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**NEW YORK STATE**  
**REGISTER**

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***INSIDE THIS ISSUE:***

- Face Coverings for COVID-19 Prevention
- Proposed Draft Tariff Amendments
- Biodefense Commercialization Fund

**Executive Orders**

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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 January 1, 2023
- the 45-day period expires on December 17, 2022
- the 30-day period expires on December 2, 2022

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SECRETARY OF STATE**

**NEW YORK STATE DEPARTMENT OF STATE**

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# NEW YORK STATE REGISTER

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## 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](http://www.dos.ny.gov)) may send public comment via electronic mail to those recipients who provide an e-mail address in Notices of Proposed Rule Making. This includes Proposed, Emergency Proposed, Revised Proposed and Emergency Revised Proposed rule makings.

To be considered, comments should reach the agency before expiration of the public comment period. The law provides for a minimum 60-day public comment period after publication in the *Register* of every Notice of Proposed Rule Making, and a 45-day public comment period for every Notice of Revised Rule Making. If a public hearing is required by statute, public comments are accepted for at least five days after the last such hearing. Agencies are also required to specify in each notice the last date on which they will accept public comment.

When a time frame calculation ends on a Saturday or Sunday, the agency accepts public comment through the following Monday; when calculation ends on a holiday, public comment will be accepted through the following workday. Agencies cannot take action to adopt until the day after expiration of the public comment period.

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

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

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

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

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# RULE MAKING ACTIVITIES

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

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

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

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## Division of Criminal Justice Services

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### NOTICE OF ADOPTION

#### Professional Policing Standards

**I.D. No.** CJS-42-21-00004-A

**Filing No.** 845

**Filing Date:** 2022-10-18

**Effective Date:** 2022-11-02

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

**Action taken:** Repeal of Parts 6000, 6056; addition of Parts 6000 and 6056 to Title 9 NYCRR.

**Statutory authority:** Executive Law, sections 837(13), 840(2), (2-b), 845(1), (2), (3); General Municipal Law, section 209-q; L. 2021, ch. 59, part BBB

**Subject:** Professional Policing Standards.

**Purpose:** Implementation of the “New York State Professional Policing Act of 2021”.

**Substance of final rule:** Part BBB of Chapter 59 of the Laws of 2021 establishes the “New York State Professional Policing Act of 2021” to hold police officers who engage in serious misconduct accountable and prevent bad actors from serving as police officers. These requirements will enhance public safety through the employment of the most effective, professional, and respectful police forces in the nation.

The amendments will create the regulatory framework for hiring standards, including psychological testing and enhanced minimum background investigations. The amendments will also redefine removal for cause and establish a process for the New York State Division of Criminal Justice

Services (“Division”) to correct any material inaccuracy reported by a law enforcement agency which affects the certification standing of an officer. Police officers who have been decertified may be ineligible for future certifications; thus, they may be prohibited from being a police officer in New York.

#### Summary of Part 6000

Pursuant to the enactment of the “New York state professional policing act of 2021,” and to determine a police officer’s fitness and eligibility, and to ensure that all such officers are held to the same hiring standards and promote professional police services, the council established rules and regulations pertaining to the psychological requirements and background investigations of all persons appointed to the position of police officer as designated in subdivision 34 of section 1.20 of the Criminal Procedure Law, where such department is required to be certified in accordance with paragraph (d) of subdivision one of section eight hundred forty-six-h of the executive law and includes all persons appointed full-time or part-time and in competitive or non-competitive class positions. These regulations are intended to ensure that all persons appointed to the position of police officer are held to the same hiring standards and promote professional police services. All law enforcement officers must be of good moral character as determined by a thorough background investigation to ensure persons who engage in illegal, dishonest, unprofessional, unethical, or immoral conduct are prohibited from becoming police officers, and to protect against acts or conduct which may endanger the safety and welfare of the public. All police officers must also be emotionally stable and psychologically fit to perform the essential functions of a police officer, and endure the uniquely stressful working conditions. Standardized background investigation procedures and standards as set forth in section 6000.10 of this Part and psychological standards as set forth in section 6000.11 of this Part will ensure that all New York police agencies and police officers are consistently held to hiring standards with the goal of ensuring that police interactions with all individuals are appropriate and that the rights of all parties are respected.

#### Summary of Part 6056

Historically, when an officer separated from a department after a disciplinary hearing, or resigned or retired while disciplinary proceedings were pending, there was no reporting mechanism in place to ensure the invalidation of the officer’s training certificate. These “certified” officers were attractive candidates to other departments for a variety of reasons, but they were hired in relative anonymity with respect to the misconduct leading to their prior separation. In 2016, the Division adopted regulations to prevent these occurrences by defining removal for cause and removal during probationary period; compelling police departments to report, to the Division, officers who cease to serve in their departments and the reasons for such; and immediately invalidating a training certificate when an officer is removed for cause or removed during a probationary period.

Presently, removal for cause means removal after a hearing on stated charges pursuant to section 75 of the Civil Service Law, or retirement or resignation while disciplinary charges pursuant to section 75 of the Civil Service Law, which may result in removal, are pending. Removal during probationary period means a probationary period not successfully completed due to incompetence or misconduct that would have subjected a permanent employee to disciplinary charges pursuant to section 75 of the Civil Service Law.

Unfortunately, there are loopholes in the current structure. Under the new framework, removal for cause of a full-time or part-time police officer or peace officer means when an officer has an interruption in service subsequent to and in connection with allegations of misconduct which are known or should be known to the employer or any officer or employee of the employer agency or is being investigated by another agency or entity. Misconduct includes: (a) criminal activity, whether or not criminally charged or prosecuted, regardless of where the act took place if said conduct would constitute an offense in New York; (b) dishonesty; (c) use of excessive force; (d) sexual abuse; (e) gross negligence; and (f) gross misconduct. Interruption from service includes separation: (a) pursuant to:

a hearing held under section 75 of the Civil Service Law; a collective bargaining agreement, or any general, special or local law, or charter provision in accordance with section 76 of the Civil Service Law; or any other applicable law; or (b) by an employee's resignation or retirement; or (c) after an employee's waiver of any rights available. Removal during a probationary period means a probationary period not successfully completed due to misconduct.

The amendments also create a resolution and due process structure when it appears to the Commissioner of the Division that there is a material inaccuracy in an employer's reporting of the reason an officer ceased to serve.

**Final rule as compared with last published rule:** Nonsubstantive changes were made in Parts 6000 and 6056.

**Text of rule and any required statements and analyses may be obtained from:** Natasha Harvin-Locklear, Esq., Division of Criminal Justice Services, 80 S. Swan St., Albany, NY 12210, (518) 457-8413, email: dcjslegalrulemaking@dcjs.ny.gov

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

Changes made to the last published rule do not necessitate revisions to the previously published Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement for 9 NYCRR Parts 6000 and 6056.

The revisions to the last published rule merely provide clarifications in the text and make typographical, technical and consistency modifications, which require no change to the Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement.

**Initial Review of Rule**

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2025, which is no later than the 3rd year after the year in which this rule is being adopted.

**Assessment of Public Comment**

Part BBB of Chapter 59 of the Laws of 2021 establishes the "New York State Professional Policing Act of 2021" to hold police officers who engage in serious misconduct accountable and prevent bad actors from serving as police officers. These requirements will enhance public safety through the employment of the most effective, professional, and respectful police forces in the nation.

The amendments will create the regulatory framework for hiring standards, including psychological testing, and enhanced minimum background investigations. The amendments will also redefine removal for cause and establish a process for the New York State Division of Criminal Justice Services ("Division") to correct any material inaccuracy reported by a law enforcement agency which affects the certification standing of an officer. Police officers who have been decertified may be ineligible for future certifications; thus, they may be prohibited from being a police officer in New York.

After receiving the necessary approval, amendments to 9 NYCRR Parts 6000 and 6056 were published as emergency and proposed regulations in the October 20, 2021, issue of the State Register under I.D. No. CJS-42-21-00004-EP. This publication initiated a 60-day public comment period.

The Division received both official and unofficial written comments and inquiries. Excerpts of the comments and the Division's responses are as follows:

Comment: Regarding Part 6000.10 that goes into effect on 10/16/21, do the crimes and offenses outlined in this section have to be convictions or simply arrests? I am asking because the law states the following:

(1) An applicant is determined to lack good moral character, and be unfit to serve as a police officer, if within three years from the date of application the applicant has engaged in:

i. Criminal activity, whether criminally charged or prosecuted, regardless of where the act took place, if said conduct would constitute an offense in New York, which is defined as:

There are questions regarding how this applies to admissions to committing a crime but has never been charged or arrested for a crime and never convicted. [sic]

Response: The intent of the regulations is to apply to any police officer applicant who engages in criminal activity as defined in Section 6000.10(a)(1)(i), whether or not the individual is charged or prosecuted.

To clarify the intent and text of the regulations, the Division amended the rule (Sections 6000.10[a][1][i] and 6056.2[h][1][a]) to read, "Criminal activity, whether or not criminally charged or prosecuted".

Comment: Are licensed Nurse Practitioners in Psychiatry, considered to be an acceptable entity to render the psychology exam or must the practitioner be an MD? [sic]

Response: Licensed Nurse Practitioners may be acceptable if they possess the experience and qualifications necessary to administer psychologi-

cal tests and interpret test results for the selection of public safety candidates. This inquiry is addressed in frequently asked questions and does not warrant a revision to the rule.

Comment: Is a virtual interview with a psychiatrist/psychologist deemed acceptable or must it be physically in-person.

Response: A virtual interview satisfies the interview requirement of Part 6000 as long as this practice is permitted pursuant to New York State Educational Department psychological practice guidelines. This inquiry is addressed in frequently asked questions and does not warrant a revision to the rule.

Comment #1: 6000.2 (c) talks about the standards for background and psychological evaluations applying for provisional or permanent appointment in the competitive class for any county, city, town, village, or police district.

6000.11(e) it states that an employer may exempt a candidate from a and b of the same section if the candidate has a valid training certificate pursuant to section 209-q of the general municipal law.

In this case, is the ultimate decision regarding this exemption made by the department head for the Police department or by the Civil Service office since the psychological exam is part of the overall civil service exam?

Does this provision mean that even laterals who completed basic training as a police officer but were hired prior to this legislation and consequently have never taken a psychological exam would be eligible for transfer without a psychological if they are exempted per (e)? [sic]

Comment #2: How does this policy effects transfers/reinstatements? For example, if an officer is transferring from one municipality to another and they have not had to have a psychological examination, is a new examination required for the new municipality? [sic]

Response: If a candidate, including a transfer, possesses a valid Basic Course for Police Officers certification (BCPO), the police department is not required to conduct a psychological assessment on such candidate; however, the police department may, in its discretion, choose to do so. This inquiry is addressed in frequently asked questions and does not warrant a revision to the rule.

Comment: \*\*\*the investigator mentioned in 6000.10; may this be an investigator already in the Police department of the hiring municipality? [sic]

Response: Yes. The hiring agency determines which investigators they deem to be qualified to conduct background checks. This inquiry is addressed in frequently asked questions and does not warrant a revision to the rule.

Comment: I am in full agreement that failure to hold police officers who engage in serious misconduct accountable and to prevent bad actors from serving as police officers, will undermine public safety and confidence in our law enforcement. I am concerned that the cost in time and money for small, rural agencies to comply with background checks will contribute to staffing shortages. I am wondering if there is a way to help mitigate that cost, as I agree these background checks are necessary. I am also concerned that our State Police appear to be exempt from these rules .... [sic]

Response: The costs expected for the implementation of and continuing compliance with the rule are undetermined and may vary, and are contingent upon:

o Training on the new law, regulations, and requirements; however, the Division has provided regional trainings throughout the State.

o Background investigations of police officer candidates, including, but not limited to, fingerprint-based criminal history searches. Many departments are currently conducting thorough checks.

o Officer candidates subjected to a psychological review by a qualified psychiatrist or psychologist. Such psychological reviews are to be performed only after a conditional offer of employment has been given. Many departments are currently conducting such reviews.

o The use of existing resources.

o Police officer candidates are already required to undergo a medical review, complete the physical fitness screening elements, and meet other relevant pre-offer conditions.

o Employers are already required to report to the Division the names of all police officers who cease to serve with the employer.

Also, prior to publication, the regulations were amended to recommend, instead of requiring the use of polygraph examinations when conducting background investigations of police officer candidates.

With regard to the State Police exemptions, General Municipal Law § 209-q, which, among other statutes, provides the underlying authority for the promulgation of these regulations and applies to "a police officer of any county, city, town, village or police district."

Comment: It appears that 9 NYCRR § 6000.8 (the Physical Fitness Standards) did not change. Do you know if DCJS/MPTC have any plans to update those standards? (I believe they are based on the Cooper Standards, which the Cooper Institute has updated since the 1990s when (again, I believe) these physical fitness standards were initially adopted.) [sic]



Response: Section 6000.8 was last amended in 2011. However, the Division is currently evaluating a revision to the Physical fitness standards.

\*\*\*

Comment:

Clarification regarding the intended interpretation of the phrase, “in connection with allegations,” within 6056.2 (h) of the emergency/proposed regulations. The proposed framework inadequately defines what constitutes a resignation or retirement “in connection with” allegations \*\*\*The proposed framework also inadequately defines “allegations.” The lack of specificity of these definitions may result in subjective and disparate analysis by the employer regarding circumstances of resignation or retirement.

\*\*\*

Clarification regarding the allegations of misconduct “which are known or should be known to the employer or any officer or employee of the employer agency or is being investigated by another agency or entity” within 6056.2 (h) of the emergency/proposed regulations \*\*\* an employee could resign or retire without knowledge that an allegation was pending against him or her and this would trigger the proposed regulation revoking their credentials.

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proposes that the point at which resignation or retirement results in invalidation of the peace officer certification must be subsequent to a full and final investigation substantiating allegations that are known to the employer. This would ensure that the allegation of misconduct is sufficiently substantiated to warrant interrogating the employee, and that the employee is put on notice of the substance of the allegation of misconduct. Further, such a rule would clarify the “in connection with” language such that a resignation or retirement subsequent to this point would be more clearly connected to the allegations. [sic]

Response: Comment noted. As mentioned in People v Ferrara 128 Misc.2d 687, 689, the employer determines a police officer’s status, and the Division updates the Central State Registry of Police Officers and Peace Officers based on information provided by the employer. However, it should be noted that the regulations, pursuant to Executive Law § 845(3)(b), also establish due process procedures. When it shall appear to the Commissioner of the Division that a notification of the reason such officer ceased to serve is inaccurate in a material respect, the Commissioner shall attempt to resolve such discrepancy. If such informal efforts do not resolve the discrepancy, the Commissioner may issue a notice to the employer and employer and provide them both with an opportunity to be heard. Accordingly, the Division will not revise the rule.

Comment #1: It would be helpful if the definition section clearly spelled out who this policy applies to. Specifically, does it apply to higher ranking competitive and noncompetitive appointments and elected sheriffs? Do some sections apply to some people and not others? [sic]

Comment #2: We suggest that the policy clearly states that it does not apply to elected Sheriffs [sic]

Comment #3: DCJS has struck the words “entry-level” from the regulations \*\*\* It is unclear if they are also intended for positions above the “entry-level.” [sic]

Response: The regulations apply to all police officers appointed full-time or part-time and in competitive or non-competitive class positions. This includes individuals transferred from one department to another. The regulations (Sections 6000.1[d] and 6000.2[c],[d]) were amended to clarify that the rule applies to all persons appointed to the position of police officer as designated in subdivision 34 of section 1.20 of the Criminal Procedure Law, where such department is required to be certified in accordance with paragraph (d) of subdivision one of section eight hundred forty-six-h (b) of the executive law, and includes all persons appointed full-time or part-time and in competitive or non-competitive class positions.

Comment: In its current wording- it looks like it is explicitly stating that background investigations and psychological examinations only apply to competitive appointments, does this mean that the physical agility and medical portions apply to more than competitive appointments? [sic]

Response: The regulations apply to all police officers appointed full-time or part-time and in competitive or non-competitive class positions. This includes individuals transferred from one department to another. The regulations (Sections 6000.1[d] and 6000.2[c],[d]) were amended to clarify that the rule applies to all persons appointed to the position of police officer as designated in subdivision 34 of section 1.20 of the Criminal Procedure Law, where such department is required to be certified in accordance with paragraph (d) of subdivision one of section eight hundred forty-six-h (b) of the executive law, and includes all persons appointed full-time or part-time and in competitive or non-competitive class positions.

Comment: For the post-offer medical review- some municipalities allow promotional examination to go from corrections officer to police officer/sheriff. Both positions require the same postoffer medical. Sometimes this promotion happens quickly. Can municipalities allow these promotional candidates to submit a copy of their first post-offer medical findings if within a relatively short time period, say 18 -24 months? [sic]

Response: If an individual has a valid BCPO, they do not need to complete the medical, physical fitness, or psychological exams, but they still need to go through the background check. However, while an employer shall exempt a candidate from the physical fitness exam, an employer has discretion and may exempt a candidate from the medical and psychological exams. The regulations already provide that an employer may exempt a candidate from a psychological examination if the candidate has a valid police training certificate pursuant to section 209-q of the General Municipal Law. The regulations were amended to clarify candidates interested in a police officer position shall undergo a physical fitness screening test and medical examination, unless exempt.

Comment #1: We suggest that the physical agility be for brand new hires, excluding transfers that have already participated. [sic]

Comment #2: We suggest that the ranks of Captain and higher be specifically excluded from the physical agility. [sic]

Response: Comment noted. The regulations apply to all police officers appointed full-time or part-time and in competitive or non-competitive class positions. This includes individuals transferred from one department to another. The regulations are intended to ensure that all police officer candidates are held to the same hiring standards to promote professional police services and ensure that police interactions with all individuals are appropriate, and the rights of all parties are respected. The regulations were amended to clarify that candidates interested in a police officer position shall undergo a physical fitness screening test unless the officer has a valid BCPO. The regulations now read that an employer shall exempt a candidate if the candidate has a valid police training certificate pursuant to section 209-q of the General Municipal Law.

Comment: We suggest that the psychological be required for all new members to the department that have not undergone one [sic].

Response: Comment noted. The regulations apply to all police officers appointed full-time or part-time and in competitive or non-competitive class positions. This includes individuals transferred from one department to another. The regulations are intended to ensure that all police officer candidates are held to the same hiring standards to promote professional police services and ensure that police interactions with all individuals are appropriate, and the rights of all parties are respected. However, the regulations already provide that an employer may exempt a candidate from a psychological examination if the candidate has a valid police training certificate pursuant to section 209-q of the General Municipal Law. Accordingly, the Division does not believe that additional revisions to the rule is necessary.

In response to further inquiries and comments, the Division made typographical, technical and consistency modifications to the rule, including clarifying that the regulations applies to all police officers, a sheriff or under-sheriff, the sheriff or deputy sheriff of the city of New York, commissioner of police, deputy or assistant commissioner of police, chief of police, deputy or assistant chief of police or any person having an equivalent title who is appointed or employed by a county, city, town, village or police district to exercise equivalent supervisory authority.

Accordingly, and based upon the assessment of the foregoing comments, the Division has made non-substantive changes to the regulation which merely provide clarification, and, thus, do not warrant another public comment period.

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## Department of Health

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### EMERGENCY RULE MAKING

#### Face Coverings for COVID-19 Prevention

**I.D. No.** HLT-50-21-00003-E

**Filing No.** 844

**Filing Date:** 2022-10-18

**Effective Date:** 2022-10-18

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

**Action taken:** Addition of section 2.60 to Title 10 NYCRR.

**Statutory authority:** Public Health Law, sections 201, 206 and 225

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

**Specific reasons underlying the finding of necessity:** The 2019 Coronavirus (COVID-19) is a disease that causes mild to severe respiratory and other symptoms, including fever, cough, and difficulty breathing. People infected with COVID-19 have had symptoms ranging from those that are mild (like a common cold) to severe pneumonia that requires medical care in a general hospital and can be fatal, with a disproportionate risk of severe illness for older adults and/or those who have serious underlying medical health conditions.

On January 30, 2020, the World Health Organization (WHO) designated the COVID-19 outbreak as a Public Health Emergency of International Concern. On a national level, the Secretary of Health and Human Services determined on January 31, 2020 that as a result of confirmed cases of COVID-19 in the United States, a public health emergency existed and had existed since January 27, 2020, nationwide. Thereafter, the situation rapidly evolved throughout the world, with many countries, including the United States, quickly progressing from the identification of travel-associated cases to person-to-person transmission among close contacts of travel-associated cases, and finally to widespread community transmission of COVID-19.

Now, more than two years after the first cases were identified in the United States, COVID-19 continues to impact New York State. Beyond the ongoing COVID-19 burden in communities, certain settings such as nursing homes and health care settings, have been at increased risk for transmission.

To that end, these regulations provide that masking may be required under certain circumstances, as determined by the Commissioner based on COVID-19 incidence and prevalence, as well as any other public health and/or clinical risk factors related to COVID-19 disease spread. Based on the foregoing, the Department has determined that these emergency regulations are necessary to permit flexibility to quickly adapt to changing circumstances and increasing transmission rates and control the spread of COVID-19, necessitating immediate action. Accordingly, pursuant to the State Administrative Procedure Act Section 202(6), a delay in the issuance of these emergency regulations would be contrary to public interest.

**Subject:** Face Coverings for COVID-19 Prevention.

**Purpose:** To control and promote the control of communicable diseases to reduce their spread.

**Text of emergency rule:** Section 2.60 is added to read as follows:

**2.60. Face Coverings for COVID-19 Prevention.**

(a) As determined by the Commissioner based on COVID-19 incidence and prevalence, as well as any other public health and/or clinical risk factors related to COVID-19 disease spread, any person who is two years of age or older and able to medically tolerate a face-covering may be required to cover their nose and mouth with a mask or face-covering when: (1) in a public place and unable to maintain, or when not maintaining, physical distance; or (2) in certain settings as determined by the Commissioner, which may include schools, public transit, homeless shelters, correctional facilities, nursing homes, and health care settings, and which may distinguish between individuals who are vaccinated against COVID-19 and those that are not vaccinated. The Commissioner shall issue findings regarding the necessity of face-covering requirements at the time such requirements are announced.

(b) Businesses must provide, at their expense, face-coverings for their employees required to wear a mask or face-covering pursuant to subdivision (a) of this section.

(c) Large-scale indoor event venues with more than five thousand attendees shall require patrons to wear face coverings consistent with subdivision (a) of this section; may require all patrons to wear a face covering irrespective of vaccination status; and may deny admittance to any person who fails to comply. This regulation shall be applied in a manner consistent with the federal Americans with Disabilities Act, New York State or New York City Human Rights Law, and any other applicable provision of law.

(d) No business owner shall deny employment or services to or discriminate against any person on the basis that such person elects to wear a face-covering that is designed to inhibit the transmission of COVID-19, but that is not designed to otherwise obscure the identity of the individual.

(e) For purposes of this section face-coverings shall include, but are not limited to, cloth masks, surgical masks, and N-95 respirators that are worn to completely cover a person's nose and mouth.

(f) Penalties and enforcement.

(i) A violation of any provision of this Section is subject to all civil and criminal penalties as provided for by law. Individuals or entities that violate this Section are subject to a maximum fine of \$1,000 for each violation. For purposes of civil penalties, each day that an entity operates

in a manner inconsistent with the Section shall constitute a separate violation under this Section.

(ii) All local health officers shall take such steps as may be necessary to enforce the provisions of this Section accordance with the Public Health Law and this Title.

**This notice is intended** to serve only as a notice of emergency adoption. This agency intends to adopt the provisions of this emergency rule as a permanent rule, having previously submitted to the Department of State a notice of proposed rule making, I.D. No. HLT-50-21-00003-P, Issue of December 15, 2021. The emergency rule will expire December 16, 2022.

**Text of rule and any required statements and analyses may be obtained from:** Katherine Ceroalo, DOH, Bureau of Program Counsel, Reg. Affairs Unit, Room 2438, ESP Tower Building, Albany, NY 12237, (518) 473-7488, email: regsqa@health.ny.gov

**Regulatory Impact Statement**

**Statutory Authority:**

The statutory authority for adding a new Section 2.60 is sections 201, 206, and 225 of the Public Health Law.

**Legislative Objectives:**

The legislative objective of PHL § 201 includes authorizing the New York State Department of Health (“Department”) to control and promote the control of communicable diseases to reduce their spread. Likewise, the legislative objective of PHL § 206 includes authorizing the Commissioner of Health to take cognizance of the interests of health and life of the people of the state, and of all matters pertaining thereto and exercise the functions, powers and duties of the department prescribed by law, including control of communicable diseases. The legislative objective of Public Health Law § 225 is, in part, to protect the public health by authorizing PHHPC, with the approval of the Commissioner, to amend the State Sanitary Code to address public health issues related to communicable disease.

**Needs and Benefits:**

The 2019 Coronavirus (COVID-19) is a disease that causes mild to severe respiratory and other symptoms, including fever, cough, and difficulty breathing. People infected with COVID-19 have had symptoms ranging from those that are mild (like a common cold) to severe pneumonia that requires medical care in a general hospital and can be fatal, with a disproportionate risk of severe illness for older adults, those who have serious underlying medical health conditions and those who are unvaccinated.

On January 30, 2020, the World Health Organization (WHO) designated the COVID-19 outbreak as a Public Health Emergency of International Concern. On a national level, the Secretary of Health and Human Services determined on January 31, 2020 that as a result of confirmed cases of COVID-19 in the United States, a public health emergency existed and had existed since January 27, 2020, nationwide. Thereafter, the situation rapidly evolved throughout the world, with many countries, including the United States, quickly progressing from the identification of travel-associated cases to person-to-person transmission among close contacts of travel-associated cases, and finally to widespread community transmission of COVID-19.

Now, more than two years after the first cases were identified in the United States COVID-19 continues to impact New York State. Beyond the ongoing COVID-19 burden in communities, certain settings such as nursing homes and health care settings, have been at increased risk for transmission. These regulations provide that masking may be required under certain circumstances, as determined by the Commissioner based on COVID-19 incidence and prevalence, as well as any other public health and/or clinical risk factors related to COVID-19 disease spread. The regulations are necessary to permit flexibility to allow the Department to quickly adapt to changing circumstances related to the spread of COVID-19 and increasing transmission rates.

**Costs:**

**Costs to Regulated Parties:**

As part of ongoing efforts to address COVID-19, regulated parties have been a partner in implementing measures to limit the spread and/or mitigate the impact of COVID-19 within the state since March of 2020. Accordingly, this regulation does not impose additional costs to regulated parties.

**Costs to Local and State Governments:**

State and local government are authorized to enforce civil and criminal penalties related to the violation of these regulations, and there may be some cost of enforcement, however such costs are anticipated to be minimal as these provisions continue existing enforcement requirements.

**Paperwork:**

This regulation imposes no additional paperwork.

**Local Government Mandates:**

As part of ongoing efforts to address COVID-19, local governments have been partners in implementing and enforcing measures to limit the

spread and/or mitigate the impact of COVID-19 within their jurisdictions since March of 2020. Further, local governments have separate authority and responsibilities to control disease within their jurisdictions pursuant to PHL § 2100 and Part 2 of the State Sanitary Code.

**Duplication:**

There is no duplication of federal law.

**Alternatives:**

The alternative would be to not promulgate these emergency regulations. However, this alternative was rejected, as the Department believes this regulation will facilitate the Department’s ability to respond to the evolving nature of this serious and ongoing communicable disease outbreak.

**Federal Standards:**

States and local governments have primary authority for controlling disease within their respective jurisdictions. Accordingly, there are no federal statutes or regulations that apply to disease control within NYS.

**Compliance Schedule:**

The regulations will become effective upon filing with the Department of State and will expire, unless renewed, 60 days from the date of filing. As COVID-19 is consistently and rapidly changing, it is not possible to determine the expected duration of need at this point in time. The Department will continuously evaluate the expected duration of these emergency regulations throughout the aforementioned 60-day effective period in making determinations on the need for continuing this regulation on an emergency basis or issuing a notice of proposed ruling-making for permanent adoption. This notice does not constitute a notice of proposed or revised rule making for permanent adoption.

**Regulatory Flexibility Analysis**

**Effect of Rule:**

As part of ongoing efforts to address COVID-19, businesses and local government have been a partner in implementing measures to limit the spread and/or mitigate the impact of COVID-19 within the state since March of 2020. Accordingly, this regulation will not have a significant impact on or cost to small business and local government.

**Compliance Requirements:**

These regulations update previously filed emergency regulations to provide that masking may be required under certain circumstances, as determined by the Commissioner based on COVID-19 incidence and prevalence, as well as any other public health and/or clinical risk factors related to COVID-19 disease spread.

**Professional Services:**

It is not expected that any professional services will be needed to comply with this rule.

**Compliance Costs:**

As part of ongoing efforts to address COVID-19, regulated parties have been a partner in implementing measures to limit the spread and/or mitigate the impact of COVID-19 within the state since March of 2020. Accordingly, this regulation will not have a significant impact.

**Economic and Technological Feasibility:**

There are no economic or technological impediments to the rule changes.

**Minimizing Adverse Impact:**

As part of ongoing efforts to address COVID-19, regulated parties have been a partner in implementing measures to limit the spread and/or mitigate the impact of COVID-19 within the state since March of 2020. Accordingly, any adverse impacts are expected to be minimal.

**Small Business and Local Government Participation:**

Due to the emergent nature of COVID-19, small business and local governments were not consulted.

**Rural Area Flexibility Analysis**

**Types and Estimated Numbers of Rural Areas:**

While this rule applies uniformly throughout the state, including rural areas, for the purposes of this Rural Area Flexibility Analysis (RAFA), “rural area” means areas of the state defined by Exec. Law § 481(7) (SAPA § 102(10)). Per Exec. Law § 481(7), rural areas are defined as “counties within the state having less than two hundred thousand population, and the municipalities, individuals, institutions, communities, and programs and such other entities or resources found therein. In counties of two hundred thousand or greater population ‘rural areas’ means towns with population densities of one hundred fifty persons or less per square mile, and the villages, individuals, institutions, communities, programs and such other entities or resources as are found therein.”

The following 44 counties have an estimated population of less than 200,000 based upon the 2019 United States Census county populations projections:

Allegany County	Greene County	Schoharie County
Cattaraugus County	Hamilton County	Schuyler County

Cayuga County	Herkimer County	Seneca County
Chautauqua County	Jefferson County	St. Lawrence County
Chemung County	Lewis County	Steuben County
Chenango County	Livingston County	Sullivan County
Clinton County	Madison County	Tioga County
Columbia County	Montgomery County	Tompkins County
Cortland County	Ontario County	Ulster County
Delaware County	Orleans County	Warren County
Essex County	Oswego County	Washington County
Franklin County	Otsego County	Wayne County
Fulton County	Putnam County	Wyoming County
Genesee County	Rensselaer County	Yates County
	Schenectady County	

The following counties of have population of 200,000 or greater, and towns with population densities of 150 person or fewer per square mile, based upon the 2019 United States Census population projections:

Albany County	Monroe County	Orange County
Broome County	Niagara County	Saratoga County
Dutchess County	Oneida County	Suffolk County
Erie County	Onondaga County	

**Reporting, Recordkeeping, and Other Compliance Requirements; and Professional Services:**

These regulations update previously filed emergency regulations to provide that masking may be required under certain circumstances, as determined by the Commissioner based on COVID-19 incidence and prevalence, as well as any other public health and/or clinical risk factors related to COVID-19 disease spread.

**Costs:**

As part of ongoing efforts to address COVID-19, regulated parties have been a partner in implementing measures to limit the spread and/or mitigate the impact of COVID-19 within the state since March of 2020. Accordingly, this regulation does not impose additional costs to regulated parties.

**Economic and Technological Feasibility:**

There are no economic or technological impediments to the rule changes.

**Minimizing Adverse Impact:**

As part of ongoing efforts to address COVID-19, regulated parties have been a partner in implementing measures to limit the spread and/or mitigate the impact of COVID-19 within the state since March of 2020. Accordingly, adverse impacts are expected to be minimal.

**Rural Area Participation:**

Due to the emergent nature of COVID-19, parties representing rural areas were not consulted.

**Job Impact Statement**

The Department of Health has determined that this regulatory change is necessary to prevent further complete closure of the businesses impacted, and therefore, while there may be lost revenue for many businesses, the public health impacts of continued spread of COVID-19 are much greater.

**Assessment of Public Comment**

Since the Emergency Regulation was last adopted the Department of Health (“Department”) received a few additional public comments. The majority of these commenters expressed opposition to the re-adoption of the emergency regulation and the use of face coverings more broadly. Commenters also expressed concerns over the effectiveness of face masks. These alternatives were not incorporated into the emergency regulation because it would significantly undermine the Department’s ability to control the spread of COVID-19 and would render the emergency regulation ineffective. Based on these additional comments, no changes are being made to the emergency regulation.

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## Department of Labor

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

#### Public Employees Occupational Safety and Health Standards

I.D. No. LAB-44-22-00001-P

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

**Proposed Action:** This is a consensus rule making to repeal section 800.3; and add new section 800.3 to Title 12 NYCRR.

**Statutory authority:** Labor Law, section 27-a(4)(a)

**Subject:** Public Employees Occupational Safety and Health Standards.

**Purpose:** To incorporate by reference updates to OSHA standards into the State Public Employee Occupational Safety and Health Standards.

**Text of proposed rule:** Section 800.3 of 12 NYCRR is repealed and a new section 800.3 is added to read as follows:

*800.3 Adoption of standards.*

*The Commissioner of Labor adopts, as the occupational safety and health standards for the protection of the safety and health of public employees, all of the standards in the below-listed parts of title 29 of the Code of Federal Regulations:*

*Part 1910-General Industry Standards; July 1, 2021 edition, with the exception of section 1910.1000—Air Contaminants, which is addressed by section 800.5 of this Part, and the exception of subpart U.*

*Part 1915-Shipyards Employment Standards; July 1, 2021 edition*

*Part 1917-Marine Terminals Standards; July 1, 2021 edition*

*Part 1918-Longshoring Standards; July 1, 2021 edition*

*Part 1926-Construction Standards; July 1, 2021 edition*

*Part 1928-Agricultural Standards; July 1, 2021 edition*

**Text of proposed rule and any required statements and analyses may be obtained from:** Evan Zablow, Department of Labor, State Office Campus, Building 12, Room 509, Albany, NY 12240, (518) 485-2191, email: regulations@labor.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.**

#### Consensus Rule Making Determination

This amendment is necessary because Section 27-a(4)(a) of the Labor Law directs the Commissioner to adopt by rule, for the protection of the safety and health of public employees, all safety and health standards promulgated under the U.S. Occupational Safety and Health Act of 1970, and to promulgate and repeal such rules and regulations as may be necessary to conform to the standards established pursuant to that Act. This ensures that public employees will be afforded the same safeguards in their workplaces as are granted to employees in the private sector.

#### Job Impact Statement

A job impact statement is not submitted because the proposed action does not affect jobs and employment opportunities but simply affords the same workplace safety and health guidelines to public sector employment already applicable to private sector employment designed to improve job performance and safety.

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## Public Service Commission

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### NOTICE OF ADOPTION

#### Tariff Amendments and Statements

I.D. No. PSC-52-21-00006-A

Filing Date: 2022-10-13

Effective Date: 2022-10-13

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

**Action taken:** On 10/13/22, the PSC adopted an order approving The Brooklyn Union Gas Corp. d/b/a National Grid NY (KEDNY) and KeySpan Gas East Corp. d/b/a National Grid's (KEDLI) tariff amendments and statements to implement their firm gas demand response programs.

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

**Subject:** Tariff amendments and statements.

**Purpose:** To approve KEDNY and KEDLI's tariff amendments and statements to implement their firm gas demand response programs.

**Substance of final rule:**

**Text or summary was published** in the December 29, 2021 issue of the Register, I.D. No. PSC-52-21-00006-P.

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

**Text of rule may be obtained from:** John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

#### Assessment of Public Comment

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

(20-G-0086SA3)

### NOTICE OF ADOPTION

#### Incidental Regulation

I.D. No. PSC-19-22-00025-A

Filing Date: 2022-10-17

Effective Date: 2022-10-17

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

**Action taken:** On 10/13/22, the PSC adopted an order granting Xerox Corporation (Xerox) an incidental regulatory regime with respect to Xerox's provision of electric and water service to the Tessy Webster Facility, LLC (Tessy).

**Statutory authority:** Public Service Law, sections 2(13), 2(27), 5(1)(b), (f), (2), 64, 65, 66, 89-a, 89-b, 89-c, 89-d and 89-e

**Subject:** Incidental regulation.

**Purpose:** To grant Xerox an incidental regulatory regime with respect to their provision of electric and water service to Tessy.

**Substance of final rule:** The Commission, on October 13, 2022, adopted an order granting Xerox Corporation (Xerox) an incidental regulatory regime with respect to Xerox's provision of electric and water service to the Tessy Webster Facility, LLC. Xerox shall, within 30 days of the issuance of the order, file with the Secretary a verified written statement signed by a duly authorized officer indicating Xerox's complete and unconditional acceptance of the order and its terms and conditions. Failure to comply with this condition shall invalidate the order, subject to the terms and conditions set forth in the order.

**Text or summary was published** in the May 11, 2022 issue of the Register, I.D. No. PSC-19-22-00025-P.

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

**Text of rule may be obtained from:** John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

#### Assessment of Public Comment

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

(22-M-0224SA1)

### NOTICE OF ADOPTION

#### Electric Metering Equipment

I.D. No. PSC-20-22-00006-A

Filing Date: 2022-10-17

Effective Date: 2022-10-17

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

**Action taken:** On 10/13/22, the PSC adopted an order approving Landis+Gyr Technology Inc.'s (Landis+Gyr) petition to use the Revelo E360 solid state electric meter for electric metering applications in New York State.

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

**Subject:** Electric metering equipment.

**Purpose:** To approve Landis+Gyr's petition to use electric metering equipment in New York State.

**Substance of final rule:** The Commission, on October 13, 2022, adopted an order approving Landis+Gyr Technology Inc.'s petition to use the Revelo E360 solid state electric meter for electric metering applications in New York State, subject to the terms and conditions set forth in the order.

**Text or summary was published** in the May 18, 2022 issue of the Register, I.D. No. PSC-20-22-00006-P.

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

**Text of rule may be obtained from:** John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

#### Assessment of Public Comment

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

(22-E-0163SA1)

### NOTICE OF ADOPTION

#### Initial Tariff Filing

**I.D. No.** PSC-21-22-00009-A

**Filing Date:** 2022-10-14

**Effective Date:** 2022-10-14

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

**Action taken:** On 10/13/22, the PSC adopted an order approving The Orchards of Hurleyville Homeowners Association, Inc.'s (Orchards) initial tariff schedule, P.S.C. No. 1 - Water, with modifications, to become effective, November 1, 2022.

**Statutory authority:** Public Service Law, sections 4(1), 5(1)(f), (4), 89-c(1), (10), 89-e(2) and 89-h

**Subject:** Initial tariff filing.

**Purpose:** To approve Orchards' initial tariff filing with modifications.

**Substance of final rule:** The Commission, on October 13, 2022, adopted an order approving The Orchards of Hurleyville Homeowners Association, Inc.'s (Orchards) initial tariff schedule, P.S.C. No. 1 - Water, to become effective, November 1, 2022, provided that those tariff revisions, consistent with the discussion in the body of the order, and as shown in Appendix B, are filed on not less than five days' notice. Orchards is also granted a waiver of the Commission's rate setting authority under Public Service Law § 89-c, pursuant to Public Service Law § 5(4). Orchards is directed to notify its customers by direct mail of the Commission's determination in this proceeding and file a copy of the customer notification letter together with an attestation that it has provided the notice to its customers with the Secretary to the Commission no later than November 30, 2022, subject to the terms and conditions set forth in the order.

**Text or summary was published** in the May 25, 2022 issue of the Register, I.D. No. PSC-21-22-00009-P.

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

**Text of rule may be obtained from:** John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

#### Assessment of Public Comment

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

(22-W-0229SA1)

### NOTICE OF ADOPTION

#### Firm Gas Demand Response Program Modifications

**I.D. No.** PSC-22-22-00013-A

**Filing Date:** 2022-10-13

**Effective Date:** 2022-10-13

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

**Action taken:** On 10/13/22, the PSC adopted an order approving Niagara Mohawk Power Corporation d/b/a National Grid's (NMPC) modifications to their Firm Gas Demand Response Program.

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

**Subject:** Firm Gas Demand Response Program modifications.

**Purpose:** To approve NMPC's modifications to their Firm Gas Demand Response Programs.

**Substance of final rule:** The Commission, on October 13, 2022, adopted an order approving Niagara Mohawk Power Corporation d/b/a National Grid's (NMPC) modifications to their Firm Gas Demand Response Program. NMPC shall file tariff amendments to be effective on November 1, 2022, on not less than five days' notice. NMPC shall also file an Annual Report as described in the body of the order with the Secretary to the Commission by June 15 of each year beginning with June 15, 2023, subject to the terms and conditions set forth in the order.

**Text or summary was published** in the June 1, 2022 issue of the Register, I.D. No. PSC-22-22-00013-P.

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

**Text of rule may be obtained from:** John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

#### Assessment of Public Comment

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

(20-G-0381SA2)

### NOTICE OF ADOPTION

#### Tariff Amendments

**I.D. No.** PSC-22-22-00015-A

**Filing Date:** 2022-10-14

**Effective Date:** 2022-10-14

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

**Action taken:** On 10/13/22, the PSC adopted an order approving Central Hudson Gas & Electric Corporation's (Central Hudson) tariff amendments to P.S.C. No. 15 - Electricity, to become effective on November 1, 2022.

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

**Subject:** Tariff amendments.

**Purpose:** To approve Central Hudson's tariff amendments.

**Substance of final rule:** The Commission, on October 13, 2022, adopted an order approving Central Hudson Gas & Electric Corporation's tariff amendments to P.S.C. No. 15 - Electricity, to include the costs of conduit in its Statement of Underground Residential Distribution Contribution (Statement), to become effective on November 1, 2022. The Statement, listed in the Appendix of the order is also approved and shall become effective on November 1, 2022, subject to the terms and conditions set forth in the order.

**Text or summary was published** in the June 1, 2022 issue of the Register, I.D. No. PSC-22-22-00015-P.

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

**Text of rule may be obtained from:** John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

#### Assessment of Public Comment

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

(22-E-0285SA1)

## NOTICE OF ADOPTION

## Waiver Request

I.D. No. PSC-23-22-00023-A

Filing Date: 2022-10-17

Effective Date: 2022-10-17

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

**Action taken:** On 10/13/22, the PSC adopted an order approving Beacon Wind LLC's (Beacon Wind) motion for a waiver of certain Department of Public Service regulations in 16 NYCRR, regarding requirements for applications under PSL Article VII.

**Statutory authority:** Public Service Law, sections 4 and 122

**Subject:** Waiver request.

**Purpose:** To grant Beacon Wind a waiver of certain Department of Public Service regulations.

**Substance of final rule:** The Commission, on October 13, 2022, adopted an order approving Beacon Wind LLC's motion for a waiver of certain Department of Public Service regulations in 16 NYCRR, regarding requirements for applications under PSL Article VII for Certificates of Environmental Compatibility and Public Need, subject to the terms and conditions set forth in the order.

**Text or summary was published** in the June 8, 2022 issue of the Register, I.D. No. PSC-23-22-00023-P.

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

**Text of rule may be obtained from:** John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

**Assessment of Public Comment**

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

(22-T-0294SA1)

## NOTICE OF ADOPTION

## Electric Metering Equipment

I.D. No. PSC-25-22-00004-A

Filing Date: 2022-10-17

Effective Date: 2022-10-17

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

**Action taken:** On 10/13/22, the PSC adopted an order approving ABB Inc.'s (ABB) petition to use the CVC-110ER combined instrument transformer for electric metering applications in New York State.

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

**Subject:** Electric metering equipment.

**Purpose:** To approve ABB's petition to use electric metering equipment in New York State.

**Substance of final rule:** The Commission, on October 13, 2022, adopted an order approving ABB Inc.'s petition to use the CVC-110ER combined instrument transformer for electric metering applications in New York State, subject to the terms and conditions set forth in the order.

**Text or summary was published** in the June 22, 2022 issue of the Register, I.D. No. PSC-25-22-00004-P.

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

**Text of rule may be obtained from:** John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

**Assessment of Public Comment**

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

(22-E-0299SA1)

## NOTICE OF ADOPTION

## Firm Gas Demand Response Program Modifications

I.D. No. PSC-27-22-00005-A

Filing Date: 2022-10-13

Effective Date: 2022-10-13

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

**Action taken:** On 10/13/22, the PSC adopted an order approving The Brooklyn Union Gas Corp. d/b/a National Grid NY (KEDNY) and KeySpan Gas East Corp. d/b/a National Grid's (KEDLI) modifications to their Firm Gas Demand Response Programs.

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

**Subject:** Firm Gas Demand Response Program modifications.

**Purpose:** To approve KEDNY and KEDLI's modifications to their Firm Gas Demand Response Programs.

**Substance of final rule:** The Commission, on October 13, 2022, adopted an order approving The Brooklyn Union Gas Corp. d/b/a National Grid NY (KEDNY) and KeySpan Gas East Corp. d/b/a National Grid's (KEDLI) modifications to their Firm Gas Demand Response Programs. KEDNY and KEDLI shall file tariff amendments to be effective on November 1, 2022, on not less than five days' notice, subject to the terms and conditions set forth in the order.

**Text or summary was published** in the July 6, 2022 issue of the Register, I.D. No. PSC-27-22-00005-P.

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

**Text of rule may be obtained from:** John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

**Assessment of Public Comment**

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

(20-G-0086SA4)

## NOTICE OF ADOPTION

## Transfer of Property

I.D. No. PSC-28-22-00012-A

Filing Date: 2022-10-17

Effective Date: 2022-10-17

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

**Action taken:** On 10/13/22, the PSC adopted an order authorizing KeySpan Gas East Corporation d/b/a National Grid (KEDLI) to transfer property located at 87 Community Road in Bay Shore, New York to Michael Murtha.

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

**Subject:** Transfer of property.

**Purpose:** To authorize KEDLI to transfer property to Michael Murtha.

**Substance of final rule:** The Commission, on October 13, 2022, adopted an order authorizing KeySpan Gas East Corporation d/b/a National Grid (KEDLI) to transfer property located at 87 Community Road in Bay Shore, New York to Michael Murtha. The authority is granted for one year from the issuance of the order and shall expire if the transaction is not completed within that time period. KEDLI shall file with the Secretary, within sixty days of the close of the property transfer, a copy of the journal entries recorded to account for the transaction consistent with the discussion in the body of the order, together with the related workpapers, subject to the terms and conditions set forth in the order.

**Text or summary was published** in the July 13, 2022 issue of the Register, I.D. No. PSC-28-22-00012-P.

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

**Text of rule may be obtained from:** John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social

security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

**Assessment of Public Comment**

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.  
(22-G-0349SA1)

### NOTICE OF ADOPTION

#### Overlay of the 716 Area Code Region

**I.D. No.** PSC-29-22-00009-A

**Filing Date:** 2022-10-13

**Effective Date:** 2022-10-13

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

**Action taken:** On 10/13/22, the PSC adopted an order approving, subject to conditions, North American Numbering Plan Administrator's (NANPA) petition to establish an all-services area code overlay as area code relief for the 716 Numbering Plan Area.

**Statutory authority:** Public Service Law, section 97(2)

**Subject:** Overlay of the 716 Area Code Region.

**Purpose:** To approve, subject to conditions, NANPA's petition to establish an overlay of the 716 Area Code Region.

**Substance of final rule:** The Commission, on October 13, 2022, adopted an order approving, subject to conditions, North American Numbering Plan Administrator's (NANPA) petition to establish an all-services area code overlay as area code relief for the 716 Numbering Plan Area. NANPA shall file on behalf of the New York Telecommunications Industry and within 75 days of the issuance of the order, a joint plan outlining the steps necessary to activate a new area code, including milestone due dates, for the existing 716 Numbering Plan Area. The plan shall contain a reasonable period for all necessary network modifications, as well as a dialing plan that complies with established New York State dialing patterns. The plan shall be submitted to the Secretary of the Commission for review and approval by the Director of the Office of Telecommunications. The carriers shall, thereafter, implement such plan. The Industry Implementation Committee shall file on behalf of the New York Telecommunications Industry and within 90 days of the issuance of the order, a joint plan for an outreach and education program that will acquaint customers with the establishment of the new area code and its operation. The plan shall be submitted to the Secretary of the Commission for review and approval by the Director of the Office of Consumer Services. Each carrier assigned numbering resources in the 716 Numbering Plan Area, shall thereafter, implement such plan, subject to the terms and conditions set forth in the order.

**Text or summary was published** in the July 20, 2022 issue of the Register, I.D. No. PSC-29-22-00009-P.

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

**Text of rule may be obtained from:** John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

**Assessment of Public Comment**

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.  
(22-C-0358SA1)

### NOTICE OF ADOPTION

#### Transfer of Property

**I.D. No.** PSC-31-22-00004-A

**Filing Date:** 2022-10-17

**Effective Date:** 2022-10-17

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

**Action taken:** On 10/13/22, the PSC adopted an order authorizing Consolidated Edison Company of New York, Inc. (Con Edison) to transfer easement and transmission property to New York Transco LLC (NY Transco), located in the Town of Pleasant Valley, Dutchess County.

**Statutory authority:** Public Service Law, section 70

**Subject:** Transfer of property.

**Purpose:** To authorize Con Edison to transfer easement and transmission property to NY Transco.

**Substance of final rule:** The Commission, on October 13, 2022, adopted an order authorizing Consolidated Edison Company of New York, Inc. (Con Edison) to transfer easement and transmission property to New York Transco LLC, located in the Town of Pleasant Valley, Dutchess County. Con Edison is also authorized to defer the net proceeds as a regulatory liability for the future benefit of customers with interest accruing at Con Edison's authorized pre-tax weighted average cost of capital rate. Con Edison shall file with the Secretary, within 60 days of the closing date of the transactions, a copy of the final journal entries recorded to account for the transactions, and related workpapers, subject to the terms and conditions set forth in the order.

**Text or summary was published** in the August 3, 2022 issue of the Register, I.D. No. PSC-31-22-00004-P.

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

**Text of rule may be obtained from:** John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

**Assessment of Public Comment**

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.  
(22-E-0316SA1)

### NOTICE OF ADOPTION

#### Interconnection Facility Transfer Process

**I.D. No.** PSC-32-22-00021-A

**Filing Date:** 2022-10-14

**Effective Date:** 2022-10-14

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

**Action taken:** On 10/13/22, the PSC adopted an order adopting a process for review of proposed transfers of interconnection facilities and related assets from lightly regulated entities to interconnecting utilities, in relation to Number Three Wind and National Grid.

**Statutory authority:** Public Service Law, sections 2(12), (13), 5(1)(b), 5-b, 64, 65, 66 and 70

**Subject:** Interconnection facility transfer process.

**Purpose:** To adopt an interconnection facility transfer process.

**Substance of final rule:** The Commission, on October 13, 2022, adopted an order adopting a process for review of proposed transfers of interconnection facilities and related assets from lightly regulated entities to interconnecting utilities, in relation to Number Three Wind, LLC and Niagara Mohawk Power Corporation d/b/a National Grid's (National Grid) proposed transfer of certain facilities and real property associated with the interconnection of the Number Three Wind Farm generating facility in Lewis County, New York to National Grid's existing Lowville-Bremen 115 kilovolt (kV) transmission line, subject to the terms and conditions set forth in the order.

**Text or summary was published** in the August 10, 2022 issue of the Register, I.D. No. PSC-32-22-00021-P.

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

**Text of rule may be obtained from:** John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

**Assessment of Public Comment**

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.  
(22-E-0433SA1)

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

**Petition to Submeter Electricity**

**I.D. No.** PSC-44-22-00002-P

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

**Proposed Action:** The Commission is considering the petition of Fifth Avenue Owners Group LLC to submeter electricity at 16 Fifth Avenue, New York, NY.

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

**Subject:** Petition to submeter electricity.

**Purpose:** To ensure adequate submetering equipment and consumer protections are in place.

**Substance of proposed rule:** The Commission is considering the petition filed by Fifth Avenue Owners Group LLC on September 29, 2022, seeking authority to submeter electricity at a new condominium building, sited at 16 Fifth Avenue, New York, NY 10010, located in the service territory of Consolidated Edison Company of New York, Inc. (Con Edison).

In the petition, Fifth Avenue Owners Group LLC requests authorization to take electric service from Con Edison and then distribute and meter that electricity to its residents. Once approved by the Commission, submetering of electricity to residents is allowed so long as it complies with the protections and requirements of the Commission's regulations in 16 NYCRR Part 96.

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](http://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](mailto: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](mailto: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-0545SP1)

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

**Proposed Draft Tariff Amendments**

**I.D. No.** PSC-44-22-00003-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 tariff filings of various gas distribution utilities to document and refine gas moratorium management procedures pursuant to the Commission's Order issued May 12, 2022.

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

**Subject:** Proposed draft tariff amendments.

**Purpose:** To document and refine moratorium management procedures that seek to minimize hardships in the event a future moratorium occurs.

**Substance of proposed rule:** The Public Service Commission (Commission) is considering draft gas tariff amendments filed on August 10, 2022 by The Brooklyn Union Gas Company d/b/a National Grid NY; Central Hudson Gas & Electric Corporation, Consolidated Edison Company of New York, Inc.; Conning Natural Gas Corporation, KeySpan Gas East Corporation d/b/a National Grid; Liberty Utilities (St. Lawrence Gas) Corp.; National Fuel Gas Distribution Corporation; New York State Electric & Gas Corporation; Niagara Mohawk Power Corporation d/b/a

National Grid; Orange and Rockland Utilities, Inc.; and Rochester Gas and Electric Corporation (collectively, the Companies). The filings respond to the Commission's Order Adopting Moratorium Management Procedures issued on May 12, 2022.

In the draft tariff filings, the Companies identify the criteria each will use to identify the potential need for a moratorium on new or expanded gas service in a given area. These criteria include forecasted design day gas supply and demand and forecasted pressures at distribution system lateral endpoints under design conditions. The Companies also propose to add to their respective tariffs an explanation of the process for initiating a moratorium on new or expanded gas service, if necessary.

The full text of the filings and the full record of this proceeding may be reviewed online at the Department of Public Service web page: [www.dps.ny.gov](http://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](mailto:john.pitucci@dps.ny.gov)

**Data, views or arguments may be submitted to:** Michelle Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov)

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

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

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(20-G-0131SP13)

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**Urban Development  
Corporation**

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

**Biodefense Commercialization Fund**

**I.D. No.** UDC-44-22-0004-P

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

**Proposed Action:** Amendment of section 4255.4 of Title 21 NYCRR.

**Statutory authority:** L. 2017, ch. 58, part TT

**Subject:** Biodefense Commercialization Fund.

**Purpose:** To clarify certain aspects of the administration of the Fund, and to ensure consistency with recently updated guidelines.

**Substance of proposed rule (Full text is posted at the following State website: [www.esd.ny.gov](http://www.esd.ny.gov)):** The regulation contained in 21 NYCRR section 4255.4, which governs the Biodefense Commercialization Fund of the Life Sciences Initiative Program, is amended and summarized as follows:

21 NYCRR section 4255.4 established the \$40 million Biodefense Commercialization Fund as the third component of the Life Sciences Initiative Program. The Fund is intended to encourage and accelerate the development and commercialization of solutions for serious infectious disease threats, including COVID-19 and its variants, while fostering the creation of new life science businesses and supporting industry growth. The Fund will offer grants to startups and academic centers that are developing promising diagnostics, vaccines, therapeutics, and such other innovations as epidemiological surveillance tools, environmental controls, and clinical care advances that address or mitigate infectious disease threats.

The regulation next establishes the Fund leadership and structure and describes the roles of the Executive Committee and Expert Review Panel in the administration of the Program. Further, it provides key definitions such as Eligible Project, Fund Administrator, Mentor and Reimbursable



Expenses. Amendments to this section include clarification of the responsibilities of each of the entities.

Next, the regulation provides definitions for terms used throughout the regulation. The amended regulation defines the following additional terms: “capital,” “capital expenditures,” “direct cost,” “grant disbursement agreement,” “incentive proposal,” “indirect cost,” and “working capital expense.”

The regulation then discusses available program assistance. The Fund makes available grants to both academic institutions and to startup companies for eligible projects. The regulation then sets forth the different parameters for grants to academic institutions as opposed to startup companies. Of particular note is the fact that grants for academic institutions shall range from \$250,000 to \$500,000 while grants to startup companies range from \$1–\$4 million. Grants to academic institutions shall be made on a reimbursement basis. Amendments to the regulation clarify that academic institutions may begin incurring expenses against the grant upon execution of an incentive proposal, and reimbursements are provided following Board approval and execution of a grant disbursement agreement. Amendments to the regulation further provide that, upon Board approval and execution of a grant disbursement agreement, startup companies are eligible to receive an advance of either \$250,000 or 50% of their first year of funding, whichever is less, to begin their work. Such advance is intended to cover no more than the initial six (6) months of work. At the end of the initial six-month period, grantees will submit supporting documentation of work performed and payment of eligible expenditures equal to at least 75% of the advance, as well as documentation of progress against R&D milestones, and an updated budget and work plan. Funding will continue to be allocated throughout the entirety of the Project as long as the grantee satisfies the requirement to document all eligible expenditures equal to at least 75% of the most recent six-month funding allocation and 100% of all advances previously disbursed, in addition to documentation of progress against milestones, in order to advance the project.

It is expected that funding will be provided for no more than three years. “No-cost” extensions will not be considered for startup companies and are strongly discouraged for academic institutions. Start-up company grant recipients will be required to submit six-month and annual reports on their progress for as long as funding is provided, and annual progress reports will be required for three years following the final disbursement of funds. All startup company grant recipients are expected to remain in and continue conducting business in New York State for a minimum of three years after completion of the grant. The grant may be subject to full or partial recapture if this requirement is not met. ESD reserves the right to receive a warrant for options in the startup companies funded.

Next, the regulation discusses the application process. This is a twostep process. Initially, a short application is to be completed by grant applicants that will allow the Expert Review Panel to conduct a high-level review for eligibility (such as appropriateness of field and indication) and feasibility (such as commercialization potential and a consideration of third-party encumbrances) to determine which applicants will be invited to provide a more detailed, long-form application.

Each long form application will be reviewed and scored by members of the Expert Review Panel against the following criteria: Innovation & Value Proposition; Intellectual Property; Team Experience & Capabilities; Approach & Feasibility; and Relevance and Applicability to Future Infectious Disease Threats. The Expert Review Panel will make recommendations to ESD regarding which applicants are deserving of funding, and the level of funding that should be awarded. ESD will make the final determination regarding grant recipients and amounts to be funded to each.

In addition, the regulation clarifies that Grants may be used for working capital to cover costs such as costs for staff critical to the proposed project, costs for specialized and other supplies required for the conduct of the proposed research & development project, and other costs directly related to the project. Grant funding must be used for expenses directly related to the Eligible Project. Grant funds may not be used to pay back loans, to pay interest on an loan, to provide a return to shareholders, or for any purpose other than operations and expenses directly related to the Eligible Project.

With respect to Program Metrics and Measures of Success, the regulation notes that the evaluation of program success will be measured from both a business and an outcome perspective. Success measures may include, but are not limited to, the following metrics:

- a. Number of eligible applications submitted
- b. Number of companies receiving grants
- c. Revenue and growth of these companies
- d. New products, services and processes delivered
- e. Progress toward commercialization of products under development
- f. Increase in Gross Value Added (GVA), jobs, profitability and revenue
- g. Equity raises and other funding
- h. Number of university spinouts
- i. Number of IP licenses

j. Number of commercial exits

The regulation concludes with a reporting requirement section and a section on credit recapture in the event of fraud or misuse of funds.

**Text of proposed rule and any required statements and analyses may be obtained from:** Jillian Diaz Cringle, Department of Economic Development, 625 Broadway, Albany NY 12245, (518) 292-5110, email: jillian.cringle@esd.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**

##### **STATUTORY AUTHORITY:**

Part TT of Chapter 58 of the Laws of 2017 requires the New York State Urban Development Corporation (“UDC”) to establish criteria for the Biodefense Commercialization Fund (the “Fund”) via rulemaking.

##### **LEGISLATIVE OBJECTIVES:**

The rulemaking accords with the public policy objectives the Legislature sought to advance since it creates the administrative framework for the Life Sciences Biodefense Commercialization Fund. The Fund is intended to encourage and accelerate the development and commercialization of solutions for serious infectious disease threats, including COVID-19 and its variants, while fostering creation of new life science businesses and supporting industry growth. The regulation changes foster these goals by clarifying administrative procedures of the Fund to address questions raised by participants since its inception in 2021.

##### **NEEDS AND BENEFITS:**

The Biodefense Commercialization Fund was designed to encourage and accelerate the development and commercialization of solutions for serious infectious disease threats, including COVID-19 and its variants, while fostering creation of new life science businesses and supporting industry growth. The amendments to the regulation clarify certain aspects of the administration of the Fund, including relevant definitions, criteria and parameters around which life science companies may apply for grant funds, the structure and leadership of the Fund, the amount of program assistance available to each type of applicant, the parameters that will be considered in reviewing grant applications, and the process by which applications will be evaluated and scored. The amendments to the regulation clarify procedural questions raised by participants of the Fund since its inception in 2021, and further ensure consistency with the recently amended guidelines that govern the Fund. Clarification of the application, review, and award process will streamline management of the Fund, saving time for both participants and administrators of the Fund.

##### **COSTS:**

I. Costs to private regulated parties (the business applicants): None. There are no regulated parties in the Life Sciences Initiative Program, only voluntary participants.

II. Costs to the regulating agency for the implementation and continued administration of the rule: There are no additional costs imposed on the UDC because of this amendment.

III. Costs to the State government: There are no additional costs imposed on the State because of this amendment.

IV. Costs to local governments: None. The proposed rule will not impose any costs on local governments.

##### **LOCAL GOVERNMENT MANDATES:**

None. Local governments are not eligible to participate in the Life Sciences Biodefense Commercialization Fund.

##### **PAPERWORK:**

While participation in the Fund necessarily entails certain paperwork burdens, this specific amendment does not require any additional documentation or paperwork, but rather clarifies the types of documentation and paperwork required by participants.

##### **DUPLICATION:**

The proposed rule amends an existing Life Sciences Initiative Program Fund and, accordingly, there is no risk of duplication in the adoption of the proposed rule.

##### **ALTERNATIVES:**

No alternatives were considered with regard to amending the regulatory language of the Fund. Since the Fund was authorized with broad statutory language concerning its administration, and both Fund participants and the NYS UDC will benefit from these revisions, the UDC believes a regulation amendment was the best option to ensure continued administration of the fund.

##### **FEDERAL STANDARDS:**

There are no federal standards with regard to the Life Sciences Biodefense Commercialization Fund.

##### **COMPLIANCE SCHEDULE:**

The State and any applicants to this Fund will be able to achieve compliance with the regulation amendments once adopted.

#### **Regulatory Flexibility Analysis**

The Biodefense Commercialization Fund is a statewide grant program. Although there are small businesses in New York State that are eligible to

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

***Rural Area Flexibility Analysis***

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

***Job Impact Statement***

The proposed rule amendment relates to the Biodefense Commercialization Fund component of the Life Sciences Initiative Program. This Program is intended to encourage and accelerate the development and commercialization of solutions for serious infectious disease threats, including COVID-19 and its variants, while fostering creation of new life science businesses and supporting industry growth. This Program, given its design and purpose, will have a substantial positive impact on job retention and creation, and employment opportunities. Because this rule authorizes the Corporation to immediately begin offering financial incentives to life sciences businesses that commit to creating or retaining jobs, it will only have a positive impact on job and employment opportunities. Accordingly, a job impact statement is not required and one has not been prepared.

**HEARINGS SCHEDULED  
FOR PROPOSED RULE MAKINGS**

Agency I.D. No.	Subject Matter	Location—Date—Time
<b>Health, Department of</b>		
HLT-39-22-00020-P .....	Early Intervention Program	NYS Convention Center, Meeting Rm. One, Empire State Plaza, Albany, NY—November 7, 2022, 11:00 a.m.
<b>Housing and Community Renewal, Division of</b>		
HCR-35-22-00004-P .....	City rent and eviction regulations governing rent control in New York City	One Bowling Green, New York, NY—November 15, 2022, 10:00 a.m. One Larkin Center, 2nd Fl., Yonkers, NY—November 15, 2022, 10:00 a.m. 1550 Franklin Ave., 1st Fl., Mineola, NY—November 15, 2022, 10:00 a.m.
HCR-35-22-00005-P .....	Emergency tenant protection regulations regulating residential rents and evictions	One Bowling Green, New York, NY—November 15, 2022, 10:00 a.m. One Larkin Center, 2nd Fl., Yonkers, NY—November 15, 2022, 10:00 a.m. 1550 Franklin Ave., 1st Fl., Mineola, NY—November 15, 2022, 10:00 a.m.
HCR-35-22-00006-P .....	State rent and eviction regulations governing statewide rent control	One Bowling Green, New York, NY—November 15, 2022, 10:00 a.m. One Larkin Center, 2nd Fl., Yonkers, NY—November 15, 2022, 10:00 a.m. 1550 Franklin Ave., 1st Fl., Mineola, NY—November 15, 2022, 10:00 a.m.
HCR-35-22-00007-P .....	Rent stabilization code regulating residential rents and evictions	One Bowling Green, New York, NY—November 15, 2022, 10:00 a.m. One Larkin Center, 2nd Fl., Yonkers, NY—November 15, 2022, 10:00 a.m. 1550 Franklin Ave., 1st Fl., Mineola, NY—November 15, 2022, 10:00 a.m.
<b>Lake George Park Commission</b>		
LGP-36-22-00006-P .....	Addition of waste water management regulations within the Lake George Park.	Fort William Henry Hotel, Lake George, NY—November 9, 2022, 4:00 p.m.
<b>Liquor Authority, State</b>		
LQR-36-22-00001-P .....	Minimum curriculum requirements for ATAP schools	163 W. 125th St., New York, NY—November 22, 2022, 10:00 a.m.
<b>Long Island Power Authority</b>		
LPA-37-22-00010-P .....	Solar Communities Program	Long Island Power Authority, 333 Earle Ovington Blvd., Suite 403, Uniondale, NY—November 16, 2022, 2:00 p.m. H. Lee Dennison Bldg., 100 Veterans Memorial Hwy., Hauppauge, NY—November 17, 2022, 10:00 a.m. Refer to schedule on: <a href="http://www.lipower.org">www.lipower.org</a>
LPA-37-22-00012-P .....	Authority’s small generator interconnection	Long Island Power Authority, 333 Earle Ovington Blvd., Suite 403, Uniondale, NY—November 16, 2022, 2:00 p.m. H. Lee Dennison Bldg., 100 Veterans Memorial Hwy., Hauppauge, NY—November 17, 2022, 10:00 a.m. Refer to schedule on: <a href="http://www.lipower.org">www.lipower.org</a>
LPA-37-22-00013-P .....	Authority’s annual budget and retail rates	Long Island Power Authority, 333 Earle Ovington Blvd., Suite 403, Uniondale, NY—November 16, 2022, 2:00 p.m.

LPA-37-22-00014-P .....	Large Renewable Host Community Benefit Program	H. Lee Dennison Bldg., 100 Veterans Memorial Hwy., Hauppauge, NY—November 17, 2022, 10:00 a.m.
		Refer to schedule on: <a href="http://www.lipower.org">www.lipower.org</a> Long Island Power Authority, 333 Earle Ovington Blvd., Suite 403, Uniondale, NY—November 16, 2022, 2:00 p.m.
		H. Lee Dennison Bldg., 100 Veterans Memorial Hwy., Hauppauge, NY—November 17, 2022, 10:00 a.m.
		Refer to schedule on: <a href="http://www.lipower.org">www.lipower.org</a> Long Island Power Authority, 333 Earle Ovington Blvd., Suite 403, Uniondale, NY—November 16, 2022, 2:00 p.m.
LPA-37-22-00015-P .....	Long Island Choice Program	H. Lee Dennison Bldg., 100 Veterans Memorial Hwy., Hauppauge, NY—November 17, 2022, 10:00 a.m.
		Refer to schedule on: <a href="http://www.lipower.org">www.lipower.org</a> Long Island Power Authority, 333 Earle Ovington Blvd., Suite 403, Uniondale, NY—November 16, 2022, 2:00 p.m.
		H. Lee Dennison Bldg., 100 Veterans Memorial Hwy., Hauppauge, NY—November 17, 2022, 10:00 a.m.
		Refer to schedule on: <a href="http://www.lipower.org">www.lipower.org</a>
LPA-37-22-00016-P .....	Bill credits and food and medicine spoilage reimbursements during widespread prolonged outages	Long Island Power Authority, 333 Earle Ovington Blvd., Suite 403, Uniondale, NY—November 16, 2022, 2:00 p.m.
		H. Lee Dennison Bldg., 100 Veterans Memorial Hwy., Hauppauge, NY—November 17, 2022, 10:00 a.m.
		Refer to schedule on: <a href="http://www.lipower.org">www.lipower.org</a>
<b>Public Service Commission</b>		
PSC-31-22-00005-P .....	Proposed major rate increase in NYSEG’s electric delivery revenues of approximately \$274 million (or 16.8% in total revenues)	Teleconference—November 2, 2022 and continuing daily as needed, 10:30 a.m. (Evidentiary Hearing)*
		*On occasion, the evidentiary hearing date may be rescheduled or postponed. In that event, public notification of any subsequent scheduling changes will be available at the DPS website ( <a href="http://www.dps.ny.gov">www.dps.ny.gov</a> ) under Case 22-E-0317.
PSC-31-22-00006-P .....	Proposed major rate increase in NYSEG’s gas delivery revenues of approximately \$43.4 million (or 9.8% in total revenues)	Teleconference — November 2, 2022 and continuing daily as needed, 10:30 a.m. (Evidentiary Hearing)*
		*On occasion, the evidentiary hearing date may be rescheduled or postponed. In that event, public notification of any subsequent scheduling changes will be available at the DPS website ( <a href="http://www.dps.ny.gov">www.dps.ny.gov</a> ) under Case 22-G-0318.
PSC-31-22-00007-P .....	Proposed major rate increase in RG&E’s gas delivery revenues of approximately \$37.7 million (or 9.7% in total revenues)	Teleconference — November 2, 2022 and continuing daily as needed, 10:30 a.m. (Evidentiary Hearing)*
		*On occasion, the evidentiary hearing date may be rescheduled or postponed. In that event, public notification of any subsequent scheduling changes will be available at the DPS website ( <a href="http://www.dps.ny.gov">www.dps.ny.gov</a> ) under Case 22-G-0320.
PSC-31-22-00009-P .....	Proposed major rate increase in RG&E’s electric delivery revenues of approximately \$93.8 million (or 11.3% in total revenues)	Teleconference — November 2, 2022 and continuing daily as needed, 10:30 a.m. (Evidentiary Hearing)*

\*On occasion, the evidentiary hearing date may be rescheduled or postponed. In that event, public notification of any subsequent scheduling changes will be available at the DPS website ([www.dps.ny.gov](http://www.dps.ny.gov)) under Case 22-E-0319.

**State, Department of**

DOS-39-22-00009-P..... Administration and enforcement of the Uniform Code and Energy Code by the Department of State

Department of State, 99 Washington Ave., Rm. 505, Albany, NY—November 30, 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
<b>AAM</b>	<b>01</b>	<b>12</b>	<b>0001</b>	<b>P</b>

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-43-22-00001-P	..... 10/26/23	Service provision under the Expanded In-home Services for the Elderly Program and Home-Delivered Meals.	To provide flexibility in strict compliance with certain requirements relating to client assessments when not practicable.
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**AGRICULTURE AND MARKETS, DEPARTMENT OF**

AAM-24-22-00012-P	..... 08/25/23	Holding and movement of captive cervids	To ensure that captive cervids are held and moved in a manner designed to prevent disease and to be properly treated if disease
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**ALCOHOLISM AND SUBSTANCE ABUSE SERVICES, OFFICE OF**

*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-33-22-00001-P	..... 08/17/23	Requirements for the establishment, incorporation and certification of providers of addiction services	To update outdated and stigmatizing language and to clarify processes of the certification process for providers and applicants

**BRIDGE AUTHORITY, NEW YORK STATE**

SBA-32-22-00020-P	..... 08/10/23	Amend the Authority's rules in relation to the hours of operation for bridge walkways and/or bikeways.	To regulate certain Authority activities on bridge walkways and/or bikeways.
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**CANNABIS MANAGEMENT, OFFICE OF**

OCM-10-22-00017-RP	..... 03/09/23	Part 113 - Medical Cannabis	The proposed rule established the framework for the medical cannabis program in New York State
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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>CANNABIS MANAGEMENT, OFFICE OF</b>			
OCM-24-22-00013-P	06/15/23	Packaging, Labeling, Marketing and Advertising of Adult-Use Cannabis	Establishing parameters for the packaging, labeling, marketing, and advertising of adult-use cannabis products, creating requirements for protecting the health and safety of consumers, and preventing targeting cannabis products to youth
OCM-24-22-00014-P	06/15/23	Permitting and regulating Cannabis Laboratories	Regulating and permitting laboratories, analyzing adult-use and medical cannabis, providing results to the Office and licensees, and aiding in the determination that cannabis products reflect potency and meet limits for contaminants
<b>CHILDREN AND FAMILY SERVICES, OFFICE OF</b>			
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
CFS-33-22-00003-P	08/17/23	Limits on executive compensation	To remove the limits on executive compensation and administrative expenses
CFS-33-22-00010-P	08/17/23	Direct deposit for child care providers receiving child care assistance	To implement requirements of Section 390-c of the SSL, as amended by Chapter 650 of the Laws of 2021
CFS-36-22-00002-EP	09/07/23	Differential Response for Children Under Twelve (12) Years of Age	To establish a differential response program for children under twelve years of age
CFS-37-22-00003-EP	09/14/23	Updates provisions to reflect the enacted budget regarding child care assistance rates and work requirements.	To update provisions on child care assistance funded under the NYS Child Care Block Grant and Social Services Block Grant.
<b>CIVIL SERVICE, DEPARTMENT OF</b>			
CVS-23-22-00008-P	06/08/23	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-23-22-00009-P	06/08/23	Jurisdictional Classification	To classify a position in the exempt class
CVS-23-22-00010-P	06/08/23	Jurisdictional Classification	To classify positions in the exempt class
CVS-23-22-00011-P	06/08/23	Jurisdictional Classification	To classify a position in the exempt class
CVS-23-22-00012-P	06/08/23	Jurisdictional Classification	To classify positions in the exempt class
CVS-23-22-00013-P	06/08/23	Jurisdictional Classification	To classify positions in the exempt class
CVS-23-22-00014-P	06/08/23	Jurisdictional Classification	To delete a position from and classify a position in the exempt class
CVS-23-22-00015-P	06/08/23	Jurisdictional Classification	To classify positions in the exempt class
CVS-23-22-00016-P	06/08/23	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-23-22-00017-P	06/08/23	Jurisdictional Classification	To delete positions from and to classify positions in the non-competitive class



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>CIVIL SERVICE, DEPARTMENT OF</b>			
CVS-23-22-00018-P	06/08/23	Jurisdictional Classification	To classify positions in the exempt class
CVS-23-22-00019-P	06/08/23	Jurisdictional Classification	To classify positions in the exempt class
CVS-23-22-00020-P	06/08/23	Jurisdictional Classification	To classify positions in the exempt class
CVS-28-22-00001-P	07/13/23	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-28-22-00002-P	07/13/23	Jurisdictional Classification	To classify a position in the exempt class.
CVS-28-22-00003-P	07/13/23	Jurisdictional Classification	To classify a position in the exempt class.
CVS-28-22-00004-P	07/13/23	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-28-22-00005-P	07/13/23	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-28-22-00006-P	07/13/23	Jurisdictional Classification	To classify positions in the exempt class and to classify a position in the non-competitive class
CVS-32-22-00001-P	08/10/23	Jurisdictional Classification	To classify a position in the exempt class.
CVS-32-22-00002-P	08/10/23	Jurisdictional Classification	To delete a position from and to classify positions in the non-competitive class
CVS-32-22-00003-P	08/10/23	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-32-22-00004-P	08/10/23	Jurisdictional Classification	To classify positions in the exempt class and the non-competitive classes
CVS-32-22-00005-P	08/10/23	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-32-22-00006-P	08/10/23	Jurisdictional Classification	To classify a position in the exempt class and to classify positions in the non-competitive class
CVS-32-22-00007-P	08/10/23	Jurisdictional Classification	To classify positions in the exempt class and the non-competitive classes
CVS-32-22-00008-P	08/10/23	Jurisdictional Classification	To classify positions in the exempt class.
CVS-32-22-00009-P	08/10/23	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-32-22-00010-P	08/10/23	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-32-22-00011-P	08/10/23	Jurisdictional Classification	To classify positions in the exempt class and to delete positions from and to classify positions the non-competitive class
CVS-32-22-00012-P	08/10/23	Jurisdictional Classification	To classify positions in the non-competitive class

**Action Pending Index****NYS Register/November 2, 2022**

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>CIVIL SERVICE, DEPARTMENT OF</b>			
CVS-32-22-00013-P	08/10/23	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-32-22-00014-P	08/10/23	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-32-22-00015-P	08/10/23	Jurisdictional Classification	To classify positions in the exempt class.
CVS-32-22-00016-P	08/10/23	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-32-22-00017-P	08/10/23	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-32-22-00018-P	08/10/23	Jurisdictional Classification	To classify positions in the exempt class and the non-competitive classes
CVS-41-22-00003-P	10/12/23	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-41-22-00004-P	10/12/23	Jurisdictional Classification	To delete positions from and to classify positions in the exempt class.
CVS-41-22-00005-P	10/12/23	Jurisdictional Classification	To classify positions in the exempt class.
CVS-41-22-00006-P	10/12/23	Jurisdictional Classification	To delete positions from and classify a position in the non-competitive class
CVS-41-22-00007-P	10/12/23	Jurisdictional Classification	To classify positions in the exempt class.
CVS-41-22-00008-P	10/12/23	Jurisdictional Classification	To delete a subheading and positions from and to add a subheading and classify positions in the exempt class
CVS-41-22-00009-P	10/12/23	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-41-22-00010-P	10/12/23	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-41-22-00011-P	10/12/23	Jurisdictional Classification	To classify a position in the exempt class.
CVS-41-22-00012-P	10/12/23	Jurisdictional Classification	To classify a position in the exempt class and to classify positions in the non-competitive class
CVS-41-22-00013-P	10/12/23	Jurisdictional Classification	To classify positions in the exempt class and to classify positions from the non-competitive class
CVS-41-22-00014-P	10/12/23	Jurisdictional Classification	To classify positions in the exempt class.
CVS-41-22-00015-P	10/12/23	Jurisdictional Classification	To classify positions in the exempt class.
<b>CORRECTION, STATE COMMISSION OF</b>			
CMC-43-22-00002-EP	10/26/23	Medication assisted treatment.	Set minimum standards for a program of medication assisted treatment in jails.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>CORRECTIONS AND COMMUNITY SUPERVISION, DEPARTMENT OF</b>			
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-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
CCS-31-22-00002-P	08/03/23	Privileged Correspondence	To update law changes regarding correspondence from CANY
CCS-39-22-00001-P	09/28/23	Closed Facilities	To repeal the rules establishing facilities that have closed
<b>CRIMINAL JUSTICE SERVICES, DIVISION OF</b>			
CJS-32-22-00028-P	08/10/23	NYS Forensic Laboratory Accreditation Standards	To add ISO/IEC 17020 as a standard.
<b>ECONOMIC DEVELOPMENT, DEPARTMENT OF</b>			
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-32-22-00019-EP	08/10/23	Digital Gaming Media Production Tax Credit program	To create the administrative process for the program and conform to statute
EDV-37-22-00002-P	09/14/23	Empire State Film Production Tax Credit Program	To update the additional administrative process of this tax credit program
EDV-42-22-00001-P	10/19/23	Excelsior Jobs Program	To update the additional administrative process of this tax credit program
<b>EDUCATION DEPARTMENT</b>			
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-22-22-00008-ERP	06/01/23	Instruction provided to students in a home, hospital, or institutional setting other than a school (homebound instruction)	To provide clarity as to the circumstances under which homebound instruction may be requested and delivered
EDU-22-22-00009-ERP	06/01/23	Implementing the Dominic Murray Sudden Cardiac Arrest Prevention Act	To implement the Dominic Murray Sudden Cardiac Arrest Prevention Act
EDU-30-22-00010-EP	07/27/23	Mental health practitioners' diagnosis privilege	To implement Chapter 230 of the Laws of 2022 relating to mental health practitioners' diagnosis privilege
EDU-39-22-00010-EP	09/28/23	Remote instruction and its delivery under emergency conditions and length of school days for approved school-age and preschool programs serving students with disabilities	To permit approved school-age and preschool programs serving students with disabilities to provide remote instruction on days they would otherwise close due to an emergency
EDU-39-22-00011-P	09/28/23	Appeals to the Commissioner of Education under Education Law § 310	To amend requirements
EDU-39-22-00012-EP	09/28/23	Laboratory experience required to take a science Regents examination	To permit students to satisfy laboratory requirement through a combination of hands-on and simulated laboratory experience

**Action Pending Index****NYS Register/November 2, 2022**

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>EDUCATION DEPARTMENT</b>			
EDU-39-22-00013-P	09/28/23	Degree and experience requirements for college professors for the Tran G Certificate and the Individual Evaluation Pathway	To amend degree and experience requirements for college professors for the Traditional G certificate
EDU-39-22-00014-EP	09/28/23	Independent nurse practitioner practice	To implement Part C of Chapter 57 of the Laws of 2022
EDU-39-22-00015-EP	09/28/23	School Safety Plans	To conforms the regulations to the amendments made to Education Law § 2801-a by Chapter 227 of the Laws of 2022
EDU-39-22-00016-EP	09/28/23	Universal Prekindergarten Program (UPK) Staffing Qualifications	To conform the Commissioner's regulations to Part A of Chapter 56 of the Laws of 2022
EDU-39-22-00017-EP	09/28/23	Execution by registered professional nurses of non-patient specific orders to administer COVID-19 and influenza tests.	To implement Part C of Chapter 57 of the Laws of 2022.
EDU-42-22-00004-P	10/19/23	Student teaching requirements for registered teacher preparation programs and through the individual evaluation pathway.	To extend for one year the timeline for programs to implement the new student teaching requirements
EDU-42-22-00005-P	10/19/23	The definition of "prospective school employee."	To include individuals who will reasonably be expected to have telephonic communication or interaction with students.
EDU-42-22-00006-EP	10/19/23	Restarting the Accountability System Using 2021-2022 School Year Results	To align the commissioner's regulations with approved State plan addendum
EDU-42-22-00007-P	10/19/23	Deferment of the declaration of a major by matriculated students for state financial aid purposes	To allow students who matriculate with college credits to have additional time
EDU-42-22-00008-EP	10/19/23	The practice of registered dental assisting.	To conform the Commissioner's regulations with Chapter 512 of the Laws of 2022 and Chapter 390 of the Laws of 2019.
EDU-42-22-00009-EP	10/19/23	Requirements for members of the standing committee for the Regents examination appeals process.	To provide flexibility on who may serve as a member of the standing committee for the Regents examination appeals process.
<b>ELECTIONS, STATE BOARD OF</b>			
SBE-30-22-00004-EP	07/27/23	Providing conforming signature collection requirements in regulation to conform with statute	To conform regulatory provisions to statutory provisions related to signature requirements
SBE-30-22-00005-EP	07/27/23	Providing revised deadline for designation of poll sites and new thresholds for number of early voting sites required	To conform regulatory provisions to canvassing provisions provided for by chapter 781 of Laws of 2021
<b>ENERGY RESEARCH AND DEVELOPMENT AUTHORITY, NEW YORK STATE</b>			
ERD-37-22-00009-P	09/14/23	Appliance and Equipment Efficiency Standards	To establish Appliance and Equipment Efficiency Standards for products specified in Energy Law Section 16-104(1).

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>ENVIRONMENTAL CONSERVATION, DEPARTMENT OF</b>			
ENV-51-21-00003-P	04/07/23	Environmental Remediation Programs	To amend 6 NYCRR Part 375, Environmental Remediation Programs
ENV-20-22-00003-P	07/19/23	Solid Waste Management Regulations	Amend the rules that implement the solid waste program in New York State to incorporate changes in law and implementation
ENV-22-22-00016-P	06/01/23	SPDES Incorporation by Reference	Update SPDES Incorporation by Reference
ENV-23-22-00007-P	08/17/23	Prohibition of glyphosate use by state departments, state agencies, and public benefit corporations on state property	Prohibit the use of glyphosate by state agencies, state departments, public benefit corporations unless exempted
ENV-27-22-00006-EP	07/06/23	Regulations governing recreational fishing of scup and black sea bass	To reduce the recreational harvest of scup and black sea bass in New York
ENV-28-22-00010-EP	07/13/23	Sanitary Condition of Shellfish Lands	To reclassify underwater shellfish lands to protect public health and general welfare.
ENV-28-22-00011-P	09/13/23	Forest Tax Law	Improving and sustainably managing New York's forest resources and lessening the administrative burden on participants/DEC staff
ENV-29-22-00001-P	07/20/23	Special licenses and permits; Marine Resources licenses and permits - Uniform Procedures.	Update regulations to reflect the reestablishment of the Division of Marine Resources and creation of new licenses and permits.
ENV-31-22-00001-EP	08/03/23	Peekamoose Valley Riparian Corridor	Protect public health, safety and general welfare and natural resources on the Peekamoose Valley Riparian Corridor
ENV-32-22-00026-EP	08/10/23	To prohibit the possession of shortfin mako	To protect shortfin mako sharks which are overfished and experiencing overfishing
ENV-33-22-00004-P	10/20/23	Amendments to the regulations (6 NYCRR Part 621) that implement ECL article 70 (Uniform Procedures Act) and related changes	DEC is proposing the amendments as a general update to Part 621, with conforming changes to Parts 421 and 601
<b>ETHICS AND LOBBYING IN GOVERNMENT, COMMISSION ON</b>			
ELG-43-22-00010-EP	10/26/23	Adjudicatory proceedings and appeals procedures for matters under the Commission's jurisdiction	To streamline and advance the investigative process and thereby facilitate the expeditious and efficient performance of the Commission on Ethics and Lobbying in Government's investigative and enforcement duties as set forth in Section 94 of the Executive Law
<b>FINANCIAL SERVICES, DEPARTMENT OF</b>			
*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-RP	01/18/23	Disclosure requirements for certain providers of commercial financing transactions	To provide new disclosure rules for small business financings

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>FINANCIAL SERVICES, DEPARTMENT OF</b>			
DFS-44-21-00015-RP	02/01/23	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-RP	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-24-22-00010-P	06/15/23	Licensed Cashers of Checks; Fees	To change the maximum fee that may be charged by licensed check cashers and remove an automatic inflation adjustment
DFS-41-22-00021-P	10/12/23	Charges for Professional Health Services	To establish schedules of maximum permissible charges for professional health services payable as no-fault insurance benefits
<b>GAMING COMMISSION, NEW YORK STATE</b>			
SGC-29-22-00010-P	07/20/23	Comprehensive regulations for interactive fantasy sports	To regulate interactive fantasy sports in New York.
SGC-36-22-00003-P	09/07/23	Designation of substitute stewards.	To conform the substitute stewards rule to the current statute.
SGC-40-22-00009-P	10/05/23	The licensing and registration of gaming facility employees and vendors.	To govern the licensing and registration of gaming facility employees and vendors.
SGC-40-22-00010-P	10/05/23	Ineligible potential claimants in Thoroughbred claiming races.	To establish procedures for identifying ineligible claimants and resolving challenges to claims.
<b>HEALTH, DEPARTMENT OF</b>			
*HLT-14-94-00006-P	exempt	Payment methodology for HIV/AIDS outpatient services	To expand the current payment to incorporate pricing for services
HLT-46-21-00005-RP	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-RP	11/17/22	Minimum Staffing Requirements for Nursing Homes	Requiring minimum staffing levels for nursing homes
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-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>HEALTH, DEPARTMENT OF</b>			
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-23-22-00001-P	06/08/23	Hospital and Nursing Home Personal Protective Equipment (PPE) Requirements	To ensure that all general hospitals and nursing homes maintain a 60-day supply of PPE during the COVID-19 emergency
HLT-26-22-00003-P	06/29/23	Repeal of Limits on Administrative Expenses and Executive Compensation	Repeal of Limits on Administrative Expenses and Executive Compensation
HLT-29-22-00003-P	07/20/23	Public Water Systems	Correct typographical errors&inconsistencies with the CFRs to obtain primacy enforcement authority under Safe Drinking Water Act
HLT-39-22-00004-P	09/28/23	Repeal of Collection of Source Plasma	Repeal of Collection of Source Plasma
HLT-39-22-00018-P	09/28/23	Source Plasma Donation Centers	To distinguish source plasma donation centers as a separate regulatory entity from blood banks
HLT-39-22-00019-P	09/28/23	Private Duty Nursing (PDN) Services to Medically Fragile Adults	To increase PDN fee-for-service reimbursement for nursing services provided to medically fragile adults
HLT-39-22-00020-P	11/07/23	Early Intervention Program	To conform existing program regulations to federal regulations and state statute, as well as to provide additional clarification
HLT-40-22-00002-P	10/05/23	Maximum Contaminant Levels (MCLs)	To adopt Maximum Contaminant Levels (MCLs) for four (4) additional per- and polyfluoroalkyl substances (PFAS).
HLT-41-22-00016-P	10/12/23	Licensure and Practice of Nursing Home Administration	To clarify and update the nursing home administrator licensure program.
HLT-42-22-00002-P	10/19/23	Medical Respite Program (MRP)	Establish procedures for review & approval of applications from a not-for-profit corporation to be certified as an MRP operator.
HLT-43-22-00003-EP	10/26/23	Monkeypox Virus to the List of Sexually Transmitted Diseases (STDs)	To add the Monkeypox Virus to the list of sexually transmitted diseases (STDs).

**HOUSING AND COMMUNITY RENEWAL, DIVISION OF**

HCR-35-22-00004-P	11/15/23	The City Rent and Eviction Regulations governing rent control in New York City.	To implement changes required or informed by the Housing Stability and Tenant Protection Act of 2019.
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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>HOUSING AND COMMUNITY RENEWAL, DIVISION OF</b>			
HCR-35-22-00005-P	11/15/23	The Emergency Tenant Protection Regulations regulating residential rents and evictions.	To implement changes required or informed by the Housing Stability and Tenant Protection Act of 2019.
HCR-35-22-00006-P	11/15/23	The State Rent and Eviction Regulations governing statewide rent control.	To implement changes required or informed by the Housing Stability and Tenant Protection Act of 2019.
HCR-35-22-00007-P	11/15/23	The Rent Stabilization Code regulating residential rents and evictions.	To implement changes required or informed by the Housing Stability and Tenant Protection Act of 2019.
<b>JUDICIAL CONDUCT, STATE COMMISSION ON</b>			
JDC-40-22-00008-P	10/05/23	Update of Definitions, pronouns, clarification of rules involving the work of the Commission; Commission hearings	To update Commission rules to reflect advances in technology and the use of non-gendered pronouns
<b>LABOR, DEPARTMENT OF</b>			
*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-37-22-00004-P	09/14/23	Prevailing Wage for Aggregate Hauling	To clarify the application Labor Law § 220(3-a)(f)
LAB-41-22-00022-P	10/12/23	Minimum Wage Increase	To comply with Sections 652 and 673 of the Labor Law, by adopting minimum wage increases for farmworkers
LAB-41-22-00023-P	10/12/23	Minimum Wage Increases	To implement minimum wage increases pursuant to Labor Law 652(1)(c)
LAB-41-22-00024-P	10/12/23	Overtime Thresholds for Farm Laborers	To implement incremental reductions in overtime pay thresholds for farm laborers
LAB-44-22-00001-P	11/02/23	Public Employees Occupational Safety and Health Standards	To incorporate by reference updates to OSHA standards into the State Public Employee Occupational Safety and Health Standards
<b>LAKE GEORGE PARK COMMISSION</b>			
LGP-36-22-00006-P	11/09/23	Addition of Waste Water Management Regulations within the Lake George Park	The proposed regulations are intended to protect the waters of Lake George from wastewater pollution
<b>LAW, DEPARTMENT OF</b>			
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"



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>LIQUOR AUTHORITY, STATE</b>			
LQR-26-22-00001-P	09/14/23	Ensuring smaller retailers are not unlawfully discriminated against through the charging of exorbitant split case fees	To ensure smaller retailers are not unlawfully discriminated against through the charging of exorbitant split case fees
LQR-36-22-00001-P	11/22/23	Minimum curriculum requirements for ATAP schools	To add information regarding human trafficking awareness and prevention to minimum curriculum requirements for ATAP schools
<b>LONG ISLAND POWER AUTHORITY</b>			
*LPA-08-01-00003-P	exempt	Pole attachments and related matters	To approve revisions to the authority's tariff
*LPA-41-02-00005-P	exempt	Tariff for electric service	To revise the tariff for electric service
*LPA-04-06-00007-P	exempt	Tariff for electric service	To adopt provisions of a ratepayer protection plan
*LPA-03-10-00004-P	exempt	Residential late payment charges	To extend the application of late payment charges to residential customers
*LPA-15-18-00013-P	exempt	Outdoor area lighting	To add an option and pricing for efficient LED lamps to the Authority's outdoor area lighting
*LPA-37-18-00013-P	exempt	The net energy metering provisions of the Authority's Tariff for Electric Service	To implement PSC guidance increasing eligibility for value stack compensation to larger projects
*LPA-37-18-00017-P	exempt	The treatment of electric vehicle charging in the Authority's Tariff for Electric Service	To effectuate the outcome of the Public Service Commission's proceeding on electric vehicle supply equipment
*LPA-37-18-00018-P	exempt	The treatment of energy storage in the Authority's Tariff for Electric Service	To effectuate the outcome of the Public Service Commission's proceeding on the NY Energy Storage Roadmap
*LPA-09-20-00010-P	exempt	To update and implement latest requirements for ESCOs proposing to do business within the Authority's service territory	To strengthen customer protections and be consistent with Public Service Commission orders on retail energy markets
*LPA-28-20-00033-EP	exempt	LIPA's late payment charges, reconnection charges, and low-income customer discount enrollment	To allow waiver of late payment and reconnection charges and extend the grace period for re-enrolling in customer bill discounts
*LPA-37-20-00013-EP	exempt	The terms of deferred payment agreements available to LIPA's commercial customers	To expand eligibility for and ease the terms of deferred payment agreements for LIPA's commercial customers
*LPA-12-21-00011-P	exempt	LIPA's Long Island Choice (retail choice) tariff	To simplify and improve Long Island Choice based on stakeholder collaborative input
LPA-17-22-00012-P	exempt	COVID-19 arrears forgiveness and low-income customer discount eligibility	To implement an arrears forgiveness program and expand low-income customer discount eligibility
LPA-17-22-00014-P	exempt	LIPA's delivery service adjustment cost recovery rider	To ensure recovery of T&D property tax expenses consistent with the LIPA Reform Act, at the lowest cost to LIPA customers
LPA-37-22-00010-P	exempt	The Solar Communities Program	To provide bill savings benefits to customers participating in Solar Communities.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>LONG ISLAND POWER AUTHORITY</b>			
LPA-37-22-00012-P	..... exempt	The Authority's Small Generator Interconnection Procedures for Distributed Generators and/or Energy Storage Systems.	Alignment with New York's statewide cost sharing framework
LPA-37-22-00013-P	..... exempt	The Authority's annual budget and retail rates.	Implementation of the Authority's annual budget and corresponding rate adjustments.
LPA-37-22-00014-P	..... exempt	The Large Renewable Host Community Benefit Program.	To share the benefits of large renewable projects with host communities.
LPA-37-22-00015-P	..... exempt	Long Island Choice Program	To eliminate potential barriers to the retail choice market in Long Island.
LPA-37-22-00016-P	..... exempt	Bill credits and food and medicine spoilage reimbursements during widespread prolonged outages	To provide relief to customers who experience prolonged outages
<b>MEDICAID INSPECTOR GENERAL, OFFICE OF</b>			
MED-28-22-00016-P	..... 07/13/23	Medicaid Program Fraud, Waste and Abuse Prevention	To establish requirements for providers to detect and prevent fraud, waste and abuse in the Medicaid Program.
<b>MENTAL HEALTH, OFFICE OF</b>			
OMH-23-22-00021-P	..... 06/08/23	Relating to the certification, operation and reimbursement of clinic treatment programs serving adults and children	To align such program with the State Plan Amendment
<b>METROPOLITAN TRANSPORTATION AGENCY</b>			
MTA-16-22-00008-EP	..... 04/20/23	Requiring mask wearing when mandated for indoor facilities and conveyances of the MTA & its affiliates and subsidiaries	To safeguard the public health and safety by adding a rule requiring the use of masks in facilities & conveyances when mandated
<b>NIAGARA FALLS WATER BOARD</b>			
*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
<b>OGDENSBURG BRIDGE AND PORT AUTHORITY</b>			
*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
<b>PARKS, RECREATION AND HISTORIC PRESERVATION, OFFICE OF</b>			
PKR-30-22-00001-P	07/27/23	Listing of state parks, parkways, recreation facilities and historic sites (facilities) and address/contact updates	To update the listing of state parks, parkways, recreation facilities and historic sites and the address/contact information
<b>PEOPLE WITH DEVELOPMENTAL DISABILITIES, OFFICE FOR</b>			
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-10-22-00010-EP	03/09/23	Training Flexibilities	To provide flexibility in training requirements
PDD-26-22-00005-P	06/29/23	Gender Identity and Expression	To ensure people are treated with dignity and respect
<b>POWER AUTHORITY OF THE STATE OF NEW YORK</b>			
*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
<b>PUBLIC EMPLOYMENT RELATIONS BOARD</b>			
PRB-30-22-00003-P	07/27/23	Rules and regulations to effectuate the purposes of the State Employment Relations Act (Labor Law art. 20)	To enact procedures for the Farm Laborers Fair Laborers Practice Act, which amended the State Employment Relations Act
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-09-99-00012-P	exempt	Transfer of books and records by Citizens Utilities Company	To relocate Ogden Telephone Company's books and records out-of-state
*PSC-15-99-00011-P	exempt	Electronic tariff by Woodcliff Park Corp.	To replace the company's current tariff with an electronic tariff
*PSC-12-00-00001-P	exempt	Winter bundled sales service election date by Central Hudson Gas & Electric Corporation	To revise the date
*PSC-44-01-00005-P	exempt	Annual reconciliation of gas costs by Corning Natural Gas Corporation	To authorize the company to include certain gas costs
*PSC-07-02-00032-P	exempt	Uniform business practices	To consider modification
*PSC-36-03-00010-P	exempt	Performance assurance plan by Verizon New York	To consider changes
*PSC-40-03-00015-P	exempt	Receipt of payment of bills by St. Lawrence Gas Company	To revise the process
*PSC-41-03-00010-P	exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-41-03-00011-P	exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-22-06-00019-P	..... exempt	Hourly pricing by National Grid	To assess the impacts
*PSC-22-06-00020-P	..... exempt	Hourly pricing by New York State Electric & Gas Corporation	To assess the impacts
*PSC-22-06-00021-P	..... exempt	Hourly pricing by Rochester Gas & Electric Corporation	To assess the impacts
*PSC-22-06-00022-P	..... exempt	Hourly pricing by Consolidated Edison Company of New York, Inc.	To assess the impacts
*PSC-22-06-00023-P	..... exempt	Hourly pricing by Orange and Rockland Utilities, Inc.	To assess the impacts
*PSC-24-06-00005-EP	..... exempt	Supplemental home energy assistance benefits	To extend the deadline to Central Hudson's low-income customers
*PSC-25-06-00017-P	..... exempt	Purchased power adjustment by Massena Electric Department	To revise the method of calculating the purchased power adjustment and update the factor of adjustment
*PSC-34-06-00009-P	..... exempt	Inter-carrier telephone service quality standards and metrics by the Carrier Working Group	To incorporate appropriate modifications
*PSC-37-06-00015-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-37-06-00017-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-43-06-00014-P	..... exempt	Electric delivery services by Strategic Power Management, Inc.	To determine the proper mechanism for the rate-recovery of costs
*PSC-04-07-00012-P	..... exempt	Petition for rehearing by Orange and Rockland Utilities, Inc.	To clarify the order
*PSC-06-07-00015-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for electric service
*PSC-06-07-00020-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for gas service
*PSC-11-07-00010-P	..... exempt	Investigation of the electric power outages by the Consolidated Edison Company of New York, Inc.	To implement the recommendations in the staff's investigation
*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
<b>PUBLIC SERVICE COMMISSION</b>			
*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
<b>PUBLIC SERVICE COMMISSION</b>			
*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
<b>PUBLIC SERVICE COMMISSION</b>			
*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
<b>PUBLIC SERVICE COMMISSION</b>			
*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
<b>PUBLIC SERVICE COMMISSION</b>			
*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
<b>PUBLIC SERVICE COMMISSION</b>			
*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
<b>PUBLIC SERVICE COMMISSION</b>			
*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
<b>PUBLIC SERVICE COMMISSION</b>			
*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
<b>PUBLIC SERVICE COMMISSION</b>			
*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
<b>PUBLIC SERVICE COMMISSION</b>			
*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
<b>PUBLIC SERVICE COMMISSION</b>			
*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
<b>PUBLIC SERVICE COMMISSION</b>			
*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
<b>PUBLIC SERVICE COMMISSION</b>			
*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
<b>PUBLIC SERVICE COMMISSION</b>			
*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
<b>PUBLIC SERVICE COMMISSION</b>			
*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
<b>PUBLIC SERVICE COMMISSION</b>			
*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
<b>PUBLIC SERVICE COMMISSION</b>			
*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
<b>PUBLIC SERVICE COMMISSION</b>			
*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-25-16-00009-P	..... exempt	To delay Companies' third-party assessments of customer personally identifiable information until 2018	To extend the time period between the Companies' third-party assessments of customer personally identifiable information
*PSC-25-16-00025-P	..... exempt	Acquisition of all water supply assets of Woodbury Heights Estates Water Co., Inc. by the Village of Kiryas Joel	To consider acquisition of all water supply assets of Woodbury Heights Estates Water Co., Inc. by the Village of Kiryas Joel



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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
*PSC-18-17-00026-P	..... exempt	Revisions to the Dynamic Load Management surcharge	To consider revisions to the Dynamic Load Management surcharge

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<b>PUBLIC SERVICE COMMISSION</b>			
*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
<b>PUBLIC SERVICE COMMISSION</b>			
*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 Aspiry for its non-compliance with Commission requirements	To ensure the provision of safe and adequate energy service at just and reasonable rates
*PSC-24-18-00013-P	..... exempt	Implementation of program rules for Renewable Energy Standard and ZEC requirements	To promote and maintain renewable and zero-emission electric energy resources
*PSC-28-18-00011-P	..... exempt	Storm Hardening Collaborative Report	To ensure safe and adequate gas service
*PSC-29-18-00008-P	..... exempt	Participation in Targeted Accessibility Fund	To encourage enhanced services for low-income consumers
*PSC-29-18-00009-P	..... exempt	Overvaluing real property tax expense recovery in water rates	To prevent unjust and unreasonable water rates
*PSC-34-18-00015-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and energy efficiency protections are in place

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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
<b>PUBLIC SERVICE COMMISSION</b>			
*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-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-08-20-00003-P	..... exempt	PSC regulation 16 NYCRR § 86.3(a)(2) and 86.3(b)(2)	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-10-20-00003-P	..... exempt	The Commission's statewide low-income discount policy	To consider modifications to certain conditions regarding utility low-income discount programs
*PSC-12-20-00008-P	..... exempt	Delivery rates of Corning Natural Gas Corporation	Whether to postpone the implementation of a change in rates that would otherwise become effective on June 1, 2020
*PSC-15-20-00011-P	..... exempt	To modify the terms and conditions under which gas utilities provide service to electric generators	To provide clarity and uniformity to the provision of gas service to electric generators

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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-18-20-00015-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-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

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<b>PUBLIC SERVICE COMMISSION</b>			
*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-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-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-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-17-21-00005-P	..... exempt	Submetering equipment	To consider use of submetering equipment and if it is in the public interest
*PSC-17-21-00006-P	..... exempt	Community Choice Aggregation and Community Distributed Generation	To consider permitting opt-out Community Distributed Generation to be offered as the sole product in an aggregation
*PSC-17-21-00007-P	..... exempt	Utility studies of climate change vulnerabilities	To assess the need for utilities to conduct distinct studies of their climate change vulnerabilities
*PSC-18-21-00004-P	..... exempt	Community Choice Aggregation programs	To modify and improve Community Choice Aggregation programs in New York State
*PSC-18-21-00006-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-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

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<b>PUBLIC SERVICE COMMISSION</b>			
*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-26-21-00011-P	..... exempt	Notice of intent to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
*PSC-28-21-00012-P	..... exempt	Transfer of ownership interests in a 55 megawatt natural gas-fired cogeneration facility located in North Tonawanda, NY	To address the proposed transfer and any matters within the public interest
*PSC-28-21-00013-P	..... exempt	Elimination of internal audits of wholesale performance metrics	To consider Verizon New York Inc.'s petition to eliminate requirements for certain internal audits
*PSC-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-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
*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-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



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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-39-21-00007-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-46-21-00014-P	..... exempt	Waiver of tariff rules and a related Commission regulation	To consider whether a waiver of tariff rules and a Commission regulation are just and reasonable and in the public interest
PSC-47-21-00003-P	..... exempt	Utility processes for customers to consent to sharing data with third parties and how consent options will be communicated	To develop standardized consent requirements that will increase customer familiarity with appropriate data sharing and access
PSC-47-21-00005-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-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-50-21-00011-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-01-22-00013-P	..... exempt	Interconnection costs	To consider a petition requesting relief from interconnection costs assigned by the interconnecting utility
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-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-04-22-00004-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-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

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<b>PUBLIC SERVICE COMMISSION</b>			
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-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-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
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-13-22-00009-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-13-22-00011-P	..... exempt	Positive revenue adjustments associated with emergency response, damage prevention and leak management for 2020	To consider a rehearing petition
PSC-13-22-00014-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-14-22-00008-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-18-22-00002-P	..... exempt	NYSEG and RG&E's petition for a waiver of its 2021 customer service quality performance	To determine if NYSEG and RG&E's petition for waiver is in the public interest
PSC-18-22-00007-P	..... exempt	Extension of deadline	Whether it is in the public interest to extend the deadline to allow the developer more time to energize residential units
PSC-19-22-00021-P	..... exempt	Brooklyn Clean Energy Hub and cost recovery	To meet the Climate Leadership and Community Protection Act's goal of 9,000 megawatts of offshore wind generation
PSC-19-22-00022-P	..... exempt	Modification of Con Edison's electric tariff	To either eliminate or waive a provision of the Standby Service Offset Tariff
PSC-20-22-00008-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-20-22-00009-P	..... exempt	Modify lease of utility property	To determine whether to authorize the extension and amendment of the lease of the Volney-Marcy transmission line
PSC-20-22-00010-P	..... exempt	Waiver of 16 NYCRR Sections 86.3(a)(1), 86.3(a)(2), 86.3(b)(2), 86.4(b)	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
PSC-20-22-00011-P	..... exempt	Establishment of the regulatory regime applicable to a wind electric generating facility	To ensure appropriate regulation of a new electric corporation

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<b>PUBLIC SERVICE COMMISSION</b>			
PSC-20-22-00012-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-21-22-00005-P	..... exempt	To implement the non-pipe alternative factor to recover the costs of approved alternative infrastructure projects	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
PSC-21-22-00007-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether Atlantic Energy, LLC should be permitted to offer its LED Lighting product to mass market customers
PSC-21-22-00008-P	..... exempt	Cybersecurity requirements	Modify the framework to ensure the protection of utility systems and customer data from cyber events
PSC-21-22-00010-P	..... exempt	Transfer of control of cable television franchises and systems	To consider whether the transfer of control of cable franchises is in the public interest
PSC-21-22-00011-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether Atlantic Energy, LLC should be permitted to offer its Smart Home Program product to mass market customers
PSC-22-22-00014-P	..... exempt	Amendments to the Standardized Interconnection Requirements	To consider changes to accommodate the interconnection of distributed energy resources by governmental entities
PSC-23-22-00022-P	..... exempt	Transfer of Arbor Hills' assets and a rate proposal regarding investments made by Liberty in the Arbor Hills system	To determine if the transfer of Arbor Hills' assets and a rate proposal is in the public interest
PSC-23-22-00024-P	..... exempt	Minor rate filing	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
PSC-24-22-00004-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-24-22-00006-P	..... exempt	The replacement of existing cellular antennas on a transmission tower	Whether authorizing the petition is in the public interest
PSC-24-22-00007-P	..... exempt	St. Lawrence Gas' petition for a waiver of its 2021 service quality performance	To determine if St. Lawrence Gas' petition for waiver is in the public interest
PSC-24-22-00008-P	..... exempt	Waiver of tariff rules and a related Commission regulation	To consider whether a waiver of tariff rules and a Commission regulation are just and reasonable and in the public interest
PSC-24-22-00009-P	..... exempt	The replacement of existing cellular antennas on a transmission tower	Whether authorizing the petition is in the public interest
PSC-25-22-00005-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-25-22-00006-P	..... exempt	The financial impacts of the COVID-19 pandemic	To consider measures to provide relief to those financially impacted by the COVID-19 pandemic

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<b>PUBLIC SERVICE COMMISSION</b>			
PSC-25-22-00007-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-26-22-00008-P	..... exempt	Compensation under the Value of Distributed Energy Resources tariff	To consider compensation mechanisms for legacy baseline hydroelectric and other renewable energy resources
PSC-26-22-00009-P	..... exempt	Minor rate filing	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
PSC-27-22-00004-P	..... exempt	Establishment of the regulatory regime applicable to a solar electric generating facility	To ensure appropriate regulation of a new electric corporation
PSC-28-22-00015-P	..... exempt	Conditions for mitigating potential vertical market power risk.	To reconsider conditions imposed on the ownership of transmission and generation assets to mitigate vertical market power risk.
PSC-29-22-00005-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-29-22-00006-P	..... exempt	Minor rate filing.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-29-22-00007-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-29-22-00008-P	..... exempt	The replacement of existing cellular antennas on a transmission tower.	Whether authorizing the petition is in the public interest.
PSC-30-22-00008-P	..... exempt	Green gas products.	To consider whether the proposed green gas products should be offered to mass-market customers by ESCOs.
PSC-30-22-00009-P	..... exempt	Establishment of the regulatory regime applicable to a battery storage project.	To ensure appropriate regulation of an electric corporation.
PSC-31-22-00003-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-31-22-00005-P	..... exempt	Proposed major rate increase in NYSEG's electric delivery revenues of approximately \$274 million (or 16.8% in total revenues).	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-31-22-00006-P	..... exempt	Proposed major rate increase in NYSEG's gas delivery revenues of approximately \$43.4 million (or 9.8% in total revenues).	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-31-22-00007-P	..... exempt	Proposed major rate increase in RG&E's gas delivery revenues of approximately \$37.7 million (or 9.7% in total revenues).	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-31-22-00008-P	..... exempt	Pension settlement payout losses incurred in 2021.	Consideration of Liberty's petition to defer and amortize, for future rate recognition, pension payout losses incurred in 2021.
PSC-31-22-00009-P	..... exempt	Proposed major rate increase in RG&E's electric delivery revenues of approximately \$93.8 million (or 11.3% in total revenues).	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.

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<b>PUBLIC SERVICE COMMISSION</b>			
PSC-32-22-00022-P	..... exempt	Establishment of the regulatory regime applicable to a wind electric generating facility.	To ensure appropriate regulation of a new electric corporation.
PSC-32-22-00023-P	..... exempt	Bioenergy generation in New York.	To consider compensation for bioenergy generation.
PSC-32-22-00024-P	..... exempt	The proposed transfer of real property interests associated with an electric corporation.	Consideration of whether the proposed transfer is in the public interest.
PSC-32-22-00025-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-32-22-00027-P	..... 08/10/23	Use of preferred name and pronouns.	To provide residential applicants and customers of utilities the option to use their preferred name and/or pronouns.
PSC-33-22-00005-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-33-22-00006-P	..... exempt	Use of gas metering equipment.	To consider use of volume corrector and ensure that consumer bills will be based on accurate measurements of gas usage.
PSC-33-22-00007-P	..... exempt	PSC Regulations 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-33-22-00008-P	..... exempt	Gas moratorium consumer protections.	To consider protections for existing and prospective customers should a utility institutes a moratorium on new gas service.
PSC-33-22-00009-P	..... exempt	Use of electric metering equipment.	To consider use of electric metering equipment and ensure consumer bills are based on accurate measurements of electric usage.
PSC-34-22-00003-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-34-22-00004-P	..... exempt	Clean Energy Standard administration.	To authorize the funding necessary for continued implementation of the Clean Energy Standard.
PSC-34-22-00005-P	..... exempt	Transfer of a Certificate of Environmental Compatibility and Public Need.	Consideration of whether the proposed transfer is in the public interest.
PSC-34-22-00006-P	..... exempt	Pole attachment rates.	To provide just and reasonable pole attachment rates.
PSC-34-22-00007-P	..... exempt	Use of electric metering equipment.	To consider use of an electric meter, and ensure consumer bills are based on accurate measurements of electric usage.
PSC-34-22-00008-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-36-22-00004-P	..... exempt	A petition for the transfer of utility property, granting of a CPCN, and lightened regulation.	To determine if it is in the public interest.

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<b>PUBLIC SERVICE COMMISSION</b>			
PSC-36-22-00005-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-37-22-00005-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-37-22-00006-P	..... exempt	Assessment of the need of the project for 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-37-22-00007-P	..... 09/14/23	Implementation of enhanced emergency contingency plans by telephone and cable companies, including storm response and credits.	To implement enhanced storm readiness and response by telephone and cable companies.
PSC-37-22-00008-P	..... 09/14/23	Technical amendments of state regulations and administrative corrections.	To make the provisions of natural gas service safer in New York State.
PSC-38-22-00002-P	..... exempt	Standby Service Rates, Buyback Service Rates, and optional mass market demand rates.	To establish updated Standby Service and Buyback Service Rates, and establish new optional mass market demand rates.
PSC-38-22-00003-P	..... exempt	A debt financing arrangement with respect to a proposed solar generation project.	To consider the requested financing arrangement, and if approved, what regulatory conditions should apply.
PSC-38-22-00004-P	..... exempt	Establishment of the regulatory regime applicable to a battery storage project.	To ensure appropriate regulation of an electric corporation.
PSC-38-22-00005-P	..... exempt	Standby Service Rates, Buyback Service Rates, and optional mass market demand rates.	To establish updated Standby Service and Buyback Service Rates, and establish new optional mass market demand rates.
PSC-38-22-00006-P	..... exempt	Standby Service Rates, Buyback Service Rates, and optional mass market demand rates.	To establish updated Standby Service and Buyback Service Rates, and establish new optional mass market demand rates.
PSC-38-22-00007-P	..... exempt	Standby Service Rates, Buyback Service Rates, and optional mass market demand rates.	To establish updated Standby Service and Buyback Service Rates, and establish new optional mass market demand rates.
PSC-38-22-00008-P	..... exempt	Consideration of a Long Island Offshore Wind Export PPTN under the NYISO's planning process.	To determine whether the NYISO should proceed to select a solution to the identified Long Island Offshore Wind Export PPTN.
PSC-38-22-00009-P	..... exempt	Standby Service Rates, Buyback Service Rates, and optional mass market demand rates.	To establish updated Standby Service and Buyback Service Rates, and establish new optional mass market demand rates.
PSC-38-22-00010-P	..... exempt	Standby Service Rates, Buyback Service Rates, and optional mass market demand rates.	To establish updated Standby Service and Buyback Service Rates, and establish new optional mass market demand rates.
PSC-39-22-00006-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-39-22-00007-P	..... exempt	Transfer of indirect ownership of cable television facilities and 27 municipal franchises.	To ensure performance in accordance with applicable cable laws, regulations and standards and the public interest.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-39-22-00008-P	..... exempt	Proposed service territory extension, waiver, and tariff revisions.	To determine if proposed territory extension, waiver, and tariff revisions are in the public interest.
PSC-40-22-00003-P	..... exempt	Minor rate filing.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-40-22-00004-P	..... exempt	Sale of real property and granting of a permanent easement.	To determine whether to authorize the proposed sale and grant the permanent easement as well as the proper accounting treatment.
PSC-40-22-00005-P	..... exempt	Transfer of street light facilities.	To consider the transfer of street lighting facilities and the proper accounting treatment.
PSC-40-22-00006-P	..... exempt	NYSRC reliability rules and measurements.	To consider revisions to various rules and measurements of the NYSRC used to support safe and reliable electric service.
PSC-40-22-00007-P	..... exempt	Solutions to reduce the impact of traditional demand charges on commercial customers with significant EV charging demand.	To request that the Public Service Commission direct electric utilities to implement the enumerated EV charging solutions.
PSC-41-22-00018-P	..... exempt	Proposed revision to the Non-Wires Alternative Mechanism Surcharge.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-41-22-00019-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-41-22-00020-P	..... exempt	The proposed transfer of real property and other assets related to an electric generating facility.	To determine whether the proposed transfer is in the public interest.
PSC-42-22-00010-P	..... exempt	Gas system planning.	To consider screening and suitability criteria for non-pipeline alternatives.
PSC-42-22-00011-P	..... exempt	Gas system planning.	To consider cost recovery procedures and an incentive mechanism for non-pipeline alternatives.
PSC-42-22-00012-P	..... exempt	Gas system planning.	To consider screening and suitability criteria for non-pipeline alternatives.
PSC-42-22-00013-P	..... exempt	Gas system planning.	To consider screening and suitability criteria for non-pipeline alternatives.
PSC-42-22-00014-P	..... exempt	Gas system planning.	To consider screening and suitability criteria for non-pipeline alternatives.
PSC-42-22-00015-P	..... exempt	Gas system planning.	To consider screening and suitability criteria for non-pipeline alternatives.
PSC-42-22-00016-P	..... exempt	Gas system planning.	To consider screening and suitability criteria for non-pipeline alternatives.
PSC-42-22-00017-P	..... exempt	Gas system planning.	To consider screening and suitability criteria for non-pipeline alternatives.

**Action Pending Index****NYS Register/November 2, 2022**

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-42-22-00018-P	..... exempt	Demand side management programs.	To consider proposed demand side management programs and cost recovery.
PSC-42-22-00019-P	..... exempt	Gas system planning.	To consider screening and suitability criteria for non-pipeline alternatives.
PSC-42-22-00020-P	..... 10/19/23	Technical amendments of state regulations and administrative corrections.	To align 16 NYCRR Part 753 with recent changes in state laws and clarify the responsibilities of excavators.
PSC-43-22-00006-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-43-22-00007-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-43-22-00008-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-43-22-00009-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-44-22-00002-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-44-22-00003-P	..... exempt	Proposed draft tariff amendments.	To document and refine moratorium management procedures that seek to minimize hardships in the event a future moratorium occurs.
<b>STATE, DEPARTMENT OF</b>			
DOS-29-22-00004-P	..... 09/21/23	Updates to educational standards.	Conform existing regulations to changes required relating to fair housing education.
DOS-30-22-00002-EP	..... 07/27/23	Eligible professions for the purchase, sale and delivery of body armor	Establish criteria for professions requiring the use of body armor and processes for body armor purchase, sale or delivery
DOS-30-22-00007-P	..... 07/27/23	Notaries public	To set standards relating to the performance of notarial acts, including electronic notarial acts
DOS-39-22-00009-P	..... 11/30/23	Administration and enforcement of the Uniform Code and Energy Code by the Department of State	To ensure the Department's administration and enforcement of the Uniform Code and Energy Code satisfies the minimum standards
DOS-42-22-00003-P	..... 10/19/23	Advertising licensed activity of installing, servicing, or maintaining security or fire alarm systems	To provide multi-state security or fire alarm system license holders flexibility to making certain disclosures
<b>STATE UNIVERSITY OF NEW YORK</b>			
SUN-34-22-00002-EP	..... 08/24/23	State University of New York Tuition and Fee Schedule	To amend the Tuition and Fees Schedule effective for the Fall 2022 semester.



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>TAXATION AND FINANCE, DEPARTMENT OF</b>			
*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-34-22-00001-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 October 1, 2022 through December 31, 2022.
<b>TEMPORARY AND DISABILITY ASSISTANCE, OFFICE OF</b>			
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-39-22-00005-EP	..... 09/28/23	Standard Utility Allowances (SUAs) for the Supplemental Nutrition Assistance Program (SNAP)	These regulatory amendments set forth the federally-approved SUAs as of 10/1/22
TDA-43-22-00004-P	..... 10/26/23	Repeal of liens against real property as conditions of eligibility for Public Assistance	To update State regulations consistent with the repeal of SSL § 106 pursuant to Part MM of Chapter 56 of the Laws of 2022
<b>TRANSPORTATION, DEPARTMENT OF</b>			
TRN-18-22-00001-P	..... 05/04/23	Regulation of commercial motor carriers in New York State	To repeal or modify obsolete provisions, make technical changes, and implement non-discretionary statutory provisions
<b>WORKERS' COMPENSATION BOARD</b>			
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
WCB-26-22-00002-P	..... 06/29/23	Pharmacy networks	To require carriers to notify pharmacies when there is a network
WCB-40-22-00011-P	..... 10/05/23	Attorney's fees	To conform regulations to WCL section 24 amendment taking effect 1/1/23
WCB-41-22-00002-P	..... 10/12/23	Disability benefits	To update and clarify DB claims process, and conform to statute



# 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](http://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

### Deferred Compensation Board

Pursuant to the provisions of 9 NYCRR, Section 9003.2, authorized by Section 5 of the State Finance Law, the New York State Deferred Compensation Board, beginning Wednesday, November 2, 2022, is soliciting proposals from Financial Organizations to provide active cash management fixed income investment services in a separate account structure benchmarked to the Bank of America Merrill Lynch 3-Month T-Bill index. The separate account will handle the cash management needs of the New York State Deferred Compensation Plan's Stable Income Fund. The Stable Income Fund is offered as an investment option under the Deferred Compensation Plan for Employees of the State of New York and Other Participating Public Jurisdictions, a plan meeting the requirements of Section 457 of the Internal Revenue Code and Section 5 of the State Finance Law, including all rules and regulations issued pursuant thereto. A copy of the request for proposals may be obtained from Callan's website: <https://www.callan.com/rfps/> or on the Board's web site: [www.deferredcompboard.ny.gov](http://www.deferredcompboard.ny.gov). All proposals must be received no later than the close of business on Friday, December 16, 2022. This notice was prepared by Sharon Lukacs, Deputy Director, New York State Deferred Compensation Board, 1450 Western Avenue, Suite 103, Albany, NY 12203.

## PUBLIC NOTICE

### Department of Environmental Conservation

Project Title: Notice of Plant Cultivars Exempt from 6 NYCRR Part 575 Regulations

Project Location: Statewide

Contact Person: Dave Adams, Biologist 2

Address: Department of Environmental Conservation, Invasive Species Coordination Section

Division of Lands and Forests

625 Broadway

Albany, NY 12233-4253

Phone Number: (518) 402-9425

Project Description:

A regulation, 6 NYCRR Part 575 Prohibited and Regulated Invasive Species, was adopted in July 2014 that prohibits or regulates the possession, transport, importation, sale, purchase and introduction of certain invasive species. The purpose of this regulation is to help control invasive species by reducing their introduction and spread.

This regulation became effective March 10, 2015. Section 575.8 of the regulation provides an exemption for cultivars of prohibited or regulated species for which the Department of Environmental Conservation determines that: 1) the primary means of reproduction of the cultivar's parent species is sexual, not vegetative, and 2) that the cultivar and its offspring do not revert to express the invasive characteristics of the parent.

The Department has assessed several cultivars of prohibited and regulated species, using a standard scientifically rigorous assessment protocol, and has determined that the cultivars listed below meet the exemption qualifications of 575.8 (a)(4). Individual cultivar assessments are available upon request. Therefore, a person may legally possess, sell, import, purchase, transport, or introduce the following plant cultivars and no labeling requirements apply:

### Prohibited Species:

Common Name	Scientific Name	Cultivar Name	Trademark Name	Accession Number	Patent	Status
Japanese Barberry	Berberis thunbergii	Aurea				Conditionally Exempt
Japanese Barberry	Berberis thunbergii	UCONN BTCP4N	Crimson Cutie		PP30,095 P3	Conditionally Exempt
Japanese Barberry	Berberis thunbergii	UCONN BTB113	Lemon Cutie		PP30,094 P3	Conditionally Exempt
Japanese Barberry	Berberis thunbergii	UCONN BTB048	Lemon Glow		PP30,127 P3	Conditionally Exempt
Japanese Barberry	Berberis thunbergii	UCONN BTB039	Mr. Green Genes		PP30,128 P3	Conditionally Exempt

### Regulated Species:

Common Name	Scientific Name	Cultivar Name	Trademark Name	Accession Number	Patent	Status
Chinese Silvergrass	Miscanthus sinensis	NCMS1	My Fair Maiden	H2008-091-004	PP26,387	Conditionally Exempt
Chinese Silvergrass	Miscanthus sinensis	Tift M77	Scout		PP30,402	Conditionally Exempt
Winter Creeper	Euonymus fortunei	Kewensis				Conditionally Exempt
Winter Creeper	Euonymus fortunei	Vanilla Frosting				Conditionally Exempt

Conditionally Exempt – Cultivars exempt from Part 575 Prohibited and Regulated requirements, subject to periodic re-evaluation.

*Questions should be directed to:* Department of Environmental Conservation, Lands and Forests, Invasive Species Coordination Unit, Dave Adams, (518) 402-9425, or [isinfo@dec.ny.gov](mailto:isinfo@dec.ny.gov)

## PUBLIC NOTICE REVISED

Department of Health

A Public Notice of Proposed Waiver Amendment, regarding the proposed 1915(c) Consolidated Children's waiver, published in the September 28, 2022, issue of the State Register inaccurately indicated that a copy of the proposed waiver amendment would be available for public review on the Department's website at [http://www.health.ny.gov/regulations/state\\_plans/status](http://www.health.ny.gov/regulations/state_plans/status).

However, due to clerical error, this proposed waiver amendment is available for public review on the Department's website at:

[https://www.health.ny.gov/health\\_care/medicaid/redesign/behavioral\\_health/children/overview.htm](https://www.health.ny.gov/health_care/medicaid/redesign/behavioral_health/children/overview.htm)

## PUBLIC NOTICE

Office of Parks, Recreation and Historic Preservation

Pursuant to section 14.07 of the Parks, Recreation and Historic Preservation Law, the Office of Parks, Recreation and Historic Preservation hereby gives notice of the following:

In accordance with subdivision (c) of section 427.4 of title 9 NYCRR notice is hereby given that the New York State Board for Historic Preservation will be considering nomination proposals for listing of properties in the State and National Register of Historic Places at a meeting to be held on Thursday, December 8, 2022 at the Huxley Theater, New York State Museum, 222 Madison Ave, Albany, NY 12230.

The following properties will be considered:

1. Pines of Perinton Apartments, Perinton, Monroe County
2. T.O. Castle & Son Store, Millville, Orleans County
3. Avalon Knitting Company Mill, Utica, Oneida County
4. Central Lansingburgh Historic District, Troy, Rensselaer County
5. Amphion Piano Player Factory, Syracuse, Onondaga County
6. George C. Hanford House, Syracuse, Onondaga County
7. St. Paul's Methodist Episcopal Church and Parsonage, Syracuse, Onondaga County
8. Schoellkopf Hall, Niagara Falls, Niagara County
9. John D. McKean Fireboat, Tarrytown, Westchester County
10. Harder Knitting Mill, Hudson, Columbia County
11. Ichabod Crane Schoolhouse, Kinderhook, Columbia County
12. Columbia Turnpike East Tollhouse, Request to Move, Hillsdale, Columbia County
13. Historic Cemeteries of the Town of East Hampton MPDF, Suffolk County
14. Van Scoy Burying Ground, Northwest Harbor, Suffolk County

To be considered by the board, comments may be submitted to Daniel Mackay, Deputy Commissioner for Historic Preservation and Deputy State Historic Preservation Officer, Division for Historic Preservation, Peebles Island, P.O. Box 189, Waterford, New York 12188-0189, no later than Wednesday, December 7 or may be submitted in person at the meeting by contacting Daniel Mackay at the same address no later than December 7.

*For further information, contact:* Daniel Mackay, Deputy Commissioner for Historic Preservation and Deputy State Historic Preservation Officer, Division for Historic Preservation, Peebles Island, P.O. Box 189, Waterford, NY 12188-0189, (518) 268-2171

## PUBLIC NOTICE

Department of State  
F-2022-0693

Date of Issuance – November 2, 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-2022-0693, the applicant, Pultneyville Yacht Club, is proposing 10-year maintenance dredging of the harbor channels and main channel to a depth of 237.0', removing approx. 3,900 cubic yards of spoils to be placed within spoils management site upland. This project is located at 7852 Hamilton Street Ext, Town of Williamson, Wayne County, Mouth of Salmon Creek.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2022/11/f-2022-0693app.pdf> or at <https://dos.ny.gov/public-notices>

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice or December 2, 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](mailto: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-2022-0766 (DA)

Date of Issuance – November 2, 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 United States Department of the Interior, National Parks Service has determined that the proposed activity will be undertaken in a manner consistent to the maximum extent practicable with the enforceable policies of the New York State Coastal Management Program. The applicant's consistency determination and accompanying supporting 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.

United States Department of the Interior proposes to repair an existing floating dock on Riis Landing. An existing floating dock used by the National Park Service (NPS) Police at Riis Landing suffered storm related damage in September 2019 and needs to be replaced. Pavement subsidence due to loss of fill from corrosion holes in the adjacent bulkhead also requires repairs. This project proposes replacement-in-kind of the NPS police dock and piles and repairs to the bulkhead to prevent loss of fill and subsequent sinkholes in the pavement behind the bulkhead. Please reference the location and site maps in Attachment 5 for the project location, limits and adjacent structures.

The applicant's consistency certification and supporting information are available for review at: [https://dos.ny.gov/system/files/documents/2022/11/f-2022-0766\(da\)riislanding.pdf](https://dos.ny.gov/system/files/documents/2022/11/f-2022-0766(da)riislanding.pdf)

Any interested parties and/or agencies desiring to express their views concerning the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 15 days from the date of publication of this notice, or November 17, 2022.

*Comments should be addressed to:* Department of State, Office of Coastal, Local Government and Community Sustainability, One Commerce Plaza, 99 Washington Ave., Suite, 1010, Albany, NY 12231, (518) 474-6000, Fax (518) 474-6572

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

**PUBLIC NOTICE**

Department of State  
F-2022-0767 (DA)

Date of Issuance – November 2, 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 National Oceanic and Atmospheric Administration (NOAA) has determined that the proposed activity will be undertaken in a manner consistent to the maximum extent practicable with the enforceable policies of the New York State Coastal Management Program. The applicant’s consistency determination and accompanying supporting 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.

NOAA’s Mid-Atlantic Fishery Management Council (Council) adopted Amendment 23 to the Mackerel, Squid, and Butterfish Fishery Management Plan (FMP) at its June 2022 meeting, and the Council submitted Amendment 23 to us on August 19, 2022, for review and approval. If approved, Amendment 23 would revise the Atlantic mackerel rebuilding plan and set the 2023 Atlantic mackerel specifications including a commercial quota, recreational possession limit, modified closure approach, and a river herring and shad catch cap.

The applicant’s consistency certification and supporting information are available for review at: [https://dos.ny.gov/system/files/documents/2022/11/f-2022-0767\(da\)amendment23.pdf](https://dos.ny.gov/system/files/documents/2022/11/f-2022-0767(da)amendment23.pdf)

Any interested parties and/or agencies desiring to express their views concerning the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 15 days from the date of publication of this notice, or November 17, 2022.

*Comments should be addressed to:* Department of State, Office of Coastal, Local Government and Community Sustainability, One Commerce Plaza, 99 Washington Ave., Suite, 1010, Albany, NY 12231, (518) 474-6000, Fax (518) 474-6572

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

**PUBLIC NOTICE**

Department of State  
F-2022-0769 (DA)

Date of Issuance – November 2, 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 United States Army Corps of Engineers has determined that the proposed activity will be undertaken in a manner consistent to the maximum extent practicable with the enforceable policies of the New York State Coastal Management Program. The applicant’s consistency determination and accompanying supporting 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.

The USACE proposes to implement a hydrilla control cost share program to aid the New York State Department of Environmental Con-

servation (NYSDEC) in the control and treatment of an invasive aquatic plant called hydrilla. The locations of the proposed control actions would occur within affected waterways of New York State.

The applicant’s consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2022/11/f-2022-0769acoe.pdf>

Any interested parties and/or agencies desiring to express their views concerning the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 15 days from the date of publication of this notice, or November 17, 2022.

*Comments should be addressed to:* Department of State, Office of Coastal, Local Government and Community Sustainability, One Commerce Plaza, 99 Washington Ave., Suite, 1010, Albany, NY 12231, (518) 474-6000, Fax (518) 474-6572

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.

2022-0458 Matter of the Rochester Institute of Technology, One Lomb Memorial Drive, Rochester, NY, 14623, for a variance concerning safety requirements, including common path of egress travel. Involved is a new building, known as the RIT Music Performance Theater, located at 1 Lomb Memorial Drive, Building 83, Town of Henrietta, County of Monroe, State of New York.

2022-0501 Matter of Edmund J. Russell III, 130 Trevor Court Road, Rochester, NY, 14610, for a variance concerning safety requirements, including basement ceiling height. Involved is an existing one-family dwelling, located at 130 Trevor Court Road, Town of Brighton, County of Monroe, State of New York.

2022-0503 Matter of Harris A. Sanders Architects, P.C., 252 Washington Avenue, Albany, NY, 12210, for a variance concerning safety requirements, including minimum number of fixtures. Involved is an existing building, known as the Boght Montessori Daycare, located at 514 Old Loudon Road, City of Cohoes, County of Albany, State of New York.

2022-0511 Matter of University of Rochester Medical Center, 601 Elmwood Avenue, Rochester, NY, 14642, for a variance concerning safety requirements, including fire apparatus access roads. Involved is a new building, known as the URM Hospital Tower, located at 601 Elmwood Avenue, City of Rochester, State of New York.

2022-0519 Matter of Clinton Street Pub, 159 Clinton Street, Schenectady, NY, 12305, for a variance concerning safety requirements, including fire rated cellar ceilings. Involved is a multiple family dwelling located at 159 Clinton Street, City of Schenectady, County of Schenectady, State of New York.

2022-0524 Matter of 490 Peck Road, Inc., 1225 Long Pond Road, Rochester, NY, 14626, for a variance concerning safety requirements, including distance from a hydrant. Involved is a one-family dwelling, located at 8 Hidden Acres Trail, Town of Parma, County of Monroe, State of New York.

2022-0525 Matter of Tammy Palamitita, Eight Wycombe Place, Rochester, NY, 14612, for a variance concerning safety requirements, including permanent barriers. Involved is a one-family dwelling located at Eight Wycombe Place, Town of Greece, County of Monroe, State of New York.

2022-0544 Matter of Heather and Brian Stimson, 62 Torrey Pine Drive, Rochester, NY, 14612, for a variance concerning safety require-

ments, including permanent barriers. Involved is a one-family dwelling located at 62 Torrey Pine Drive, Town of Greece, County of Monroe, 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.

2022-0562 Matter of Woodhull Expediting, Amy Devito, 1031 Main Street, Port Jefferson, NY 11777, for a variance concerning safety requirements, including height under a projection. Involved is an existing dwelling located at 35 Gaul Road South; East Setauket, Town of Brookhaven, NY 11733, County of Suffolk, State of New York.

2022-0566 Matter of C+C Design Group, Inc., Edwin Chiong Ra, 44 Terrehans Lane, Syosset, NY 11791, for a variance concerning safety requirements, including height under a projection. Involved is an existing dwelling located at Two Baxter Avenue; New Hyde Park, Town of North Hempstead, NY 11040, County of Nassau, State of New York.

2022-0572 Matter of Building Permits Plus Ltd, Jason Allen, 19 Stillwood Road, Brookhaven, NY 11719, for a variance concerning safety requirements, including the ceiling height and height under a projection. Involved is an existing dwelling located at 182 Southaven Avenue; Medford, Town of Brookhaven, NY 11763, County of Suffolk, State of New York.

### PUBLIC NOTICE

#### Department of State Uniform Code Variance/Appeal Petitions

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

2022-0569 in the Matter of Michael Lewis Architects PC, Michael Lewis, 145 Palisade Street, Suite 307, Dobbs Ferry, NY 10522, for a variance concerning safety requirements, including a permanent pool barrier. Involved is a one family dwelling located at 15 Rockledge Road, Town of Mount Pleasant, NY 10570, County of Westchester, State of New York.

2022-0570 in the Matter of David A. Barbuti Architect, PC, David A. Barbuti, RA, 150 White Plains Road, Suite 103, Tarrytown, NY 10591, for a variance concerning safety requirements, including ceiling height. Involved is a one family dwelling located at 57 Butterwood Lane West, Village of Irvington, NY 10533, County of Westchester, State of New York.

2022-0571 in the Matter of Oscar Olivo, 29 Ronny Circle, Hastings On Hudson, NY 10706, for a variance concerning safety requirements, including ceiling height. Involved is a one family dwelling located at 29 Ronny Circle, Village of Hastings on Hudson, NY 10706, 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 other-

wise indicated, they involve requests for relief from provisions of the New York State Uniform Fire Prevention and Building Code. Persons wishing to review any petitions, provide comments, or receive actual notices of any subsequent proceeding may contact Brian Tollisen or Neil Collier, Building Standards and Codes, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2022-0573 In the matter of Mark Fitzgerald, 110 Judson Street, Syracuse, New York 13210 for a variance concerning openings in exterior firewall located at 384 North Midler Avenue - Rear, City of Syracuse, County of Onondaga, State of New York.

2022-0574 In the matter of William Carnie, 444 North Aurora Street, Ithaca, New York 14850 for a variance concerning handrail violations located at 444 North Aurora Street, City of Ithaca, County of Tompkins, State of New York.

2022-0575 In the matter of Walter Morrissey of New Leaf Properties, 188 Main Street, New York Mills, New York 13417 for a variance concerning basement door violations of the Multiple Residence Law located at 1579 Elm Avenue, City of Utica, County of Oneida, State of New York.

# EXECUTIVE ORDERS

## **Executive Order No. 4.13: Continuing the Declaration of a Statewide Disaster Emergency Due to Healthcare Staffing Shortages in the State of New York.**

WHEREAS, there are staffing shortages in hospitals and other healthcare facilities and they are expected continue;

WHEREAS, severe understaffing in hospitals and other healthcare facilities is expected to continue to effect the ability to provide critical care and to adequately serve vulnerable populations;

WHEREAS, there is an immediate and critical need to supplement staffing to assure hospitals and healthcare facilities can provide care;

NOW, THEREFORE, I, Kathy Hochul, Governor of the State of New York, by virtue of the authority vested in me by the New York State Constitution and the laws of the State of New York, do hereby extend the state disaster emergency as set forth in Executive Order 4, as continued by its successors, and do hereby continue the terms, conditions, and suspensions contained therein, until October 27, 2022.

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

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

## **Executive Order No. 5.13: Continuing the Temporary Suspension and Modification of Laws Related to the Disaster Emergency in the Counties of the Bronx, Kings, New York, Richmond and Queens Due to Conditions at Rikers Island Correctional Center.**

WHEREAS, the Rikers Island Correctional Center has been facing a severe staffing shortage in recent months and this is expected to continue;

WHEREAS, the conditions in the facilities are expected to continue to create an unsafe, life-threatening environment for both the inmates and the staff;

WHEREAS, a federal monitor appointed to oversee the Correctional Center reported a “pervasive level of disorder and chaos,” in the facilities in its Eleventh Report of the *Nunez* Independent Monitor;

WHEREAS, there is a need to facilitate the use of virtual court appearances to expedite proceedings and to reallocate corrections department staff from transportation and production of defendants to housing supervision and safety;

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 Section 28 of Article 2-B of the Executive Law, do hereby extend the state disaster emergency as set forth in Executive Order 5, as continued by Executive Order 5.12 and do hereby continue the terms, conditions, and suspensions contained in Executive Order 5 and its successors, until November 1, 2022.

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

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

## **Executive Order No. 20.2: Continuing the Declaration of a Statewide Disaster Emergency Due the Ongoing Spread of the Monkeypox Virus in the State of New York.**

WHEREAS, the monkeypox virus has been declared a Public Health Emergency of International Concern by the World Health Organization as of July 23, 2022;

WHEREAS, due to the ongoing spread of the monkeypox virus and the significant risk that this virus poses to human health, the monkeypox virus has been declared an Imminent Threat to Public Health by the New York State Commissioner of Health as of July 28, 2022;

WHEREAS, as of September 27, 2022, there are 3857 cases of monkeypox reported in New York State;

WHEREAS, local health departments are actively responding to the monkeypox outbreak through investigation support, contact identification and monitoring, vaccine administration for exposed contacts and focused current high-risk populations, and education and outreach;

WHEREAS, the New York State government must support the municipalities, localities, and counties in their efforts to facilitate and administer vaccinations and tests for monkeypox, and to prevent the disease from continuing to spread;

NOW, THEREFORE, I, Kathy Hochul, Governor of the State of New York, by virtue of the authority vested in me by the New York State Constitution and the laws of the State of New York, do hereby extend the state disaster emergency as set forth in Executive Order 20, and continue the terms, conditions, and suspensions contained in Executive Order 20, through October 27, 2022, provided however, that the following modifications will take effect:

- The temporary modification of Subdivision 2 of section 6801 of the Education Law and 63.9 of Title 8 of the NYCRR, contained in Executive Order 20, insofar as such modification authorized pharmacists to administer vaccinations against monkeypox pursuant to a non-patient specific order, is modified to the extent necessary to allow pharmacists to also administer vaccinations against monkeypox pursuant to a patient specific order; and
- The temporary modification of Subdivision 6 of section 6527 of the Education Law, subdivision 4 of section 6909 of the Public Health Law, and section 64.7 of Title 8 of the NYCRR, contained in Executive Order 20, insofar as such modification authorized physicians and certified nurse practitioners to issue a non-patient specific regimen to persons authorized by law or by this executive order to administer vaccinations against monkeypox, is modified to the extent necessary to allow physicians and certified nurse practitioners to also issue patient specific orders to licensed pharmacists for administration of immunizations to prevent monkeypox.

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

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