
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 June 19, 2022
- the 45-day period expires on June 4, 2022
- the 30-day period expires on May 20, 2022

**KATHY HOCHUL
GOVERNOR**

**ROBERT J. RODRIGUEZ
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

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

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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 Cannabis Management

**REGULATORY IMPACT
STATEMENT,
REGULATORY FLEXIBILITY
ANALYSIS, RURAL AREA
FLEXIBILITY ANALYSIS
AND/OR
JOB IMPACT STATEMENT**

Part 116—Conditional Adult-Use Retail Dispensary

I.D. No. OCM-13-22-00002-P

This regulatory impact statement, regulatory flexibility analysis, rural area flexibility analysis and/or job impact statement pertain(s) to a notice of proposed rule making, I.D. No. OCM-13-22-00002-P, printed in the *State Register* on March 30, 2022.

Regulatory Impact Statement

Statutory Authority:

Section 13 of the Cannabis Law provides, in part, that the Cannabis Control Board (Board) shall propose such rules and regulations as the Board may deem necessary or proper to fully effectuate the provisions of the Cannabis Law. These proposed rules and regulations shall include the application, eligibility and licensing of applicants seeking to obtain a conditional adult-use retail dispensary license.

Legislative Objectives:

The Legislature intended to regulate, control, and tax cannabis, generate significant new revenue, make substantial investments in

communities and people most impacted by cannabis criminalization, reduce participation of otherwise law-abiding citizens in the illicit market, end the racially disparate impact of existing cannabis laws, create new industries, and increase employment.

The proposed regulations accomplish this objective by establishing application requirements for initial and renewal licensure as a conditional adult-use retail dispensary (CAURD). This will, in turn, create retail dispensary spaces in New York State for the initial phase of adult-use retail dispensaries roll-out. The proposed regulations create a structure to define who eligible applicants are, the relationship they must have to being justice involved, and ensuring that there are no fraudulent activities by vetting all in the ownership structures, including true parties of interest, all while creating a process to determine eligibility and evaluate which eligible applicants would be placed in regional geographic locations, with considerations of preference and need. Finally, the proposed regulation outlines the process for renewal of the license, how to transition out of the conditional period and what requirements and prohibitions exist for running a conditional adult-use retail dispensary. The regulation details what constitutes a surrender of a license and what a licensee needs to do to cease operations.

Needs and Benefits:

The proposed rule establishes the framework necessary to address common challenges faced by adult-use cannabis programs in other states on providing access and opportunity in the market to those most impacted by the enforcement of the prohibition of cannabis. The common challenges faced by programs in other states tend to be: (1) access to capital; (2) access to real estate, and (3) timing into the market. The application process, eligibility and evaluation criteria, and requirements and prohibitions for a CAURD license seek to address each identified barrier and ensure that New York realizes the foundational social and economic equity goals of the Cannabis Law and Marihuana Regulation and Taxation Act (the Act).

These criteria, shaped in tandem with State partners, strike a balance of licensing those most impacted, while also giving an early licensing opportunity to entrepreneurs that have demonstrated capacity to operate a business in what stands to be a dynamic, complex regulatory environment and potentially hyper-competitive market.

The proposed rule establishes parameters around how individuals may apply and what is needed to be eligible to apply, for a CAURD. The objective is to provide a cohort of entrepreneurs, whose lives have been directly and significantly impacted by the disproportionate enforcement of cannabis prohibition but who have also demonstrated the ability to grow and run a business, the first opportunity to obtain a retail license in New York's legal adult-use cannabis market.

The CAURD license is a subset of the retail dispensary license but is distinguished from other retail license types in that it is only available to applicants who can meet the eligibility criteria and may receive support from New York State in the form of a loan or assistance finding and securing a retail dispensary location, if available.

Costs:

Costs for the Implementation of, and Continuing Compliance with the Regulation to the Regulated Entity:

There will be a non-refundable \$2,000 fee associated to the application for licensure as a CAURD licensee. Upon the expiration of the conditional period (which is four years from the date the CAURD

license is granted), the regulated entity shall have an opportunity to transition to an adult-use retail dispensary as prescribed by the Office under forthcoming adult-use retail dispensary regulations, which are still in development.

Upon licensure, there will be costs related to the operation of a CAURD license imposed upon the regulated entity to comply with all the laws, rules and regulations governing adult-use retail dispensary licenses. Sections 72 and 85 of the Cannabis Law outline requirements for retail dispensary licenses including but not limited to, identification checks to ensure all customers are 21 years or older, security provisions to prevent inversion or diversion of cannabis products, record keeping requirements, tax collection and remitting responsibilities and making public health educational materials available at retail dispensary locations.

Costs to State and Local Governments:

The proposed rule does not require the state or local government to perform any additional tasks beyond those contemplated under the Cannabis Law. Additionally, the Cannabis Law imposes a four percent tax on the sale of adult-use cannabis sold at a retail dispensary to be directed to the localities where the retail dispensary is located.

Costs to the Office of Cannabis Management:

The Office of Cannabis Management anticipates the conditional adult-use retail dispensary program will require Office resources to support the application development and review and ongoing monitoring and compliance of licensees. Staff will be required to review and manage the applications submitted and enforce compliance associated with the conditional adult-use retail dispensaries once they are licensed. However, the Office anticipated these costs and is in line with the legislative intent of the Cannabis Law.

Local Government Mandates:

The proposed rule does not impose any new programs, services, duties or responsibilities on local government.

Paperwork:

The paperwork associated with processing applications for entities who wish to become CAURD licensees in New York State will include background information on the applicant and each individual associated with the ownership, management and financing of the applicant, among other requirements. It is anticipated that processing applications will be ongoing as applicants apply and renew. Additionally, applicants seeking prior written approval of the Office for changes to their operation or ownership structure will need to submit documents needed for the office to review and consider the request for approval or denial.

Paperwork will be associated with the maintenance of records for the applicant and licensee's operating procedures as well other records required. Applicants and licensees are required to continue to disclose any change to the information provided to the office at the time of application and after licenses are disclosed.

Duplication:

The proposed rule does not duplicate any existing State or federal requirements that are applicable to a conditional adult-use retail dispensary license.

Alternatives:

There were no significant alternatives proposals to be considered for the adoption of the proposed regulations to be considered during the regulatory process as the alternative would have been to do nothing and not establish this license or to establish a more flexible licensure schematic which did not have rules, but policy decisions. Doing nothing was not a significant alternative because there was a need to provide licenses for adult-use purposes to address the legislative intent to regulate, control, and tax cannabis, generate significant new revenue, make substantial investments in communities and people most impacted by cannabis criminalization, reduce participation of otherwise law-abiding citizens in the illicit market, end the racially disparate impact of existing cannabis laws, create new industries, and increase employment. To establish such a lofty application and licensure process, SAPA would have mandated that where there are hard and fast rules, the flexibility in establishing the procedure through guidance was also not a significant alternative because there were go-

ing to be things required of each applicant where there would be no flexibility.

Federal Standards:

Federal requirements do not include provisions for a conditional adult-use retail dispensary licensure.

Compliance Schedule:

The proposed regulations will take effect upon publication of a Notice of Adoption in the New York State Register.

Department of Corrections and Community Supervision

EMERGENCY/PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Definitions, Standards of Incarcerated Individual Behavior, Special Housing Units, and Institutional Programs

I.D. No. CCS-16-22-00003-EP

Filing No. 247

Filing Date: 2022-04-01

Effective Date: 2022-04-01

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

Proposed Action: Amendment of sections 1.5, 251-1.6, 251-1.7, 251-2.2, 251-4.1, 253.7, 254.7, 270.2, 300.2, 301.1, 301.3, 302.1, 304.3, 304.4, 724.2, 724.3, 724.4, 724.5; repeal of sections 250.2, 251-1.5, 251-2.1, 251-4.2, 301.4, 301.5, 301.6, 301.7, 304.2(b)-(f); addition of sections 251-5.2, 251-5.3, 251-5.4, 304.1(c) and 304.7(h) to Title 7 NYCRR.

Statutory authority: Correction Law, section 70

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

Specific reasons underlying the finding of necessity: The implementation of the HALT Act which takes effect on March 31, 2022. The adoption of the regulations is necessary for the general welfare of incarcerated individuals who are subject to discipline for violating an institutional rule. Effective March 31, 2022, the time individuals are permitted to be placed in segregated housing is severely limited and requires out-of-cell time. HALT requires the creation of new housing units – Residential Rehabilitation Units (RRUs) where individuals are placed after segregated confinement. With the creation of RRUs, the Act requires the implementation of three hours of out-of-cell congregate programming focusing on the behavior that caused them to be in segregated confinement and recreation. In addition, changes are required regarding restraining individuals and certain privileges, such as property and jobs on the units. The time individuals can spend in an RRU is also limited. The new disciplinary hearing process provides shortened deadlines and the opportunity for incarcerated individuals to request representation at their hearings by either attorneys, paralegals, law school students, and other incarcerated individuals. Significant changes in the operation processes are needed to meet the shortened deadlines and the creation of criteria for those representing incarcerated individuals at a hearing.

Subject: Definitions, Standards of Incarcerated Individual Behavior, Special Housing Units, and Institutional Programs.

Purpose: To revise regulations to be in compliance with the new HALT legislation and applicable laws.

Substance of emergency/proposed rule (Full text is posted at the following State website: <http://www.doccs.ny.gov/RulesRegs/index.html>): The Department of Corrections and Community Supervision is amending, repealing, and adding several sections in 7 NYCRR Chapter I, Part I; Chapter V, Parts 250-254; Chapter VI, Parts 300-304; and Chapter VIII, Part 724. Revisions have been made to make the regulations compliant with the new HALT legislation regarding the removal of keeplock and limiting the use of segregated confinement for incarcerated individuals to 15 days and other applicable laws. Some revisions are non-substantive and are being made to improve punctuation and grammar. A summary of the substantive amendments are as follows:

The term "inmates" was replaced with "incarcerated individuals" or appropriate variations thereof throughout the regulations.

The following Sections/subdivisions have been repealed and subdivisions renumbered:

- Section 1.5(x) is repealed.
- Section 250.2 is repealed.
- Section 251-1.5 is repealed.
- Section 251-1.6, Subdivisions (c), (d), and (e) are repealed.
- Section 251-1.6, Subdivision (f) is renumbered subdivision (c).
- Section 251-2.1 is repealed.
- Section 251-2.2, Subdivisions (b), (c), (d), (e), and (f) are repealed.
- Section 251-4.2 is repealed.
- Section 251-5.1, Subdivision (c) is repealed.
- Section 724.2, Subdivision (b) is repealed.
- Section 724.3, Subdivision (a), Paragraphs (4), (5), (6), and (8) are repealed.
- Section 724.3, Subdivision (a), Paragraph (7) was renumbered to (4).
- Section 724.3, Subdivision (b), Paragraph (8) is repealed.
- Section 724.3, Subdivisions (c), (d), (e), and (f) are repealed.
- Section 724.3, Subdivision (g), Paragraphs (2), (3), and (4) are repealed.
- Section 724.3, Subdivision (h), Paragraph (2) is repealed.
- Section 724.3, Subdivision (i), Paragraph (2) is repealed.
- Section 724.3, Subdivision (j), Paragraphs (1) and (2) are repealed.
- Section 724.3, Subdivisions (g), (h), (i), and (j) are renumbered to Subdivisions (c), (d), (e), and (f) accordingly.
- Section 724.4, Subdivision (a), Paragraphs (1), (2), (3), (4), and (5) are repealed.
- Section 724.4, Subdivision (b), Paragraphs (1), (2), (3), and (4) are repealed.
- Section 724.5, Subdivisions (b) and (c) are repealed.
- Section 301.3, Subdivision (b) is repealed.
- Section 301.4 is repealed.
- Section 301.5 is repealed.
- Section 301.6 is repealed.
- Section 301.7 is repealed.
- Section 304.2, Subdivisions (b), (c), (d), (e), and (f) are repealed.
- Section 304.3, Subdivision (d) is repealed.
- Section 304.4, Subdivision (e) is repealed.

Amend Section 1.5 to revise the following subdivisions: Section 1.5(f) removes "persons committed for failure to pay a fine", Section 1.5(u) adds "21 years of age or younger and 55 years of age or older", Section 1.5(v) removes the mention of keeplock and adds language regarding limiting cell confinement for incarcerated individuals except due to facility wide emergency or to provide medical or mental health treatment, Section 1.5(w) removes "placement in a special housing unit or a residential rehabilitation unit."

Amend Section 251-1.6. Incarcerated individuals in special populations are not to be placed in segregated confinement for any length of time and incarcerated individuals being confined to a cell or room may not be confined for longer than 17 hours unless approval is granted by the superintendent and deputy commissioner for correctional facilities, in which case time may be extended up to 48 hours.

Amend Section 251-2.2 to be titled Misbehavior Report Review. A review officer will review all misbehavior reports that have not yet been reviewed at least once on each shift and will review the status of each incarcerated individual confined pursuant to the reports within 17 hours of the individual's confinement.

Amend Section 251-4.1 to Employee Assistance which addresses incarcerated individuals requesting employee assistance when a misbehavior report has been issued against them.

Amend Section 251-5.1. Incarcerated individuals placed in segregated confinement pending a superintendent's hearing, the hearing shall be completed within five days of placement unless the individual requests a postponement for the purposes of seeking employee assistance and/or representation. Requests to postpone the hearing must be submitted by the charged individual to the hearing officer, in person, at the individual's first appearance before the hearing officer. Failure to appear will result in the waiver of any postponement request and the hearing will be held in the charged individual's absence. Postponement requests will not be accepted by escorting officers or other departmental staff.

Add new Section 251-5.2. Representation. Defines who is permitted to represent an incarcerated individual that is placed in segregated confinement pending a disciplinary hearing or superintendent's hearing.

Add new Section 251-5.3. Notice of Outside Representation. The attorney, law student, or paralegal must contact the facility by email, providing notice of representation, written certification such representative meets all departmental requirements for such representation, and a publicly listed business phone number where they can be reached by the hearing officer at scheduled date and time of the hearing at least two business days before the scheduled hearing.

Add new Section 251-5.4. Outside Representative Requests. Outside representatives may make one written request for postponement for re-

scheduling or additional employee assistance requests, provided that such request is submitted by email with the notice of outside representation and reasonably describes the assistance sought. Reasonable postponement requests may be granted dependent upon the scheduling needs of the facility; however, such postponements may not exceed 14 calendar days from the charged initial placement in segregated confinement.

Amend Section 253.7. Upon affirming a charge, a hearing officer may impose one or more penalties to include counsel and/or reprimand, and non-confinement sanction in accordance with departmental directive 4932, loss of visiting privileges, restitution for loss of intentional damage to property, the imposition of one work task per day other than regular work assignments, and forfeiture of money confiscated as contraband.

Amend Section 254.7. Where the incarcerated individual admits the charges or where the hearing officer affirms the charges on the basis of evidence, the hearing officer may impose one or more penalties to include counsel and/or reprimand, and non-confinement sanction in accordance with departmental directive 4932, loss of visiting privileges, restitution for loss of intentional damage to property, the imposition of one work task per day other than regular work assignments, forfeiture of money confiscated as contraband, segregated confinement for a specified period of time, and loss of specified period of good behavior allowance subject to restoration upon substantial completion of the incarcerated individual's rehabilitation plan. Upon conclusion of the hearing a mandatory disciplinary surcharge in accordance with departmental directive 4932 shall be assessed automatically against the incarcerated individual.

Amend Section 724.3, Subdivision (a). Articles received in a package must comply with departmental directives concerning packages and personal property limits. Articles received that are not for the incarcerated individual's personal use, which cause the recipient to exceed the number of allowable packages, weight limits, or in-cell limits, or which otherwise violate departmental directives will not be allowed and will be disposed of in accordance with departmental directives.

Amend Section 724.3, Subdivision (b). (1) Packages shall be searched thoroughly to ensure that all articles conform to regulations and departmental directives. Paragraph (5) added that any items which could be utilized to assist or affect an escape or undermine the safety and security and/or practices consistent with the department's mission; or which is an approved item but has been altered from its original intent and/or purpose to the list of what could be considered contraband. Paragraph (6) clarifies that articles not permitted (other than contraband) will be disposed of in accordance with departmental directive. Paragraph (7) now states articles shall not be altered or modified by the manufacturer or vendor, except for removal of external radio antennas.

Amend Section 724.3. Newly renumbered subdivision (c) states all articles received shall be recorded in accordance with departmental directive.

Amend Section 724.3. Newly renumbered subdivision (d) states packages received for an incarcerated individual serving a disciplinary disposition which includes "loss of package privileges" will be handled in accordance with departmental directive.

Amend Section 724.3. Newly renumbered subdivision (f) states packages received for incarcerated individuals transferred or temporarily absent from the facility shall be handled in accordance with departmental directives.

Amend Section 724.4. Subdivision (a) states certain articles cannot be approved department-wide because of programmatic and physical plant characteristics of individual facilities. In order that those locations which can accommodate special articles are not governed by those which cannot, each facility shall consider the issuance of "local permits" in accordance with departmental directives.

Amend Section 724.4. Subdivision (b) states each superintendent is required to maintain a current list of all approved local permits.

Amend Section 724.5. Listing of approved items and disposal procedures. The department shall maintain a departmental directive concerning the receipt of packages, including a detailed listing of items approved for receipt by incarcerated individuals through facility package rooms, and policy for the disposal of disallowed packages and items, which shall be available to incarcerated individuals in all facility libraries, posted in all facility package rooms and visiting rooms, and posted on the department's website.

Amend Section 300.2. Subdivision (b) states a special housing unit, in maximum security facilities as well as in designated medium security facilities, shall consist of single- or double-occupancy cells grouped so as to provide separation from the general population, and may be used to house incarcerated individuals confined to such units pursuant to Part 301 of this Title.

Amend Section 301.1 Purpose. No incarcerated individual may be placed in segregated confinement (SHU) for longer than necessary and for no more than 15 consecutive days or 20 total days in any 60-day period, except where a specific act constitutes a violent felony act, if occurring

more than once in a 60-day period, the incarcerated individual may serve an additional 15 consecutive days but must spend at least 15-days in a Residential Rehabilitation Unit (RRU) in between each placement in SHU. Incarcerated individuals will be transferred or moved to an RRU if they have additional confinement time after completing 15-days in SHU.

Amend Section 301.3. Subdivision (a). Detention admissions may be used in the case of an incarcerated individual who is awaiting initial appearance before or determination of a superintendent's hearing, if a security supervisor, with written approval of the superintendent or designee, reasonably believes the person fits the criteria for segregated confinement in paragraph (ii) of paragraph (k) of section one hundred thirty-seven of the Correction Law. Subdivision (c) is renumbered subdivision (b) and newly renumbered subdivision (b) states in the case of any detention admission, if a misbehavior report has been issued, the provisions of section 251-2.2 of this Title shall be applicable. Pursuant to Part 251-1.6 (b) of this title, the facility's deputy superintendent of security or a watch commander shall review the detention admission incarcerated individual's status at least once every 24 hours.

Amend Section 302.1. Subdivision (i), paragraph (2). An incarcerated individual shall be permitted to make at least one personal phone call within twenty-four hours of placement in segregated confinement, and at weekly intervals thereafter for the duration of such confinement, except when doing so would create an unacceptable risk to the safety and security of incarcerated individuals or staff. Emergency and legal telephone calls are permitted, as approved by the superintendent. Paragraph (3) states no packages may be received at any time by an incarcerated individual in an SHU except in accordance with departmental directive 4933.

Amend Section 304.1. Add new subdivision (c). Incarcerated individuals in segregated confinement shall be offered out-of-cell programming at least four hours per day, including at least one hour for recreation. However, if an incarcerated individual commits a specific act while housed in a SHU and poses a significant risk, their participation in certain programs may be restricted but they must still be provided with at least 4 hours out-of-cell time daily, of which 2 hours are therapeutic programming and 2 hours of recreation.

Amend Section 304.7. Add new subdivision (h). Incarcerated individuals may utilize law library tablets in accordance with departmental directive 4933.

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 June 29, 2022.

Text of 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, Hariman 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.

Regulatory Impact Statement

1. Statutory Authority:

On March 18, 2021, the HALT legislation was passed with an effective date of March 31, 2022, which made significant changes to Article 6, Section 137, of the Correction Law relating to the hearing process, housing, and rules concerning incarcerated individual discipline.

Article 6, section 112, subdivision 1 of the Correction Law provides the commissioner of corrections and community supervision with the superintendence, management and control of the correctional facilities in the department and of the incarcerated individuals confined therein, and of all matters relating to the government, discipline, policing, contracts and fiscal concerns thereof. In this regard, the commissioner is authorized to make rules and regulations for the government, housing and discipline for each correctional facility and to cause such rules and regulations to be recorded by the superintendent of each facility.

2. Legislative Objectives:

To decrease the use and improve the conditions of segregated housing at State Correctional Facilities by limiting the time an incarcerated individual may spend in segregated confinement, end the segregated confinement of vulnerable populations, restrict the criteria that can result in such confinement, and create more humane and effective alternatives to such confinement.

3. Needs and Benefits:

To implement the HALT Law, the Department needs to amend its regulations related to segregated confinement consistent with the changes to the correction law in the areas of housing, hearing process, and rules relating to incarcerated individual discipline and operational processes. The anticipated benefits include fulfilling the legislature's objective to reduce the use and improve the conditions of segregated housing at State Correctional Facilities and offering programming that addresses the behavior that was the catalyst for a person being placed in segregated confinement.

4. Costs:

(a) This proposed rulemaking imposes no costs on any local agency.
(b) As the proposed rulemaking does not apply to private parties, no costs are imposed on private parties.

(c) DOCCS is appropriated \$45,280,000 in the Executive Budget for the Fiscal Year 2022-2023 for costs associated with the implementation of HALT.

5. Local Government Mandates:

This rulemaking imposes no program, service, duty or responsibility on any county, city, town, village, school district, or other special district. It applies only to NYS DOCCS.

6. Paperwork:

The HALT Law adds a reporting requirement that DOCCS will conspicuously publish reports on its website on the first day of each month of the total number of incarcerated individuals in segregated housing or residential rehabilitation units, and in a step-down unit, which will be broken into demographics. Also, DOCCS will publish semi-annual and annual cumulative reports compiling the information from the monthly reports.

7. Duplication:

There is no overlap or conflict with any other legal requirements of the State or Federal government.

8. Alternatives:

As this proposal is necessary to implement the statutory changes in the HALT Law, and the existing regulations are inconsistent with such changes, there is no viable alternative.

9. Federal Standards:

There are no federal standards that apply to the proposed rulemaking.

10. Compliance Schedule:

Compliance will be achieved immediately upon filing of the emergency adoption inclusive of any dates contained in the regulations.

Regulatory Flexibility Analysis

A Regulatory Flexibility Analysis is not required for this proposal since it will not impose any adverse economic impact or reporting, record keeping or other compliance requirements on small businesses or local governments. This proposal amends Departmental regulations relating to the administration of Special Housing Units in New York State Correctional Facilities consistent with the "Humane Alternatives to Long-Term Solitary Confinement" (HALT) Act, which was signed into law in March 2021.

Rural Area Flexibility Analysis

A Rural Area Flexibility Analysis is not being submitted with this notice since the proposed rule will have no impact upon rural areas, nor does the proposed rule impose any reporting, recordkeeping or other compliance requirements upon rural areas. This proposal amends Departmental regulations relating to the administration of Special Housing Units in New York State Correctional Facilities consistent with the "Humane Alternatives to Long-Term Solitary Confinement" (HALT) Act, which was signed into law in March 2021.

Job Impact Statement

A Job Impact Statement is not being submitted with this notice, for the proposed rule will have no adverse impact upon jobs or employment opportunities, nor does the proposed rule impose any reporting, recordkeeping or other compliance requirements upon employers. This proposal amends Departmental regulations relating to the administration of Special Housing Units in New York State Correctional Facilities consistent with the "Humane Alternatives to Long-Term Solitary Confinement" (HALT) Act, which was signed into law in March 2021.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Limits on Administrative Expenses and Executive Compensation

I.D. No. CCS-16-22-00002-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 repeal Part 513 of Title 7 NYCRR.

Statutory authority: Correction Law, section 70

Subject: Limits on Administrative Expenses And Executive Compensation.

Purpose: To remove outdated references in the Department's regulations.

Text of proposed rule: The Department of Corrections and Community Supervision proposes to amend Part 513 as follows:

Repeal Part 513 Limits on Administrative Expenses and Executive Compensation.

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

This proposal will repeal regulations established based on Executive Order 38 signed by former Governor Andrew Cuomo which expired in 2021. No person is likely to object to this proposal to repeal sections 7 NYCRR sections 513.1, 513.2, 513.3, 513.4, 513.5, 513.6, 513.7 and 513.8 because it merely repeals regulatory provisions which are no longer applicable to any person. 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 repeal regulations established based on Executive Order 38 signed by former Governor Andrew Cuomo which expired in 2021.

State Board of Elections

EMERGENCY/PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Providing Deadlines for Entering Voter History and Providing List of Affidavit Voters

I.D. No. SBE-16-22-00004-EP

Filing No. 248

Filing Date: 2022-04-04

Effective Date: 2022-04-04

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

Proposed Action: Amendment of section 6211.6 of Title 9 NYCRR.

Statutory authority: Election Law, sections 9-209(9), 3-102(1) and 3-102(17)

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

Specific reasons underlying the finding of necessity: The Commissioners determined that it is necessary for the preservation of the general welfare that this amendment be adopted on an emergency basis as authorized by section 202(6) of the State Administrative Procedure Act, effective immediately upon filing with the Department of State. This amendment is adopted as an emergency measure because time is of the essence and to adopt the regulation in the normal course of business would be contrary to the general welfare. Chapter 763 of Laws of 2021 amends canvassing procedures and regulatory changes need to be made in time to be effective for the June 28, 2022 primary elections so that affidavit ballots can be checked and canvassed, preventing double voting.

Subject: Providing deadlines for entering voter history and providing list of affidavit voters.

Purpose: To conform regulatory provisions to canvassing provisions provided for by amendments to Election Law section 9-209.

Text of emergency/proposed rule: Section 6211.6 of 9 NYCRR is amended to read as follows:

(a) During the early voting period, the voting history record for each voter shall be continually updated to reflect that a voter has voted early. A record indicating a voter has voted during the early voting period shall be available to poll workers at every early voting site at which a voter is eligible to vote in near real time. In such instance where a voter is only eligible to vote at one early voting site, the single poll book at such site for such voter may serve as the continually updated record of voter history throughout the early voting period.

(b) By Election Day, the voting history record of each voter who has cast a ballot during the early voting period shall be entered into the voter

registration system of the board of elections. Such voting history shall be included in the voter registration poll record that is used on Election Day to determine the eligibility of voters. Such Election Day record must differentiate voters who voted early from those who appeared to vote on the day of election.

(c) Any voter who the board of elections has identified as having voted during the early voting period shall not be eligible to vote on Election Day, except such voter shall be entitled to complete an affidavit ballot if such voter claims not to have voted early. Such affidavit shall be marked as such.

(d) No later than the [seventh] *third* day after an [primary or special election or the tenth day after the general] election, the voting history record of each voter who has signed a poll record and thus cast a ballot on such election day shall be entered into the voter registration system of the board of elections, and the voter history for such election day voters [and], early voters *and all voters with a notation pursuant to Election Law § 9-209(1)(d) that indicates that the voter has voted in such election* shall be uploaded to the statewide voter registration list.

(e) Not later than the [seventh] *third* day after an [primary or special election or the tenth day after a general] election, by five o'clock p.m. on such day, the board of elections shall prepare a list, including data elements prescribed by the board of elections and in the format specified by the state board of elections, of all persons who submitted an affidavit ballot. Such list shall be provided to the state board of elections, and the state board of elections shall provide a combined list of all affidavit ballots submitted statewide to the boards of elections.

(f) No later than seven business days after the completion of the canvass, the voting history record of each voter who has cast an absentee, military, special or federal ballot on Election Day or who has cast an affidavit ballot during early voting or on Election Day *for whom such information was not already entered* shall be entered into the voter registration system of the board of elections and the statewide voter registration list.

(g) Boards of elections shall provide information regarding voter registration records or voting records in their custody to other boards of elections, upon request, as soon as reasonably practicable.

(h) The board of elections, as required by Election Law § 8-600(1), shall establish procedures to ensure that persons who vote during early voting shall not be permitted to vote subsequently in the same election. Such procedures shall remain in effect until amended by the board of elections and shall be filed with the state board of elections on or before the sixtieth day preceding the first day of the early voting period. Such procedures shall be approved or rejected by the co-executive directors of the state board of elections within two weeks of filing. If such procedures are rejected, notice shall be provided to the board of elections of the reasons therefor. The board of elections shall then have three business days to amend their procedures and resubmit the same to the state board of elections for approval.

(i) Boards of elections shall provide to the state board, in the manner specified by the state board, the number of voters who vote early on each day of early voting by the next business day after such day of early voting.

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 July 2, 2022.

Text of rule and any required statements and analyses may be obtained from: Brian L. Quail, Esq., Board of Elections, 40 North Pearl Street, Suite 5, Albany, New York 12207, (518) 474-8100, email: brian.quail@elections.ny.gov

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

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

Regulatory Impact Statement

1. Statutory authority: Chapter 763 of the Laws of 2021 requires certain changes to the process for canvassing ballots. Election Law § 9-209(9) provides regulatory authority related to the canvassing process to the New York State Board of Elections. Election Law § 3-102(1) empowers the agency to promulgate rules and regulations related to the election process and Election Law § 3-102(17) provides broad regulatory authority related to effectuating the Election Law.

2. Legislative objectives: The legislative objective furthered by the proposed regulation is the establishment of a procedure for ensuring voter history data and compilations of affidavit voters are created timely to ensure cross-jurisdictional checking to prevent double voting.

3. Needs and benefits: The regulation is needed to ensure the integrity of the election process to prevent double vote counting.

4. Costs: No additional costs are anticipated for the State, agency, local governments or any regulated entity, as this regulation leverages existing electronic poll book technology assets and existing staffing.

5. Local government mandates: The regulatory change requires certain processes conducted by boards of elections be done more quickly than required under current law and regulations.

6. Paperwork: This proposal imposes no new reporting or regulatory filing requirements, other than timing changes.

7. Duplication: There is no jurisdictional duplication created by this rulemaking.

8. Alternatives: There is no alternative given the statutory requirements.

9. Federal standards: Not applicable.

10. Compliance schedule: Compliance can be immediate upon publication of the Emergency Adoption.

Regulatory Flexibility Analysis

1. Effect of Rule

The New York State Board of Elections and local boards of elections will be effected by this rulemaking.

2. Compliance Requirements

The proposed regulations implement a changed protocol for preparing a list of affidavit voters and providing voters with a record of their voting history at elections. These processes must be accomplished by an earlier deadline to conform with new statutory requirements to expedite the canvassing of elections.

3. Professional Services

It is anticipated that the requirements imposed by the proposed regulations will be implemented by existing staff of the New York State Board of Elections and local boards of elections. This rule requires that the impacted processes be done sooner.

4. Compliance Costs

No additional costs are necessarily anticipated, as this will be done in the normal operational course by the boards of elections. While changes in the canvassing process generally alter when certain processes are undertaken the requirements of the regulation do not add additional tasks. Boards of elections will be able to leverage existing electronic poll book functionality to meet the requirements of this regulation.

5. Economic and Technological Feasibility

The proposed regulations change the timing of processes currently undertaken by boards of elections but do not impose new technological requirements.

6. Minimizing Adverse Impact

The regulation requires boards of elections to complete certain portions of the canvassing process more quickly. Boards of elections will be able to leverage existing electronic poll book functionality to meet the requirements of this regulation.

7. Small Business and Local Government Participation

There is no impact on small business, and local boards of elections are able to implement the requirements of this rulemaking using existing staff resources and existing electronic poll book capabilities.

Rural Area Flexibility Analysis

Under SAPA 202-bb(4)(a), when a rule does not impose an adverse economic impact on rural areas and the agency finds it would not impose reporting, recordkeeping, or other compliance requirements on public or private entities in rural areas, the agency may file a Statement in Lieu of. This rule has statewide application, providing a deadline for adding voter history to voter records and preparing the list of affidavit voters for county cross checking. Accordingly, this rule has no adverse impact.

Job Impact Statement

Under SAPA 201-a(2)(a), when it is apparent from the nature and purpose of the rule that it will not have a substantial adverse impact on jobs and employment opportunities, the agency may file a Statement in Lieu of. This rulemaking, as is apparent from its nature and purpose, will not have an adverse impact on jobs or employment opportunities. The proposed amendment creates earlier deadlines for recording voter history and creating lists of affidavit voters. This rulemaking imposes no regulatory burden on any facet of job creation or employment.

EMERGENCY/PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Removing Gender Matching from the Comparison of Voter Registration Records Against the Records of the Department of Motor Vehicles

I.D. No. SBE-16-22-00005-EP

Filing No. 249

Filing Date: 2022-04-04

Effective Date: 2022-04-04

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

Proposed Action: Amendment of section 6217.6(c) of Title 9 NYCRR.

Statutory authority: Election Law, sections 3-102(17), 3-103(1) and 5-614(1)

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

Specific reasons underlying the finding of necessity: The Commissioners determined that it is necessary for the preservation of the general welfare that this amendment be adopted on an emergency basis as authorized by section 202(6) of the State Administrative Procedure Act, effective immediately upon filing with the Department of State. This amendment is adopted as an emergency measure because time is of the essence and to adopt the regulation in the normal course of business would be contrary to the general welfare. This amendment is adopted as an emergency measure because changes occurring at the New York State Department of Motor Vehicles related to data structure pursuant to chapter 158 of Laws of 2021 will not permit accurate verification for voter identification purposes allowing voters to be duly verified without the changes provided for by this rulemaking.

Subject: Removing gender matching from the comparison of voter registration records against the records of the Department of Motor Vehicles.

Purpose: To ensure that voter matches can occur as provided for by law as a result of chapter 158 of Laws of 2021.

Text of emergency/proposed rule: Amendment of 9 NYCRR Part 6217.6(c) as follows:

(c) NYSVoter shall compare the New York State Department of Motor Vehicles driver license or non-driver number, name, *and* date of birth [and gender] of the voter with the New York State Department of Motor Vehicles records for verification of the voter's identification as required by statute. The New York State Department of Motor Vehicles shall report back to NYSVoter. Based upon this report, the County Board shall determine if they have sufficient information to verify the voter's identity, or whether additional information is required to verify the voter's identity.

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 July 2, 2022.

Text of rule and any required statements and analyses may be obtained from: Brian L. Quail, Esq., Board of Elections, 40 North Pearl Street, Suite 5, Albany, New York 12207, (518) 474-8100, email: brian.quail@elections.ny.gov

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

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

Regulatory Impact Statement

1. Statutory authority: Chapter 158 of the Laws of 2021 requires certain changes to how certain data about gender is maintained by the Department of Motor Vehicles. Election Law § 3-102(17) provides broad regulatory authority to the New York State Board of Elections to effectuate the Election Law. Election Law § 3-103(1) and 5-614(1) provide specific authority to New York State Board of Elections to provide regulations for the structure and operation of the statewide voter registration list.

2. Legislative objectives: The legislative objective furthered by the proposed regulation is the establishment of a verification procedure for comparing Board of Elections voter data to Department of Motor Vehicle data that does not use gender.

3. Needs and benefits: The regulation is needed because gender as a matching criteria is not helpful in ascertaining a match, particularly given other data elements available to make such matches for verification purposes.

4. Costs: No additional costs are anticipated for the State, agency, local governments or any regulated entity, as this regulation impacts a matching algorithm.

5. Local government mandates: There are no additional local mandates.

6. Paperwork: This proposal imposes no new reporting or regulatory filing requirements.

7. Duplication: There is no jurisdictional duplication created by this rulemaking.

8. Alternatives: The alternative is to have no regulation, which could lead to early voting machines and systems not getting audited after an election.

9. Federal standards: Not applicable.

10. Compliance schedule: Compliance can be immediate upon publication of the Emergency Adoption.

Regulatory Flexibility Analysis

1. Effect of Rule

The New York State Board of Elections will be effected by this regulation.

2. Compliance Requirements

The proposed regulations implement a changed protocol for verifying voters against the records of the Department of Motor Vehicles.

3. Professional Services

It is anticipated that the requirements imposed by the proposed regulations will be implemented by existing staff of the New York State Board of Elections.

4. Compliance Costs

No additional costs are anticipated, as this will be done in the normal operational course by the New York State Board of Elections.

5. Economic and Technological Feasibility

The proposed regulations require a change in a database function which is easily implemented.

6. Minimizing Adverse Impact

There is no adverse impact. The regulatory change ensures accurate matching.

7. Small Business and Local Government Participation

There is no impact on small business or local government.

Rural Area Flexibility Analysis

Under SAPA 202-bb(4)(a), when a rule does not impose an adverse economic impact on rural areas and the agency finds it would not impose reporting, recordkeeping, or other compliance requirements on public or private entities in rural areas, the agency may file a Statement in Lieu of. This rule has statewide application, providing an auditing process for early voting machines and systems. Accordingly, this rule has no adverse impact.

Job Impact Statement

Under SAPA 201-a(2)(a), when it is apparent from the nature and purpose of the rule that it will not have a substantial adverse impact on jobs and employment opportunities, the agency may file a Statement in Lieu of. This rulemaking, as is apparent from its nature and purpose, will not have an adverse impact on jobs or employment opportunities. The proposed amendment provides a process for voter verification matching. This rulemaking imposes no regulatory burden on any facet of job creation or employment.

Department of Financial Services

EMERGENCY RULE MAKING

Charges for Professional Health Services

I.D. No. DFS-16-22-00006-E

Filing No. 250

Filing Date: 2022-04-04

Effective Date: 2022-04-04

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

Action taken: Amendment of Part 68 (Regulation 83) of Title 11 NYCRR.

Statutory authority: Financial Services Law, sections 202, 302; Insurance Law, sections 301, 2601, 5221 and art. 51

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

Specific reasons underlying the finding of necessity: In June 2021, the Chair of the Workers' Compensation Board ("Chair") adopted, via regulation, amendments to its Official New York Workers' Compensation Durable Medical Equipment Fee Schedule ("DME fee schedule") effective April 4, 2022. The Chair's amendments update the list of DME supplies that are available; increases the reimbursement amount for those supplies; and creates a prior authorization process for certain DME supplies listed in the DME fee schedule for which no reimbursement amount is assigned and for DME supplies that are not listed in the DME fee schedule. As a result of these amendments, the Chair eliminated the lesser of acquisition cost plus 50% or usual and customary fee calculation for unlisted DME supplies. The Chair also required that all DME supplies be provided by Medicaid-enrolled DME suppliers and capped the total accumulated rental charge for DME supplies listed in the DME fee schedule to the purchase price of those supplies.

The adoption of a prior authorization process in the DME fee schedule for certain DME supplies would not apply to reimbursement for DME supplies in the no-fault insurance system; therefore, no set prices for those DME supplies would be established for use in no-fault. The absence of a cost control measure in place for those DME supplies used in the no-fault

system would result in the unwarranted depletion of patients' \$50,000 no-fault insurance benefits as a result of exorbitant prices for the purchase of DME supplies for which no price is set in the workers' compensation DME fee schedule, and unlimited rental charges that could far exceed the purchase price of those supplies.

In order to mitigate the problems to the no-fault system stemming from the Chair's recent amendments to the workers' compensation DME fee schedule, the Superintendent deems it necessary to adopt an emergency amendment to 11 NYCRR 68 (Insurance Regulation 83) to cap the purchase and total accumulated rental of DME supplies for which either no price has been established in the DME fee schedule or for supplies not listed in the DME fee schedule. Such a cap will only provide a consistent reimbursement methodology for both listed and unlisted DME supplies and safeguard against the unwarranted depletion of patients' \$50,000 no-fault insurance benefits because of unlimited rental charges.

For the reasons stated above, emergency action is necessary for the preservation of the general welfare.

Subject: Charges for Professional Health Services.

Purpose: To establish schedules of maximum permissible charges for professional health services payable as no-fault insurance benefits.

Text of emergency rule: Section 68.1(b)(1) is amended to read as follows:

(b)(1) The charges for services specified in Insurance Law section 5102(a)(1) and any further health service charges that are incurred as a result of the injury and that are in excess of basic economic loss, shall not exceed the charges permissible under the schedules prepared and established by the chair of the Workers' Compensation Board for industrial accidents that are in effect for purposes of no-fault at the time the charges are incurred. However, references to workers' compensation reporting and procedural requirements in such schedules do not apply to no-fault, e.g., requirements that provide for authorization to perform surgical procedures. The general instructions and ground rules in the workers' compensation fee schedules apply, but those rules that refer to workers' compensation claim forms, pre-authorization approval, time limitations within which health services must be performed, enhanced reimbursement for providers of certain designated services, *durable medical equipment being provided by a New York State Medicaid-enrolled supplier*, and dispute resolution guidelines do not apply, unless specified in this Part.

A new Part E of Appendix 17-C is added to read as follows:

Part E. Durable medical equipment fee schedule.

(a) *This Part shall apply to durable medical equipment not listed in the Official New York Workers' Compensation Durable Medical Equipment Fee Schedule¹ and to durable medical equipment listed in the Official New York Workers' Compensation Durable Medical Equipment Fee Schedule for which no fee has been assigned because the durable medical equipment requires prior authorization.*

(b) *The maximum permissible purchase charge or the total accumulated rental charge for such durable medical equipment shall be the lesser of the:*

(1) *acquisition cost (i.e., line-item cost from a manufacturer or wholesaler net of any rebates, discounts, or other valuable considerations, mailing, shipping, handling, insurance costs or any sales tax) to the provider plus 50%; or*

(2) *usual and customary price charged by durable medical equipment providers to the general public.*

¹The Official New York Workers' Compensation Durable Medical Equipment Fee Schedule ("Fee Schedule"), published by the New York State Workers Compensation Board, is hereby incorporated by reference in this Part. The Fee Schedule is readily available without charge at the following internet address: <http://www.wcb.ny.gov/content/main/hcpp/MedFeeSchedules/DME/dme-fee-schedule-2022-04-04.pdf>. The Fee Schedule is also available from the New York State Department of Financial Services, One State Street, New York, NY 10004.

This notice is intended to serve only as a notice of emergency adoption. This agency intends to adopt this emergency rule as a permanent rule and will publish a notice of proposed rule making in the *State Register* at some future date. The emergency rule will expire July 2, 2022.

Text of rule and any required statements and analyses may be obtained from: Camielle Barclay, Department of Financial Services, One State Street, New York, NY 10004, (212) 480-5299, email: Camielle.Barclay@dfs.ny.gov

Regulatory Impact Statement

1. Statutory authority: Financial Services Law Sections 202 and 302 and Insurance Law Sections 301, 2601, and 5221 and Article 51.

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

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

Insurance Law Section 2601 prohibits insurers from engaging in unfair claim settlement practices and requires insurers to adopt and implement reasonable standards for the prompt investigation of claims arising under insurance policies.

Insurance Law Section 5221 specifies the duties and obligations of the Motor Vehicle Accident Indemnification Corporation with respect to the payment of no-fault insurance benefits to qualified persons.

Insurance Law Article 51 establishes a no-fault insurance system for persons injured in motor vehicle accidents. Insurance Law Section 5108(b) authorizes the Superintendent to adopt the fee schedules prepared and established by the Chair of the Workers' Compensation Board (the "Chair") and to promulgate fee schedules for health care benefits payable under the no-fault system for any services for which the Chair has not prepared and established fee schedules. Section 5108(c) prohibits a provider of health services, as defined in Article 51, from requesting or demanding payment in addition to the amount authorized pursuant to Insurance Law Section 5108.

2. Legislative objectives: To establish schedules of maximum permissible charges for professional health services payable as no-fault insurance benefits to contain the costs of no-fault insurance.

3. Needs and benefits: In 2007, when the Chair established a durable medical equipment ("DME") fee schedule, the former Insurance Department repealed its 2004 no-fault DME fee schedule and adopted the Chair's DME fee schedule. In June 2021, the Chair adopted, via regulation, expansive amendments to its DME fee schedule to take effect on April 4, 2022. The Chair's amendment updates the list of DME supplies that are available; increases the reimbursement amount for those supplies; and creates a prior authorization process for certain DME supplies listed in the fee schedule for which no reimbursement amount is assigned and for DME supplies that are not listed in the fee schedule. As a result of these amendments, the Chair eliminated the lesser of acquisition cost plus 50% or usual and customary fee calculation for unlisted DME supplies. The Chair also required that all DME supplies be provided by Medicaid-enrolled DME suppliers and capped the total accumulated rental charge for DME supplies listed in the Chair's DME fee schedule to the purchase price of those supplies.

With respect to the Chair's amendment to the Chair's DME fee schedule to apply a prior authorization process for certain DME supplies, this process does not apply to no-fault insurance pursuant to 11 NYCRR Section 68.1(b)(1). Therefore, for DME supplies not listed in the Chair's DME fee schedule and for DME supplies listed in the Chair's DME fee schedule for which no fee has been assigned because the DME supplies require prior authorization under workers' compensation, the amendment provides that the maximum permissible purchase charge or the total accumulated rental charge for such DME supplies shall be the lesser of the: (1) acquisition cost (i.e., the line-item cost from a manufacturer or wholesaler net of any rebates, discounts, or other valuable considerations, mailing, shipping, handling, insurance costs or any sales tax) to the provider plus 50%; or (2) usual and customary price charged by DME providers to the general public. This is the same standard that the Chair used prior to amending the workers' compensation regulations. Additionally, the amendment establishes a cap on the total accumulated rental charge for DME supplies for the purpose of no-fault like the Chair's DME fee schedule. The cap is the purchase price for those supplies in order to maintain a consistent reimbursement methodology for both listed and unlisted DME supplies and to safeguard against the unwarranted depletion of patients' \$50,000 no-fault insurance benefits as a result of unlimited rental charges that could far exceed the purchase price of the supplies.

This amendment also provides that the workers' compensation requirement that Medicaid-enrolled DME suppliers provide all DME supplies does not apply to no-fault insurance. Insurance Law Article 51 does not require that a provider of health services rendered to a no-fault patient be authorized by the Department to render such services, nor does the Insurance Law impose any additional licensing or registration requirements on such providers.

4. Costs: This amendment does not impose any compliance cost on insurers, self-insurers, including self-insured local governments, or health service providers because this amendment only establishes the maximum reimbursement (that is 150% of acquisition cost) allowed in the no-fault system for the purchase and total accumulated rental of DME supplies not listed in the Chair's DME fee schedule and for DME supplies listed in the Chair's DME fee schedule for which no fee has been assigned because the DME supplies require prior authorization under workers' compensation.

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

6. Paperwork: This amendment does not impose any additional paperwork on any persons affected by the amendment.

7. Duplication: This rule does not duplicate, overlap, or conflict with any existing state or federal rule.

8. Alternatives: For DME supplies not listed in the Chair's DME fee schedule and for DME supplies that require prior authorization under workers' compensation and do not have a reimbursement amount in the Chair's DME fee schedule, the Department considered permitting reimbursement at the prevailing rate in the geographic location of the provider for the purpose of no-fault, but determined that doing so would result in significantly inflated purchase prices for DME supplies or limitless rental charges for those supplies that could far exceed the purchase price, resulting in the rapid depletion of patients' \$50,000 no-fault insurance benefits and a significant increase in litigation over reimbursement rates for DME supplies.

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

10. Compliance schedule: This amendment shall take effect upon the filing of the Notice of Emergency Adoption with the Secretary of State.

Regulatory Flexibility Analysis

1. Effect of rule: This amendment affects insurers, self-insurers, including self-insured local governments, and health service providers (collectively, "affected persons"). Industry has asserted that certain insurers, such as mutual and co-op insurers, fall within the definition of a "small business" as defined in State Administrative Procedure Act Section 102(8). In addition, certain self-insurers, such as taxis, may be small businesses and most health service providers are small businesses.

2. Compliance requirements: This amendment will not impose any additional reporting, recordkeeping, or other compliance requirements on any affected persons that may be small businesses or local governments affected by this rule.

3. Professional services: An affected person that may be a small business or local government should not need any professional services to comply with this amendment.

4. Compliance costs: This amendment does not impose any additional compliance costs on affected persons that may be small businesses or local governments because this amendment only establishes the maximum reimbursement (that is 150% of acquisition cost) allowed in the no-fault system for the purchase and total accumulated rental of durable medical equipment ("DME") supplies not listed in the Official New York Workers' Compensation DME Fee Schedule ("Fee Schedule") and for DME supplies listed in the Fee Schedule for which no fee has been assigned because the DME supplies require prior authorization under workers' compensation.

5. Economic and technological feasibility: An affected person that may be a small business or local government should not incur any economic or technological impact as a result of this amendment.

6. Minimizing adverse impact: This amendment should not have an adverse impact on an affected person that may be a small business or local government because the amendment uniformly affects all affected persons.

7. Small business and local government participation: Interested parties, including small businesses and local governments, will be given an opportunity to review and comment on the amendment once it is published in the State Register and posted on the Department's website.

Rural Area Flexibility Analysis

1. Types and estimated numbers of rural areas: Health service providers, insurers, and self-insurers, including self-insured local governments, affected by this amendment do business in every county in this state, including rural areas as defined in State Administrative Procedure Act Section 102(10).

2. Reporting, recordkeeping, and other compliance requirements; and professional services: This amendment will not impose any additional reporting, recordkeeping or other compliance requirements on insurers, self-insurers, including self-insured local governments, and health service providers affected by this amendment.

Insurers, self-insurers, including self-insured local governments, and health service providers affected by this amendment should not need to retain professional services to comply with this amendment. This amendment only establishes the maximum reimbursement allowed, for purposes of no-fault insurance, for the purchase and total accumulated rental of DME supplies not listed in the Official New York Workers' Compensation Durable Medical Equipment ("DME") Fee Schedule ("Fee Schedule") and for DME supplies listed in the Fee Schedule for which no fee has been assigned because the supplies require prior authorization under workers' compensation.

3. Costs: This amendment does not impose any additional costs on insurers, self-insurers, including self-insured local governments, and health service providers, because this amendment only establishes the maximum reimbursement (that is 150% of acquisition cost) allowed in the no-fault system for the purchase and total accumulated rental of DME supplies not listed in the Fee Schedule and for DME supplies listed in the Fee Schedule for which no fee has been assigned because the DME supplies require prior authorization under workers' compensation.

4. Minimizing adverse impact: This amendment uniformly affects insurers, self-insurers, including self-insured local governments, and health service providers throughout New York State. Therefore, it does not impose any adverse impact on rural areas.

5. Rural area participation: Interested parties, including those located in rural areas, will be given an opportunity to review and comment on the amendment once it is published in the State Register and posted on the website of the Department of Financial Services.

Job Impact Statement

This amendment should not have a substantial adverse impact on jobs or employment opportunities in New York State. The amendment only establishes, for the purpose of no-fault insurance, the maximum reimbursement allowed for the purchase and total accumulated rental of DME supplies not listed in the Official New York Workers' Compensation Durable Medical Equipment ("DME") fee schedule and for DME supplies listed in such DME fee schedule for which no fee has been assigned because the DME supplies require prior authorization under workers' compensation.

Metropolitan Transportation Agency

EMERGENCY/PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Requiring Mask Wearing When Mandated for Indoor Facilities and Conveyances of the MTA&T's Affiliates and Subsidiaries

I.D. No. MTA-16-22-00008-EP

Filing No. 255

Filing Date: 2022-04-05

Effective Date: 2022-04-05

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

Proposed Action: Addition of Part 1030 to Title 21 NYCRR.

Statutory authority: Public Authorities Law, section 1266(4) and (5)

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

Specific reasons underlying the finding of necessity: The emergency rule, which complies with the Centers for Disease Control and Prevention's current Order (effective February 1, 2021) and all future Centers for Disease Control and Prevention Orders and/or Executive Order(s) of the Governor of the State of New York mandating the wearing of masks on public transportation conveyances and indoor premises is necessary to safeguard public health and safety and to ensure through proper mask wearing that the public, health care providers, first responders, and other essential workers who rely on the Metropolitan Transportation Authority's subways, buses, and commuter trains to get to and from work, as well as the Metropolitan Transportation Authority's employees are protected during COVID-19 outbreaks.

As ridership increases it is imperative that all persons on the Metropolitan Transportation Authority's subways, buses, and commuter trains fully comply with the Centers for Disease Control and Prevention's Order(s) and/or any Executive Orders of the Governor of the State of New York requiring them to properly wear a mask covering their nose and mouth while on public transportation conveyances and while indoors on public transportation premises. Research has found that wearing a mask can reduce the rate of COVID-19 transmission significantly.

Subject: Requiring mask wearing when mandated for indoor facilities and conveyances of the MTA&T's affiliates and subsidiaries.

Purpose: To safeguard the public health and safety by adding a rule requiring the use of masks in facilities & conveyances when mandated.

Text of emergency/proposed rule: Part 1030 Rules Governing the Conduct and Safety of the Public in the Use of the Terminals, Stations, Trains, Facilities, or Conveyance of the Metropolitan Transportation Authority

1030.1 Authorities covered by the rules of this Part

The rules set forth in this Part 1030 are established by the Metropolitan Transportation Authority (MTA) and applicable to it and to each of its affiliates and subsidiaries and each of their affiliates and subsidiaries including without limitation the New York City Transit Authority, the Manhattan and Bronx Surface Transit Operating Authority, the Staten

Island Rapid Transit Operating Authority, the MTA Bus Company, the Long Island Rail Road Company, and Metro-North Commuter Railroad Company (each an "authority").

1030.2 Requiring Persons to Wear Masks

(a) At all times required by Order of the Centers for Disease Control and Prevention and/or Executive Order of the Governor of the State of New York every person on or in any terminal, station, train, facility, or conveyance (as those terms are defined in Parts 1040, 1044, 1050, 1085, and 1097 of this Subchapter) of any authority covered by this Part shall wear a mask that completely covers their mouth and nose. A mask should fit snugly but comfortably against the face and be secured to the head, with ties, ear loops, or elastic bands behind the head. A gaiter must have two layers of fabric or be folded to make two layers. Masks may be either manufactured or homemade and must be a solid piece of material without slits, exhalation valves, or punctures. Cloth masks should be made with two or more layers of breathable fabric that is tightly woven (i.e., fabrics that do not let light pass through when held up to a light source). Masks may be reusable or disposable. Medical masks and N-95 respirators fulfill this requirement.

The following do not meet this requirement:

- (1) masks worn in a way that does not cover the nose and mouth;
- (2) face shields or goggles (though face shields or goggles may be worn to supplement a mask that meets the above required attributes);
- (3) scarves, ski masks, balaclavas, or bandannas;
- (4) shirt or sweater collars (i.e., turtleneck collars) pulled up over the mouth and nose;
- (5) masks made from loosely woven fabric or that are knitted (i.e., fabrics that let light pass through);
- (6) masks made from material that is hard to breathe through (such as vinyl, plastic or leather); and
- (7) masks containing slits, exhalation valves or punctures.

(b) The requirement to wear a mask shall not apply under the following circumstances:

- (1) while eating or drinking for brief periods, but only in locations where eating and drinking otherwise are permitted, or while taking medication; prolonged periods of mask removal are not permitted for eating or drinking, the mask must be worn between bites and sips;
- (2) while communicating with a person who is hearing impaired when the ability to see the mouth is essential for communication;
- (3) while a person is unconscious (for reasons other than sleeping), incapacitated, unable to be awakened, or otherwise unable to remove the mask without assistance;
- (4) when necessary to temporarily remove the mask to verify one's identity or when asked to do so by any police officer, peace officer, or authority employee; and
- (5) when in outdoor areas of terminals, stations or facilities.

(c) The following categories of persons are not required to wear a mask:

- (1) a child under the age of two years;
- (2) a person with a disability who cannot wear a mask, or cannot safely wear a mask, because of the disability as defined by the Americans with Disabilities Act; and
- (3) a person for whom wearing a mask would create a risk to workplace health, safety, or job duty as determined by applicable workplace safety guidelines or federal regulations.

(d) Any person who does not comply with the requirement to wear a mask that completely covers their mouth and nose may be barred from entering or remaining on or in any terminal, station, train, facility, or conveyance of any authority covered by this Part and also may be fined \$50 per occurrence. This rule shall be enforced by each of the authorities on or in its terminals, stations, trains, facilities, or conveyances by any person authorized by such authority to enforce its own rules and pursuant to the procedures established by such authority for enforcing violations of its rules.

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 July 3, 2022.

Text of rule and any required statements and analyses may be obtained from: Theresa Brennan Murphy, Metropolitan Transportation Authority, 130 Livingston Street, Brooklyn, New York, (718) 694-3901, email: theresa.murphy@nyct.com

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

Statutory authority: Section 1266(4) of the Public Authorities Law provides that the Metropolitan Transportation Authority may adopt rules and regulations governing the conduct and safety of the public as it may deem necessary, convenient or desirable for the use of any transportation facility and related services operated by it or any of its operating agencies.

The federal Centers for Disease Control and Prevention's (CDC) current Order, effective February 1, 2021, requires that all persons must wear masks over the mouth and nose when traveling on transportation conveyances into and within the United States and also on the premises of transportation hubs. The Order provides a detailed description of safe masks, how masks should be worn, the very limited circumstances in which the requirement to wear a mask does not apply and the few categories of persons who are exempted from the requirement to wear a mask. On June 10, 2021, the CDC exercised its enforcement discretion to not require that persons wear masks while outdoors on conveyances or while outdoors on the premises of public transportation premises.

Legislative objectives: The Legislature has conferred on the Metropolitan Transportation Authority and its operating agencies the authority to ensure the safety of their passengers and employees. They have previously exercised that authority to adopt emergency rules of conduct governing the conduct and safety of the public in the use of their facilities by requiring persons to wear masks. The Legislature also expects that the Metropolitan Transportation Authority and its operating agencies will comply with applicable federal law including CDC Orders and/or the Executive Orders of the Governor of the State of New York, which this new emergency rule will ensure going forward.

Needs and benefits: The proposed rule is necessary to safeguard public health and safety to ensure that persons who rely on the Metropolitan Transportation Authority's subways, buses, and commuter trains to get to and from work and to travel around the New York City metropolitan area fully comply with all CDC and/or Executive Orders requiring that persons wear masks over the mouth and nose when traveling on trains, subways, buses and conveyances and while indoors at terminals, stations or facilities to try to limit the transmission of COVID-19 when necessary.

Costs:

(a) Regulated parties. The proposed rule governing conduct and safety does not impose new costs on passengers or others.

(b) State and local government. The proposed rule governing conduct and safety will not impose any new costs on State or local governments.

Local government mandates: The proposed rule does not impose any new programs, services, duties or responsibilities on local government. The New York City Police Department's Transit Bureau is already responsible with others in enforcing the New York City Transit Authority's Rules Governing the Conduct and Safety of the Public, and the MTA Police Department is responsible for enforcing the comparable rules and regulations governing the conduct and safety of the public on trains and stations operated by the Metropolitan Transportation Authority's two commuter railroads.

Paperwork: The proposed rule does not impose any new reporting requirements.

Duplication: The proposed rule does not duplicate, overlap, or conflict with any State or Federal rule.

Alternatives: No significant alternatives to this rule was considered.

Federal standards: The proposed amended rule does not exceed any Federal minimum standards.

Compliance schedule: There is no compliance schedule imposed by these proposed amended rules. Once adopted, the emergency rule governing the conduct and safety of the public will be effective immediately.

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

A regulatory flexibility analysis for small business and local governments, a rural area flexibility analysis, and a job impact statement are not required for this rulemaking proposal because it will not adversely affect small businesses, local governments, rural areas, or jobs.

Office for People with Developmental Disabilities

NOTICE OF ADOPTION

Reportable Incidents

I.D. No. PDD-04-22-00007-A

Filing No. 251

Filing Date: 2022-04-04

Effective Date: 2022-04-20

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

Action taken: Amendment of section 624.3 of Title 14 NYCRR.

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

Subject: Reportable incidents.

Purpose: To remove administration of medical cannabis from the list of reportable incidents.

Text or summary was published in the January 26, 2022 issue of the Register, I.D. No. PDD-04-22-00007-P.

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

Text of rule and any required statements and analyses may be obtained from: Mary Beth Babcock, Office For People With Developmental Disabilities, 44 Holland Ave., Albany, NY 12209, (518) 474-7700, email: rau.unit@opwdd.ny.gov

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

Assessment of Public Comment

The agency received no public comment.

Public Service Commission

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Transfer of Street Lighting Facilities

I.D. No. PSC-16-22-00007-P

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

Proposed Action: The Commission is considering a petition filed by New York State Electric & Gas Corporation (NYSEG) for the transfer of certain street lighting facilities located in the Town of Sand Lake to the Town of Sand Lake.

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

Subject: Transfer of street lighting facilities.

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

Substance of proposed rule: The Public Service Commission (Commission) is considering a petition filed by New York State Electric & Gas Corporation (NYSEG or the Company) on March 15, 2022, requesting to transfer ownership of its street lighting facilities installed through the Town of Sand Lake (Town) to the Town. The street lighting facilities consist of system of street lighting poles, luminaires, lamps, mast arms, electrical connections, and wiring. NYSEG requests the Commission's approval of the transaction pursuant to Public Service Law § 70(1), as the original cost of the proposed assets to be transferred is greater than \$100,000.

Based on plant records, NYSEG represents that the original book cost of the street lighting facilities is approximately \$307,038 and the net book value, as of January 31, 2022, is \$121,595. The Company proposes to transfer the street lighting facilities to the Town for \$133,801. Upon the closing date of the sale, the Town will become solely responsible and liable for the operation, maintenance, and condition of the street lighting facilities. The transfer will not impact the reliability, safety, operation, or maintenance of NYSEG's electric distribution system.

The full text of the petition and the full record of the proceeding may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject or modify, in whole or in part, the action proposed and may resolve related matters.

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

Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, 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.
(22-E-0151SP1)

Department of State

EMERGENCY/PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Ventilation Requirements**I.D. No.** DOS-16-22-00001-EP**Filing No.** 246**Filing Date:** 2022-04-01**Effective Date:** 2022-04-01

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

Proposed Action: Amendment of section 160.16 of Title 19 NYCRR.

Statutory authority: Executive Law, section 91; General Business Law, sections 402(5) and 404

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

Specific reasons underlying the finding of necessity: On March 7, 2020, Executive Order Number 202 was issued declaring a state disaster emergency for the entire State of New York, relating to the COVID-19 pandemic. On June 24, 2021, the state disaster declaration was terminated. During this period, which lasted over 15 months, many appearance enhancement businesses were forced to temporarily close and/or significantly reduce capacity. The resulting economic losses have made it impractical for businesses to meet certain ventilation standards that are contained within existing regulations.

In consideration of the ongoing COVID-19 pandemic and the financial impact it has had on these businesses, the Department finds that it is necessary to adopt these regulations on an emergency basis for the preservation of the general welfare. Specifically, extending the current deadline by 6 months will help businesses remain open, recover losses and come into compliance with existing requirements, while also protecting employees from potential job losses.

For the foregoing reasons, this rule is being adopted on an emergency basis.

Subject: Ventilation Requirements.

Purpose: To provide an additional 6 months for appearance enhancement businesses to comply with existing ventilation standards.

Text of emergency/proposed rule: § 160.16 Facilities: ancillary provisions

(a) For the purposes of this section, the following terms shall have the following meanings:

(1) appearance enhancement business means the business of providing any or all of the services licensed pursuant to article 27 of the New York General Business Law at a fixed location.

(2) nail salon means each building, or portion of a building, in which nail specialty services are offered or provided.

(3) nail specialty service means providing services for a fee or any consideration or exchange to cut, shape or to enhance the appearance of the nails of the hands or feet. Nail specialty shall include the application and removal of sculptured or artificial nails.

(4) nail station means a table or work area where any nail specialty service is performed. In the case of a table or work area where more than one nail specialty service can be performed at any one time, each portion of such table or work area where a nail specialty service can be performed shall be deemed to be a separate nail station.

(5) owner means a person who or which owns, controls or operates, whether as a partner shareholder, officer, independent contractor (including area renter) or proprietor an appearance enhancement business.

(6) registered design professional means an individual who is a registered architect (RA) in accordance with article 147 of the New York State Education Law or a licensed professional engineer (PE) in accordance with article 145 of the New York State Education Law.

(b) In addition to complying with all applicable requirements of the State Uniform Fire Prevention and Building Code, New York City Construction Code or other building code applicable to the building in which appearance enhancement activities are performed, and with all applicable requirements of the State Sanitary Code, State Industrial Code, and other laws and regulations applicable to appearance enhancement activities and/or to buildings, including environmental standards, in which such activities are performed, an owner shall provide, in each appearance enhancement business each of the following:

- (1) hot and cold running water;
- (2) toilet facilities and wash basins for use by clients and employees;
- (3) illumination for the safe provision of licensed services;
- (4) covered containers for hair, paper and other waste material;
- (5) sufficient space or working area to ensure the safety and health for both the operator and client; and

(6) in the case of a nail salon, a mechanical ventilation system which complies with the "2015 International Mechanical Code" (Publication date: May 30, 2014, Third Printing), published by the International Code Council, Inc., and as amended by the NYS Building Standards and Codes 2016 Uniform Code Supplement (hereinafter referred to as the 2015 IMC) such that it:

(i) has the capacity to supply outdoor airflow at a rate of not less than the greater of:

(a) the ventilation standards for nail salons as set forth at sections 401 and 403 of the 2015 IMC; or

(b) 50 cubic feet per minute for each nail station in the nail salon;

(ii) includes a mechanical exhaust system that:

(a) is designed and constructed to capture all chemical vapors, fumes, dust and other air contaminants at their source and to exhaust such contaminants to the outdoor atmosphere;

(b) has at least one exhaust inlet for each nail station (each such exhaust inlet to be factory-installed by the manufacturer of the nail station or field-installed at a location that is not more than 12 inches horizontally and not more than 12 inches vertically from the point of chemical application or where the customer's nails are placed when a nail specialty service is being performed);

(c) has the capacity to exhaust from the nail salon at a rate of not less than the greater of:

(1) the ventilation standards for nail salons as set forth at sections 401 and 403 of the 2015 IMC; or

(2) 50 cubic feet per minute for each nail station in the nail salon;

(d) exhausts all exhaust air from the nail salon (including but not limited to all chemical vapors and fumes, dust, and other air contaminants and odors generated by or resulting from nail specialty services) to the outdoor atmosphere, with each exhaust discharge located at a point where it will not cause a nuisance to others and where the exhausted air (including but not limited to the exhausted chemical vapors and fumes, dust, and other air contaminants and odors) cannot be readily drawn in by the outdoor air intake components of the ventilation system; and

(e) exhausts all exhaust air from the nail salon (including but not limited to all chemical vapors and fumes, dust, and other air contaminants and odors generated by or resulting from nail specialty services) in a manner that assures that no part of such exhaust air shall be recirculated into the nail salon or into any other space in the building, or transferred to any other space in the building;

(iii) is balanced in a manner to supply outdoor air at a rate equal to the rate of the exhaust; and

(iv) operates at or above the minimum supply outdoor airflow rate specified in subparagraph (i) of this paragraph and at or above the minimum exhaust rate specified in clause (c) of subparagraph (ii) of this paragraph at all times when the nail salon is occupied by any person or persons.

(c) No standard or requirement set forth in paragraph (6) of subdivision (b) of this section shall be construed as superseding, amending or otherwise affecting any higher or more restrictive standard or requirement applicable to appearance enhancement activities and/or to buildings. Failure to comply with any such higher or more restrictive standard or requirement may be a violation of the other applicable law or regulation, including, as the case may be, the State Uniform Fire Prevention and Building Code, New York City Construction Code, other building code, State Sanitary Code, State Industrial Code or environmental standards.

(d) Beginning on October 3, 2016 any nail salon which obtains a new appearance enhancement business license shall attain compliance with the minimum ventilation rate specifications set forth in paragraph (6) of subdivision (b) of this section. A signed certification by the ventilation system installer, manufacturer or a registered design professional that the ventilation system meets such ventilation rate specifications shall be maintained on the business premises and be available for inspection by the

department. A nail salon licensed before October 3, 2016 shall have until [April 4, 2022] *October 4, 2022* to comply with the requirements of this subdivision.

(e) For the purpose of compliance with this Part the 2015 IMC is incorporated herein by reference. Copies of the 2015 IMC may be obtained from the publisher at the following address: International Code Council, Inc. 500 New Jersey Avenue, NW, 6th Floor Washington, DC 20001 The 2015 IMC is also available for public inspection and copying at: New York State Department of State One Commerce Plaza, 99 Washington Avenue Albany, NY 12231-0001.

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 June 29, 2022.

Text of rule and any required statements and analyses may be obtained from: David A. Mossberg, Esq., Dept. of State, 123 William Street, 20th Fl., New York, NY 10028, (212) 417-2063, email: david.mossberg@dos.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.

This rule was not under consideration at the time this agency submitted its Regulatory Agenda for publication in the Register.

Regulatory Impact Statement

1. Statutory authority:

New York Executive Law § 91 and New York General Business Law (“GBL”) § 402(5); 404. Section 91 of the Executive Law authorizes the Secretary of State to: “adopt and promulgate such rules which shall regulate and control the exercise of the powers of the department of state.”

In addition, Sections 402(5) and 404 of the GBL authorize the Secretary of State to promulgate rules specifically relating to the appearance enhancement industry.

2. Legislative objectives:

Article 27 of the GBL was enacted, inter alia, to provide a system of licensure of appearance enhancement businesses and operators that would both allow for the greatest possible flexibility in the establishment of regulated services and implement measures to protect those inextricably entwined in the industry. Consistent with this legislative intent of Article 27, the Department is empowered to issue regulations which protect the general welfare of the public, including those who operate appearance enhancement businesses which offer nail specialty services.

3. Needs and benefits:

The rulemaking is needed to ensure that those businesses which had been impacted by the COVID-19 pandemic are afforded additional time to meet already existing obligations to satisfy certain ventilation requirements. Under the existing regulation, “[a] nail salon licensed before October 3, 2016 shall have until April 4, 2022 to comply with the requirements of this subdivision.” Due to the pandemic many businesses were required to close or significantly reduce capacity which resulted in economic losses. As a result, some businesses are not able to meet the existing deadline and would be potentially forced to close. This rule is therefore needed to benefit those businesses by allowing them additional time to operate and recover losses to off-set costs associated with the original rule. A similar 6 month extension was previously issued, extending the compliance date from October 3, 2021 to April 4, 2022, but the Department believes an additional extension is required.

4. Costs:

a. Costs to regulated parties: Businesses will not incur additional or new costs as a result of this proposal beyond what the existing rule already requires. The rule merely affords businesses additional time to comply with existing obligations.

b. Costs to the State, and local government: The Department does not anticipate any additional costs to implement the rule.

5. Local government mandates:

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

6. Paperwork:

The rule does not impose any new paperwork requirement on licensees.

7. Duplication:

This rule does not duplicate, overlap or conflict with any other state or federal requirement.

8. Alternatives:

The Department considered not proposing the instant rulemaking. It was determined, however, this rule is needed to protect the general welfare of the State by providing more time for businesses to comply so that businesses would not be unexpectedly forced to close. The Department also considered proposing a longer period but determined 6 months was sufficient based on input from the industry. It is noted, that after this 6-month period the Department will likely receive additional industry input to determine if additional extensions will be required.

9. Federal standards:

The proposed amendments do not exceed any minimum standards of the federal government for the same or similar subject areas.

10. Compliance schedule:

Businesses subject to the rule will have until October 4, 2022 to comply.

Regulatory Flexibility Analysis and Rural Area Flexibility Analysis

This rule does not require a Regulatory Flexibility Analysis or Rural Area Flexibility Analysis. As evident from the purpose of the rule, it will not impose any adverse impact on small businesses, local governments, or public or private entities, including those in rural areas of the state. Additionally, the rule will not impose any new mandatory reporting, record keeping or other compliance requirements on those impacted. The New York State Department of State (the “Department”) does not expect that businesses, already subject to the rule, will be negatively impacted by the adoption of this rule because it will provide those businesses additional time to comply with already existing regulatory obligations.

The rule provides that businesses, which are already subject to meeting certain ventilation standards, will be granted an additional 6 months to comply with the existing standards.

For the foregoing reasons, the Department finds that this rule will not impose any new adverse impacts.

Job Impact Statement

A Job Impact Statement is not required for this regulation, because it is apparent from the nature and the purpose, of the proposal, that it will not have a substantial adverse impact on jobs or employment opportunities in either the public or private sectors. The proposed regulatory change allows businesses an additional 6 months to come into compliance with already existing regulations. The Department believes that this proposal will have positive effects on jobs and employment opportunities, as it will provide more time for businesses to remain open to offset potential costs associated with the original rule. By providing additional time, businesses can remain open thereby earning additional income before expending costs to come into compliance. Accordingly, the Department finds that a job impact statement is not required because the rule will save existing jobs from possible business closures.

**HEARINGS SCHEDULED
FOR PROPOSED RULE MAKINGS**

Agency I.D. No.	Subject Matter	Location—Date—Time
Education Department		
EDU-13-22-00024-EP	Accelerated due process procedures	Zoom—June 8, 2022, 4:00 p.m. Link: https://zoom.us/j/94999944349?pwd=MDhYbnV3WFR6dHRZU00rakFDR0Yrdz09 Meeting ID: 949 9994 4349 Passcode: 452424 Call In: +1 646 558 8656 US (New York) Zoom—June 15, 2022, 11:00 a.m. Link: https://zoom.us/j/91822156772?pwd=OHJUbjQwV3RPL3JUZXVDOXF4NmZuUT09 Meeting ID: 918 2215 6772 Passcode: 672220 Call In: +1 646 558 8656 US (New York)
EDU-13-22-00028-P	The disability classification “emotional disturbance”	Zoom—April 27, 2022, 4:30 p.m. Link: https://zoom.us/j/91627203714?pwd=U3FVMERETkg5NDJNJDJSQzAyMUo2UT09 Meeting ID: 916 2720 3714 Passcode: LxM5Xw Call in: +19294362866, 91627203714#, *246557# US (New York) Zoom—May 23, 2022, 9:00 a.m. Link: https://zoom.us/j/97521696405?pwd=YTRDaE5PaUZTUWE2Yk5WM0FrdWVzQT09 Meeting ID: 975 2169 6405 Passcode: g5iX4x Call in: +19294362866, 97521696405#, *494917# US (New York)
EDU-13-22-00029-P	Special education due process system procedures	Zoom—June 8, 2022, 3:00 p.m. Link: https://zoom.us/j/94999944349?pwd=MDhYbnV3WFR6dHRZU00rakFDR0Yrdz09 Meeting ID: 949 9994 4349 Passcode: 452424 Call in: +1 646 558 8656 US (New York) Zoom—June 15, 2022, 10:00 a.m. Link: https://zoom.us/j/91822156772?pwd=OHJUbjQwV3RPL3JUZXVDOXF4NmZuUT09 Meeting ID: 918 2215 6772 Passcode: 672220 Call in: +1 646 558 8656 US (New York)
Public Service Commission		
PSC-12-22-00010-P	Proposed major rate increase in Liberty SLG’s gas revenues	Teleconference—July 18, 2022 and continuing daily as needed, 10:30 a.m. (Evidentiary Hearing)* *On occasion, a hearing may be rescheduled or postponed. In that event, public information notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Case No. 21-G-0577.
PSC-13-22-00006-P	Proposed major rate increase in Con Edison’s delivery revenues of approximately \$500 million (or 18.2% in total revenues)	Teleconference—July 6, 2022 and continuing daily as needed, 10:30 a.m. (Evidentiary Hearing)* *On occasion, a hearing may be rescheduled or postponed. In that event, public information notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Case No. 22-G-0065.
PSC-13-22-00009-P	Proposed major rate increase in Con Edison’s delivery revenues of approximately \$1.2 billion (or 11.2% in total revenues)	Teleconference—July 6, 2022 and continuing daily as needed, 10:30 a.m. (Evidentiary Hearing)*

*On occasion, a hearing may be rescheduled or postponed. In that event, public information notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Case No. 22-E-0064.

State, Department of

DOS-14-22-00006-EP New York State Uniform Fire Prevention and Building Code (Uniform Code)

Department of State, 99 Washington Ave., Albany, NY—June 8, 2022, 10:00 a.m.

ACTION PENDING INDEX

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

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

For additional information concerning any of the proposals

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

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
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AGING, OFFICE FOR THE

AGE-11-22-00002-P 03/16/23	Limits on Administrative Expenses and Executive Compensation	To repeal guidelines regarding placing limitations on Administrative Expenses and Executive Compensation.
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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-52-21-00001-EP	..... 12/29/22	Control of the Box Tree Moth (<i>Cydalima perspectalis</i>)	To help control the spread of the Box Tree Moth, which infests certain landscaping host plants, rendering them unmarketable

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-42-21-00010-P	..... 10/20/22	Provision of problem gambling treatment and recovery services.	Identify the requirements for provision of problem gambling services.
ASA-52-21-00005-EP	..... 12/29/22	Masking requirements in all OASAS certified/funded/otherwise authorized settings	To prevent the ongoing threat to public health of the spread of COVID-19 in OASAS settings
ASA-11-22-00003-P	..... 03/16/23	Patient rights in OASAS programs	Establish patient rights and provider obligations regarding patient rights in OASAS programs
ASA-11-22-00004-P	..... 03/16/23	substance use disorder residential services	requirements for substance use disorder residential services
ASA-11-22-00005-P	..... 03/16/23	Substance use disorder withdrawal and stabilization services	Requirements for providers of substance use disorder withdrawal and stabilization services
ASA-11-22-00006-P	..... 03/16/23	residential services	requirements for the delivery of residential services

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
ALCOHOLISM AND SUBSTANCE ABUSE SERVICES, OFFICE OF			
ASA-11-22-00007-P	03/16/23	General provisions applicable to all programs certified, funded or otherwise authorized by OASAS	General provisions applicable to all programs certified, funded or otherwise authorized by OASAS
ASA-11-22-00008-P	03/16/23	Substance use disorder residential rehabilitation services for youth	to establish standards for substance use disorder residential rehabilitation services for youth
ASA-11-22-00009-P	03/16/23	substance use disorder inpatient rehabilitation	requirements for substance use disorder inpatient rehabilitation services
ASA-11-22-00010-P	03/16/23	general service standards for substance use disorder outpatient programs	general service standards for substance use disorder outpatient programs
ASA-11-22-00011-P	03/16/23	INCIDENT REPORTING IN OASAS CERTIFIED, LICENSED, FUNDED, OR OPERATED SERVICES	INCIDENT REPORTING IN OASAS CERTIFIED, LICENSED, FUNDED, OR OPERATED SERVICES
ASA-12-22-00005-P	03/23/23	Designated Services	To add new Adolescent Program Endorsement and new Ancillary Withdrawal Designation
AUDIT AND CONTROL, DEPARTMENT OF			
AAC-09-22-00003-P	03/02/23	Electronic Contact	To provide that forms of electronic contact satisfy the written communication requirements under Abandoned Property Law
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
OCM-01-22-00026-P	01/05/23	Part 114 - Cannabinoid Hemp	To create a licensing framework for cannabinoid hemp processors and cannabinoid hemp retailers
OCM-10-22-00017-P	03/09/23	Part 113 - Medical Cannabis	The proposed rule established the framework for the medical cannabis program in New York State
OCM-13-22-00002-P	03/30/23	Part 116 - Conditional Adult-Use Retail Dispensary	The proposed rule establishes the framework for a subset of retail licenses for the adult-use cannabis program in New York.
CHILDREN AND FAMILY SERVICES, OFFICE OF			
CFS-52-21-00003-EP	12/29/22	To establish minimum standards to control the spread of COVID-19 at residential congregate programs.	To establish minimum standards to control the spread of COVID-19 at residential congregate programs.
CIVIL SERVICE, DEPARTMENT OF			
CVS-01-22-00019-P	01/05/23	Family Sick Leave	To increase amount of annual family sick leave from fifteen (15) to twenty-five (25) days for eligible M/C employees
CVS-01-22-00020-P	01/05/23	Jurisdictional Classification	To classify a position in the exempt class.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-01-22-00021-P	01/05/23	Jurisdictional Classification	To classify positions in the exemp class and to classify a subheading and positions in the non-competitive class
CVS-01-22-00022-P	01/05/23	Jurisdictional Classification	To delete a position from and classify a position in the non-competitive class
CVS-01-22-00023-P	01/05/23	Jurisdictional Classification	To delete a position from and classify a position in the exempt class.
CVS-01-22-00024-P	01/05/23	Jurisdictional Classification	To classify a position in the exempt class.
CVS-01-22-00025-P	01/05/23	Jurisdictional Classification	To classify positions in the exempt class
CVS-06-22-00001-P	02/09/23	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-06-22-00002-P	02/09/23	Jurisdictional Classification	To classify positions in the exempt class
CVS-06-22-00003-P	02/09/23	Jurisdictional Classification	To classify positions in the exempt class
CVS-06-22-00004-P	02/09/23	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-06-22-00005-P	02/09/23	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-06-22-00006-P	02/09/23	Jurisdictional Classification	To delete a position and to classify a position in the exempt class and to classify positions in the non-competitive class
CVS-06-22-00007-P	02/09/23	Jurisdictional Classification	To delete a position from and to add a subheading and classify positions in the non-competitive class
CVS-06-22-00008-P	02/09/23	Jurisdictional Classification	To classify positions in the exempt class.
CVS-09-22-00001-P	03/02/23	Supplemental military leave benefits	To extend the availability of supplemental military leave benefits for certain New York State employees until December 31, 2022
CVS-10-22-00001-P	03/09/23	Jurisdictional Classification	To classify positions in the exempt class.
CVS-10-22-00002-P	03/09/23	Jurisdictional Classification	To classify positions in the exempt class.
CVS-10-22-00003-P	03/09/23	Jurisdictional Classification	To delete a position from the non-competitive class
CVS-10-22-00004-P	03/09/23	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-10-22-00005-P	03/09/23	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-10-22-00006-P	03/09/23	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-10-22-00007-P	03/09/23	Jurisdictional Classification	To classify positions in the non-competitive class

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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-10-22-00008-P	03/09/23	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-13-22-00015-P	03/30/23	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-13-22-00016-P	03/30/23	Jurisdictional Classification	To delete a position from and to classify a position in the exempt class.
CVS-13-22-00017-P	03/30/23	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-13-22-00018-P	03/30/23	Jurisdictional Classification	To classify positions in the exempt class.
CVS-13-22-00019-P	03/30/23	Jurisdictional Classification	To add a subheading and classify positions in the non-competitive class
CVS-13-22-00020-P	03/30/23	Jurisdictional Classification	To classify positions in the exempt class and to classify a position in the non-competitive class
CVS-13-22-00021-P	03/30/23	Jurisdictional Classification	To classify positions in the exempt class.
CVS-13-22-00022-P	03/30/23	Jurisdictional Classification	To classify positions in the non-competitive class
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
CMC-15-22-00007-EP	04/13/23	Segregated confinement	Set minimum standards for the imposition of segregated confinement and the operation of RRUs in jails
CORRECTIONS AND COMMUNITY SUPERVISION, DEPARTMENT OF			
CCS-07-22-00006-P	02/16/23	Forwarding Incarcerated Individual Mail	To further clarify facility mail forwarding processing procedures.
CCS-08-22-00007-EP	02/23/23	Disposition for violations of the conditions of release	To bring Board regulations into compliance with recent amendments to the Executive Law.
CCS-14-22-00010-P	04/06/23	Incarcerated Individual Correspondence Program	To further clarify facility mail processing procedures.
CCS-16-22-00002-P	04/20/23	Limits On Administrative Expenses And Executive Compensation	To remove outdated references in the Department's regulations
CCS-16-22-00003-EP	04/20/23	Definitions, Standards of Incarcerated Individual Behavior, Special Housing Units, and Institutional Programs	To revise regulations to be in compliance with the new HALT legislation and applicable laws
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"

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
ECONOMIC DEVELOPMENT, DEPARTMENT OF			
EDV-45-21-00001-P	11/10/22	Commercial Production Credit Program	Update regulations to include a third party verification process for application submissions.
EDV-05-22-00007-P	02/02/23	Post Production Tax Credit Program	Update regulations to clarify the taxable year in which a credit is allowable.
EDUCATION DEPARTMENT			
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-48-21-00012-ERP	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-52-21-00012-P	12/29/22	General Education Core in the Liberal Arts and Sciences requirements	To remove the General Education Core in the Liberal Arts and Sciences requirements for registered teacher preparation programs and Individual Evaluation Pathway to teacher certification
EDU-52-21-00013-P	12/29/22	The teacher performance assessment requirement for certification.	To modify the teacher performance assessment requirement by eliminating the requirement of the edTPA for certification
EDU-52-21-00014-ERP	12/29/22	Requirements for the Reissuance of an Initial Certificate	To remove the requirement that candidates complete 50 hours of CTLE and/or professional learning to obtain a reissuance
EDU-52-21-00015-EP	12/29/22	Administration of non-injectable glucagon in schools by trained unlicensed school personnel	To conform the Commissioner's regulations to Chapter 339 of the Laws of 2021
EDU-04-22-00008-EP	01/26/23	Cancellation of January 2022 administration of Regents Examinations	To provide regulatory flexibility in response to the cancellation of the January 2022 Regents examination administration.
EDU-04-22-00009-EP	01/26/23	Administration of Immunizations by Pharmacists.	To conform the Commissioner's regulation to Chapter 555 of the Laws of 2021 authorizing pharmacists to administer certain immunizations.
EDU-04-22-00010-EP	01/26/23	Assessment requirements for school district leader and school district business leader program completion, the institutional recommendation for Professional SDL and SDBL certification, and the institutional recommendation Transitional D certification.	Removes the requirement that SDL, SDBL, and Transitional D candidates pass the SDL and SDBL assessment, respectively, for program completion and the institutional recommendation for Professional and Transitional D certification
EDU-09-22-00013-P	03/02/23	Use of Therapeutic Pharmaceutical Agents by Certified Optometrists.	To add a new class of drugs, Rho kinase inhibitors, to the list of drugs that an optometrist certified to use phase two therapeutic pharmaceutical agents may use and prescribe to treat patients
EDU-09-22-00014-P	03/02/23	Content core requirements for candidates seeking an additional science certificate.	To revise the content core requirements in registered teacher preparation programs
EDU-09-22-00015-P	03/02/23	Literacy (All Grades) certificate	Establishes the Literacy (All Grades) certificate

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
EDUCATION DEPARTMENT			
EDU-09-22-00016-P	03/02/23	Board of education cooperative services regional technology plans.	To modernize the language and align requirements of the regional technology plans required to be submitted by BOCES.
EDU-13-22-00024-EP	06/15/23	Accelerated due process procedures.	To implement Chapter 812 of the Laws of 2021.
EDU-13-22-00025-P	03/30/23	Substantially Equivalent Instruction for Nonpublic School Students	Provide guidance to local school authorities to assist them in fulfilling their responsibilities under the Compulsory Ed Law
EDU-13-22-00026-P	03/30/23	Admission Requirements for Graduate-level Teacher and Educational Leadership Programs.	To align such admission requirements with Chapter 630 and 626 of the Laws of 2021.
EDU-13-22-00027-P	03/30/23	Instructional Hour COVID-19 Waiver	To extend the instructional hour COVID-19 waiver to the 2022-23 school year.
EDU-13-22-00028-P	05/23/23	The disability classification “emotional disturbance.”	To rename such disability classification to “emotional disability.”
EDU-13-22-00029-P	06/15/23	Special education due process system procedures	See attached.
ELECTIONS, STATE BOARD OF			
SBE-33-21-00010-P	08/18/22	Public Campaign Finance Program	Implementation of the Public Campaign Finance Program
SBE-39-21-00003-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
SBE-16-22-00004-EP	04/20/23	Providing deadlines for entering voter history and providing list of affidavit voters.	To conform regulatory provisions to canvassing provisions provided for by amendments to Election Law Section 9-209.
SBE-16-22-00005-EP	04/20/23	Removing gender matching from the comparison of voter registration records against the records of the Dept of Motor Vehicles.	To ensure that voter matches can occur as provided for by law as a result of Chapter 158 of Laws of 2021.
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-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
ENVIRONMENTAL CONSERVATION, DEPARTMENT OF			
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-51-21-00003-P	04/07/23	Environmental Remediation Programs	To amend 6 NYCRR Part 375, Environmental Remediation Programs.
ENV-14-22-00005-P	04/06/23	Amendments to New York State spring turkey hunting regulations	To increase hunting opportunities in Wildlife Management Unit 1C and to modernize allowable take methods
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-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.
DFS-50-21-00016-P	12/15/22	Debt Collection by Third-Party Debt Collectors and Debt Buyers	To clarify and modify standards for debt collection practices in New York
DFS-09-22-00018-P	03/02/23	Minimum Standards for the Form, Content and Sale of Health Insurance, Including Standards of Full and Fair Disclosure	To provide additional minimum standards for the content of health insurance identification cards in accordance with Federal law
DFS-11-22-00001-P	03/16/23	Separate Accounts and Separate Account Contracts	To establish standards for separate accounts and separate account contracts.
DFS-14-22-00004-P	04/06/23	Rules Governing the Procedures for Adjudicatory Proceedings Before the Department of Financial Services	To specify that administrative hearings are held by videoconference unless determination is made to hold the hearing in-person
GAMING COMMISSION, NEW YORK STATE			
SGC-13-22-00001-P	03/30/23	Removing the requirement to couple entries with jockeys with relationships among them or with other participants in the race.	To enhance the integrity and safety of thoroughbred horse racing.
SGC-13-22-00003-P	03/30/23	Regulation of charitable gaming games of chance.	To conform games of chance rules to current statutes and improve operations.
SGC-13-22-00004-P	03/30/23	Regulation of charitable gaming raffles.	To conform raffles rules to current statutes and improve operations.
SGC-13-22-00005-P	03/30/23	Racing license hearing requests and service methods.	To enhance the fairness and efficiency of adjudicatory proceedings.

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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
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-05-21-00011-RP	..... 05/04/22	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-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-46-21-00007-P	..... 11/17/22	Minimum Staffing Requirements for Nursing Homes	Requiring minimum staffing levels for nursing homes
HLT-50-21-00001-EP	..... 12/15/22	Prevention of COVID-19 Transmission by Covered Entities	To require covered entities to ensure their personnel are fully vaccinated against COVID-19 subject to certain exemptions.
HLT-50-21-00002-EP	..... 12/15/22	Investigation of Communicable Disease; Isolation and Quarantine	Control of communicable disease.
HLT-50-21-00003-EP	..... 12/15/22	Face Coverings for COVID-19 Prevention	To control and promote the control of communicable diseases to reduce their spread.
HLT-50-21-00004-EP	..... 12/15/22	Personal Caregiving and Compassionate Caregiving Visitors in Nursing Homes (NH's) and Adult Care Facilities (ACF's)	To require NH's & ACF's to establish policies & procedures relating to personal caregiving & compassionate caregiving visitors.
HLT-01-22-00004-P	..... 01/05/23	Prescription Refills	Limits Medicaid FFS prescriptions to a maximum of 12 fills within one year from the date the prescriber initiates a prescription
HLT-07-22-00010-P	..... 02/16/23	Clinical Staffing in General Hospitals	Requires general hospitals to have clinical staffing committees and create clinical staffing plans
HLT-07-22-00011-P	..... 02/16/23	Surge and Flex Health Coordination System	Provides authority to the Commissioner to direct certain actions and waive certain regulations in an emergency.
HLT-10-22-00009-P	..... 03/09/23	Updated Retention Standards for Adult Care Facilities	To ensure admission and retention standards for adult care facilities are consistent with the Americans with Disabilities Act.
HLT-12-22-00001-P	..... 03/23/23	Clinical Laboratories and Blood Banks	To allow for remote supervision and updates to provide concordance with NYSED law for qualifications of technical personnel
HLT-12-22-00002-P	..... 03/23/23	Reporting of Acute HIV Infection	To require clinicians to report any case of acute HIV within 24 hours of diagnoses
HLT-12-22-00003-P	..... 03/23/23	Telehealth Services	To ensure continuity of care of telehealth services provided to Medicaid enrollees
HUMAN RIGHTS, DIVISION OF			
*HRT-15-21-00005-RP	..... 07/13/22	Notice of tenants' rights to reasonable modifications and accommodations for persons with disabilities	To comply with the requirements of Executive Law section 170-d

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
JOINT COMMISSION ON PUBLIC ETHICS, NEW YORK STATE			
JPE-06-22-00015-EP	02/09/23	Adjudicatory proceedings and appeals procedures for matters under the Commission's jurisdiction	To increase transparency of the Commission
LABOR, DEPARTMENT OF			
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-51-21-00007-P	02/09/23	Workplace Safety Committees	To comply with Labor Law 27-d(8) which requires that the Department adopt regulations.
LAB-05-22-00008-EP	02/02/23	Unemployment Insurance Work Search	Permit unemployment claimants to use virtual and electronic methods to engage in systemic and sustained work search efforts.
LAW, DEPARTMENT OF			
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"
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
LONG ISLAND POWER AUTHORITY			
*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
MENTAL HEALTH, OFFICE OF			
OMH-33-21-00005-ERP	..... 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-ERP	..... 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
MTA-16-22-00008-EP	..... 04/20/23	Requiring mask wearing when mandated for indoor facilities and conveyances of the MTA & ts affiliates and subsidiaries.	To safeguard the public health and safety by adding a rule requiring the use of masks in facilities & conveyances when mandated
MOTOR VEHICLES, DEPARTMENT OF			
MTV-09-22-00017-P	..... 03/02/23	Passenger and commercial registrations	Allows a passenger class registration for non-commercially used pickup trucks by removing the truck weight limitation
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
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-ERP	10/27/22	COVID-19 vaccines	To require vaccinations in certain OPWDD settings
PDD-07-22-00004-EP	02/16/23	Certification of the Facility Class Known as Individualized Residential Alternative	To increase IRA capacity in cases of emergent circumstances
PDD-07-22-00005-EP	02/16/23	General Purpose	To increase IRA capacity in cases of emergent circumstances
PDD-09-22-00005-P	03/02/23	Administrative Compensation	To repeal Part 645 as Executive Order 38 has sunset
PDD-10-22-00010-EP	03/09/23	Training Flexibilities	To provide flexibility in training requirements

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
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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 Conring Natural Gas Corporation	To authorize the company to include certain gas costs
*PSC-07-02-00032-P	exempt	Uniform business practices	To consider modification
*PSC-36-03-00010-P	exempt	Performance assurance plan by Verizon New York	To consider changes
*PSC-40-03-00015-P	exempt	Receipt of payment of bills by St. Lawrence Gas Company	To revise the process
*PSC-41-03-00010-P	exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-41-03-00011-P	exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-44-03-00009-P	exempt	Retail access data between jurisdictional utilities	To accommodate changes in retail access market structure or commission mandates

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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
*PSC-28-04-00006-P	..... exempt	Approval of loans by Dunkirk & Fredonia Telephone Company and Cassadaga Telephone Corporation	To authorize participation in the parent corporation's line of credit
*PSC-31-04-00023-P	..... exempt	Distributed generation service by Consolidated Edison Company of New York, Inc.	To provide an application form
*PSC-34-04-00031-P	..... exempt	Flat rate residential service by Emerald Green Lake Louise Marie Water Company, Inc.	To set appropriate level of permanent rates
*PSC-35-04-00017-P	..... exempt	Application form for distributed generation by Orange and Rockland Utilities, Inc.	To establish a new supplementary application form for customers
*PSC-43-04-00016-P	..... exempt	Accounts recievable by Rochester Gas and Electric Corporation	To include in its tariff provisions for the purchase of ESCO accounts recievable

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

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

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

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

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

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-51-09-00029-P	..... exempt	Rules and guidelines for the exchange of retail access data between jurisdictional utilities and eligible ESCOs	To revise the uniform Electronic Data Interchange Standards and business practices to incorporate a contest period
*PSC-51-09-00030-P	..... exempt	Waiver or modification of Capital Expenditure condition of merger	To allow the companies to expend less funds for capital improvement than required by the merger
*PSC-52-09-00006-P	..... exempt	ACE's petition for rehearing for an order regarding generator-specific energy deliverability study methodology	To consider whether to change the Order Prescribing Study Methodology
*PSC-52-09-00008-P	..... exempt	Approval for the New York Independent System Operator, Inc. to incur indebtedness and borrow up to \$50,000,000	To finance the renovation and construction of the New York Independent System Operator, Inc.'s power control center facilities
*PSC-05-10-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of University Residences - Rochester, LLC to submeter electricity at 220 John Street, Henrietta, NY
*PSC-05-10-00015-P	..... exempt	Petition for the submetering of electricity	To consider the request of 243 West End Avenue Owners Corp. to submeter electricity at 243 West End Avenue, New York, NY
*PSC-06-10-00022-P	..... exempt	The Commission's Order of December 17, 2009 related to redevelopment of Consolidated Edison's Hudson Avenue generating facility	To reconsider the Commission's Order of December 17, 2009 related to redevelopment of the Hudson Avenue generating facility
*PSC-07-10-00009-P	..... exempt	Petition to revise the Uniform Business Practices	To consider the RESA petition to allow rescission of a customer request to return to full utility service
*PSC-08-10-00007-P	..... exempt	Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847	Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847
*PSC-08-10-00009-P	..... exempt	Consolidated Edison of New York, Inc. energy efficiency programs	To modify approved energy efficiency programs
*PSC-12-10-00015-P	..... exempt	Recommendations made by Staff intended to enhance the safety of Con Edison's gas operations	To require that Con Edison implement the Staff recommendations intended to enhance the safety of Con Edison's gas operations
*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

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

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-23-12-00007-P	..... exempt	The approval of a financing upon a transfer to Alliance of upstream ownership interests in a generation facility	To consider the approval of a financing upon a transfer to Alliance of upstream ownership interests in a generation facility
*PSC-23-12-00009-P	..... exempt	Over earnings sharing between rate payers and shareholders	To establish an Earnings Sharing Mechanism to be applied following the conclusion of Corning's rate plan
*PSC-27-12-00012-P	..... exempt	Implementation of recommendations made in a Management Audit Report	To consider implementation of recommendations made in a Management Audit Report
*PSC-28-12-00013-P	..... exempt	Exemption of reliability reporting statistics for the purpose of the 2012 Reliability Performance Mechanism	Consideration of Orange and Rockland Utilities request for exemption of the 2012 reliability reporting statistics
*PSC-29-12-00019-P	..... exempt	Waiver of 16 NYCRR 894.1 through 894.4	To allow the Town of Hamden to waive certain preliminary franchising procedures to expedite the franchising process.
*PSC-30-12-00010-P	..... exempt	Waiver of 16 NYCRR 894.1 through 894.4	To allow the Town of Andes to waive certain preliminary franchising procedures to expedite the franchising process
*PSC-33-12-00009-P	..... exempt	Telecommunications companies ability to attach to utility company poles	Consideration of Tech Valley's ability to attach to Central Hudson poles
*PSC-37-12-00009-P	..... exempt	Proposed modification by Con Edison of its procedures to calculate estimated bills to its customers	Proposed modification by Con Edison of its procedures to calculate estimated bills to its customers
*PSC-42-12-00009-P	..... exempt	Regulation of Gipsy Trail Club, Inc.'s long-term financing agreements	To exempt Gipsy Trail Club, Inc. from Commission regulation of its financing agreements
*PSC-45-12-00008-P	..... exempt	Whether to grant, deny or modify, in whole or part, ESHG's petition for a waiver of Commission policy and RG&E tariff	Whether to grant, deny or modify, in whole or part, ESHG's petition for a waiver of Commission policy and RG&E tariff
*PSC-45-12-00010-P	..... exempt	Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District	Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District
*PSC-50-12-00003-P	..... exempt	Affiliate standards for Corning Natural Gas Corporation	To resolve issues raised by Corning Natural Gas Corporation in its petition for rehearing
*PSC-04-13-00006-P	..... exempt	Expansion of mandatory day ahead hourly pricing for customers of Orange and Rockland Utilities with demands above 100 kW	To consider the expansion of mandatory day ahead hourly pricing for customers with demands above 100 kW
*PSC-04-13-00007-P	..... exempt	Authorization to transfer certain real property.	To decide whether to approve the transfer of certain real property.
*PSC-06-13-00008-P	..... exempt	Verizon New York Inc.'s retail service quality	To investigate Verizon New York Inc.'s retail service quality
*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

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

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

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

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

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

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

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

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

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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.
*PSC-14-18-00006-P	..... exempt	Petition for abandonment	To consider the abandonment of Willsboro Bay Water Company's water system
*PSC-17-18-00010-P	..... exempt	Petition for use of gas metering equipment.	To ensure that consumer bills are based on accurate measurements of gas usage.
*PSC-18-18-00009-P	..... exempt	Transfer of control of Keene Valley Video Inc.	To ensure performance in accordance with applicable cable laws, regulations and standards and the public interest
*PSC-23-18-00006-P	..... exempt	Whether to impose consequences on Aspurity for its non-compliance with Commission requirements.	To ensure the provision of safe and adequate energy service at just and reasonable rates.
*PSC-24-18-00013-P	..... exempt	Implementation of program rules for Renewable Energy Standard and ZEC requirements.	To promote and maintain renewable and zero-emission electric energy resources.
*PSC-28-18-00011-P	..... exempt	Storm Hardening Collaborative Report.	To ensure safe and adequate gas service.
*PSC-29-18-00008-P	..... exempt	Participation in Targeted Accessibility Fund	To encourage enhanced services for low-income consumers
*PSC-29-18-00009-P	..... exempt	Overvaluing real property tax expense recovery in water rates	To prevent unjust and unreasonable water rates
*PSC-34-18-00015-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and energy efficiency protections are in place.

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

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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-51-20-00009-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-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-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-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
*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-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-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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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-18-21-00006-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.
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-21-21-00019-P	..... exempt	Utility capital expenditure proposal.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-22-21-00008-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-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.
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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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-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-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-33-21-00008-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-34-21-00006-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-35-21-00004-P	..... exempt	Major gas rate filing.	To consider a proposed increase in Conring's gas delivery revenues of approximately \$5.8 million (20.4% in total revenues).
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-36-21-00006-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-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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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-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-39-21-00006-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.
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-40-21-00021-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
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-44-21-00012-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-44-21-00014-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-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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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-47-21-00005-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-48-21-00007-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.
PSC-50-21-00005-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-50-21-00006-P	..... exempt	Implementation of the Host Community Benefit Program.	To consider the proposed administration and implementation related to disbursement of customer bill credits.
PSC-50-21-00008-P	..... exempt	Implementation of the Host Community Benefit Program.	To consider the proposed administration and implementation related to disbursement of customer bill credits.
PSC-50-21-00010-P	..... exempt	New York City's proposal to procure Tier 4 Renewable Energy Certificates.	To modify load serving entity compliance obligations under the Clean Energy Standard.
PSC-50-21-00011-P	..... exempt	Implementation of the Host Community Benefit Program.	To consider the proposed administration and implementation related to disbursement of customer bill credits.
PSC-50-21-00012-P	..... exempt	Implementation of the Host Community Benefit Program.	To consider the proposed administration and implementation related to disbursement of customer bill credits.
PSC-50-21-00014-P	..... exempt	Submetering of electricity and waiver request.	To ensure adequate submetering equipment, consumer protections and energy efficiency measures are in place.
PSC-51-21-00010-P	..... exempt	Notice of intent to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-52-21-00006-P	..... exempt	Proposed tariff revisions to the Companies firm demand response programs for the 2021-2022 season.	To effectuate more efficient firm gas demand response programs to gain operational efficiency and shave peak demand.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-52-21-00008-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-52-21-00009-P	..... exempt	Authorization to recover costs for 19 transmission projects and related mechanisms.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-52-21-00010-P	..... exempt	Transfer of street lighting facilities.	To determine whether to authorize the transfer street of lighting facilities and the proper accounting for the transaction.
PSC-01-22-00007-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-01-22-00008-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-01-22-00009-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-01-22-00010-P	..... exempt	Compensation of and incentives for distributed energy resources.	To encourage the development of and ensure just and reasonable rates for distributed energy resources.
PSC-01-22-00012-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-01-22-00013-P	..... exempt	Interconnection costs.	To consider a petition requesting relief from interconnection costs assigned by the interconnecting utility.
PSC-01-22-00014-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-01-22-00015-P	..... exempt	Petition to enter into a lease agreement and impose a surcharge.	To consider entry into a lease agreement and to impose a surcharge.
PSC-01-22-00016-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-01-22-00017-P	..... exempt	Establishment of the regulatory regime applicable to a renewable natural gas project.	To ensure appropriate regulation of a new gas corporation.
PSC-02-22-00004-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-02-22-00005-P	..... exempt	The electric utilities' 2022 Electric Emergency Response Plans.	To consider the adequacy of the proposed 2022 Electric Emergency Response Plans.
PSC-02-22-00006-P	..... exempt	Green gas products.	To consider whether to extend the waiver permitting Family Energy, Inc. to serve existing customers on a green gas product.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-02-22-00007-P	..... exempt	Proposed changes to Rider Z - SC 1 Innovative Pricing Pilot and Rider AA - SC 2 Innovative Pricing Pilot.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
PSC-03-22-00003-P	..... exempt	Proposal by electric utilities on a revised benefit cost analysis method.	To support distribution and local transmission investments necessary to achieve the the State's clean energy and climate goals.
PSC-03-22-00004-P	..... exempt	Proposal by electric utilities on a coordinated electric grid planning process.	To support distribution and local transmission investments necessary to achieve the the State's clean energy and climate goals.
PSC-04-22-00002-P	..... exempt	Con Edison's petition for specific non-pipeline alternative projects.	To provide for continued service reliability and to meet customer energy needs while addressing greenhouse gas reduction goals.
PSC-04-22-00003-P	..... exempt	Proposed sale of real property.	To determine if the proposed sale of real property is in the public interest.
PSC-04-22-00004-P	..... exempt	Extension of the State Universal Service Fund.	To continue to provide universal service at a reasonable rate in certain service territories.
PSC-04-22-00005-P	..... exempt	Petition to continue development and recover the costs of 23 local transmission projects.	To ensure safe and adequate service at just and reasonable rates and to support the State's clean energy and climate goals.
PSC-04-22-00006-P	..... exempt	Area code overlay as relief of the exhausting 845 area code.	To ensure performance in accordance with applicable telecommunications laws, regulations and standards and the public interest.
PSC-05-22-00001-P	..... exempt	Green gas products.	To consider an extension of the waiver permitting energy service companies to serve existing customers on green gas products.
PSC-05-22-00002-P	..... exempt	Notification concerning tax refunds.	To consider Verizon New York Inc.'s request to retain a portion of a property tax refund.
PSC-05-22-00003-P	..... exempt	Green gas products.	To consider an extension of the waiver permitting energy service companies to serve existing customers on a green gas product.
PSC-05-22-00004-P	..... exempt	Initial Tariff Schedule.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-05-22-00005-P	..... exempt	Disposition of a garbage and refuse tax refund.	To determine the disposition of tax refunds and other related matters.
PSC-05-22-00006-P	..... exempt	Green gas products.	To consider an extension of the waiver permitting energy service companies to serve existing customers on a green gas product.
PSC-06-22-00009-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-06-22-00010-P	..... exempt	Tariff rate modifications for PASNY Delivery Service.	To implement just and reasonable rates for distributed energy resources.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-06-22-00011-P	..... exempt	Green gas products.	To consider whether to extend the waiver permitting American Power & Gas to serve existing customers on a green gas product.
PSC-06-22-00012-P	..... exempt	Retention of property tax refunds.	To consider Verizon New York Inc.'s request to retain a portion of a property tax refund.
PSC-06-22-00013-P	..... exempt	The Commission's Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether to extend the date to comply with the CES locational and delivery requirements when purchasing RECs.
PSC-06-22-00014-P	..... exempt	The regulatory regime applicable to a solar electric generating facility.	To ensure appropriate regulation of a new electric corporation.
PSC-07-22-00007-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.
PSC-07-22-00008-P	..... exempt	Transfer of street lighting facilities.	To determine whether to authorize the transfer street of lighting facilities and the proper accounting for the transaction.
PSC-07-22-00009-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-08-22-00002-P	..... exempt	Issuance of securities and other forms of indebtedness.	To provide funding for capital needs, including construction, and refinancing of maturing debt.
PSC-08-22-00003-P	..... exempt	Electric metering equipment.	To consider the use of equipment and ensure that consumer bills will be based on accurate measurements of electric usage.
PSC-08-22-00004-P	..... exempt	Debt financing arrangement.	To review the proposed financing and consider whether it is within the public interest.
PSC-08-22-00005-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-08-22-00006-P	..... exempt	Establishment of a lightened regulatory regime applicable to a battery storage project.	To ensure appropriate regulation of an electric corporation.
PSC-09-22-00006-P	..... exempt	Assessment of the need of the project for the the provision of safe and adequate service at just and reasonable rates.	To determine whether the project is necessary and whether the utility can begin cost recovery through a surcharge mechanism.
PSC-09-22-00007-P	..... exempt	Green gas products.	To consider whether to extend the waiver permitting Viridian Energy PA, LLC to serve existing customers on a green gas product.
PSC-09-22-00008-P	..... exempt	Green gas products.	To consider whether to extend the waiver permitting Just Energy New York to serve existing customers on a green gas product.
PSC-09-22-00009-P	..... exempt	Establishing an alternative recovery mechanism for certain types of fees.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-09-22-00010-P	..... exempt	Green gas products.	To consider whether to extend the waiver permitting Alpha Gas & Electric to serve existing customers on a green gas product.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-09-22-00011-P	..... exempt	Establishing an alternative recovery mechanism for certain types of fees.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-09-22-00012-P	..... exempt	Proposals to implement an Electric Vehicle Make Ready Surcharge for Street Lighting Customers.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-10-22-00011-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-10-22-00012-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-10-22-00013-P	..... exempt	Agreement for the provision of water service and waivers.	To consider whether the terms of a service agreement and requested waivers are in the public interest.
PSC-10-22-00014-P	..... exempt	Amendments to Outdoor Gas Lighting tariff provisions.	To eliminate the outdated provisions concerning the use of natural gas for decorative outdoor lighting.
PSC-10-22-00015-P	..... exempt	To assign certain easement interests and to transfer certain Central Hudson's property to Transco.	To consider whether the easement interests and transfer of certain Central Hudson property to Transco is in the public interest.
PSC-10-22-00016-P	..... exempt	Amendments to Outdoor Gas Lighting tariff provisions.	To eliminate the outdated provisions concerning the use of natural gas for decorative outdoor lighting.
PSC-11-22-00012-P	..... exempt	Policies, budgets, and targets to support space and water heating electrification programs.	To consider revised budgets and targets for Con Edison's New York Clean Heat Program.
PSC-11-22-00013-P	..... exempt	Modifications to the budget and application to disadvantaged communities, limits of plugs per station, and funding levels.	Increase electric vehicle charging infrastructure in disadvantaged communities and other locations.
PSC-12-22-00006-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-12-22-00007-P	..... exempt	Expanded Solar For All Program for low-income customers.	To consider the appropriate design of an opt-out community solar program for low-income customers.
PSC-12-22-00008-P	..... exempt	Establishing an alternative recovery mechanism for certain types of fees.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-12-22-00009-P	..... exempt	Linemen expenses shortfall for October 2020 to September 2021.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-12-22-00010-P	..... exempt	Proposed major rate increase in Liberty SLG's gas 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-12-22-00011-P	..... exempt	Proposed filing clarifying provisions under the Excelsior Jobs Program.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-13-22-00006-P	..... exempt	Proposed major rate increase in Con Edison's delivery revenues of approximately \$500 million (or 18.2% in total revenues).	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-13-22-00007-P	..... exempt	Issuance of securities and other forms of indebtedness.	To provide funding for the construction of utility plant, refinancing maturing debt and other capital needs.
PSC-13-22-00008-P	..... exempt	Pole attachment rates.	To provide just and reasonable pole attachment rates.
PSC-13-22-00009-P	..... exempt	Proposed major rate increase in Con Edison's delivery revenues of approximately \$1.2 billion (or 11.2% in total revenues).	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-13-22-00010-P	..... exempt	Petition for waiver of the requirements of Opinion No. 76-17 and 16 NYCRR Part 96 regarding individual metering of living units.	To determine whether to authorize the waiver request while ensuring consumer and energy efficiency protections are in place.
PSC-13-22-00011-P	..... exempt	Positive revenue adjustments associated with emergency response, damage prevention and leak management for 2020.	To consider a rehearing petition.
PSC-13-22-00012-P	..... exempt	Issuance of securities and other forms of indebtedness.	To provide funding for the construction of utility plant, refinancing maturing debt and other capital needs.
PSC-13-22-00013-P	..... exempt	Pole attachment rates.	To provide just and reasonable pole attachment rates.
PSC-13-22-00014-P	..... exempt	Petition to develop and construct local transmission projects and to allocate and defer associated costs.	To ensure safe and adequate service at just and reasonable rates and to support the State's clean energy and climate goals.
PSC-14-22-00007-P	..... exempt	Notice of intent to submeter electricity and waiver request.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-14-22-00008-P	..... exempt	An opt-out community distributed generation program.	To establish the program rules for offering community distributed generation on and opt-out basis in New York State.
PSC-14-22-00009-P	..... exempt	Establishment of the regulatory regime applicable to a solar electric generating and battery storage facility.	To ensure appropriate regulation of a new electric corporation.
PSC-15-22-00002-P	..... exempt	Consider Staff Proposal on definitions and procedures for customers to receive credits and reimbursements.	To ensure customers receive credits and reimbursements paid by the utility for service outages..
PSC-15-22-00003-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-15-22-00004-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-15-22-00005-P	..... exempt	Transfer of street lighting facilities.	To consider the transfer of street lighting facilities to the Town of Wallkill.
PSC-15-22-00006-P	..... 04/13/23	Technical amendments of state regulations and administrative corrections.	To make the provisions of natural gas service safer in New York State.
PSC-16-22-00007-P	..... exempt	Transfer of street lighting facilities.	To consider the transfer of street lighting facilities to the Town of Sand Lake.
STATE, DEPARTMENT OF			
DOS-14-22-00006-EP	..... 06/08/23	New York State Uniform Fire Prevention and Building Code (the Uniform Code)	To amend the existing Uniform Code to add provisions relating to grease traps or interceptors
DOS-16-22-00001-EP	..... 04/20/23	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-08-22-00001-P	..... exempt	Fuel use tax on motor fuel and diesel motor fuel and the art. 13-A carrier tax jointly administered therewith.	To set the sales tax component and the composite rate per gallon for the period April 1, 2022 through June 30, 2021.
TEMPORARY AND DISABILITY ASSISTANCE, OFFICE OF			
TDA-01-22-00001-EP	..... 01/05/23	2019 Novel Coronavirus (COVID-19) masking requirements in congregate shelters	Protect the well-being of shelter staff and persons staying in congregate shelters
TDA-13-22-00023-P	..... 03/30/23	See attached Addendum #1	See attached Addendum #2
WORKERS' COMPENSATION BOARD			
WCB-28-21-00009-RP	..... 07/14/22	Telehealth	Provides the option for telehealth visits in some circumstances
WCB-09-22-00002-P	..... 03/02/23	Intraoperative Neurophysiological Monitoring	To define IOM and clarify that remote IOM is prohibited except in very limited circumstances

SECURITIES OFFERINGS

STATE NOTICES

Published pursuant to provisions of General Business Law
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DEALERS; BROKERS

810 South York Ave Rock Hill LLC
90 State St., Suite 700, Office 40, Albany, NY 12207
State or country in which incorporated — Wyoming

Aje Investments I, LLC
3002 Charing Cross, Wilmington, DE 19808
State or country in which incorporated — Delaware limited liability
company

Ares Industrial Real Estate Income Trust Inc.
518 Seventeenth Street, 17th Floor, Denver, CO 80202
State or country in which incorporated — Maryland

BOC Mercury Portfouo Holdings, LLC
217 Mill Crossing W, Colleyville, TX 76034
State or country in which incorporated — Texas

Dalmore Group LLC, The
525 Green Place, Woodmere, NY 11598
State or country in which incorporated — New York

Halomine Inc.
95 Brown Road, m/s 1050, Ithaca, NY 14851
State or country in which incorporated — Delaware

Hollister Associates, LLC
257 River Oak Dr., Mount Pleasant, SC 29464

HSRE-Oakmont Reit Sub I, LLC
444 W. Lake St., Suite 2100, Chicago, IL 60606
State or country in which incorporated — Delaware

HSRE SB City Science Reit Sub, LLC
444 W. Lake St., Suite 2100, Chicago, IL 60606
State or country in which incorporated — Delaware

JVM PS Reit Holdco, LLC
903 Commerce Dr., Suite 250, Oak Brook, IL 60523
State or country in which incorporated — Delaware

Kingsley Crystal JV LLC
751 Arbor Way, Suite 210, Blue Bell, PA 19422
State or country in which incorporated — Delaware

Life Bridge Capital Fund I, LLC
12470 York St., Eastlake, CO 80614
State or country in which incorporated — Colorado

MC Growth And Income Fund I, LP
15170 N. Hayden Road, Suite 1, Scottsdale, AZ 85200
Partnership — MC Companies GP I, LLC

Oberweis Funds, The
3333 Warrenville Road, Suite 500, Lisle, IL 60532
State or country in which incorporated — Massachusetts

Performance Trust Capital Partners, LLC
500 W. Madison St., Suite 450, Chicago, IL 60661
State or country in which incorporated — Illinois

Pernod Ricard S.A.
Five, cours Paul Ricard 75008 Paris, France
State or country in which incorporated — France

SLF 1031 Decatur Trust
16829 W. 116th St., Lenexa, KS 66219
State or country in which incorporated — Delaware

Sweater Cashmere Fund
4900 Nautilus Court, Suite 201, Gunbarrel, CO 80301
State or country in which incorporated — Delaware

Waypoint Essential Stores L.P.
86 Brook St., London, United Kingdom W1K 5AY
Partnership — Waypoint Essential Stores GP Limited

Vivo Living Baltimore LLC
16150 SW Upper Boones Ferry Road, Portland, OR 97224
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SEALED BIDS

REPAIR WINTER COTTAGE Caumsett State Park Lloyd Harbor, Suffolk County

Sealed bids for Project No. M3177-C, comprising a contract for Construction Work, Repair Winter Cottage, Hurricane Ida, Caumsett State Park, West Neck Road, Lloyd Harbor (Suffolk 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 Parks, Recreation & Historic Preservation, until 2:00 p.m. on Wednesday, April 27, 2022, 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 \$8,600 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 \$100,000 and \$250,000 for C.

Pursuant to State Finance Law §§ 139-j and 139-k, this solicitation includes and imposes certain restrictions on communications between OGS D&C and a bidder during the procurement process. A bidder is restricted from making contacts from the earliest posting on the OGS website, in a newspaper of general circulation, or in the Contract Reporter, of written notice, advertisement or solicitation of offers, through final award and approval of the contract by OGS D&C and the Office of the State Comptroller ("Restricted Period") to other than designated staff, unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a). Designated staff are Jessica Cook, 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.

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

The substantial completion date for this project is 121 days after the Agreement is approved by the Comptroller.

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 10:00 a.m. on April 14, 2022, at Caumsett State Park, West Neck Road, Lloyd Harbor, NY 11743 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 Bibi Bacchus, (718-776-4441) a minimum of 48 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 48 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: 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 docu-

ments 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
ROOFS**

Bedford Hills Correctional Facility
Bedford Hills, Westchester County

Sealed bids for Project No. 45152-C, comprising a contract for Construction Work, Replace Roofs, Buildings 1, 2, 4 & 110B, Bedford Hills Correctional Facility, 247 Harris Road, Bedford Hills (Westchester County), NY will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Department of Corrections and Community Supervision, until 2:00 p.m. on Wednesday, April 27, 2022, 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 \$67,300 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 \$2,000,000 and \$3,000,000 for C.

Pursuant to State Finance Law §§ 139-j and 139-k, this solicitation includes and imposes certain restrictions on communications between OGS D&C and a bidder during the procurement process. A bidder is restricted from making contacts from the earliest posting on the OGS website, in a newspaper of general circulation, or in the Contract Reporter, of written notice, advertisement or solicitation of offers, through final award and approval of the contract by OGS D&C and the Office of the State Comptroller ("Restricted Period") to other than designated staff, unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a). Designated staff are Jessica Cook, 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.

 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 681 days after the Agreement is approved by the Comptroller.

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 9:00 a.m. on April 13, 2022 at the OGS Field Office, 247 Harris Road, Bedford Hills, 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 Matt Vondras, (914-666-0889) 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: 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
EPDM ROOF**
NYS Preparedness Training Center
Oriskany, Oneida County

Sealed bids for Project Nos. 46213-C, 46213-H, 46213-P and 46213-E, comprising separate contracts for Construction Work, HVAC Work, Plumbing Work, and Electrical Work, Replace EPDM Roof, Building 1, NYS Preparedness Training Center, 5900 Airport Road (Oneida County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Office of General Services, until 2:00 p.m. on Wednesday, April 27, 2022, 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 \$55,500 for C, \$6,800 for H, \$1,900 for P, and \$7,900 for E).

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, between \$50,000 and \$100,000 for H, between \$0 and \$50,000 for P, and between \$50,000 and \$100,000 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 Jessica Cook, 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.

 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 492 days after the Agreement is approved by the Comptroller.

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 9:00 a.m. on April 13, 2022, at NYS Preparedness Training Center, Building 2, 5900 Airport Road, Oriskany, 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 James Bailey (315-736-5770) a minimum of 48 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 48 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) for Construction 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: 3% for the C trade contractor, 0% for the E trade contractor, 0% for the H trade contractor, and 0% for the P 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

**PROVIDE
LIGATURE RESISTANT LIGHTS**
Rockland Psychiatric Center
Orangeburg, Rockland County

Sealed bids for Project No. 47002-E, comprising a contract for Electrical Work, Provide Ligature Resistant Lights, Patient Bedroom

& Bathrooms, Buildings 58, 60, Rockland Psychiatric Center, 140 Old Orangeburg Road, Orangeburg (Rockland County), NY will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Office of Mental Health, until 2:00 p.m. on Wednesday, April 27, 2022 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 \$41,400 for E).

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 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 Jessica Cook, 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 644 days after the Agreement is approved by the Comptroller.

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 10:00 a.m. on April 14, 2022, at Rockland Psychiatric Center 140 Old Orangeburg Road, Building 184 (New Work Control), Orangeburg NY 10962. 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 Cheryl Chasin (845-365-0730) a minimum of 48 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 48 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: 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

NOTICE OF AVAILABILITY OF STATE AND FEDERAL FUNDS

Division of Homeland Security and Emergency
Services
1220 Washington Ave.
State Office Bldg. Campus, Bldg. 7A
Albany, NY 12242

UNITS OF LOCAL GOVERNMENT WITHIN TARGETED COUNTIES

2020 Critical Infrastructure Grant Program

Fiscal Year 2020 Critical Infrastructure Grant Program seeks applications for up to \$50,000 from federal State Homeland Security Program funding made available by the NYS Division of Homeland Security and Emergency Services (DHSES) for critical infrastructure protection. The FY2020 Critical Infrastructure Grant Program (CIGP) advances a common understanding of risk management. Applicants select a government owned critical infrastructure or mass gathering/ special event site and complete a risk assessment. First responders assess their capability to prevent and protect against attacks on the site. Grant funding is then applied to mitigate vulnerabilities identified in the risk assessment or enhance first responder's capabilities.

The priority focus for the FY2020 CIGP is government owned critical infrastructure or mass gathering/ special event sites. Examples of critical infrastructure sites include, but are not limited to, government office buildings (city/town halls), emergency services (emergency operations centers, 911 centers, police or fire stations), water systems (water treatment facilities, water distribution, wastewater treatments) or government owned stadiums. Examples of mass gathering/ special event sites include, government property, where events such as, but not limited to, major community festivals, races, concerts or games are held. These events must be reoccurring (but not necessarily the same event) and located or held on government owned or leased property that has definable geographic boundaries; the event or location must pose special security concerns, such a population surges and other factors that require additional law enforcement or emergency resources.

Only units of local government within targeted counties are eligible to apply for the FY2020 CIGP. Units of local governments include: counties, cities, towns, and/or villages. Applicants must be located in New York City or one of the following targeted counties: Albany, Broome, Dutchess, Erie, Herkimer, Livingston, Madison, Monroe, Nassau, Niagara, Oneida, Onondaga, Ontario, Orange, Orleans, Oswego, Putnam, Rensselaer, Rockland, Saratoga, Schenectady, Schoharie, Suffolk, Tioga, Wayne, Westchester, and Yates. The application must be coordinated with at least two (2) agencies with prevention and/or protection responsibilities at the selected site. These must be law enforcement, fire department, emergency management, or public works agencies.

Applications will be accepted until May 5, 2022 at 5:00 p.m. through the DHSES electronic grants management system (E-Grants).

For the Request for Applications (RFA) please visit the DHSES website at <https://www.dhses.ny.gov/targeted-grants> or contact the DHSES Grants Hotline at (866) 837-9133.

Division of Homeland Security and Emergency
Services
1220 Washington Ave.
State Office Bldg. Campus, Bldg. 7A
Albany, NY 12242

ALL NEW YORK STATE COUNTIES AS WELL AS UNITS OF LOCAL GOVERNMENT TO INCLUDE CITIES, TOWNS AND/OR VILLAGES THAT ARE REGISTERED MEMBERS OF THE MULTI-STATE INFORMATION SHARING AND ANALYSIS CENTER (MS-ISAC)

2020 Cyber Security Grant Program (CSGP)

Fiscal Year 2020 Cyber Security Grant Program (CSGP) seeks applications for up to \$50,000 from federal State Homeland Security Program funding made available by the NYS Division of Homeland Security and Emergency Services (DHSES). The purpose of this grant opportunity is to aid New York State's local jurisdictions in enhancing their ability to identify, protect, detect, respond to and recover from cyber incidents through funding of eligible planning, equipment, training and exercise costs.

The five objectives of this grant are to: 1) To provide New York State local jurisdictions with the resources and equipment necessary to prevent disruption of the confidentiality, integrity and availability of their information systems; 2) To assess cyber security risks, identify vulnerabilities and determine capability gaps with the focus of allocating resources to address the most critical needs; 3) To ensure that local jurisdictions are equipped with the knowledge and resources necessary for providing cyber security awareness training to their staff in support of good cyber hygiene at the user level; 4) To develop actionable cyber security plans that focus on response and immediate remediation to a cyber incident, and; 5) To encourage the participation in established cyber security support networks and utilization of the vast amount of resources available to local governments.

All New York State counties as well as units of local government to include cities, towns, and/or villages that are registered members of the Multi-State Information Sharing and Analysis Center (MS-ISAC) are eligible to apply for the FY2020 CSGP.

Applications will be accepted until May 5, 2022 at 5:00 p.m. through the DHSES electronic grants management system (E-Grants).

For the Request for Applications (RFA) please visit the DHSES website at <https://www.dhses.ny.gov/targeted-grants> or contact DHSES's Grant Hotline at (866) 837-9133.

Division of Homeland Security and Emergency
Services
1220 Washington Ave.
State Office Bldg. Campus, Bldg. 7A
Albany, NY 12242

LOCAL, COUNTY AND TRIBAL LAW ENFORCEMENT OPERATIONS

2020 Explosive Detection Canine Team Grant Program

Fiscal Year 2020 Explosive Detection Canine Team Grant Program

seeks applications for up to \$50,000 from federal State Homeland Security Program funding made available by the NYS Division of Homeland Security and Emergency Services (DHSES) for programs to develop and support explosive detection canine team capabilities.

The six primary objectives of this grant are: 1) The advancement of explosive detection canine team capabilities; 2) The certification of explosive detection canine teams and compliance with annual recertification requirements; 3) Participation in DHS's Office for Bombing Prevention's (DHS-OBP) Explosive Detection Canine Capability Analysis Program; 4) Alignment to New York State's thirteen FBI Accredited bomb squads; 5) Use of the Bomb Arson Tracking System (BATS); and, 6) Promotion of regional partnerships in the development of mutual explosive detection canine team capabilities. Grants will be awarded to support local, county and Tribal law enforcement agencies with an active road patrol component of their law enforcement operations and who currently and/or previously managed a DCJS or NYSP certified explosive detection canine team within the last five (5) years.

Applications will be accepted until May 5, 2022 at 5:00 p.m. through the DHSES electronic grants management system (E-Grants).

For the Request for Applications (RFA) please visit the DHSES website at <https://www.dhses.ny.gov/targeted-grants> or contact DHSES's Grants Hotline at (866) 837-9133.

Division of Homeland Security and Emergency Services

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

COUNTY GOVERNMENTS WITHIN NEW YORK STATE OR NEW YORK CITY

2022 Statewide Interoperable Communications Targeted Grant Program

The 2022 Statewide Interoperable Communications Targeted Grant Program is a non-competitive grant program for counties and New York City, as a single entity, (hereafter "Counties" or "Applicant") to close gaps in the interoperability infrastructure, regional communications deficiencies, and implementation of National Interoperability channels.

The goal of the 2022 SICG-Targeted program is to improve the overall status of land mobile radio interoperability for public safety agencies within New York as well as with other States, through implementing a targeted approach.

To be eligible to apply for and receive grant funding, applicants must: Be a county government within New York State or New York City requesting funding for the benefit of the county as a single entity. Applications must be submitted by a county government. (The five boroughs which comprise New York City [Bronx, Kings, Queens, New York and Richmond] must apply as a single entity.) Be an active member of, or demonstrate a commitment to, at least one New York State Regional Interoperable Communications Consortium. Further standards will be outlined within the Grant RFA posting.

The 2022 SICG Targeted Program has a total of \$62,427,798 in funding available for Counties to improve infrastructure related to National Interoperability channels, as well as certain proposals for communications network connectivity/backhaul within and between consortiums/regions proposals which are core tenets to improve interoperability between them. Funding will be applied or distributed to eligible Applicants, those of which were identified as areas with insufficient coverage and/or insufficient infrastructure of National Interoperability Channels. The maximum available award is \$6 million.

The State Division of Homeland Security and Emergency Services will review applications and provide technical assistance to applicants as requested.

Applications will be accepted until May 11th, 2022, at 5:00pm, through the DHSES electronic grants management system (E-Grants).

For the Request for Applications (RFA) please visit the DHSES website at <https://www.dhses.ny.gov/statewide-interoperable-communications-grant-targeted-sig> or contact DHSES's Grant Hotline at (866) 837-9133.

Division of Homeland Security and Emergency Services

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

LOCAL, COUNTY AND TRIBAL LAW ENFORCEMENT AGENCIES

2020 Tactical Team Grant Program

Fiscal Year 2020 Tactical Team Grant Program seeks applications for up to \$75,000 from federal State Homeland Security Program funding made available by the NYS Division of Homeland Security and Emergency Services (DHSES). The primary focus of this year's grant opportunity is to improve a tactical team's response capabilities through the attainment and sustainment of the SWAT Team Standards that were developed and approved by the New York State Division of Criminal Justice Services (DCJS) through the Municipal Police Training Council (MPTC).

Grants will be awarded to local, county, and tribal law enforcement agencies with an active tactical team as part of their law enforcement operations that respond to calls for service outside of a correctional setting AND have been certified by DCJS or have a pending application for certification with DCJS. The four primary objectives of this grant are to: 1) Advance tactical team capabilities through the attainment and sustainment of the minimum standards within this community; 2) Encourage and support training among law enforcement specialty teams to include bomb squads and explosive detection canine teams; 3) Promote regional partnerships in the development and build-out of mutual tactical team capabilities, and 4) Participate in DHS's Office for Bombing Prevention's (DHS-OBP) SWAT Capability Analysis Program.

Applications will be accepted until May 5 at 5:00 p.m. through the DHSES electronic grants management system (E-Grants).

For the Request for Applications (RFA) please visit the DHSES website at <https://www.dhses.ny.gov/targeted-grants> or contact DHSES's Grant Hotline at (866) 837-9133.

Division of Homeland Security and Emergency Services

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

COUNTIES ON BEHALF OF LOCAL EMERGENCY RESPONSE TEAMS

2020 Technical Rescue and Urban Search and Rescue (USAR) Team Grant Program

Fiscal Year 2020 Technical Rescue & Urban Search and Rescue (USAR) Team Grant Program seeks applications for up to \$225,000 from Federal State Homeland Security Program funding made available by the NYS Division of Homeland Security and Emergency Services (DHSES). The focus of this grant opportunity is to develop and support Technical Rescue & USAR team capabilities.

Grants will be awarded to counties on behalf of local emergency response teams that provide Technical Rescue & USAR services

countywide or regionally. The four primary objectives of this grant are to: 1) Advance Technical Rescue & USAR capabilities statewide; 2) Develop Regional Response Partnerships to enhance multi-county response capabilities; 3) Encourage the development and maintenance of county-level Technical Rescue/USAR plans; and 4) Assess and standardize Technical Rescue and USAR Resources through participation in the DHSES Office of Fire Prevention and Control's Technical Rescue/USAR Accreditation program.

Applications will be accepted until May 5, 2022 at 5:00 p.m. through the DHSES electronic grants management system (E-Grants).

For the Request for Applications (RFA) please visit the DHSES website at <https://www.dhSES.ny.gov/targeted-grants> or contact DHSES's Grants Hotline at (866) 837-9133.

Division of Homeland Security and Emergency Services

1220 Washington Ave.
Bldg. 7A - 4th Fl.
Albany, NY 12242

FEDERALLY RECOGNIZED INDIAN TRIBAL GOVERNMENTS, LOCAL GOVERNMENTS (TO INCLUDE STATE-RECOGNIZED INDIAN TRIBES AND AUTHORIZED INDIAN TRIBAL ORGANIZATIONS), AND CERTAIN PRIVATE NON-PRIVATE (PNPs)

Hazard Mitigation Grant Program

The New York State Division of Homeland Security and Emergency Services (DHSES) is pleased to announce the availability of Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) funds for Presidential Declaration: DR-4615 (Remnants of Hurricane Ida).

FEDERAL FUNDS AVAILABLE:	\$40,354,472 (estimated for projects)* \$2,824,813 (estimated for planning)
ELIGIBLE ACTIVITIES:	Implementing Hazard Mitigation Projects and Multi-Jurisdictional Hazard Mitigation Planning and Planning Activities
DATE ANNOUNCED:	Original date: Wednesday, February 23, 2022 Revised date: Wednesday, April 6, 2022
SUBAPPLICATIONS DUE TO DHSES:	Original date: 5:00pm, Wednesday, May 4, 2022 Revised date: Friday, June 1, 2022

(To disseminate program information to the widest possible audience, DHSES places program information on its website and asks that County Emergency Managers, Mitigation Coordinators, and other recipients of this notice to forward the information to interested eligible subapplicants.)

* Please note: Advance Assistance subapplications are eligible through this funding opportunity up to the federally allowed maximum amount of \$10,000,000. Additionally, 5 Percent Initiative subapplications are also eligible through this funding opportunity. All program requirements are available in FEMA's Hazard Mitigation Assistance (HMA) Unified Guidance and Addendum.

What is the HMGP?

After a Presidential disaster declaration, New York State receives HMGP funds to administer grant programs that support hazard mitigation planning and long-term mitigation measures that avoid loss of life, reduce damages to property and enhance the State's resiliency.

- The State of New York, acting through DHSES, is the applicant for FEMA's HMGP.

- Eligible subapplicants: Federally recognized Indian Tribal Governments, local governments (to include State-recognized Indian Tribes and authorized Indian Tribal organizations), and certain Private Non-Profits (PNPs) that perform a government-like function. Eligible applicants under FEMA's Public Assistance (PA) program are also eligible subapplicants under the HMGP.

- Ineligible subapplicants for HMGP assistance include individuals and businesses; however, eligible subapplicants may apply on their behalf.

- FEMA's planning requirement must be met by all subapplicants at the time of project approval.

- For this funding opportunity, HMGP shall provide no less than 90% reimbursement of eligible costs, not to exceed the award. The remaining 10% non-federal match will be the responsibility of the subapplicant. The non-federal cost share may consist of cash, donated or in-kind services, materials, or any combination thereof. While most Federal funds cannot be used for the non-federal match, there are some exceptions.¹

- Information about the HMGP and all program requirements are available in FEMA's Hazard Mitigation Assistance (HMA) Unified Guidance and Addendum (see link to guidance under "How to Apply" at the end of this announcement).

- HMGP funded projects must be cost-effective through verification that future benefits (losses avoided) are equal to or greater than the project's cost.

To receive HMGP funding, FEMA requires that a project be proven cost-effective using FEMA's Benefit-Cost Analysis (BCA) Toolkit.² If a formal BCA achieving a Benefit Cost Ratio (BCR) of 1.0 or greater (with supporting documentation) is not provided, substantive information to demonstrate that a BCR of 1.0 or greater is achievable must be included. Either instance requires supporting documentation, including but not limited to: a completed NYS DHSES BCA Worksheet, documentation of historical damages (which may include a detailed attestation by a community official), copies of invoices, Project Worksheets (PWs) from FEMA's Public Assistance (PA) program, likelihood of future damages (including the population impacted).

State Priorities for Project Grants

The HMGP allows NYS to establish priorities that target damaged areas and enhance its resiliency posture by promoting strategies and activities identified in the NYS Standard Multi-Hazard Mitigation Plan (<https://mitigateny.availabs.org/strategies>) For this grant opportunity, HMGP funding will be available statewide for new subapplications and for resubmittals of projects previously deemed eligible by FEMA but unable to be funded through prior grant opportunities. All projects submitted will be ranked against each other based on priorities outlined below.

Following subapplication development, complete, eligible subapplications will be scored based on priorities below and detailed further in the attached Subapplication Development document. While scoring will not take place until after subapplications are submitted, it is recommended that subapplicants review these priorities and use the screening criteria during the subapplication development process.

PRIORITIZATION CRITERIA

- 1 Projects located in Declared Counties - DR-4615 (Remnants of Hurricane Ida).
- 2 Projects to be completed in, or that will have direct risk reduction benefits to vulnerable populations. See below.
- 3 Projects that address climate change adaption and resiliency with consideration of the future impacts and risks associated with climate change. This includes promoting climate resiliency and reducing risks associated with flooding, high winds, coastal erosion, droughts and wildfires.
- 4 Projects that protect and/or mitigate risk to repetitive loss structures and critical infrastructure.
 - 4.1 Projects that protect and/or mitigate risk to critical infrastructure.
 - 4.2 Projects that support utilities or other critical facilities adapt to future conditions and reduce risks.
 - 4.3 Projects that protect and/or mitigate risk to repetitive loss structures.

Justice40 Initiative:

In accordance with the guiding principle of promoting equity and in implementing the Justice40 Initiative, the HMGP program is prioritiz-

ing assistance that benefits disadvantaged communities as referenced in Presidential Executive Order 14008. A disadvantaged community may be characterized by variables including, but not limited to: Low income; high and/or persistent poverty; high unemployment and underemployment; racial and ethnic segregation, particularly where the segregation stems from discrimination by government entities; linguistic isolation; high housing cost burden and substandard housing; distressed neighborhoods; high transportation cost burden and/or low transportation access; disproportionate environmental stressor burden and high cumulative impacts; limited water and sanitation access and affordability; disproportionate impacts from climate; high energy cost burden and low energy access; jobs lost through the energy transition; access to health care; and all geographic areas within Tribal jurisdictions.

As a result of New York State support of the federal Justice40 Initiative, DHSES is prioritizing projects that benefit the highest-risk communities and underserved populations within the State. Subapplicants are encouraged to make their case that a proposed project benefits disadvantaged communities (as outlined in the paragraph above). All cases submitted with disadvantaged community identification will be considered when supported utilizing predefined datasets (ex: SVI, ACS, NRI, etc.), supporting documents (ex: income surveys, local employment statistics, etc.), or any reasonable, and/or verifiable measure are used to support the high-risk criteria status determination. The final acceptance/approval of any disadvantaged community case will be determined by FEMA.

State Priorities for Planning Grants

There are 3 funding opportunities available through this announcement:

1. County Plan Updates
2. County Plan Enhancements
3. Planning Related Activities

County Plan Updates:

Subapplications for formal Hazard Mitigation planning and plan updates will be prioritized before planning related activities under this funding announcement.

Preference for formal hazard mitigation planning and plan updates will be prioritized for counties that:

1. Do not have a current, FEMA approved Hazard Mitigation Plan.
2. Have existing plans that expire prior to the plans of other subapplicants.
3. Do not have secured grant funding in place for development of a Hazard Mitigation Plan.
4. Do not have anticipated funding in place for development of a Hazard Mitigation Plan.

Funding may be prorated based on available funds; however, total dollars requested may not exceed HMGP established planning limits based on county population as follows:

Population	Cap:	Total Cost	Federal Share
up to 100,000 residents		\$150,000	\$112,500
up to 500,000 residents		\$200,000	\$150,000
up to 1,000,000 residents		\$250,000	\$187,500
more than 1,000,000 residents		\$500,000	\$375,000

County Plan Enhancements:

The significant impact of climate change on communities across New York State continues to rise and must be addressed. Additionally, disadvantaged communities and populations tend to be adversely impacted by natural hazards, disasters and public health emergencies. DHSES encourages all counties, those with an approved Hazard Mitigation Plan and those coming due, to take advantage of a unique opportunity to conduct Plan Enhancement activities. This enhanced funding opportunity is intended for applicants choosing to address efforts

to combat climate hazard conditions and emergencies, including pandemics, with a priority focus on disadvantaged communities and populations and link planning work directly to identifying risks, response activities and ultimately prioritizing hazard mitigation projects for those disadvantaged communities and populations.

Population	Cap:	Total Cost	Federal Share
up to 100,000 residents		\$50,000	\$37,500
up to 500,000 residents		\$70,000	\$52,500
up to 1,000,000 residents		\$90,000	\$67,500
more than 1,000,000 residents		\$150,000	\$112,500

Planning Related Activities:

Planning-related activities that are not formal plan updates will be scored based on the prioritization criteria for projects. For a complete list of eligible planning activities, see page 39 of the Hazard Mitigation Assistance Guidance (see link below). For supplemental guidance on eligible planning related activities, please see: https://www.fema.gov/sites/default/files/documents/fema_hma-planning-related-activities_factsheet.pdf

How to Apply

Complete subapplications must be submitted to DHSES no later than June 1, 2022. For resubmittals of projects previously deemed eligible by FEMA, please be sure to submit using the application package for DR-4615 (see link below).

Subapplications, all required forms, and guidance materials can be found on the DHSES website at: <https://www.dhSES.ny.gov/dr-4615-hazard-mitigation-grant-program-funding>

Please submit requests for technical assistance and/or questions to: HazardMitigation@dhSES.ny.gov

¹ Please consult FEMA’s cost share guide (https://www.fema.gov/sites/default/files/2020-08/fema_hma_cost-share-guide.pdf) for more information.

² Visit FEMA’s Benefit Cost Analysis website for more information: <https://www.fema.gov/grants/guidance-tools/benefit-cost-analysis>

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-2022-0004

Date of Issuance – April 20, 2022

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-2022-0004, the City of Ogdensburg, is proposing various resiliency improvements to include:

- Along the Shoreline between U.S. Custom and Border Protection Station and the Municipal Marina: Install riprap along an ~330 linear foot stretch of shoreline and an ~350 linear foot stretch of shoreline. Riprap would be placed generally landward of the Ordinary High Water Mark and landward of existing riprap and will extend up to an elevation of 250'.

- At the Municipal Pier and Marina: Install ~480 linear feet of steel sheet pile from the western end of the existing pier to the eastern extent of the pier including along the eastern end of the pier. This work would include temporary removal and replacement of the existing riprap at the outboard face of the new sheet pile wall upon completion. The work along the pier would also include the removal of the existing pier walkway surface to facilitate construction and restoring the surface with 4" concrete pavement. In addition, the floor of the existing Gazebo will be raised to an elevation of 249.75'. Additionally, an existing 36" culvert would be cleared of obstruction and debris and new precast concrete headwalls would be installed on each side of the culvert. Headwalls would extend 3'9" at a 1200 angle from the existing pipe ends. Seventy (70) new 3" pipe piles would be installed to support existing floating docks. Existing riprap bank protection would be extended an additional ~300 linear feet to the west along the

southern interior shoreline of the marina. Riprap (max 18"), subbase (max 6") and geotextile fabric would be placed from an elevation of 244' up to the existing walkways and would result in up to 39cy of fill being placed below the plane of Ordinary High Water. Within the new riprap area six existing storm drainage pipes would be extended to meet the finished grade and fitted with flared end sections mounted to precast concrete blocks.

- At the City Dock: Raise the elevation of the existing sheet pile from 248.5 to 251 by replacing the existing steel cap with a new wider steel channel on which a cast-in-place concrete wall stem would be built. Additionally, extend the sheet pile return at the eastern end of the City Dock an additional 16 linear feet to the south. In addition, replace the existing wood timber fender system with a comparable new fender system and install fixed mooring provisions such as bollards, cleat and other mooring devices. NOAA will be removing and relocating the existing gauge station that is currently located at the eastern end of the City Dock.

- Along the Shoreline Northeast of Morrisette Park: Install a stone sill along ~200 linear of shoreline consisting of filter fabric, light riprap and medium riprap with a 2' wide crest at an elevation of 247.7'. The sill would have a 2:1 slope on the waterward side and 5:1 slope on the landward side. A 6" layer of bioretention soil would be placed landward of the sill with flood tolerant vegetation planted in the area behind the sill to an elevation of 249' with native upland vegetation planted landward. This would result in excavating/dredging 110cy of material and the placement of 13cy of fill below the plane of Ordinary High Water.

- The larger project includes various additional upland improvements including demolition of existing amenities within Morrisette Park including the playground, tennis courts, and skate park; reconstruction of the playground at a new location; reconstruction of two tennis courts; grading; landscaping including removal of and the planting of trees; parking improvements; new lighting; electrical work; drainage improvements and restoration of areas disturbed during construction.

All in water work and work along the shoreline would be conducted within the confines of a turbidity curtain.

The proposal is for City of Ogdensburg owned property along the mouth of the Oswegatchie River and along the shoreline of the St. Lawrence River generally located north of Riverside Avenue and extending east from the U.S. Custom and Border Protection Station to Caroline Street.

The stated purpose of the proposed action is to stabilize the shoreline and provide improvements within the Dobisky Center, Municipal Marina and Morrisette Park to improve the resilience of the area and protect associated facilities.

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/2022/04/f-2022-0004publicnotice.pdf>

Plans sheets are available at:

Sheets 1-11: <https://dos.ny.gov/system/files/documents/2022/04/f-2022-0004plans1-11.pdf>

Sheets 12-22: <https://dos.ny.gov/system/files/documents/2022/04/f-2022-0004plans12-22.pdf>

Sheets 23-45: <https://dos.ny.gov/system/files/documents/2022/04/f-2022-0004plans23-45.pdf>

All documents are also available 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 May 5, 2022.

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

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

PUBLIC NOTICE

Department of State

F-2022-0102

Date of Issuance – April 20, 2022

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-2022-0102, the applicant, Babak Damaghi (2GDS3 LLC), is proposing to create a wave reflector along top of existing seawall, running 360 LF at an elevation two feet above existing top of wall and extending 2.5 ft seaward in a curved shape and install 360 LF trench drain connected to 36 scuppers with check valves through seawall to drain splash-over seawater. This project is located at 40 Shore Drive, Village of Kings Point, Nassau County, Great South Bay.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2022/04/f-2022-0102app.pdf> or at <https://dos.ny.gov/public-notices>

The proposed activity would be located within or has the potential to affect the following Special Management or Regulated Area(s):

- Manhasset Bay Significant Coastal Fish and Wildlife Habitats: https://dos.ny.gov/system/files/documents/2020/03/manhasset_bay.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 May 20, 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 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.

2022-0107 Matter of H2M Architects + Engineers, 538 Broad Hollow Road, 4th Fl., East Melville, NY 11747 for variances concerning, the sprinkler and area limitation requirements for building construction. Involved is the addition to an existing school building located at 933 Goodrich Street, Town of Hempstead, County of Nassau, State of New York.

2022-0136 Matter of H2M Architects + Engineers, 538 Broad Hollow Road, 4th Fl., East Melville, NY 11747 for variances concerning, the sprinkler and area limitation requirements for building construction. Involved is the addition to an existing school building located at 50 Lawrence Road, Town of Hempstead, County of Nassau, State of New York.

2022-0137 Matter of H2M Architects + Engineers, 538 Broad Hollow Road, 4th Fl., East Melville, NY 11747 for variances concerning, the sprinkler and area limitation requirements for building construction. Involved is the addition to an existing school building located at 975 Jerusalem Avenue, Town of Hempstead, County of Nassau, State of New York.

2022-0138 Matter of Jackman J. Prescod, 303 Merrick Road, Suite 402, Lynbrook, NY 11563 for a variance concerning, flood elevation requirements. Involved is a dwelling located at, 659 Nutley Place, Town of Hempstead, County of Nassau, State of New York.

2022-0072 Matter of Michael J. Bonacassa, 338 St. Marks Place, Bellmore, NY 11710 for a variance concerning, flood elevation requirements. Involved is an existing dwelling located at 1762 James Street, Town of Hempstead, County of Nassau, State of New York.

2022-0130 Matter of Thomas Haupt, 2310 Hempstead Tpke., Suite 2, East Meadow, NY 11554 for a variance concerning, minimum ceiling heights. Involved is an existing dwelling located at 1538 Earl Road, Town of Hempstead, County of Nassau, State of New York.

2022-0038 Matter of John Lagoudes, 707 Route 110, Farmingdale, NY 11735 for variances concerning, toilet room fixture clearances and stair profiles. Involved is an existing dwelling located at 2712 Wilson Avenue, Town of Hempstead, County of Nassau, State of New York.

2022-0036 Matter of Sandra Katz, 180 Spring Drive, Unit 5, East Meadow, NY 11554 for a variance concerning, minimum ceiling heights. Involved is an existing dwelling unit located at 180 Spring Drive, Town of Hempstead, County of Nassau, State of New York.

2021-0591 Matter of Michelle Cozzolino, 1119 Roosevelt Way, Westbury, NY 11590 for a variance concerning, flood elevation requirements. Involved is an existing dwelling located at 62 Garden City Avenue, Town of Hempstead, County of Nassau, State of New York.

2022-0004 Matter of Douglas R. Vaggi, 1180 Park Avenue, Franklin Square, NY 11010 for a variance concerning, number of toilet fixtures for an existing tutoring space located at 263-A Voice Road, Town of North Hempstead, County of Nassau, State of New York.

2021-0623 Matter of Richard S. Kent, R.A., 678 Old Willets Path, Hauppauge, NY 11788 for a variance concerning, stairway profile. Involved is an existing building located at 990 Franklin Avenue, Incorporated Village of Garden City, County of Nassau, State of New York.

2021-0516 Matter of Todd O'Connell, 1200 Veterans Memorial Hwy., Suite 120, Hauppauge, NY 11788 for a variance concerning, minimum ceiling heights. Involved is an existing building at 383 Jericho Turnpike, Town of North Hempstead, County of Nassau, State of New York.

2021-0542 Matter of Emtec Engineers, 3555 Veterans Memorial Hwy., Suite M, Ronkonkoma, NY 11779 for a variance concerning, termination of building exhaust. Involved is a new building located at 461 Railroad Avenue, Incorporated Village of Westbury, County of Nassau, State of New York.

2021-0560 Matter of Lou Gileno, 485 Underhill Blvd., Suite 304, Syosset, NY 11791 for a variance concerning, number of toilet room fixtures. Involved is space in an existing building located at 377 Willis Avenue, Town of North Hempstead, County of Nassau, State of New York.

2021-0491 Matter of Neal Hoffman, 90 High Street, Huntington, NY 11743 for a variance concerning, the location of an exterior exit stairway. Involved is an existing building located at 243 New York Avenue, Town of Huntington, County of Suffolk, State of New York.

2021-0581 Matter of T. J. Costello, Seven Gaynor Avenue, Manhasset, NY 11030 for a variance concerning, a stairway profile. Involved is an existing dwelling located at 20 Whistler Road, Incorporated Village of Munsey Park, County of Nassau, 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.

2022-0154 in the Matter of Michael Peppard, Six Greenmeadow Road, Pleasantville, NY 10570, for a variance concerning safety requirements, including a hot tub. Involved is a single-family dwelling located at Six Greenmeadow Road, Village of Pleasantville, NY 10570. County of Westchester, State of New York.

2022-0156 in the Matter of Gregory Ralph Architect, Kai Peter, 1924 Route 22E, Bound Brook, NJ 08805, for a variance concerning safety requirements, including a unisex bathroom. Involved is a one-story building located at North Road, A.K.A. US Route 9 (north endcap of building D), Town of Poughkeepsie, NY 12601, County of Dutchess, State of New York.

2022-0159 in the Matter of Sheryl Trager, 49 Orchard Hill Road, Katonah, NY 10536, for a variance concerning safety requirements, including ceiling height. Involved is a single-family dwelling located at 49 Orchard Hill Road, Town of Somers, NY 10536, County of Westchester, 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.

2022-0155 Matter of Robert Riekert LLC, Robert Riekert, 133 Burr Road, East Northport, NY 11731, for a variance concerning safety requirements, including the height under a girder/soffit. Involved is an existing one-family dwelling located at Three Marshall Lane, East Northport, Huntington, NY 11731, County of Suffolk, State of New York.

2022-0157 Matter of Jared Mandel Architects, Jared Mandel, 25 Hillside Avenue, Williston Park, NY 11596, for a variance concerning

safety requirements, including the height under a girder/soffit. Involved is an existing one-family dwelling located at 45 Netherwood Drive, Albertson, North Hempstead, NY 11507, County of Nassau, State of New York.

2022-0158 Matter of Hugh W. Schaefer, 174 W. Merrick Road, Merrick, NY 11566, for a variance concerning safety requirements, including the height under a girder/soffit. Involved is an existing one-family dwelling located at 119 Allen Street, Hempstead, NY 11550, County of Nassau, State of New York.

2022-0160 Matter of Diproperzio & Mallia, LLP, Michael E. Mallia, 499 Jericho Turnpike, Mineola, NY 11501, for a variance concerning safety requirements, including the height under a girder/soffit. Involved is an existing one-family dwelling located at 28 Willow Road, New Hyde Park, North Hempstead, NY 11040, County of Nassau, State of New York.

PUBLIC NOTICE

Department of State
Uniform Code Variance/Appeal Petitions

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2022-0167 in the Matter of Building Permit Services, John Matthews, 45 Sunset Road, Croton On Hudson, NY 10520, for a variance concerning safety requirements, including soffits. Involved is a one-story dwelling located at 37 Lincoln Avenue, Village Of Ossining, NY 10562. County of Westchester, State of New York.

2022-0168 in the Matter of Michael A. Testa Jr., 1114 State Route 22, Pawling, NY 12564, for a variance concerning safety requirements, including ceiling height. Involved is a one family dwelling located at Six Spring Hill Lane, South Salem, NY 10590. County of Westchester, State of New York.

2022-0169 in the Matter of Prestige Builders USA, LLC, Yehuda Weissmandl, 21 North Madison Avenue, Spring Valley, NY 10977, for a variance concerning safety requirements, including fire apparatus. Involved is a three-story building located at 12 Roman Blvd., Monsey, NY 10952. County of Rockland, State of New York.

EXECUTIVE ORDERS

Executive Order No. 3.6: Continuing the Declaration of Disaster Emergency.

WHEREAS, pursuant to Executive Order 211, issued July 6, 2021, a statewide disaster was declared across the State due to gun violence;

NOW, THEREFORE, I, KATHY HOCHUL, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and Article 2-B of the Executive Law, York, do hereby extend the state disaster emergency as set forth in Executive Order 211, as continued in Executive Order 3.5, and continue the terms, conditions, and suspensions contained in Executive Order 211, until April 21, 2022.

(L.S.) GIVEN under my hand and the Privy Seal of the State in the City of Albany this twenty-second day of March in the year two thousand twenty-two.

BY THE GOVERNOR
/S/ Kathy Hochul
/s/ Karen Persichilli Keogh
Secretary to the Governor

Executive Order No. 11.4: Declaring a Disaster Emergency in the State of New York.

WHEREAS, New York continues to experience COVID-19 transmission, with the rate of new COVID-19 hospital admissions remaining at over 100 new admissions a day;

WHEREAS, the SARS-CoV-2 variant known as Omicron, determined a variant of concern by the World Health Organization and the Centers for Disease Control and Prevention, is known to be highly-transmissible and to necessitate that persons have additional doses of vaccines for optimal protection;

WHEREAS, the state must pursue a coordinated approach to ensure hospital capacity statewide is able to meet regional needs;

WHEREAS, the State government must support the municipalities and counties in their efforts to facilitate and administer vaccinations and tests for COVID-19, and to prevent the virus from continuing to spread at such rates;

NOW, THEREFORE, I, Kathy Hochul, Governor of the State of New York, by virtue of the authority vested in me by the Constitution of the State of New York and the Laws of New York State, do hereby continue the state disaster emergency as set forth in Executive Order 11, and continue the suspensions and modifications of law contained in Executive Orders 11, 11.1, 11.2, and 11.3, through April 15, 2022.

(L.S.) GIVEN under my hand and the Privy Seal of the State in the City of Albany this sixteenth day of March in the year two thousand twenty-two

BY THE GOVERNOR
/S/ Kathy Hochul
/s/ Karen Persichilli Keogh
Secretary to the Governor

Executive Order No. 16: Prohibiting State Agencies and Authorities from Contracting with Businesses Conducting Business in Russia.

WHEREAS, Russia has engaged in an unjustified and unprovoked attack on the sovereign nation of Ukraine;

WHEREAS, the State of New York is home to the largest Ukrainian population in the United States;

WHEREAS, New York stands firmly with Ukraine and strongly condemns Russia's actions against Ukraine;

WHEREAS, on February 27, 2022, I signed Executive Order 14, prohibiting State Entities from contracting or investment with businesses headquartered in Russia or with their principal place of business in Russia, firmly establishing the State's refusal to contribute to the atrocities occurring against the Ukrainian people;

WHEREAS, the State will not permit its activities as a participant in the marketplace to support an unjustified war by Russia and the killing of innocent Ukrainians;

WHEREAS, protecting New York from financing discrimination against the Ukrainian people is a compelling State interest;

NOW, THEREFORE, I, Kathy Hochul, Governor of the State of New York, do hereby order, effective until such time as the sanctions imposed by the federal government are no longer in effect, as follows:

1. Definitions:
 - a. "Affected State Entities" means (i) all agencies and departments over which the Governor has executive authority, and (ii) all public-benefit corporations, public authorities, boards, and commissions, for which the Governor appoints the Chair, the Chief Executive, or the majority of Board Members, except for the Port Authority of New York and New Jersey.
 - b. An "Entity conducting business operations in Russia" means an institution or company, wherever located, conducting any commercial activity in Russia or transacting business with the Russian Government or with commercial entities headquartered in Russia or with their principal place of business in Russia in the form of contracting, sales, purchasing, investment, or any business partnership.
2. All Affected State Entities are directed to refrain from entering into any new contract or renewing any existing contract with an entity conducting business operations in Russia.
3. Notwithstanding the foregoing, an Affected State Entity may contract with an entity conducting business operations in Russia provided that the head of the Affected State Entity makes a determination in writing that the investment or contract is necessary for the Affected State Entity to perform its functions and that no suitable investment or contractual alternatives exist.
4. The Commissioner of the Office of General Services shall establish guidelines for Affected State Entities in evaluating the requirements of this order and making determinations of applicability to potential contracts.

(L.S.) GIVEN under my hand and the Privy Seal of the State in the City of Albany this seventeenth day of March in the year two thousand twenty-two

BY THE GOVERNOR
/S/ Kathy Hochul
/s/ Karen Persichilli Keogh
Secretary to the Governor