
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 February 6, 2022
- the 45-day period expires on January 22, 2022
- the 30-day period expires on January 7, 2022

**KATHY HOCHUL
GOVERNOR**

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

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

Office of Children and Family Services

EMERGENCY RULE MAKING

Adopt Provisions and Standards to Operationalize Compliance with the Federal Family First Prevention Services Act

I.D. No. CFS-36-21-00010-E

Filing No. 1172

Filing Date: 2021-11-19

Effective Date: 2021-11-19

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

Action taken: Amendment of sections 427.2, 428.3, 442.17, 442.21, 447.21, 447.10, 628.3, 448.9, 449.1, 449.2, 449.3, 449.4, 449.7, 449.8, 441.2, 441.4, 441.21, 441.24, 441.26 and 448.3; repeal of section 442.25; addition of Parts 439, 440, sections 442.25, 442.26, 447.11, 448.11 and 448.12 to Title 18 NYCRR.

Statutory authority: Social Services Law, sections 20, 34, 409-h, 462(1)(a), 17(d); L. 2021, ch. 56

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

Specific reasons underlying the finding of necessity: The Office of Children and Family Services (Office) finds that immediate adoption of these regulations on an emergency basis are necessary to protect the health, safety and general welfare of children in foster care, to comply with state and federal legislation and to avoid the loss of crucial federal Title IV-E funding to support various child welfare activities in New York State.

Specifically, this rule would adopt provisions and standards necessary to operationalize compliance with the federal Family First Prevention Services Act (FFPSA) enacted as part of the Bipartisan Budget Act of 2018 (P.L. 115-123) and the corresponding state legislation related thereto (Part L of Chapter 56 of the Laws of 2021). Such state and federal legislation require New York to comply with a myriad of provisions regarding foster care services on or before September 29, 2021. In recognition of the need for regulatory changes following the adoption of the state legislation, paragraph (d) of section 17 of Part L of Chapter 56 of the Laws of 2021 specifically authorizes the Office to adopt on an emergency basis, rules and regulations as may be needed for implementation of FFPSA on or before September 29, 2021, such as those contained herein.

Additionally, the federal and corresponding state legislation enacted provisions requiring new types of congregate foster care programs to be operated by voluntary authorized agencies. Specifically, the new types of congregate care foster care programs are qualified residential treatment programs (QRTPs); and QRTP exceptions, which include supervised settings; specialized programs to serve prenatal, postpartum, or parenting youth; and programs for youth who have been or are at risk of sex-trafficking. These regulations, among other things, provide the health, safety, and programmatic standards for prospective QRTP and QRTP exception programs to obtain and maintain operating certificates from the Office as are necessary to provide these types of residential services to children.

Moreover, failure to adopt these regulations on an emergency basis may result in a loss of the ability for New York to receive any federal Title IV-E reimbursement. This funding stream provides approximately \$600 million in federal reimbursement to New York State and local governments (counties and New York City) for eligible child welfare expenditures.

Subject: Adopt provisions and standards to operationalize compliance with the Federal Family First Prevention Services Act.

Purpose: Adopt provisions and standards to operationalize compliance with the Federal Family First Prevention Services Act.

Substance of emergency rule (Full text is posted at the following State website: <https://ocfs.ny.gov/main/legal/regulatory/er/>): The proposed amendment of 18 NYCRR 427.2 changes the definition of “foster care” and “residential program” to clarify the new congregate foster care program types are eligible for federal reimbursement. These new program types are qualified residential treatment programs (QRTPs) and three QRTP exceptions: supervised settings; specialized programs to serve prenatal, postpartum, or parenting youth; and programs for youth who have been or are at-risk of sex trafficking. Proposed amendments to this section also change definitions that refer to youth in foster care who are parents and their child(ren), and includes conforming changes related thereto.

The proposed amendment of 18 NYCRR 428.3 adds requirements regarding documentation in the uniform case record of specific information regarding assessments and court findings when placement of a child into a QRTP is contemplated or made on or after September 29, 2021, as are required by state and federal law.

The proposed addition of a new Part 439 to 18 NYCRR establishes the requisite health, safety, and programmatic standards for the issuance of an operating certificate and continued operation of a program as a QRTP. These proposed provisions also add definitions for terms to be used in the Part, and adopt various provisions conforming to, or required by state and/or federal law regarding: the qualified individual; required assessments; special provisions for children who remain in QRTPs for an extended time; after care and discharge planning. These amendments also authorize the Office of Children and Family Services (the Office) to issue waivers of regulatory provisions in this new Part and detail the standards required to request, approve and extend a waiver.

The proposed addition of a new Part 440 to 18 NYCRR establishes the health, safety and programmatic standards for the issuance of an operating certificate, and continued operation of programs for youth who have been

or are at-risk of sex trafficking. These amendments authorize the Office to issue waivers of regulatory provisions in this new Part and detail the standards required to request, approve, and extend a waiver.

The proposed amendment of 18 NYCRR 441.2 adds various new definitions of terms that are used throughout the regulatory package.

The proposed amendment of 18 NYCRR 441.4 clarifies the policies and manuals required to be maintained by voluntary foster care agencies and which are subject to approval by the Office under Article 3 of Volume B of 18 NYCRR.

The proposed amendment of 18 NYCRR 441.21 specifies the case work contact requirements that must be met when a youth in foster care is a parent and is caring for their child while in foster care.

The proposed amendment of 18 NYCRR 441.24 amends the non-discrimination requirements for foster care to be inclusive of family members that may be served by the agency.

The proposed addition of a new 18 NYCRR 441.26 authorizes the Office to issue waivers of regulatory provisions contained in Article 3 of Volume B of 18 NYCRR, and includes the standards for request, approval, and extension of a waiver.

The proposed amendment to 18 NYCRR 442.17 changes the name of "mother and baby facilities" to the gender-neutral term "parenting facilities" (that also encompasses fathers). This proposed amendment makes conforming changes to terms and clarifies requirements regarding health and safety for such programs.

The proposed amendment to 18 NYCRR 442.21 requires that institutional programs licensed by the Office under Part 442 that are serving youth in foster care that are a parent and caring for their child(ren) who are placed with them in the institution, have access to a pediatrician and that the required nursing staff that is trained in CPR also be trained in infant CPR.

The proposed amendment to 18 NYCRR 442.25 repeals the existing provisions that authorize the Office to issue an exception to specified regulatory provisions and replaces such provisions with language that allows the Office to grant, deny or extend a waiver of a regulatory provision contained in 18 NYCRR Part 442.

The proposed addition of a new section 18 NYCRR 442.26 provides health, safety and programmatic standards for the issuance of an operating certificate and continued operation of a program as a specialized program to serve prenatal, postpartum or parenting youth in facilities that are licensed as an institution by the Office in accordance with Part 442.

The proposed amendment to 18 NYCRR 447.2 makes changes regarding the health, safety and programmatic requirements for agency boarding homes licensed by the Office under 18 NYCRR Part 447 regarding when the agency boarding home is providing residential care to youth in foster care that is a parent and caring for their child(ren) who are placed with them in the agency boarding home.

The proposed addition of a new section 18 NYCRR 447.10 provides health, safety and programmatic standards for the issuance of an operating certificate and continued operation of a program as a specialized program to serve prenatal, postpartum or parenting youth in facilities that are licensed as an agency board home by the Office in accordance with Part 447.

The proposed addition of a new section 18 NYCRR 447.11 allows the Office to grant, deny or extend a waiver of a regulatory provision contained in 18 NYCRR Part 447 pertaining to agency boarding homes.

The proposed amendment to 18 NYCRR 448.3 makes changes regarding the health, safety and programmatic requirements for group homes licensed by the Office under 18 NYCRR Part 448 regarding when a group home is caring for youth in foster care that is a parent and caring for their child(ren) who are placed with them in the group home.

The proposed amendments to 18 NYCRR 448.9 extends regulatory requirements for additional safety precautions that group homes must take with children with special needs cared for in the group home to also apply to a child of a youth in foster care who is being cared for in the group home.

The proposed addition of a new section 18 NYCRR 448.11 provides health, safety and programmatic standards for the issuance of an operating certificate and continued operation of a program as a specialized program to serve prenatal, postpartum or parenting youth in facilities that are licensed as a group home by the Office in accordance with Part 448.

The proposed addition of a new section 18 NYCRR 447.12 allows the Office to grant, deny or extend a waiver of a regulatory provision contained in 18 NYCRR Part 447 pertaining to group homes.

The proposed amendment to the name of 18 NYCRR Part 449 expands the coverage of the Part from supervised independent living programs (SILPs) to cover the supervised setting programs that are a QRTP exception and that which include, among other things, SILPs.

The proposed amendments to 18 NYCRR 449.1 amend definitions for supervised settings to include new terms and to clarify that individuals over the age of 18 may be served in a supervised setting program.

The proposed amendments to 18 NYCRR 449.2 clarify the application process and conditions for approval by the Office for a program to operate as a supervised setting.

The proposed amendments to 18 NYCRR 449.3 clarify the conditions for operation of a supervised setting program.

The proposed amendments to 18 NYCRR 449.4 clarify the requirements of this section apply to supervised settings and not just SILPs. Additionally, these amendments provide the staffing and health and safety requirements for supervised settings.

The proposed amendments to 18 NYCRR 449.6 clarify the record keeping requirements for supervised settings.

The proposed amendment to 18 NYCRR 449.7 allows the Office to grant, deny or extend a waiver of a regulatory provision contained in 18 NYCRR Part 449 pertaining to supervised settings.

The proposed amendment to 18 NYCRR 449.8 applies the existing provisions for discontinuation of a SILP by the Office to supervised settings.

The proposed amendment to 18 NYCRR 628.3 authorizes but does not mandate reimbursement to a program for youth who have been or are at risk of sex trafficking that has been approved by the Office pursuant to 18 NYCRR Part 440 for youth who have run away from such program and who have been absent between 7-14 days.

This notice is intended to serve only as a notice of emergency adoption. This agency intends to adopt the provisions of this emergency rule as a permanent rule, having previously submitted to the Department of State a notice of proposed rule making, I.D. No. CFS-36-21-00010-EP, Issue of September 8, 2021. The emergency rule will expire January 17, 2022.

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

Regulatory Impact Statement

1. Statutory Authority:

The federal Family First Prevention Services Act (FFPSA) enacted as part of the Bipartisan Budget Act of 2018 (P.L. 115-123) requires states to adopt a myriad of provisions regarding foster care services on or before September 29, 2021.

Part L of Chapter 56 of the Laws of 2021 codified the state statutory requirements necessary for FFPSA compliance. Paragraph (d) of section 17 of such Chapter authorizes the Office of Children and Family Services (the Office) to adopt regulations necessary for FFPSA implementation on an emergency basis.

Section 20(3)(d) of the Social Services Law (SSL) authorizes the Office 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 the Office to establish regulations for the administration of public assistance and care within New York State.

Section 371(22) of the SSL, as codified by Part L of Chapter 56 of the Laws of 2021, provides that a new category of qualified residential treatment programs (QRTP) exception known as "supervised settings" shall operate in accordance with regulations adopted by the Office.

Section 409-h of the SSL, as codified by Part L of Chapter 56 of the Laws of 2021 set forth requirements for assessments by a qualified individual when placement of a child into a QRTP is contemplated or made of or after September 29, 2021, including requirements for the assessments and involvement in the assessments by a family and permanency team.

Section 462(1)(a) of the SSL requires OCFS to adopt regulations concerning standards of care, treatment and safety applicable to all facilities exercising care or custody of children.

2. Legislative Objectives:

Chapter 436 of the Laws of 1997 created the Office to take on the functions, powers, duties and obligations in the SSL concerning foster care, adoption services, adoption assistance, child protective services, preventive services for children and families, services for pregnant adolescents, day services, and other services and programs identified in Article 6 of the SSL regarding the care and protection of children and under the structure and authority of Article 2 of the SSL.

The objective of Part L of Chapter 56 of the Laws of 2021 was for New York State to come into compliance with FFPSA and for children in foster care to be served in the least restrictive setting that may appropriately meet their needs.

This proposed rule would comply with federal statute, allowing localities to retain IV-E funding.

The provisions cited above clearly provide the Office with the authority to create this regulation and to do so on an emergency basis.

3. Needs and Benefits:

This rule would adopt provisions and standards necessary to operationalize compliance with FFPSA and the corresponding state legislation related thereto (Part L of Chapter 56 of the Laws of 2021), on or before

September 29, 2021. Among other things, FFPSA enacted provisions require new types of congregate foster care programs to be operated by voluntary authorized agencies. Specifically, qualified residential treatment programs (QRTPs); and QRTP exceptions, which include supervised settings; specialized programs to serve prenatal, postpartum, or parenting youth; and programs for youth who have been or are at risk of sex-trafficking. Moreover, FFPSA, set forth certain requirements that must be met by states, regarding when placement of a child in foster care is made into a QRTP, including requirements for casework documentation, certain reviews that must be conducted if foster children in certain age groups remain placed in QRTPs for specified extended periods of time (long stayer reviews) and after care services that must be provided.

These regulations, among other things, would adopt robust requirements regarding the health, safety, and programmatic standards for prospective QRTP and QRTP exception programs to obtain and maintain operating certificates from the Office as are necessary to provide these types of residential services to children. These regulations would also put in place measure, consistent with state and federal law, to reduce placement of children in foster care into higher levels of care when it is determined that the needs of the child can appropriately be met in a less-restrictive setting.

Adoption of these regulations are necessary for New York to continue to receive federal Title IV-E reimbursement. Such federal funding stream presently provides reimbursement for various eligible child welfare related expenditures.

4. Costs:

Failure to adopt these regulations may result in a loss of the ability for New York to receive any federal Title IV-E reimbursement. This funding stream provides approximately \$600 million annually in federal reimbursement to New York State and local governments (counties and New York City).

Adoption of requirements tied to state and federal law as contained within these regulations are expected to result in a modest cost to New York State, LDSSs and voluntary authorized agencies. Anticipated costs are expected to be substantially less than the potential for loss of federal reimbursement. New costs are anticipated to be incurred in regard to: assessments required to be conducted by qualified individuals; long stayer reviews; creation of QRTPs and QRTP exceptions; and aftercare. Impact of these costs on the state, LDSSs and voluntary agencies was considered as part of the budget making process for the enacted budget for State Fiscal Year 2022. Funding streams that may be available to support these various new costs include, federal Title IV-E reimbursement; Medicaid reimbursement; foster care block grant; child welfare financing, state general fund (state operations) and local tax levy dollars.

5. Local Government Mandates:

These regulations adopt various federal mandates that local departments of social services (LDSS) must meet in order for New York State and local governments to continue to receive federal Title IV-E reimbursement (approximately \$600 million annually). In accordance with state and federal law, these regulations would adopt mandates for LDSS regarding when placement of a child into a QRTP is contemplated or made on or after September 29, 2021, including requirements regarding: conducting an assessment in accordance with SSL section 409-h; the role of the family and permanency team; case record documentation; long stayer reviews; and after care and discharge planning.

6. Paperwork:

The proposed regulations would require the LDSS to document certain information in the case contact notes related to the formation and involvement of the family and permanency team, for all children placed in a QRTP. Moreover, the proposed regulations require the LDSSs document specified information for "long stayer reviews" where children in foster care remain in QRTPs for extended periods of time.

Among other things, these regulations would establish the requisite health, safety, and programmatic standards for the issuance of an operating certificate or approval for initial and continued operation of a program as a QRTP or QRTP exception including paperwork requirements that voluntary authorized agencies must meet such as maintaining specified policies and manuals and documenting specific information in a case record when a child is placed into a QRTP.

7. Duplication:

The proposed regulations would comply with, but are not duplicative other state or federal requirements.

8. Alternatives:

No alternative approaches to implementing the changes to regulation were considered as the requirements are mandated by federal and state law.

9. Federal Standards:

The proposed regulations would adopt various federal requirement in FFPSA and are not in conflict with current federal standards.

10. Compliance Schedule:

Compliance with the proposed regulations would begin immediately upon filing with the Department of State.

Regulatory Flexibility Analysis

1. Effect of Rule:

The proposed regulations will affect local departments of social services and the approximately 83 voluntary authorized agencies in New York State.

2. Compliance Requirements:

The federal Family First Prevention Services Act (FFPSA) enacted as part of the Bipartisan Budget Act of 2018 (P.L. 115-123) requires states to adopt a myriad of provisions regarding foster care services on or before September 29, 2021. Among other things, FFPSA enacted provisions requiring new types of congregate foster care programs to be operated by voluntary authorized agencies. Specifically, qualified residential treatment programs (QRTPs); and QRTP exceptions, which include supervised settings; specialized programs to serve prenatal, postpartum, or parenting youth; and programs for youth who have been or are at risk of sex-trafficking. Moreover, FFPSA set forth certain requirements that must be met by states regarding when placement of a child in foster care is made into a QRTP, including requirements for casework documentation, certain reviews that must be conducted if foster children in certain age groups remain placed in QRTPs for specified extended periods of time (long stayer reviews) and after care services that must be provided.

These regulations adopt various federal mandates that local departments of social services (LDSS) and voluntary authorized agencies must meet in order for New York State and local governments to continue to receive federal Title IV-E reimbursement (approximately \$600 million annually).

Specifically, the proposed regulations would require the LDSS to document certain information in the case contact notes related to the formation and involvement of the family and permanency team, for all children placed in a QRTP. Moreover, the proposed regulations require the LDSSs document specified information for long stayer reviews where children in foster care remain in QRTPs for extended periods of time.

Among other things, these regulations would establish the requisite health, safety, and programmatic standards for the issuance of an operating certificate or approval for initial and continued operation of a program as a QRTP or QRTP exception including paperwork requirements that voluntary authorized agencies must meet.

3. Professional Services:

These regulations would establish minimum nursing services that must be available in QRTPs as required by federal law. The regulations would require a licensed clinician to conduct the assessment regarding whether a QRTP placement is appropriate or not.

4. Compliance Costs:

Failure to adopt these regulations may result in a loss of the ability for New York to receive any federal Title IV-E reimbursement. This funding stream provides approximately \$600 million annually in federal reimbursement to New York State and local governments (counties and New York City).

Adoption of requirements tied to state and federal law as contained within these regulations are expected to result in a modest cost to New York State, LDSSs and voluntary authorized agencies. Anticipated costs are expected to be substantially less than the potential for loss of federal reimbursement. New costs are anticipated to be incurred in regard to: assessments required to be conducted by qualified individuals; long stayer reviews; creation of QRTPs and QRTP exceptions; and aftercare. Impact of these costs on the state, LDSSs and voluntary agencies was considered as part of the budget making process for the enacted budget for State Fiscal Year 2022. Funding streams that may be available to support these various new costs include, federal Title IV-E reimbursement; Medicaid reimbursement; foster care block grant; child welfare financing, state general fund (state operations) and local tax levy dollars.

5. Economic and Technological Feasibility:

No economic or technological barriers have been identified that would prohibit implementation of these regulations as written.

6. Minimizing Adverse Impact:

These regulations would adopt federal and state mandated provisions. To minimize adverse impact, provisions allowing programs to request and receive a waiver from regulatory requirements in appropriate circumstances, are being proposed.

7. Small Business and Local Government Participation:

The Office has engaged in a process of receiving extensive and robust feedback on FFPSA implementation. This includes a Statewide Implementation Team (SIT) that involves representation from various voluntary authorized agencies including some that may be considered small businesses. The Office has also put forth a series of webinars and presentations geared to these entities for all areas of the state.

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.

Rural Area Flexibility Analysis

1. Types and estimated numbers of rural areas:

The proposed regulations will affect 44 local departments of social services and the approximately 35 voluntary authorized agencies in rural areas of New York State.

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

The federal Family First Prevention Services Act (FFPSA) enacted as part of the Bipartisan Budget Act of 2018 (P.L. 115-123) requires states to adopt a myriad of provisions regarding foster care services on or before September 29, 2021. Among other things, FFPSA enacted provisions requiring new types of congregate foster care programs to be operated by voluntary authorized agencies. Specifically, qualified residential treatment programs (QRTPs); and QRTP exceptions, which include supervised settings; specialized programs to serve prenatal, postpartum, or parenting youth; and programs for youth who have been or are at risk of sex-trafficking. Moreover, FFPSA set forth certain requirements that must be met by states regarding when placement of a child in foster care is made into a QRTP, including requirements for casework documentation, certain reviews that must be conducted if foster children in certain age groups remain placed in QRTPs for specified extended periods of time (long stayer reviews) and after care services that must be provided.

These regulations adopt various federal mandates that local departments of social services (LDSS) and voluntary authorized agencies must meet in order for New York State and local governments to continue to receive federal Title IV-E reimbursement (approximately \$600 million annually).

Specifically, the proposed regulations would require the LDSS to document certain information in the case contact notes related to the formation and involvement of the family and permanency team, for all children placed in a QRTP. Moreover, the proposed regulations require the LDSSs document specified information for long stayer reviews where children in foster care remain in QRTPs for extended periods of time.

Among other things, these regulations would establish the requisite health, safety, and programmatic standards for the issuance of an operating certificate or approval for initial and continued operation of a program as a QRTP or QRTP exception including paperwork requirements that voluntary authorized agencies must meet.

3. Compliance Costs:

Failure to adopt these regulations may result in a loss of the ability for New York to receive any federal Title IV-E reimbursement. This funding stream provides approximately \$600 million annually in federal reimbursement to New York State and local governments (counties and New York City).

Adoption of requirements tied to state and federal law as contained within these regulations are expected to result in a modest cost to New York State, LDSSs and voluntary authorized agencies. Anticipated costs are expected to be substantially less than the potential for loss of federal reimbursement. New costs are anticipated to be incurred in regard to: assessments required to be conducted by qualified individuals; long stayer reviews; creation of QRTPs and QRTP exceptions; and aftercare. Impact of these costs on the state, LDSSs and voluntary agencies was considered as part of the budget making process for the enacted budget for State Fiscal Year 2022. Funding streams that may be available to support these various new costs include, federal Title IV-E reimbursement; Medicaid reimbursement; foster care block grant; child welfare financing, state general fund (state operations) and local tax levy dollars.

4. Minimizing adverse impact:

These regulations would adopt federal and state mandated provisions. To minimize adverse impact, provisions allowing programs to request and receive a waiver from regulatory requirements in appropriate circumstances, are being proposed.

5. Rural area participation:

The Office has engaged in a process of receiving extensive and robust feedback on FFPSA implementation. This includes a Statewide Implementation Team (SIT) that involves representation from various LDSSs and voluntary authorized agencies in rural areas. The Office has also put forth a series of webinars and presentations geared to these entities for all areas of the state, including rural areas.

Job Impact Statement

The proposed amendments to regulation 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 there should be no resulting loss of jobs.

NOTICE OF ADOPTION**Host Family Homes**

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

Filing No. 1175

Filing Date: 2021-11-23

Effective Date: 2021-12-08

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

Action taken: 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.

Text or summary was published in the January 29, 2020 issue of the Register, I.D. No. CFS-04-20-00009-P.

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

Revised rule making(s) were previously published in the State Register on July 7, 2021.

Text of rule and any required statements and analyses may be obtained from: Frank J. Nuara, Associate Attorney, New York State Office of Children and Family Services, 52 Washington Street, Rensselaer, New York 12144, (518) 474-9778, email: regcomments@ocfs.ny.gov

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2024, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

This summary of the 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 published in the State Register issued on July 7, 2021.

OCFS received 85 comments, during the public comment period, which ended on August 21, 2021. Comments were received from: New York State Unified Court System - Family Court Advisory and Rules Committee, New York State Permanent Judicial Commission on Justice for Children, New York State Kinship Navigator, New York State Bar Association, Unified Court System of New York City Family Court, Statewide Committee on Attorneys for Children, New York State Unified Court System - Commission on Parental Legal Representation, Chief Defenders Association of New York, New York State Defenders Association, Inc., Rise, Redlich Horwitz Foundation, Lawyers for Children, Legal Services of Hudson Valley, The Legal Aid Society Juvenile Rights, and a joint response from the Brooklyn Defender Services, the Bronx Defenders, the Center for Family Representation, and the Neighborhood Defender Services of Harlem, the New York City Administration for Children's Services, Safe Families for Children, Restore, AVAIL, Mont Lawn City Camp and Summer Camp, Women in Need, Inc., Hope for New York, volunteers currently involved in host family home programs in other states, parents, persons interesting in volunteering in a host family home program in New York, staff and members from houses of worship, a small business owner, a former Alaska State Senator, a public school teacher, and a licensed practicing family physician. Many included comments on more than one provision of the proposed regulations. Comments were reviewed and considered by OCFS and addressed in this assessment.

The comments fall into the following topic areas: the need for this type of community-based preventive services, concern with creation of a "quasi-foster care system", legal representation of the child and parent, youth voice, court oversight, application of section 5-1551 of the General Obligations Law (GOL), compliance with the federal Indian Child Welfare Act, application of section 384-a of the Social Services Law (SSL) voluntary placement agreements, fiscal impact, conflict with state statutes, kinship and sibling placements issues, program monitoring, educational stability, visitation, non-custodial parent issues, services to the parents and child, child's rights, disproportionate impact on poor families of color, financial responsibility for care, host family home agency/child contacts, interstate placements, extension of placement, reunification of child with parent, serving LGBTQIA+ youth, adequacy of host family and staff training and additional public input.

OCFS received comments from individuals and community groups who strongly supported the revised proposed regulations and who referenced the success of similar host family home programs in other states.

OCFS also received several comments objecting to the revised proposed

regulations on a variety of grounds including that the revised proposed regulations created a quasi-foster care system, the lack of assigned counsel, objection to the use of the person in parental relation set forth in Article 15-A of the General Obligations Law, lack of necessity for the program, and others. Each category of comment is addressed in detail in the full Assessment of Public Comment.

OCFS is not amending the proposed regulations in response to these comments.

Department of Civil Service

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Jurisdictional Classification

I.D. No. CVS-49-21-00002-P

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

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

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

Subject: Jurisdictional Classification.

Purpose: To delete a position from and 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 Education Department, by decreasing the number of positions of Museum Scientist 3 from 10 to 9, by increasing the number of positions of Museum Scientist 4 from 10 to 11 and by adding thereto the position of øDirector Museum Exhibits (1).

Text of proposed rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS 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: Eugene Sarfoh, Counsel, NYS 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-49-21-00003-P

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

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

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

Subject: Jurisdictional Classification.

Purpose: To delete positions from 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 deleting therefrom the positions of Board Member (4), Chairperson and Executive Director.

Text of proposed rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS 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: Eugene Sarfoh, Counsel, NYS 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-49-21-00004-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 2 of Title 4 NYCRR.

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

Subject: Jurisdictional Classification.

Purpose: To delete positions from and 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 Executive Department under the subheading “Office for the Prevention of Domestic Violence,” by deleting therefrom the positions of Domestic Violence Program Administrator 1 (13), Domestic Violence Program Administrator 2 (5), Domestic Violence Program Assistant (2), and Domestic Violence Program Specialist (11) and by adding thereto the positions of Gender Violence Prevention Administrator (5), Gender Violence Prevention Specialist 1 (11) and Gender Violence Prevention Specialist 2 (12).

Text of proposed rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS 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: Eugene Sarfoh, Counsel, NYS 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-49-21-00005-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 positions in the exempt class.

Text of proposed rule: Amend Appendix 1 of the Rules for the Classified Service, listing position in the exempt class, in the Executive Department under the subheading "Board of Elections," by increasing the number of positions of Associate Counsel from 5 to 8.

Text of proposed rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS 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: Eugene Sarfoh, Counsel, NYS 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-49-21-00006-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 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 Westchester County under the subheading "Department of Health," by adding thereto the position of øAssistant to the Commissioner (Health) (1) and; in the Westchester County under the subheading "Department of Social Services," by adding thereto the positions of øAssistant to the Commissioner (Social Services) (2).

Text of proposed rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS 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: Eugene Sarfoh, Counsel, NYS 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-49-21-00007-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 a position 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 Corrections and Community Supervision, by adding thereto the position of øDeputy Superintendent for Reception and Classification (1).

Text of proposed rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS 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: Eugene Sarfoh, Counsel, NYS 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 Corrections and
Community Supervision**

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

Incarcerated Individual Correspondence Program

I.D. No. CCS-49-21-00001-P

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

Proposed Action: This is a consensus rule making to amend Part 720 of Title 7 NYCRR.

Statutory authority: Corrections Law, section 70

Subject: Incarcerated Individual Correspondence Program.

Purpose: To further clarify facility mail processing procedures.

Text of proposed rule: Amend the title to Part 720 as follows:

[Inmate]Incarcerated Individual Correspondence Program

720.3 Outgoing mail.

Amend section 720.3(i) as follows:

(i) It is the responsibility of each [inmate]incarcerated individual to print or type his or her return address on the front upper-left-hand corner and on the back flap of each outgoing envelope exactly as illustrated below. The [inmate]incarcerated individual shall use his or her commitment name unless it has been legally changed. Failure to include all return address information in the order indicated may result in the opening and return of the mail to the [inmate]incarcerated individual. If the correspondence unit is unable to identify the [inmate]incarcerated individual sender, the mail will be destroyed by the facility.

[New York State
Great Meadow Correctional Facility
Department of Corrections and Community
Box 51
Supervision
Comstock, New York 12821-0051
John Doremi, 78-X-999 John Doremi, 78-X-999
(Envelope - front - upper left)
(Envelope - back flap - centered)]

Great Meadow Correctional Facility	New York State
Box 51	Department of Corrections and Community Supervision
Comstock, New York 12821-0051	Inmate Correspondence Program
John Doremi, 00-A-0000	John Doremi, 00-A-0000
(Envelope - front - upper left)	(Envelope - back flap - centered)

Add new section 720.3(k) and re-letter remaining subsections as follows:

(k) Incarcerated individuals who are unable to read or write may request the assistance of a staff member, volunteer, or another inmate for correspondence purposes.

([k]l) [Inmates]Incarcerated individuals shall not conduct a mail-order or other business while under the custody of the department. Superintendents may direct administrative services, program services, or security services deputies to monitor correspondence patterns and financial ac-

counts to detect any irregularities which would indicate this type of activity. Violation of this policy by an [inmate]incarcerated individual may result in disciplinary action and/or the monitoring of outgoing correspondence for a specified period of time.

([l]m) [Inmates]Incarcerated individuals shall not use their correspondence privileges to solicit or otherwise commercially advertise for money, services, or goods.

([m]n) Correspondence privileges shall not be used by an [inmate]incarcerated individual to engage in any form of gambling or to participate in any lottery, sweepstakes, or chain letter operation.

([n]o) An [inmate]incarcerated individual may send, at his/her own expense, a certified or registered letter, and the [inmate]incarcerated individual upon request will be provided with a "return receipt" after delivery has been made.

([o]p) An [inmate]incarcerated individual must request and pay for certified or registered mail service in order to have a valued personal document mailed out from personal property secured by the facility inmate records coordinator. Whenever such mail is prepared and sent by the I.R.C., a copy of the disbursement form and postal documentation showing the item has been sent will be filed in that [inmate's]incarcerated individual's personal property folder. If a "return receipt" has been requested as part of the postal service, it shall go directly to the [inmate]incarcerated individual.

([p]q) An [inmate]incarcerated individual shall not include any written material in outgoing mail not specifically intended for the addressee identified on the exterior of the envelope. Likewise, an [inmate]incarcerated individual shall not include in outgoing mail any written material for an [inmate]incarcerated individual not specifically identified as the sender on the exterior of the envelope. This practice, sometimes known as "kiting" may be the basis for disciplinary action.

([q]r) Outgoing correspondence that does not comply with this Part will be opened and returned to the [inmate]incarcerated individual. The correspondence unit shall indicate the reason for return.

720.4 Incoming mail.

Amend Section 720.4(a), add new subsection (3) as follows:

(3) Publications received at the facility which are in a language other than English shall be referred for translation services to the Central Office Director of Education prior to referral to the Facility Media Review Committee (FMRC).

Amend Section 720.4(b) as follows:

(b) Monies received.

When, in the course of inspection, cash, checks, or money orders from a clearly identifiable source are found, they shall be [removed and credited to the inmate's account, as appropriate. A copy of a check or money order made out to an inmate may be given to that inmate if the word "CANCELED," "COPY" or "VOID" is stamped or written across its face. If this has not been done, the copy will be returned to the sender.]mailed back to the sender, along with the appropriate notification letter and a Jpay deposit slip, both documents ENG/SPL, in accordance with Mailroom Procedures for Jpay. Facilities will continue to process cash received in the mailroom but must send the appropriate notification letter and Jpay deposit slip to the sender. All anonymously received monies will be considered contraband and handled accordingly.

720.8 Postage.

Amend Section 720.8(a)(2) as follows:

(2) The maximum value of stamps in an [inmate's]incarcerated individual's personal possession should not exceed [\$22.50]the amount specified in department directive #4422.

Text of proposed rule and any required statements and analyses may be obtained from: Cathy Sheehan, Deputy Commissioner and Counsel, Department of Corrections and Community Supervision, 1220 Washington Avenue, Harriman State Campus, Albany, NY 12226-2050, (518) 457-4951, email: Rules@DOCCS.ny.gov

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

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

Consensus Rule Making Determination

The Department of Correctional and Community Supervision (DOCCS) has determined that no person is likely to object to the proposed action. The amendment of these sections corrects spelling and updates employee responsibility. See SAPA Section 102(11)(a).

Job Impact Statement

A job impact statement is not submitted because this proposed rule will have no adverse impact on jobs or employment opportunities. This proposal will amend the current regulation to allow incarcerated individuals who cannot read or write to request assistance for correspondence, to clarify the responsibilities of correctional facilities with respect to processing media that is not written in English, and to clarify the responsibilities

of a correctional facility in processing incoming cash, checks, or money orders addressed to incarcerated individuals.

Department of Environmental Conservation

EMERGENCY/PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Sanitary Condition of Shellfish Lands

I.D. No. ENV-49-21-00008-EP

Filing No. 1173

Filing Date: 2021-11-22

Effective Date: 2021-11-22

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

Proposed Action: Amendment of Part 41 of Title 6 NYCRR.

Statutory authority: Environmental Conservation Law, sections 11-0303, 13-0307 and 13-0319

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

Specific reasons underlying the finding of necessity: The promulgation of this regulation on an emergency basis is necessary to protect public health and general welfare. Shellfish are filter feeders that consume plankton, other minute organisms, and particulate matter found in the water column. Shellfish are capable of accumulating pathogenic bacteria, viruses, and toxic substances within their bodies. Consequently, shellfish harvested from areas that do not meet the bacteriological standards for certification pose an increased risk of illness to shellfish consumers. Closures of shellfish lands that do not meet water quality standards are essential for the preservation of public health.

Several shellfish growing areas require reclassification as year-round uncertified and/or seasonally uncertified. Recent evaluations of current water quality data indicate that the bacteriological standards for certified shellfish lands are not being met in the affected areas, and an increased risk of illness exists for shellfish distributors, restaurants, and consumers. Offsetting the proposed closures is the opening of 6,150 acres of state underwater lands where water quality meets bacteriological standards are being met. The opening of these areas may help to mitigate any negative financial impacts to harvesters who are not able to continue shellfishing in areas that are closed by this rule.

Technical changes are also needed to clarify descriptions for enforcement purposes, remove unnecessary ordinal indicators in the description of closure dates, correct typographical errors, reduce complexity, and improve readability of the regulations.

If the Department of Environmental Conservation does not adopt this rule making on an emergency basis, areas that do not meet bacteriological standards will remain open for harvest, and the consumption of potentially harmful shellfish is foreseeable.

Subject: Sanitary Condition of Shellfish Lands.

Purpose: To reclassify underwater shellfish lands to protect public health.

Substance of emergency/proposed rule (Full text is posted at the following State website: <https://www.dec.ny.gov/regulations/104195.html>): The Department proposes to amend 6 NYCRR Part 41 to reclassify as certified (open to shellfish harvest) either year-round or seasonally the following shellfish lands:

South Oyster Bay- 49-acres of Tobay Heading in South Oyster Bay will be upgraded from uncertified year-round to seasonally uncertified during May 1 – October 31.

Long Island Sound- 6,150-acres of Long Island Sound east of Prospect Point and south of the Nassau-Westchester County Line will be upgraded from uncertified year-round to certified year-round.

Cold Spring Harbor- 3-acres of Cold Spring Harbor will be upgraded from uncertified year-round to seasonally uncertified during May 1 – October 31.

Great South Bay- 3-acres of Great South Bay adjacent to Oak Island will be upgraded from seasonally uncertified to certified year-round.

Great South Bay- 24-acres of Great South Bay in the vicinity of Cherry

Grove on Fire Island will be upgraded from seasonally uncertified to certified year-round.

Shinnecock Bay (Phillips Creek)- Less than 1-acre of Phillips Creek will be upgraded from uncertified year-round to seasonally uncertified during May 1 – October 31.

Shinnecock Bay (Daves Creek)- Less than 1-acre of Daves Creek will be upgraded from uncertified year-round to certified year-round.

Shinnecock Bay (Smith Creek)- Less than 1-acre of Smith Creek will be upgraded from uncertified year-round to certified year-round.

Shinnecock Bay (Old Fort Pond)- Less than 1-acre of Old Fort Pond will be upgraded from seasonally uncertified to certified year-round.

Sag Harbor- Less than 1-acre of Sag Harbor Cove will be upgraded from seasonally uncertified during May 15 – October 31 to certified year-round.

The New York State Department of Environmental Conservation (Department) proposes to amend 6 NYCRR Part 41 to reclassify as uncertified (closed to shellfish harvest) either year-round or seasonally the following shellfish lands:

Hudson River- 3,135-acres of the marine and coastal district (south of the Governor Mario M. Cuomo Bridge) waters of the Hudson River in Rockland County will be designated as uncertified.

South Oyster Bay- 43-acres of Guggenheim Pond and its tributaries in South Oyster Bay will be downgraded from certified year-round to uncertified year-round.

Hempstead Harbor- 134-acres of Hempstead Harbor adjacent to Prospect Point will be downgraded from certified year-round to uncertified year-round.

Cold Spring Harbor- The year-round uncertified area of Cold Spring Harbor will be expanded in size by 2-acres to a total of 236-acres.

Cold Spring Harbor- The seasonally uncertified area in Cold Spring Harbor will be expanded in size by 52-acres to a total of 142-acres and the seasonal closure dates will be extended from May 1 – October 15 to May 1 – October 31.

Great South Bay- The seasonally uncertified area of Great South Bay adjacent to Oak Island will be expanded in size by 1-acre to a total of 153-acres.

Patchogue Bay- 34-acres of tributaries, creeks, canals, and marina basins in Great South Bay and Patchogue Bay will be downgraded from certified year-round and seasonally uncertified to uncertified year-round.

Shinnecock Bay- 5-acres of Shinnecock Bay in the Quogue Canal will be downgraded from certified year-round to seasonally uncertified during April 1 – December 14.

Shinnecock Bay- Less than 1-acre of Stone Creek will be downgraded from certified year-round to uncertified year-round.

Shinnecock Bay- 31-acres of Shinnecock Bay near the mouth of Stone Creek and Phillip Creek will be downgraded from certified year-round to seasonally uncertified during May 1 – October 31.

Shinnecock Bay- 1-acre of Tiana Bay, near the Colonial Shores Cottages, will be downgraded from certified year-round to seasonally uncertified during May 1 – October 31.

Shinnecock Bay- Less than 1-acre of Shinnecock Bay near Smith Creek will be downgraded from certified year-round to uncertified year-round.

Shinnecock Bay- Less than 1-acre of Old Fort Pond will be downgraded from certified year-round to seasonally uncertified during May 1 – October 31.

Sag Harbor- Less than 1-acre of Sag Harbor near the breakwater will be downgraded from certified year-round to uncertified year-round.

Sag Harbor- The seasonally uncertified area in Sag Harbor Cove near Sag Harbor Villas will be expanded by less than 1-acre to a total of 36-acres and the seasonal closure dates will be extended from May 15 – October 31 to May 1 – October 31.

Sag Harbor- The seasonally uncertified areas in Redwood Boat Basin and Ship Ashore Marina will be expanded by 1.5-acres to a total of 4-acres and the seasonal closure dates will be extended from May 15 – October 31 to May 1 – October 31.

Sag Harbor- 26-acres near the outlet of Ligonee Brook in Sag Harbor, also known as The Little Narrows, will be downgraded from certified year-round to seasonally uncertified during May 1 – October 31.

Sag Harbor- Less than 1-acre of Paynes Creek will be downgraded from certified year-round to uncertified year-round.

Flanders Bay- 37-acres of Flanders Bay near Goose Creek will be downgraded from certified year-round to seasonally uncertified during May 1 – October 31.

Montauk Lake- 4-acres of Little Reed Pond will be downgraded from certified year-round to uncertified year-round.

Montauk Lake- The seasonally uncertified area near the Montauk Lake Club and Marina will be expanded in size by 8-acres to a total of 14-acres and the seasonal closure dates will be extended from May 15 – October 15 to May 1 – October 31.

Great Peconic Bay- 46 acres within Deep Hole Creek will be down-

graded from seasonally uncertified May 1 – November 30 to uncertified year-round.

Orient Harbor- 22-acres within the Little Bay portion of Orient Harbor will be downgraded from certified year-round to seasonally uncertified during May 1 – October 31.

Port Jefferson Harbor- The seasonally uncertified area of Conscience Bay and the Narrows within Port Jefferson Harbor will be expanded in size by 30-acres to a total of 229-acres.

Smithtown Bay- The seasonally uncertified area of Smithtown Bay near the entrance to Stony Brook Harbor will be expanded in size by 143-acres to a total of 337-acres.

Stony Brook Harbor- The seasonal closure dates of the Town of Smithtown Marina and the Smithtown Bay Yacht Club boat basin will be extended from May 15 – October 31 to May 1 – October 31.

Stony Brook Harbor- 149-acres of Stony Brook Harbor will be downgraded from certified year-round to seasonally uncertified during June 1 – October 31.

Smithtown Bay- The year-round uncertified area of Smithtown Bay near the mouth of Crab Meadow Creek will be expanded in size by 57-acres to a total of 142-acres.

The Department also proposes technical changes to amend 6 NYCRR Part 41 to clarify descriptions for enforcement purposes, remove unnecessary ordinal indicators in the description of closure dates, correct typographical errors, reduce complexity, and improve readability of the regulations.

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 February 19, 2022.

Text of rule and any required statements and analyses may be obtained from: Zachary Schuller, Department of Environmental Conservation, 123 Kings Park Blvd. (Nissequogue River State Park), Kings Park, NY 11754, (631) 380-3314, email: Zachary.Schuller@dec.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.

Additional matter required by statute: The Department has determined that the Notice of Emergency Adoption is a Type II action and no further review is required pursuant to Article 8 of the ECL, the State Environmental Quality Review Act. The Department has determined that the Notice of Proposed Rule Making is an unlisted action pursuant to Article 8 of the ECL, and a Short Environmental Assessment Form and negative declaration have been prepared and are on file. A Coastal Assessment Form is also on file.

Regulatory Impact Statement

1. Statutory authority:

Environmental Conservation Law (ECL) § 11-0303 grants the New York State Department of Environmental Conservation (Department) authority to regulate the fish and wildlife of New York State. ECL § 13-0307 requires the Department to periodically conduct examinations of all shellfish lands within the marine district to ascertain the sanitary condition of these areas. The Department uses this data to determine which shellfish lands are in such sanitary condition that shellfish may be taken for food. Such lands are designated as certified shellfish lands. All other shellfish lands are designated as uncertified. ECL § 13-0319 grants the Department the authority to promulgate regulations concerning the harvest of shellfish.

2. Legislative objectives:

The purposes of the above cited legislations are: (1) to ensure that shellfish lands are appropriately classified, and (2) to protect public health by preventing the harvest and consumption of shellfish from lands that do not meet minimum standards for certification. Prior to proposing this rule, Department staff examined shellfish lands and determined which shellfish lands met the sanitary criteria for a certified shellfish land. The criteria for certification of shellfish lands is based on standards designed to ensure harvested shellfish will not be dangerous if consumed by humans.

3. Needs and benefits:

This rule making is necessary to preserve the public health and the general welfare, and it is further necessary to comply with ECL § 13-0307. The proposed amendments reflect the findings of surveys conducted by Department staff for shellfish growing areas (SGAs) in the marine district. These surveys are the result of the regular collection and bacteriological examination of water samples to monitor the sanitary condition of SGAs.

Shellfish are filter feeders that consume plankton, other minute organisms, and particulate matter found in the water column. Shellfish are capable of accumulating pathogenic bacteria, viruses, and toxic substances within their bodies. Consequently, shellfish harvested from areas that do not meet the bacteriological standards for certification have an increased potential to cause illness in shellfish consumers. Closures of shellfish lands that do not meet water quality standards are essential for the preservation of public health.

Several shellfish growing areas require reclassification as year-round uncertified and/or seasonally uncertified. Recent evaluations of current water quality data indicate that the bacteriological standards for certified shellfish lands are not being met in the affected areas, and an increased risk of illness exists for shellfish distributors, restaurants, and consumers. Offsetting the proposed closures is the opening of 6,150 acres of state underwater lands where water quality meets bacteriological standards are being met. The opening of these areas may help to mitigate any negative financial impacts to harvesters who are not able to continue shellfishing in areas that are closed by this rule. These regulations also protect the shellfish industry. Commercial shellfish harvesters and seafood wholesalers, retailers, and restaurants are adversely affected by public reaction to instances of shellfish related illness. By prohibiting the harvest of shellfish from lands that fail to meet the sanitary criteria, these regulations can ensure that only wholesome shellfish are allowed to be sold to the shellfish consumer.

Additionally, these regulations include changes to the shellfish growing area descriptions that will update, clarify, and correct them to match the current physical appearance and names of local landmarks cited in the descriptions. These changes will aid harvesters and law enforcement officials in determining which areas are uncertified for the harvest of shellfish.

4. Costs:

There will be no costs to state or local governments. There is no cost to the Department. Administration and enforcement of the proposed amendment would be covered by existing programs.

No direct costs will be incurred by regulated commercial shellfish harvesters in the form of initial capital investment or initial non-capital expenses, in order to comply with these proposed regulations. The Department cannot provide an estimate of potential lost income to shellfish harvesters when areas are classified as uncertified, due to a number of variables that are associated with commercial shellfish harvesting; nor can the potential benefits be estimated when areas are reopened.

In 2020, there were 1,446 licensed shellfish diggers in New York State. The actual number of those individuals who harvest shellfish commercially fulltime is not known. Recreational harvesters who wish to harvest more than the daily recreational limit of 100 hard clams, with no intent to sell their catch, can only do so by purchasing a New York State digger's permit. The number of individuals who hold shellfish digger's permits for that type of recreational harvest is unknown. The Department's records do not differentiate between fulltime and parttime commercial or recreational shellfish harvesters.

The number of harvesters working in a particular area cannot be estimated for the reasons stated above. In addition, the number of harvesters in a particular area is dependent upon the season, the amount of shellfish resource in the area, the price of shellfish and other economic factors, unrelated to the Department's proposed regulatory action. When a particular area is classified as uncertified, harvesters can shift their efforts to other certified areas.

Estimates of the existing shellfish resource in a particular embayment are not known. Recent shellfish population assessments have not been conducted by the Department. Without this information, the Department cannot determine the effect a closure or reopening would have on the existing shellfish resource. However, the Department's actions to classify areas as certified or uncertified are not dependent on the shellfish resources in a particular area. Classifications are based solely on the results of water quality analyses, the need to protect public health, and statutory requirements.

5. Local government mandates:

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

6. Paperwork:

None.

7. Duplication:

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

8. Alternatives:

There are no acceptable alternatives. ECL § 13-0307 mandates that when the Department has determined that a shellfish land meets the sanitary criteria for certified shellfish lands, the Department must designate the land as certified and open to shellfish harvesting. All other shellfish lands must be designated as uncertified and closed to shellfish harvesting. These actions are necessary to protect public health. Furthermore, failure to comply with the National Shellfish Sanitation Program (NSSP) guidelines could result in a ban on New York State shellfish in interstate commerce and would cause undue hardship to the commercial harvesting industry.

9. Federal standards:

There are no federal standards regarding the certification of shellfish lands. New York and other shellfish producing and shipping states participate in the NSSP which provides guidelines intended to promote unifor-

mity in shellfish sanitation standards among members. The NSSP is a cooperative program consisting of the federal government, states, and the shellfish industry. Participation in the NSSP is voluntary, but participating states agree to follow NSSP water quality standards. Each state adopts its own regulations to implement a shellfish sanitation program consistent with the NSSP. The U.S. Food and Drug Administration (FDA) evaluates state programs and standards relative to NSSP guidelines. Substantial non-conformity with NSSP guidelines can result in sanctions being taken by the FDA, including removal of the state's shellfish shippers from the Interstate Certified Shellfish Shippers List. This effectively bars a state's shellfish products from interstate commerce.

10. Compliance schedule:

Compliance with any new regulations designating areas as certified or uncertified does not require additional capital expense, paperwork, record keeping or any action by the regulated parties. Immediate compliance with any regulation designating shellfish lands as uncertified is necessary to protect public health. Shellfish harvesters are notified of changes in the classification of shellfish lands by mail either prior to, or concurrent with, the adoption of new regulations.

Regulatory Flexibility Analysis

1. Effect of rule:

In 2020, there were 1,446 licensed shellfish diggers in New York State. The numbers of permits issued for areas in the State for 2020 are as follows: Town of Babylon, 39; Town of Brookhaven, 250; Town of East Hampton, 216; Town of Hempstead, 100; Town of Huntington, 112; Town of Islip, 108; Town of North Hempstead, 6; Town of Oyster Bay, 80; Town of Riverhead, 64; Town of Shelter Island, 37; Town of Smithtown, 31; Town of Southampton, 160; Town of Southold, 199; New York City, 34; and Other, 10.

The Department of Environmental Conservation (Department) periodically conducts examinations of all shellfish lands within the marine district to ascertain the sanitary condition of these areas. As a result of these examinations, the Department designates lands as certified or uncertified for the harvest of shellfish. Any change in the designation of shellfish lands may affect shellfish diggers. Each time shellfish lands, or portions of shellfish lands, are designated as uncertified, there may be some loss of income for shellfish diggers who are harvesting shellfish from the lands to be closed. This loss may be determined by the acreage to be closed, the type of closure (whether year-round or seasonal), the species of shellfish present in the area, the area's productivity, and the market value of the shellfish resource in the particular area.

When uncertified shellfish lands are found to meet the Department's sanitary criteria and are designated by the Department as certified, there is a benefit to shellfish diggers. More shellfish lands are made available for the harvest of shellfish, and there is a potential for an increase in income for shellfish diggers. The effect of the re-opening of a harvesting area is determined by the shellfish species present, the area's productivity, and the market value of the shellfish resource in the area.

The proposed rule includes changes to the shellfish growing area descriptions that update, clarify, and correct them to match the current physical appearance and names of local landmarks cited in the descriptions, correct typographical errors, reduce complexity and improve readability of the regulations. These changes will aid harvesters and law enforcement officials in determining which areas are uncertified for the harvest of shellfish.

Local governments on Long Island exercise management authority and share law enforcement responsibility for shellfish with the State and the counties of Nassau and Suffolk. These include the towns of Hempstead, North Hempstead, and Oyster Bay in Nassau County, and the towns of Babylon, Islip, Brookhaven, Southampton, East Hampton, Southold, Shelter Island, Riverhead, Smithtown, and Huntington in Suffolk County. Changes in the classification of shellfish lands impose no additional requirements on local governments above the level of management and enforcement that they currently perform; therefore, the Department expects that there will be no effect on local governments.

2. Compliance requirements:

The proposed regulation would not require reporting or recordkeeping requirements for small businesses or local governments.

3. Professional services:

Small businesses and local governments would not require any professional services to comply with the proposed regulation.

4. Compliance costs:

The proposed rule would not require capital costs be incurred by small businesses of local governments.

5. Economic and technological feasibility:

There are no reporting, recordkeeping, or affirmative actions that small businesses or local governments must undertake to comply with the proposed rule. Similarly, small businesses and local governments would not have to retain any professional services or incur any capital costs to comply with the proposed rule. As a result, it should be economically and

technically feasible for small businesses and local governments to comply with this regulation.

6. Minimizing adverse impact:

No adverse impacts on local governments are anticipated from the proposed rule. The designation of shellfish lands as uncertified may have an adverse impact on commercial shellfish diggers. All diggers in the towns affected by proposed closures will be notified by mail of the designation of shellfish lands as uncertified prior to, or concurrent with the date the closures go into effect. Shellfish lands which fail to meet the sanitary criteria during specific months of the year would be designated as uncertified only during those months. To minimize any adverse effects of proposed closures, towns may request that uncertified shellfish lands be considered for conditionally certified designation or for a shellfish transplant project. Shellfish diggers will also be able to shift harvesting efforts to nearby certified shellfish lands or the proposed 6,150-acre opening of state lands in Western Long Island Sound.

7. Small business and local government participation:

Impending shellfish closures are discussed at regularly scheduled Shellfish Advisory Committee meetings. This committee, organized by the Department, is comprised of representatives of local baymen's associations, shellfish shippers, and local town officials. Through their representatives, shellfish harvesters and shippers can express their opinions and give recommendations to the Department concerning shellfish land classification. Local governments, state legislators, and baymen's organizations are notified by mail and given the opportunity to comment on any proposed rulemaking.

8. For rules that either establish or modify a violation or penalties associated with a violation:

None.

9. Initial review of the rule, pursuant to SAPA § 207 as amended by L. 2012, ch. 462:

The rule will be reviewed in three years.

Rural Area Flexibility Analysis

The Department of Environmental Conservation (Department) has determined that this rule will not impose an adverse impact on rural areas. This rulemaking only affects the marine and coastal district of the State; there are no rural areas within the marine and coastal district. The shellfish fishery is entirely located within the marine and coastal district and is not located adjacent to any rural areas of the State. The proposed rule will not impose any reporting, recordkeeping, or other compliance requirements on public or private entities in rural areas. Since no rural areas will be affected by the proposed amendments of 6 NYCRR Part 41, the Department has determined that a Rural Area Flexibility Analysis is not required.

Job Impact Statement

1. Nature of impact:

The proposed rule has the potential for both positive and negative impacts on jobs related to shellfish harvesting. Typically, amendments that reclassify areas as certified increase job opportunities, while amendments to reclassify areas as uncertified limit harvesting opportunities. The Department of Environmental Conservation (Department) does not have specific information regarding the locations in which individual diggers harvest shellfish and is therefore unable to assess the specific job impacts of the proposed rule on individual shellfish diggers. The extent of any impact would be determined by the acreage closed, the type of closure (year-round or seasonal), the area's productivity, and the market value of the shellfish.

In general, any negative impacts are small because the Department's actions to designate areas as uncertified typically only affect a small portion of the shellfish lands in the state. Negative impacts are also diminished in many instances by shellfish harvesters redirecting effort to adjacent certified areas.

In contrast, designating an area as certified can have positive impacts on harvesting opportunities. New certified areas can result in financial benefits for commercial fisherman and increased opportunities for recreational shellfish harvesters. Increasing the amount of certified shellfish harvesting areas can provide a financial benefit due to the increased availability of shellfish resources.

2. Categories and numbers affected:

The proposed rule would impact licensed commercial shellfish diggers. Most harvesters are self-employed, but there are some who work for companies with privately controlled shellfish lands or who harvest surf clams or ocean quahogs in the Atlantic Ocean.

In 2020, there were 1,446 licensed shellfish diggers in New York State. The numbers of permits issued for areas in the State for 2020 are as follows: Town of Babylon, 39; Town of Brookhaven, 250; Town of East Hampton, 216; Town of Hempstead, 100; Town of Huntington, 112; Town of Islip, 108; Town of North Hempstead, 6; Town of Oyster Bay, 80; Town of Riverhead, 64; Town of Shelter Island, 37; Town of Smithtown, 31; Town of Southampton, 160; Town of Southold, 199; New York City, 35;

and Other, 10. The Department’s records do not differentiate between fulltime and parttime commercial or recreational shellfish harvesters.

3. Regions of adverse impact:

Any impact from the proposed rule would be limited to areas within or adjacent to Nassau and Suffolk Counties.

4. Minimizing adverse impact:

Shellfish lands are designated as uncertified to protect public health as required by the ECL. Some impact from the proposed rule stemming from closing areas which do not meet the criteria for certification are unavoidable.

To minimize the impact of closures of shellfish lands, the Department evaluates areas to determine whether they can be opened seasonally during periods of improved water quality. The Department also operates conditional harvesting programs at the request of, and in cooperation with, local governments. Conditional harvesting programs allow harvest in uncertified areas under prescribed conditions, determined by studies, when bacteriological water quality is acceptable. Additionally, the Department operates shellfish transplant harvesting programs which allow removal of shellfish from closed areas for bacterial cleansing in certified areas. Conditional harvesting and shellfish transplant programs increase harvesting opportunities by making shellfish resources in a closed area available under controlled conditions.

5. Self-employment opportunities:

A large majority of shellfish harvesters in New York State are self-employed. Rulemakings to change the classification of shellfish lands can have an impact on self-employment opportunities. The impact is dependent on the size and productivity of the affected area and the availability of adjacent lands for shellfish harvesting.

6. Initial review of the rule, pursuant to SAPA § 207 as amended by L. 2012, ch. 462:

The rule will be reviewed in three years.

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

Freshwater Fishing Regulation Simplification and Clean-Up

I.D. No. ENV-49-21-00009-P

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

Proposed Action: Amendment of Parts 10, 19 and 35 of Title 6 NYCRR.

Statutory authority: Environmental Conservation Law, sections 3-0301, 11-0303, 11-0305, 11-0317, 11-1301, 11-1303, 11-1316 and 11-1319

Subject: Freshwater fishing regulation simplification and clean-up.

Purpose: Eliminate unnecessary regulations, provide consistency and align regulations with actual management intent.

Substance of proposed rule (Full text is posted at the following State website: <https://www.dec.ny.gov/regulations/proproregulations.html>): The purpose of this rule making is to amend the Department of Environmental Conservation’s (DEC) general regulations governing sportfishing (6 NYCRR Part 10), use of bait fish and fish as bait (6 NYCRR Part 19), and clarifies waterbodies pertaining to the possession, sale and use of bait fish (6 NYCRR Part 35). The following is a summary of the amendments that the DEC is proposing. Proposed changes include:

Trout, Lake Trout and Atlantic Salmon regulation changes

Separate Trout in lakes and ponds into Brook Trout regulations and Brown and Rainbow Trout regulations.

Establish a Brook Trout in lakes and ponds regulation from April 1 to October 15 with a daily limit of 5 with no more than 2 trout longer than 12”.

Establish a Rainbow and Brown Trout in lakes and ponds regulation all year with a daily limit of 5 with no more than 2 longer than 12”

Eliminate 31 county-wide trout regulations in DEC Regions 6, 7, 8 and 9 and revert to new statewide regulations.

Eliminate Nassau and Suffolk county-wide Brown and Rainbow Trout regulations in ponds and lakes.

Eliminate 163 special regulations for Trout and revert to statewide regulations.

Add Trout, all year, Daily Limit-5 with no more than 2 longer than 12” special regulations to Park Station Pond, McDonald Pond, South Pond (Nassau County) and Belmont Lake.

Change the daily limit of Brown and Rainbow Trout on Suffolk County Tidal Stream to 5 with no more than 2 longer than 12”.

Add a Brown and Rainbow Trout, April 1 through October 15, Daily Limit-3 with no more than 1 longer than 12” special regulation on Hards Lake and Carmans River from Hards Lake upstream to Cement Dam.

Align Trout regulation on Trout Pond (Delaware County), Huggins

Lake, Crystal Lake, Hodge Pond, Alder Lake and Echo Lake to be Trout, April 1 through September 30, Minimum Length 12”, Daily Limit-2, artificial lures only, ice fishing prohibited.

Eliminate Brook Trout regulation on Round Lake to the demarcated boundary with Little Tupper Lake.

Extend the Trout harvest season on Pepacton Reservoir to October 15.

Expand the statewide Lake Trout season to all year.

Eliminate 31 special regulations for Lake Trout and revert to statewide regulations.

Increase the Lake Trout daily limit to 3 on Schroon Lake, Schroon River from Schroon Lake upstream to Alder Meadow Road, and Schroon River from Schroon Lake downstream to Starbuckville Dam.

Expand the statewide Atlantic Salmon season to all year.

Eliminate 45 special regulations for Atlantic Salmon and revert to statewide regulations.

Inland Trout Stream regulation changes

Remove Rock Pond Outlet Stream and Thirteenth Lake Outlet from the list of waters where the Inland Trout Stream regulations do not apply.

Eliminate Carmans River catch-and-release season from and extend the existing Rainbow and Brown Trout regulation upstream to Yaphank Avenue.

Eliminate the Stocked-Extended regulations for Onondaga Creek and Oriskany Creek.

Move/restore the downstream end point of the Genesee River catch-and-release reach to 1.0 miles upstream of County Route 29 near York’s Corners.

Clarify that the downstream endpoint of the Oriskany Creek Wild Premier reach is the Route 12B Bridge in Oriskany Falls.

Add Wild-Quality regulations to Fish Creek, tributary to Black River.

Limit Nassau and Suffolk County catch and release Brook Trout regulations to waters of concern.

Statewide and related species seasonal date changes

Change the statewide opening day for Walleye, Northern Pike, Pickerel and Tiger Muskellunge seasons to May 1.

Change the season opening date for Walleye, Northern Pike, Pickerel, Muskellunge and Tiger Muskellunge to May 1 for any special regulations with a first Saturday in May opening date except border waters.

Change the fishing prohibited closure end date to April 30 on 26 stream reaches.

Change the statewide opening date for Muskellunge to June 1.

Change the season opening date for Muskellunge and Tiger Muskellunge to June 1 for any special regulations with a last Saturday in May season opening date.

Change the statewide opening date for Black Bass harvest season to June 15.

Change the harvest season opening date for Black Bass to June 15 for any special regulations with a third Saturday in June season opening date.

Change the statewide closing date Black Bass catch and release season to June 14.

Change the end date of Black Bass catch and release season to June 14 for any special regulations with a Friday preceding the third Saturday in June end date.

Great Lakes regulation changes

Align Northern Pike, Walleye and Black Bass season openers with new statewide opener.

Align season dates for Muskellunge and Tiger Muskellunge to June 15 through December 15 on Lake Erie, Lake Ontario, Upper Niagara River, and Lower Niagara River.

Limit harvest of Rainbow Trout to 2 in the Lower Niagara River.

Eliminate redundant statewide regulations for Yellow Perch and Sunfish for Great Lakes waters.

Clarify that jigs do not need a free-swinging hook on Great Lakes tributaries.

Eliminate the seasonal added weight restrictions from Lake Erie tributaries.

Eliminate special Trout regulation for Skinner Creek.

Finger Lakes regulation changes

Establish a Walleye, all year, Minimum Length-12”, Daily Limit-none special regulation on Skaneateles Lake.

Establish regulatory exclusion language for Finger Lakes tributaries.

Eliminate unnecessary reference to 10.1(b) for all other species in Fishing Regulations for Finger Lakes table.

Clarify that the seasonal fishing prohibited closure on North McMillian Creek and Conesus Inlet Fish and Wildlife Management Area includes the dam on Conesus Inlet.

Other species regulation changes

Eliminate statewide Kokanee regulation.

Eliminate Nassau County county-wide regulations for Crappie, Sunfish, Yellow Perch and Pickerel.

Expand Nassau County Black Bass catch and release season to all year and apply to only lakes and ponds.

Eliminate Suffolk County county-wide regulations for Crappie, Sunfish, Yellow Perch, and Black Bass.

Eliminate Ulster County county-wide Walleye regulation.

Eliminate Deep Pond Chain Pickerel special regulation.

Eliminate Walleye special regulations on East Sidney Reservoir and DeRuyter Reservoir.

Eliminate redundant Yellow Perch and Sunfish special regulations on Lake George.

Change the start of the Fishing Prohibited season to March 16 on the Saranac River from Hough Brook at Union Falls Flow upstream to Franklin Falls Dam.

Eliminate Perch Lake special regulation.

Add fishing prohibited March 16 through April 30 special regulation on Genesee River from downstream side of Mount Morris Dam downstream to first railroad bridge downstream of Route 36.

Eliminate Pickerel and Black Bass special regulations on Bashakill Marsh.

Add Walleye, May 1 through March 15, Minimum Length-18", Daily Limit-3 regulation to Eric Canal and Clyde River downstream of Lock 26 on the Canal to confluence with Seneca River.

Eliminate Muskellunge/Tiger Muskellunge and American Shad special regulations on Chenango, Susquehanna, Tioughnioga, and Tioga rivers and Chemung River and tributaries.

Limit the Chautauqua Lake tributaries Muskellunge/Tiger Muskellunge special regulation to upstream to the first road bridge.

Limit Great Sacandaga Lake tributaries Walleye special regulation to upstream to the first road bridge.

Eliminate Oneida Lake Walleye special regulation.

Border waters regulations

Clarify downstream endpoint of the fishing prohibited from boats section of the Ausable River.

Increase the Muskellunge and Tiger Muskellunge size limit on Greenwood Lake to 44".

Baitfish regulation changes

Prohibit the use of European Rudd as bait.

Update the baitfish prohibited waters list to include new primitive and wilderness areas, deleted specific ponds included in the new primitive and wilderness areas, added additional ponds, and corrected misspellings.

Prohibit the use of Alewife as bait in Otsego Lake.

Allow the collection and use of baitfish on the Catch and Release section of the Hudson from the Troy Dam upstream to Bakers Falls in the Village of Hudson Falls and tributaries in this section upstream to the first impassible barrier by fish and the Mohawk River below Route 32 bridge.

Clarify use and possession of Smelt on Neversink Reservoir is prohibited.

Allow trout eggs produced in a hatchery under permit by the Department to be sold as bait.

Ice Fishing regulation changes

Simplify ice fishing regulations by permitting ice fishing unless specifically prohibited in New York except for Essex, Franklin, Fulton, Hamilton, Herkimer, Lewis, St. Lawrence, Warren, and Washington counties where the existing ice fishing is prohibited unless specifically permitted in waters inhabited by trout regulation will still apply.

Gear restriction changes

Eliminate regulations allowing snatching and spearing in select waters.

Clarify that bowfishing is not permitted in waters where the harvest of Carp is not permitted.

Allow the use of gaffs while bowfishing.

Waterbody definition changes

Combine 2 existing waterbodies into a single waterbody consisting of Onondaga Lake and the Three Rivers complex.

Correct any regulatory references to the defined Hudson River waterbody which was renumbered.

Regulation reorganization

Modify existing County regulation table (6 NYCRR 10.3(b)) by splitting into a lakes, ponds and associated tributaries table and a rivers and streams table with individual waters listed alphabetically by DEC Region.

Regulations listed in 6 NYCRR 10.3(f) Waters closed to all fishing, were moved to appropriate locations in Great Lakes tributaries, Finger Lakes tributaries or the newly created rivers and streams table.

Clarifications

Rename any references to Landlocked Salmon to Atlantic Salmon.

Text of proposed rule and any required statements and analyses may be obtained from: Gregory Kozłowski, Department of Environmental Conservation, 625 Broadway, Albany, NY 12233, (518) 402-8896, email: gregory.kozłowski@dec.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.

Additional matter required by statute: Pursuant to Article 8 of the Environmental Conservation Law and the State Environmental Quality Review Act, a programmatic generic environmental impact statement pertaining to these actions is on file with the DEC.

Regulatory Impact Statement

1. Statutory authority:

Section 3-0301 of the Environmental Conservation Law (ECL) establishes the general functions, powers and duties of the Department of Environmental Conservation (DEC) and the Commissioner, including general authority to adopt regulations. Sections 11-0303 and 11-0305 of the ECL authorize the DEC to provide for the management and protection of the State's fisheries resources, taking into consideration ecological factors, public safety, and the safety and protection of private property. Sections 11-1301 and 11-1303 of the ECL empower the DEC to fix by regulation open seasons, size and catch limits, and the manner of taking of all species of fish, except certain species of marine fish (listed in section 13-0339 of the ECL), in all waters of the State. Section 11-1319 of the ECL governs possession of fish taken in waters of the State.

2. Legislative objectives:

Implementation of daily possession limits, minimum size limits, and gear restrictions are the tools used by the DEC in achieving the intent of the legislation referenced above. Possession and minimum size limits and gear restrictions are necessary to maintain quality fisheries and to ensure that adequate numbers survive to perpetuate fisheries and provide an equitable distribution of fish to anglers.

3. Needs and benefits:

Freshwater fishing regulations as they currently exist are an amalgamation of waterbody independent fisheries management strategies that have not been fully evaluated with respect to current angling behavior or statewide management. Many types of special regulations no longer serve a distinct management purpose and in some instances their continued use supersedes statewide regulations that were established for broad management. In an effort to provide optimal management and also make fishing easier and more enjoyable to all facets of our population, the Bureau of Fisheries has determined that a comprehensive revision of the State's overall fishing regulations is warranted.

In this respect the proposed amendments to sportfishing regulations in 6 NYCRR Parts 10, 19 and 35 seek to eliminate unnecessary regulations, provide consistency, and align regulations with actual management intent. Although many of the changes sought are minor, cumulatively they represent a substantial revision to 6 NYCRR. Significant amendments for improving upon the current state of management include:

1) Establish a statewide Brook Trout regulation for lakes and ponds from April 1 to October 15 with a daily limit of 5 with no more than 2 trout longer than 12".

2) Establish a statewide Rainbow and Brown Trout regulation for lakes and ponds all year with a daily limit of 5 with no more than 2 longer than 12".

3) Expand the statewide season for Lake Trout and Atlantic Salmon to all year.

4) Eliminate 237 special regulations and 33 county-wide regulations for Trout, Lake Trout and Atlantic Salmon.

5) Change the statewide opening date to May 1 for Walleye, Northern Pike, Pickerel and Tiger Muskellunge; June 1 for Muskellunge; and June 15 for Black Bass and align special regulations with new season dates for these species.

6) Simplify ice fishing regulations by permitting ice fishing unless specifically prohibited in New York except for Essex, Franklin, Fulton, Hamilton, Herkimer, Lewis, St. Lawrence, Warren, and Washington counties where the existing ice fishing is prohibited unless specifically permitted in waters inhabited by trout.

7) Eliminate regulations allowing snatching and spearing in select waters.

Making the changes enumerated above will:

- Simplify regulations by eliminating hundreds of special regulations, reducing the number of regulation variations, and setting hard dates for opening days;

- Clearly identify where anglers can ice fish in most of the state;
- Align regulations with current fisheries management;
- Reorganize regulations to make regulation look up simpler for anglers, resource managers and enforcement staff; and

- Decrease the number of pages in the fishing regulations guide.

4. Costs:

Costs associated with the implementation and enforcement of the proposed regulation are principally the responsibility of the DEC. The DEC will incur no costs from this rulemaking beyond typical administrative and field sampling expenses. This rulemaking will not result in increased expenditures by other State agencies, local governments, or the general public.

5. Local government mandates:

The proposed rule will not impose any programs, services, duties or responsibilities upon any county, city, town, village, school district, or fire district.

6. Paperwork:

No additional paperwork will be required as a result of this proposed rule change.

7. Duplication:

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

8. Alternatives:

No change: The alternative is to retain the existing complicated regulations that do not adequately advance statewide management of the fisheries. The benefits of simplified regulations and an expansion of angling opportunity would not be realized.

9. Federal standards:

There are no minimum federal standards that apply to the regulation of sportfishing.

10. Compliance schedule:

These regulations, if adopted, will be in effect for the 2022 license year, which begins on April 1, 2022. Regulated persons will comply with these regulations once they take effect.

Regulatory Flexibility Analysis

Freshwater fishing regulations as they currently exist are an amalgamation of waterbody independent fisheries management strategies that have not been fully evaluated with respect to current angling behavior or statewide management. Many types of special regulations no longer serve a distinct management purpose and in some instances their continued use supersedes statewide regulations that were established for broad management. In an effort to provide optimal management and also make fishing easier and more enjoyable to all facets of our population, the Bureau of Fisheries has determined that a comprehensive revision of the State's overall fishing regulations is warranted.

In this respect, the proposed amendments to sportfishing regulations in 6 NYCRR Parts 10, 19 and 35 seek to eliminate unnecessary regulations, provide consistency, and align regulations with actual management intent. Although many of the changes sought are minor, cumulatively they represent a substantial revision to 6 NYCRR. Significant amendments for improving upon the current state of management include:

1) Establish a statewide Brook Trout regulation for lakes and ponds from April 1 to October 15 with a daily limit of 5 with no more than 2 trout longer than 12".

2) Establish a statewide Rainbow and Brown Trout regulation for lakes and ponds all year with a daily limit of 5 with no more than 2 longer than 12".

3) Expand the statewide season for Lake Trout and Atlantic Salmon to all year.

4) Eliminate 237 special regulations and 33 county-wide regulations for Trout, Lake Trout and Atlantic Salmon.

5) Change the statewide opening date to May 1 for Walleye, Northern Pike, Pickerel and Tiger Muskellunge; June 1 for Muskellunge; and June 15 for Black Bass and align special regulations with new season dates for these species.

6) Simplify ice fishing regulations by permitting ice fishing unless specifically prohibited in New York except for Essex, Franklin, Fulton, Hamilton, Herkimer, Lewis, St. Lawrence, Warren, and Washington counties where the existing ice fishing is prohibited unless specifically permitted in waters inhabited by trout.

7) Eliminate regulations allowing snatching and spearing in select waters.

Making the changes enumerated above will:

- Simplify regulations by eliminating hundreds of special regulations, reducing the number of regulation variations, and setting hard dates for opening days;

- Clearly identify where anglers can ice fish in most of the state;
- Align regulations with current fisheries management;
- Reorganize regulations to make regulation look up simpler for anglers, resource managers and enforcement staff; and
- Decrease the number of pages in the fishing regulations guide.

1. Effect of rule:

This rulemaking will result in adjustments that simplify fishing regulations, eliminate hundreds of special regulations and align regulations with current management. These changes will not result in a loss of angling opportunities or diminish opportunities for taking fish. In many cases, the opportunity to take fish has been expanded by increasing the length of the harvest season. There should be no negative effects on small businesses and local governments.

2. Compliance requirements:

There are no compliance requirements associated with this rule change.

3. Professional services:

There are no professional services needed to comply with the provisions of this rule.

4. Compliance costs:

Costs associated with the implementation and enforcement of the proposed regulation are principally the responsibility of the Department of Environmental Conservation (DEC).

5. Economic and technological feasibility:

Because there are no anticipated negative effects on small businesses and local governments, this rulemaking is fully economically and technologically feasible for these entities.

6. Minimizing adverse impact:

This rulemaking will have no adverse impact on small business and local governments.

7. Small business and local government participation:

Following proposal of this rule, the DEC will receive public comment (including from small businesses and local governments) for 60 days.

Rural Area Flexibility Analysis

Freshwater fishing regulations as they currently exist are an amalgamation of waterbody independent fisheries management strategies that have not been fully evaluated with respect to current angling behavior or statewide management. Many types of special regulations no longer serve a distinct management purpose and in some instances their continued use supersedes statewide regulations that were established for broad management. In an effort to provide optimal management and also make fishing easier and more enjoyable to all facets of our population, the Bureau of Fisheries has determined that a comprehensive revision of the State's overall fishing regulations is warranted.

In this respect, the proposed amendments to sportfishing regulations in 6 NYCRR Parts 10, 19 and 35 seek to eliminate unnecessary regulations, provide consistency, and align regulations with actual management intent. Although many of the changes sought are minor, cumulatively they represent a substantial revision to 6 NYCRR. Significant amendments for improving upon the current state of management include:

1) Establish a statewide Brook Trout regulation for lakes and ponds from April 1 to October 15 with a daily limit of 5 with no more than 2 trout longer than 12".

2) Establish a statewide Rainbow and Brown Trout regulation for lakes and ponds all year with a daily limit of 5 with no more than 2 longer than 12".

3) Expand the statewide season for Lake Trout and Atlantic Salmon to all year.

4) Eliminate 237 special regulations and 33 county-wide regulations for Trout, Lake Trout and Atlantic Salmon.

5) Change the statewide opening date to May 1 for Walleye, Northern Pike, Pickerel and Tiger Muskellunge; June 1 for Muskellunge; and June 15 for Black Bass and align special regulations with new season dates for these species.

6) Simplify ice fishing regulations by permitting ice fishing unless specifically prohibited in New York except for Essex, Franklin, Fulton, Hamilton, Herkimer, Lewis, St. Lawrence, Warren, and Washington counties where the existing ice fishing is prohibited unless specifically permitted in waters inhabited by trout.

7) Eliminate regulations allowing snatching and spearing in select waters.

Making the changes enumerated above will:

- Simplify regulations by eliminating hundreds of special regulations, reducing the number of regulation variations, and setting hard dates for opening days;

- Clearly identify where anglers can ice fish in most of the state;
- Align regulations with current fisheries management;
- Reorganize regulations to make regulation look up simpler for anglers, resource managers and enforcement staff; and
- Decrease the number of pages in the fishing regulations guide.

1. Types and estimated numbers of rural areas:

These amendments include statewide fishing regulations for common, widely distributed species and special fishing regulations for various species in select waters distributed throughout the state. These regulations will not have any specific impact on rural areas.

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

There is no compliance-related reporting and recordkeeping associated with this rule making, and thus there will be no effect in rural areas.

3. Costs:

Costs associated with this rulemaking are principally the responsibility of the Department of Environmental Conservation (DEC). The DEC will incur no costs from this rulemaking beyond typical administrative and field sampling expenses. There are no impacts to other state agencies. This rulemaking will have no economic impact on anglers.

4. Minimizing adverse impact:

These regulations will have no adverse impact on rural areas.

5. Rural area participation:

Following proposal of the rule, the DEC will receive comment from the public (including those in rural areas) for 60 days.

Job Impact Statement

Freshwater fishing regulations as they currently exist are an amalgamation of waterbody independent fisheries management strategies that have not been fully evaluated with respect to current angling behavior or statewide management direction. Many types of special regulations no longer serve a distinct management purpose and in some instances their persistent use supersedes statewide regulations that were established for broad management. In an effort to provide optimal management and also make fishing easier and more enjoyable to all facets of our population, the Bureau of Fisheries has determined that a comprehensive revision of the State's overall fishing overall regulations is warranted.

The proposed amendments to sportfishing regulations in 6 NYCRR Parts 10, 19 and 35 seek to eliminate unnecessary regulations, provide consistency, and align regulations with actual management intent. Although many of the changes sought are minor, cumulatively they represent a substantial revision to 6 NYCRR. Significant amendments for improving upon the current state of management include:

- 1) Establish a statewide Brook Trout regulation for lakes and ponds from April 1 to October 15 with a daily limit of 5 with no more than 2 trout longer than 12".
- 2) Establish a statewide Rainbow and Brown Trout regulation for lakes and ponds all year with a daily limit of 5 with no more than 2 longer than 12".
- 3) Expand the statewide season for Lake Trout and Atlantic Salmon to all year.
- 4) Eliminate 237 special regulations and 33 county-wide regulations for Trout, Lake Trout and Atlantic Salmon.
- 5) Change the statewide opening date to May 1 for Walleye, Northern Pike, Pickerel and Tiger Muskellunge; June 1 for Muskellunge; and June 15 for Black Bass and align special regulations with new season dates for these species.
- 6) Simplify ice fishing regulations by permitting ice fishing unless specifically prohibited in New York except for Essex, Franklin, Fulton, Hamilton, Herkimer, Lewis, St. Lawrence, Warren, and Washington counties where the existing ice fishing is prohibited unless specifically permitted in waters inhabited by trout regulation will still apply.
- 7) Eliminate regulations allowing snatching and spearing in select waters.

Making the changes enumerated above will:

- Simplify regulations by eliminating hundreds of special regulations, reducing the number of regulation variations, and setting hard dates for opening days;

- Clearly identify where anglers can ice fish in most of the state;
- Align regulations with current fisheries management;
- Reorganize regulations to make regulation look up simpler for anglers, resource managers and enforcement staff; and
- Decrease the number of pages in the fishing regulations guide.

1. Nature of impact:

This rulemaking will result in adjustments that simplify fishing regulations, eliminate hundreds of special regulations and align regulations with current management. These changes will not result in a loss of angling opportunities or diminish opportunities for taking fish. In many cases, the opportunity to take fish has been expanded by increasing the length of the harvest season.

2. Categories and numbers affected:

This rulemaking will not have any adverse job impact.

3. Regions of adverse impact:

This rulemaking will not have any job impact.

4. Minimizing adverse impact:

This rulemaking will not have any job impact.

Statutory authority: New York Consolidated Laws; State Administrative Procedure Act, section 202

Subject: Charities regulatory framework and the use of gendered pronouns therein.

Purpose: Removal of all references to gender pronouns and replacing them with the neutral pronoun, "they" or "their".

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

Section 93.2 Registration

(3) Professional solicitors. Professional solicitors shall file with the Attorney General a professional solicitor registration form, signed under penalties for perjury, and all documents required to be annexed thereto. Such form shall include the following information:

(i) the full legal name of the professional solicitor by which [he or she] they shall solicit contributions and any other names by which the solicitor is known...

Section 97.12 Record

(a) The hearing officer shall make a complete record of the proceeding by whatever means [he or she] they deem appropriate, including but not limited to, stenographic transcription or recording devices.

Section 92.6 Certification Requirement

For each registration, periodic report, final report or notice of termination required to be submitted by a trust or estate with a charitable interest pursuant to this Part, a trustee, executor or other authorized individual shall certify under penalties for perjury that, to the best of [his or her] their knowledge and belief, such submission is true, correct and complete in accordance with the laws of the State of New York applicable to such submission.

Section 97.6 Administrative Hearing Officers

All hearings shall be conducted by administrative law judges (hearing officers) appointed by the Attorney General or the Attorney General designee. The hearing officer shall be an attorney who has not worked on or otherwise become familiar with the facts of the matter in issue, and shall exercise [his or her] their judgment independently and impartially.

Section 97.9 Conduct of the hearing

(c) The respondent may appear at the hearing, cross examine witnesses and produce evidence on [his or her] their own behalf. Should the applicant fail to appear at the hearing, the hearing officer shall hear the evidence given by the Attorney General and make [his or her] their findings and recommendations on the basis of that evidence...

Section 97.17 Final determinations and orders

(b) The hearing officer shall make [his or her] their determination or order in writing after consideration of the entire records and as supported by substantial evidence. Substantial evidence means such proof as a reasonable person may accept as adequate to support a decision and constitutes a rational basis for the decision...

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

Consensus Rule Making Determination

The Office of the Attorney General proposes to remove all gender-specific references in §§ 92.6, 93.2, 97.6, 97.12 and 97.17. The Agency does not anticipate any comments to such a change as it does not materially affect the substance of the provisions. In addition, the gendered pronouns will be replaced with gender-neutral pronouns, "they" and "their".

Niagara Falls Water Board

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

Adoption of Rates, Fees, and Charges

I.D. No. NFW-49-21-00010-EP

Filing No. 1174

Filing Date: 2021-11-19

Effective Date: 2022-01-01

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

Department of Law

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

Charities Regulatory Framework and the Use of Gendered Pronouns Therein

I.D. No. LAW-49-21-00016-P

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

Proposed Action: This is a consensus rule making to amend sections 93.2, 97.12, 97.9, 92.6, 97.6 and 97.17 of Title 12 NYCRR.

Proposed Action: Amendment of section 1950.20 of Title 21 NYCRR.

Statutory authority: Public Authorities Law, section 1230-j

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

Specific reasons underlying the finding of necessity: The Niagara Falls Water Board recently considered estimates for its expenses and revenues for fiscal year 2022 commencing on January 1, 2022 and ending on December 31, 2022. As part of this consideration, the Board recognized an increase in expenses of operations necessary for the preservation of the public health, safety and general welfare and considered a projection of revenues from its existing rate payers in the City of Niagara Falls and related service area. In addition, the Board considered its debt service and its covenants with its bondholders. In order to maintain the Board on a sound financial status with sufficient resources to provide necessary water and wastewater services to all persons who use the System, the Board adopted an increase in the schedule of rates, fees and charges for users of the System.

Subject: Adoption of Rates, Fees, and Charges.

Purpose: To pay for increased costs necessary to operate, maintain, and manage the system, and to meet covenants with the bondholders.

Text of emergency/proposed rule: Section 1950.20. Schedule of rates, fees and charges.

(a) This schedule sets forth the rates, fees and other charges applicable to the provision of water supply, wastewater and related services by the Niagara Falls Water Board to all property owners, users and other persons as of January 1, [2021] 2022. All property owners, users and other persons who receive services from the water board shall pay to the water board the rates, fees and charges set forth in this schedule.

(b) the following rates shall be charged and collected for the use of water within the city, supplied by the water board as hereby fixed and established:

First 20,000 cu. ft. per quarter, [\$3.52] \$4.11 per 100 cu. ft.
 Next succeeding 60,000 cu. ft. per quarter, [\$3.05] \$3.56 per 100 cu. ft.
 Next succeeding 120,000 cu. ft. per quarter, [\$2.59] \$3.02 per 100 cu. ft.

Over 200,000 cu. ft. per quarter, [\$2.14] \$2.50 per 100 cu. ft.

The minimum charge for water consumed in any premises within the city for any quarter or portion thereof shall not be less than [\$45.73] \$53.45.

(c) The following rates shall be charged and collected for the use of water outside the city for residential and commercial purposes supplied by the water board as hereby fixed and established:

First 20,000 cu. ft. per quarter, [\$9.40] \$10.99 per 100 cu. ft.
 Next 60,000 cu. ft. per quarter, [\$8.21] \$9.60 per 100 cu. ft.
 Next succeeding 120,000 cu. ft. per quarter, [\$6.84] \$7.99 per 100 cu. ft.

Over 200,000 cu. ft. per quarter, [\$5.76] \$6.73 per 100 cu. ft.

The minimum charge for water consumed in any premises located outside the city for domestic purposes for any quarter or portion thereof shall not be less than [\$122.23] \$142.76.

(d) Water used for testing fire hoses, filling tanks, swimming pools, testing sprinkler systems, and like use shall be billed at the highest residential unit rate enumerated in subdivision (b) of this section. The amount used may be either estimated in accordance with the size of the pipe through which taken at the pressure furnished, or determined by the use of a temporary meter rented to the user by the water board. The use of the latter method shall be at the discretion of the director and may require a refundable deposit.

(e) Use of hydrant for any purpose whatsoever shall be subject to a rental charge of \$1.50 per day or partial day.

(f) The cost of hydrant use will include a fee of \$35.00 for backflow device certification, payable at the time of hydrant use application. In addition, daily hydrant and meter rental rates and security deposit amounts shall be established by the director based upon the real cost to the water board.

(g) In addition to the above schedule rates for water consumed there shall be assessed a demand charge for each user's meter as set forth below.

Size and Type	Charge Per quarter
Under 1" Disc	\$3.70
1" Disc	\$25.00
1 1/2" Disc	\$30.00
2" Disc	\$40.00
2" Compound	\$40.00
3" Compound	\$50.00

4" Compound	\$100.00
6" Compound	\$220.00
8" Compound	\$250.00
10" Compound	\$275.00
12" Compound	\$400.00

(h) The rates set forth in this section, however, shall not apply to any user of water with whom there is now outstanding a valid and binding contract with the city and/or water board to supply water at a rate different than the rates stated in this schedule, or to users obtaining water service from the Village of LaSalle prior to May 4, 1927.

(i) In the event the water board or the director terminates water supply service to any property owner or user, such property owner, user or users located at such property shall pay a reactivation fee in the amount of \$75.00 to the water board prior to the supply of water.

(j) There shall be small meter testing charge of \$100.00 for the bench testing of any meter less than two inches in size.

(k) An account reactivation charge of \$100.00 shall be applied whenever a meter is re-installed and an account reactivated.

(l) The water board shall charge a \$25.00 final read fee for all owner requested meter reads.

(m) A hydrant flow test charge shall be applied whenever an owner, user or his agent requests a hydrant flow test.

(n) The annual availability charge for private fire protection service shall be:

Diameter of Service Connection	Annual Fee
2" or less	\$66.00
3"	\$95.00
4"	\$168.00
6"	\$380.00
8"	\$670.00
10"	\$1,050.00
12"	\$1,510.00

(o) A backflow submittal fee of \$25.00 shall be charged for all backflow plans submitted to the water board for approval and forwarding to the State Health Department.

(p) There shall be a \$120.00 inspection fee for each request for a cross-connection inspection.

(q) In addition to the above rates, fees and charges, the following rates shall apply to all users with respect to sewer or wastewater services prescribed in the water board's wastewater regulations in Part 1960 of this Title. There shall be two user classes as provided in Part 1960 of this title, to wit: commercial/small industrial/residential users (CSIRU) and significant industrial users (SIU).

(1) CSIRU. Sewer rates for the CSIRU class are determined by total metered water consumption in each quarter. The schedule of quarterly charges for the CSIRU class shall be as follows:

SCHEDULE I

Minimum charge per quarter: [\$60.55] \$70.78 with a usage allowance of up to 1,300 cubic feet

Additional usage in excess of 1,300: [\$4.66] \$5.44 per 100 cubic feet

The following rates shall be charged and collected for the use of sewer outside the city for residential and commercial purposes as determined by total metered water consumption per quarter. The schedule of quarterly charges for the users outside the city shall be as follows:

Minimum charge per quarter: [\$162.22] \$189.63 with a usage allowance of up to 1,300 cubic feet

Additional usage in excess of 1,300: [\$12.47] \$14.58 per 100 cubic feet

(2) SIU.

(i) Conventional pollutant parameter charges. Sewer rates for the SIU class each quarter are based on measured quantities of the actual discharge parameters: flow, suspended solids and soluble organic carbon. Such determination shall be made by the water board and shall be based upon five representative 24-hour composite samples taken quarterly, at such locations as are adequate to provide proper representation. The schedule of charges for conventional pollutant parameters shall be as follows:

SCHEDULE II

Pollutant Parameters	Rate
Flow	[\$3,274.99] \$3,828.46 per million gallons

Suspended Solids	[\$1.05] \$1.23 per pound
Soluble Organic Carbon	[\$1.81] \$2.12 per pound

I.D. No. PSC-37-21-00013-P
 Publication Date of Proposal
 September 15, 2021

NOTICE OF ADOPTION

(ii) Substances of concern parameter charges. SIU's, who have wastewater discharge permits which limit any substance of concern listed in Schedule III contained in this subparagraph, will be billed for discharge of these substances based on the unit rates shown in Schedule III. Discharge loading for billing purposes shall be determined by arithmetic average of the last six acceptable self-monitoring results. At the option of the SIU, increased self-monitoring can be performed. For billing purposes, when six or more acceptable results are obtained over the three month billing period, all such results shall be used in the computation of the arithmetic average, with a requirement that there be at least two sample results for each month. Average discharge loadings will then be multiplied by the corresponding unit rates from Schedule III to obtain total charges per quarter for each substance of concern listed in the SIU's wastewater discharge permit. All substances of concern charges will be added to the charges for conventional parameters, as specified in subparagraph (i) of this paragraph, to compute the total quarterly sewer rate.

**SCHEDULE III
 SUBSTANCES OF CONCERN UNIT CHARGES**

Parameters	Unit Rate
Benzene	[\$361.41] \$422.49 per pound
Chloroform	[\$64.36] \$75.24 per pound
Dichloroethylenes	[\$393.24] \$459.69 per pound
Toluene	[\$17.43] \$20.37 per pound
Trichloroethanes	[\$81.72] \$95.53 per pound
Trichloroethylene	[\$104.30] \$121.92 per pound
Vinyl Chloride	[\$52.21] \$61.03 per pound
Monochlorotoluenes	[\$3.53] \$4.13 per pound
Tetrachloroethylene	[\$48.69] \$56.92 per pound
Total Phenols	[\$7.95] \$9.29 per pound

(iii) Billing. SIU charges shall be billed on a monthly basis by the water board. The first and second monthly billings in each quarter shall be estimated and shall be one-third of the total billing in the immediately preceding quarter. The third monthly bill in each quarter shall be based upon actual discharge quantities for that quarter and shall reflect adjustments for the estimated billings in that quarter.

(r) Unless the context specifically indicates otherwise, all terms contained herein shall have the meanings set forth in the regulations adopted by the water board in this Part and Part 1960 of this Title, as applicable.

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 February 16, 2022.

Text of rule and any required statements and analyses may be obtained from: Sean W. Costello, General Counsel and Secretary, Niagara Falls Water Board, 5815 Buffalo Avenue, Niagara Falls, NY 14304, (716) 283-9770, email: scostello@NFWB.org

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 amended rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

Public Service Commission

NOTICE OF WITHDRAWAL

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

The following rule makings have been withdrawn from consideration:

Petition for Disposition of a Sales Tax Refund

I.D. No. PSC-23-20-00008-A
 Filing Date: 2021-11-18
 Effective Date: 2021-11-18

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

Action taken: On 11/18/21, the PSC adopted an order adopting the terms of a joint proposal approving Central Hudson Gas & Electric Corporation's (Central Hudson) petition for the disposition of the proceeds of a sales tax refund.

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

Subject: Petition for disposition of a sales tax refund.

Purpose: To approve the disposition of a sales tax refund.

Text or summary was published in the June 10, 2020 issue of the Register, I.D. No. PSC-23-20-00008-P.

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-M-0134SA2)

NOTICE OF ADOPTION

Major Gas Rate Plan

I.D. No. PSC-45-20-00004-A
 Filing Date: 2021-11-18
 Effective Date: 2021-11-18

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

Action taken: On 11/18/21, the PSC adopted an order establishing a three-year gas rate plan for Central Hudson Gas & Electric Corporation (Central Hudson) for the period July 1, 2021 through June 30, 2024.

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

Subject: Major gas rate plan.

Purpose: To establish a three-year gas rate plan for Central Hudson.

Substance of final rule The Commission, on November 18, 2021, adopted an order establishing a three-year gas rate plan for Central Hudson Gas & Electric Corporation (Central Hudson) for the period July 1, 2021 through June 30, 2024. Central Hudson is directed to file cancellation supplements, effective on not less than one day's notice, on or before November 19, 2021, cancelling the tariff amendments and supplements listed in Attachment 2 to the order. Central Hudson is directed to file, on not less than two days' notice, on or before November 29, 2021, to become effective on December 1, 2021, on a temporary basis, such further tariff amendments as are necessary to effectuate the terms of the order. Central Hudson shall serve copies of its filing on all parties to these cases. Any comments on the compliance filing must be filed within 14 days of service of the proposed amendments. The amendments specified in the compliance filing shall not become effective on a permanent basis until approved by the Commission. Central Hudson is directed to file such tariff changes as are necessary to effectuate the terms of the order for Rate Year 2 ending June 30, 2023, and for Rate Year 3 ending June 30, 2024, on not less than 30 days' notice. Such tariff changes shall be effective only on a temporary basis until approved by the Commission, 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-G-0429SA1)

NOTICE OF ADOPTION

Major Electric Rate Plan

I.D. No. PSC-45-20-00005-A

Filing Date: 2021-11-18

Effective Date: 2021-11-18

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

Action taken: On 11/18/21, the PSC adopted an order establishing a three-year electric rate plan for Central Hudson Gas & Electric Corporation (Central Hudson) for the period July 1, 2021 through June 30, 2024.

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

Subject: Major electric rate plan.

Purpose: To establish a three-year electric rate plan for Central Hudson.

Substance of final rule The Commission, on November 18, 2021, adopted an order establishing a three-year electric rate plan for Central Hudson Gas & Electric Corporation (Central Hudson) for the period July 1, 2021 through June 30, 2024. Central Hudson is directed to file cancellation supplements, effective on not less than one day's notice, on or before November 19, 2021, cancelling the tariff amendments and supplements listed in Attachment 2 to the order. Central Hudson is directed to file, on not less than two days' notice, on or before November 29, 2021, to become effective on December 1, 2021, on a temporary basis, such further tariff amendments as are necessary to effectuate the terms of the order. Central Hudson shall serve copies of its filing on all parties to these cases. Any comments on the compliance filing must be filed within 14 days of service of the proposed amendments. The amendments specified in the compliance filing shall not become effective on a permanent basis until approved by the Commission. Central Hudson is directed to file such tariff changes as are necessary to effectuate the terms of the order for Rate Year 2 ending June 30, 2023, and for Rate Year 3 ending June 30, 2024, on not less than 30 days' notice. Such tariff changes shall be effective only on a temporary basis until approved by the Commission, 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-0428SA1)

NOTICE OF ADOPTION

Stock Acquisition

I.D. No. PSC-07-21-00007-A

Filing Date: 2021-11-22

Effective Date: 2021-11-22

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

Action taken: On 11/18/21, the PSC adopted an order approving, subject to conditions, The Vanguard Group, Inc.'s (VGI) request to acquire certain stock.

Statutory authority: Public Service Law, sections 70, 83, 89-h, 100 and 222

Subject: Stock acquisition.

Purpose: To approve, subject to conditions, VGI's request to acquire stock.

Text or summary was published The Commission, on November 18, 2021,

adopted an order approving, subject to conditions, The Vanguard Group, Inc.'s (VGI) request to acquire certain stock. The stock acquisition authorizations discussed in the order are hereby granted subject to a 20% limit on the acquisition in the aggregate by Vanguard of the outstanding voting securities of any and all companies under the jurisdiction of the Commission, and a limit of 10% of the outstanding voting securities of any and all companies under the jurisdiction of the Commission by any individual VGI subsidiary or mutual fund, consistent with the discussion in the order. Vanguard shall file with the Commission on a quarterly basis, within 45 days of the end of the quarter, a report listing their holdings of utility voting securities, stated in terms of the number of shares held and as a percentage of the outstanding shares. If a new entity that acquires stock of any and all companies under the jurisdiction of the Commission is to be covered by this authorization, Vanguard must provide notice in a report with the name, functions, and regulatory safeguards applicable to that entity, as well as a reiteration of Vanguard's commitment not to acquire securities that will result in a transfer of control of any company under the jurisdiction of the Commission, on a quarterly basis, within 45 days of the end of the quarter. Vanguard must also inform the Commission of any material change in circumstances, within 30 days of such change, that would reflect a departure from the facts, policies, and procedures under which this authorization was given, 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-M-0602SA1)

NOTICE OF ADOPTION

Declaratory Ruling and Financing Related to the Transfer of Ownership

I.D. No. PSC-19-21-00013-A

Filing Date: 2021-11-22

Effective Date: 2021-11-22

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

Action taken: On 11/18/21, the PSC adopted an order approving Generation Bridge Acquisition, LLC (Generation Bridge) and NRG Energy, Inc.'s (NRG) petition for a declaratory ruling for no further review of the transfer of ownership and financing related to the transfer.

Statutory authority: Public Service Law, sections 5, 64, 65, 66, 69 and 70

Subject: Declaratory ruling and financing related to the transfer of ownership.

Purpose: To approve Generation Bridge and NRG's petition for a declaratory ruling and financing related to the transfer of ownership.

Text or summary was published The Commission, on November 18, 2021, adopted an order approving Generation Bridge Acquisition, LLC (Generation Bridge) and NRG Energy, Inc.'s (NRG) petition for a declaratory ruling for no further review of NRG's proposed transfer of upstream ownership interests in Oswego Harbor Power, LLC (Oswego) and Arthur Kill Power, LLC (Arthur Kill) to Generation Bridge and financing related to the transfer. Oswego and Arthur Kill are authorized to enter into the financing arrangements, including financing flexibility, up to a maximum amount of \$700 million, 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-0196SA1)

NOTICE OF ADOPTION

Petition for Waiver

I.D. No. PSC-23-21-00002-A

Filing Date: 2021-11-19

Effective Date: 2021-11-19

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

Action taken: On 11/18/21, the PSC adopted an order denying New York State Electric & Gas Corporation's (NYSEG) petition for a limited waiver from a provision of its tariff that addresses the priority of applicants' eligibility for service.

Statutory authority: Public Service Law, sections 65 and 66

Subject: Petition for waiver.

Purpose: To deny NYSEG's petition for a waiver.

Text or summary was published in the June 9, 2021 issue of the Register, I.D. No. PSC-23-21-00002-P.

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.

(19-G-0379SA2)

NOTICE OF ADOPTION

Petition for Rehearing

I.D. No. PSC-23-21-00003-A

Filing Date: 2021-11-18

Effective Date: 2021-11-18

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

Action taken: On 11/18/21, the PSC adopted an order denying Mission:data Coalition and the Joint Utilities' petition for rehearing of the Data Access Framework Order while providing clarification for the order and reestablishing the tariff modification deadline.

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

Subject: Petition for rehearing.

Purpose: To deny Mission:data and the Joint Utilities' petition for rehearing.

Text or summary was published in the June 9, 2021 issue of the Register, I.D. No. PSC-23-21-00003-P.

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-M-0082SA4)

NOTICE OF ADOPTION

Petition for Alternative Recovery Mechanism

I.D. No. PSC-23-21-00004-A

Filing Date: 2021-11-18

Effective Date: 2021-11-18

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

Action taken: On 11/18/21, the PSC adopted an order approving Consolidated Edison of New York, Inc.'s (Con Edison) petition to establish an alternative recovery mechanism to recover its unbilled fees.

Statutory authority: Public Service Law, sections 65 and 66

Subject: Petition for alternative recovery mechanism.

Purpose: To approve Con Edison's petition for an alternative recovery mechanism.

Text or summary was published in the June 9, 2021 issue of the Register, I.D. No. PSC-23-21-00004-P.

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.

(19-E-0065SA3)

NOTICE OF ADOPTION

Waiver Extension on ESCO Low-Income Prohibition

I.D. No. PSC-27-21-00011-A

Filing Date: 2021-11-19

Effective Date: 2021-11-19

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

Action taken: On 11/18/21, the PSC adopted an order approving NOCO Electric, LLC and NOCO Natural Gas, LLC's (NOCO) petition for a 24-month waiver extension on the Energy Service Company (ESCO) Low-Income Prohibition.

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

Subject: Waiver extension on ESCO Low-Income Prohibition.

Purpose: To approve NOCO's petition for a 24-month waiver extension on ESCO Low-Income Prohibition.

Text or summary was published in the July 7, 2021 issue of the Register, I.D. No. PSC-27-21-00011-P.

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.

12-M-0476SA35()

NOTICE OF ADOPTION

Financing Petition

I.D. No. PSC-31-21-00008-A

Filing Date: 2021-11-22

Effective Date: 2021-11-22

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

Action taken: On 11/18/21, the PSC adopted an order authorizing Central Hudson Gas & Electric Corporation (Central Hudson) to issue and sell up to \$412 million of unsecured long-term debt securities in one or more transactions, not later than December 31, 2024.

Statutory authority: Public Service Law, section 69

Subject: Financing petition.

Purpose: To authorize Central Hudson's request to issue and sell unsecured debt obligations.

Text or summary was published in the August 4, 2021 issue of the Register, I.D. No. PSC-31-21-00008-P.

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-0365SA1)

NOTICE OF ADOPTION

Financing Petition

I.D. No. PSC-34-21-00008-A

Filing Date: 2021-11-19

Effective Date: 2021-11-19

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

Action taken: On 11/18/21, the PSC adopted an order authorizing Consolidated Edison Company of New York, Inc. (Con Edison) to issue and sell up to \$4.025 billion of long-term debt securities in one or more transactions, not later than December 31, 2025.

Statutory authority: Public Service Law, section 69

Subject: Financing petition.

Purpose: To authorize Con Edison's request to issue and sell unsecured debt obligations.

Text or summary was published in the August 25, 2021 issue of the Register, I.D. No. PSC-34-21-00008-P.

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-0403SA1)

NOTICE OF ADOPTION

Tariff Amendments

I.D. No. PSC-34-21-00009-A

Filing Date: 2021-11-18

Effective Date: 2021-11-18

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

Action taken: On 11/18/21, the PSC adopted an order approving National Fuel Gas Distribution Corporation's (NFG) tariff amendments to P.S.C. No. 9—Gas, to continue its PRIME-WNY Pilot Program, to become effective on December 1, 2021.

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

Subject: Tariff amendments.

Purpose: To approve NFG's tariff amendments.

Substance of final rule The Commission, on November 18, 2021, adopted an order approving National Fuel Gas Distribution Corporation's (NFG) tariff amendments to P.S.C. No. 9 – Gas, to continue its Partnership to Revitalize the Industrial Manufacturing Economy of Western New York (PRIME-WNY) Pilot Program for an additional three-year term, or through November 30, 2024, to become effective on December 1, 2021. NFG is directed to notify all qualifying customers of the continuation of the PRIME-WNY Pilot Program. NFG is to file proof of customer notification with the Secretary to the Commission, within six weeks of the date of issuance of the order. NFG is also directed to make an annual filing conforming with the requirements of Appendix B and previous Commission orders, beginning July 1, 2022, and annually thereafter on July 1, 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-G-0423SA1)

NOTICE OF ADOPTION

Tariff Amendments

I.D. No. PSC-35-21-00008-A

Filing Date: 2021-11-22

Effective Date: 2021-11-22

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

Action taken: On 11/18/21, the PSC adopted an order approving Consolidated Edison Company of New York, Inc.'s (Con Edison) tariff amendments to P.S.C. No. 10 and No. 12 — Electricity, to become effective on December 1, 2021.

Statutory authority: Public Service Law, sections 65 and 66

Subject: Tariff amendments.

Purpose: To approve Con Edison's tariff amendments.

Text or summary was published in the September 1, 2021 issue of the Register, I.D. No. PSC-35-21-00008-P.

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-0414SA1)

NOTICE OF ADOPTION

Tariff Amendments

I.D. No. PSC-37-21-00016-A

Filing Date: 2021-11-22

Effective Date: 2021-11-22

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

Action taken: On 11/18/21, the PSC adopted an order approving, with modifications, Consolidated Edison Company of New York, Inc. (Con Edison) and Orange and Rockland Utilities, Inc.'s (O&R) tariff amendments, to become effective on December 1, 2021.

Statutory authority: Public Service Law, sections 65 and 66

Subject: Tariff amendments.

Purpose: To approve Con Edison and O&R's tariff amendments.

Text or summary was published in the September 15, 2021 issue of the Register, I.D. No. PSC-37-21-00016-P.

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-0405SA1)

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

Amendments to the SIR

I.D. No. PSC-49-21-00011-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 by members of the Interconnection Policy Working Group requesting that the Commission amend the cost-sharing process in the New York State Standardized Interconnection Requirements (SIR).

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

Subject: Amendments to the SIR.

Purpose: To more effectively interconnect distributed generation and energy storage systems 5 MW or less to the distribution system.

Substance of proposed rule: The New York State Public Service Commission (Commission) is considering a petition, dated October 28, 2021, filed by members of the Interconnection Policy Working Group (IPWG), to modify the New York State Standardized Interconnection Requirements and Application Process for New Distributed Generators and Energy Storage Systems 5 MW or Less Connected in Parallel with Utility Distribution Systems (the SIR) to incorporate and implement the Cost-Sharing 2.0 Proposal approved by the Commission's July 16, 2021 Order Approving Cost-Sharing Mechanism and Making Other Findings in this Case. (Interim Order). Additionally, the petition proposes a mechanism that would foreclose free ridership for substation upgrades and substation transformer installations and/or upgrades, whether identified through utility planning or initiated in response to the market, as directed by the Interim Order.

The petition suggests that the Cost-Sharing 2.0 Proposal be added as a new section within the existing Section I. Application Process as "Section E. Cost Sharing for Qualifying Upgrades." Exhibit A to the petition contains the proposed Section I-E, which the petition explains also addresses the Commission's findings regarding: (i) the treatment of the unrecovered cost of qualifying upgrades and minimum subscription thresholds; (ii) a minimum subscription level of 25 percent of the enabled hosting capacity for market-driven substation upgrades other than substation transformer upgrades; (iii) the ability of Triggering Projects and any Sharing Projects to increase their payments to provide the threshold funding necessary for the utility to move ahead with a Qualifying Upgrade; and (iv) free-ridership principles.

To address the Commission's directive to foreclose free ridership of substation upgrades and substation transformer installations and/or upgrades, the petition proposes that the utilities continue to collect contributions from Participating Projects up to five years after a Qualifying Upgrade is placed in service, or all available hosting capacity from a Qualifying Upgrade is used, whichever comes first. This issue is addressed in the new proposed Section E as "Unsubscribed Capacity."

In addition to addressing the Interim Order directives, the petition proposes a queue management plan for applications that are in the queue at the time the Commission issues an order acting upon the petition, as follows: (i) Cost-Sharing 2.0 shall apply to projects that have not yet completed the Coordinated Electric System Interconnection Review (CESIR); (ii) Cost-Sharing 2.0 shall apply to projects undergoing a CESIR with an additional 15 Business Days allotted for the utility to integrate the new mechanism into the CESIR for those projects that have 15 Business Days or less left in the CESIR timeline; (iii) an applicant that has a complete CESIR and either has or has not yet paid the initial 25 percent may request an evaluation of the completed CESIR to determine if any identified components would be subject to cost-sharing 2.0; and, (iv) projects that have made full payment prior to issuance of the Interim Order be excluded from participating in Cost-Sharing 2.0. The petition references an additional scenario where a project may have received a pro rata invoice but elected to pay the full invoice rather than wait for subsequent projects to contribute its pro rata shares, and suggest that these projects progress under the "first mover" rule established by the Commission's January 25, 2017 Order Adopting Interconnection Management Plan and Cost Allocation Mechanism in Case 16-E-0560.

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) 474-6530, email: secretary@dps.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-E-0543SP2)

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

Hosting Capacity Maps at Investor-Owned Electric Utilities

I.D. No. PSC-49-21-00012-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 filing by the Joint Utilities proposing hosting capacity enhancements.

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

Subject: Hosting capacity maps at investor-owned electric utilities.

Purpose: To provide more useful information about the distribution system's hosting capacity.

Substance of proposed rule: The New York State Public Service Commission (Commission) is considering a filing by Central Hudson Gas & Electric Corporation, Consolidated Edison Company of New York, Inc., New York State Electric & Gas Corporation, Niagara Mohawk Power Corporation d/b/a National Grid, Orange and Rockland Utilities, Inc., and Rochester Gas and Electric Corporation (collectively, the Joint Utilities) on October 28, 2021, proposing enhancements to hosting capacity maps that are responsive to the Commission's July 16, 2021 Order Approving Cost-Sharing Mechanism and Making Other Findings.

The Joint Utilities' filing proposes to post additional information to each utility's hosting capacity map for projects that are eligible for the Capital Project Queue due to construction lead times greater than 24 months. Specifically, the hosting capacity maps would contain: a planned upgrade's location; the anticipated impact on available capacity; the anticipated in-service date; and the known or estimated costs of the planned upgrade.

Hosting capacity maps would be updated annually to reflect Multi-value Distribution projects as part of each utility's capital planning cycle under the Joint Utility proposal. Additionally, hosting capacity maps would be updated quarterly with any new market-initiated upgrades that will take the utility greater than 24 months to construct following receipt of threshold payments from applicants.

The Joint Utilities state that they are ready to make the proposed hosting capacity updates subject to the Commission's approval.

The full text of the filing 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.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-E-0543SP4)

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

Amendments to the SIR and Funding Mechanisms

I.D. No. PSC-49-21-00013-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 the petition by the Joint Utilities proposing a reimbursement mechanism to implement the Cost-Sharing 2.0 Standardized Interconnection Requirements (SIR) amendment.

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

Subject: Amendments to the SIR and funding mechanisms.

Purpose: To more equitably share costs among distributed generation and energy storage projects that require capital upgrades.

Substance of proposed rule: The New York State Public Service Commission (Commission) is considering an October 28, 2021 petition by Central Hudson Gas & Electric Corporation, Consolidated Edison Company of New York, Inc., New York State Electric & Gas Corporation, Niagara Mohawk Power Corporation d/b/a National Grid, Orange and Rockland Utilities, Inc., and Rochester Gas and Electric Corporation, collectively, the Joint Utilities, proposing a reimbursement mechanism to implement Cost-Sharing 2.0.

The Joint Utilities explain that they worked with Department of Public Service Staff and members of the Interconnection Policy Working Group (IPWG), including the New York Solar Energy Industries Association (NYSEIA), New York Battery and Energy Storage Technology Consortium (NY-BEST), Ameresco, BlueWave Solar, Borrego Solar Systems, Inc., BQ Energy, Bright Power, Con Edison Clean Energy Businesses, Inc., Cypress Creek Renewables, LLC, Dimension Renewable Energy, Distributed Sun, LLC, Ecology Energy, EDF Renewables North America, EmPower Solar, Horizon Power, Nexamp, Inc., Omni Navitas, Oya Solar Inc., PowerFlex, RIC Energy, Saturn Power, SunCommon, Sunkeeper Solar, and US Light North America, (collectively, the IPWG Members), to develop the reimbursement mechanism that would operate in advance of the Standardized Interconnection Requirements (SIR) final cost reconciliation for sub-transmission and distribution line projects and underground secondary networks.

Under the proposal, the interconnecting utility would reimburse distributed generation (DG) or energy storage system (ESS) applicants based on estimated project costs rather than waiting until actual utility cost reconciliation, to minimize developers' capital burden. Specifically, the project that triggers the need for upgrades to a distribution or sub-transmission line (the "Triggering Project") – referred to as a "DG/ESS Encumbered Line" – would pay the full upgrade costs. Subsequent projects that benefit from the upgrade ("Sharing Projects") would contribute to the cost based on project size and the portion of the DG Encumbered Line to be used. The Joint Utilities explain that this proposal is detailed in the October 29, 2020 Petition of the IPWG Members Seeking a Cost-Sharing Amendment to the SIR in Exhibit A, Appendix A entitled "Calculating Encumbered Line Cost-Sharing Contribution of DG/ESS Projects."

The petition explains that, when the Triggering Project and Sharing Project(s) pay 100 percent of their respective payments, the utility would reimburse Sharing Projects' estimated costs to the Triggering Project within 60 Business Days. Once any applicant has made 100 percent of its required payment, the applicant would forfeit any reimbursement of funds applied to a Qualifying Upgrade if that project subsequently withdraws from the queue, unless another project takes its place under this proposal. When the utility costs for all participating projects on a DG Encumbered Line are reconciled, both the Triggering Project and any Sharing Projects would be billed or refunded by the utility per the SIR.

Additionally, the petition proposes a mechanism for projects to pay more than their pro rata share for substation upgrades in order to meet the minimum 75 percent threshold for substation transformer upgrades and a minimum 25 percent threshold for other substation upgrades. The Joint Utilities explain that any Triggering Project or Sharing Project that pays more than its pro rata share to meet minimum thresholds would receive refunds in order to reduce its contributions to their pro rata share when subsequent Sharing Projects contribute to Qualifying Upgrade costs. The utility would reimburse Sharing Projects' estimated costs to the Triggering Project and/or other Sharing Projects within 60 Business Days, similar to the DG Encumbered Line mechanism. The petition states that, if an applicant makes 100 percent of the required payment, it would forfeit any reimbursement for funds applied to a Qualifying Upgrade if the associated project subsequently withdraws from the queue, unless another Sharing

Project is added to the queue and has made 100 percent of their payment. Finally, when the utility costs for all participating projects in a substation Qualifying Upgrade are reconciled, both the Triggering Project and any Sharing Projects would be billed or refunded by the utility per the SIR.

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) 474-6530, email: secretary@dps.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-E-0543SP3)

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

A Tier 4 Renewable Energy Certificate Contract

I.D. No. PSC-49-21-00014-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 petition filed by the New York State Energy Research and Development Authority for a contract for the purchase of Tier 4 renewable energy certificates from Clean Path New York.

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

Subject: A Tier 4 renewable energy certificate contract.

Purpose: To increase renewable generation in New York city.

Substance of proposed rule: The Public Service Commission (Commission) is considering a petition (Petition), filed by the New York State Energy Research and Development Authority (NYSERDA) and Department of Public Service Staff (Staff) for a contract for the purchase of Tier 4 renewable energy certificates (RECs) from Clean Path New York (CPNY) by NYSERDA.

The Tier 4 program adopted as part of the Commission's Clean Energy Standard (CES) was established in October 2020 with the objective of increasing renewable generation in New York City, and thus reducing New York City's reliance on energy from fossil fuel fired power plants. The Commission directed NYSERDA to conduct a Tier 4 solicitation and required that any agreement(s) for the procurement of Tier 4 RECs to be filed with the Commission for approval on the basis of whether it advances the public interest. The CPNY project is one of two projects awarded a contract following the competitive solicitation process and now before the Commission for review.

The petition asserts that the benefits provided by the CPNY project constitutes a sufficiently compelling proposition to warrant this level of commitment from the State. The CPNY project includes a new 174-mile, 1,300 megawatt (MW) high voltage direct current (HVDC) transmission line from a withdrawal point near the Frasier Substation in Delaware County, NY to the injection point at the Rainey Substation in Queens, NY. Delivered over the transmission line into New York City would be a resource portfolio consisting of 23 generation resources, including 1,932 MW of wind capacity and 1,430 MW of solar capacity. 14 projects within the portfolio, representing a total of 1,613 MW of capacity, have existing Tier 1 REC contracts with NYSERDA. CPNY's proposal was evaluated consistent with the Commission's directives for evaluation of Tier 4 proposals and was awarded a contract with NYSERDA for the purchase of Tier 4 RECs as one of the top two ranked projects submitted in response to the Tier 4 solicitation.

According to the petition, the CPNY project is sufficiently viable, will afford operational flexibility, and will provide energy to New York City during hours with high net load. The CPNY project, the petition continues, will provide additional economic benefits to the State in the form of a

combined upfront private sector investment of \$2.1 billion in the upstate and downstate economies over the first three years of the contract delivery terms, including significant investment in Disadvantaged Communities. An additional \$2.5 billion is expected to be invested over the remainder of the contract delivery term, including significant investment in Disadvantaged Communities, for a total of over \$4.7 billion over the full 25-year term. The petition explains that the CPNY project will support nearly 8,300 short- and long-term jobs in project development, construction, and operation over the 25-year contract delivery term, with the project committing to \$270 million of investments in activities that provide opportunities for the workforce and communities in New York State.

The CPNY project was proposed under NYSEERDA's Index REC pricing option. As such, the bid price was submitted as a Year 1 Strike Price that represents the project's targeted total amount of revenue per megawatt hour (MWh) from commodity revenues (energy and capacity) and Tier 4 REC compensation, and an annual escalation rate to be applied to the Strike Price. Net Tier 4 REC payments would be calculated by deducting annual Reference Energy and Capacity Prices from the Strike Price. The petition provides that the levelized net REC cost (LNRC) for each Tier 4 REC delivered into New York City by the CPNY project is \$23.36/MWh. Additionally, in the event a federal transmission investment tax credit is introduced, the CPNY Project would reduce its price such that 75% of the benefit from such tax credit is translated into a price reduction with equivalent reduction in the cost to ratepayers. This could result in a reduction of the LNRC to as low as \$19.67/MWh.

As part of the public interest review, Tier 4 projects were submitted to benefit cost analysis (BCA). Across a wide range of scenarios, the petition explains, the CPNY project, both individually and combined with the other awarded project, present net societal benefits, allowing for a high level of confidence in the overall conclusion that the societal benefits from the recommended projects exceed costs and that the projects thus pass the benefit cost test. In most scenarios, the petition continues, benefits from the system resource cost savings (such as fewer additional investments needed in energy storage and transmission as a result of the Tier 4 projects) alone almost equal the resource cost of the Tier 4 projects or even outweigh them. In addition, societal benefits include significant health benefits from better air quality and the value of avoided greenhouse gas emissions, according to the petition. The petition further describes additional benefits provided by the CPNY project, including reducing Zone J's reliance on fossil-fuel-fired generation, complimenting the development of offshore wind, and reducing transmission congestion at the Central-East interface.

The Tier 4 Renewable Energy Certificate Purchase and Sale Agreement between NYSEERDA and CPNY was attached to the petition as Appendix A, with the petition describing some of the key terms as follows. The CPNY contract includes provisions regarding: the impacts on Disadvantaged Communities, ensuring that benefits arising out of the contract are provided to such communities; extension of commercial operation dates or terminations of the contract in the event that the Commission does not approve the contract within 195 days after contract signing; termination or modification of the contract in the event that Commission approval of the contract imposes conditions that would materially adversely affect the project's pricing, revenues or obligations; NYSEERDA's right to terminate the contract if the associated transmission line has not achieved commercial operation by the prescribed commercial operation deadline; a Tier 4 REC Delivery Verification Plan; the establishment of minimum Tier 4 REC delivery requirements which will be measured over a period of three preceding six-month seasonal capability periods, commencing with the third seasonal capability period after the commencement of the delivery term; the inclusion of Tier 4 RECs corresponding to energy that was not delivered into Zone J because of NYISO dispatch decision for purposes of calculating the minimum REC delivery requirements; the impacts of the COVID-19 pandemic; uncertainties related to the current absence of NYISO market rules governing internally controlled transmission lines; transmission line interconnection; the deadline to file an application under Article VII of the New York State Public Service Law; the deadline to issue a notice to proceed under the construction contract for the new transmission facility; curtailment of local generation facilities; the Canisteo project; the treatment of additional RECs; Project Labor Agreements; changes in the siting of the project's New York City converter station; and treatment of relief that is provided to Tier 1 contract awardees in the event of a change in law.

The petition further proposes that NYSEERDA enter into a contract with the City of New York for the purchase of Tier 4 RECs, which could reduce the ratepayer costs to fund the Tier 4 program. Concurrent with the petition, New York City has filed a petition requesting that, in recognition of the significant financial commitment it would take on through its Tier 4 REC purchase and the resulting net benefit to statewide ratepayers, the Commission grant the City relief from the obligations and costs it would ordinarily have to bear through its electricity bill payments in respect of the CES, other than those relating to the offshore wind program.

The full text of the petition, including the CPNY contract, 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.

(15-E-0302SP50)

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

A Tier 4 Renewable Energy Certificate Contract

I.D. No. PSC-49-21-00015-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 the New York State Energy Research and Development Authority for a contract for the purchase of Tier 4 renewable energy certificates from Champlain Hudson Power Express/Hydro Quebec US.

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

Subject: A Tier 4 renewable energy certificate contract.

Purpose: To increase renewable generation in New York city.

Substance of proposed rule: The Public Service Commission (Commission) is considering a petition (Petition), filed by the New York State Energy Research and Development Authority (NYSEERDA) and Department of Public Service Staff (Staff) for a contract for the purchase of Tier 4 renewable energy certificates (RECs) from Champlain Hudson Power Express/Hydro Quebec US (HQUS) by NYSEERDA.

The Tier 4 program adopted as part of the Commission's Clean Energy Standard (CES) was established in October 2020 with the objective of increasing renewable generation in New York City, and thus reducing New York City's reliance on energy from fossil fuel fired generation. The Commission directed NYSEERDA to conduct a Tier 4 solicitation and required that any agreement(s) for the procurement of Tier 4 RECs to be filed with the Commission for approval on the basis of whether it advances the public interest. The HQUS project is one of two projects awarded a contract following the competitive solicitation process and now before the Commission for review.

The petition asserts that the benefits provided by the HQUS project constitutes a sufficiently compelling proposition to warrant this level of commitment from the State. The HQUS project includes a new 375-mile (36 miles in Quebec and 339 miles in New York), 1,250 megawatt (MW) high voltage direct current (HVDC) transmission line from a withdrawal point at the Hertel Substation in La Prairie, Quebec to the injection point at the Astoria Annex Substation in Queens, NY. Hydropower from Quebec will be delivered over the transmission line into New York City. HQUS's proposal was evaluated consistent with the Commission's directives for evaluation of Tier 4 proposals and was awarded a contract with NYSEERDA for the purchase of Tier 4 RECs as one of the top two ranked projects submitted in response to the Tier 4 solicitation.

According to the petition, the HQUS project is sufficiently viable, will afford operational flexibility, and will provide energy to New York City during hours with high net load. The HQUS project, the petition continues, will provide additional economic benefits to the State in the form of a combined upfront private sector investment of \$1.3 billion in the upstate and downstate economies over the first three years of the contract delivery terms, including significant investment in Disadvantaged Communities. An additional \$2.1 billion is expected to be invested over the remainder of the contract delivery term, including significant investment in Disadvantaged Communities, for a total of over \$3.4 billion over the full 25-year

term. The petition explains that the HQUS project will support over 1,400 jobs in project development, construction, and operation over the 25-year contract delivery term.

The HQUS project was proposed under NYSEERDA's Index REC pricing option. As such, the bid price was submitted as a Year 1 Strike Price that represents the project's targeted total amount of revenue per megawatt hour (MWh) from commodity revenues (energy and capacity) and Tier 4 REC compensation, and an annual escalation rate to be applied to the Strike Price. Net Tier 4 REC payments would be calculated by deducting annual Reference Energy and Capacity Prices from the Strike Price. The petition provides that the levelized net REC cost (LNRC) for each Tier 4 REC delivered into New York City by the HQUS project is \$32.01/MWh. Additionally, in the event a federal transmission investment tax credit is introduced, the HQUS Project would reduce its price such that 75% of the benefit from such tax credit is translated into a price reduction with equivalent reduction in the cost to ratepayers. This could result in a reduction of the LNRC to as low as \$28.21/MWh.

As part of the public interest review, Tier 4 projects were submitted to benefit cost analysis (BCA). Across a wide range of scenarios, the petition explains, the HQUS project, both individually and combined with the other awarded project, present net societal benefits, allowing for a high level of confidence in the overall conclusion that the societal benefits from the recommended projects exceed costs and that the projects thus pass the benefit cost test. In most scenarios, the petition continues, benefits from the system resource cost savings (such as fewer additional investments needed in energy storage and transmission as a result of the Tier 4 projects) alone almost equal the resource cost of the Tier 4 projects or even outweigh them. In addition, societal benefits include significant health benefits from better air quality and the value of avoided greenhouse gas emissions, according to the petition. The petition further describes additional benefits provided by the HQUS project, including reducing Zone J's reliance on fossil-fuel-fired generation and complimenting the development of offshore wind.

The Tier 4 Renewable Energy Certificate Purchase and Sale Agreement between NYSEERDA and HQUS was attached to the petition as Appendix B, with the petition describing some of the key terms as follows. The HQUS contract includes provisions regarding: the impacts on Disadvantaged Communities, ensuring that benefits arising out of the contract are provided to such communities; extension of commercial operation dates or terminations of the contract in the event that the Commission does not approve the contract within 195 days after contract signing; termination or modification of the contract in the event that Commission approval of the contract imposes conditions that would materially adversely affect the project's pricing, revenues or obligations; NYSEERDA's right to terminate the contract if the associated transmission line has not achieved commercial operation by the prescribed commercial operation deadline; a Tier 4 REC Delivery Verification Plan; the establishment of minimum Tier 4 REC delivery requirements which will be measured over a period of three preceding six-month seasonal capability periods, commencing with the third seasonal capability period after the commencement of the delivery term; the inclusion of Tier 4 RECs corresponding to energy that was not delivered into Zone J because of NYISO dispatch decision for purposes of calculating the minimum REC delivery requirements; the impacts of the COVID-19 pandemic; an obligation on behalf of HQUS to cause the U.S. transmission provider to issue a notice to proceed under the construction contract for the associate transmission line on or before the nine-month anniversary of the date of Commission approval of the contract, as well as a termination right in the event that this does not occur; the addition of 4.0 terawatt hours (TWh) of Qualified Renewable Energy annually; reduction of minimum delivery requirements; insurance coverage; mitigation of environmental impacts on the Hudson River; and commitments respecting indigenous communities.

HQUS' winning bid did not include a Supplier Energy Baseline, which was deemed discretionary by the Commission. Regarding the Supplier Greenhouse Gas Baseline (Supplier GHG Baseline), and to address the inherent challenges posed to hydropower production from the variability of water flows, the contract contains a negotiated modification to the Supplier GHG Baseline provisions. As described in the petition, the Supplier GHG Baseline modification employs a system of "banking" and "borrowing" that has the effect of averaging the HQUS project's production over the contract delivery term, subject to certain limitations. To the extent that the HQUS resources generate energy in excess of the Supplier GHG Baseline limit plus the amount of Tier 4 energy delivered into Zone J, HQUS will be permitted to "bank" the surplus energy, effectively creating a credit in the amount of the surplus. The modification also allows HQUS to "borrow" by enabling HQUS to sell a full complement of Tier 4 RECs in years in which its production would not permit HQUS to do so. As proposed, any banking and borrowing over time would be accounted as a net positive or negative balance, and HQUS cannot accumulate surplus or deficit balances at any time in excess of 80 TWh.

The petition further proposes that NYSEERDA enter into a contract with the City of New York for the purchase of Tier 4 RECs, which could reduce the ratepayer costs to fund the Tier 4 program. Concurrent with the petition, New York City has filed a petition requesting that, in recognition of the significant financial commitment it would take on through its Tier 4 REC purchase and the resulting net benefit to statewide ratepayers, the Commission grant the City relief from the obligations and costs it would ordinarily have to bear through its electricity bill payments in respect of the CES, other than those relating to the offshore wind program.

The full text of the petition, including the HQUS contract, 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.

(15-E-0302SP51)

Office of Temporary and Disability Assistance

EMERGENCY RULE MAKING

Standard Utility Allowances (SUAs) for the Supplemental Nutrition Assistance Program (SNAP)

I.D. No. TDA-39-21-00004-E

Filing No. 1168

Filing Date: 2021-11-23

Effective Date: 2021-12-13

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

Action taken: Amendment of section 387.12(f)(3)(v)(a)-(c) of Title 18 NYCRR.

Statutory authority: Social Services Law, sections 17(a)-(b), (k), 20(3)(d), 95; 7 United States Code, section 2014 (e)(6)(C); 7 Code of Federal Regulations, section 273.9 (d)(6)(iii)

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

Specific reasons underlying the finding of necessity: It is of great importance that the federally-approved standard utility allowances (SUAs) for the Supplemental Nutrition Assistance Program (SNAP) are applied to SNAP benefit calculations effective October 1, 2021, and thereafter until new amounts eventually are approved by the United States Department of Agriculture (USDA). The new federally-approved SUA amounts for heating/cooling, utilities and telephone must be implemented by the October 1, 2021 deadline. The use of SUAs that are not authorized by the USDA could result in severe fiscal sanctions by the federal government against the State. These emergency amendments protect the public health and general welfare by setting forth the federally-approved SUAs effective as of October 1, 2021.

As stated above, there is no federal authority to use past SUAs after the October 1, 2021 effective date of the new federally-approved allowance amounts. For New York to continue the State option to use the SUA in lieu of the actual utility cost portion of SNAP household shelter expenses, new allowances must be in place. Otherwise, the State may be forced to use the

actual utility cost portion of the shelter expenses of each SNAP household. This policy would result in all 58 social services districts (districts) in New York State having to require up to 1.6 million SNAP households to provide verification of the actual utility cost portions of their shelter expenses. This policy would create a tremendous burden on both districts as well as recipient households. In addition, as actual utility costs are generally significantly less than the SUAs, SNAP households would have a much smaller shelter deduction resulting in a sizeable reduction in their SNAP benefits. This reduction in SNAP benefits for up to 1.6 million SNAP households would result in significant harm to the health and welfare of these households.

It is noted that the regulatory amendments are being promulgated pursuant to a Notice of Emergency Adoption due to time constraints. To preserve public health and general welfare, OTDA originally promulgated the emergency rule via a Notice of Emergency Adoption and Proposed Rule Making on September 14, 2021, and the emergency rule became effective on October 1, 2021. The Notice of Emergency Adoption and Proposed Rule Making was published in the New York State Register on September 29, 2021 under I.D. No. TDA-39-21-00004-EP. OTDA will be accepting public comments on the current emergency rule through November 29, 2021. The current emergency rule expires on December 12, 2021.

This first re-adoption of the current emergency rule is necessary in order to avoid a lapse in the current emergency rule, insofar as the expiration of the 60-day public comment period will not provide sufficient time for OTDA to publish a Notice of Adoption in the New York State Register before the current emergency rule expires on December 12, 2021.

Subject: Standard Utility Allowances (SUAs) for the Supplemental Nutrition Assistance Program (SNAP).

Purpose: These regulatory amendments set forth the federally-approved SUAs as of 10/1/21.

Text of emergency rule: Section 387.12(f)(3)(v)(a)-(c) of Title 18 NYCRR is amended to read as follows:

(a) The standard allowance for heating/cooling consists of the costs for heating and/or cooling the residence, electricity not used to heat or cool the residence, cooking fuel, sewage, trash collection, water fees, fuel for heating hot water and basic service for one telephone. The standard allowance for heating/cooling is available to households which incur heating and/or cooling costs separate and apart from rent and are billed separately from rent or mortgage on a regular basis for heating and/or cooling their residence, or to households entitled to a Home Energy Assistance Program (HEAP) payment or other Low Income Home Energy Assistance Act (LIHEAA) payment. A household living in public housing or other rental housing which has central utility meters and which charges the household for excess heating or cooling costs only is not entitled to the standard allowance for heating/cooling unless they are entitled to a HEAP or LIHEAA payment. Such a household may claim actual costs which are paid separately. Households which do not qualify for the standard allowance for heating/cooling may be allowed to use the standard allowance for utilities or the standard allowance for telephone. As of October 1, [2020] 2021, but subject to subsequent adjustments as required by the United States Department of Agriculture (USDA), the standard allowance for heating/cooling for SNAP applicant and recipient households residing in New York City is [\$801] \$852; for households residing in either Suffolk or Nassau Counties, it is [\$744] \$792; and for households residing in any other county of New York State, it is [\$661] \$703.

(b) The standard allowance for utilities consists of the costs for electricity not used to heat or cool the residence, cooking fuel, sewage, trash collection, water fees, fuel for heating hot water and basic service for one telephone. It is available to households billed separately from rent or mortgage for one or more of these utilities other than telephone. The standard allowance for utilities is available to households which do not qualify for the standard allowance for heating/cooling. Households which do not qualify for the standard allowance for utilities may be allowed to use the standard allowance for telephone. As of October 1, [2020] 2021, but subject to subsequent adjustments as required by the USDA, the standard allowance for utilities for SNAP applicant and recipient households residing in New York City is [\$316] \$336; for households residing in either Suffolk or Nassau Counties, it is [\$292] \$311; and for households residing in any other county of New York State, it is [\$268] \$285.

(c) The standard allowance for telephone consists of the cost for basic service for one telephone. The standard allowance for telephone is available to households which do not qualify for the standard allowance for heating/cooling or the standard allowance for utilities. As of October 1, [2020] 2021, but subject to subsequent adjustments as required by the USDA, the standard allowance for telephone for all SNAP applicant and recipient households residing in New York State is [\$30] \$31.

This notice is intended to serve only as a notice of emergency adoption. This agency intends to adopt the provisions of this emergency rule as a

permanent rule, having previously submitted to the Department of State a notice of proposed rule making, I.D. No. TDA-39-21-00004-EP, Issue of September 29, 2021. The emergency rule will expire January 21, 2022.

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

Regulatory Impact Statement

1. Statutory authority:

The United States Code (U.S.C.), at 7 U.S.C. § 2014(e)(6)(C), provides that in computing shelter expenses for budgeting under the federal Supplemental Nutrition Assistance Program (SNAP), a State agency may use a standard utility allowance (SUA) as provided in federal regulations.

The Code of Federal Regulations (C.F.R.), at 7 C.F.R. § 273.9(d)(6)(iii), provides for SUAs in accordance with SNAP. Clause (A) of this subparagraph states that with federal approval from the Food and Nutrition Services (FNS) of the United States Department of Agriculture (USDA), a State agency may develop SUAs to be used in place of actual costs in calculating a household’s excess shelter deduction. Federal regulations allow for the following types of SUAs: a SUA for all utilities that includes heating or cooling costs; a limited utility allowance that includes electricity and fuel for purposes other than heating or cooling, water, sewerage, well and septic tank installation and maintenance, telephone, and garbage or trash collection; and an individual standard for each type of utility expense. Clause (B) of the subparagraph provides that a State agency must review the SUAs annually and adjust them to reflect changes in costs. State agencies also must provide the amounts of the SUAs to the FNS when the SUAs are changed and submit the methodologies used in developing and updating the SUAs to the FNS for approval whenever the methodologies are developed or changed.

Social Services Law (SSL) § 17(a)-(b) and (k) provide, in part, that the Commissioner of the Office of Temporary and Disability Assistance (OTDA) shall “exercise such other powers and perform such other duties as may be imposed by law.”

SSL § 20(3)(d) authorizes OTDA to promulgate regulations to carry out its powers and duties.

SSL § 95 authorizes OTDA to administer SNAP in New York State (NYS) and to perform such functions as may be appropriate, permitted or required by or pursuant to federal law.

2. Legislative objectives:

It was the intent of the Legislature to implement the federal SNAP Act in NYS in order to provide SNAP benefits to eligible NYS residents.

3. Needs and benefits:

The regulatory amendments set forth the SUAs within NYS as of October 1, 2021. OTDA is amending its SUAs in 18 NYCRR § 387.12(f)(3)(v)(a)-(b) to reflect an increase in fuel and utility costs, which is indicated in the Consumer Price Index (CPI) fuel and utilities values (which includes components for water, sewage and trash collection). Specifically, OTDA is amending the standard allowance for heating/cooling for SNAP applicant and recipient households residing in New York City from \$801 to \$852; the standard allowance for heating/cooling for such households residing in either Nassau or Suffolk Counties from \$744 to \$792; and for such households residing in any other county of NYS \$661 to \$703. OTDA is also amending the standard allowance for utilities for SNAP applicant and recipient households residing in New York City from \$316 to \$336; the standard allowance for utilities for such households residing in either Nassau or Suffolk Counties from \$292 to \$311; and for such households residing in any other county of NYS from \$268 to \$285. OTDA is also amending its standard allowance for telephone, as set forth in 18 NYCRR § 387.12(f)(3)(v)(c), from \$30 to \$31 for all counties in the State.

The following chart sets forth the SUA categories; the past SUAs (“Past SUA”) that were in effect for federal fiscal year (FFY) 2021, from October 1, 2020 through September 30, 2021; and the new SUAs (“New SUA”) that are in effect for FFY 2022, effective October 1, 2021:

	New York City	Nassau / Suffolk Counties	Rest of State
	Past SUA New SUA	Past SUA New SUA	Past SUA New SUA
Heating/Air Conditioning SUA	\$801 \$852	\$744 \$792	\$661 \$703
Basic Utility SUA	\$316 \$336	\$292 \$311	\$268 \$285
Phone SUA	Past SUA: \$30 (for all Counties)	New SUA: \$31 (for all Counties)	

The aforementioned values have been determined in accordance with the current methodology approved by USDA for adjusting New York State's SUA values.

To determine the Heating/Cooling and Limited Utility SUA values for FFY 2022, the Consumer Price Index (CPI) Fuel and Utility value for All Urban Consumers, Not Seasonally Adjusted, for June 2021 was compared to the same CPI Fuel and Utility value for June 2020. (The June 2020 CPI value was used to determine the adjustment for the current FFY 2021 SUA values). The June 2021 CPI-U Fuel and Utility value is 6.409 percent higher than the June 2020 value. Consequently, the SUA figures provided above are 6.409 percent higher than the current FFY 2021 SUA. Rounded to the nearest whole dollar, the resultant values are reflected in the chart above.

To determine the Telephone SUA value for FFY 2022, the Consumer Price Index (CPI) Telephone Services value for All Urban Consumers, Not Seasonally Adjusted, for June 2021 was compared to the same CPI Telephone Services value for June 2020, the CPI value that was used to determine the current FFY 2022 SUA value. The percentage change between June 2020 and June 2021 was then applied to OTDA's current SUA figure and rounded; the June 2021 CPI-U Telephone Services value is 4.372 percent higher than the June 2020 value.

Rounded to the nearest whole dollar, this means that the Telephone SUA value for FFY 2022 will increase statewide from \$30 to \$31.

OTDA has all required approvals from the FNS pertaining to these changes and is required to apply the SUAs for FFY 2022 in its SNAP budgeting effective October 1, 2021. As of October 1, 2021, OTDA does not have federal approval or authority to apply past SUAs in its prospective SNAP budgeting.

It is of great importance that the federally-approved SUAs for the SNAP are applied to SNAP benefit calculations effective October 1, 2021, and thereafter until new amounts eventually are approved by the USDA. The new federally-approved SUA amounts for heating/cooling, utilities and telephone must be implemented by the October 1, 2021 deadline. The use of a SUA that is not authorized by the USDA could result in severe fiscal sanctions by the federal government against the State. These emergency amendments protect the public health and general welfare by setting forth the federally-approved SUAs effective as of October 1, 2021.

As stated above, there is no federal authority to use past SUAs after the October 1, 2021 effective date of the new federally-approved allowance amounts. For New York to continue the State option to use the SUA in lieu of the actual utility cost portion of SNAP household shelter expenses, new allowances must be in place. Otherwise, the State may be forced to use the actual utility cost portion of the shelter expenses of each SNAP household. This policy would result in all 58 social services districts (districts) in NYS having to require up to 1.6 million SNAP households to provide verification of the actual utility cost portions of their shelter expenses. This policy would create a tremendous burden on both districts as well as recipient households. In addition, as actual utility costs are generally significantly less than the SUAs, SNAP households would have a much smaller shelter deduction resulting in a sizeable reduction in their SNAP benefits. This reduction in SNAP benefits for up to 1.6 million SNAP households would result in significant harm to the health and welfare of these households.

4. Costs:

The regulatory amendments will not result in any impact to the State financial plan, they will not impose costs upon the districts because SNAP benefits are 100 percent federally-funded, and they comply with federal statute and regulation to implement federally-approved SUAs.

5. Local government mandates:

The regulatory amendments do not impose any mandates upon districts since the amendments simply set forth the federally-approved SUAs, effective October 1, 2021. Additionally, the calculation of SNAP budgets, which incorporates the SUAs, and the resulting issuances of SNAP benefits are mostly automated processes in New York City and the rest of the State using OTDA's Welfare Management System. To the extent that these processes are not automated, the regulatory amendments do not impose any additional requirements upon the districts in terms of calculating SNAP budgets.

6. Paperwork:

The regulatory amendments do not impose any new forms, new reporting requirements or other paperwork upon the State or the districts.

7. Duplication:

The regulatory amendments do not duplicate, overlap or conflict with any existing State or federal statutes or regulations.

8. Alternatives:

An alternative to the regulatory amendments would be to refrain from implementing the revised SUAs. However, this alternative is not a viable option because if NYS were to opt not to implement the new SUAs or were otherwise judicially precluded from doing so, then NYS would be out of compliance with federal statutory and regulatory requirements.

9. Federal standards:

The regulatory amendments do not conflict with or exceed minimum standards of the Federal Government.

10. Compliance schedule:

To preserve public health and general welfare, OTDA originally promulgated the emergency rule via a Notice of Emergency Adoption and Proposed Rule Making on September 14, 2021, and the emergency rule became effective on October 1, 2021. The current emergency rule expires on December 12, 2021. Since the regulatory amendments are presently in effect, the State and the districts are already in compliance with the regulatory amendments.

Regulatory Flexibility Analysis

A RFASB&LG is not required for the regulatory amendments because the regulatory amendments to 18 NYCRR § 387.12(f)(3)(v)(a)-(c) will neither have an adverse economic impact upon, nor impose reporting, recordkeeping, or other compliance requirements upon small businesses or social services districts (districts). The regulatory amendments set forth the federally-approved standard utility allowances for the Supplemental Nutrition Assistance Program effective October 1, 2021. As it is evident from the nature of the regulatory amendments that they will not have an adverse impact upon or impose reporting, recordkeeping, or other compliance requirements upon small businesses or districts, no further measures were needed to ascertain those facts and, consequently, none were taken.

Rural Area Flexibility Analysis

A RAFA is not required for the regulatory amendments to 18 NYCRR § 387.12(f)(3)(v)(a)-(c) because the regulatory amendments will neither have an adverse impact upon, nor impose reporting, recordkeeping, or other compliance requirements upon rural social services districts (rural districts) or private entities in rural areas. The regulatory amendments set forth the federally-approved standard utility allowances for the Supplemental Nutrition Assistance Program effective October 1, 2021. As it is evident that the regulatory amendments will not have an adverse impact upon or impose reporting, recordkeeping, or other compliance requirements upon rural districts or private entities in rural areas, no further measures were needed to ascertain those facts and, consequently, none were taken.

Job Impact Statement

A JIS is not required for the regulatory amendments. It is apparent from the nature and the purpose of the regulatory amendments that they do not have a substantial adverse impact on jobs and employment opportunities in either the public or the private sectors in New York State (NYS). The regulatory amendments have no effect on small businesses. The regulatory amendments do not affect, in any significant way, the jobs of the workers in the social services districts (districts) or the State. These regulatory amendments set forth the federally-approved standard utility allowances (SUAs) for the Supplemental Nutrition Assistance Program (SNAP) as of October 1, 2021. The calculation of SNAP budgets, which incorporates the SUAs, and the resulting issuances of SNAP benefits are mostly automated processes in New York City and the rest of the State using the Office of Temporary and Disability Assistance's Welfare Management System. To the extent these processes are not automated, the regulatory amendments do not impose any additional requirements upon the districts in terms of calculating SNAP budgets. Thus, the regulatory amendments do not have any adverse impact on jobs and employment opportunities in either the public or private sectors of NYS.

**HEARINGS SCHEDULED
FOR PROPOSED RULE MAKINGS**

Agency I.D. No.	Subject Matter	Location—Date—Time
Power Authority of the State of New York		
PAS-44-21-00016-P	Rates for the Sale of Power and Energy	Video Conference—December 9, 2021, 11:00 a.m.
Public Service Commission		
PSC-44-21-00012-P	Disposition of a New York State Tax Refund	Teleconference—January 4, 2022, 10:00 a.m. (Public Statement 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-W-0356.
Education Department		
EDU-48-21-00008-P	Special Education Impartial Hearing Officers and the Special Education Due Process System Procedures	Zoom—February 1, 2022, 12:00 p.m. Link: https://zoom.us/j/95291448709?pwd=S1E2a3pvRjYvZlQ0eHZKNFpOaTZ6dz09 , Meeting ID: 952 9144 8709, Passcode: MTbs02 Zoom—February 9, 2022, 5:00 p.m. Link: https://zoom.us/j/95132788304?pwd=QmVvaWxvZ2JaRi91bW1pTUxBZ2JHdz09 , Meeting ID: 951 3278 8304, Passcode: 8p4dru Zoom—February 17, 2022, 9:00 a.m. Link: https://zoom.us/j/99029637239?pwd=eHcyEdYRmY3SVF5MnNhdzdpdFZzd09 , Meeting ID: 990 2963 7239, Passcode: 8iqjHd

ACTION PENDING INDEX

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

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

For additional information concerning any of the proposals

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

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

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

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

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
AAM-31-21-00014-P	09/15/22	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-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
ASA-42-21-00008-P	10/20/22	Children and Family Treatment Support Services	Identify services and designation process for children and family treatment and support services
ASA-42-21-00009-P	10/20/22	Incident Reporting in OASAS certified, licensed, funded, or Operated Services	To update and clarify existing language.
ASA-42-21-00010-P	10/20/22	Provision of problem gambling treatment and recovery services.	Identify the requirements for provision of problem gambling services.
ASA-42-21-00012-P	10/20/22	Tobacco-Limited Services	The purpose of the rule is to change the requirement from tobacco "free" services to tobacco "limited" services.
ASA-43-21-00001-P	10/27/22	This part establishes standards for the reimbursement and participation in the Medical Assistance Program	Update language and conform to current State Plan Amendment
ASA-47-21-00001-EP	11/24/22	Telehealth flexibilities and LGBTQ optional endorsement.	To continue telehealth flexibilities allowed under the COVID-19 disaster emergency to become permanent.
ASA-47-21-00002-EP	11/24/22	Patient's Rights in OASAS Programs	To set forth minimum requirements for patient rights in OASAS certified, funded or otherwise authorized programs.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
ALCOHOLISM AND SUBSTANCE ABUSE SERVICES, OFFICE OF			
ASA-48-21-00002-EP	12/01/22	General Provisions applicable to all OASAS programs	To identify those provisions that are required of ALL OASAS certified, funded, or otherwise authorized programs.
CANNABIS MANAGEMENT, OFFICE OF			
OCM-46-21-00010-P	11/17/22	Part 115 - Personal Cultivation of Cannabis	Regulation to authorize the home cultivation of cannabis for certified medical cannabis patients
CHILDREN AND FAMILY SERVICES, OFFICE OF			
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-36-21-00010-EP	09/08/22	Adopt provisions & standards to operationalize compliance with the federal Family First Prevention Services Act	Adopt provisions & standards to operationalize compliance with the federal Family First Prevention Services Act
CIVIL SERVICE, DEPARTMENT OF			
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
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
CVS-31-21-00002-P	08/04/22	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-31-21-00003-P	08/04/22	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-31-21-00004-P	08/04/22	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-31-21-00005-P	08/04/22	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-31-21-00006-P	08/04/22	Jurisdictional Classification	To classify positions in the non-competitive class

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-31-21-00007-P	08/04/22	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-40-21-00008-P	10/06/22	Jurisdictional Classification	To classify a position in the exempt class.
CVS-40-21-00009-P	10/06/22	Jurisdictional Classification	To delete positions from and classify positions in the exempt class.
CVS-40-21-00010-P	10/06/22	Jurisdictional Classification	To delete positions from and classify a position in the exempt class and to classify a position in the non-competitive class
CVS-40-21-00011-P	10/06/22	Jurisdictional Classification	To classify positions in the exempt class.
CVS-40-21-00012-P	10/06/22	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-40-21-00013-P	10/06/22	Jurisdictional Classification	To classify positions in the exempt class.
CVS-40-21-00014-P	10/06/22	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-40-21-00015-P	10/06/22	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-40-21-00016-P	10/06/22	Jurisdictional Classification	To delete a position from and classify a position in the non-competitive class
CVS-44-21-00003-P	11/03/22	Jurisdictional Classification	To delete a position and to classify a position in the exempt class and to classify a position in the non-competitive class
CVS-44-21-00004-P	11/03/22	Jurisdictional Classification	To classify a position in the exempt class.
CVS-44-21-00005-P	11/03/22	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-44-21-00006-P	11/03/22	Jurisdictional Classification	To delete a position in the exempt class.
CVS-44-21-00007-P	11/03/22	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-49-21-00002-P	12/08/22	Jurisdictional Classification	To delete a position from and classify positions in the non-competitive class
CVS-49-21-00003-P	12/08/22	Jurisdictional Classification	To delete positions from the exempt class
CVS-49-21-00004-P	12/08/22	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-49-21-00005-P	12/08/22	Jurisdictional Classification	To classify positions in the exempt class.
CVS-49-21-00006-P	12/08/22	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-49-21-00007-P	12/08/22	Jurisdictional Classification	To classify a position in the non-competitive class

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CORRECTION, STATE COMMISSION OF			
CMC-34-21-00001-P	08/25/22	Jail staffing requirements	To provide county governments and the City of New York an increased role and flexibility in determining officer staffing levels
CORRECTIONS AND COMMUNITY SUPERVISION, DEPARTMENT OF			
CCS-49-21-00001-P	12/08/22	Incarcerated Individual Correspondence Program	To further clarify facility mail processing procedures
CRIMINAL JUSTICE SERVICES, DIVISION OF			
CJS-42-21-00004-EP	10/20/22	Professional Policing Standards	Implementation of the "New York State Professional Policing Act of 2021"
ECONOMIC DEVELOPMENT, DEPARTMENT OF			
*EDV-48-20-00001-RP	12/02/21	Employee Training Incentive Program	To update the administrative processes for the ETIP program
EDV-30-21-00002-EP	07/28/22	New York City Musical and Theatrical Production Tax Credit program	To create the administrative processes for the New York City Musical and Theatrical Production Tax Credit program
EDV-32-21-00004-EP	08/11/22	Restaurant Return-to-Work Tax Credit program	To create the administrative processes for the Restaurant Return-to-Work Tax Credit program
EDV-36-21-00001-P	09/08/22	Excelsior Jobs program	Update regulations to include newly enhanced tax credits for projects including child care services
EDV-44-21-00001-P	11/03/22	Music and Theatrical Tax Credit program	Update regulations to include a third party verification process for application
EDV-45-21-00001-P	11/10/22	Commercial Production Credit Program	Update regulations to include a third party verification process for application submissions.
EDUCATION DEPARTMENT			
*EDU-20-20-00008-ERP	02/14/22	Addressing the COVID-19 Crisis	To provide flexibility for certain regulatory requirements in response to the COVID-19 crisis
EDU-08-21-00002-RP	02/24/22	The Definition of the Term "University"	To clarify and broaden the definition of the term "university"
EDU-17-21-00011-RP	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-21-21-00009-RP	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-39-21-00001-EP	09/29/22	Technical amendments relating to the School Safety and Educational Climate (SSEC) reporting system.	To make technical corrections relating to the SSEC reporting system.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
EDUCATION DEPARTMENT			
EDU-39-21-00008-EP	09/29/22	Flexibility for accountability requirements in response to the COVID-19 crisis.	To provide flexibility for accountability requirements in response to the COVID-19 crisis.
EDU-39-21-00009-P	09/29/22	General Unprofessional Conduct Provisions for the Design Professions and Continuing Education Requirements for the Profession.	To conform regulations with the requirements of Chapter 160 of the Laws of 2020 and to make technical corrections.
EDU-39-21-00010-P	09/29/22	Licensure Examination, Licensure by Endorsement and Continuing Education Requirements in the Profession of Pharmacy	To provide flexibility in determining acceptable licensure examinations and to add compounding continuing education requirements
EDU-39-21-00011-P	09/29/22	Removing References to Regional Accreditation.	To remove references to “regional accreditation” in the Rules of the Board of Regents and Commissioner’s regulations.
EDU-39-21-00012-P	09/29/22	Prohibits schools from filing a law suit against parents or guardians for unpaid meal fees.	To implement and conform Commissioner’s Regulations according to Chapter 315 of the Laws of 2021.
EDU-44-21-00008-EP	11/03/22	Execution by Registered Professional Nurses of Non-Patient Specific Orders to Administer COVID-19 Immunizations	To ensure greater access to immunizations against COVID-19, as permitted by Education Law § 6909.
EDU-44-21-00009-P	11/03/22	Removing face-to-face instruction requirement for the Dignity For All Students Act (DASA) Training.	To remove the face-to-face instruction requirement for DASA training.
EDU-48-21-00008-P	02/17/23	Special education impartial hearing officers and the special education due process system procedures.	To address volume of special education due process complaints in the New York City due process system
EDU-48-21-00009-P	12/01/22	Licensure of Psychologists.	To conform New York State’s licensure requirements with national standards and create a pathway for licensure by endorsement.
EDU-48-21-00010-P	12/01/22	Definition of the term “year of experience” for permanent or professional certification.	To streamline the definition of “year of experience” for permanent or professional certification.
EDU-48-21-00011-P	12/01/22	School districts’ exemption from the establishment of an internal audit function.	To align the student enrollment number for eligibility for such exemption with the applicable statute.
EDU-48-21-00012-EP	12/01/22	Annual visitation of voluntarily registered nursery schools and kindergartens.	To extend flexibility for the annual visitation of voluntarily registered nursery schools and kindergartens to the 2021-2022 SY.
EDU-48-21-00013-P	12/01/22	Records retention and disposition schedules	To revise records retention and disposition schedule LGS-1 and to remove superseded disposition schedules.
ELECTIONS, STATE BOARD OF			
SBE-33-21-00010-P	08/18/22	Public Campaign Finance Program	Implementation of the Public Campaign Finance Program
SBE-39-21-00002-P	09/29/22	County Voter Registration Systems Requirements	Requirements County Voter Registration Systems Must Meet in Order to Connect to the Statewide Voter Registration System

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
ELECTIONS, STATE BOARD OF			
SBE-39-21-00003-P	09/29/22	Required Debates for Statewide Candidates Participating in the Public Campaign Finance Program	Outlines Debate Requirements for Statewide Candidates Participating in the Public Campaign Finance Program
SBE-46-21-00001-P	11/17/22	Public Campaign Finance Board's Enforcement Procedure	Relates to how the Public Campaign Finance Board will enforce the public campaign finance provisions of the Election Law
ENVIRONMENTAL CONSERVATION, DEPARTMENT OF			
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-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
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
ENV-33-21-00004-P	08/18/22	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-36-21-00003-P	11/15/22	Expanded Polystyrene Foam Container and Polystyrene Loose Fill Packaging Reduction	Implementation of the expanded polystyrene foam container and loose fill packaging ban in ECL Art. 27, Title 30
ENV-36-21-00004-P	11/09/22	Medium- and heavy-duty (MHD) zero emission truck annual sales requirements and large entity reporting	Annual zero emission MHD truck sales requirements for model years 2025-2035. Report MHD volumes, operations, and locations
ENV-37-21-00004-P	09/15/22	Deer Hunting	This rulemaking will allow counties to annually, by county law, "opt-out" of the late bow and/or muzzleloader deer seasons
ENV-43-21-00010-P	10/27/22	Sunfish and crappie fishing regulations	To revise sunfish and crappie fishing regulations
ENV-49-21-00008-EP	12/08/22	Sanitary Condition of Shellfish Lands	To reclassify underwater shellfish lands to protect public health
ENV-49-21-00009-P	12/08/22	Freshwater fishing regulation simplification and clean-up	Eliminate unnecessary regulations, provide consistency and align regulations with actual management intent

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
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-38-21-00003-P	..... 09/22/22	Risk-Based Capital; Financial Statement Filings and Accounting Practices and Procedures	To set forth rules regarding the treatment of exchange-traded funds; adopt the 2021 Accounting Practices and Procedures Manual.
DFS-38-21-00004-P	..... 09/22/22	Minimum Standards for Form, Content, and Sale of Health Insurance, Including Standards of Full and Fair Disclosure	To clarify application of Insurance Law Sections 3217-h and 4306-g.
DFS-40-21-00001-P	..... 10/06/22	Principle-Based Reserving	To update citation to the Valuation Manual to 2021 (instead of 2020) in Footnote 1 to Section 103.3(b)
DFS-42-21-00011-P	..... 10/20/22	DISCLOSURE REQUIREMENTS FOR CERTAIN PROVIDERS OF COMMERCIAL FINANCING TRANSACTIONS	To provide new disclosure rules for small business financings
DFS-44-21-00015-P	..... 11/03/22	Compliance With Community Reinvestment Act Requirements	To provide new rules concerning data collection on extension of credit to women-owned and minority-owned businesses.
DFS-47-21-00006-P	..... 11/24/22	Minimum Standards for the Form, Content and Sale of Health Insurance, Including Standards of Full and Fair Disclosure	To hold insurers, plans and HMOs responsible for inaccurate provider directory information and replies to insureds' inquiries.
GAMING COMMISSION, NEW YORK STATE			
SGC-37-21-00017-P	..... 09/15/22	Discretion to require a Thoroughbred jockey to serve a suspension for a riding violation at track where the violation occurred	To enhance the integrity and safety of thoroughbred horse racing
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-46-19-00003-RP	..... 12/21/21	Tanning Facilities	To prohibit the use of indoor tanning facilities by individuals less than 18 years of age
*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-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-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
HLT-28-21-00018-P	07/14/22	Public Water Systems	To correct typographic & minor technical errors to obtain primacy for the implementation of federal drinking water regulations
HLT-32-21-00001-P	08/11/22	Abortion Services	To protect and promote the health of New Yorkers seeking to access abortion services
HLT-46-21-00005-P	11/17/22	Nursing Home Minimum Direct Resident Care Spending	Every RHCf shall spend a minimum of 70% of revenue on direct resident care and 40% of revenue on resident-facing staffing.
HLT-46-21-00006-P	11/17/22	Article 28 Nursing Homes; Establishment; Notice and Character and Competence Requirements	To strengthen the establishment application review process for all Article 28 facilities
HLT-46-21-00007-P	11/17/22	Minimum Staffing Requirements for Nursing Homes	Requiring minimum staffing levels for nursing homes
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
INDUSTRIAL BOARD OF APPEALS			
IBA-45-21-00003-P	11/10/22	Rules of Procedure and Practice for administrative hearings; Freedom of Information Law	To update the Rules of Procedure and Practice for administrative review and to correct address for Freedom of Information Law.
LABOR, DEPARTMENT OF			
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
LAB-34-21-00002-EP	11/17/22	New York Health and Essential Rights Act (NY HERO Act)	Airborne Infectious Disease Exposure Prevention Standard
LAB-39-21-00015-P	09/29/22	Minimum Wage	To comply with Labor Law 652(6) that increased the minimum wage, and implement wage determined by Labor Law 652(1)(c)
LAB-39-21-00016-P	11/10/22	Minimum Wage for Farmworkers	To comply with Sections 652 and 673 of the Labor Law, by adopting minimum wage increases for farmworkers

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
LAW, DEPARTMENT OF			
LAW-48-21-00016-P	12/01/22	Contents of annual financial reports required to be filed by charities required to register with the Department of Law	Amend filing requirement held unconstitutional by the United States Supreme Court; conform filing thresholds to law
LAW-49-21-00016-P	12/08/22	Charities regulatory framework and the use of gendered pronouns therein	Removal of all references to gender pronouns and replacing them with the neutral pronoun, "they" or "their"
LIQUOR AUTHORITY, STATE			
LQR-36-21-00002-P	11/10/22	Commencement of administrative disciplinary proceedings via electronic means	To modernize outdated administrative disciplinary procedures to provide for service of pleadings via electronic means
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
*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-38-21-00008-P	exempt	The Authority's annual budget, as reflected in the rates and charges in the Tariff for Electric Service.	To update the Tariff to implement the Authority's annual budget and corresponding rate adjustments.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
LONG ISLAND POWER AUTHORITY			
LPA-38-21-00009-P	..... exempt	Community distributed generation and remote crediting tariffs.	To conform LIPA's community distributed generation and remote crediting tariffs with recent PSC orders.
LPA-38-21-00010-P	..... exempt	A Customer Benefit Contribution (CBC) Charge for new mass market net metering customers.	To ensure adequate contribution to LIPA's customer benefits programs.
LPA-38-21-00011-P	..... exempt	Conform Long Island Choice program rules and requirements with final DPS recommendations from collaborative proceeding.	To conform with Statewide retail choice policy and eliminate program inefficiencies.
LPA-38-21-00012-P	..... exempt	Miscellaneous clean-up of Tariff for Electric Service.	To clarify potential ambiguity and make other minor Tariff updates.
LPA-38-21-00013-P	..... exempt	Daily service charges during prolonged outages.	To conform with statewide policy.
LPA-39-21-00014-P	..... 11/29/22	Access to records and fees collected under the Freedom of Information Law.	To make necessary technical updates and to conform with FOIL regarding collection of fees.
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-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
OMH-33-21-00005-P	..... 08/18/22	Establishes Crisis Stabilization Centers.	To establish standards for a Crisis Stabilization Center which provides a full range of psychiatric and substance use services.
OMH-40-21-00007-EP	..... 10/06/22	COVID-19 Masking Program	To implement a COVID-19 mask program
OMH-43-21-00002-EP	..... 10/27/22	COVID-19 Vaccination Program	To implement a COVID-19 vaccination program in OMH Operated or Licensed Hospitals
OMH-48-21-00003-EP	..... 12/01/22	Telehealth Expansion.	To establish regulations regarding the expansion of telehealth.
METROPOLITAN TRANSPORTATION AGENCY			
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-43-21-00004-P	..... 10/27/22	Motor Vehicle Accident Prevention Course by Internet or other Technologies (Alternate Delivery Methods)	Conforms regulation with statute
MTV-48-21-00014-P	..... 12/01/22	Special Requirements For For-Hire Vehicle Motor Carriers	necessary to implement statute (Ch 2, Laws of 2020)
MTV-48-21-00015-P	..... 12/01/22	Signs for school bus photo violation monitoring system	Conforms regulation with statute

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
NIAGARA FALLS WATER BOARD			
*NFW-04-13-00004-EP	..... exempt	Adoption of Rates, Fees and Charges	To pay for the increased costs necessary to operate, maintain and manage the system, and to achieve covenants with bondholders
*NFW-13-14-00006-EP	..... exempt	Adoption of Rates, Fees and Charges	To pay for increased costs necessary to operate, maintain and manage the system and to achieve covenants with the bondholders
NFW-49-21-00010-EP	..... 12/08/22	Adoption of Rates, Fees, and Charges	To pay for increased costs necessary to operate, maintain, and manage the system, and to meet 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
PEOPLE WITH DEVELOPMENTAL DISABILITIES, OFFICE FOR			
PDD-37-21-00001-P	..... 09/15/22	Certified Residential Opportunities	To provide equity in opportunities for certified residential opportunities
PDD-40-21-00002-EP	..... 10/06/22	Mandatory Face Coverings in OPWDD Certified Services	To protect public health
PDD-43-21-00003-EP	..... 10/27/22	COVID-19 vaccines	To require vaccinations in certain OPWDD settings
PDD-46-21-00015-P	..... 11/17/22	Community Transition Services	To match federal limitations and use gender neutral terminology
POWER AUTHORITY OF THE STATE OF NEW YORK			
*PAS-01-10-00010-P	..... exempt	Rates for the sale of power and energy	Update ECSB Programs customers' service tariffs to streamline them/include additional required information
PAS-44-21-00016-P	..... exempt	Rates for the Sale of Power and Energy	To align rates and costs
PUBLIC SERVICE COMMISSION			
*PSC-09-99-00012-P	..... exempt	Transfer of books and records by Citizens Utilities Company	To relocate Ogden Telephone Company's books and records out-of-state
*PSC-15-99-00011-P	..... exempt	Electronic tariff by Woodcliff Park Corp.	To replace the company's current tariff with an electronic tariff
*PSC-12-00-00001-P	..... exempt	Winter bundled sales service election date by Central Hudson Gas & Electric Corporation	To revise the date
*PSC-44-01-00005-P exempt	Annual reconciliation of gas costs by Corning Natural Gas Corporation	To authorize the company to include certain gas costs

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PUBLIC SERVICE COMMISSION			
*PSC-07-02-00032-P exempt	Uniform business practices	To consider modification
*PSC-36-03-00010-P	..... exempt	Performance assurance plan by Verizon New York	To consider changes
*PSC-40-03-00015-P	..... exempt	Receipt of payment of bills by St. Lawrence Gas Company	To revise the process
*PSC-41-03-00010-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-41-03-00011-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-44-03-00009-P	..... exempt	Retail access data between jurisdictional utilities	To accommodate changes in retail access market structure or commission mandates
*PSC-02-04-00008-P	..... exempt	Delivery rates for Con Edison's customers in New York City and Westchester County by the City of New York	To rehear the Nov. 25, 2003 order
*PSC-06-04-00009-P	..... exempt	Transfer of ownership interest by SCS Energy LLC and AE Investors LLC	To transfer interest in Steinway Creek Electric Generating Company LLC to AE Investors LLC
*PSC-10-04-00005-P	..... exempt	Temporary protective order	To consider adopting a protective order
*PSC-10-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and VIC-RMTS-DC, L.L.C. d/b/a Verizon Avenue	To amend the agreement
*PSC-14-04-00008-P	..... exempt	Submetering of natural gas service to industrial and commercial customers by Hamburg Fairgrounds	To submeter gas service to commercial customers located at the Buffalo Speedway
*PSC-15-04-00022-P	..... exempt	Submetering of electricity by Glenn Gardens Associates, L.P.	To permit submetering at 175 W. 87th St., New York, NY
*PSC-21-04-00013-P	..... exempt	Verizon performance assurance plan by Metropolitan Telecommunications	To clarify the appropriate performance level
*PSC-22-04-00010-P	..... exempt	Approval of new types of electricity meters by Powell Power Electric Company	To permit the use of the PE-1250 electronic meter
*PSC-22-04-00013-P	..... exempt	Major gas rate increase by Consolidated Edison Company of New York, Inc.	To increase annual gas revenues
*PSC-22-04-00016-P	..... exempt	Master metering of water by South Liberty Corporation	To waive the requirement for installation of separate water meters
*PSC-25-04-00012-P	..... exempt	Interconnection agreement between Frontier Communications of Ausable Valley, Inc., et al. and Sprint Communications Company, L.P.	To amend the agreement
*PSC-27-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-27-04-00009-P exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement

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PUBLIC SERVICE COMMISSION			
*PSC-28-04-00006-P exempt	Approval of loans by Dunkirk & Fredonia Telephone Company and Cassadaga Telephone Corporation	To authorize participation in the parent corporation's line of credit
*PSC-31-04-00023-P	..... exempt	Distributed generation service by Consolidated Edison Company of New York, Inc.	To provide an application form
*PSC-34-04-00031-P	..... exempt	Flat rate residential service by Emerald Green Lake Louise Marie Water Company, Inc.	To set appropriate level of permanent rates
*PSC-35-04-00017-P	..... exempt	Application form for distributed generation by Orange and Rockland Utilities, Inc.	To establish a new supplementary application form for customers
*PSC-43-04-00016-P	..... exempt	Accounts receivable by Rochester Gas and Electric Corporation	To include in its tariff provisions for the purchase of ESCO accounts receivable
*PSC-46-04-00012-P	..... exempt	Service application form by Consolidated Edison Company of New York, Inc.	To revise the form and make housekeeping changes
*PSC-46-04-00013-P	..... exempt	Rules and guidelines governing installation of metering equipment	To establish uniform statewide business practices
*PSC-02-05-00006-P	..... exempt	Violation of the July 22, 2004 order by Dutchess Estates Water Company, Inc.	To consider imposing remedial actions against the company and its owners, officers and directors
*PSC-09-05-00009-P	..... exempt	Submetering of natural gas service by Hamlet on Olde Oyster Bay	To consider submetering of natural gas to a commercial customer
*PSC-14-05-00006-P	..... exempt	Request for deferred accounting authorization by Freeport Electric Inc.	To defer expenses beyond the end of the fiscal year
*PSC-18-05-00009-P	..... exempt	Marketer Assignment Program by Consolidated Edison Company of New York, Inc.	To implement the program
*PSC-20-05-00028-P	..... exempt	Delivery point aggregation fee by Allied Frozen Storage, Inc.	To review the calculation of the fee
*PSC-25-05-00011-P	..... exempt	Metering, balancing and cashout provisions by Central Hudson Gas & Electric Corporation	To establish provisions for gas customers taking service under Service Classification Nos. 8, 9 and 11
*PSC-27-05-00018-P	..... exempt	Annual reconciliation of gas costs by New York State Electric & Gas Corporation	To consider the manner in which the gas cost incentive mechanism has been applied
*PSC-41-05-00013-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries by local distribution companies and municipalities	To consider the filings
*PSC-45-05-00011-P	..... exempt	Treatment of lost and unaccounted gas costs by Corning Natural Gas Corporation	To defer certain costs
*PSC-46-05-00015-P	..... exempt	Sale of real and personal property by the Brooklyn Union Gas Company d/b/a KeySpan Energy Delivery New York and Steel Arrow, LLC	To consider the sale
*PSC-47-05-00009-P exempt	Transferral of gas supplies by Corning Natural Gas Corporation	To approve the transfer

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PUBLIC SERVICE COMMISSION			
*PSC-50-05-00008-P exempt	Long-term debt by Saratoga Glen Hollow Water Supply Corp.	To obtain long-term debt
*PSC-04-06-00024-P	..... exempt	Transfer of ownership interests by Mirant NY-Gen LLC and Orange and Rockland Utilities, Inc.	To approve of the transfer
*PSC-06-06-00015-P	..... exempt	Gas curtailment policies and procedures	To examine the manner and extent to which gas curtailment policies and procedures should be modified and/or established
*PSC-07-06-00009-P	..... exempt	Modification of the current Environmental Disclosure Program	To include an attributes accounting system
*PSC-22-06-00019-P	..... exempt	Hourly pricing by National Grid	To assess the impacts
*PSC-22-06-00020-P	..... exempt	Hourly pricing by New York State Electric & Gas Corporation	To assess the impacts
*PSC-22-06-00021-P	..... exempt	Hourly pricing by Rochester Gas & Electric Corporation	To assess the impacts
*PSC-22-06-00022-P	..... exempt	Hourly pricing by Consolidated Edison Company of New York, Inc.	To assess the impacts
*PSC-22-06-00023-P	..... exempt	Hourly pricing by Orange and Rockland Utilities, Inc.	To assess the impacts
*PSC-24-06-00005-EP	..... exempt	Supplemental home energy assistance benefits	To extend the deadline to Central Hudson's low-income customers
*PSC-25-06-00017-P	..... exempt	Purchased power adjustment by Massena Electric Department	To revise the method of calculating the purchased power adjustment and update the factor of adjustment
*PSC-34-06-00009-P	..... exempt	Inter-carrier telephone service quality standards and metrics by the Carrier Working Group	To incorporate appropriate modifications
*PSC-37-06-00015-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-37-06-00017-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-43-06-00014-P	..... exempt	Electric delivery services by Strategic Power Management, Inc.	To determine the proper mechanism for the rate-recovery of costs
*PSC-04-07-00012-P	..... exempt	Petition for rehearing by Orange and Rockland Utilities, Inc.	To clarify the order
*PSC-06-07-00015-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for electric service
*PSC-06-07-00020-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for gas service
*PSC-11-07-00010-P exempt	Investigation of the electric power outages by the Consolidated Edison Company of New York, Inc.	To implement the recommendations in the staff's investigation

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PUBLIC SERVICE COMMISSION			
*PSC-11-07-00011-P exempt	Storm-related power outages by Consolidated Edison Company of New York, Inc.	To modify the company's response to power outages, the timing for any such changes and other related matters
*PSC-17-07-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and BridgeCom International, Inc.	To amend the agreement
*PSC-18-07-00010-P	..... exempt	Existing electric generating stations by Independent Power Producers of New York, Inc.	To repower and upgrade existing electric generating stations owned by Rochester Gas and Electric Corporation
*PSC-20-07-00016-P	..... exempt	Tariff revisions and making rates permanent by New York State Electric & Gas Corporation	To seek rehearing
*PSC-21-07-00007-P	..... exempt	Natural Gas Supply and Acquisition Plan by Corning Natural Gas Corporation	To revise the rates, charges, rules and regulations for gas service
*PSC-22-07-00015-P	..... exempt	Demand Side Management Program by Consolidated Edison Company of New York, Inc.	To recover incremental program costs and lost revenue
*PSC-23-07-00022-P	..... exempt	Supplier, transportation, balancing and aggregation service by National Fuel Gas Distribution Corporation	To explicitly state in the company's tariff that the threshold level of elective upstream transmission capacity is a maximum of 112,600 Dth/day of marketer-provided upstream capacity
*PSC-24-07-00012-P	..... exempt	Gas Efficiency Program by the City of New York	To consider rehearing a decision establishing a Gas Efficiency Program
*PSC-39-07-00017-P	..... exempt	Gas bill issuance charge by New York State Electric & Gas Corporation	To create a gas bill issuance charge unbundled from delivery rates
*PSC-41-07-00009-P	..... exempt	Submetering of electricity rehearing	To seek reversal
*PSC-42-07-00012-P	..... exempt	Energy efficiency program by Orange and Rockland Utilities, Inc.	To consider any energy efficiency program for Orange and Rockland Utilities, Inc.'s electric service
*PSC-42-07-00013-P	..... exempt	Revenue decoupling by Orange and Rockland Utilities, Inc.	To consider a revenue decoupling mechanism for Orange and Rockland Utilities, Inc.
*PSC-45-07-00005-P	..... exempt	Customer incentive programs by Orange and Rockland Utilities, Inc.	To establish a tariff provision
*PSC-02-08-00006-P	..... exempt	Additional central office codes in the 315 area code region	To consider options for making additional codes
*PSC-03-08-00006-P	..... exempt	Rehearing of the accounting determinations	To grant or deny a petition for rehearing of the accounting determinations
*PSC-04-08-00010-P	..... exempt	Granting of easement rights on utility property by Central Hudson Gas & Electric Corporation	To grant easement rights to Millennium Pipeline Company, L.L.C.
*PSC-04-08-00012-P exempt	Marketing practices of energy service companies by the Consumer Protection Board and New York City Department of Consumer Affairs	To consider modifying the commission's regulation over marketing practices of energy service companies

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PUBLIC SERVICE COMMISSION			
*PSC-08-08-00016-P exempt	Transfer of ownership by Entergy Nuclear Fitzpatrick LLC, et al.	To consider the transfer
*PSC-12-08-00019-P	..... exempt	Extend the provisions of the existing electric rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-12-08-00021-P	..... exempt	Extend the provisions of the existing gas rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-13-08-00011-P	..... exempt	Waiver of commission policy and NYSEG tariff by Turner Engineering, PC	To grant or deny Turner's petition
*PSC-13-08-00012-P	..... exempt	Voltage drops by New York State Electric & Gas Corporation	To grant or deny the petition
*PSC-23-08-00008-P	..... exempt	Petition requesting rehearing and clarification of the commission's April 25, 2008 order denying petition of public utility law project	To consider whether to grant or deny, in whole or in part, the May 7, 2008 Public Utility Law Project (PULP) petition for rehearing and clarification of the commission's April 25, 2008 order denying petition of Public Utility Law Project
*PSC-25-08-00007-P	..... exempt	Policies and procedures regarding the selection of regulatory proposals to meet reliability needs	To establish policies and procedures regarding the selection of regulatory proposals to meet reliability needs
*PSC-25-08-00008-P	..... exempt	Report on Callable Load Opportunities	Rider U report assessing callable load opportunities in New York City and Westchester County during the next 10 years
*PSC-28-08-00004-P	..... exempt	Con Edison's procedure for providing customers access to their account information	To consider Con Edison's implementation plan and timetable for providing customers access to their account information
*PSC-31-08-00025-P	..... exempt	Recovery of reasonable DRS costs from the cost mitigation reserve (CMR)	To authorize recovery of the DRS costs from the CMR
*PSC-32-08-00009-P	..... exempt	The ESCO referral program for KEDNY to be implemented by October 1, 2008	To approve, reject or modify, in whole or in part, KEDNY's recommended ESCO referral program
*PSC-33-08-00008-P	..... exempt	Noble Allegany's request for lightened regulation	To consider Noble Allegany's request for lightened regulation as an electric corporation
*PSC-36-08-00019-P	..... exempt	Land Transfer in the Borough of Manhattan, New York	To consider petition for transfer of real property to NYPH
*PSC-39-08-00010-P	..... exempt	RG&E's economic development plan and tariffs	Consideration of the approval of RG&E's economic development plan and tariffs
*PSC-40-08-00010-P	..... exempt	Loans from regulated company to its parent	To determine if the cash management program resulting in loans to the parent should be approved
*PSC-41-08-00009-P	..... exempt	Transfer of control of cable TV franchise	To determine if the transfer of control of Margaretville's cable TV subsidiary should be approved

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-43-08-00014-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-46-08-00008-P	..... exempt	Property transfer in the Village of Avon, New York	To consider a petition for the transfer of street lighting and attached equipment to the Village of Avon, New York
*PSC-46-08-00010-P	..... exempt	A transfer of indirect ownership interests in nuclear generation facilities	Consideration of approval of a transfer of indirect ownership interests in nuclear generation facilities
*PSC-46-08-00014-P	..... exempt	The attachment of cellular antennae to an electric transmission tower	To approve, reject or modify the request for permission to attach cellular antennae to an electric transmission tower
*PSC-48-08-00005-P	..... exempt	A National Grid high efficiency gas heating equipment rebate program	To expand eligibility to customers converting from oil to natural gas
*PSC-48-08-00008-P	..... exempt	Petition for the master metering and submetering of electricity	To consider the request of Bay City Metering, to master meter & submeter electricity at 345 E. 81st St., New York, New York
*PSC-48-08-00009-P	..... exempt	Petition for the submetering of electricity	To consider the request of PCV/ST to submeter electricity at Peter Cooper Village & Stuyvesant Town, New York, New York
*PSC-50-08-00018-P	..... exempt	Market Supply Charge	A study on the implementation of a revised Market Supply Charge
*PSC-51-08-00006-P	..... exempt	Commission's October 27, 2008 Order on Future of Retail Access Programs in Case 07-M-0458	To consider a Petition for rehearing of the Commission's October 27, 2008 Order in Case 07-M-0458
*PSC-51-08-00007-P	..... exempt	Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078	To consider Petitions for rehearing of the Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078
*PSC-53-08-00011-P	..... exempt	Use of deferred Rural Telephone Bank funds	To determine if the purchase of a softswitch by Hancock is an appropriate use of deferred Rural Telephone Bank funds
*PSC-53-08-00012-P	..... exempt	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY
*PSC-53-08-00013-P	..... exempt	To transfer common stock and ownership	To consider transfer of common stock and ownership
*PSC-01-09-00015-P	..... exempt	FCC decision to redefine service area of Citizens/Frontier	Review and consider FCC proposed redefinition of Citizens/Frontier service area
*PSC-02-09-00010-P	..... exempt	Competitive classification of independent local exchange company, and regulatory relief appropriate thereto	To determine if Chazy & Westport Telephone Corporation more appropriately belongs in scenario 1 rather than scenario 2
*PSC-05-09-00008-P	..... exempt	Revenue allocation, rate design, performance metrics, and other non-revenue requirement issues	To consider any remaining non-revenue requirement issues related to the Company's May 9, 2008 tariff filing

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-18-09-00012-P	..... exempt	Petition for rehearing of Order approving the submetering of electricity	To consider the request of Frank Signore to rehear petition to submeter electricity at One City Place in White Plains, New York
*PSC-18-09-00013-P	..... exempt	Petition for the submetering of electricity	To consider the request of Living Opportunities of DePaul to submeter electricity at E. Main St. located in Batavia, New York
*PSC-18-09-00017-P	..... exempt	Approval of an arrangement for attachment of wireless antennas to the utility's transmission facilities in the City of Yonkers	To approve, reject or modify the petition for the existing wireless antenna attachment to the utility's transmission tower
*PSC-20-09-00016-P	..... exempt	The recovery of, and accounting for, costs associated with the Companies' advanced metering infrastructure (AMI) pilots etc	To consider a filing of the Companies as to the recovery of, and accounting for, costs associated with it's AMI pilots etc
*PSC-20-09-00017-P	..... exempt	The recovery of, and accounting for, costs associated with CHG&E's AMI pilot program	To consider a filing of CHG&E as to the recovery of, and accounting for, costs associated with it's AMI pilot program
*PSC-22-09-00011-P	..... exempt	Cost allocation for Consolidated Edison's East River Repowering Project	To determine whether any changes are warranted in the cost allocation of Consolidated Edison's East River Repowering Project
*PSC-25-09-00005-P	..... exempt	Whether to grant, deny, or modify, in whole or in part, the petition	Whether to grant, deny, or modify, in whole or in part, the petition
*PSC-25-09-00006-P	..... exempt	Electric utility implementation plans for proposed web based SIR application process and project status database	To determine if the proposed web based SIR systems are adequate and meet requirements needed for implementation
*PSC-25-09-00007-P	..... exempt	Electric rates for Consolidated Edison Company of New York, Inc	Consider a Petition for Rehearing filed by Consolidated Edison Company of New York, Inc
*PSC-27-09-00011-P	..... exempt	Interconnection of the networks between Vernon and tw telecom of new york l.p. for local exchange service and exchange access.	To review the terms and conditions of the negotiated agreement between Vernon and tw telecom of new york l.p.
*PSC-27-09-00014-P	..... exempt	Billing and payment for energy efficiency measures through utility bill	To promote energy conservation
*PSC-27-09-00015-P	..... exempt	Interconnection of the networks between Oriskany and tw telecom of new york l.p. for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Oriskany and tw telecom of new york l.p.
*PSC-29-09-00011-P	..... exempt	Consideration of utility compliance filings	Consideration of utility compliance filings
*PSC-32-09-00009-P	..... exempt	Cost allocation for Consolidated Edison's East River Repowering Project	To determine whether any changes are warranted in the cost allocation of Consolidated Edison's East River Repowering Project
*PSC-34-09-00016-P	..... exempt	Recommendations made in the Management Audit Final Report	To consider whether to take action or recommendations contained in the Management Audit Final Report
*PSC-34-09-00017-P	..... exempt	To consider the transfer of control of Plattsburgh Cablevision, Inc. d/b/a Charter Communications to CH Communications, LLC	To allow the Plattsburgh Cablevision, Inc. to distribute its equity interest in CH Communications, LLC

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-36-09-00008-P	..... exempt	The increase in the non-bypassable charge implemented by RG&E on June 1, 2009	Considering exemptions from the increase in the non-bypassable charge implemented by RG&E on June 1, 2009
*PSC-37-09-00015-P	..... exempt	Sale of customer-generated steam to the Con Edison steam system	To establish a mechanism for sale of customer-generated steam to the Con Edison steam system
*PSC-37-09-00016-P	..... exempt	Applicability of electronic signatures to Deferred Payment Agreements	To determine whether electronic signatures can be accepted for Deferred Payment Agreements
*PSC-39-09-00015-P	..... exempt	Modifications to the \$5 Bill Credit Program	Consideration of petition of National Grid to modify the Low Income \$5 Bill Credit Program
*PSC-39-09-00018-P	..... exempt	The offset of deferral balances with Positive Benefit Adjustments	To consider a petition to offset deferral balances with Positive Benefit Adjustments
*PSC-40-09-00013-P	..... exempt	Uniform System of Accounts - request for deferral and amortization of costs	To consider a petition to defer and amortize costs
*PSC-51-09-00029-P	..... exempt	Rules and guidelines for the exchange of retail access data between jurisdictional utilities and eligible ESCOs	To revise the uniform Electronic Data Interchange Standards and business practices to incorporate a contest period
*PSC-51-09-00030-P	..... exempt	Waiver or modification of Capital Expenditure condition of merger	To allow the companies to expend less funds for capital improvement than required by the merger
*PSC-52-09-00006-P	..... exempt	ACE's petition for rehearing for an order regarding generator-specific energy deliverability study methodology	To consider whether to change the Order Prescribing Study Methodology
*PSC-52-09-00008-P	..... exempt	Approval for the New York Independent System Operator, Inc. to incur indebtedness and borrow up to \$50,000,000	To finance the renovation and construction of the New York Independent System Operator, Inc.'s power control center facilities
*PSC-05-10-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of University Residences - Rochester, LLC to submeter electricity at 220 John Street, Henrietta, NY
*PSC-05-10-00015-P	..... exempt	Petition for the submetering of electricity	To consider the request of 243 West End Avenue Owners Corp. to submeter electricity at 243 West End Avenue, New York, NY
*PSC-06-10-00022-P	..... exempt	The Commission's Order of December 17, 2009 related to redevelopment of Consolidated Edison's Hudson Avenue generating facility	To reconsider the Commission's Order of December 17, 2009 related to redevelopment of the Hudson Avenue generating facility
*PSC-07-10-00009-P	..... exempt	Petition to revise the Uniform Business Practices	To consider the RESA petition to allow rescission of a customer request to return to full utility service
*PSC-08-10-00007-P	..... exempt	Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847	Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847
*PSC-08-10-00009-P	..... exempt	Consolidated Edison of New York, Inc. energy efficiency programs	To modify approved energy efficiency programs

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

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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
*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 Gypsy Trail Club, Inc.’s long-term financing agreements	To exempt Gypsy Trail Club, Inc. from Commission regulation of its financing agreements
*PSC-45-12-00008-P	..... exempt	Whether to grant, deny or modify, in whole or part, ESHG’s petition for a waiver of Commission policy and RG&E tariff	Whether to grant, deny or modify, in whole or part, ESHG’s petition for a waiver of Commission policy and RG&E tariff

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-45-12-00010-P	..... exempt	Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District	Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District
*PSC-50-12-00003-P	..... exempt	Affiliate standards for Corning Natural Gas Corporation	To resolve issues raised by Corning Natural Gas Corporation in its petition for rehearing
*PSC-04-13-00006-P	..... exempt	Expansion of mandatory day ahead hourly pricing for customers of Orange and Rockland Utilities with demands above 100 kW	To consider the expansion of mandatory day ahead hourly pricing for customers with demands above 100 kW
*PSC-04-13-00007-P	..... exempt	Authorization to transfer certain real property.	To decide whether to approve the transfer of certain real property.
*PSC-06-13-00008-P	..... exempt	Verizon New York Inc.'s retail service quality	To investigate Verizon New York Inc.'s retail service quality
*PSC-08-13-00012-P	..... exempt	Filing requirements for certain Article VII electric facilities	To ensure that applications for certain electric transmission facilities contain pertinent information
*PSC-08-13-00014-P	..... exempt	Uniform System of Accounts - Request for Accounting Authorization	To allow the company to defer an item of expense or capital beyond the end of the year in which it was incurred
*PSC-12-13-00007-P	..... exempt	Protecting company water mains	To allow the company to require certain customers to make changes to the electrical grounding system at their homes
*PSC-13-13-00008-P	..... exempt	The potential waiver of 16 NYCRR 255.9221(d) completion of integrity assessments for certain gas transmission lines.	To determine whether a waiver of the timely completion of certain gas transmission line integrity assessments should be granted.
*PSC-18-13-00007-P	..... exempt	Whether Demand Energy Networks energy storage systems should be designated technologies for standby rate eligibility purposes	Whether Demand Energy Networks energy storage systems should be designated technologies for standby rate eligibility purposes
*PSC-21-13-00003-P	..... exempt	To consider policies that may impact consumer acceptance and use of electric vehicles	To consider and further develop policies that may impact consumer acceptance and use of electric vehicles
*PSC-21-13-00005-P	..... exempt	To implement an abandonment of Windover's water system	To approve the implementation of abandonment of Windover's water system
*PSC-21-13-00008-P	..... exempt	Rates of National Fuel Gas Distribution Corporation	To make the rates of National Fuel Gas Distribution Corporation temporary, subject to refund, if they are found to be excessive
*PSC-21-13-00009-P	..... exempt	Reporting requirements for natural gas local distribution companies	To help ensure efficient and economic expansion of the natural gas system as appropriate
*PSC-22-13-00009-P	..... exempt	On remand from New York State court litigation, determine the recovery of certain deferred amounts owed NFG by ratepayers	On remand, to determine the recovery of certain deferral amounts owed NFG from ratepayers
*PSC-23-13-00005-P	..... exempt	Waiver of partial payment, directory database distribution, service quality reporting, and service termination regulations	Equalize regulatory treatment based on level of competition and practical considerations

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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
*PSC-43-13-00015-P	..... exempt	Petition for submetering of electricity	To consider the request of 2701 Kingsbridge Terrace L.P. to submeter electricity at 2701 Kingsbridge Terrace, Bronx, N.Y.
*PSC-45-13-00021-P	..... exempt	Investigation into effect of bifurcation of gas and electric utility service on Long Island.	To consider a Petition for an investigation into effect of bifurcation of gas and electric utility service on Long Island.
*PSC-45-13-00022-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4)	To consider a waiver of certain regulations relating to the content of an application for transmission line siting

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-45-13-00023-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00024-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4); waiver of filing deadlines.	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00025-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-47-13-00009-P	..... exempt	Petition for submetering of electricity.	To consider the request of Hegeman Avenue Housing L.P. to submeter electricity at 39 Hegeman Avenue, Brooklyn, N.Y.
*PSC-47-13-00012-P	..... exempt	Conditioning, restricting or prohibiting the purchase of services by NYSEG and RG&E from certain affiliates.	Consideration of conditioning, restricting or prohibiting the purchase of services by NYSEG and RG&E from certain affiliates.
*PSC-49-13-00008-P	..... exempt	Authorization to transfer all of Crystal Water Supply Company, Inc. stocks to Essel Infra West Inc.	To allow Crystal Water Supply Company, Inc to transfer all of its issued and outstanding stocks to Essel Infra West Inc.
*PSC-51-13-00009-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing.	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates.
*PSC-51-13-00010-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing.	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates.
*PSC-51-13-00011-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing.	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates.
*PSC-52-13-00012-P	..... exempt	The development of reliability contingency plan(s) to address the potential retirement of Indian Point Energy Center (IPEC).	To address the petition for rehearing and reconsideration/motion for clarification of the IPEC reliability contingency plan(s).
*PSC-52-13-00015-P	..... exempt	To enter into a loan agreement with the banks for up to an amount of \$94,000.	To consider allowing Knolls Water Company to enter into a long-term loan agreement.
*PSC-05-14-00010-P	..... exempt	The New York State Reliability Council's revisions to its rules and measurements	To adopt revisions to various rules and measurements of the New York State Reliability Council
*PSC-07-14-00008-P	..... exempt	Petition for submetering of electricity	To consider the request of Greater Centennial Homes HDFC, Inc. to submeter electricity at 102, 103 and 106 W 5th Street, et al.
*PSC-07-14-00012-P	..... exempt	Water rates and charges	Implementation of Long-Term Water Supply Surcharge to recover costs associated with the Haverstraw Water Supply Project
*PSC-08-14-00015-P	..... exempt	Verizon New York Inc.'s service quality and Customer Trouble Report Rate (CTRR) levels at certain central office entities	To improve Verizon New York Inc.'s service quality and the Customer Trouble Report Rate levels at certain central office entities
*PSC-10-14-00006-P	..... exempt	Actions to facilitate the availability of ESCO value-added offerings, ESCO eligibility and ESCO compliance	To facilitate ESCO value-added offerings and to make changes to ESCO eligibility and to ensure ESCO compliance

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

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

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

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

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

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

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

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

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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-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-44-19-00009-P	..... exempt	Proposed revisions to Standby Service Rates and Buyback Service Rates.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
*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-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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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-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-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-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-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-45-20-00003-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
*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-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-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-51-20-00014-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.
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-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-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-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.
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-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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-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-13-21-00023-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-RP	..... 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-15-21-00007-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.
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-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-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-18-21-00008-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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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-19-21-00012-P	..... exempt	Major gas rate filing.	To consider an increase in O&R's gas delivery revenues.
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-21-21-00015-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-21-21-00019-P	..... exempt	Utility capital expenditure proposal.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-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-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-25-21-00008-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-25-21-00013-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-26-21-00007-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-26-21-00010-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-28-21-00012-P	..... exempt	Transfer of ownership interests in a 55 megawatt natural gas-fired cogeneration facility located in North Tonawanda, NY.	To address the proposed transfer and any matters within the public interest.
PSC-28-21-00013-P	..... exempt	Elimination of internal audits of wholesale performance metrics.	To consider Verizon New York Inc.'s petition to eliminate requirements for certain internal audits.
PSC-28-21-00015-P	..... exempt	Proposals for active and passive managed charging programs for mass market EV customers.	To shift EV charging to moderate grid impacts and customer costs.
PSC-28-21-00016-P	..... exempt	Transfer of Suez Water New York Inc.'s parent company to Veolia Environment S.A.	To determine if the proposed transfer is the public interest.
PSC-29-21-00004-P	..... exempt	Exemptions from utility standby rates for efficient combined heat and power projects.	To determine whether utility standby rate exemptions should be continued.
PSC-29-21-00009-P	..... exempt	Proposed pilot program to use AMI to disconnect electric service to customers during gas system emergencies.	To study the efficacy of using AMI to disconnect electric service during gas system emergencies.
PSC-30-21-00006-P	..... exempt	NYSERDA proposal regarding Clean Energy Standard backstop collection processes.	To ensure that NYSERDA has sufficient funds to make timely payments to generators pursuant to the Clean Energy Standard.
PSC-30-21-00007-P	..... exempt	Submetering of electricity and waiver requests.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-30-21-00009-P	..... exempt	Submetering of electricity and waiver request.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-31-21-00009-P	..... exempt	Waiver of certain rules, i.e., cable television advisory committee, public notice of request for proposals.	To determine whether to waive any rules and regulations.
PSC-31-21-00010-P	..... exempt	Establishment of the regulatory regime applicable to a solar electric generating facility and energy storage.	To ensure appropriate regulation of a new electric corporation.
PSC-31-21-00011-P	..... exempt	Establishment of the regulatory regime applicable to a solar electric generating facility.	To ensure appropriate regulation of a new electric corporation.
PSC-32-21-00002-P	..... exempt	The prohibition on ESCO service to low-income customers.	To consider whether Icon Energy, LLC d/b/a Source Power Company should be granted a waiver to serve low-income customers.
PSC-32-21-00003-P	..... exempt	Exemptions from utility standby rates for certain designated or environmentally advantageous technologies.	To harmonize standby rate exemptions statewide.
PSC-33-21-00006-P	..... exempt	Proposed rate increase.	To ensure safe and adequate service at just and reasonable rates.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-33-21-00007-P	..... exempt	Acquisition of cable television facilities and franchises of two municipalities.	To ensure performance in accordance with applicable cable laws, regulations and standards and the public interest.
PSC-33-21-00008-P	..... exempt	Establishment of a Tapping and Connection Fee.	To consider whether the proposed fees are in the public interest.
PSC-33-21-00009-P	..... exempt	Banking of credits and switching between Community Distributed Generation and Remote Crediting projects.	To ensure just and reasonable rates charged to customers.
PSC-34-21-00004-P	..... exempt	CDG subscriber eligibility requirements.	To consider modifications to the CDG program eligibility requirements for certain Standby Service customers.
PSC-34-21-00005-P	..... exempt	Notice of intent to submeter electricity and request for waiver.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-34-21-00006-P	..... exempt	Staff recommendations to address the financial impacts of the COVID-19 pandemic.	To consider measures to provide relief to those financially impacted by the COVID-19 pandemic.
PSC-34-21-00007-P	..... exempt	Authorization to extend the maturity date of certain short-term indebtedness and total debt.	To consider the request for authorization to enter into indebtedness.
PSC-34-21-00010-P	..... exempt	Clean Energy Standard Programs.	Continued implementation of the Clean Energy Standard and the Zero Energy Credit Requirements Programs.
PSC-35-21-00002-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-35-21-00003-P	..... exempt	PSC regulations 16 NYCRR 86.3(a)(2); 86.3(b)(2).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting.
PSC-35-21-00004-P	..... exempt	Major gas rate filing.	To consider a proposed increase in Corning's gas delivery revenues of approximately \$5.8 million (20.4% in total revenues).
PSC-35-21-00005-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-35-21-00006-P	..... exempt	Proposed rate increase.	To ensure safe and adequate service at just and reasonable rates.
PSC-35-21-00007-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-35-21-00009-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 in New York State.
PSC-36-21-00005-P	..... exempt	Transfer of real property.	To determine whether to authorize the transfer of real property and the proper accounting for the transaction.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-36-21-00006-P	..... exempt	The Westchester Power Program.	To consider integration of Opt-out Community Distributed Generation into the Westchester Power program.
PSC-36-21-00007-P	..... exempt	Pension settlement payout losses incurred in 2020.	Consideration of NYAW's petition to defer and amortize, for future rate recognition, pension payout losses incurred in 2020.
PSC-36-21-00008-P	..... exempt	Transfer of real property.	To determine whether to authorize the transfer of real property and the proper accounting for the transaction.
PSC-36-21-00009-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-37-21-00007-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-37-21-00008-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-37-21-00009-P	..... exempt	Procedures necessary to implement Tax Law Section 187-q.	To establish procedures by which eligible utility-taxpayers can have the amounts of certain waived customer arrears certified.
PSC-37-21-00010-P	..... exempt	Zero emitting electric generating facilities that are not renewable energy systems.	To consider modifications to the Clean Energy Standard.
PSC-37-21-00011-P	..... exempt	Green Button Connect implementation.	To consider the proposed Green Button Connect User Agreement and Green Button Connect Onboarding Process document.
PSC-37-21-00012-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether Catalyst should be permitted to offer its Community Distributed Generation product to mass market customers.
PSC-37-21-00014-P	..... exempt	Consideration of Time Warner Cable Information Services (New York)'s Revised Implementation Plan and audit recommendations.	To ensure that recommendations issued in a management and operations audit are appropriately addressed and implemented.
PSC-37-21-00015-P	..... exempt	Rehearing and/or reconsideration of the Commission's determination related to ITIA's non-pipe alternative project.	To determine whether the Commission made an error of fact related to ITIA's non-pipe alternative project.
PSC-38-21-00006-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries.	To consider filings of LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries.
PSC-38-21-00007-P	..... exempt	Electric metering equipment.	To consider use of electric submeter and ensure that consumer bills will be based on accurate measurements of electric usage.
PSC-39-21-00005-P	..... exempt	Establishment of the regulatory regime applicable to a electric transmission facility.	To ensure appropriate regulation of a new electric corporation.
PSC-39-21-00006-P	..... exempt	Minor electric rate filing to increase annual electric 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-39-21-00007-P	..... exempt	The proposed alternative method of account identification.	To facilitate secure customer data exchanges between the utility or provider and energy service entities.
PSC-40-21-00017-P	..... exempt	The Commission's Order Adopting Utility Energy Registry Modifications	To determine if the Commission committed errors of law or fact in its Order, or if new facts warrant a different result.
PSC-40-21-00018-P	..... exempt	Notice of intent to submeter electricity and request for waiver.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-40-21-00020-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-40-21-00021-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-41-21-00005-P	..... exempt	Area code overlay as relief of the exhausting 516 area code (Long Island).	To ensure performance in accordance with applicable telecommunications laws, regulations and standards and the public interest.
PSC-41-21-00006-P	..... exempt	The proposed transfer of ownership interests and debt financing arrangement related to an electric generating facility.	To determine whether the proposed transfer of ownership interests and financing arrangement are in the public interest.
PSC-41-21-00007-P	..... exempt	Waiver of certain Commission requirements related to the distribution of telephone directories.	To ensure performance in accordance with applicable telecommunications laws, regulations and standards and the public interest.
PSC-41-21-00008-P	..... exempt	Waiver of the prohibition on service to low-income customers by ESCOs.	To consider the petition for an extension of the waiver of the prohibition on service to low-income customers by ESCOs.
PSC-41-21-00009-P	..... exempt	Waiver of the prohibition on service to low-income customers by ESCOs.	To consider the petition for an extension of the waiver of the prohibition on service to low-income customers by ESCOs.
PSC-41-21-00010-P	..... exempt	Waiver of the prohibition on service to low-income customers by ESCOs.	To consider the petition for an extension of the waiver of the prohibition on service to low-income customers by ESCOs.
PSC-41-21-00011-P	..... exempt	Notice of intent 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-42-21-00005-P	..... exempt	Electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
PSC-42-21-00006-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-42-21-00007-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-43-21-00007-P	..... exempt	Minor rate filing.	To ensure safe and adequate service at just and reasonable rates.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-43-21-00008-P	..... exempt	Incremental demand side management programs.	To consider proposed demand side management programs and cost recovery.
PSC-44-21-00010-P	..... exempt	Petition to enter a long term loan agreement and to institute a surcharge for recovery.	To determine if the issuance of long term debt and a surcharge mechanism for recovery is in the public interest.
PSC-44-21-00011-P	..... exempt	The amount electric, gas, and steam corporations can charge for security deposits, and the acceptable forms of payment.	To establish security deposit requirements.
PSC-44-21-00012-P	..... exempt	Disposition of a New York State tax refund.	To determine the disposition of a tax refund obtained by New York American Water Company, Inc.
PSC-44-21-00013-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-44-21-00014-P	..... exempt	Development of distribution and local transmission in accordance with the AREGCB Act.	To support distribution and local transmission investments necessary to achieve the the State's climate goals.
PSC-45-21-00004-P	..... exempt	The SIR and Application Process for New DG and ESS 5 MW or Less Connected in Parallel with Utility Distribution Systems.	To accommodate federal government agencies that wish to install distributed generation or energy storage systems 5 MW or Less.
PSC-46-21-00011-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-46-21-00012-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-46-21-00013-P	..... exempt	ESCO Eligibility	To consider whether Astral should be allowed to market to and enroll residential customers following a suspension.
PSC-46-21-00014-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-47-21-00003-P	..... exempt	Utility processes for customers to consent to sharing data with third parties and how consent options will be communicated.	To develop standardized consent requirements that will increase customer familiarity with appropriate data sharing and access.
PSC-47-21-00004-P	..... exempt	Proposed modifications to CDRP.	To consider revisions to CDRP, as well as conforming tariff revisions.
PSC-47-21-00005-P	..... exempt	Utility processes for customers to consent to sharing data with third parties and how consent options will be communicated.	To develop standardized consent requirements that will increase customer familiarity with appropriate data sharing and access.
PSC-48-21-00004-P	..... exempt	Proposed filings to modify Riders AB and J - Smart Home Rate.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-48-21-00005-P	..... exempt	Transfer of street light facilities.	To consider the transfer of street lighting facilities to the Town of Hamburg.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-48-21-00006-P	..... exempt	Electric metering equipment.	To consider use of electric metering equipment and ensure consumer bills are based on accurate measurements of electric usage.
PSC-48-21-00007-P	..... exempt	Verizon's Performance Assurance Plan.	To consider whether to retire the Performance Assurance Plan.
PSC-49-21-00011-P	..... exempt	Amendments to the SIR.	To more effectively interconnect distributed generation and energy storage systems 5 MW or less to the distribution system.
PSC-49-21-00012-P	..... exempt	Hosting capacity maps at investor-owned electric utilities.	To provide more useful information about the distribution system's hosting capacity.
PSC-49-21-00013-P	..... exempt	Amendments to the SIR and funding mechanisms.	To more equitably share costs among distributed generation and energy storage projects that require capital upgrades.
PSC-49-21-00014-P	..... exempt	A Tier 4 renewable energy certificate contract.	To increase renewable generation in New York city.
PSC-49-21-00015-P	..... exempt	A Tier 4 renewable energy certificate contract.	To increase renewable generation in New York city.
STATE, DEPARTMENT OF			
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
DOS-39-21-00013-P	..... 09/29/22	Procedures to help avoid abandonment of cemeteries and determine when a cemetery has become abandoned.	To provide procedures to help avoid abandonment of cemeteries and determine when a cemetery has become abandoned.
DOS-42-21-00003-EP	..... 10/20/22	Ventilation Requirements	To provide an additional 6 months for appearance enhancement businesses to comply with existing ventilation standards
STATE UNIVERSITY OF NEW YORK			
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
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-41-21-00003-P	..... 10/13/22	New York State and City of Yonkers withholding tables and other methods.	To provide current New York State and City of Yonkers withholding tables and other methods.
TAF-46-21-00009-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, 2022 through March 31, 2021

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
TEMPORARY AND DISABILITY ASSISTANCE, OFFICE OF			
TDA-39-21-00004-EP	09/29/22	Standard Utility Allowances (SUAs) for the Supplemental Nutrition Assistance Program (SNAP)	These regulatory amendments set forth the federally-approved SUAs as of 10/1/21
TDA-43-21-00006-EP	10/27/22	Public Assistance (PA) eligibility interviews by phone or other digital means at PA applicant's or recipient's request	See attached addendum
URBAN DEVELOPMENT CORPORATION			
UDC-38-21-00001-EP	09/22/22	Biodefense Commercialization Fund program	To create the administrative processes for the Biodefense Commercialization Fund program
WORKERS' COMPENSATION BOARD			
WCB-28-21-00008-P	07/14/22	DME Fee Schedule	To correct codes ad update DME fee schedule
WCB-28-21-00009-P	07/14/22	Telehealth	Provides the option for telehealth visits in some circumstances
WCB-37-21-00018-P	09/15/22	NY Workers' Compensation Drug Formulary	Update the Formulary (technical and clarifying changes)
WCB-41-21-00012-P	10/13/22	Medical Treatment Guidelines	To add Eye Disorders, Traumatic Brain Injury, and Complex Regional Pain Syndrome MTGs

GUIDANCE DOCUMENTS

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

Public Service Commission

The Public Service Commission has published the full text of all guidance documents on which said agency currently relies on at the following website: <http://www.dps.ny.gov>

ADVERTISEMENTS FOR BIDDERS/CONTRACTORS

SEALED BIDS

REHABILITATE ELEVATORS

New York Psychiatric Institute
New York, New York County

Sealed bids for Project Nos. 45623-C, 45623-H, 45623-P, 45623-E and 45623-U, comprising separate contracts for Construction Work, HVAC Work, Plumbing Work, Electrical Work and Elevator Work, Rehabilitate Elevators, Buildings 4 & 5, New York Psychiatric Institute, 1051 Riverside Drive, New York (New York County), NY will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Office of Mental Health, until 2:00 p.m. on Wednesday, December 22nd, 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 \$20,300 for C, \$7,100 for H, \$11,700 for P, \$47,300 for E, and \$143,300 for U).

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 \$250,000 and \$500,000 for C, between \$50,000 and \$100,000 for H, between \$100,000 and \$250,000 for P, between \$1,000,000 and \$2,000,000 for E and between \$5,000,000 and \$6,000,000 for U.

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. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and to 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 867 days after the Agreement is approved by the Comptroller.

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be on December 7th, 2021 at 9:30 a.m. and 1:00 p.m. at New York Psychiatric Institute, 1051 Riverside Drive, Main Safety Desk, New York, NY. Prospective bidders are urged, but not mandated, to visit the site at this time. Prospective bidders or their representatives attending the pre-bid site visit will not be admitted on facility grounds without proper photo identification. Note that parking restrictions and security provisions will apply, and all vehicles will be subject to search. Refer to Document 002218 for any additional requirements for attendance at the pre-bid site visit.

Phone the office of Alesia Murray; (212) 459-7709, a minimum of 5 days in advance of the date to provide the names of those who will attend the pre-bid site visit. Only contractors that schedule a visit at least 5 days in advance will be allowed to participate in the pre-bid site visit.

Pursuant to New York State Executive Law Article 15-A and the rules and regulations promulgated thereunder, OGS is required to promote opportunities for the maximum feasible participation of New York State-certified Minority and Women-owned Business Enterprises ("MWBEs") and the employment of minority group members and women in the performance of OGS contracts. All bidders are expected to cooperate in implementing this policy. OGS hereby establishes an overall goal of 30% for MWBE participation, 15% for Minority-Owned Business Enterprises ("MBE") participation and 15% for Women-Owned Business Enterprises ("WBE") participation (based on the current availability of qualified MBEs and WBEs) for Construction Work, an overall goal of 10% for MWBE participation, 5% for Minority-Owned Business Enterprises ("MBE") participation and 5% for Women-Owned Business Enterprises ("WBE") participation (based on the current availability of qualified MBEs and WBEs) for Electrical Work and Elevator Work, an overall goal of 14% for MWBE participation, 7% for Minority-Owned Business Enterprises ("MBE") participation and 7% for Women-Owned Business Enterprises ("WBE") participation (based on the current availability of qualified MBEs and WBEs) for Plumbing Work and an overall goal of 0% for MWBE participation, 0% for Minority-Owned Business Enterprises ("MBE") participation and 0% for Women-Owned Business Enterprises ("WBE") participation (based on the current availability of qualified MBEs and WBEs) for HVAC Work. 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: 6% for the C trade contractor, 0% for the H trade contractor, 0% for the P trade contractor, 6% for the E trade contractor and 0% for the U 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 OGS - Design & Construction Group

**DEMOLISH
BUILDINGS**
Brace Residential Center
Masonville, Delaware County

Sealed bids for Project No. 45871-C, comprising a contract for Construction Work, Demolish Buildings & Provide Site Improvements, Brace Residential Center, 10699 State Highway 8, Masonville (Delaware County), NY will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Office of Children and Family Services, until 2:00 p.m. on Wednesday, December 15, 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 \$53,900 for C).

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 \$1,000,000 and \$2,000,000 for C.

Pursuant to State Finance Law §§ 139-j and 139-k, this solicitation includes and imposes certain restrictions on communications between OGS D&C and a bidder during the procurement process. A bidder is restricted from making contacts from the earliest posting on the OGS website, in a newspaper of general circulation, or in the Contract Reporter, of written notice, advertisement or solicitation of offers, through final award and approval of the contract by OGS D&C and the Office of the State Comptroller (“Restricted Period”) to other than designated staff, unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a). Designated staff are John Pupons, Jessica Hoffman, and Pierre Alric in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and to

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 290 days after the Agreement is approved by the Comptroller.

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

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be on December 3, 2021 at 10:00 a.m. and 12:30 p.m. at the entrance to Brace Residential Center, 10699 State Highway 8, Masonville, NY. Prospective bidders are urged, but not mandated, to visit the site at this time. Prospective bidders or their representatives attending the pre-bid site visit will not be admitted on facility grounds without proper photo identification. Note that parking restrictions and security provisions will apply, and all vehicles will be subject to search. Refer to Document 002218 for any additional requirements for attendance at the pre-bid site visit.

Phone the office of Luanne Vaughn; (607-721-8716) a minimum of 72 hours in advance of the date to provide the names of those who will attend the pre-bid site visit. Only contractors that schedule a visit at least 72 hours in advance will be allowed to participate in the pre-bid site visit.

Pursuant to New York State Executive Law Article 15-A and the rules and regulations promulgated thereunder, OGS is required to promote opportunities for the maximum feasible participation of New York State-certified Minority and Women-owned Business Enterprises (“MWBEs”) and the employment of minority group members and women in the performance of OGS contracts. All bidders are expected to cooperate in implementing this policy. OGS hereby establishes an overall goal of 30% for MWBE participation, 15% for Minority-Owned Business Enterprises (“MBE”) participation and 15% for Women-Owned Business Enterprises (“WBE”) participation (based on the current availability of qualified MBEs and WBEs). The total contract goal can be obtained by utilizing any combination of MBE and/or WBE participation for subcontracting and supplies acquired under this Contract. 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: 0% for the C 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 OGS - Design & Construction Group

**REPLACE
BOILER/EQUIPMENT
State Armory
New York, New York County**

Sealed bids for Project No. 46216-H, comprising a contract for HVAC Work, Replace Boiler & Equipment, State Armory, 2366 5th Avenue, New York (New York 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 Military and Naval Affairs, until 2:00 p.m. on Wednesday, December 15, 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 \$58,500 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 \$1,000,000 and \$2,000,000 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-. 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.

 X 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 234 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: 6% 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 OGS - Design & Construction Group

RESTORE
PERIMETER SECURITY FENCE
 Kingsboro Psychiatric Center
 Brooklyn, Kings County

Sealed bids for Project No. 47017-C, comprising separate contracts for Construction Work, Restore Perimeter Security Fence, Buildings 1, 2 & 19, Kingsboro Psychiatric Center, 681 Clarkson Avenue, Brooklyn (Kings County), NY will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Office of Mental Health, until 2:00 p.m. on Wednesday, December 22, 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 \$24,200 for C).

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 \$250,000 and \$500,000 for C.

Pursuant to State Finance Law §§ 139-j and 139-k, this solicitation includes and imposes certain restrictions on communications between OGS D&C and a bidder during the procurement process. A bidder is restricted from making contacts from the earliest posting on the OGS website, in a newspaper of general circulation, or in the Contract Reporter, of written notice, advertisement or solicitation of offers, through final award and approval of the contract by OGS D&C and the Office of the State Comptroller ("Restricted Period") to other than designated staff, unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a). Designated staff are John Pupons, Jessica Hoffman, and Pierre Alric in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and to 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 163 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 30% for MWBE participation, 15% for Minority-Owned Business Enterprises ("MBE") participation and 15% for Women-Owned Business Enterprises ("WBE") participation (based on the current availability of qualified MBEs and WBEs). The total contract goal can be obtained by utilizing any combination of MBE and/or WBE participation for subcontracting and supplies acquired under this Contract. 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: 6% for the C 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 OGS - Design & Construction Group

REPLACE
STANDBY GENERATORS
 Various Facilities
 Department of Transportation Region 4, Livingston County

Sealed bids for Project No. 47125-E, comprising a contract for Electrical Work, Replace Standby Generators, Various DOT Facilities, DOT Region 4, (Livingston 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 Transportation, until 2:00 p.m. on Wednesday, December 22nd, 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 \$22,000 for E).

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 \$250,000 and \$500,000 for E.

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-. 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 283 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 14% for MWBE participation, 7% for Minority-Owned Business Enterprises (“MBE”) participation and 7% 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: 6% for the E 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 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-2021-0820

Date of Issuance – December 8, 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 of 1972, as amended.

The applicant has certified that the proposed activity complies with and will be conducted in a manner consistent with the approved New York State Coastal Management Program.

In F-2021-0820, Town of Southampton-Remove residence and foundation. Remove remains of dilapidated building. Remove existing sanitary system and driveway. Regrade for proposed trail, driveway, and parking area with 5 parking stalls. Install proposed stormwater retention basins. Proposed catwalk over tidal marsh land at 1194 Flanders Road, Reeves Bay, Flanders, Town of Southampton, Suffolk County.

The stated purpose of the proposed action is to provide recreational outdoor space for residents.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2021/12/f-2021-0820consistcert.pdf> or at <https://dos.ny.gov/public-notices>

Original copies of public information and data submitted by the applicant 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.

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 January 7, 2022.

Comments should be addressed to: Consistency Review Unit, Department of State, Office of Planning, Development & Community

Infrastructure, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-6000, Fax (518) 473-2464. Electronic submissions can be made by email at: CR@dos.ny.gov

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

PUBLIC NOTICE

Department of State
F-2021-0842

Date of Issuance – December 8, 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-2021-0842, 2GDS1 LLC (Nader Damaghi) is proposing to construct a new 5' x 457' fixed pier, leading to 3' x 40' ramp and a 12' x 20' float secured by four (4) three-pile clusters. The project is located on Manhasset Bay at 10 Shore Drive, Kings Point, NY 11420.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2021/12/f-2021-0842damaghi.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 January 7, 2022.

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
F-2021-0965

Date of Issuance – December 8, 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 of 1972, as amended.

The applicant has certified that the proposed activity complies with and will be conducted in a manner consistent with the approved New York State Coastal Management Program.

In F-2021-0965, The City of Ogdensburg, is proposing to replace

an existing limestone masonry wall with a new precast concrete segmental block wall. The new wall would not encroach further into the river than the footprint of the existing wall and would have a top elevation of between 252' and 255'. The proposal also includes the placement of medium stone rip rap and bedding stone at the toe of the new wall that would extend waterward of the wall up to 10.5' and result in the discharge of 790 cubic yards of rock fill placed below the plane or Ordinary High Water. The project would also include the excavation of up to 400cy of material on the waterside of the wall to allow for placement and embedding of the proposed medium stone fill. Material will either be retained and used landward of the new wall or disposed of off-site at an upland location. In-water work would be completed within the confines of a coffer dam. Additional upland improvements are proposed including realignment of the trail and relocation/replacement of associated amenities including lighting, landscaping include the removal of up to 24 trees and planting new trees and shrubs.

The work is proposed along the eastern shoreline of the Oswegatchie River in the vicinity of the Maple City Trail which is located west of Crescent Street in the City of Ogdensburg, St. Lawrence County.

The stated purpose of the proposed action is "to increase resiliency within the project area by reducing flooding potential, riverbank erosion, and property damage caused by high-water events.

This proposal is part of the New York State Lake Ontario Resiliency & Economic Development Initiative (REDI). REDI is a program created to increase the resilience of shoreline communities and bolster economic development throughout the Lake Ontario and St. Lawrence River regions of New York State. Additional information about the REDI program including project profiles can be found at: <https://www.governor.ny.gov/programs/lake-ontario-resiliency-and-economic-development-initiative-redi>

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2021/12/f-2021-0965publicnotice.pdf> or at <https://dos.ny.gov/public-notices>

Original copies of public information and data submitted by the applicant 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.

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 15 days from the date of publication of this notice, or December 23, 2021.

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

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

PUBLIC NOTICE

Department of State
F-2021-0987

Date of Issuance – December 8, 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 of 1972, as amended.

The applicant has certified that the proposed activity complies with and will be conducted in a manner consistent with the approved New York State Coastal Management Program.

In F-2021-0987, NYC Parks and Recreation, is proposing the expansion of Bridge Park into the Site including an extension of the existing multi-use pathway and park along with construction of secondary walkways, lighting infrastructure, and landscaping. The project will also include the replacement of the eroded shoreline, approximately halfway between the Alexander Hamilton Bridge and

High Bridge Aqueduct, with a living shoreline, resulting in creation of new vegetated low marsh or tidal wetlands and restoration of existing unvegetated tidal wetlands into vegetated low marsh within the Site. The project location is at Exterior Street and W. 171st Street, Bronx County, Harlem River.

The stated purpose of the proposed action is to improve public open space and waterfront access by extending the multi-use pathway from the existing Bridge Park approximately 0.24-miles into the site.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2021/12/f-2021-0987bridgeparkapp.pdf> or at <https://dos.ny.gov/public-notices>

Original copies of public information and data submitted by the applicant 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.

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 January 7, 2022.

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

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

PUBLIC NOTICE

Department of State
F-2021-1029

Date of Issuance – December 8, 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-2021-1029, Chris Alamia is proposing to reconstruct of an existing 6' x 14' and 12' x 12' dock in-place. Also, proposed is the construction of a new 3' x 21' ramp leading to a 4' x 6' platform and 8' x 24' float and 6' x 20' float and a boat lift. The project is located on Parsonage Creek at 573 Derby Drive East, Oceanside, NY 11572.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2021/12/f-2021-1029alamia.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 January 7, 2022.

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 other-

wise 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.

2021-0558 Matter of Canandaigua Country Club located at 3288 Fallbrook Park, Town of Canandaigua (County of Ontario), NY, for a variance concerning corridor Sprinkler Requirements. (Board Variance)

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.

2021-0559 Matter of Christopher & Maria Lundie, 80 Rogers Place, Floral Park, NY 11001, for a variance concerning safety requirements, including the basement ceiling height involved is an existing one-family dwelling located at 80 Rogers Place, Inc., Village of Floral Park, NY 11001, County of Nassau, State of New York.

2021-0562 Matter of Colonial Property Consultants, Mario Vigliotta, P.O. Box 129, Blue Point, NY 11715, for a variance concerning safety requirements, including allow a storage building to not have a toilet room. Involved is a storage building of type IIB construction located at 2 Chets Swezey Road, Center Moriches, Town of Brookhaven, NY 11934, County of Suffolk, State of New York.

2021-0563 Matter of John T. Holter, 18 Phenix Road, Rocky Point, NY 11778, for a variance concerning safety requirements, including the basement ceiling height and the height under a girder, involved is an existing one-family dwelling located at 18 Phenix Road, Rocky Point, Town of Brookhaven, NY 11778, County of Suffolk, State of New York.

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.

2021-0561 Matter of Beyond 1412 Sweethome Road Suites 1-5 located at 1412 Sweethome Road, Town of Amherst (County of Erie), NY, for a variance concerning corridor construction requirements. (Board Variance)

