFG from ratepayers
*PSC-23-13-00005-P	..... exempt	Waiver of partial payment, directory database distribution, service quality reporting, and service termination regulations	Equalize regulatory treatment based on level of competition and practical considerations
*PSC-25-13-00008-P	..... exempt	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request.	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request.
*PSC-25-13-00009-P	..... exempt	Provision by utilities of natural gas main and service lines.	To help ensure efficient and economic expansion of the natural gas system as appropriate.
*PSC-25-13-00012-P	..... exempt	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request.	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request.
*PSC-27-13-00014-P	..... exempt	Columbia Gas Transmission Corporation Cost Refund	For approval for temporary waiver of tariff provisions regarding its Columbia Gas Transmission Corporation cost refund.
*PSC-28-13-00014-P	..... exempt	Provision for the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces	To consider the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces
*PSC-28-13-00016-P	..... exempt	The request of NGT for lightened regulation as a gas corporation.	To consider whether to approve, reject, or modify the request of Niagara gas transport of Lockport, NY LLC.
*PSC-28-13-00017-P	..... exempt	The request by TE for waiver of regulations requiring that natural gas be odorized in certain gathering line segments	Consider the request by TE for waiver of regulations that gas be odorized in certain lines
*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-32-13-00012-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-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-43-13-00015-P	..... exempt	Petition for submetering of electricity	To consider the request of 2701 Kingsbridge Terrace L.P. to submeter electricity at 2701 Kingsbridge Terrace, Bronx, N.Y.
*PSC-45-13-00021-P	..... exempt	Investigation into effect of bifurcation of gas and electric utility service on Long Island.	To consider a Petition for an investigation into effect of bifurcation of gas and electric utility service on Long Island.
*PSC-45-13-00022-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4)	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00023-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00024-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4); waiver of filing deadlines.	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00025-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-47-13-00009-P	..... exempt	Petition for submetering of electricity.	To consider the request of Hegeman Avenue Housing L.P. to submeter electricity at 39 Hegeman Avenue, Brooklyn, N.Y.
*PSC-47-13-00012-P	..... exempt	Conditioning,restricting or prohibiting the purchase of services by NYSEG and RG&E from certain affiliates.	Consideration of conditioning,restricting or prohibiting the purchase of services by NYSEG and RG&E from certain affiliates.
*PSC-49-13-00008-P	..... exempt	Authorization to transfer all of Crystal Water Supply Company, Inc. stocks to Essel Infra West Inc.	To allow Crystal Water Supply Company, Inc to transfer all of its issued and outstanding stocks to Essel Infra West Inc.
*PSC-51-13-00009-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing.	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates.
*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-05-14-00010-P	..... exempt	The New York State Reliability Council's revisions to its rules and measurements	To adopt revisions to various rules and measurements of the New York State Reliability Council
*PSC-07-14-00008-P	..... exempt	Petition for submetering of electricity	To consider the request of Greater Centennial Homes HDFC, Inc. to submeter electricity at 102, 103 and 106 W 5th Street, et al.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-07-14-00012-P	..... exempt	Water rates and charges	Implementation of Long-Term Water Supply Surcharge to recover costs associated with the Haverstraw Water Supply Project
*PSC-08-14-00015-P	..... exempt	Verizon New York Inc.'s service quality and Customer Trouble Report Rate (CTRR) levels at certain central office entities	To improve Verizon New York Inc.'s service quality and the Customer Trouble Report Rate levels at certain central office entities
*PSC-10-14-00006-P	..... exempt	Actions to facilitate the availability of ESCO value-added offerings, ESCO eligibility and ESCO compliance	To facilitate ESCO value-added offerings and to make changes to ESCO eligibility and to ensure ESCO compliance
*PSC-11-14-00003-P	..... exempt	Provision for the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces	To consider the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces
*PSC-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-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-22-14-00013-P	..... exempt	Petition to transfer and merge systems, franchises and assets.	To consider the Comcast and Time Warner Cable merger and transfer of systems, franchises and assets.
*PSC-23-14-00010-P	..... exempt	Whether to permit the use of the GE Dresser Series B3-HPC 11M-1480 rotary gas met for use in industrial gas meter applications	To permit gas utilities in New York State to use the GE Dresser Series B3-HPC 11M-1480 rotary gas meter
*PSC-23-14-00014-P	..... exempt	Waiver of the negative revenue adjustment associated with KEDLI's 2013 Customer Satisfaction Performance Metric	Consideration of KEDLI's waiver request pertaining to its 2013 performance under its Customer Satisfaction Metric
*PSC-24-14-00005-P	..... exempt	To examine LDC's performance and performance measures.	To improve gas safety performance.
*PSC-26-14-00013-P	..... exempt	Waiver of RG&E's tariffed definition of emergency generator.	To consider waiver of RG&E's tariffed definition of emergency generator.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-26-14-00020-P	..... exempt	New electric utility backup service tariffs and standards for interconnection may be adopted.	To encourage development of microgrids that enhance the efficiency, safety, reliability and resiliency of the electric grid.
*PSC-26-14-00021-P	..... exempt	Consumer protections, standards and protocols pertaining to access to customer data may be established.	To balance the need for the information necessary to support a robust market with customer privacy concerns.
*PSC-28-14-00014-P	..... exempt	Petition to transfer systems, franchises and assets.	To consider the Comcast and Charter transfer of systems, franchise and assets.
*PSC-30-14-00023-P	..... exempt	Whether to permit the use of the Sensus iPERL Fire Flow Meter.	Pursuant to 16 NYCRR Part 500.3 , it is necessary to permit the use of the Sensus iPERL Fire Flow Meter.
*PSC-30-14-00026-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-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-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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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-39-14-00020-P	..... exempt	Whether to permit the use of the Mueller Systems 400 Series and 500 Series of water meters	Pursuant to 16 NYCRR section 500.3, whether to permit the use of the Mueller Systems 400, and 500 Series of water meters
*PSC-40-14-00008-P	..... exempt	To consider granting authorization for Buy Energy Direct to resume marketing to residential customers.	To consider granting authorization for Buy Energy Direct to resume marketing to residential customers.
*PSC-40-14-00009-P	..... exempt	Whether to permit the use of the Itron Open Way Centron Meter with Hardware 3.1 for AMR and AMI functionality.	Pursuant to 16 NYCRR Parts 93, is necessary to permit the use of the Itron Open Way Centron Meter with Hardware 3.1.
*PSC-40-14-00011-P	..... exempt	Late Payment Charge.	To modify Section 7.6 - Late Payment Charge to designate a specific time for when a late payment charge is due.
*PSC-40-14-00013-P	..... exempt	Regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY.	To consider regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY.
*PSC-40-14-00014-P	..... exempt	Waiver of 16 NYCRR Sections 894.1 through 894.4(b)(2)	To allow the Town of Goshen, NY, to waive certain preliminary franchising procedures to expedite the franchising process.
*PSC-40-14-00015-P	..... exempt	Late Payment Charge.	To modify Section 6.6 - Late Payment Charge to designate a specific time for when a late payment charge is due.
*PSC-42-14-00003-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-42-14-00004-P	..... exempt	Winter Bundled Sales Service Option	To modify SC-11 to remove language relating to fixed storage charges in the determination of the Winter Bundled Sales charge
*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-08-15-00010-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-10-15-00008-P	..... exempt	Whether to waive Policy on Test Periods in Major Rate Proceedings and provide authority to file tariff changes	Whether to waive Policy on Test Periods in Major Rate Proceedings and provide authority to file tariff changes
*PSC-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
*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-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-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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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
*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-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-47-15-00013-P	..... exempt	Whitepaper on Implementing Lightened Ratemaking Regulation.	Consider Whitepaper on Implementing Lightened Ratemaking Regulation.
*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-01-16-00005-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-04-16-00012-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-06-16-00013-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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-14-16-00008-P	..... exempt	Resetting retail markets for ESCO mass market customers.	To ensure consumer protections with respect to residential and small non-residential ESCO customers.
*PSC-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.
*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-25-16-00025-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-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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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-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-36-16-00004-P	..... exempt	Recovery of costs for installation of electric service.	To consider the recovery of costs for installation of electric service.
*PSC-40-16-00025-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.
*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-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-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-18-17-00026-P	..... exempt	Revisions to the Dynamic Load Management surcharge.	To consider revisions to the Dynamic Load Management surcharge.
*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-21-17-00013-P	..... exempt	The establishment and implementation of Earnings Adjustment Mechanisms.	To consider the establishment and implementation of Earnings Adjustment Mechanisms.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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-24-17-00006-P	..... exempt	Development of the Utility Energy Registry.	Improved data access.
*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.
*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-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-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-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-48-17-00015-P	..... exempt	Low Income customer options for affordable water bills.	To consider the Low Income Bill Discount and/or Energy Efficiency Rebate Programs.
*PSC-50-17-00017-P	..... exempt	New Wave Energy Corp.'s petition for rehearing.	To consider the petition for rehearing filed by New Wave Energy Corp.
*PSC-50-17-00018-P	..... exempt	Application of the Public Service Law to DER suppliers.	To determine the appropriate regulatory framework for DER suppliers.
*PSC-50-17-00019-P	..... exempt	Transfer of utility property.	To consider the transfer of utility property.
*PSC-50-17-00021-P	..... exempt	Disposition of tax refunds and other related matters.	To consider the disposition of tax refunds and other related matters.
*PSC-51-17-00011-P	..... exempt	Petition for recovery of certain costs related to the implementation of a Non-Wires Alternative Project.	To consider Con Edison's petition for the recovery of costs for implementing the JFK Project.
*PSC-04-18-00005-P	..... exempt	Notice of intent to submeter electricity.	To consider the notice of intent of Montante/ Morgan Gates Circle LLC to submeter electricity.
*PSC-05-18-00004-P	..... exempt	Lexington Power's ZEC compliance obligation.	To promote and maintain renewable and zero-emission electric energy resources.
*PSC-06-18-00012-P	..... exempt	To consider further proposed amendments to the original criteria to grandfathering established in the Transition Plan	To modify grandfathering criteria
*PSC-06-18-00017-P	..... exempt	Merger of NYAW and Whitlock Farms Water Corp.	To consider the merger of NYAW and Whitlock Farms Water Company into a single corporate entity

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-07-18-00015-P	..... exempt	The accuracy and reasonableness of National Grid's billing for certain interconnection upgrades.	To consider AEC's petition requesting resolution of their billing dispute with National Grid.
*PSC-11-18-00004-P	..... exempt	New York State Lifeline Program.	To consider TracFone's petition seeking approval to participate in Lifeline.
*PSC-13-18-00015-P	..... exempt	Eligibility of an ESCO to market to and enroll residential customers.	To consider whether Astral should be allowed to market to and enroll residential customers following a suspension.
*PSC-13-18-00023-P	..... exempt	Reconciliation of property taxes.	To consider NYAW's request to reconcile property taxes.
*PSC-14-18-00006-P	..... exempt	Petition for abandonment	To consider the abandonment of Willsboro Bay Water Company's water system
*PSC-17-18-00010-P	..... exempt	Petition for use of gas metering equipment.	To ensure that consumer bills are based on accurate measurements of gas usage.
*PSC-18-18-00009-P	..... exempt	Transfer of control of Keene Valley Video Inc.	To ensure performance in accordance with applicable cable laws, regulations and standards and the public interest
*PSC-23-18-00006-P	..... exempt	Whether to impose consequences on Aspurity for its non-compliance with Commission requirements.	To ensure the provision of safe and adequate energy service at just and reasonable rates.
*PSC-24-18-00013-P	..... exempt	Implementation of program rules for Renewable Energy Standard and ZEC requirements.	To promote and maintain renewable and zero-emission electric energy resources.
*PSC-28-18-00011-P	..... exempt	Storm Hardening Collaborative Report.	To ensure safe and adequate gas service.
*PSC-29-18-00008-P	..... exempt	Participation in Targeted Accessibility Fund	To encourage enhanced services for low-income consumers
*PSC-29-18-00009-P	..... exempt	Overvaluing real property tax expense recovery in water rates	To prevent unjust and unreasonable water rates
*PSC-34-18-00015-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and energy efficiency protections are in place.
*PSC-34-18-00016-P	..... exempt	Deferral of pre-staging and mobilization storm costs.	To ensure just and reasonable rates for ratepayers and utility recovery of unexpected, prudently incurred costs.
*PSC-35-18-00003-P	..... exempt	Con Edison's 2018 DSIP and BCA Handbook Update.	To continue Con Edison's transition to a modern utility serving as a Distributed System Platform Provider.
*PSC-35-18-00005-P	..... exempt	NYSEG and RG&E's 2018 DSIP and BCA Handbook Update.	To continue NYSEG and RG&E's transition to modern utilities acting as Distributed System Platform Providers.
*PSC-35-18-00006-P	..... exempt	National Grid's 2018 DSIP and BCA Handbook Update.	To continue National Grid's transition to a modern utility serving as a Distributed System Platform Provider.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-35-18-00008-P	..... exempt	Central Hudson's 2018 DSIP and BCA Handbook Update.	To continue Central Hudson's transition to a modern utility serving as a Distributed System Platform Provider.
*PSC-35-18-00010-P	..... exempt	O&R's 2018 DSIP and BCA Handbook Update.	To continue O&R's transition to a modern utility acting as a Distributed System Platform Provider.
*PSC-39-18-00005-P	..... exempt	Participation in New York State Lifeline Program.	To encourage enhanced services for low-income customers.
*PSC-40-18-00014-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries.	To review the gas utilities' reconciliation of Gas Expenses and Gas Cost Recoveries for 2018.
*PSC-42-18-00011-P	..... exempt	Voluntary residential beneficial electrification rate design.	To provide efficient rate design for beneficial technologies in New York State that is equitable for all residential customers.
*PSC-42-18-00013-P	..... exempt	Petition for clarification and rehearing of the Smart Solutions Program Order.	To address the increased demand for natural gas in the Con Edison's service territory and the limited pipeline capacity.
*PSC-44-18-00016-P	..... exempt	Petition for approval of gas metering equipment.	To ensure that customer bills are based on accurate measurements of gas usage.
*PSC-45-18-00005-P	..... exempt	Notice of intent to submeter electricity and waiver of energy audit	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place
*PSC-01-19-00013-P	..... exempt	Order of the Commission related to caller ID unblocking.	To require telephone companies to unblock caller ID on calls placed to the 311 municipal call center in Suffolk County.
*PSC-03-19-00002-P	..... exempt	DPS Staff White Paper for who must be trained in 16 NYCRR Part 753 requirements and how the Commission will approve trainings.	To reduce damage to underground utility facilities by requiring certain training and approving training curricula.
*PSC-04-19-00004-P	..... exempt	Con Edison's petition for the Gas Innovation Program and associated budget.	To pursue programs that continue service reliability and meet customer energy needs while aiding greenhouse gas reduction goals.
*PSC-04-19-00011-P	..... exempt	Update of revenue targets.	To ensure NYAW's rates are just and reasonable and accurately reflect the needed revenues.
*PSC-06-19-00005-P	..... exempt	Consideration of the Joint Utilities' proposed BDP Program.	To to expand opportunities for low-income households to participate in Community Distributed Generation (CDG) projects.
*PSC-07-19-00009-P	..... exempt	Whether to impose consequences on AAA for its non-compliance with Commission requirements.	To insure the provision of safe and adequate energy service at just and reasonable rates.
*PSC-07-19-00016-P	..... exempt	Participation in New York State Lifeline Program.	To encourage enhanced services for low-income customers.
*PSC-09-19-00010-P	..... exempt	Non-pipeline alternatives report recommendations.	To consider the terms and conditions applicable to gas service.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-12-19-00004-P	..... exempt	To test innovative pricing proposals on an opt-out basis.	To provide pricing structures that deliver benefits to customers and promote beneficial electrification technologies.
*PSC-13-19-00010-P	..... exempt	New Commission requirements for gas company operator qualification programs.	To make pipelines safer with improved training of workers who perform construction and repairs on natural gas facilities.
*PSC-19-19-00013-P	..... exempt	Proposed merger of three water utilities into one corporation.	To determine if the proposed merger is in the public interest.
*PSC-20-19-00008-P	..... exempt	Reporting on energy sources	To ensure accurate reporting and encourage clean energy purchases
*PSC-20-19-00010-P	..... exempt	Compensation policies for certain CHP projects	To consider appropriate rules for compensation of certain CHP resources
*PSC-31-19-00013-P	..... exempt	Implementation of Statewide Energy Benchmarking.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
*PSC-31-19-00015-P	..... exempt	Proposed major rate increase in KEDNY's gas delivery revenues by \$236.8 million (13.6% increase in total revenues).	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
*PSC-31-19-00016-P	..... exempt	Proposed major rate increase in KEDLI's gas delivery revenues of approximately \$49.4 million (or 4.1% in total revenues).	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
*PSC-32-19-00012-P	..... exempt	Standby Service Rates and Buyback Service Rates	To ensure just and reasonable rates, including compensation, for distributed energy resources
*PSC-38-19-00002-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
*PSC-39-19-00018-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
*PSC-41-19-00003-P	..... exempt	A voluntary residential three-part rate that would include fixed, usage and demand charges.	To provide qualifying residential customers with an optional three-part rate.
*PSC-44-19-00003-P	..... exempt	Proposed revisions to Standby Service Rates and Buyback Service Rates.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
*PSC-44-19-00005-P	..... exempt	Proposed revisions to Standby Service Rates and Buyback Service Rates.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
*PSC-44-19-00006-P	..... exempt	Proposed revisions to Standby Service Rates and Buyback Service Rates.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
*PSC-44-19-00007-P	..... exempt	Proposed revisions to Standby Service Rates and Buyback Service Rates.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
*PSC-44-19-00008-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
*PSC-44-19-00009-P	..... exempt	Proposed revisions to Standby Service Rates and Buyback Service Rates.	To ensure just and reasonable rates, including compensation, for distributed energy resources.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-46-19-00008-P	..... exempt	Wappingers Falls Hydroelectric LLC's facility located in Wappingers Falls, New York.	To promote and maintain renewable electric energy resources.
*PSC-46-19-00010-P	..... exempt	To test innovative rate designs on an opt-out basis.	To implement alternative innovative rate designs intended to assess customer behaviors in response to price signals
*PSC-52-19-00006-P	..... exempt	Authorization to defer pension settlement losses.	To address the ratemaking related to the pension settlement losses.
*PSC-03-20-00009-P	..... exempt	Changes to the Utility Energy Registry	To determine appropriate rules for data availability
*PSC-07-20-00008-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
*PSC-08-20-00003-P	..... exempt	PSC regulation 16 NYCRR § 86.3(a)(2) and 86.3(b)(2).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting.
*PSC-10-20-00003-P	..... exempt	The Commission's statewide low-income discount policy.	To consider modifications to certain conditions regarding utility low-income discount programs.
*PSC-12-20-00008-P	..... exempt	Delivery rates of Corning Natural Gas Corporation.	Whether to postpone the implementation of a change in rates that would otherwise become effective on June 1, 2020.
*PSC-15-20-00011-P	..... exempt	To modify the terms and conditions under which gas utilities provide service to electric generators.	To provide clarity and uniformity to the provision of gas service to electric generators.
*PSC-15-20-00013-P	..... exempt	Ownership of New York American Water Company, Inc.	To consider whether a proposed transfer of ownership of New York American Water Company, Inc. is in the public interest.
*PSC-16-20-00004-P	..... exempt	Disposition of a state sales tax refund.	To determine how much of a state sales tax refund should be retained by Central Hudson.
*PSC-18-20-00012-P	..... exempt	The purchase price of electric energy and capacity from customers with qualifying on-site generation facilities.	To revise the price to be paid by the Company under Service Classification No. 10. for qualifying purchases of unforced capacity
*PSC-18-20-00015-P	..... exempt	Participation of Eligible Telecommunications Carriers (ETCs) in New York State Lifeline Program.	Commission will consider each petition filed by an ETCs seeking approval to participate in the NYS Lifeline program.
*PSC-19-20-00004-P	..... exempt	Clarification of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether energy service companies should be permitted to bank RECs to satisfy their renewable energy requirements.
*PSC-19-20-00005-P	..... exempt	Cost recovery associated with Day-Ahead-DLM and Auto-DLM programs, and elimination of double compensation.	To provide cost recovery for new DLM programs and prevent double compensation to participating customers.
*PSC-19-20-00009-P	..... exempt	Cost recovery associated with Day-Ahead-DLM and Auto-DLM programs, and elimination of double compensation.	To consider revisions to P.S.C. No. 10 - Electricity, and P.S.C. No. 12 - Electricity.
*PSC-21-20-00008-P	..... exempt	Waiver of tariff rules and a related Commission regulation.	To consider whether a waiver of tariff rules and a Commission regulation are just and reasonable and in the public interest.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-23-20-00008-P	..... exempt	Disposition of sales tax refund and other related matters.	To consider the appropriate allocation of the sales tax refund proceeds while balancing ratepayer and shareholder interests.
*PSC-25-20-00010-P	..... exempt	Whitepaper regarding energy service company financial assurance requirements.	To consider the form and amount of financial assurances to be included in the eligibility criteria for energy service companies.
*PSC-25-20-00016-P	..... exempt	Modifications to the Low-Income Affordability program.	To address the economic impacts of the COVID-19 pandemic.
PSC-27-20-00003-P	..... exempt	To make the uniform statewide customer satisfaction survey permanent.	To encourage consumer protections and safe and adequate service.
PSC-28-20-00022-P	..... exempt	Compensation of distributed energy resources.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
PSC-28-20-00034-P	..... exempt	Petition to implement Section 7(5) of the Accelerated Renewable Energy Growth and Community Benefit Act	To develop the bulk transmission investments necessary to achieve the Climate Leadership and Community Protection Act goals
PSC-31-20-00008-P	..... exempt	Submetering of electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-34-20-00004-P	..... exempt	Notice of intent to submeter electricity and waiver of energy audit requirement.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-34-20-00005-P	..... exempt	Petition to provide a renewable, carbon-free energy option to residential and small commercial full-service customers.	To increase customer access to renewable energy in the Consolidated Edison Company of New York, Inc. service territory.
PSC-37-20-00006-P	..... exempt	Con Edison's petition for a proposed Non-Pipeline Solutions portfolio and associated budget.	To provide for continued service reliability and to meet customer energy needs while addressing greenhouse gas reduction goals.
PSC-38-20-00004-P	..... exempt	The 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-40-20-00004-P	..... exempt	Minor rate filing.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-40-20-00006-P	..... exempt	Waiver of tariff rules and a related Commission regulation.	To consider whether a waiver of tariff rules and a Commission regulation are just and reasonable and in the public interest.
PSC-41-20-00010-P	..... exempt	Disposition of a \$50 million municipal tax refund	To consider a disposition of a municipal tax refund for customer and company benefit
PSC-42-20-00006-P	..... exempt	Proposed major rate increase in National Grid's delivery revenues of approximately \$41.8 million (or 9.8% in total revenues).	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-42-20-00008-P	..... exempt	Availability of gas leak information to the public safety officials.	Facilitate availability of gas leak information to public safety officials by gas corporations.
PSC-42-20-00009-P	..... exempt	Proposed major rate increase in National Grid's delivery revenues of approximately \$100.4 million (or 3.2% in total revenues).	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-43-20-00003-P	..... exempt	The use of \$50 million to support residential and commercial customers experiencing financial hardship	To consider whether the proposed support of ratepayers is in the public interest
PSC-44-20-00007-P	..... exempt	Establishment of the regulatory regime applicable to an approximately 90.5 MW electric generating facility.	Consideration of a lightened regulatory regime for an approximately 90.5 MW electric generating facility.
PSC-44-20-00009-P	..... exempt	Notice of intent to submeter electricity and waiver of energy audit requirement.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-45-20-00003-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-45-20-00004-P	..... exempt	Major gas rate filing	To consider an increase in Central Hudson's gas delivery revenues
PSC-45-20-00005-P	..... exempt	Major electric rate filing	To consider an increase in Central Hudson's electric delivery revenues
PSC-46-20-00005-P	..... exempt	The recommendations of the DPS Staff report to improve Hudson Valley Water's service.	To determine if approving the DPS Staff's recommendations is in the public interest.
PSC-47-20-00007-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-48-20-00004-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-48-20-00005-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether Chief Energy Power, LLC should be permitted to offer green gas products to mass market customers.
PSC-48-20-00007-P	..... exempt	Tariff modifications to change National Fuel Gas Distribution Corporation's Monthly Gas Supply Charge provisions.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-49-20-00007-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-51-20-00006-P	..... exempt	Notice of intent to submeter electricity and waiver of energy audit requirement.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-51-20-00007-P	..... exempt	Whitepaper on the ACOS method used by utilities in developing Standby and Buyback Service rates.	To standardize the utility ACOS methods and resulting rates, and to enable stand-alone energy storage systems.
PSC-51-20-00009-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether petitioner should be permitted to offer its "Energy Savings Program" to mass market customers.
PSC-51-20-00010-P	..... exempt	Petition to submeter electricity and request for waiver.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-51-20-00014-P	..... exempt	Electric system needs and compensation for distributed energy resources.	To ensure safe and adequate service and just and reasonable rates, including compensation, for distributed energy resources.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-52-20-00002-P	..... exempt	Petition for the use of gas metering equipment.	To ensure that consumer bills are based on accurate measurements of gas usage.
PSC-52-20-00003-P	..... exempt	Notice of intent to submeter electricity and waiver request.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-52-20-00004-P	..... exempt	Use of pipeline refund.	To consider how a pipeline refund of \$2.26 million will be utilized by National Fuel.
PSC-52-20-00008-P	..... exempt	Transfer of a natural gas pipeline and the associated certificate, and application of lightened and incidental regulation.	To determine whether the requested transfers and regulatory treatment are consistent with the law and the public interest.
PSC-52-20-00009-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-52-20-00011-P	..... exempt	Petition for the use of gas metering equipment.	To ensure that consumer bills are based on accurate measurements of gas usage.
PSC-01-21-00004-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether petitioner should be permitted to offer its Home Warranty product to mass market customers.
PSC-01-21-00006-P	..... exempt	A debt financing arrangement with respect to an electric transmission line under development.	To review the proposed financing and consider whether it is within the public interest.
PSC-01-21-00007-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-02-21-00006-P	..... exempt	Disposition of a sales tax refund received by New York American Water, Inc.	To determine the disposition of tax refunds and other related matters.
PSC-03-21-00006-P	..... exempt	Comprehensive study to identify distribution and transmission investments in accordance with the AREGCB Act.	To support distribution and local transmission investments necessary to achieve the State's climate goals.
PSC-03-21-00007-P	..... exempt	Waiver of certain rules, i.e., 7-day installation requirements pertaining to cable television franchise.	To determine whether to waive any rules and regulations.
PSC-04-21-00016-P	..... exempt	Request for a waiver.	To consider whether good cause exists to support a waiver of the Commission's Test Period Policy Statement.
PSC-04-21-00017-P	..... exempt	Funding and management of the the Clean Energy Fund portfolio.	To review NYSEERDA's proposed modifications to the Clean Energy Fund portfolio and determine whether the changes are acceptable.
PSC-04-21-00020-P	..... exempt	NFG's Implementation Plan and audit recommendations.	To consider to implement the management audit recommendations.
PSC-05-21-00004-P	..... exempt	Alternative proposal for net crediting billing.	To facilitate development of and participation in Community Distributed Generation projects.
PSC-05-21-00005-P	..... exempt	The applicable regulatory regime under the Public Service Law for the owner of a merchant electric generating facility.	Consideration of a lightened regulatory regime for the owner of an approximately 100 MW electric generating facility.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-05-21-00006-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-05-21-00007-P	..... exempt	Petition to amend bill estimation procedures.	To consider the petition of Central Hudson Gas & Electric Corporation to amend its current bill estimation procedures.
PSC-05-21-00008-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-05-21-00012-P	..... exempt	The electric utilities' 2021 Electric Emergency Response Plans.	To consider the adequacy of the proposed 2021 Electric Emergency Response Plans.
PSC-06-21-00009-P	..... exempt	Disposition of a property tax refund received by New York American Water, Inc.	To determine the disposition of tax refunds and other related matters.
PSC-06-21-00011-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-07-21-00005-P	..... exempt	Staff Whitepaper recommending modifications to the utility's energy affordability program.	To consider updates and enhancements to the utility's low-income energy affordability program.
PSC-07-21-00007-P	..... exempt	Conditioned pre-approval of stock transactions of regulated entities.	To consider allowing stock transactions within statutory parameters without Commission approval for individual transactions.
PSC-08-21-00003-P	..... exempt	Utility-owned ESR participation in the New York Independent System Operator, Inc. (NYISO) administered wholesale markets.	To consider if National Grid should use a ESR in NYISO markets, and whether any conditions are appropriate for such use.
PSC-08-21-00006-P	..... exempt	Transfer of street lighting facilities.	To determine whether to transfer street lighting facilities and the proper accounting for the transaction.
PSC-09-21-00002-P	..... exempt	Gas moratorium procedures	To consider procedures and criteria to minimize customer hardships in the unlikely event of a future gas moratorium
PSC-09-21-00003-P	..... exempt	Proposed filing to modify language to reflect upgrades being made to its Legacy Customer Information System.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-09-21-00004-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-09-21-00005-P	..... exempt	Utility capital expenditure proposal.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-09-21-00006-P	..... exempt	Long-term gas system planning.	To consider a process to review gas distribution utilities' long-term system planning.
PSC-09-21-00007-P	..... exempt	Proposed filing to modify language to reflect upgrades being made to its Legacy Customer Information System.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-10-21-00007-P	..... exempt	Transfer of street lighting facilities.	To determine whether to authorize the transfer street of lighting facilities and the proper accounting for the transaction.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-10-21-00008-P	..... exempt	Waiver of tariff rules and a related Commission regulation.	To consider whether a waiver of tariff rules and a Commission regulation are just and reasonable and in the public interest.
PSC-10-21-00009-P	..... exempt	Gas Demand Response Pilot Program.	To provide promote natural gas system reliability by encouraging reductions of natural gas demand during peak gas demand days.
PSC-11-21-00003-P	..... exempt	NYSEG and RG&E's petition for a waiver of its customer service quality performance.	To determine if NYSEG and RG&E's petition for waiver is in the public interest.
PSC-11-21-00004-P	..... exempt	Pre-authorization to transfer certain cyber-security related equipment to other utilities participating in the CMA program.	To enhance the reliability of the energy system by enabling transfers of certain equipment to other participating utilities.
PSC-11-21-00005-P	..... exempt	Peition concerning tariff amendments regarding billing of transformer losses.	To ensure that the National Grid tariff contains appropriate provisions for the billing of transformer losses.
PSC-12-21-00008-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-12-21-00009-P	..... exempt	Transfer of ownership interests and facilities associated with three nuclear generating units, funds, and storage facilities.	To ensure appropriate regulatory review, oversight, and action concerning the proposed transfer to serve the public interest.
PSC-13-21-00016-P	..... exempt	Revised distribution strategies and reallocation of remaining funding.	To ensure the appropriate use of funding reserved for gas safety programs.
PSC-13-21-00018-P	..... exempt	Compensation of and incentives for distributed energy resources.	To encourage the development of and ensure just and reasonable rates for distributed energy resources.
PSC-13-21-00019-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-13-21-00020-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-13-21-00021-P	..... exempt	Headroom analyses of local transmission and distribution system to support additional renewable energy generation.	To support distribution and local transmission investments necessary to achieve the the State's climate goals.
PSC-13-21-00022-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-13-21-00023-P	..... exempt	Petition for the use of steam metering equipment.	To ensure that consumer bills are based on accurate measurements of steam usage.
PSC-14-21-00003-P	..... 04/07/22	More specific requirements for Operator Qualification to work on pipelines. Allows applications for "special permits."	To make the provision of natural gas service safer in New York State with better qualified pipeline workers.
PSC-15-21-00006-P	..... exempt	Proposed sale of the Company's stock to the Buyers.	To determine if sale of the Company's stock to the Buyers is in the public interest.
PSC-15-21-00007-P	..... exempt	The applicable regulatory regime under the Public Service Law for the owner of a merchant electric generating facility.	Consideration of a lightened regulatory regime.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-15-21-00009-P	..... exempt	Proposed filing to account for the acquisition of DTI by EGTS.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-15-21-00010-P	..... exempt	Proposed filing to account for the acquisition of DTI by EGTS.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-15-21-00011-P	..... exempt	Tariff rate modifications for net metered distributed energy resources.	To implement just and reasonable rates for distributed energy resources.
PSC-16-21-00005-P	..... exempt	Tier 2 Maintenance Tier Program of the Renewable Energy Standard.	To promote and maintain renewable electric energy resources.
PSC-16-21-00006-P	..... exempt	The appropriate level of community credit capacity for distributed energy generation projects in the territory.	Consideration of an increase in the community credit capacity for distributed generation projects in the territory.
PSC-16-21-00007-P	..... exempt	Accounting-related rules for utilities implementing the Integrated Energy Data Resource.	To consider cost recovery of capital expenditures and budget allocations of costs between affiliated companies.
PSC-16-21-00008-P	..... exempt	Transfer of street lighting facilities.	To determine whether to authorize the transfer street of lighting facilities and the proper accounting for the transaction.
PSC-16-21-00009-P	..... exempt	Transfer of street lighting facilities.	To determine whether to authorize the transfer street of lighting facilities and the proper accounting for the transaction.
PSC-16-21-00010-P	..... exempt	Petition to submeter electricity and request for waiver of 16 NYCRR § 96.5(k)(3).	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-16-21-00011-P	..... exempt	Transfer of street lighting facilities.	To determine whether to authorize the transfer street of lighting facilities and the proper accounting for the transaction.
PSC-17-21-00002-P	..... exempt	Changes to PSL Section 66-p relating to billing information for residential rental premises.	To establish provisions as necessary to effectuate PSL Section 66-p.
PSC-17-21-00003-P	..... exempt	Notice of intent to submeter electricity and waiver of 16 NYCRR § 96.5(k)(3).	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-17-21-00004-P	..... exempt	Waiver of tariff rules.	To consider whether a waiver of tariff rules is just and reasonable and in the public interest.
PSC-17-21-00005-P	..... exempt	Submetering equipment.	To consider use of submetering equipment and if it is in the public interest.
PSC-17-21-00006-P	..... exempt	Community Choice Aggregation and Community Distributed Generation.	To consider permitting opt-out Community Distributed Generation to be offered as the sole product in an aggregation.
PSC-17-21-00007-P	..... exempt	Utility studies of climate change vulnerabilities.	To assess the need for utilities to conduct distinct studies of their climate change vulnerabilities.
PSC-17-21-00008-P	..... exempt	Issuance of securities and other forms of indebtedness.	To provide funding for capital needs, including construction, refinancing of maturing debt.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-18-21-00004-P	..... exempt	Community Choice Aggregation programs.	To modify and improve Community Choice Aggregation programs in New York State.
PSC-18-21-00005-P	..... exempt	Proposed transfer of the Company's capital stock to the Purchaser.	To determine if transfer of the Company's capital stock to the Purchaser is in the public interest.
PSC-18-21-00006-P	..... exempt	Community Choice Aggregation renewable products.	To consider waiving the locational and delivery requirements for RECs purchased to support renewable CCA products.
PSC-18-21-00007-P	..... exempt	System modernization tracker (SMT) recovery period amendment.	To determine whether to extend the recovery period associated with the SMT's leak prone pipe replacement costs.
PSC-18-21-00008-P	..... exempt	RG&E's Economic Development Programs and exemption from funding limits.	To consider RG&E to grant up to \$5.25 million in ED funding to Project Block to the benefit of ratepayers.
PSC-19-21-00006-EP	..... exempt	Waiver of a tariff rule.	To financially assist customers in a time of hardship.
PSC-19-21-00007-P	..... exempt	Transfer of street lighting facilities.	To determine whether to authorize the transfer street of lighting facilities and the proper accounting for the transaction.
PSC-19-21-00008-P	..... exempt	Community Choice Aggregation (CCA) and Community Distributed Generation (CDG).	To consider permitting Upstate Power, LLC to serve as a CCA administrator offering an opt-out CDG focused program.
PSC-19-21-00009-P	..... exempt	Major electric rate filing.	To consider an increase in O&R's electric delivery revenues.
PSC-19-21-00010-P	..... exempt	Transfer of street lighting facilities.	To determine whether to authorize the transfer street of lighting facilities and the proper accounting for the transaction.
PSC-19-21-00011-P	..... exempt	Debt financing arrangement.	To review the proposed financing and consider whether authorization is within the public interest.
PSC-19-21-00012-P	..... exempt	Major gas rate filing.	To consider an increase in O&R's gas delivery revenues.
PSC-19-21-00013-P	..... exempt	The proposed transfer of ownership interests and debt financing arrangement related to certain electric generating facilities.	To determine whether the proposed transfer of ownership interests and financing arrangement are in the public interest.
PSC-20-21-00003-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-20-21-00004-P	..... exempt	Regulatory approvals in connection with a 437 MW electric generating facility.	To ensure appropriate regulatory review, oversight, and action, consistent with the public interest.
PSC-21-21-00012-P	..... exempt	Petition for the use of gas metering equipment.	To ensure that consumer bills are based on accurate measurements of gas usage.
PSC-21-21-00013-P	..... exempt	The Competitive Tier 2 program adopted in the Commission's Order Adopting Modifications to the Clean Energy Standard.	To determine the process for the resale of environmental attributes procured under the Competitive Tier 2 program.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-21-21-00014-P	..... exempt	Transfer of excess development rights associated with utility property.	To determine whether to authorize the transfer of excess development rights associated with utility property.
PSC-21-21-00015-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-21-21-00016-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-21-21-00017-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-21-21-00018-P	..... exempt	Transfer of street lighting facilities.	To determine whether to authorize the transfer of street lighting facilities and the proper accounting for the transaction.
PSC-21-21-00019-P	..... exempt	Utility capital expenditure proposal.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-21-21-00020-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-22-21-00006-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-22-21-00007-P	..... exempt	The applicable regulatory regime under the Public Service Law for the owner of a merchant electric generating facility.	Consideration of a lightened regulatory regime for the owner of an approximately 7.6 mile, 13 kV AC electric cable.
PSC-22-21-00008-P	..... exempt	Cost allocation for project(s) to meet a Public Policy Transmission Need/Public Policy Requirement.	To address the cost allocation methodology for use by the New York Independent System Operator, Inc. (NYISO).
PSC-23-21-00002-P	..... exempt	Waiver for allocation of natural gas to commercial and industrial economic development customers.	To provide commercial and industrial economic development customers access to natural gas.
PSC-23-21-00003-P	..... exempt	Petitions for rehearing of the Order Adopting a Data Access Framework and Establishing Further Process.	To consider modifications and/or clarifications to the Order Adopting a Data Access Framework and Establishing Further Process.
PSC-23-21-00004-P	..... exempt	Establishing an alternative recovery mechanism for certain types of fees.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-23-21-00005-P	..... exempt	Issuance of securities and other forms of indebtedness.	To provide funding for capital needs, including construction, refinancing of maturing debt.
PSC-23-21-00010-P	..... 06/09/22	Technical amendments of state regulations and administrative corrections.	To make the provisions of natural gas service safer in New York State.
PSC-24-21-00005-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-25-21-00004-P	..... exempt	Changes to PSL Section 66-p relating to billing information for residential rental premises.	To establish provisions as necessary to effectuate PSL Section 66-p.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-25-21-00005-P	..... exempt	Transfer of Penelec assets and franchise rights.	To consider the transfer of utility assets and franchise to be in Waverly ratepayer and public interest.
PSC-25-21-00006-P	..... exempt	Transfer of street light facilities.	To consider the transfer of street lighting facilities to the Town of Newfield.
PSC-25-21-00007-P	..... exempt	Transfer of street lighting facilities.	To determine whether to authorize the transfer street of lighting facilities and the proper accounting for the transaction.
PSC-25-21-00008-P	..... exempt	NYSERDA and National Grid's proposed Expanded Solar For All Program for low-income customers.	To consider the authorization and appropriate design of an opt-out community solar program for low-income customers.
PSC-25-21-00009-P	..... exempt	Hydroelectric facility located in Carthage, New York.	To promote and maintain renewable electric energy resources.
PSC-25-21-00010-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-25-21-00011-P	..... exempt	Transfer of street lighting facilities.	To determine whether to authorize the transfer of street lighting facilities and the proper accounting for the transaction.
PSC-25-21-00012-P	..... exempt	Changes to PSL Section 66-p relating to billing information for residential rental premises.	To establish provisions as necessary to effectuate PSL Section 66-p.
PSC-25-21-00013-P	..... exempt	Negative revenue adjustments for gas main replacements targets in 2020.	To promote and ensure safety and reliability enhancements for utility infrastructure replacement.
PSC-26-21-00004-P	..... exempt	Notice of intent to submeter electricity and waiver request.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-26-21-00005-P	..... exempt	Proposed revisions to tariff schedule.	To consider tariff revisions to cancel leaves associated with the Energy Smart Community Rate Pilot.
PSC-26-21-00006-P	..... exempt	Transfer of street lighting facilities.	To determine whether to transfer street of lighting facilities and the proper accounting for the transaction.
PSC-26-21-00007-P	..... exempt	Petition to submeter electricity and request for waiver.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-26-21-00008-P	..... exempt	Transfer of street lighting facilities.	To determine whether to transfer street of lighting facilities and the proper accounting for the transaction.
PSC-26-21-00009-P	..... exempt	Transfer of street lighting facilities.	To determine whether to transfer street of lighting facilities and the proper accounting for the transaction.
PSC-26-21-00010-P	..... exempt	Proposed acquisition of all shares of common stock of Corning Natural Gas Holding Corporation by ACP Crotona Corp.	To consider whether the acquisition of all shares of common stock of CNGH by ACP Crotona Corp. is in the public interest.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-26-21-00011-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-26-21-00012-P	..... exempt	Proposed agreement for the provision of water service by Saratoga Water Services, Inc. is in the public interest.	To consider whether the proposed service agreement and requested waivers of Commission rules are in the public interest.
PSC-26-21-00013-P	..... exempt	Transfer of street lighting facilities.	To determine whether to transfer street of lighting facilities and the proper accounting for the transaction.
PSC-27-21-00010-P	..... exempt	Changes to PSL Section 66-p relating to billing information for residential rental premises.	To establish provisions as necessary to effectuate PSL Section 66-p.
PSC-27-21-00011-P	..... exempt	The prohibition on ESCO service to low-income customers.	To consider whether NOCO Electric, LLC and NOCO Natural Gas, LLC should be granted a waiver to serve low-income customers.
PSC-27-21-00012-P	..... exempt	Waiver request to reset NUG Rider rate on one day's notice.	To determine whether NUG Rider rates should be reset on one day's notice.
PSC-27-21-00013-P	..... exempt	Support for a hydroelectric facility located in Black Brook, New York.	To consider financial support to promote and maintain an existing renewable electric energy resource.
PSC-27-21-00014-P	..... exempt	PSC Regulation 16 NYCRR 86.3(a)(1), (a)(2), (b)(2), 86.4(b), 88.4(a)(4) and 85-2.3(c).	To consider the applicants requests relating to the content of their application for transmission line siting.
PSC-27-21-00015-P	..... exempt	Transfer of street light facilities.	To consider the transfer of street lighting facilities to the Town of Lockport.
STATE, DEPARTMENT OF			
DOS-05-21-00013-P	..... 02/03/22	Requirements and procedures related to filing, review and publication of financial reports filed with the Department of State	To provide procedures related to the filing, review and publication of financial reports filed with the Department of State
DOS-12-21-00010-P	..... 05/27/22	New York State Uniform Fire Prevention and Building Code (the Uniform Code)	To amend the existing Uniform Code to add specific provisions applicable to rail stations
DOS-19-21-00014-P	..... 07/15/22	Minimum standards for administration and enforcement of the Uniform Code and Energy Code	To revise the minimum standards applicable to a program for administration and enforcement of the Uniform Code and Energy Code
STATE UNIVERSITY OF NEW YORK			
*SUN-53-19-00005-P	..... 09/14/21	Proposed amendments to the traffic and parking regulations at State University Agricultural and Technical College at Morrisville	Amend existing regulations to update traffic and parking regulations
SUN-29-20-00004-EP	..... 09/14/21	State basic financial assistance for the operating expenses of community colleges under the program of SUNY and CUNY	To modify limitations formula for basic State financial assistance and remove an operating support "floor"
SUN-29-20-00005-EP	..... 09/14/21	Student Assembly Elections, Student Assembly Officers, Campus Government Elections, Student Activity Fees	To postpone voting on student activity fees and elections of Student Assembly representatives and officers until Fall 2020

Action Pending Index**NYS Register/July 7, 2021**

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
STATE UNIVERSITY OF NEW YORK			
SUN-11-21-00006-EP	03/17/22	Gender Neutral Bathrooms	To conform with legislation requiring SUNY state-operated campuses to designate all single occupancy bathrooms as gender neutral
SUN-17-21-00014-EP	04/28/22	Holiday Leave	To designate Juneteenth as a holiday for SUNY employees
SUN-17-21-00015-EP	04/28/22	Appointment of Employees; Eligibility	To allow for the addition of one year to the service limits for faculty hired between May 20, 2020 - June 30, 2021
SUN-20-21-00005-EP	05/19/22	State basic financial assistance for the operating expenses of community colleges under the programs of SUNY and CUNY	To modify limitations formula for basic State financial assistance and establish a funding floor
SUN-24-21-00002-EP	06/16/22	Gender Neutral Bathrooms	To conform with legislation requiring SUNY state-operated campuses to designate all single occupancy bathrooms as gender neutral

STATEN ISLAND RAPID TRANSIT OPERATING AUTHORITY

SIR-39-20-00008-EP	09/30/21	Requiring mask wearing covering the nose and mouth when using terminals, stations and trains operated by SIRTOA.	To safeguard the public health and safety by amending rules to require the use of masks when using terminals and stations.
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TAXATION AND FINANCE, DEPARTMENT OF

TAF-46-20-00003-P	exempt	Fuel use tax on motor fuel and diesel motor fuel and the art. 13-A carrier tax jointly administered therewith	To set the sales tax component and the composite rate per gallon for the period January 1, 2021 through March 31, 2021
TAF-21-21-00005-P	exempt	Fuel use tax on motor fuel and diesel motor fuel and the art. 13-A carrier tax jointly administered therewith	To set the sales tax component and the composite rate per gallon for the period July 1, 2021 through September 30, 2021

TEMPORARY AND DISABILITY ASSISTANCE, OFFICE OF

TDA-13-21-00010-P	03/31/22	Establishment of parentage	To amend state regulations for the establishment of paternity to reflect federal and recently-enacted state statutory requirements, to coordinate and update terminology used by the Child Support Program, and to conform regulatory citations with state laws
TDA-26-21-00014-EP	06/30/22	Camp fees	To conform state regulations to statutory requirement effectuated by Chapter 126 of the Laws of 2021, signed by the Governor on June 11, 2021 and effective June 30, 2021, allowing camp fees for children in family assistance or safety net assistance cases

TRANSPORTATION, DEPARTMENT OF

TRN-14-21-00004-P	04/07/22	Regulation of commercial motor carriers in New York State	The rule making updates Title 49 CFR provisions incorporated by reference pursuant to regulation of commercial motor carriers
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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
WORKERS' COMPENSATION BOARD			
WCB-28-20-00003-EP	07/24/21	Adding COVID-19 diagnosis by a health care provider as a serious health condition for purposes of Paid Family Leave	To clarify that employees may take PFL to care for a family member with COVID-19
WCB-42-20-00004-P	10/21/21	Medical Treatment Guidelines	To add PTSD and acute stress disorder, and major depressive disorder MTGs
WCB-42-20-00005-RP	10/21/21	Medical Treatment Guidelines	To add PTSD and acute stress disorder, and major depressive disorder MTGs
WCB-06-21-00013-P	02/10/22	Medical Treatment Guidelines	To update back, neck, shoulder, knee, and NAP MTGs
WCB-13-21-00002-EP	03/31/22	Ambulatory surgery services fees	To update fees for ambulatory surgery services fees, especially due to the COVID-19 pandemic
WCB-13-21-00003-EP	03/31/22	Designated contact information	To provide a compliance date for carriers, self-insured employers, or TPAs to designate points of contact in the PAR process
WCB-13-21-00004-EP	03/31/22	Notice as required for compliance with the Formulary	To provide a compliance date for carriers, self-insured employers, or TPAs to provide notice as required by 12 NYCRR 441.3(f)
WCB-13-21-00009-P	03/31/22	Updating the prescription drug formulary prior authorization process	To include medical marijuana in the prior authorization process
WCB-15-21-00003-P	04/14/22	Medical Treatment Guidelines	To update the NAP MTGs
WCB-21-21-00011-P	05/26/22	PFL intermittent leave	To clarify the number of intermittent leave days eligible employees can take
WCB-26-21-00001-P	06/30/22	Payment of medical bills and disputes	To require all objections to medical bills be made simultaneously and make process more efficient

ADVERTISEMENTS FOR BIDDERS/CONTRACTORS

SEALED BIDS

REPLACE AC CONDENSING UNITS Mid-State Correctional Facility Marcy, Oneida County

Sealed bids for Project No. M3148-H, comprising a contract for HVAC Work, Replace AC Condensing Units, Building 27, Mid-State Correctional Facility, 9005 Old River Rd, Marcy (Oneida 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 Correctional Services, until 2:00 p.m. on Wednesday, July 21, 2021 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 bid security (i.e. certified check, bank check, or bid bond in the amount of \$16,500 for H).

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

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond pursuant to Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract estimated to be between \$100,000 and \$250,000 for H.

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 John Pupons, Jessica Hoffman and Pierre Alric in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862 and John Lewyckyj, Acting 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: <https://ogs.ny.gov/ACPL/>

Pursuant to Public Buildings Law § 8(6), effective January 11, 2020, for any projects where the project design commenced on or after January 1, 2020 and for any contracts over \$5,000 for the work of

construction, reconstruction, alteration, repair, or improvement of any State building, a responsible and reliable NYS-certified Minority or Women-Owned Business Enterprise that submits a bid within ten percent of the lowest bid will be deemed the apparent low bidder provided that the bid is \$1,400,000 or less, as adjusted annually for inflation beginning January 1, 2020. If more than one responsible and reliable MWBE firm meets these requirements, the MWBE firm with the lowest bid will be deemed the apparent low bidder.

Project commenced design before January 1, 2020. Not subject to provision.

Project commenced design on or after January 1, 2020. Subject to provision.

The substantial completion date for this project is 287 days after the Agreement is approved by the Comptroller.

No pre-bid site visits have been scheduled for this project and prospective bidders are not allowed to visit the project site or facility buildings and grounds to take measurements or examine existing conditions.

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 20% for MWBE participation, 10% for Minority-Owned Business Enterprises (“MBE”) participation and 10% 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. Trades with 0% goals are encouraged to make “good faith efforts” to promote and assist in the participation of MWBEs on the Contract for the provision of services and materials.

Article 17-B of the New York State Executive Law provides for more meaningful participation in public procurement by certified Service-Disabled Veteran-Owned Businesses (“SDVOBs”). Bidders are expected to consider SDVOBs in the fulfillment of the requirements of the Contract. Such participation may be as subcontractors or suppliers, as protégés, or in other partnering or supporting roles. OGS hereby establishes overall goals for SDVOBs’ participation under this contract as follows: 3% for the H trade contractor, based on the current availability of qualified SDVOBs. Trades with 0% goals are encouraged to make “good faith efforts” to promote and assist in the participation of SDVOBs on the Contract for the provision of services and materials.

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

The Bidding and Contract Documents for this Project are available for viewing and downloading from OGS Design & Construction’s plan room hosting service, Bid Express. Vendors wishing to view and/or download bid documents must complete a one-time registration for the Bid Express service. There is no cost to register for Bid Express. Registration along with viewing and downloading of documents can be accessed at the following link: <http://www.bidexpress.com>

For questions about downloading of bid documents, please send an

e-mail to support@bidexpress.com, or call the Bid Express toll-free number at (888) 352-2439.

For all other questions, please send an email to DCPlans@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

Department of State
F-2021-0438

Date of Issuance – July 7, 2021

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 (CZMA) of 1972, as amended.

The applicant has certified that the proposed activities comply with and will be conducted in a manner consistent with the federally approved New York State Coastal Management Program (NYSCMP). 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-2021-0438 the applicant, Vivienne McNamara, is proposing to install a 4' x 16' fixed pier, 3' x 24' access gangway, and an 8' x 24' floating head dock. This work will also include installing (10) new 12" diameter timber piles. This project is located at 135 Bayview Avenue, Town of Huntington, Suffolk County, Northport Bay.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2021/07/f-2021-0438.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., 30 days from the date of publication of this notice or August 6, 2021.

Comments should be addressed to: Department of State, Office of Planning and Development and Community Infrastructure, Consistency Review Unit, One Commerce Plaza, Suite 1010, 99 Washington Ave., Albany, NY 12231, (518) 474-6000. 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
Uniform Code Variance/Appeal Petitions

Pursuant to 19 NYCRR Part 1205, the variance and appeal petitions below have been received by the Department of State. 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 or Neil Collier, Building Standards and Codes, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2021-0314 Matter of Matthew Quirk, Four Clinton St., East Hampton, NY 11937, for a variance concerning safety requirements, including the required height under a girder/soffit. Involved is an existing one-family dwelling located at Four Clinton St., Town of East Hampton, NY 11937, County of Suffolk, State of New York.

2021-0321 Matter of A.M. Expediting, Anthony Mitola, P.O. Box 567, Rocky Point, NY 11778, for a variance concerning safety requirements, including the required height under a girder/soffit. Involved is an existing one-family dwelling located at Seven Hunters Court, East Setauket, Town of Brookhaven, NY 11778, County of Suffolk, State of New York.

EXECUTIVE ORDERS

Executive Order No. 202.111: Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency.

WHEREAS, on March 7, 2020, I issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York;

WHEREAS, New York State has administered 20,212,046 doses of COVID-19 vaccine, and 70% of adults in the State have received at least one dose of the vaccine; and

WHEREAS, transmission of COVID-19 and community spread of the virus is still occurring in this State, though the daily reported new cases continue to trend downward;

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law do hereby discontinue the directive contained in Executive Order 202.107, as extended, insofar as it limited the number of people permitted to attend residential indoor gatherings and indoor social gatherings at events, arts, and entertainment venues, other than large-scale venues. Effective immediately, there shall no longer be capacity limits on such gatherings.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany this fifteenth day of June the year two thousand twenty-one.

BY THE GOVERNOR

/S/ Andrew M. Cuomo

/s/ Melissa DeRosa

Secretary to the Governor

