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**NEW YORK STATE**

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**REGISTER**

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***INSIDE THIS ISSUE:***

- Instruction Provided to Students in a Home, Hospital, or Institutional Setting Other Than a School (Homebound Instruction)
- Adult Care Facilities
- Regulation of Commercial Motor Carriers in New York State

**Notice of Availability of State and Federal Funds**

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State agencies must specify in each notice which proposes a rule the last date on which they will accept public comment. Agencies must always accept public comment: for a minimum of 60 days following publication in the *Register* of a Notice of Proposed Rule Making, or a Notice of Emergency Adoption and Proposed Rule Making; and for 45 days after publication of a Notice of Revised Rule Making, or a Notice of Emergency Adoption and Revised Rule Making in the *Register*. When a public hearing is required by statute, the hearing cannot be held until 60 days after publication of the notice, and comments must be accepted for at least 5 days after the last required hearing. When the public comment period ends on a Saturday, Sunday or legal holiday, agencies must accept comment through the close of business on the next succeeding workday.

***For notices published in this issue:***

- the 60-day period expires on February 19, 2023
- the 45-day period expires on February 4, 2023
- the 30-day period expires on January 20, 2023

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GOVERNOR**

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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

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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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- 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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## Office of Children and Family Services

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### NOTICE OF ADOPTION

#### Update Provisions to Reflect the Enacted Budget Regarding Child Care Assistance Rates and Work Requirements

**I.D. No.** CFS-37-22-00003-A

**Filing No.** 1008

**Filing Date:** 2022-12-06

**Effective Date:** 2022-12-21

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

**Action taken:** Amendment of Part 415 of Title 18 NYCRR.

**Statutory authority:** Social Services Law, sections 20(3)(d), 34(3)(f), 410-u, 410-w(1)(d), 410-x(4); L. 2022, ch. 53

**Subject:** Update provisions to reflect the enacted budget regarding child care assistance rates and work requirements.

**Purpose:** To update provisions on child care assistance funded under the NYS Child Care Block Grant and Social Services Block Grant.

**Text or summary was published** in the September 14, 2022 issue of the Register, I.D. No. CFS-37-22-00003-EP.

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

**Text of rule and any required statements and analyses may be obtained from:** Lisa Vasnani, Office of Children and Family Services, 52 Washington Street, Rensselaer, NY 12210, (518) 474-8310, email: regcomments@ocfs.ny.gov

#### Initial Review of Rule

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

#### Assessment of Public Comment

The Office of Children and Family Services (OCFS) has consolidated and responded in detail to all comments received since June 22, 2022, in its Assessment of Public Comment. The following is organized into major subject areas addressed by the public comment and the Office's responses thereto.

Comments were received from 12 sources; New York City Administration for Children's Services (ACS), Empire State Campaign for Child Care (ESCCC), Citizen Action of New York (CANY), Committee for Hispanic Children and Families (CHCF), Day Care Council of New York (DCCNY), Early Care & Learning Council (ECLC), The Schuyler Center for Analysis and Advocacy (SCAA), United Neighborhood Houses (UNH), ECE On the Move, Adirondack Birth to Three Alliance, Colleen Locke, and Robert G. Frawley.

Regarding the need to demonstrate an increased cost of care to increase child care assistance payments:

ECLC, ESCCC, DCCNY, CHCF, CANY, ECE On the Move, SCAA, and UNH encouraged OCFS to require local social services districts to automatically increase provider rates without requiring each provider to make an independent showing of the cost of care and to make rate increases applicable to all providers. They argue that demonstrating cost of care to apply for a higher reimbursement rate has proven to be an unnecessary administrative burden for both providers and administrators.

The commentors stated that the requirement that each provider make an individualized showing of their cost of care impacts equity as it serves as a disincentive for providers to serve private pay families as well as families in receipt of child care assistance.

Adirondack Birth to Three Alliance, Colleen Locke, and Robert G. Frawley opposed child care assistance payments being linked to what providers charge private pay families. Instead, it was recommended that private pay rates and assistance rates function independently of one another.

ACS encouraged OCFS to require local social services districts to automatically increase provider rates without requiring each provider to make an independent showing of the cost of care and to make rate increases applicable to all providers. ACS argues that demonstrating cost of care to apply for a higher reimbursement rate has proven to be an unnecessary administrative burden for both providers and administrators. ACS stated that the requirement for each provider to make an individualized showing of their cost of care impacts equity as it serves as a disincentive for providers to serve private pay families as well as families in receipt of child care assistance.

ACS urged OCFS to amend the regulations to permit local districts the discretion to offer a universal increase in provider rates without requiring a determination of the cost of care for the reasons outlined above.

The purpose of establishing child care market rates for the child care assistance program is to provide families in receipt of child care assistance with access to child care services that are comparable to families not eligible for child care assistance. Child care assistance maximum payment rates are a reflection of the child care market and are not intended to guide what a provider should charge. They indicate the maximum amount that local social services districts can be reimbursed for child care assistance expenditures. The local district is required to pay the cost of care, up to, but not in excess of, the applicable child care market rate.

The proposed changes to 18 NYCRR 415.9(h)(4) will be adopted as published.

Regarding changes to the special needs rate in § 415.9(h)(4):

DCCNY, ESCCC, ECLC, UNH, SCAA, ECE On The Move, ACS, CANY support the change in the determination of the special needs rate at § 415.9(h)(4) by removing cost of care from the determination and reducing the administrative burden placed on providers. ACS supports the change in the determination of the special needs rate in § 415.9(h)(4) by removing cost of care from the determination and reducing the administrative burden placed on both providers and administrators.

The proposed changes to 18 NYCRR 415.9(h)(4) will be adopted as published.



Regarding changes to the market rate percentile:

UNH, ECLC, SCAA, ECE On The Move, ACS, CANY, CHCF, DCCNY, ESCCC support the increases the child care provider reimbursement rates to the 80th percentile of the new market rate survey.

ACS supports increasing the child care provider reimbursement rates to the 80th percentile of the new market rate survey.

The proposed changes to 18 NYCRR 415.9(h)(4) will be adopted as published.

Comments outside of the scope of the Notice of Proposed Rule Making: ESCCC, CANY, CHCF, SCAA, and ECLC recommend:

OCFS publicize this expanded assistance using new and creative methods. Additionally, CHCF identified that families will need to be reached in ways that are culturally and linguistically responsive and supportive towards access.

No changes have been made to the regulations in response to this comment. However, please note that OCFS and local districts are working to publicize this and other changes to the Child Care Assistance Program and agree with the recommendation.

ESCCC, CANY, CHCF, SCAA, and ECLC recommend Governor Hochul sign and swiftly implement A.1029 (Lunsford)/S.9029 (Ramos), which would permit districts to authorize families to receive child care assistance for up to 24 months between eligibility determinations. Additionally, they encourage Governor Hochul to sign and swiftly implement A.7661 (Hevesi)/S.6655-A (Brisport), which would decouple child care assistance from the parent or caretaker's work hours.

This recommendation is outside the scope of this regulatory package.

No changes have been made to the regulations in response to this recommendation.

ESCCC, CANY, CHCF, SCAA, ECLC, DCCNY, UNH and ACS recommended amendments to 18 NYCRR § 415.1(o)(1)(i) and (ii) to eliminate the requirement to earn wages at a level equal to or greater than the minimum amount required under Federal and State Labor Law for the type of employment. Additionally, they expressed strong support for regulatory amendments regarding changes to the increasing eligibility from 200% to 300% of the state income standard, provided the family income does not exceed 85% of the state median income at § 415.2.

To the extent this recommendation is outside the scope of this regulatory package, no changes have been made to the regulations in response to this recommendation.

UNH recommends OCFS set the differential rate at 15% across all local social service districts; to assure providers serving the most vulnerable children have access to the highest rate possible.

The special needs rate is set at 15% across districts, separate from regulatory differential rates. Differential rates are outside the scope of this regulatory package. No changes have been made to the regulations in response to this recommendation.

that students can continue learning and working towards mastery of State learning standards while unable to attend school for a significant period of time for reasons beyond their control.

Currently, Commissioner's regulations only address instruction provided to students cared for in hospitals or other institutions which provide for the care, custody, and treatment of children, other than a school setting, pursuant to Education Law § 3202(6) (8 NYCRR 175.21). This section of regulation pertains to average daily attendance and average daily membership for determination of state aid and establishes a minimum of 5 (elementary school level) or 10 (secondary level) hours of instruction per week.

For students with disabilities who are recommended for home, hospital, or institutional instruction by a committee on special education (CSE), section 200.6 of the Commissioner's regulations requires the same minimum hours for elementary and secondary levels as prescribed in section 175.21 of the Commissioner's regulations and reserves the determination of the instruction and related services to the CSE. There currently exists no instructional requirements for the general student population in need of such instruction, other than these stated minimums.

Throughout the 2021 -2022 school year, the State Education Department received numerous inquiries from parents and caregivers regarding the extent to which they could request or were entitled to receive, "homebound" instruction for students, including those who were immunocompromised. Schools also inquired as to how they should determine a student's eligibility for such instruction.

The proposed rule will give districts and parents or guardians clarity on the requirements for the application and provision of such instruction. The proposed rule will also establish, beginning with the 2023-2024 school year, increased minimum instructional requirements for students who are unable to attend school in person for at least ten days out of the next three months due to illness or injury that requires the student to remain at home or in a hospital or other institution for the treatment of children, other than a school.

Thus, the Department proposes to add a new section 100.22 to the Commissioner's regulations that:

- defines the terms tutor, school district of residence, and healthcare provider;
- requires medical verification from the student's treating healthcare provider as well as a request for home, hospital, or institutional instruction from a parent or guardian;
- establishes a time frame for review of the request, including the ability to appeal a denial thereof to a board of education;
- identifies minimum requirements for instruction to continue a student's academic progress, including the development of an instructional plan in consultation with the parent or guardian and, where appropriate, the student; and
- effective July 1, 2023, increases the minimum instruction hours to at least 10 hours of instruction per week at the elementary level and at least 15 hours of instruction at the secondary level unless a lesser period is requested by the parent or guardian and supported by documentation submitted by a treating physician.

Additionally, the Department proposes to amend section 200.6 of the Commissioner's regulations to provide that the amount of home, hospital and institutional instruction for students with disabilities conforms to the increased requirements of section 100.22.

The proposed amendment was presented to the P-12 Education Committee for discussion and recommended to the Full Board for adoption as an emergency rule at the May 2022 meeting, effective July 1, 2022. An additional emergency action was taken at the September 2022 Regents meeting to ensure the emergency action taken at the May 2022 meeting remained continuously in effect. In response to public comment, the Department revised the proposed amendment at the October 2022 Regents meeting. Since the Board of Regents meets at fixed intervals, the earliest the revised proposed amendment could be adopted by regular (non-emergency) action after expiration of the 45-day public comment period provided for in the State Administrative Procedure Act (SAPA) section 201(4-a) for revised rulemakings would be the January 2023 Regents meeting. Furthermore, pursuant to SAPA 203(1), the earlier effective date of the revised proposed rule, if adopted at the January meeting, would be January 25, 2023, the date the Notice of Adoption would be published in the State Register.

Therefore, a fourth emergency action is necessary at the November 2022 meeting, effective December 3, 2022, for the preservation of the general welfare to ensure that districts and parents or guardians receive clarity as to the circumstances under which "homebound" instruction may be requested and delivered for the upcoming school year and to ensure the emergency action taken at the October 2022 meeting, remains continuously in effect. It is anticipated that the revised proposed rule will be presented to the Board of Regents for adoption as a permanent rule at the January 2023 meeting, which is the first scheduled meeting after expira-

## Education Department

### EMERGENCY RULE MAKING

#### Instruction Provided to Students in a Home, Hospital or Institutional Setting Other Than a School (Homebound Instruction)

**I.D. No.** EDU-22-22-00008-E

**Filing No.** 1007

**Filing Date:** 2022-12-02

**Effective Date:** 2022-12-02

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

**Action taken:** Addition of section 100.2; amendment of section 200.6 of Title 8 NYCRR.

**Statutory authority:** Education Law, sections 101, 207, 215, 305, 1604, 1709, 2503, 2554, 3202, 3204 and 3205

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

**Specific reasons underlying the finding of necessity:** Homebound instruction is an educational service provided by a school district to resident students (public and non-public) who are anticipated to be unable to attend school in person for at least ten days in a three-month period due to physical, mental, or emotional illness or injury. Homebound instruction ensures



tion of the 45-day public comment period mandated by SAPA for revised proposed rulemakings.

**Subject:** Instruction provided to students in a home, hospital, or institutional setting other than a school (homebound instruction).

**Purpose:** To provide clarity as to the circumstances under which homebound instruction may be requested and delivered.

**Text of emergency rule:** 1. Part 100 of the Regulations of the Commissioner of Education, is amended by adding a new section 100.22 to read as follows:

§ 100.22 Instruction provided to students in a home, hospital, or institutional setting other than a school (homebound instruction).

(a) Purpose. The purpose of this section is to establish minimum instructional requirements that must be provided to students who are anticipated to be unable to attend school in person for at least ten days during a three-month period due to illness or injury which requires the student to remain at home or in a hospital or other institution for the treatment of children, other than a school.

(b) Definitions. As used in this section:

(1) Remote instruction shall have the same meaning as defined in section 100.1(u) of this Part.

(2) Tutor means an individual with whom the school district of residence contracts to provide home, hospital, or institutional instruction pursuant to this section. Such tutor must hold a New York State teaching certificate pursuant to Part 80 of this Title. A tutor may include a teacher employed by a board of cooperative educational services (BOCES) that contracts with the school district of residence to provide such instruction pursuant to Education Law § 1950.

(3) Instruction delivery plan means a written plan to continue the student's academic progress and to maintain a record of delivery of instructional services and student progress, in accordance with paragraph (1) of subdivision (e) of this section.

(4) School district of residence means the public school district within the State of New York where students legally reside with their parents or guardians.

(5) Treating health care provider means a person who is treating a student and is licensed or otherwise authorized to provide diagnosis pursuant to a profession enumerated in Title VIII of the Education Law.

(c) Responsibility for instruction.

(1) The board of education of the school district of residence shall provide instructional services to all resident students enrolled in a public or nonpublic school from kindergarten to age 21 when, due to a temporary or chronic physical, mental, emotional illness or injury, as documented by the student's treating healthcare provider, the student is unable to participate in their usual education setting.

(2) Such instruction may be provided by the district or by a tutor; provided, however, that for hospital and institutional instruction, such instruction may also be provided via contract with a school connected with such hospital or institution, or by contract with the local public school district in which such hospital or institution is located. Such contract shall be limited to the cost of educational services and shall not include maintenance or medical services.

(d) Request for instruction.

(1) When requesting home, hospital, or institutional instruction, the parent or guardian must submit a request to the school district of residence that includes written medical verification from the student's treating healthcare provider demonstrating the student's anticipated inability to attend school in person for at least ten days during the next three months and written consent authorizing the school medical director or designee to contact the treating healthcare provider. Refusal to provide such written consent will result in a denial of the request for home, hospital, or institutional instruction.

(2) The school district shall forward the request to the school's medical director, who shall review the need for home, hospital, or institutional instruction. The school's medical director may contact the student's treating healthcare provider to obtain additional information necessary regarding the student's health or mental health.

(3) The school district shall provide instructional services to the student within five school days after the school district receives notification of the student's medical condition or within five school days from the parent or guardian's request for home, hospital, or institutional instruction, whichever occurs first.

(4) The school district shall notify the parent or guardian regarding the medical director's approval or reason(s) for denial within five school days after receipt of written medical verification from the student's treating health care provider.

(5) The parent or guardian may appeal the medical director's denial to the school district's board of education within ten school days of receipt thereof.

(6) Instructional services shall be provided during the timeframe

prescribed in paragraph (3) of this subdivision while an appeal of a denial of home, hospital or institutional instruction is pending before the school district's board of education pursuant to paragraph (5) of this subdivision.

(e) Instructional requirements. Home, hospital, or institutional instruction, which may include remote instruction, shall meet the following minimum requirements:

(1) The school district shall establish a written home, hospital, or institution instruction delivery plan to continue the student's academic progress, obtaining and considering input from the parent/guardian and, if appropriate, the student, where appropriate. The instruction plan shall be reviewed by the school district as needed, based upon changed condition and/or needs of the student. The school district shall maintain a record of delivery of instructional services and student progress. The instruction delivery plan shall include, but not be limited to:

(i) the number of hours per week and hours per day that the student will receive instructional services;

(ii) the method by which instructional services will be delivered;

(iii) the location where instructional services will be provided, such as the home, hospital, or institution; and

(iv) an explanation of how the instructional services will enable the student to maintain academic progress.

(2)(i) Prior to July 1, 2023, the student shall receive instruction for the number of days and length of time necessary to continue the student's academic progress, which includes at a minimum:

(a) at the elementary school level, 5 hours of instruction per week. To the extent possible, at least one hour of instruction shall be provided each day.

(b) at the secondary school level, 10 hours of instruction per week. To the extent possible, at least two hours of instruction shall be provided daily.

(ii) On and after July 1, 2023, the student shall receive instruction for the number of days and length of time necessary to continue the student's academic progress, which includes at a minimum:

(a) at the elementary school level, 10 hours of instruction per week. To the extent possible, at least two hours of instruction shall be provided daily.

(b) at the secondary school level, 15 hours of instruction per week. To the extent possible, at least three hours of instruction shall be provided daily.

(3) Notwithstanding paragraph (2) of this subdivision, students may receive less than the required amount of instruction per week if requested by their parent(s) or guardian(s) and supported by documentation submitted by their treating healthcare provider. The district must ensure that the student is unable to receive the additional hours of instruction required by such paragraph and that the reason why the student is receiving less instruction is documented in the instruction delivery plan required pursuant to paragraph (1) of this subdivision. Under these circumstances, the district must ensure that the student's instruction delivery plan is reviewed regularly, but not less than once a month, to determine when the student's instructional hours may be increased; provided, however, that for purposes of determining average daily attendance pursuant to Education Law § 3602(1)(d) and average daily membership pursuant to Education Law § 3602(1)(l), a student must receive the minimum amount of instruction as prescribed in section 175.21 of this Chapter.

(4) The school district of residence shall maintain a record of the dates, amount, and type of instructional services the student received, including the teacher's name, subjects taught, and the location where the instructional services were provided.

(f) Students with disabilities. Notwithstanding the provisions of this section, students with disabilities who are recommended for home, hospital, or institutional instruction by the committee on special education pursuant to section 200.6(i) of this Chapter shall be provided instruction and related services as prescribed in such section.

2. Subdivision (i) of section 200.6 of the Regulations of the Commissioner of Education is amended to read as follows:

(i) Home and hospital instruction. Students with disabilities who are recommended for home and/or hospital instruction by the committee on special education shall be provided instruction and appropriate related services as determined and documented by the committee on special education in consideration of the student's unique needs. Home and hospital instruction shall only be recommended if such placement is in the least restrictive environment and must be provided for at least the number of days and length of time as provided in section 100.22(e)(2) of this Chapter.

[(1) a minimum of five hours per week at the elementary level, preferably one hour daily; or

(2) a minimum of 10 hours per week at the secondary level, preferably two hours daily.]

**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. EDU-22-22-00008-P, Issue of June 1, 2022. The emergency rule will expire January 30, 2023.

**Text of rule and any required statements and analyses may be obtained from:** Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112 EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

#### **Regulatory Impact Statement**

##### **1. STATUTORY AUTHORITY:**

Section 101 of the Education Law continues the existence of the Education Department, with the Board of Regents as its head, and authorizes the Regents to appoint the Commissioner as chief administrative officer of the Department, which is charged with the general management and supervision of public schools and the educational work of the State.

Section 207 of the Education Law grants general rule making authority to the Board of Regents to carry into effect the laws and policies of the State relating to education.

Section 215 of the Education Law empowers the Regents and the Commissioner to visit, examine into and inspect, any institution in the University and any school or institution under the educational supervision of the State and may require reports therefrom giving information as the Regents or the Commissioner prescribe.

Section 305(1) and (2) of the Education Law provide the Commissioner, as chief executive officer of the State's education system, with general supervision over all schools and institutions subject to the Education Law, or any statute relating to education, and responsibility for executing all educational policies of the Regents.

Section 1604(20) of the Education Law requires the trustees of common school districts to provide transportation, home-teaching or special classes, as defined in Education Law §§ 4401 and 4402 of the Education Law for physically or mentally handicapped and delinquent children.

Section 1709(24) of the Education Law requires the board of education of union free school districts to provide transportation, home-teaching or special classes, as defined in Education Law §§ 4401 and 4402 of the Education Law for physically or mentally handicapped and delinquent children.

Section 2503(11) of the Education Law requires the board of education of small city school districts to provide transportation, home-teaching or special classes, as defined in Education Law §§ 4401 and 4402 of the Education Law for physically or mentally handicapped and delinquent children.

Section 2554(18) of the Education Law requires the board of education of large city school districts to provide transportation, home-teaching or special classes, as defined in Education Law §§ 4401 and 4402 of the Education Law for physically or mentally handicapped and delinquent children.

Section 3202(6) of the Education Law provides that children cared for in a hospital or other institution for the care, custody and treatment of children, other than a school and excepting children of the officers and employees of such hospital or institution, shall not, by reason of their presence in such hospital or institution be deemed to be residents of the school district in which such hospital or institution is located. The trustees or board of education of the school district of their residence shall provide educational services for such children. Such services may be provided by a tutor employed by the district, by contract with a school connected with such hospital or institution, or by contract with the local public school district in which such hospital or institution is located.

Section 3204 of the Education Law provides that minors required to attend upon instruction pursuant to the Compulsory Education Law may attend at a public school or elsewhere and sets forth the requirements of such instruction.

Section 3205 of the Education Law provides that each minor from six to sixteen years of age in each school district or on an Indian reservation shall attend upon full time instruction.

##### **2. LEGISLATIVE OBJECTIVES:**

The proposed amendment is consistent with the above statutory authority and is necessary to implement Regents' policy regarding the provision of instruction to students in a home, hospital or institutional setting other than a school (homebound instruction).

##### **3. NEEDS AND BENEFITS:**

Home, hospital, or institutional (formerly homebound) instruction is an educational service provided by a school district to resident students (public and non-public) who are anticipated to be unable to attend school in person for at least ten days in a three-month period due to physical, mental, or emotional illness or injury. Homebound instruction ensures that students can continue learning and working towards mastery of learning standards while unable to attend school for a significant period of time for reasons beyond their control.

Currently, Commissioner's regulations only address instruction provided to students cared for in hospitals or other institutions which

provide for the care, custody, and treatment of children, other than a school setting, pursuant to Education Law § 3202(6) (8 NYCRR 175.21). This section of regulation pertains to average daily attendance and average daily membership for determination of state aid and establishes a minimum of 5 (elementary school level) or 10 (secondary level) hours of instruction per week.

For students with disabilities who are recommended for home, hospital, or institutional instruction by a committee on special education (CSE), section 200.6 of the Commissioner's regulations requires the same minimum hours for elementary and secondary levels as prescribed in section 175.21 of the Commissioner's regulations and reserves the determination of the instruction and related services to the CSE. There currently exists no instructional requirements for the general student population in need of such instruction, other than these stated minimums.

Throughout the 2021 - 2022 school year, the State Education Department received numerous inquiries from parents and caregivers regarding the extent to which they could request, or were entitled to receive, such instruction for students, including those who were immunocompromised. Schools also inquired as to how they should determine a student's eligibility for such instruction.

The proposed rule will give districts and parents or guardians clarity on the requirements for the application and provision of such instruction. The proposed rule will also establish, beginning with the 2023-2024 school year, increased minimum instructional requirements for students who are unable to attend school in person for at least ten days out of the next three months due to illness or injury that requires the student to remain at home or in a hospital or other institution for the treatment of children, other than a school.

Thus, the Department proposes to add a new section 100.22 to the Commissioner's regulations that:

- defines the terms tutor, school district of residence, and healthcare provider;
- requires medical verification from the student's treating healthcare provider as well as a request for home, hospital, or institutional instruction from a parent or guardian;
- establishes a time frame for review of the request, including the ability to appeal a denial thereof to a board of education;
- identifies minimum requirements for instruction to continue a student's academic progress, including the development of an instructional plan in consultation with the parent or guardian and, where appropriate, the student; and
- effective July 1, 2023, increases the minimum instruction hours to at least 10 hours of instruction per week at the elementary level and at least 15 hours of instruction at the secondary level, unless a lesser period is requested by the parent or guardian and supported by documentation submitted by a treating physician.

Additionally, the Department proposes to amend section 200.6 of the Commissioner's regulations to provide that the amount of home, hospital, and institutional instruction for students with disabilities conforms to the increased requirements of section 100.22.

##### **4. COSTS:**

(a) Costs to State government: There are no additional costs to State government.

(b) Costs to local government: Consistent with statute, the proposed amendment increases the minimum instruction hours, effective July 1, 2023, to at least 10 hours of instruction per week at the elementary level and at least 15 hours of instruction at the secondary level, unless a lesser period is requested by the parent or guardian and supported by documentation submitted by a treating physician. There may be costs to school districts to provide these increased hours of instruction to homebound students. These costs will vary based on the number of resident students receiving such instruction in a school district. The Department has provided for an effective date of July 1, 2023 for this requirement to allow districts sufficient time to budget for these potential costs.

(c) Cost to private regulated parties: The proposed amendment does not impose any additional costs on regulated parties.

(d) Cost to the regulatory agency: The proposed amendment will not impose any additional costs on the Department.

##### **5. LOCAL GOVERNMENT MANDATES:**

The proposed amendment identifies minimum requirements for the provision of home, hospital, or institutional instruction by school districts to continue a student's academic progress, including the development of an instructional plan after obtaining and considering input from the parent or guardian and, where appropriate, the student. Additionally effective July 1, 2023, the proposed rule increases the minimum instruction hours, to at least 10 hours of instruction per week at the elementary level and at least 15 hours of instruction at the secondary level, unless a lesser period is requested by the parent or guardian and supported by documentation submitted by a treating physician. The proposed amendment also sets forth procedures school districts must follow when a request for such instruc-



tion has been received. The district must: (1) forward the request to the school’s medical director, who shall review the request; (2) provide instructional service to the student within five days after the school district receives notification of the student’s medication condition or within five school days from the parent or guardian’s request for homebound instruction, whichever occurs first; (3) notify the parent or guardian regarding the medical director’s approval or reason(s) for denial within five school days after receipt of written medication verification from the student’s treating health care provider; and (4) provide instructional services to the students during the time period where the school medical director is considering the request for instruction and while an appeal of a denial of such instruction is pending.

**6. PAPERWORK:**

The proposed amendment identifies minimum requirements for the provision of home, hospital, or institutional instruction by school districts to continue a student’s academic progress, including the development of an instruction plan after obtaining and considering input from the parent or guardian and, where appropriate, the student. Such plan must include but is not limited to: (1) the number of hours per week and hours per day that the student will receive instructional services; (2) the method by which instructional services will be delivered; (3) the location where instructional services will be provided; and (4) an explanation of how the instructional services will enable the student to maintain academic progress.

**7. DUPLICATION:**

The proposed amendment does not duplicate any other existing State or Federal requirements.

**8. ALTERNATIVES:**

The proposed rule is necessary to implement Regents’ policy regarding the provision of instruction to students in a home, hospital or institutional setting other than a school (homebound instruction). Therefore, no significant alternatives were considered.

**9. FEDERAL STANDARDS:**

There are no applicable Federal standards.

**10. COMPLIANCE SCHEDULE:**

The proposed amendment took effect as an emergency rule on October 4, 2022. It is anticipated that the proposed rule will be presented to the Board of Regents for permanent adoption at the January 2023 Regents meeting, after publication of the proposed amendment in the State Register and expiration of the 60-day public comment period required under the State Administrative Procedure Act. If adopted at the January 2023 meeting, the proposed amendment will become effective as a permanent rule on January 25, 2023. It is anticipated that regulated parties will be able to comply with the proposed amendment by the effective date.

**Regulatory Flexibility Analysis**

**(a) Small businesses:**

The proposed amendment is necessary to implement Regents’ policy regarding the provision of instruction to students in a home, hospital or institutional setting other than a school (homebound instruction). Because it is evident from the nature of the proposed rule that it does not affect small businesses, no further measures were needed to ascertain that fact and none were taken. Accordingly, a regulatory flexibility analysis for small businesses is not required and one has not been prepared.

**(b) Local governments:**

**1. EFFECT OF RULE:**

The rule applies to all school districts in the State which have resident students requiring the provision of home, hospital, or institutional instruction.

**2. COMPLIANCE REQUIREMENTS:**

Home, hospital, or institutional instruction is an educational service provided by a school district to resident students (public and non-public) who are anticipated to be unable to attend school in person for at least ten days in a three-month period due to physical, mental, or emotional illness or injury. Such instruction ensures that students can continue learning and working towards mastery of learning standards while unable to attend school for a significant period of time for reasons beyond their control.

Currently, Commissioner’s regulations only address instruction provided to students cared for in hospitals or other institutions which provide for the care, custody, and treatment of children, other than a school setting, pursuant to Education Law § 3202(6) (8 NYCRR 175.21). This section of regulation pertains to average daily attendance and average daily membership for determination of state aid and establishes a minimum of 5 (elementary school level) or 10 (secondary level) hours of instruction per week.

For students with disabilities who are recommended for home, hospital, or institutional instruction by a committee on special education (CSE), section 200.6 of the Commissioner’s regulations requires the same minimum hours for elementary and secondary levels as prescribed in section 175.21 of the Commissioner’s regulations and reserves the determination of the instruction and related services to the CSE. There currently exists no instructional requirements for the general student population in need of such instruction, other than these stated minimums.

Throughout the 2021 -2022 school year, the State Education Department received numerous inquiries from parents and caregivers regarding the extent to which they could request, or were entitled to receive, “homebound” instruction for students, including those who were immunocompromised. Schools also inquired as to how they should determine a student’s eligibility for such instruction.

The proposed rule will give districts and parents or guardians clarity on the requirements for the application and provision of such instruction. The proposed rule will also establish, beginning with the 2023-2024 school year, increased minimum instructional requirements for students who are unable to attend school in person for at least ten days out of the next three months due to illness or injury that requires the student to remain at home or in a hospital or other institution for the treatment of children, other than a school.

Thus, the Department proposes to add a new section 100.22 to the Commissioner’s regulations that:

- defines the terms tutor, school district of residence, and healthcare provider;
- requires medical verification from the student’s treating healthcare provider as well as a request for home, hospital, or institutional instruction from a parent or guardian;
- establishes a time frame for review of the request, including the ability to appeal a denial thereof to a board of education;
- identifies minimum requirements for instruction to continue a student’s academic progress, including the development of an instructional plan in consultation with the parent or guardian and, where appropriate, the student; and
- effective July 1, 2023, increases the minimum instruction hours to at least 10 hours of instruction per week at the elementary level and at least 15 hours of instruction at the secondary level, unless a lesser period is requested by the parent or guardian and supported by documentation submitted by a treating physician.

Additionally, the Department proposes to amend section 200.6 of the Commissioner’s regulations to provide that the amount of home, hospital, and institutional instruction for students with disabilities conforms to the increased requirements of section 100.22.

**3. PROFESSIONAL SERVICES:**

The proposed rule does not impose any additional professional services requirements on local governments.

**4. COMPLIANCE COSTS:**

Consistent with statute, the proposed amendment increases the minimum homebound instruction hours, effective July 1, 2023, to at least 10 hours of instruction per week at the elementary level and at least 15 hours of instruction at the secondary level, unless a lesser period is requested by the parent or guardian and supported by documentation submitted by a treating physician. There may be costs to school districts to provide these increased hours of instruction to homebound students. These costs will vary based on the number of resident homebound students in a school district. The Department has provided for an effective date of July 1, 2023 for this requirement to allow districts sufficient time to budget for these potential costs.

**5. ECONOMIC AND TECHNOLOGICAL FEASIBILITY:**

The proposed rule does not impose any technological requirements on local governments. Regarding economic feasibility see “COSTS” section above.

**6. MINIMIZING ADVERSE IMPACT:**

The proposed rule is necessary to implement Regents’ policy regarding the provision of instruction to students in a home, hospital or institutional setting other than a school (homebound instruction). While school districts may incur costs in implementing the proposed rule as outlined in the “COSTS” section above, the proposed rule is necessary to ensure that students receive meaningful and appropriate instruction while at home, in hospital, or an institutional setting due to illness or injury. There were no significant alternatives considered.

**7. LOCAL GOVERNMENT PARTICIPATION:**

Comments on the proposed rule were solicited from school districts through the offices of the district superintendents of each supervisory district in the State, from the chief school officers of the five big city school districts.

**Rural Area Flexibility Analysis**

**1. TYPES AND ESTIMATED NUMBERS OF RURAL AREAS:**

The proposed rule applies to all school districts in the State which have resident students requiring the provision of home, hospital, or institutional (homebound) instruction, including those located in the 44 rural counties with fewer than 200,000 inhabitants and the 71 towns and urban counties with a population density of 150 square miles or less.

**2. REPORTING, RECORDKEEPING, AND OTHER COMPLIANCE REQUIREMENTS; AND PROFESSIONAL SERVICES:**

The proposed amendment identifies minimum requirements for the provision of such instruction by school districts to continue a student’s aca-

demographic progress, including the development of an instruction plan after obtaining and considering input from the parent or guardian and, where appropriate, the student. Such plan must include but is not limited to: (1) the number of hours per week and hours per day that the student will receive instructional services; (2) the method by which instructional services will be delivered; (3) the location where instructional services will be provided; and (4) an explanation of how the instructional services will enable the student to maintain academic progress.

Additionally effective July 1, 2023, the proposed rule increases the minimum instruction hours, to at least 10 hours of instruction per week at the elementary level and at least 15 hours of instruction at the secondary level, unless a lesser period is requested by the parent or guardian and supported by documentation submitted by a treating physician.

The proposed amendment also sets forth procedures school districts must follow when a request for home, hospital, or institutional has been received. The district must: (1) forward the request to the school's medical director, who shall review the request; (2) provide instructional service to the student within five days after the school district receives notification of the student's medication condition or within five school days from the parent or guardian's request for homebound instruction, whichever occurs first; (3) notify the parent or guardian regarding the medical director's approval or reason(s) for denial within five school days after receipt of written medication verification from the student's treating health care provider; and (4) provide instructional services to the students during the time period where the school medical director is considering the request for instruction and while an appeal of a denial of such instruction is pending.

### 3. COMPLIANCE COSTS:

Consistent with statute, the proposed amendment increases the minimum home, hospital, or institutional instruction hours, effective July 1, 2023, to at least 10 hours of instruction per week at the elementary level and at least 15 hours of instruction at the secondary level, unless a lesser period is requested by the parent or guardian and supported by documentation submitted by a treating physician. There may be costs to school districts, including those located in rural areas, to provide these increased hours of such instruction to students. These costs will vary based on the number of resident students needing such instruction in a school district. The Department has provided for an effective date of July 1, 2023 for this requirement to allow districts sufficient time to budget for these potential costs.

### 4. MINIMIZING ADVERSE IMPACT:

The proposed rule is necessary to implement Regents' policy regarding the provision of instruction to students in a home, hospital or institutional setting other than a school (homebound instruction). Because the purpose of the proposed amendment is to ensure that all students receive meaningful and appropriate instruction while at home, in hospital, or an institutional setting due to illness or injury, no alternatives were considered for school districts located in rural areas.

### 5. RURAL AREA PARTICIPATION:

Comments on the proposed rule were solicited from school districts through the offices of the district superintendents of each supervisory district in the State, from the chief school officers of the five big city school districts, including those in rural areas.

#### Job Impact Statement

The purpose of the proposed rule is to implement Regents' policy regarding the provision of instruction to students in a home, hospital or institutional setting other than a school (homebound instruction). Because it is evident from the nature of the proposed rule that it will have no impact on the number of jobs or employment opportunities in New York State, no further steps were needed to ascertain that fact and none were taken. Accordingly, a job impact statement is not required and one has not been prepared.

#### Assessment of Public Comment

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

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## Department of Health

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

#### Adult Care Facilities

I.D. No. HLT-51-22-00006-P

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

**Proposed Action:** Amendment of sections 485.14, 486.5, 487.5, 487.7, 487.11, 488.5, 488.7, 488.11, 490.5, 490.7 and 490.11 of Title 18 NYCRR.

**Statutory authority:** Social Services Law, sections 461 and 461-e(5)

**Subject:** Adult Care Facilities.

**Purpose:** To ensure consistency with various policy interpretations and compliance with the Federal home and community based settings final rule.

**Substance of proposed rule (Full text is posted at the following State website: <https://regs.health.ny.gov/regulations/proposed-rule-making>):**

These proposed regulations amend 18 NYCRR sections 485.14, 486.5, 487.5, 487.7, 487.11, 488.5, 488.7, 488.11, 490.5, 490.7, and 490.11, which pertain to resident rights and services in all adult care facilities (Part 485), including Adult Homes (Part 487), Enriched Housing Programs (Part 488), and Residences for Adults (Part 490). The changes incorporate the residents' rights standards of the final Home and Community-Based Services (HCBS) regulation, promulgated by the Centers for Medicare & Medicaid Services, including the rights of access to visitors, freedom of choice, and community participation. The proposed regulations also amend reporting requirements in the event of a resident death or attempted suicide, or where a felony crime may have been committed by or against a resident, pursuant to Social Services Law section 461-m. Specific amendments include:

Section 485.14: requires operators to provide unrestricted access to common areas for at least ten hours between 9 a.m. and 8 p.m., and to allow common space visits taking place outside this timeframe and access to visitors at any time.

Sections 487.5(a), 488.5(a), and 490.5(a): require the statement of rights to be provided to each resident at the time of admission and reviewed with the resident periodically thereafter, and further amended to expand on residents' rights, including rights to: (a) manage their own personal affairs, including the right to determine from whom medical services are received, provided such services are within the provider's scope of practice; (b) have privacy in their own room and sleeping unit, with only appropriate staff having access; (c) choose a private room if available and affordable or be offered a choice of roommates in a shared unit; (d) decorate their own room; (e) have their dignity preserved and be free from coercion and restraint; (f) engage in community life, including activities outside of the facility; (g) be afforded the opportunity to seek employment and work in the greater community; and (h) to control their own schedule and activities and have access to food at any time.

Sections 487.7, 488.7, and 490.7: require operators to file a report with the Justice Center for the Protection of People with Special Needs in the event of a resident's death or attempted suicide, or when a felony crime may have been committed by or against a resident, if the resident had at any time received services from a mental hygiene services provider. Amendments further require reporting to the appropriate law enforcement authority when a felony crime may have been committed by or against a resident. These sections will also require case management to include episodic evaluation of the resident's needs and goals; to document each resident's understanding of their rights and responsibilities; and to support residents in making decisions about daily activities to participate in, with whom to interact, and the physical environment in which the resident resides.

Sections 487.11(1)(14), 488.11(h), and 490.11(m)(14)(i): require all bedrooms to be lockable by the resident via an appropriate locking mechanism, with only residents and appropriate staff having access.

**Text of proposed 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: regsqna@health.ny.gov

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

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

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

#### Regulatory Impact Statement

##### Statutory Authority:

Social Services Law (SSL) section 461(1) requires the Department of Health (Department) to promulgate regulations establishing general standards applicable to adult care facilities. SSL section 461-e(5) authorizes the Department to promulgate regulations to require an adult care facility to maintain certain written records with respect to the facility's residents and the operation of the facility.

##### Legislative Objectives:

The legislative objective of SSL section 461 is to promote the health and well-being of adults residing in adult care facilities. SSL section 461-e is intended to ensure that adult care facilities maintain sufficient records to enable the Department to monitor facilities serving residents.

**Needs and Benefits:**

The proposed regulatory changes set forth additional resident rights and articulate specific instances that must be reported to both the Department and the Justice Center for the Protection of People with Special Needs ("Justice Center"). These amendments will better protect adult care residents and ensure their safety and well-being is improved. For example, the regulation will permit many residents to have greater access to their community, which can lead to greater residential satisfaction. Operators will also benefit from these changes, as they provide clarity and direction for the operation of facilities.

The regulations are also necessary to bring Department regulations in line with policy guidance issued by the Department in response to the promulgation of the federal Home and Community-Based Services (HCBS) final rule at 42 CFR § 441.301(c). Previously-issued policy guidance includes Dear Administrator Letter (DAL) 17-09 (dated November 13, 2017), DAL 18-15 (dated November 9, 2018), and DAL 21-12 (dated June 30, 2021) which provided guidance for assisted living programs and adult care facilities to comply with the HCBS final rule. As compliance with the HCBS final rule is required by March 17, 2023, these regulations serve an important purpose to ensure that all covered facilities fully understand the HCBS final rule requirements, and that the Department can effectively enforce those requirements.

Finally, these regulations are needed to effectuate statutory changes to SSL § 461-m in 2017 and 2018. SSL § 461-m now requires operators of adult homes, enriched housing programs, and residences for adults to report (1) any death or attempted suicide of a resident to the Department within 24 hours and (2) any incident that the operator believes or reasonably should believe would constitute a felony crime against a resident to an appropriate law enforcement authority. The statute further requires such operators to send any reports involving a resident who had at any time received services from a mental hygiene service provider to the Justice Center.

**Costs:****Costs to Private Regulated Parties:**

The Department anticipates that there will be minimal costs to the regulated parties (that is, operators of Adult Homes, Enriched Housing Programs, and Residences for Adults). These minimal costs are in the form of increased paperwork due to new reporting requirements of specific incidents to the Justice Center. Additionally, some facilities may need to update policies and retrain staff to ensure that resident rights are respected pursuant to the amended regulations.

**Costs to Local Government:**

This proposal will not impact local governments unless they operate Adult Homes, Enriched Housing Programs, or Residences for Adults, in which case the impact would be the same as outlined above for private parties.

**Costs to the Department of Health:**

The Department does not anticipate costs to be incurred as a result of the proposed rule. Any work required by the proposed rule, such as monitoring compliance with new residents' rights standards, will be accomplished using existing resources.

**Costs to Other State Agencies:**

The proposed regulations will require reporting to the Justice Center. However, the Justice Center is expected to utilize existing resources to receive and review these reports.

**Local Government Mandates:**

Local governments that operate Adult Homes, Enriched Housing Programs, or Residences for Adults must comply with this regulation. No new local government program, project, or activity is required by the proposed regulations.

**Paperwork:**

The rule requires reporting of specific incidents to the Justice Center on a form prescribed by the Justice Center. Operators will be required to document additional information under the proposed rules, such as residents' understanding of their rights under the applicable laws as well as residents' needs and goals. However, the Department does not expect this additional documentation to be burdensome, as operators are already required to document multiple aspects of residents' needs under existing regulations.

**Duplication:**

In some instances, the new Justice Center reporting requirements will duplicate the report submitted to the appropriate regional office of the Department. However, these reporting requirements are mandated pursuant to SSL section 461-m. No other State or federal rules will duplicate, overlap or conflict with the proposed rule.

**Alternatives:**

This rule is necessary to align Department regulations with the SSL, prior Department guidance, and the HCBS final rule. No other alternatives are viable, as promulgation of regulatory changes are required to align regulations with existing State and federal laws.

**Federal Standards:**

Adult care facilities are regulated by the State. However, following the promulgation of the HCBS final rule, the State was required to update regulations to maintain compliance with federal laws. These regulatory changes will therefore work in conjunction with relevant federal laws and will enhance Department guidance documents issued following promulgation of the HCBS final rule, including DAL 17-09 (dated November 13, 2017), DAL 18-15 (dated November 9, 2018), and DAL 21-12 (dated June 30, 2021) which provided guidance for assisted living programs and adult care facilities to comply with the HCBS final rule.

**Small Business Guide:**

A small business guide, required by State Administrative Procedure Act (SAPA) section 102-a, is unnecessary at this time. Through DAL 17-09, DAL 18-15, and DAL 21-12, the Department previously communicated requirements to comply with the HCBS final rule to all adult care facilities and assisted living programs, and these requirements are incorporated into the proposed amended regulations. Additionally, adult homes and enriched housing programs have already been required to report certain instances regarding resident deaths and suicide attempts to the Justice Center. The Department will also remind adult care facilities of these existing guidance documents and legal requirements prior to the effective date of these regulatory amendments.

**Compliance Schedule:**

Adult care facilities are expected to be able to comply with these regulations immediately. The proposal shall be effective upon publication of a Notice of Adoption in the New York State Register.

**Regulatory Flexibility Analysis****Effect of Rule:**

For purposes of this regulatory flexibility analysis, the Department considers small businesses to be adult care facilities with 100 or fewer full-time staff. Based upon information garnered through licensing and surveys of facilities, 552 adult care facilities employ 100 or fewer full-time staff. Two local governments have been identified as operating an adult care facility, one each in the counties of Chenango and Warren.

Although this proposal will therefore affect small businesses and local governments that operate adult care facilities, the Department finds that the proposed regulations are necessary to ensure that the health and well-being of all adult care facility residents is best protected. Additionally, many of the proposed regulations are consistent with policy guidance that the Department has previously provided as well as State and federal laws (i.e., the SSL and the HCBS final rule). As such, the Department does not anticipate that small businesses and local governments will be unduly burdened by the proposed regulatory changes given their prior awareness.

**Professional Services:**

No additional professional services will be required by small businesses or local governments to comply with this rule.

**Compliance Costs:**

The Department anticipates that there will be minimal costs to all regulated parties, including the 552 adult care facilities identified by the Department as small businesses and the two local governments operating an adult care facility. These minimal costs are in the form of increased paperwork due to new reporting requirements of specific incidents to the Justice Center. Additionally, some facilities may need to update policies and retrain staff to ensure that resident rights are respected pursuant to the amended regulations.

**Economic and Technological Feasibility:**

The Department does not anticipate that regulated parties will need to invest in new technologies to comply with these regulatory changes. The Department-prescribed Incident Report form will be electronic; however, the Department expects that all regulated parties will be able to submit this electronic form using existing technologies, given that the prescribed form will be completed and submitted via the Health Commerce System. Therefore, the Department anticipates that compliance with the proposed rule will be both economically and technologically feasible.

**Minimizing Adverse Impact:**

As any compliance costs are expected to be minimal, the Department did not consider any approaches for minimizing adverse economic impact as listed in SAPA section 202-b(1).

**Small Business and Local Government Participation:**

There was no participation from small businesses or local governments in the drafting of this rule. Since inception, small businesses have been involved in the policy development and application associated with the federal Home and Community Based Settings Final Rule, including necessary updates included herein, and those facilities subject to the conjoined jurisdiction of the Department of Health and Justice Center have been actively involved in policy application and received guidance regarding the legal changes that precede these regulatory updates. See Dear Administrator Letters ## 17-16 (Adult Care Facility, Assisted Living Program Onsite Evaluation of HCBS Compliance), 18-15 (Guidance for Adult Care Facilities to Comply with the Home and Community Based Settings (HCBS) Final Rule), and 21-12 (Home and Community Based



Settings (HCBS) Final Rule Guidance). Accordingly, the Department will duly consider any comments submitted by representatives of these entities during the public comment period.

**Establishment of a Penalty Associated with a Violation of Standards:**

This rule establishes no new penalty associated with a violation of standards contained in the regulations. Under existing law (18 NYCRR 486.1), the Department has authority to cite and seek enforcement against a facility with a violation upon noncompliance with the requirements of this rule.

**Rural Area Flexibility Analysis**

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

This rule applies uniformly throughout the state, including rural areas. Rural areas are defined as counties with a population less than 200,000 and counties with a population of 200,000 or greater that have towns with population densities of 150 persons or fewer per square mile. The following 43 counties have a population of less than 200,000 based upon the United States Census estimated county populations for 2010 (<http://quickfacts.census.gov>). Approximately 17% of small health care facilities are located in rural areas.

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 have a population of 200,000 or greater and towns with population densities of 150 persons or fewer per square mile. Data is based upon the United States Census estimated county populations for 2010.

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:**

The proposed rule requires reporting of certain incidents to the Justice Center. However, regulated parties are already required to report such incidents to the Department, and adult homes and enriched housing programs were previously required to report resident deaths and suicide attempts to the Justice Center. As such, the Department does not anticipate that regulated parties will be burdened by this requirement, nor are they expected to require professional services to comply with the proposed rule.

**Costs:**

The Department anticipates that there will be minimal costs to all regulated parties statewide, including regulated facilities operating in rural areas. These minimal costs are in the form of increased paperwork due to new reporting requirements of specific incidents to the Justice Center. Additionally, some facilities may need to update policies and retrain staff to ensure that resident rights are respected pursuant to the amended regulations.

**Minimizing Adverse Impact:**

There are minimal adverse impacts associated with this proposed rule. All facilities statewide will be required to complete additional paperwork due to their new reporting responsibilities to the Justice Center. Additionally, the Department expects that some facilities will be required to update policies and retrain staff to ensure that resident rights are respected pursuant to the amended regulations. Nevertheless, the proposed rule is anticipated to improve resident safety and well-being in adult care facilities statewide. Additionally, the proposed rule is necessary to bring Depart-

ment guidance in line with the SSL and the HCBS final rule. As such, the benefits greatly outweigh the minimal adverse impacts on facility operators.

**Rural Area Participation:**

There was no participation from rural area representatives in the drafting of this rule. However, the Department will duly consider any comments submitted by such representatives during the public comment period.

**Job Impact Statement**

A Job Impact Statement for these amendments is not being submitted because it is apparent from the nature and purposes of the amendments that they will not have a substantial adverse impact on jobs and/or employment opportunities.

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## State Liquor Authority

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**NOTICE OF ADOPTION**

**Minimum Curriculum Requirements for ATAP Schools**

**I.D. No.** LQR-36-22-00001-A

**Filing No.** 976

**Filing Date:** 2022-11-30

**Effective Date:** 2022-12-21

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

**Action taken:** Addition of section 106.3(m) to Title 9 NYCRR.

**Statutory authority:** Alcoholic Beverage Control Law, section 18(10)

**Subject:** Minimum curriculum requirements for ATAP schools.

**Purpose:** To add information regarding human trafficking awareness and prevention to minimum curriculum requirements for ATAP schools.

**Text or summary was published** in the September 7, 2022 issue of the Register, I.D. No. LQR-36-22-00001-P.

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

**Text of rule and any required statements and analyses may be obtained from:** Paul Karamanol, Senior Attorney, Liquor Authority, 80 South Swan Street, Suite 900, Albany, New York 12210, (518) 486-6743, email: paul.karamanol@sla.ny.gov

**Initial Review of Rule**

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

**Assessment of Public Comment**

The agency received no public comment.

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## Long Island Power Authority

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**PROPOSED RULE MAKING  
HEARING(S) SCHEDULED**

**Time of Day Rates for Residential Customers**

**I.D. No.** LPA-51-22-00007-P

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

**Proposed Action:** The Long Island Power Authority proposes to modify its Tariff for Electric Service to create a Time of Day (TOD) rate that will become the standard (opt-out) rate for residential electric service beginning in 2024.

**Statutory authority:** Public Authorities Law, section 1020-f(u) and (z)

**Subject:** Time of Day rates for residential customers.

**Purpose:** To give customers bill savings opportunities, lower system costs, and support New York's clean energy transition.

**Public hearing(s) will be held at:** 6:00 p.m., Feb. 20, 2023 at Long Island Power Authority, 333 Earle Ovington Blvd., Suite 403, Uniondale, NY;

10:00 a.m., Feb. 20, 2023 at H. Lee Dennison Bldg., 100 Veterans Memorial Hwy., Hauppauge, NY or refer to schedule on [www.lipower.org](http://www.lipower.org).

**Interpreter Service:** Interpreter services will be made available to hearing impaired persons, at no charge, upon written request submitted within reasonable time prior to the scheduled public hearing. The written request must be addressed to the agency representative designated in the paragraph below.

**Accessibility:** All public hearings have been scheduled at places reasonably accessible to persons with a mobility impairment.

**Substance of proposed rule:** The Long Island Power Authority (“LIPA” or the “Authority”) staff proposes to modify the Tariff for Electric Service to create a Time of Day (“TOD”) rate that will become the standard rate for residential non-heating service beginning in 2024. Offering a TOD rate as the standard (or default) residential rate has become increasingly common among utilities and state policymakers that are focused on transitioning their power grids to affordable clean electricity and electrifying fossil fuel-intensive sectors. TOD rates provide opportunities for customers to manage their bills and promote the efficient use of the electric system, reducing costs to all customers and reducing carbon emissions.

As proposed, LIPA’s residential customers may opt out of the TOD rate at any time and remain on (or return to) a non-time-differentiated rate. Existing full service non-heating customers will be transitioned to the residential TOD rate during 2024, unless they choose to opt out of the transition. Customers wishing to try the rate before the transition will be permitted to opt into the residential TOD rate during the fourth quarter of 2023 as the billing software and enrollment processes become available. Any customer who is enrolled in the new TOD rates will receive a rate “guarantee” for up to one year, meaning that if the customer would have paid less on the non-TOD rate, they will be credited the difference when they unenroll from TOD or at the end of 12 months, whichever occurs first.

**Text of proposed rule and any required statements and analyses may be obtained from:** Elisa Rodriguez, Long Island Power Authority, 333 Earle Ovington Blvd., Suite 403, Uniondale, NY 11553, (516) 222-7700, email: [tariffchanges@lipower.org](mailto:tariffchanges@lipower.org)

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

**Public comment will be received until:** Five days after the last scheduled public hearing.

**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.

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## Public Service Commission

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

**Proposed Public Policy Transmission Needs/Public Policy Requirements, As Defined Under the NYISO Tariff**

**I.D. No.** PSC-51-22-00001-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 proposed Public Policy Transmission Needs/Public Policy Requirements submitted by the New York Independent System Operator, Inc. (NYISO) on November 7, 2022.

**Statutory authority:** Public Service Law, sections 4, 5, 65, 66 and 66-p

**Subject:** Proposed Public Policy Transmission Needs/Public Policy Requirements, as defined under the NYISO tariff.

**Purpose:** To identify any proposed Public Policy Transmission Needs/Public Policy Requirements for referral to the NYISO.

**Substance of proposed rule:** The Public Service Commission (Commission) is considering proposed Public Policy Transmission Needs/Public Policy Requirements, as defined in the New York Independent System Operator, Inc.’s (NYISO) Open Access Transmission Tariff (Attachment Y), which were submitted by the NYISO on November 7, 2022.

The NYISO submitted 17 proposals for transmission needs driven by Public Policy Requirements, which were provided to the NYISO

by: (1) Alliance for Clean Energy New York and the New York Offshore Wind Alliance, (2) AES Clean Energy, (3) Avangrid Networks, Inc., (4) City of New York, (5) Con Edison Transmission, Inc., (6) H.Q. Energy Services (U.S.) Inc., (7) Investor-owned New York Transmission Owners, (8) Invenergy LLC, (9) LS Power Grid New York Corporation I, (10) National Grid Ventures, (11) NextEra Energy Transmission New York, (12) New York Transco LLC, (13) The New York Power Authority, (14) Orsted Wind Power North America LLC, (15) PSEG Long Island, (16) Rise Light & Power, LLC, and (17) Transource Energy, LLC and Transource New York.

In accordance with its Policy Statement issued in Case 14-E-0068 on August 15, 2014, the Commission seeks comments on whether any of the proposals should be identified as Public Policy Transmission Needs/Public Policy Requirements that may drive the need for transmission and should be referred to the NYISO to solicit and evaluate potential solutions.

The full text of the proposed Public Policy Transmission Needs/Public Policy Requirements 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 other related matters, including but not limited to, (i) whether the Commission should provide evaluation criteria to the NYISO or require the NYISO to perform specific analyses as part of its project review process, or (ii) whether any proposed Public Policy Transmission Needs/Public Policy Requirements should be addressed by transmission or non-transmission solutions. The Commission may also prescribe a cost allocation methodology associated with any identified Public Policy Transmission Needs/Public Policy Requirements.

**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) 474-6517, 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-0633SP1)

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

**Competitive Solicitations to Procure 350MW of Energy Storage Systems**

**I.D. No.** PSC-51-22-00002-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 a petition filed by the Joint Utilities to modify certain aspects related to energy storage solicitations.

**Statutory authority:** Public Service Law, sections 65, 66 and 74

**Subject:** Competitive solicitations to procure 350MW of energy storage systems.

**Purpose:** To modify energy storage solicitations and improve procurement results.

**Substance of proposed rule:** The Public Service Commission (Commission) is considering a petition filed on November 30, 2022 by Central Hudson Gas & Electric Corporation (Central Hudson), Consolidated Edison Company of New York, Inc. (Con Edison), New York State Electric & Gas Corporation (NYSEG), Niagara Mohawk Power Corporation, d/b/a National Grid (National Grid), Orange and Rockland Utilities, Inc. (O&R), and Rochester Gas and Electric Corporation (RG&E) (collectively, the Joint Utilities), requesting the Commission to modify the requirements of future energy storage solicitations such that: (1) the required in-service



date for storage resources is extended from December 31, 2025 to no later than December 31, 2028; and (2) the maximum dispatch rights contract duration is extended from the current “up to ten years” to “up to fifteen years.”

The petition indicates that the Joint Utilities, with the exception of National Grid, have been unable to contract with projects that meet the goals outlined by the Commission due to significant supply chain cost increases that have impacted their ability to meet their procurement goals. However, the Joint Utilities note that changes, including the Federal Investment Tax Credit in the Inflation Reduction Act of 2022 and a new rate setting, are expected to improve the economics of energy storage projects, which in turn would improve the likelihood that the Joint Utilities’ procurements would be successful going forward.

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.

(18-E-0130SP12)

## PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

### Petition to Submeter Electricity

**I.D. No.** PSC-51-22-00003-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 the petition of BOP Greenpoint D LLC to submeter electricity at 27 Eagle Street, Brooklyn, New York, and request for waiver of the requirement of an energy audit pursuant to 16 NYCRR section 96.5(k)(3).

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

**Subject:** Petition to submeter electricity.

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

**Substance of proposed rule:** The Commission is considering the petition filed by BOP Greenpoint D LLC (Owner) on August 3, 2022, seeking authority to submeter electricity at a new residential building, offering affordable rental units, located at 27 Eagle Street, Brooklyn, New York, located in the service territory of Consolidated Edison Company of New York, Inc. (Con Edison).

In the petition, the Owner requests authorization to take electric service from Con Edison and then distribute and meter that electricity to its tenants. The Owner also requests for a waiver of 16 NYCRR § 96.5(k)(3), which requires proof that an energy audit has been conducted when 20 percent or more of the residents receive income-based housing assistance. The Owner states that because the building is new construction and is therefore subject to the New York City Energy Conservation Code (NYCECC), which sets energy-efficiency standards for new construction, the Commission should waive the energy audit requirements of 16 NYCRR § 96.5(k)(3). Once approved by the Commission, submetering of electricity to residential tenants 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 waiver request 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-0463SP1)

## PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

### Waiver of a Pipeline Safety Regulation

**I.D. No.** PSC-51-22-00004-P

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

**Proposed Action:** The Commission is considering the petition of Superior Plus Energy Services, Inc. for a waiver of Commission regulations regarding leak detection on petroleum pipelines for its Big Flats Petroleum Terminal located in Big Flats, NY.

**Statutory authority:** Public Service Law, section 66

**Subject:** Waiver of a pipeline safety regulation.

**Purpose:** Whether the waiver of the regulation is in the public interest.

**Substance of proposed rule:** The Commission is considering the petition of Superior Plus Energy Services, Inc. (Superior), filed on July 2, 2015 for a waiver of Commission regulations regarding leak detection on petroleum pipelines for its Big Flats Petroleum Terminal, located in Big Flats, New York.

The petition states that a 1,620-foot underground petroleum pipeline is located on the grounds of the terminal, with a section of it extending beyond the grounds. In a 2014 audit of the terminal, Department of Public Service Staff found that Superior was in violation of Commission regulation 16 NYCRR 258.9, which states “each liquid petroleum pipeline shall have an acceptable automatic leak detection system capable of initiating an alarm at a location that is continuously monitored by personnel employed by the corporation and/or is capable of effecting automatic shutdown of the pipeline.”

The petition states that the entirety of the pipeline is visible from the Terminal facilities, and details the safeguard in place to monitor the pipeline, including procedures for monitoring petroleum transfers, periodic inspections, and emergency response procedures. The petition also explains the qualifications of the pipeline operators and how the pipeline is categorized under federal regulations. Given these facts, Supreme argues that there is a rational basis for granting a waiver of 16 NYCRR 258.9 as it applies to the Big Flats petroleum pipeline.

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. (15-G-0387SP1)

**Department of Transportation**

**NOTICE OF ADOPTION**

**Regulation of Commercial Motor Carriers in New York State**

**I.D. No.** TRN-18-22-00001-A

**Filing No.** 1006

**Filing Date:** 2022-12-01

**Effective Date:** 2022-12-21

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

**Action taken:** Addition of sections 720.3(d), 721.1(a)(1), 820.1(e); repeal of sections 505.12, 505.13, 721.3(f), 820.10(o); amendment of sections 720.2(a)(1), (3), 720.4, 720.11, 750.1, 820.5 of Title 17 NYCRR.

**Statutory authority:** Transportation Law, sections 14, 138, 140, 142, 145; Vehicle and Traffic Law, sections 375, 383, 401, 509-x, 509-y, 1223-a, art. 19-A

**Subject:** Regulation of commercial motor carriers in New York State.

**Purpose:** To repeal or modify obsolete provisions, make technical changes, and implement non-discretionary statutory provisions.

**Text of final rule:** Section 505.12 is repealed.

[Notwithstanding the amount of a penalty set forth in the notice of violation, the decision of the presiding officer in a proceeding may be to impose a penalty of up to \$ 5,000, dismiss the notice of violation, or find respondent guilty and impose no monetary penalty.]

Section 505.13 is repealed.

[All penalties imposed shall be paid within 120 days of the date of service of the order, unless an appeal is filed as hereinafter set forth.]

Section 720.2 is amended to repeal (a)(1) and (3):

(a) A motor vehicle subject to department inspection requirements shall not be operated unless it displays on the interior surface of the windshield, as close to the lower right hand corner as practicable, an unexpired certificate of inspection issued to the current owner or operator by the department, or by another regulatory body certified by the department. In lieu of such certificate of inspection, the department shall recognize the display of a valid certificate of inspection issued within the preceding six months for a motor vehicle having a seating capacity of more than 10 passengers engaged in interstate commerce by the following:

[(1) The Commercial Vehicle Safety Alliance certificate of safety inspection. See Section 720.11(f) of this Part.]

[(3) The Public Service Commission of the State of Delaware.]

Section 720.3 is amended to add subdivision (d):

(d) *Signs and placards. Any motor vehicle having a seating capacity of more than seven passengers and whose primary use is to transport pupil(s) and teachers to and from school shall not be mounted with or have installed thereon any sign, placard, or other display except as permitted by law. The provisions of this subdivision shall not apply to such motor vehicles operating in a city with a population of one million or more.*

Section 720.4(k), (y)(1)(i) and (z) are amended to read as follows:

(k) School bus insulation (Type A, B, C, D). School buses shall have insulation material of a fire-resistant nature placed between the panels from the floor to the top of the roof. The insulating material shall be thermo type and permanently sealed in place. The insides of all exterior and interior panels shall be coated with asphalt base, rubber base or other approved material, [applied by spray method,] in order to seal, deaden sound, insulate and prevent oxidation.

(y) Chassis construction.

(1) General requirements (all vehicles).

(i) FMVSS. All chassis shall meet the applicable FMVSS as of date of manufacture. Compliance with such standards shall be certified by the manufacturer by attachment of a plate or decal. The manufacturer's GVWR that is not to be exceeded shall be listed on such plate or decal. As necessary, the wet curb weight of the vehicle shall be provided by the final stage manufacturer.

(a) *Stretch limousines.*

(i) *Vehicle that are subject to these safety requirements and that meet the definition of an altered vehicle commonly referred to as a "stretch limousine" may not be operated unless all FMVSS labels, markings and placards required at the time of manufacture are present and conform with the current state of the vehicle.*

(b) *Vans in School Service.*

(i) *Vehicles that are subject to these safety requirements that meet the definition of a school vehicle and that have a seating capacity of more than 10 passengers including the driver may not be operated unless the vehicle was manufactured in accordance with the FMVSS of a school bus.*

(z) Brakes.

(2) School buses (Type B, C, D).

(i) Air pressure warning device. There shall be a device which will give a distinctive audible and visible warning signal when the air pressure or vacuum in the reservoir is insufficient to activate any power-operated device on the bus[.]a visible warning signal shall be a distinctive moving-type device]. Such warning device shall be readily visible to or easily recognizable by the driver.

[(ii) Wig-wags. Wig-wags or equivalent audible and movable warning devices shall be mounted as near as practicable to the forward field of vision of the driver when in a normal seated position, and its movement shall not allow contact with other movable or fixed objects attached to the vehicle. If only one audible or movable warning device is used, it shall monitor the wet tank.]

Section 720.11(d)(3) is amended as follows and Sections (g) and No. 16.01 is repealed.

(d) Criteria.

(3) Vehicles operated by a carrier determined not to have an acceptable safety and inspection record that have Defect Ratings of "B" and "C" shall be treated as if they had a Defect Rating of "A". Periodically, the [Passenger and Freight Safety Division] Office of Modal Safety & Security shall determine those carriers that do not have an adequate safety and inspection record. Such determinations may be based on a review of the carrier's past safety record, preventive maintenance program and out-of-service rate.

**OUT OF SERVICE AND DEFECT CRITERIA**

No.	Inspection Item	Defect	Defect Rating
[16.01	WIG-WAG	Missing or not working properly	A]

[(g) Commercial vehicle safety alliance inspection sticker. The following is a sample of a typical Inspection Sticker issued by Commercial Vehicle Safety Alliance (CVSA) members throughout North America to commercial vehicles that successfully pass a Level 1 Roadside Safety Inspection. The sticker is typically placed on the front bumper of the commercial vehicle.]

Section 721.1(a) is amended to add a subsection (1) as follows:

(a) Preestablished Regular Maintenance Intervals: Every passenger vehicle operator shall insure that all vehicles subject to the requirements of 17 NYCRR 720 are examined and serviced at regular maintenance intervals preestablished by the operator, and that such operator has an effective preventive maintenance program.

(1) *Any passenger vehicle operator that has been the subject of at least 10 department vehicle inspections conducted in the preceding state fiscal year pursuant to Section 140(3) of the Transportation Law shall maintain an out of service rate of less than 25 percent.*

Section 721.3(f) is repealed.

[(f) FMCSR. Drivers of passenger carrying vehicles that carry more than 15 passengers, including the driver, or with a gross vehicle weight rating of more than 10,000 pounds shall comply with the applicable Federal Motor Carrier Safety Regulations (FMCSR) of the Federal Highway Administration, including: 49 CFR Part 382 - Controlled Substances and Alcohol Use and Testing, part 383 - Commercial Driver's License Standards; Requirements and Penalties, part 390 - Federal Motor Carrier Safety Regulations; General, subdivisions 391.21, except for (b)(12), 391.23, except for (b) and (c), 391.25, 391.27, except for (c) and (d), 391.41, 391.43 and 391.51, except for (b)(3), (b)(7) and (d)(4), of part 391 - Qualifications of Drivers, part 392 Driving of Commercial Motor Vehicles, part 393 - Parts and Accessories Necessary For Safe Operation, part 396 - Inspection, Repair, and Maintenance, except for subdivisions 396.3(a)(2) and (b)(4) and part 397 - Transportation of Hazardous Materials; Driving and Parking Rules. With respect to commercial drivers that are licensed with a passenger endorsement to operate a bus on an intrastate basis only, parts 390 to 397 shall not apply to commercial drivers when operating a school bus, and the adopted portions of part 391 shall only apply to those drivers that received their initial commercial driver's license after 5/19/1999, the first effective date of this regulation. With respect to

hours of service of bus drivers the requirements of 17 NYCRR 820.6 apply.]

Section 750.1 is amended as follows:

Every person, firm, association or corporation operating motor vehicles under certificate of convenience and necessity or permit issued by the Commissioner of Transportation, or his predecessors, and every street railway corporation operating motor vehicles under authority granted by the Commissioner of Transportation, or his predecessors, shall procure and maintain and file with the Commissioner of Transportation surety bonds or certificate of insurance approved as to form by the commissioner in a solvent and responsible company authorized to do business in this State and approved by the Superintendent of [Insurance] *Financial Services*, or qualify as a self-insurer, covering each motor vehicle operated pursuant to such certificate, permit or authority, conditioned for the payment of all claims and judgments for damages or injuries caused in the operation, maintenance, use or the defective construction of such motor vehicle in at least the following amounts:

Passenger vehicles having a carrying capacity of [12] 7 or less passengers: for personal injury or death to one person, \$ 100,000; Personal injury or death to all persons in one accident, \$ 300,000, with a maximum of \$ 100,000 for each person;

Property damage, \$50,000;

Passenger vehicles having a carrying capacity of more than [12] 7 passengers: for personal injury or death to [one] *all persons in one accident, \$1,500,000.*

Property damage, \$50,000.

Amend and Rename Title 17, Chapter VI, Subchapter E Motor Carriers:  
NY - New York Codes, Rules and Regulations

TITLE 17. DEPARTMENT OF TRANSPORTATION

CHAPTER VI. TRANSPORTATION REGULATIONS

SUBCHAPTER E. MOTOR CARRIERS [OF PROPERTY] ARTICLE

3.

Section 820.1 is amended to add (e):

*(e) Operation for repair. Motor carriers who are duly licensed as NYSDMV Inspection/Repair facilities and dealers may operate a commercial motor vehicle that they do not own and that contains no cargo solely for the purpose of conducting a road test in furtherance of repairs to the commercial motor vehicle without having a USDOT registration.*

Section 820.5 is amended as follows:

*(a) The Commissioner of Transportation adopts Part 393 of Title 49 of the Code of Federal Regulations with the same force and effect as though herein fully set forth at length.*

*(b) Motor carrier information required to be displayed in altered motor vehicles commonly referred to as "stretch limousines". Motor carriers operating altered motor vehicles must conspicuously display the following information in the vehicle and at their business locations: proof of valid operating authority, inspection history data, driver qualifications, toll free hotline and website for complaints. Such information shall be displayed in accordance with the sample documentation provided by the Department.*

Section 820.10(o) is repealed.

*[(o) In addition to, or in lieu of, any sanctions set forth in this section, the Commissioner of Transportation may, after a hearing, impose a penalty not to exceed a maximum of \$ 5,000 in any one proceeding upon any person if the commissioner finds that such person or officer, agent or employee thereof has failed to comply with the requirements of this chapter or any rule, regulation or order of the commissioner promulgated thereunder.]*

**Final rule as compared with last published rule:** Nonsubstantial changes were made in section 720.4(z)(2)(i).

**Text of rule and any required statements and analyses may be obtained from:** Mary Frances Sabo, Department of Transportation, 50 Wolf Road, Albany, New York 12232, (518) 457-1165, email: MaryFrances.Sabo@dot.ny.gov

#### **Revised Job Impact Statement**

The Department has reviewed the potential job impact of this rule-making, and has determined that the amendments to 17 NYCRR will not have a substantial adverse impact on jobs and employment opportunities. It is evident from the subject matter of the rule making that the amendments will not have a substantial adverse impact on jobs and employment. Rather, the amendments seek to implement non-discretionary state and federal statutory provisions and repeal obsolete provisions. By promoting uniformity between state and federal statutes and regulation and repealing out of date provisions, the amendments will have no impact on job opportunities. Accordingly, a full job impact statement is not required pursuant to State Administrative Procedure Action Section 201-(a)(2)(a).

#### **Assessment of Public Comment**

The agency received no public comment.

**HEARINGS SCHEDULED  
FOR PROPOSED RULE MAKINGS**

Agency I.D. No.	Subject Matter	Location—Date—Time
<b>Environmental Conservation, Department of</b>		
ENV-45-22-00021-P .....	Adding Aerosol Cans and Paint to NYS Universal Waste Rule	<p>Virtual via Webex—January 11, 2023, 2:00 p.m.</p> <p>Instructions on how to “join” the hearing webinar and provide an oral statement will be published on the Department’s proposed regulations webpage for 6 NYCRR Part 370, Part 371, Part 373, Part 374, and Part 376 by November 9, 2022. The proposed regulations webpage for 6 NYCRR Part 370, Part 371, Part 373, Part 374, and Part 376 may be accessed at: <a href="https://www.dec.ny.gov/regulations/proregulations.html">https://www.dec.ny.gov/regulations/proregulations.html</a>.</p> <p>Persons who wish to receive the instructions by mail or telephone may call the Department at (518) 402-9003. Please provide your first and last name, address, and telephone number and reference the 6 NYCRR Part 370, Part 371, Part 373, Part 374, and Part 376 public comment hearing.</p> <p>The Department will provide interpreter services for hearing impaired persons, and language interpreter services for individuals with difficulty understanding or reading English, at no charge upon written request submitted no later than Friday, December 30, 2022. The written request must be addressed to ALJ Molly McBride, NYS DEC Office of Hearings and Mediation Services, 625 Broadway, 1st Floor, Albany, NY 12233-1550 or emailed to ALJ Molly McBride at <a href="mailto:ohms@dec.ny.gov">ohms@dec.ny.gov</a>.</p>
ENV-46-22-00004-P .....	Chemical Bulk Storage (CBS)	<p>Webinar—January 18, 2023, 3:00 p.m.</p> <p>Department of Environmental Conservation (DEC) will hold a public comment hearing on proposed regulations 6 NYCRR Parts 597, 598, and 613 at: 3:00 p.m. on January 18, 2023, via electronic webinar. These regulations were proposed regulations and previously noticed in the NYS Register, Vol XLIII, Issue 24 on June 16, 2021. They are being re-noticed to comply with regulatory timelines. Comments received during the 6/4/21 - 12/6/21 comment period have been recorded and will be included in the response to comments.</p>



Instructions on how to “join” the hearing webinar and provide an oral statement will be published on the Department’s proposed regulations webpage for 6 NYCRR Parts 597, 598, and 613 by November 18, 2022. The proposed regulations webpage for 6 NYCRR Parts 597, 598, and 613 may be accessed at: <https://www.dec.ny.gov/regulations/proproregulations.html>.

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

Interpreter services shall be made available to deaf persons, and translator services shall be made available to persons with limited English proficiency, at no charge for either service, upon written request. Requests must be submitted no later than January 8, 2023, and directed to the NYSDEC Office of Communication Services, either by mail (address: NYSDEC, Office of Communication Services, 625 Broadway, 4th Floor, Albany, NY 12233-4500), or by e-mail ([language@dec.ny.gov](mailto:language@dec.ny.gov)).

All comments received during the 6/16/21 - 12/6/21 comment period have been recorded and will be included in the response to comments. Additional comments will be received until 5:00 p.m. on January 24, 2023. Comments may be entered during the hearing, e-mailed to [derweb@dec.ny.gov](mailto:derweb@dec.ny.gov), or mailed to NYS DEC, Division of Environmental Remediation, 625 Broadway, Albany, NY 12233, Attn: Jenn Dawson. Please include “Comments on Proposed Part 613” or “Comments on Proposed Parts 597/598” in the subject or memo line of the correspondence.

Additional hearing or rulemaking questions can be directed to Jenn Dawson at [derweb@dec.ny.gov](mailto:derweb@dec.ny.gov).

Webinar—January 18, 2023, 3:00 p.m.

Department of Environmental Conservation (DEC) will hold a public comment hearing on proposed regulations 6 NYCRR Parts 597, 598, and 613 at: 3:00 p.m. on January 18, 2023, via electronic webinar. These regulations were proposed regulations and previously noticed in the NYS Register, Vol XLIII, Issue 24 on June 16, 2021. They are being re-noticed to comply with regulatory timelines. Comments received during the 6/4/21 - 12/6/21 comment period have been recorded and will be included in the response to comments.

ENV-46-22-00005-P ..... Petroleum Bulk Storage (PBS)

Instructions on how to “join” the hearing webinar and provide an oral statement will be published on the Department’s proposed regulations webpage for 6 NYCRR Parts 597, 598, and 613 by November 18, 2022. The proposed regulations webpage for 6 NYCRR Parts 597, 598, and 613 may be accessed at: <https://www.dec.ny.gov/regulations/propregulations.html>.

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

Interpreter services shall be made available to deaf persons, and translator services shall be made available to persons with limited English proficiency, at no charge for either service, upon written request. Requests must be submitted no later than January 8, 2023, and directed to the NYSDEC Office of Communication Services, either by mail (address: NYSDEC, Office of Communication Services, 625 Broadway, 4th Floor, Albany, NY 12233-4500), or by e-mail ([language@dec.ny.gov](mailto:language@dec.ny.gov)).

All comments received during the 6/16/21 - 12/6/21 comment period have been recorded and will be included in the response to comments. Additional comments will be received until 5:00 p.m. on January 24, 2023. Comments may be entered during the hearing, e-mailed to [derweb@dec.ny.gov](mailto:derweb@dec.ny.gov), or mailed to NYS DEC, Division of Environmental Remediation, 625 Broadway, Albany, NY 12233, Attn: Jenn Dawson. Please include “Comments on Proposed Part 613” or “Comments on Proposed Parts 597/598” in the subject or memo line of the correspondence.

Additional hearing or rulemaking questions can be directed to Jenn Dawson at [derweb@dec.ny.gov](mailto:derweb@dec.ny.gov).

Electronic Webinar—January 24, 2023, 6:00 p.m.

Instructions on how to “join” the hearing webinar and provide an oral statement will be published on the Department’s proposed regulations webpage for 6 NYCRR Part 217-5 by November 23, 2022. The proposed regulations webpage for 6 NYCRR Part 217-5 may be accessed at: <https://www.dec.ny.gov/regulations/propregulations.html>

Persons who wish to receive the instructions by mail or telephone may call the Department at (518) 402-9003. Please provide your first and last name, address, and telephone number and reference the Part 217-5 public comment hearing.

ENV-47-22-00005-P ..... Heavy-Duty Diesel Vehicle Inspection and Maintenance Program Requirements

The Department will provide interpreter services for hearing impaired persons, and language interpreter services for individuals with difficulty understanding or reading English, at no charge upon written request submitted no later than January 13, 2023. The written request must be addressed to ALJ Jennifer Ukeritis, NYS DEC Office of Hearings and Mediation Services, 625 Broadway, 1st Floor, Albany, NY 12233-1550 or e-mailed to ALJ Ukeritis at [ohms@dec.ny.gov](mailto:ohms@dec.ny.gov).

**Long Island Power Authority**

LPA-51-22-00007-P ..... Time of Day Rates for Residential Customers

H. Lee Dennison Bldg., 100 Veterans Memorial Hwy., Hauppauge, NY—February 20, 2023, 10:00 a.m.

Refer to schedule on: [www.lipower.org](http://www.lipower.org)

Long Island Power Authority, 333 Earle Ovington Blvd., Suite 403, Uniondale, NY—February 20, 2023, 6:00 p.m.

Refer to schedule on: [www.lipower.org](http://www.lipower.org)



**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>00001</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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**ALCOHOLISM AND SUBSTANCE ABUSE SERVICES, OFFICE OF**

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-RP	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

**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
OCM-24-22-00013-RP	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-RP	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
OCM-49-22-00024-EP	12/07/23	Violations, Hearings and Enforcement	The proposed rule establishes parameters around violations, hearings, and enforcement creating requirements intended to further protect public health, safety, and welfare by preventing unlawful cannabis or unsafe practices from entering the marketplace

**Action Pending Index**

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>CANNABIS MANAGEMENT, OFFICE OF</b>			
OCM-50-22-00010-P	12/14/23	Adult-Use Cannabis	To regulate, control, and tax adult-use cannabis, generate significant new revenue, invest in communities and people most impacted by cannabis criminalization, reduce participation in the unlawful market, create new industries, and increase employment
<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
<b>CIVIL SERVICE, DEPARTMENT OF</b>			
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.
CVS-45-22-00001-P	11/09/23	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-45-22-00002-P	11/09/23	Jurisdictional Classification	To classify a position in the exempt class.
CVS-45-22-00003-P	11/09/23	Jurisdictional Classification	To classify a position in the non-competitive class

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>CIVIL SERVICE, DEPARTMENT OF</b>			
CVS-45-22-00004-P	11/09/23	Jurisdictional Classification	To classify positions in the exempt class.
CVS-45-22-00005-P	11/09/23	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-45-22-00006-P	11/09/23	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-45-22-00007-P	11/09/23	Jurisdictional Classification	To classify a position in the exempt class.
CVS-45-22-00008-P	11/09/23	Jurisdictional Classification	To delete a position from the exempt class.
CVS-45-22-00009-P	11/09/23	Jurisdictional Classification	To classify a position in the exempt class and to classify positions in the non-competitive class
CVS-45-22-00010-P	11/09/23	Jurisdictional Classification	To delete positions from and to classify positions in the exempt class.
CVS-45-22-00011-P	11/09/23	Jurisdictional Classification	To delete positions from and to classify positions in the exempt class.
CVS-45-22-00012-P	11/09/23	Jurisdictional Classification	To classify a position in the exempt class.
CVS-45-22-00013-P	11/09/23	Jurisdictional Classification	To classify positions in the exempt class and to delete from and to classify positions in the non-competitive class
CVS-45-22-00014-P	11/09/23	Jurisdictional Classification	To classify positions in the exempt and non-competitive classes.
CVS-45-22-00015-P	11/09/23	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-45-22-00016-P	11/09/23	Jurisdictional Classification	To classify a position in the exempt class.
CVS-49-22-00005-P	12/07/23	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-49-22-00006-P	12/07/23	Jurisdictional Classification	To classify a position in the exempt class.
CVS-49-22-00007-P	12/07/23	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-49-22-00008-P	12/07/23	Jurisdictional Classification	To classify positions in the exempt class.
CVS-49-22-00009-P	12/07/23	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-49-22-00010-P	12/07/23	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-49-22-00011-P	12/07/23	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-49-22-00012-P	12/07/23	Jurisdictional Classification	To classify positions in the exempt class.
CVS-49-22-00013-P	12/07/23	Jurisdictional Classification	To classify positions in the non-competitive class

**Action Pending Index****NYS Register/December 21, 2022**

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>CIVIL SERVICE, DEPARTMENT OF</b>			
CVS-49-22-00014-P	12/07/23	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-49-22-00015-P	12/07/23	Jurisdictional Classification	To classify positions in the exempt class.
CVS-49-22-00016-P	12/07/23	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.
<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-47-22-00001-P	11/23/23	Part 349 Interstate, Intrastate, Conflict of Interest Transfer and Temporary Probation Supervision for Adults and Juveniles	Update the existing rule to provide a framework for consistent statewide practices in the intrastate transfer of individuals
CJS-47-22-00002-P	11/23/23	Intake for Article 7 (PINS)	Update existing Rule to reflect services which will be performed by Probation departments.
<b>ECONOMIC DEVELOPMENT, DEPARTMENT OF</b>			
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>EDUCATION DEPARTMENT</b>			
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
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.
EDU-48-22-00008-EP	11/30/23	Technical amendment relating to licensure in the profession of public accountancy.	To fix a clerical error for amendments to section 52.13 of the Commissioner’s adopted in September 2022.
EDU-48-22-00009-EP	11/30/23	Central library services aid and state aid for library construction.	To align the Commissioner’s regulations with recent amendments to sections 273, 273-a of the Education Law.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>EDUCATION DEPARTMENT</b>			
EDU-48-22-00010-P	11/30/23	Experience requirement for professional school building leader certification.	To remove the requirement that one year of such experience be as a school building leader.
<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).
<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-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-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
ENV-45-22-00020-P	11/09/23	Neversink River Riparian Corridor	To protect public health, safety and natural resources on the Neversink River Riparian Corridor
ENV-45-22-00021-P	01/11/24	Adding Aerosol Cans and Paint to NYS Universal Waste Rule.	Add Federal universal waste provisions relating to aerosol cans and allow waste paint to be managed as a universal waste.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>ENVIRONMENTAL CONSERVATION, DEPARTMENT OF</b>			
ENV-46-22-00004-P	01/18/24	Chemical Bulk Storage (CBS)	To repeal existing 6 NYCRR Parts 596, 598 ,599 and replace with new Part 598; and amend existing Part 597; for the CBS program
ENV-46-22-00005-P	01/18/24	Petroleum Bulk Storage (PBS)	To amend the PBS regulations, 6 NYCRR Part 613
ENV-47-22-00005-P	01/24/24	Heavy-Duty Diesel Vehicle Inspection and Maintenance Program requirements	To update Heavy-Duty Diesel Vehicle Inspection and Maintenance Program requirements
<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 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
ELG-45-22-00024-EP	11/09/23	Adjudicatory proceedings and appeals procedures for matters under the Commission's jurisdiction.	To conform Part 941 to the new Executive Law Section 94 established by the Ethics Commission Reform Act of 2022.
ELG-48-22-00011-EP	11/30/23	Amending references to the Commission and citations to the Executive Law to conform to the Ethics Commission Reform Act of 2022	To conform the Commission's regulations to new Executive Law § 94 established by the Ethics Commission Reform Act of 2022
<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
*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-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
DFS-45-22-00023-P	11/09/23	Consolidated rulemaking regarding peer-to-peer car sharing	To ensure consumers have appropriate insurance protection when using or operating a vehicle through a car sharing program.



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>FINANCIAL SERVICES, DEPARTMENT OF</b>			
DFS-45-22-00025-P	11/09/23	Cybersecurity Requirements for Financial Services Companies	To ensure that DFS-regulated entities most effectively address new and evolving cybersecurity threats.
DFS-49-22-00001-P	12/07/23	Principle-Based Reserving	To adopt the 2022 Valuation Manual and amend the scope of section 103.4 to include certain group term life insurance.
<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.
SGC-50-22-00008-P	12/14/23	Lottery courier service advertising	To regulate advertising by lottery courier services in order to protect consumers
SGC-50-22-00009-P	12/14/23	Purchase location requirements for lottery courier services	To facilitate the proper sale of lottery tickets to generate revenue for education
<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-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
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
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**HEALTH, DEPARTMENT OF**

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).
HLT-46-22-00003-P	11/16/23	Repeal of Zika Action Plan; Performance Standards	To repeal regulatory provisions which are no longer applicable.
HLT-48-22-00001-P	11/30/23	Adult Day Health Care	To regulate adult day health care programs for registrants with medical needs in a non-residential health care facility
HLT-49-22-00002-P	12/07/23	State Aid for Public Health Services: Counties and Cities	To increase Article 6 base funding to local health departments.
HLT-51-22-00006-P	12/21/23	Adult Care Facilities	To ensure consistency with various policy interpretations & compliance with the federal home&community based settings final rule

**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-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"
<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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>LONG ISLAND POWER AUTHORITY</b>			
*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.
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.

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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>LONG ISLAND POWER AUTHORITY</b>			
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
LPA-51-22-00007-P	..... exempt	Time of Day rates for residential customers.	To give customers bill savings opportunities, lower system costs, and support New York's clean energy transition.
<b>LONG ISLAND RAILROAD COMPANY</b>			
LIR-50-22-00004-EP	..... 12/14/23	Aligning the rule of conduct re: carrying firearms and other weapons in public transit with New York Law	Safeguard public safety by amending a rule to comply with NY Law re: the carrying of firearms and weapons in public transit
<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-46-22-00012-P	..... 11/16/23	Administrative Compensation	To Repeal Part 513 as Executive Order 38 has sunset
<b>METRO-NORTH COMMUTER RAILROAD</b>			
MCR-50-22-00005-EP	..... 12/14/23	Aligning the rule of conduct re: carrying firearms and other weapons in public transit with New York law	Safeguard public safety by amending a rule to comply with NY Law re: the carrying of firearms and weapons in public transit
<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 & ts affiliates and subsidiaries	To safeguard the public health and safety by adding a rule requiring the use of masks in facilities & conveyances when mandated
MTA-50-22-00002-EP	..... 12/14/23	Aligning the rule of conduct re: carrying firearms and other weapons in public transit with New York Law	Safeguard public safety by amending a rule to comply with NY Law re: the carrying of firearms and weapons in public transit
<b>NEW YORK CITY TRANSIT AUTHORITY</b>			
NTA-50-22-00001-EP	..... 12/14/23	Aligning the rule of conduct re: carrying firearms and other weapons in public transit with New York Law	Safeguard public safety by amending a rule to comply with NY Law re: the carrying of firearms and weapons in public transit
<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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>NIAGARA FALLS WATER BOARD</b>			
*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
<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
PDD-46-22-00002-P	11/16/23	Family Care Homes for People With Developmental Disabilities	To clarify terminology and limit the number of individuals residing in family care homes
PDD-49-22-00004-P	12/07/23	Protection of Individuals Receiving Services	To add clarity and consistency
<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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-15-99-00011-P	..... exempt	Electronic tariff by Woodcliff Park Corp.	To replace the company's current tariff with an electronic tariff
*PSC-12-00-00001-P	..... exempt	Winter bundled sales service election date by Central Hudson Gas & Electric Corporation	To revise the date
*PSC-44-01-00005-P	..... exempt	Annual reconciliation of gas costs by Corning Natural Gas Corporation	To authorize the company to include certain gas costs
*PSC-07-02-00032-P	..... exempt	Uniform business practices	To consider modification
*PSC-36-03-00010-P	..... exempt	Performance assurance plan by Verizon New York	To consider changes
*PSC-40-03-00015-P	..... exempt	Receipt of payment of bills by St. Lawrence Gas Company	To revise the process
*PSC-41-03-00010-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-41-03-00011-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-44-03-00009-P	..... exempt	Retail access data between jurisdictional utilities	To accommodate changes in retail access market structure or commission mandates
*PSC-02-04-00008-P	..... exempt	Delivery rates for Con Edison's customers in New York City and Westchester County by the City of New York	To rehear the Nov. 25, 2003 order
*PSC-06-04-00009-P	..... exempt	Transfer of ownership interest by SCS Energy LLC and AE Investors LLC	To transfer interest in Steinway Creek Electric Generating Company LLC to AE Investors LLC
*PSC-10-04-00005-P	..... exempt	Temporary protective order	To consider adopting a protective order
*PSC-10-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and VIC-RMTS-DC, L.L.C. d/b/a Verizon Avenue	To amend the agreement
*PSC-14-04-00008-P	..... exempt	Submetering of natural gas service to industrial and commercial customers by Hamburg Fairgrounds	To submeter gas service to commercial customers located at the Buffalo Speedway
*PSC-15-04-00022-P	..... exempt	Submetering of electricity by Glenn Gardens Associates, L.P.	To permit submetering at 175 W. 87th St., New York, NY
*PSC-21-04-00013-P	..... exempt	Verizon performance assurance plan by Metropolitan Telecommunications	To clarify the appropriate performance level
*PSC-22-04-00010-P	..... exempt	Approval of new types of electricity meters by Powell Power Electric Company	To permit the use of the PE-1250 electronic meter
*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



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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-41-05-00013-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries by local distribution companies and municipalities	To consider the filings
*PSC-45-05-00011-P	..... exempt	Treatment of lost and unaccounted gas costs by Corning Natural Gas Corporation	To defer certain costs
*PSC-46-05-00015-P	..... exempt	Sale of real and personal property by the Brooklyn Union Gas Company d/b/a KeySpan Energy Delivery New York and Steel Arrow, LLC	To consider the sale
*PSC-47-05-00009-P	..... exempt	Transferral of gas supplies by Corning Natural Gas Corporation	To approve the transfer
*PSC-50-05-00008-P	..... exempt	Long-term debt by Saratoga Glen Hollow Water Supply Corp.	To obtain long-term debt
*PSC-04-06-00024-P	..... exempt	Transfer of ownership interests by Mirant NY-Gen LLC and Orange and Rockland Utilities, Inc.	To approve of the transfer
*PSC-06-06-00015-P	..... exempt	Gas curtailment policies and procedures	To examine the manner and extent to which gas curtailment policies and procedures should be modified and/or established
*PSC-07-06-00009-P	..... exempt	Modification of the current Environmental Disclosure Program	To include an attributes accounting system
*PSC-22-06-00019-P	..... exempt	Hourly pricing by National Grid	To assess the impacts
*PSC-22-06-00020-P	..... exempt	Hourly pricing by New York State Electric & Gas Corporation	To assess the impacts
*PSC-22-06-00021-P	..... exempt	Hourly pricing by Rochester Gas & Electric Corporation	To assess the impacts
*PSC-22-06-00022-P	..... exempt	Hourly pricing by Consolidated Edison Company of New York, Inc.	To assess the impacts
*PSC-22-06-00023-P	..... exempt	Hourly pricing by Orange and Rockland Utilities, Inc.	To assess the impacts
*PSC-24-06-00005-EP	..... exempt	Supplemental home energy assistance benefits	To extend the deadline to Central Hudson's low-income customers
*PSC-25-06-00017-P	..... exempt	Purchased power adjustment by Massena Electric Department	To revise the method of calculating the purchased power adjustment and update the factor of adjustment
*PSC-34-06-00009-P	..... exempt	Inter-carrier telephone service quality standards and metrics by the Carrier Working Group	To incorporate appropriate modifications
*PSC-37-06-00015-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-37-06-00017-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-43-06-00014-P	..... exempt	Electric delivery services by Strategic Power Management, Inc.	To determine the proper mechanism for the rate-recovery of costs
*PSC-04-07-00012-P	..... exempt	Petition for rehearing by Orange and Rockland Utilities, Inc.	To clarify the order
*PSC-06-07-00015-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for electric service
*PSC-06-07-00020-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for gas service
*PSC-11-07-00010-P	..... exempt	Investigation of the electric power outages by the Consolidated Edison Company of New York, Inc.	To implement the recommendations in the staff's investigation
*PSC-11-07-00011-P	..... exempt	Storm-related power outages by Consolidated Edison Company of New York, Inc.	To modify the company's response to power outages, the timing for any such changes and other related matters
*PSC-17-07-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and BridgeCom International, Inc.	To amend the agreement
*PSC-18-07-00010-P	..... exempt	Existing electric generating stations by Independent Power Producers of New York, Inc.	To repower and upgrade existing electric generating stations owned by Rochester Gas and Electric Corporation
*PSC-20-07-00016-P	..... exempt	Tariff revisions and making rates permanent by New York State Electric & Gas Corporation	To seek rehearing
*PSC-21-07-00007-P	..... exempt	Natural Gas Supply and Acquisition Plan by Corning Natural Gas Corporation	To revise the rates, charges, rules and regulations for gas service
*PSC-22-07-00015-P	..... exempt	Demand Side Management Program by Consolidated Edison Company of New York, Inc.	To recover incremental program costs and lost revenue
*PSC-23-07-00022-P	..... exempt	Supplier, transportation, balancing and aggregation service by National Fuel Gas Distribution Corporation	To explicitly state in the company's tariff that the threshold level of elective upstream transmission capacity is a maximum of 112,600 Dth/day of marketer-provided upstream capacity
*PSC-24-07-00012-P	..... exempt	Gas Efficiency Program by the City of New York	To consider rehearing a decision establishing a Gas Efficiency Program
*PSC-39-07-00017-P	..... exempt	Gas bill issuance charge by New York State Electric & Gas Corporation	To create a gas bill issuance charge unbundled from delivery rates
*PSC-41-07-00009-P	..... exempt	Submetering of electricity rehearing	To seek reversal
*PSC-42-07-00012-P	..... exempt	Energy efficiency program by Orange and Rockland Utilities, Inc.	To consider any energy efficiency program for Orange and Rockland Utilities, Inc.'s electric service
*PSC-42-07-00013-P	..... exempt	Revenue decoupling by Orange and Rockland Utilities, Inc.	To consider a revenue decoupling mechanism for Orange and Rockland Utilities, Inc.
*PSC-45-07-00005-P	..... exempt	Customer incentive programs by Orange and Rockland Utilities, Inc.	To establish a tariff provision

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-02-08-00006-P	..... exempt	Additional central office codes in the 315 area code region	To consider options for making additional codes
*PSC-03-08-00006-P	..... exempt	Rehearing of the accounting determinations	To grant or deny a petition for rehearing of the accounting determinations
*PSC-04-08-00010-P	..... exempt	Granting of easement rights on utility property by Central Hudson Gas & Electric Corporation	To grant easement rights to Millennium Pipeline Company, L.L.C.
*PSC-04-08-00012-P	..... exempt	Marketing practices of energy service companies by the Consumer Protection Board and New York City Department of Consumer Affairs	To consider modifying the commission's regulation over marketing practices of energy service companies
*PSC-08-08-00016-P	..... exempt	Transfer of ownership by Entergy Nuclear Fitzpatrick LLC, et al.	To consider the transfer
*PSC-12-08-00019-P	..... exempt	Extend the provisions of the existing electric rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-12-08-00021-P	..... exempt	Extend the provisions of the existing gas rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-13-08-00011-P	..... exempt	Waiver of commission policy and NYSEG tariff by Turner Engineering, PC	To grant or deny Turner's petition
*PSC-13-08-00012-P	..... exempt	Voltage drops by New York State Electric & Gas Corporation	To grant or deny the petition
*PSC-23-08-00008-P	..... exempt	Petition requesting rehearing and clarification of the commission's April 25, 2008 order denying petition of public utility law project	To consider whether to grant or deny, in whole or in part, the May 7, 2008 Public Utility Law Project (PULP) petition for rehearing and clarification of the commission's April 25, 2008 order denying petition of Public Utility Law Project
*PSC-25-08-00007-P	..... exempt	Policies and procedures regarding the selection of regulatory proposals to meet reliability needs	To establish policies and procedures regarding the selection of regulatory proposals to meet reliability needs
*PSC-25-08-00008-P	..... exempt	Report on Callable Load Opportunities	Rider U report assessing callable load opportunities in New York City and Westchester County during the next 10 years
*PSC-28-08-00004-P	..... exempt	Con Edison's procedure for providing customers access to their account information	To consider Con Edison's implementation plan and timetable for providing customers access to their account information
*PSC-31-08-00025-P	..... exempt	Recovery of reasonable DRS costs from the cost mitigation reserve (CMR)	To authorize recovery of the DRS costs from the CMR
*PSC-32-08-00009-P	..... exempt	The ESCO referral program for KEDNY to be implemented by October 1, 2008	To approve, reject or modify, in whole or in part, KEDNY's recommended ESCO referral program
*PSC-33-08-00008-P	..... exempt	Noble Allegany's request for lightened regulation	To consider Noble Allegany's request for lightened regulation as an electric corporation
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-39-08-00010-P	..... exempt	RG&E's economic development plan and tariffs	Consideration of the approval of RG&E's economic development plan and tariffs
*PSC-40-08-00010-P	..... exempt	Loans from regulated company to its parent	To determine if the cash management program resulting in loans to the parent should be approved
*PSC-41-08-00009-P	..... exempt	Transfer of control of cable TV franchise	To determine if the transfer of control of Margaretville's cable TV subsidiary should be approved
*PSC-43-08-00014-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-46-08-00008-P	..... exempt	Property transfer in the Village of Avon, New York	To consider a petition for the transfer of street lighting and attached equipment to the Village of Avon, New York
*PSC-46-08-00010-P	..... exempt	A transfer of indirect ownership interests in nuclear generation facilities	Consideration of approval of a transfer of indirect ownership interests in nuclear generation facilities
*PSC-46-08-00014-P	..... exempt	The attachment of cellular antennae to an electric transmission tower	To approve, reject or modify the request for permission to attach cellular antennae to an electric transmission tower
*PSC-48-08-00005-P	..... exempt	A National Grid high efficiency gas heating equipment rebate program	To expand eligibility to customers converting from oil to natural gas
*PSC-48-08-00008-P	..... exempt	Petition for the master metering and submetering of electricity	To consider the request of Bay City Metering, to master meter & submeter electricity at 345 E. 81st St., New York, New York
*PSC-48-08-00009-P	..... exempt	Petition for the submetering of electricity	To consider the request of PCV/ST to submeter electricity at Peter Cooper Village & Stuyvesant Town, New York, New York
*PSC-50-08-00018-P	..... exempt	Market Supply Charge	A study on the implementation of a revised Market Supply Charge
*PSC-51-08-00006-P	..... exempt	Commission's October 27, 2008 Order on Future of Retail Access Programs in Case 07-M-0458	To consider a Petition for rehearing of the Commission's October 27, 2008 Order in Case 07-M-0458
*PSC-51-08-00007-P	..... exempt	Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078	To consider Petitions for rehearing of the Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078
*PSC-53-08-00011-P	..... exempt	Use of deferred Rural Telephone Bank funds	To determine if the purchase of a softswitch by Hancock is an appropriate use of deferred Rural Telephone Bank funds
*PSC-53-08-00012-P	..... exempt	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY
*PSC-53-08-00013-P	..... exempt	To transfer common stock and ownership	To consider transfer of common stock and ownership
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-02-09-00010-P	..... exempt	Competitive classification of independent local exchange company, and regulatory relief appropriate thereto	To determine if Chazy & Westport Telephone Corporation more appropriately belongs in scenario 1 rather than scenario 2
*PSC-05-09-00008-P	..... exempt	Revenue allocation, rate design, performance metrics, and other non-revenue requirement issues	To consider any remaining non-revenue requirement issues related to the Company's May 9, 2008 tariff filing
*PSC-05-09-00009-P	..... exempt	Numerous decisions involving the steam system including cost allocation, energy efficiency and capital projects	To consider the long term impacts on steam rates and on public policy of various options concerning the steam system
*PSC-06-09-00007-P	..... exempt	Interconnection of the networks between Frontier Comm. and WVT Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier Comm. and WVT Comm.
*PSC-07-09-00015-P	..... exempt	Transfer certain utility assets located in the Town of Montgomery from plant held for future use to non-utility property	To consider the request to transfer certain utility assets located in the Town of Montgomery to non-utility assets
*PSC-07-09-00017-P	..... exempt	Request for authorization to defer the incremental costs incurred in the restoration work resulting from the ice storm	To allow the company to defer the incremental costs incurred in the restoration work resulting from the ice storm
*PSC-07-09-00018-P	..... exempt	Whether to permit the submetering of natural gas service to an industrial and commercial customer at Cooper Union, New York, NY	To consider the request of Cooper Union, to submeter natural gas at 41 Cooper Square, New York, New York
*PSC-12-09-00010-P	..... exempt	Charges for commodity	To charge customers for commodity costs
*PSC-12-09-00012-P	..... exempt	Charges for commodity	To charge customers for commodity costs
*PSC-13-09-00008-P	..... exempt	Options for making additional central office codes available in the 718/347 numbering plan area	To consider options for making additional central office codes available in the 718/347 numbering plan area
*PSC-14-09-00014-P	..... exempt	The regulation of revenue requirements for municipal utilities by the Public Service Commission	To determine whether the regulation of revenue requirements for municipal utilities should be modified
*PSC-16-09-00010-P	..... exempt	Petition for the submetering of electricity	To consider the request of AMPS on behalf of Park Imperial to submeter electricity at 230 W. 56th Street, in New York, New York
*PSC-16-09-00020-P	..... exempt	Whether SUNY's core accounts should be exempt from the mandatory assignment of local distribution company (LDC) capacity	Whether SUNY's core accounts should be exempt from the mandatory assignment of local distribution company (LDC) capacity
*PSC-17-09-00010-P	..... exempt	Whether to permit the use of Elster REX2 solid state electric meter for use in residential and commercial accounts	To permit electric utilities in New York State to use the Elster REX2
*PSC-17-09-00011-P	..... exempt	Whether Brooklyn Navy Yard Cogeneration Partners, L.P. should be reimbursed by Con Edison for past and future use taxes	Whether Brooklyn Navy Yard Cogeneration Partners, L.P. should be reimbursed by Con Edison for past and future use taxes
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-17-09-00014-P	..... exempt	Benefit-cost framework for evaluating AMI programs prepared by the DPS Staff	To consider a benefit-cost framework for evaluating AMI programs prepared by the DPS Staff
*PSC-17-09-00015-P	..... exempt	The construction of a tower for wireless antennas on land owned by National Grid	To approve, reject or modify the petition to build a tower for wireless antennas in the Town of Onondaga
*PSC-18-09-00012-P	..... exempt	Petition for rehearing of Order approving the submetering of electricity	To consider the request of Frank Signore to rehear petition to submeter electricity at One City Place in White Plains, New York
*PSC-18-09-00013-P	..... exempt	Petition for the submetering of electricity	To consider the request of Living Opportunities of DePaul to submeter electricity at E. Main St. located in Batavia, New York
*PSC-18-09-00017-P	..... exempt	Approval of an arrangement for attachment of wireless antennas to the utility's transmission facilities in the City of Yonkers	To approve, reject or modify the petition for the existing wireless antenna attachment to the utility's transmission tower
*PSC-20-09-00016-P	..... exempt	The recovery of, and accounting for, costs associated with the Companies' advanced metering infrastructure (AMI) pilots etc	To consider a filing of the Companies as to the recovery of, and accounting for, costs associated with it's AMI pilots etc
*PSC-20-09-00017-P	..... exempt	The recovery of, and accounting for, costs associated with CHG&E's AMI pilot program	To consider a filing of CHG&E as to the recovery of, and accounting for, costs associated with it's AMI pilot program
*PSC-22-09-00011-P	..... exempt	Cost allocation for Consolidated Edison's East River Repowering Project	To determine whether any changes are warranted in the cost allocation of Consolidated Edison's East River Repowering Project
*PSC-25-09-00005-P	..... exempt	Whether to grant, deny, or modify, in whole or in part, the petition	Whether to grant, deny, or modify, in whole or in part, the petition
*PSC-25-09-00006-P	..... exempt	Electric utility implementation plans for proposed web based SIR application process and project status database	To determine if the proposed web based SIR systems are adequate and meet requirements needed for implementation
*PSC-25-09-00007-P	..... exempt	Electric rates for Consolidated Edison Company of New York, Inc	Consider a Petition for Rehearing filed by Consolidated Edison Company of New York, Inc
*PSC-27-09-00011-P	..... exempt	Interconnection of the networks between Vernon and tw telecom of new york l.p. for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Vernon and TW Telecom of New York L.P.
*PSC-27-09-00014-P	..... exempt	Billing and payment for energy efficiency measures through utility bill	To promote energy conservation
*PSC-27-09-00015-P	..... exempt	Interconnection of the networks between Oriskany and tw telecom of new york l.p. for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Oriskany and TW Telecom of New York L.P.
*PSC-29-09-00011-P	..... exempt	Consideration of utility compliance filings	Consideration of utility compliance filings
*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



## Action Pending Index

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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-34-09-00016-P	..... exempt	Recommendations made in the Management Audit Final Report	To consider whether to take action or recommendations contained in the Management Audit Final Report
*PSC-34-09-00017-P	..... exempt	To consider the transfer of control of Plattsburgh Cablevision, Inc. d/b/a Charter Communications to CH Communications, LLC	To allow the Plattsburgh Cablevision, Inc. to distribute its equity interest in CH Communications, LLC
*PSC-36-09-00008-P	..... exempt	The increase in the non-bypassable charge implemented by RG&E on June 1, 2009	Considering exemptions from the increase in the non-bypassable charge implemented by RG&E on June 1, 2009
*PSC-37-09-00015-P	..... exempt	Sale of customer-generated steam to the Con Edison steam system	To establish a mechanism for sale of customer-generated steam to the Con Edison steam system
*PSC-37-09-00016-P	..... exempt	Applicability of electronic signatures to Deferred Payment Agreements	To determine whether electronic signatures can be accepted for Deferred Payment Agreements
*PSC-39-09-00015-P	..... exempt	Modifications to the \$5 Bill Credit Program	Consideration of petition of National Grid to modify the Low Income \$5 Bill Credit Program
*PSC-39-09-00018-P	..... exempt	The offset of deferral balances with Positive Benefit Adjustments	To consider a petition to offset deferral balances with Positive Benefit Adjustments
*PSC-40-09-00013-P	..... exempt	Uniform System of Accounts - request for deferral and amortization of costs	To consider a petition to defer and amortize costs
*PSC-51-09-00029-P	..... exempt	Rules and guidelines for the exchange of retail access data between jurisdictional utilities and eligible ESCOs	To revise the uniform Electronic Data Interchange Standards and business practices to incorporate a contest period
*PSC-51-09-00030-P	..... exempt	Waiver or modification of Capital Expenditure condition of merger	To allow the companies to expend less funds for capital improvement than required by the merger
*PSC-52-09-00006-P	..... exempt	ACE's petition for rehearing for an order regarding generator-specific energy deliverability study methodology	To consider whether to change the Order Prescribing Study Methodology
*PSC-52-09-00008-P	..... exempt	Approval for the New York Independent System Operator, Inc. to incur indebtedness and borrow up to \$50,000,000	To finance the renovation and construction of the New York Independent System Operator, Inc.'s power control center facilities
*PSC-05-10-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of University Residences - Rochester, LLC to submeter electricity at 220 John Street, Henrietta, NY
*PSC-05-10-00015-P	..... exempt	Petition for the submetering of electricity	To consider the request of 243 West End Avenue Owners Corp. to submeter electricity at 243 West End Avenue, New York, NY
*PSC-06-10-00022-P	..... exempt	The Commission's Order of December 17, 2009 related to redevelopment of Consolidated Edison's Hudson Avenue generating facility	To reconsider the Commission's Order of December 17, 2009 related to redevelopment of the Hudson Avenue generating facility
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-08-10-00007-P	..... exempt	Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847	Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847
*PSC-08-10-00009-P	..... exempt	Consolidated Edison of New York, Inc. energy efficiency programs	To modify approved energy efficiency programs
*PSC-12-10-00015-P	..... exempt	Recommendations made by Staff intended to enhance the safety of Con Edison's gas operations	To require that Con Edison implement the Staff recommendations intended to enhance the safety of Con Edison's gas operations
*PSC-14-10-00010-P	..... exempt	Petition for the submetering of electricity	To consider the request of 61 Jane Street Owners Corporation to submeter Electricity at 61 Jane Street, Manhattan, NY
*PSC-16-10-00005-P	..... exempt	To consider adopting and expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-16-10-00007-P	..... exempt	Interconnection of the networks between TDS Telecom and PAETEC Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between TDS Telecom and PAETEC Communications
*PSC-16-10-00015-P	..... exempt	Interconnection of the networks between Frontier and Choice One Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier and Choice One Communications
*PSC-18-10-00009-P	..... exempt	Electric utility transmission right-of-way management practices	To consider electric utility transmission right-of-way management practices
*PSC-19-10-00022-P	..... exempt	Whether National Grid should be permitted to transfer a parcel of property located at 1 Eddy Street, Fort Edward, New York	To decide whether to approve National Grid's request to transfer a parcel of vacant property in Fort Edward, New York
*PSC-22-10-00006-P	..... exempt	Requirement that Noble demonstrate that its affiliated electric corporations operating in New York are providing safe service	Consider requiring that Noble demonstrate that its affiliated electric corporations in New York are providing safe service
*PSC-22-10-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of 48-52 Franklin Street to submeter electricity at 50 Franklin Street, New York, New York
*PSC-24-10-00009-P	..... exempt	Verizon New York Inc. tariff regulations relating to voice messaging service	To remove tariff regulations relating to retail voice messaging service from Verizon New York Inc.'s tariff
*PSC-25-10-00012-P	..... exempt	Reassignment of the 2-1-1 abbreviated dialing code	Consideration of petition to reassign the 2-1-1 abbreviated dialing code
*PSC-27-10-00016-P	..... exempt	Petition for the submetering of electricity	To consider the request of 9271 Group, LLC to submeter electricity at 960 Busti Avenue, Buffalo, New York
*PSC-34-10-00003-P	..... exempt	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-34-10-00006-P	..... exempt	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program
*PSC-36-10-00010-P	..... exempt	Central Hudson's procedures, terms and conditions for an economic development plan	Consideration of Central Hudson's procedures, terms and conditions for an economic development plan
*PSC-40-10-00014-P	..... exempt	Disposition of a state sales tax refund	To determine how much of a state sales tax refund should be retained by National Grid
*PSC-40-10-00021-P	..... exempt	Whether to permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall	To permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall
*PSC-41-10-00018-P	..... exempt	Amount of hourly interval data provided to Hourly Pricing customers who have not installed a phone line to read meter	Allow Central Hudson to provide less than a years worth of interval data and charge for manual meter reading for some customers
*PSC-41-10-00022-P	..... exempt	Request for waiver of the individual living unit metering requirements at 5742 Route 5, Vernon, NY	Request for waiver of the individual living unit metering requirements at 5742 Route 5, Vernon, NY
*PSC-42-10-00011-P	..... exempt	Petition for the submetering of electricity	To consider the request of 4858 Group, LLC to submeter electricity at 456 Main Street, Buffalo, New York
*PSC-43-10-00016-P	..... exempt	Utility Access to Ducts, Conduit Facilities and Utility Poles	To review the complaint from Optical Communications Group
*PSC-44-10-00003-P	..... exempt	Third and fourth stage gas rate increase by Corning Natural Gas Corporation	To consider Corning Natural Gas Corporation's request for a third and fourth stage gas rate increase
*PSC-51-10-00018-P	..... exempt	Commission proceeding concerning three-phase electric service by all major electric utilities	Investigate the consistency of the tariff provisions for three-phase electric service for all major electric utilities
*PSC-11-11-00003-P	..... exempt	The proposed transfer of 55.42 acres of land and \$1.4 million of revenues derived from the rendition of public service	The proposed transfer of 55.42 acres of land and \$1.4 million of revenues derived from the rendition of public service
*PSC-13-11-00005-P	..... exempt	Exclude the minimum monthly bill component from the earnings test calculation	Exclude the minimum monthly bill component from the earnings test calculation
*PSC-14-11-00009-P	..... exempt	Petition for the submetering of electricity	To consider the request of 83-30 118th Street to submeter electricity at 83-30 118th Street, Kew Gardens, New York
*PSC-19-11-00007-P	..... exempt	Utility price reporting requirements related to the Commission's "Power to Choose" website	Modify the Commission's utility electric commodity price reporting requirements related to the "Power to Choose" website
*PSC-20-11-00012-P	..... exempt	Petition for the submetering of electricity	To consider the request of KMW Group LLC to submeter electricity at 122 West Street, Brooklyn, New York
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-22-11-00004-P	..... exempt	Whether to permit the use of the Sensus accWAVE for use in residential gas meter applications	To permit gas utilities in New York State to use the Sensus accWAVE diaphragm gas meter
*PSC-26-11-00007-P	..... exempt	Water rates and charges	To approve an increase in annual revenues by about \$25,266 or 50%
*PSC-26-11-00009-P	..... exempt	Petition for the submetering of electricity at commercial property	To consider the request of by Hoosick River Hardwoods, LLC to submeter electricity at 28 Taylor Avenue, in Berlin, New York
*PSC-26-11-00012-P	..... exempt	Waiver of generation retirement notice requirements	Consideration of waiver of generation retirement notice requirements
*PSC-29-11-00011-P	..... exempt	Petition requesting the Commission reconsider its May 19, 2011 Order and conduct a hearing, and petition to stay said Order	To consider whether to grant or deny, in whole or in part, Windstream New York's Petition For Reconsideration and Rehearing
*PSC-35-11-00011-P	..... exempt	Whether to permit Consolidated Edison a waiver to commission regulations Part 226.8	Permit Consolidated Edison to conduct a inspection program in lieu of testing the accuracy of Category C meters
*PSC-36-11-00006-P	..... exempt	To consider expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-38-11-00002-P	..... exempt	Operation and maintenance procedures pertaining to steam trap caps	Adopt modified steam operation and maintenance procedures
*PSC-38-11-00003-P	..... exempt	Waiver of certain provisions of the electric service tariffs of Con Edison	Consideration of waiver of certain provisions of the electric service tariffs of Con Edison
*PSC-40-11-00010-P	..... exempt	Participation of regulated local exchange carriers in the New York Data Exchange, Inc. (NYDE)	Whether to partially modify its order requiring regulated local exchange carriers' participation NYDE
*PSC-40-11-00012-P	..... exempt	Granting of transfer of plant in-service to a regulatory asset	To approve transfer and recovery of unamortized plant investment
*PSC-42-11-00018-P	..... exempt	Availability of telecommunications services in New York State at just and reasonable rates	Providing funding support to help ensure availability of affordable telecommunications service throughout New York
*PSC-43-11-00012-P	..... exempt	Transfer of outstanding shares of stock	Transfer the issued outstanding shares of stock of The Meadows at Hyde Park Water-Works Corporation to HPWS, LLC
*PSC-47-11-00007-P	..... exempt	Remedying miscalculations of delivered gas as between two customer classes	Consideration of Con Edison's proposal to address inter-class delivery imbalances resulting from past Company miscalculations
*PSC-48-11-00007-P	..... exempt	Transfer of controlling interests in generation facilities from Dynegy to PSEG	Consideration of the transfer of controlling interests in electric generation facilities from Dynegy to PSEG
*PSC-48-11-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of To Better Days, LLC to submeter electricity at 37 East 4th Street, New York, New York
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-01-12-00008-P	..... exempt	Transfer of real property and easements from NMPNS to NMP3	Consideration of the transfer of real property and easements from NMPNS to NMP3
*PSC-01-12-00009-P	..... exempt	Recovery of expenses related to the expansion of Con Edison's ESCO referral program, PowerMove	To determine how and to what extent expenses related to the Expansion of Con Edison's ESCO referral program should be recovered
*PSC-11-12-00002-P	..... exempt	Whether to grant, deny or modify, in whole or part, Hegeman's petition for a waiver of Commission policy and Con Edison tariff	Whether to grant, deny or modify, in whole or part, Hegeman's petition for a waiver of Commission policy and Con Edison tariff
*PSC-11-12-00005-P	..... exempt	Transfer of land and water supply assets	Transfer the land and associated water supply assets of Groman Shores, LLC to Robert Groman
*PSC-13-12-00005-P	..... exempt	Authorization to transfer certain real property	To decide whether to approve the transfer of certain real property
*PSC-19-12-00023-P	..... exempt	Petition for approval pursuant to Section 70 for the sale of goods with an original cost of less than \$100,000	To consider whether to grant, deny or modify, in whole or in part, the petition filed by Orange and Rockland Utilities, Inc.
*PSC-21-12-00006-P	..... exempt	Tariff filing requirements and refunds	To determine if certain agreements should be filed pursuant to the Public Service Law and if refunds are warranted
*PSC-21-12-00011-P	..... exempt	Whether to grant, deny or modify, in whole or part, the petition for waiver of tariff Rules 8.6 and 47	Whether to grant, deny or modify, in whole or part, the petition for waiver of tariff Rules 8.6 and 47
*PSC-23-12-00007-P	..... exempt	The approval of a financing upon a transfer to Alliance of upstream ownership interests in a generation facility	To consider the approval of a financing upon a transfer to Alliance of upstream ownership interests in a generation facility
*PSC-23-12-00009-P	..... exempt	Over earnings sharing between rate payers and shareholders	To establish an Earnings Sharing Mechanism to be applied following the conclusion of Corning's rate plan
*PSC-27-12-00012-P	..... exempt	Implementation of recommendations made in a Management Audit Report	To consider implementation of recommendations made in a Management Audit Report
*PSC-28-12-00013-P	..... exempt	Exemption of reliability reporting statistics for the purpose of the 2012 Reliability Performance Mechanism	Consideration of Orange and Rockland Utilities request for exemption of the 2012 reliability reporting statistics
*PSC-29-12-00019-P	..... exempt	Waiver of 16 NYCRR 894.1 through 894.4	To allow the Town of Hamden to waive certain preliminary franchising procedures to expedite the franchising process
*PSC-30-12-00010-P	..... exempt	Waiver of 16 NYCRR 894.1 through 894.4	To allow the Town of Andes to waive certain preliminary franchising procedures to expedite the franchising process
*PSC-33-12-00009-P	..... exempt	Telecommunications companies ability to attach to utility company poles	Consideration of Tech Valley's ability to attach to Central Hudson poles
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-42-12-00009-P	..... exempt	Regulation of Gipsy Trail Club, Inc.'s long-term financing agreements	To exempt Gipsy Trail Club, Inc. from Commission regulation of its financing agreements
*PSC-45-12-00008-P	..... exempt	Whether to grant, deny or modify, in whole or part, ESHG's petition for a waiver of Commission policy and RG&E tariff	Whether to grant, deny or modify, in whole or part, ESHG's petition for a waiver of Commission policy and RG&E tariff
*PSC-45-12-00010-P	..... exempt	Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District	Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District
*PSC-50-12-00003-P	..... exempt	Affiliate standards for Corning Natural Gas Corporation	To resolve issues raised by Corning Natural Gas Corporation in its petition for rehearing
*PSC-04-13-00006-P	..... exempt	Expansion of mandatory day ahead hourly pricing for customers of Orange and Rockland Utilities with demands above 100 kW	To consider the expansion of mandatory day ahead hourly pricing for customers with demands above 100 kW
*PSC-04-13-00007-P	..... exempt	Authorization to transfer certain real property	To decide whether to approve the transfer of certain real property
*PSC-06-13-00008-P	..... exempt	Verizon New York Inc.'s retail service quality	To investigate Verizon New York Inc.'s retail service quality
*PSC-08-13-00012-P	..... exempt	Filing requirements for certain Article VII electric facilities	To ensure that applications for certain electric transmission facilities contain pertinent information
*PSC-08-13-00014-P	..... exempt	Uniform System of Accounts - Request for Accounting Authorization	To allow the company to defer an item of expense or capital beyond the end of the year in which it was incurred
*PSC-12-13-00007-P	..... exempt	Protecting company water mains	To allow the company to require certain customers to make changes to the electrical grounding system at their homes
*PSC-13-13-00008-P	..... exempt	The potential waiver of 16 NYCRR 255.9221(d) completion of integrity assessments for certain gas transmission lines	To determine whether a waiver of the timely completion of certain gas transmission line integrity assessments should be granted
*PSC-18-13-00007-P	..... exempt	Whether Demand Energy Networks energy storage systems should be designated technologies for standby rate eligibility purposes	Whether Demand Energy Networks energy storage systems should be designated technologies for standby rate eligibility purposes
*PSC-21-13-00003-P	..... exempt	To consider policies that may impact consumer acceptance and use of electric vehicles	To consider and further develop policies that may impact consumer acceptance and use of electric vehicles
*PSC-21-13-00005-P	..... exempt	To implement an abandonment of Windover's water system	To approve the implementation of abandonment of Windover's water system
*PSC-21-13-00008-P	..... exempt	Rates of National Fuel Gas Distribution Corporation	To make the rates of National Fuel Gas Distribution Corporation temporary, subject to refund, if they are found to be excessive
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-22-13-00009-P	..... exempt	On remand from New York State court litigation, determine the recovery of certain deferred amounts owed NFG by ratepayers	On remand, to determine the recovery of certain deferral amounts owed NFG from ratepayers
*PSC-23-13-00005-P	..... exempt	Waiver of partial payment, directory database distribution, service quality reporting, and service termination regulations	Equalize regulatory treatment based on level of competition and practical considerations
*PSC-25-13-00008-P	..... exempt	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request
*PSC-25-13-00009-P	..... exempt	Provision by utilities of natural gas main and service lines	To help ensure efficient and economic expansion of the natural gas system as appropriate
*PSC-25-13-00012-P	..... exempt	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request
*PSC-27-13-00014-P	..... exempt	Columbia Gas Transmission Corporation Cost Refund	For approval for temporary waiver of tariff provisions regarding its Columbia Gas Transmission Corporation cost refund
*PSC-28-13-00014-P	..... exempt	Provision for the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces	To consider the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces
*PSC-28-13-00016-P	..... exempt	The request of NGT for lightened regulation as a gas corporation	To consider whether to approve, reject, or modify the request of Niagara gas transport of Lockport, NY LLC
*PSC-28-13-00017-P	..... exempt	The request by TE for waiver of regulations requiring that natural gas be odorized in certain gathering line segments	Consider the request by TE for waiver of regulations that gas be odorized in certain lines
*PSC-32-13-00009-P	..... exempt	To consider the definition of "misleading or deceptive conduct" in the Commission's Uniform Business Practices	To consider the definition of "misleading or deceptive conduct" in the Commission's Uniform Business Practices
*PSC-32-13-00012-P	..... exempt	To consider whether NYSEG should be required to undertake actions to protect its name and to minimize customer confusion	To consider whether NYSEG should be required to undertake actions to protect its name and to minimize customer confusion
*PSC-33-13-00027-P	..... exempt	Waive underground facility requirements for new construction in residential subdivisions to allow for overhead electric lines	Determine whether Chapin Lumberland, LLC subdivision will be allowed overhead electric distribution and service lines
*PSC-33-13-00029-P	..... exempt	Deferral of incremental costs associated with the restoration of steam service following Superstorm Sandy	To consider a petition by Con Edison to defer certain incremental steam system restoration costs relating to Superstorm Sandy
*PSC-34-13-00004-P	..... exempt	Escrow account and surcharge to fund extraordinary repairs	To approve the establishment of an escrow account and surcharge
*PSC-42-13-00013-P	..... exempt	Failure to Provide Escrow Information	The closure of the Escrow Account
*PSC-42-13-00015-P	..... exempt	Failure to Provide Escrow Information	The closure of the Escrow Account
*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.



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-45-13-00021-P	..... exempt	Investigation into effect of bifurcation of gas and electric utility service on Long Island	To consider a Petition for an investigation into effect of bifurcation of gas and electric utility service on Long Island
*PSC-45-13-00022-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4)	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00023-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4)	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00024-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4); waiver of filing deadlines	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00025-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4)	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-47-13-00009-P	..... exempt	Petition for submetering of electricity	To consider the request of Hegeman Avenue Housing L.P. to submeter electricity at 39 Hegeman Avenue, Brooklyn, N.Y
*PSC-47-13-00012-P	..... exempt	Conditioning,restricting or prohibiting the purchase of services by NYSEG and RG&E from certain affiliates	Consideration of conditioning,restricting or prohibiting the purchase of services by NYSEG and RG&E from certain affiliates
*PSC-49-13-00008-P	..... exempt	Authorization to transfer all of Crystal Water Supply Company, Inc. stocks to Essel Infra West Inc.	To allow Crystal Water Supply Company, Inc to transfer all of its issued and outstanding stocks to Essel Infra West Inc.
*PSC-51-13-00009-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates
*PSC-51-13-00010-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates
*PSC-51-13-00011-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates
*PSC-52-13-00012-P	..... exempt	The development of reliability contingency plan(s) to address the potential retirement of Indian Point Energy Center (IPEC)	To address the petition for rehearing and reconsideration/motion for clarification of the IPEC reliability contingency plan(s)
*PSC-52-13-00015-P	..... exempt	To enter into a loan agreement with the banks for up to an amount of \$94,000	To consider allowing Knolls Water Company to enter into a long-term loan agreement
*PSC-05-14-00010-P	..... exempt	The New York State Reliability Council's revisions to its rules and measurements	To adopt revisions to various rules and measurements of the New York State Reliability Council
*PSC-07-14-00008-P	..... exempt	Petition for submetering of electricity	To consider the request of Greater Centennial Homes HDFC, Inc. to submeter electricity at 102, 103 and 106 W 5th Street, et al.
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-08-14-00015-P	..... exempt	Verizon New York Inc.'s service quality and Customer Trouble Report Rate (CTRR) levels at certain central office entities	To improve Verizon New York Inc.'s service quality and the Customer Trouble Report Rate levels at certain central office entities
*PSC-10-14-00006-P	..... exempt	Actions to facilitate the availability of ESCO value-added offerings, ESCO eligibility and ESCO compliance	To facilitate ESCO value-added offerings and to make changes to ESCO eligibility and to ensure ESCO compliance
*PSC-11-14-00003-P	..... exempt	Provision for the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces	To consider the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces
*PSC-16-14-00014-P	..... exempt	Whether to order NYSEG to provide gas service to customers when an expanded CPCN is approved and impose PSL 25-a penalties	To order gas service to customers in the Town of Plattsburgh after approval of a town wide CPCN and to impose penalties
*PSC-16-14-00015-P	..... exempt	Whether Central Hudson should be permitted to defer obligations of the Order issued on October 18, 2013 in Case 13-G-0336	Consideration of the petition by Central Hudson to defer reporting obligations of the October 18, 2013 Order in Case 13-G-0336
*PSC-17-14-00003-P	..... exempt	Con Edison's Report on its 2013 performance under the Electric Service Reliability Performance Mechanism	Con Edison's Report on its 2013 performance under the Electric Service Reliability Performance Mechanism
*PSC-17-14-00004-P	..... exempt	To consider certain portions of petitions for rehearing, reconsideration and/or clarification	To consider certain portions of petitions for rehearing, reconsideration and/or clarification
*PSC-17-14-00007-P	..... exempt	To consider petitions for rehearing, reconsideration and/or clarification	To consider petitions for rehearing, reconsideration and/or clarification
*PSC-17-14-00008-P	..... exempt	To consider certain portions of petitions for rehearing, reconsideration and/or clarification	To consider certain portions of petitions for rehearing, reconsideration and/or clarification
*PSC-19-14-00014-P	..... exempt	Market Supply Charge	To make tariff revisions to the Market Supply Charge for capacity related costs
*PSC-19-14-00015-P	..... exempt	Whether to permit the use of the Sensus accuWAVE for use in residential and commercial gas meter applications	To permit gas utilities in New York State to use the Sensus accuWAVE 415TC gas meter
*PSC-22-14-00013-P	..... exempt	Petition to transfer and merge systems, franchises and assets	To consider the Comcast and Time Warner Cable merger and transfer of systems, franchises and assets
*PSC-23-14-00010-P	..... exempt	Whether to permit the use of the GE Dresser Series B3-HPC 11M-1480 rotary gas meter 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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-26-14-00021-P	..... exempt	Consumer protections, standards and protocols pertaining to access to customer data may be established	To balance the need for the information necessary to support a robust market with customer privacy concerns
*PSC-28-14-00014-P	..... exempt	Petition to transfer systems, franchises and assets	To consider the Comcast and Charter transfer of systems, franchise and assets
*PSC-30-14-00023-P	..... exempt	Whether to permit the use of the Sensus iPERL Fire Flow Meter	Pursuant to 16 NYCRR Part 500.3 , it is necessary to permit the use of the Sensus iPERL Fire Flow Meter
*PSC-30-14-00026-P	..... exempt	Petition for a waiver to master meter electricity	Considering the request of Renaissance Corporation of to master meter electricity at 100 Union Drive, Albany, NY
*PSC-31-14-00004-P	..... exempt	To transfer 100% of the issued and outstanding stock from Vincent Cross to Bonnie and Michael Cross	To transfer 100% of the issued and outstanding stock from Vincent Cross to Bonnie and Michael Cross
*PSC-32-14-00012-P	..... exempt	Whether to grant or deny, in whole or in part, the Connect New York Coalition's petition	To consider the Connect New York Coalition's petition seeking a formal investigation and hearings
*PSC-35-14-00004-P	..... exempt	Regulation of a proposed electricity generation facility located in the Town of Brookhaven, NY	To consider regulation of a proposed electricity generation facility located in the Town of Brookhaven, NY
*PSC-35-14-00005-P	..... exempt	Whether to permit the use of the Sensus iConA electric meter	Pursuant to 16 NYCRR Parts 92 and 93, Commission approval is necessary to permit the use of the Sensus iConA electric meter
*PSC-36-14-00009-P	..... exempt	Modification to the Commission's Electric Safety Standards	To consider revisions to the Commission's Electric Safety Standards
*PSC-38-14-00003-P	..... exempt	Whether to approve, reject or modify, in whole or in part a time-sensitive rate pilot program	Whether to approve, reject or modify, in whole or in part a time-sensitive rate pilot program
*PSC-38-14-00004-P	..... exempt	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn
*PSC-38-14-00005-P	..... exempt	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2
*PSC-38-14-00007-P	..... exempt	Whether to expand Con Edison's low income program to include Medicaid recipients	Whether to expand Con Edison's low income program to include Medicaid recipients
*PSC-38-14-00008-P	..... exempt	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn
*PSC-38-14-00010-P	..... exempt	Inter-carrier telephone service quality standard and metrics and administrative changes	To review recommendations from the Carrier Working Group and incorporate appropriate modifications to the existing Guidelines
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-39-14-00020-P	..... exempt	Whether to permit the use of the Mueller Systems 400 Series and 500 Series of water meters	Pursuant to 16 NYCRR section 500.3, whether to permit the use of the Mueller Systems 400, and 500 Series of water meters
*PSC-40-14-00008-P	..... exempt	To consider granting authorization for Buy Energy Direct to resume marketing to residential customers	To consider granting authorization for Buy Energy Direct to resume marketing to residential customers
*PSC-40-14-00009-P	..... exempt	Whether to permit the use of the Itron Open Way Centron Meter with Hardware 3.1 for AMR and AMI functionality	Pursuant to 16 NYCRR Parts 93, is necessary to permit the use of the Itron Open Way Centron Meter with Hardware 3.1
*PSC-40-14-00011-P	..... exempt	Late Payment Charge	To modify Section 7.6 - Late Payment Charge to designate a specific time for when a late payment charge is due
*PSC-40-14-00013-P	..... exempt	Regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY	To consider regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY
*PSC-40-14-00014-P	..... exempt	Waiver of 16 NYCRR Sections 894.1 through 894.4(b)(2)	To allow the Town of Goshen, NY, to waive certain preliminary franchising procedures to expedite the franchising process
*PSC-40-14-00015-P	..... exempt	Late Payment Charge	To modify Section 6.6 - Late Payment Charge to designate a specific time for when a late payment charge is due
*PSC-42-14-00003-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-42-14-00004-P	..... exempt	Winter Bundled Sales Service Option	To modify SC-11 to remove language relating to fixed storage charges in the determination of the Winter Bundled Sales charge
*PSC-48-14-00014-P	..... exempt	Considering the recommendations contained in Staff's electric outage investigation report for MNRR, New Haven Line	To consider the recommendations contained in Staff's electric outage investigation report for MNRR, New Haven Line
*PSC-52-14-00019-P	..... exempt	Petition for a waiver to master meter electricity	Considering the request of 614 South Crouse Avenue, LLC to master meter electricity at 614 South Crouse Avenue, Syracuse, NY
*PSC-01-15-00014-P	..... exempt	State Universal Service Fund Disbursements	To consider Edwards Telephone Company's request for State Universal Service Fund disbursements
*PSC-08-15-00010-P	..... exempt	Request pertaining to the lawfulness of National Grid USA continuing its summary billing program	To grant, deny, or modify URAC Rate Consultants' request that National Grid cease its summary billing program
*PSC-10-15-00007-P	..... exempt	Notification concerning tax refunds	To consider Verizon New York Inc.'s partial rehearing or reconsideration request regarding retention of property tax refunds
*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

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<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-13-15-00024-P	..... exempt	Whether Leatherstocking should be permitted to recover a shortfall in earnings	To decide whether to approve Leatherstocking's request to recover a shortfall in earnings
*PSC-13-15-00026-P	..... exempt	Whether to permit the use of the Sensus Smart Point Gas AMR/AMI product	To permit the use of the Sensus Smart Point Gas AMR/AMI product
*PSC-13-15-00027-P	..... exempt	Whether to permit the use of the Measurlogic DTS 310 electric submeter	To permit the use of the Measurlogic DTS 310 submeter
*PSC-13-15-00028-P	..... exempt	Whether to permit the use of the SATEC EM920 electric meter	To permit necessary to permit the use of the SATEC EM920 electric meter
*PSC-13-15-00029-P	..... exempt	Whether to permit the use the Triacta Power Technologies 6103, 6112, 6303, and 6312 electric submeters	To permit the use of the Triacta submeters
*PSC-17-15-00007-P	..... exempt	To consider the petition of Leatherstocking Gas Company, LLC seeking authority to issue long-term debt of \$2.75 million	To consider the petition of Leatherstocking Gas Company, LLC seeking authority to issue long-term debt of \$2.75 million
*PSC-18-15-00005-P	..... exempt	Con Edison's Report on its 2014 performance under the Electric Service Reliability Performance Mechanism	Con Edison's Report on its 2014 performance under the Electric Service Reliability Performance Mechanism
*PSC-19-15-00011-P	..... exempt	Gas Safety Performance Measures and associated negative revenue adjustments	To update the performance measures applicable to KeySpan Gas East Corporation d/b/a National Grid
*PSC-22-15-00015-P	..... exempt	To consider the request for waiver of the individual residential unit meter requirements and 16 NYCRR 96.1(a)	To consider the request for waiver of the individual residential unit meter requirements and 16 NYCRR 96.1(a)
*PSC-23-15-00005-P	..... exempt	The modification of New York American Water's current rate plan	Whether to adopt the terms of the Joint Proposal submitted by NYAW and DPS Staff
*PSC-23-15-00006-P	..... exempt	The modification of New York American Water's current rate plan	Whether to adopt the terms of the Joint Proposal submitted by NYAW and DPS Staff
*PSC-25-15-00008-P	..... exempt	Notice of Intent to Submeter electricity	To consider the request of 165 E 66 Residences, LLC to submeter electricity at 165 East 66th Street, New York, New York
*PSC-29-15-00025-P	..... exempt	Joint Petition for authority to transfer real property located at 624 West 132nd Street, New York, NY	Whether to authorize the proposed transfer of real property located at 624 West 132nd Street, New York, NY
*PSC-32-15-00006-P	..... exempt	Development of a Community Solar Demonstration Project	To approve the development of a Community Solar Demonstration Project
*PSC-33-15-00009-P	..... exempt	Remote net metering of a demonstration community net metering program	To consider approval of remote net metering of a demonstration community net metering program
*PSC-33-15-00012-P	..... exempt	Remote net metering of a Community Solar Demonstration Project	To consider approval of remote net metering of a Community Solar Demonstration Project
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-35-15-00014-P	..... exempt	Consideration of consequences against Light Power & Gas, LLC for violations of the UBP	To consider consequences against Light Power & Gas, LLC for violations of the UBP
*PSC-37-15-00007-P	..... exempt	Submetered electricity	To consider the request of 89 Murray Street Ass. LLC, for clarification of the submetering order issued December 20, 2007
*PSC-40-15-00014-P	..... exempt	Whether to permit the use of the Open Way 3.5 with cellular communications	To consider the use of the Open Way 3.5 electric meter, pursuant to 16 NYCRR Parts 92 and 93
*PSC-42-15-00006-P	..... exempt	Deferral of incremental expenses associated with NERC's new Bulk Electric System (BES) compliance requirements approved by FERC	Consideration of Central Hudson's request to defer incremental expenses associated with new BES compliance requirements
*PSC-44-15-00028-P	..... exempt	Deferral of incremental expenses associated with new compliance requirements	Consideration of Central Hudson's request to defer incremental expenses associated with new compliance requirements
*PSC-47-15-00013-P	..... exempt	Whitepaper on Implementing Lightened Ratemaking Regulation	Consider Whitepaper on Implementing Lightened Ratemaking Regulation
*PSC-48-15-00011-P	..... exempt	Proposal to retire Huntley Units 67 and 68 on March 1, 2016	Consider the proposed retirement of Huntley Units 67 and 68
*PSC-50-15-00006-P	..... exempt	The reduction of rates	To consider the reduction of rates charged by Independent Water Works, Inc.
*PSC-50-15-00009-P	..... exempt	Notice of Intent to submeter electricity	To consider the request to submeter electricity at 31-33 Lincoln Road and 510 Flatbush Avenue, Brooklyn, New York
*PSC-51-15-00010-P	..... exempt	Modification of the EDP	To consider modifying the EDP
*PSC-01-16-00005-P	..... exempt	Proposed amendment to Section 5, Attachment 1.A of the Uniform Business Practices	To consider amendment to Section 5, Attachment 1.A of the Uniform Business Practices
*PSC-04-16-00007-P	..... exempt	Whether Hamilton Municipal Utilities should be permitted to construct and operate a municipal gas distribution facility	Consideration of the petition by Hamilton Municipal Utilities to construct and operate a municipal gas distribution facility
*PSC-04-16-00012-P	..... exempt	Proposal to mothball three gas turbines located at the Astoria Gas Turbine Generating Station	Consider the proposed mothball of three gas turbines located at the Astoria Gas Turbine Generating Station
*PSC-04-16-00013-P	..... exempt	Proposal to find that three gas turbines located at the Astoria Gas Turbine Generating Station are uneconomic	Consider whether three gas turbines located at the Astoria Gas Turbine Generating Station are uneconomic
*PSC-06-16-00013-P	..... exempt	Continued deferral of approximately \$16,000,000 in site investigation and remediation costs	To consider the continued deferral of approximately \$16,000,000 in site investigation and remediation costs
*PSC-06-16-00014-P	..... exempt	MEGA's proposed demonstration CCA program	To consider MEGA's proposed demonstration CCA program
*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

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



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-40-16-00025-P	..... exempt	Consequences pursuant to the Commission's Uniform Business Practices (UBP)	To consider whether to impose consequences on Smart One for its apparent non-compliance with Commission requirements
*PSC-47-16-00009-P	..... exempt	Petition to use commercial electric meters	To consider the petition of Itron, Inc. to use the Itron CP2SO and CP2SOA in commercial electric meter applications
*PSC-47-16-00010-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00013-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00014-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00016-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-02-17-00010-P	..... exempt	Implementation of the four EAMs	To consider the implementation of EAMs for RG&E
*PSC-02-17-00012-P	..... exempt	Implementation of the four EAMs	To consider the implementation of EAMs for NYSEG
*PSC-18-17-00024-P	..... exempt	A petition for rehearing or reconsideration of the Order Addressing Public Policy Transmission Need for AC Transmission Upgrades	To determine whether Public Policy Transmission Need/Public Policy Requirements continue to exist
*PSC-18-17-00026-P	..... exempt	Revisions to the Dynamic Load Management surcharge	To consider revisions to the Dynamic Load Management surcharge
*PSC-20-17-00008-P	..... exempt	Compressed natural gas as a motor fuel for diesel fueled vehicles	To consider a report filed by National Grid NY regarding the potential for adoption of compressed natural gas as a motor fuel
*PSC-20-17-00010-P	..... exempt	Compressed natural gas as a motor fuel for diesel fueled vehicles	To consider a report filed by National Grid regarding the potential for adoption of compressed natural gas as a motor fuel
*PSC-21-17-00013-P	..... exempt	The establishment and implementation of Earnings Adjustment Mechanisms	To consider the establishment and implementation of Earnings Adjustment Mechanisms
*PSC-21-17-00018-P	..... exempt	Proposed agreement for the provision of water service by Saratoga Water Services, Inc.	To consider a waiver and approval of terms of a service agreement
*PSC-22-17-00004-P	..... exempt	Financial incentives to create customer savings and develop market-enabling tools, with a focus on outcomes and incentives	To consider the proposed Interconnection Survey Process and Earnings Adjustment Mechanisms
*PSC-24-17-00006-P	..... exempt	Development of the Utility Energy Registry	Improved data access
*PSC-26-17-00005-P	..... exempt	Notice of Intent to submeter electricity	To consider the Notice of Intent to submeter electricity at 125 Waverly Street, Yonkers, New York

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-34-17-00011-P	..... exempt	Waiver to permit Energy Cooperative of America to serve low-income customers	To consider the petition for a waiver
*PSC-37-17-00005-P	..... exempt	Financial incentives to create customer savings and develop market-enabling tools, with a focus on outcomes and incentives	To consider the revised Interconnection Survey Process and Earnings Adjustment Mechanisms
*PSC-39-17-00011-P	..... exempt	Whether to direct New York State Electric & Gas to complete electric facility upgrades at no charge to Hanehan	To determine financial responsibility between NYSEG and Hanehan for the electric service upgrades to Hanehan
*PSC-42-17-00010-P	..... exempt	Petition for rehearing of negative revenue adjustment and contents of annual Performance Report	To consider NFGD's petition for rehearing
*PSC-48-17-00015-P	..... exempt	Low Income customer options for affordable water bills	To consider the Low Income Bill Discount and/or Energy Efficiency Rebate Programs
*PSC-50-17-00017-P	..... exempt	New Wave Energy Corp.'s petition for rehearing	To consider the petition for rehearing filed by New Wave Energy Corp.
*PSC-50-17-00018-P	..... exempt	Application of the Public Service Law to DER suppliers	To determine the appropriate regulatory framework for DER suppliers
*PSC-50-17-00019-P	..... exempt	Transfer of utility property	To consider the transfer of utility property
*PSC-50-17-00021-P	..... exempt	Disposition of tax refunds and other related matters	To consider the disposition of tax refunds and other related matters
*PSC-51-17-00011-P	..... exempt	Petition for recovery of certain costs related to the implementation of a Non-Wires Alternative Project	To consider Con Edison's petition for the recovery of costs for implementing the JFK Project
*PSC-04-18-00005-P	..... exempt	Notice of intent to submeter electricity	To consider the notice of intent of Montante/Morgan Gates Circle LLC to submeter electricity
*PSC-05-18-00004-P	..... exempt	Lexington Power's ZEC compliance obligation	To promote and maintain renewable and zero-emission electric energy resources
*PSC-06-18-00012-P	..... exempt	To consider further proposed amendments to the original criteria to grandfathering established in the Transition Plan	To modify grandfathering criteria
*PSC-06-18-00017-P	..... exempt	Merger of NYAW and Whitlock Farms Water Corp.	To consider the merger of NYAW and Whitlock Farms Water Company into a single corporate entity
*PSC-07-18-00015-P	..... exempt	The accuracy and reasonableness of National Grid's billing for certain interconnection upgrades	To consider AEC's petition requesting resolution of their billing dispute with National Grid
*PSC-11-18-00004-P	..... exempt	New York State Lifeline Program	To consider TracFone's petition seeking approval to participate in Lifeline
*PSC-13-18-00015-P	..... exempt	Eligibility of an ESCO to market to and enroll residential customers	To consider whether Astral should be allowed to market to and enroll residential customers following a suspension
*PSC-13-18-00023-P	..... exempt	Reconciliation of property taxes	To consider NYAW's request to reconcile property taxes

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-14-18-00006-P	..... exempt	Petition for abandonment	To consider the abandonment of Willsboro Bay Water Company's water system
*PSC-17-18-00010-P	..... exempt	Petition for use of gas metering equipment	To ensure that consumer bills are based on accurate measurements of gas usage
*PSC-18-18-00009-P	..... exempt	Transfer of control of Keene Valley Video Inc.	To ensure performance in accordance with applicable cable laws, regulations and standards and the public interest
*PSC-23-18-00006-P	..... exempt	Whether to impose consequences on Aspiry for its non-compliance with Commission requirements	To ensure the provision of safe and adequate energy service at just and reasonable rates
*PSC-24-18-00013-P	..... exempt	Implementation of program rules for Renewable Energy Standard and ZEC requirements	To promote and maintain renewable and zero-emission electric energy resources
*PSC-28-18-00011-P	..... exempt	Storm Hardening Collaborative Report	To ensure safe and adequate gas service
*PSC-29-18-00008-P	..... exempt	Participation in Targeted Accessibility Fund	To encourage enhanced services for low-income consumers
*PSC-29-18-00009-P	..... exempt	Overvaluing real property tax expense recovery in water rates	To prevent unjust and unreasonable water rates
*PSC-34-18-00015-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and energy efficiency protections are in place
*PSC-34-18-00016-P	..... exempt	Deferral of pre-staging and mobilization storm costs	To ensure just and reasonable rates for ratepayers and utility recovery of unexpected, prudently incurred costs
*PSC-35-18-00003-P	..... exempt	Con Edison's 2018 DSIP and BCA Handbook Update	To continue Con Edison's transition to a modern utility serving as a Distributed System Platform Provider
*PSC-35-18-00005-P	..... exempt	NYSEG and RG&E's 2018 DSIP and BCA Handbook Update	To continue NYSEG and RG&E's transition to modern utilities acting as Distributed System Platform Providers
*PSC-35-18-00006-P	..... exempt	National Grid's 2018 DSIP and BCA Handbook Update	To continue National Grid's transition to a modern utility serving as a Distributed System Platform Provider
*PSC-35-18-00008-P	..... exempt	Central Hudson's 2018 DSIP and BCA Handbook Update	To continue Central Hudson's transition to a modern utility serving as a Distributed System Platform Provider
*PSC-35-18-00010-P	..... exempt	O&R's 2018 DSIP and BCA Handbook Update	To continue O&R's transition to a modern utility acting as a Distributed System Platform Provider
*PSC-39-18-00005-P	..... exempt	Participation in New York State Lifeline Program	To encourage enhanced services for low-income customers
*PSC-40-18-00014-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	To review the gas utilities' reconciliation of Gas Expenses and Gas Cost Recoveries for 2018

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

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



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

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<b>PUBLIC SERVICE COMMISSION</b>			
*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-21-21-00019-P	..... exempt	Utility capital expenditure proposal	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
*PSC-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-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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
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
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 an 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-20-22-00009-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
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
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-21-22-00011-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-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-24-22-00007-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-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
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-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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
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-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-31-22-00009-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.
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-32-22-00027-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-33-22-00006-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-33-22-00008-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.



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
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.
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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
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.
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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-42-22-00017-P	..... exempt	Gas system planning.	To consider screening and suitability criteria for non-pipeline alternatives.
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.
PSC-45-22-00018-P	..... exempt	Transfer of a half interest in utility poles.	To determine if the transfer of the ownership interest is in the public interest.
PSC-45-22-00019-P	..... exempt	Waiver of certain Commission requirements related to the distribution of telephone directories.	To ensure performance in accordance with applicable telecommunications laws, regulations and standards, and public interest.
PSC-46-22-00006-P	..... exempt	PSC Regulations 16 NYCRR 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-46-22-00007-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-46-22-00008-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-46-22-00009-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-46-22-00010-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-47-22-00006-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-47-22-00007-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-47-22-00008-P	..... exempt	Proposed revisions related to the participation of Distributed Energy Resources.	To align utility retail tariffs with wholesale tariffs.
PSC-48-22-00002-P	..... exempt	The Performance Factor used in Distribution Load Relief and Commercial System Relief Programs for the 2023 capability period.	To effect more efficient demand response programs to gain operational efficiency and shave peak demand.
PSC-48-22-00003-P	..... exempt	Gas moratorium customer protections.	To consider protections to minimize customer hardships in the unlikely event of a future gas moratorium.
PSC-48-22-00004-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-48-22-00005-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-48-22-00006-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-48-22-00007-P	..... exempt	The level of incentives and use of demand response under utility EV managed charging programs.	To consider adequate incentive levels and eliminating participation of demand response under EV managed charging programs.
PSC-49-22-00017-P	..... exempt	Stock ownership interest and associated financial transactions.	To consider the transfer of controlling interest and associated financial transactions.
PSC-49-22-00018-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-49-22-00019-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-49-22-00020-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-49-22-00021-P	..... exempt	Clean Energy Standard Tier 1 load serving entity obligations.	To transition the Tier 1 load serving entity obligation from a percentage based obligation to a load share obligation approach.
PSC-49-22-00022-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-49-22-00023-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-50-22-00007-P	..... exempt	Pole attachment charges.	To provide just and reasonable pole attachment charges.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-51-22-00001-P	..... exempt	Proposed Public Policy Transmission Needs/ Public Policy Requirements, as defined under the NYISO tariff.	To identify any proposed Public Policy Transmission Needs/Public Policy Requirements for referral to the NYISO.
PSC-51-22-00002-P	..... exempt	Competitive solicitations to procure 350MW of energy storage systems.	To modify energy storage solicitations and improve procurement results.
PSC-51-22-00003-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-51-22-00004-P	..... exempt	Waiver of a pipeline safety regulation.	Whether the waiver of the regulation is in the public interest.
<b>STATE, DEPARTMENT OF</b>			
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
DOS-47-22-00004-P	..... 11/23/23	Creation of a cease and desist zone within Kings County.	To adopt a cease and desist zone for a designated area within Kings County and remove reference to expired zones.
<b>STATEN ISLAND RAPID TRANSIT OPERATING AUTHORITY</b>			
SIR-50-22-00003-EP	..... 12/14/23	Aligning the rule of conduct re: carrying firearms and other weapons in public transit with New York Law	Safeguard public safety by amending a rule to comply with NY Law re: the carrying of firearms and weapons in public transit
<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-46-22-00011-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, 2023 through March 31, 2023.
<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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>TEMPORARY AND DISABILITY ASSISTANCE, OFFICE OF</b>			
TDA-50-22-00006-P	12/14/23	Elimination of 45-day waiting period relative to determination of Safety Net Assistance (SNA) applications	To update State regulations relative to waiting period for SNA consistent with Part U of Chapter 56 of the Laws of 2022
<b>URBAN DEVELOPMENT CORPORATION</b>			
UDC-44-22-00004-P	11/02/23	Biodefense Commercialization Fund	To clarify certain aspects of the administration of the Fund, and to ensure consistency with recently updated guidelines
<b>VICTIM SERVICES, OFFICE OF</b>			
OVS-49-22-00003-P	12/07/23	Limits on administrative expenses and executive compensation pursuant to Executive Order (EO) 38.	As EO 38 has been discontinued, the purpose of this rule is to repeal regulations implementing EO 38.
<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-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



# SECURITIES OFFERINGS

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## STATE NOTICES

### DEALERS; BROKERS

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Asia Realty Holdings V (SO), L.P.  
c/o Angelo, Gordon & Co., L.P. 245 Park Ave., New York, NY 10167  
*Partnership — AG Asia V LLC*

BIF II - Marina Landing Coinvest, LLC  
320 Broad St., Suite 600, Charleston, SC 29401  
*State or country in which incorporated — Delaware*

Breckenridge Apartments LLC  
12470 York St., Eastlake, CO 80614  
*State or country in which incorporated — Idaho*

Envoy SBR Cranberry, LLC  
1363 Shermer Rd., Suite 309, Northbrook, IL 60062  
*State or country in which incorporated — Delaware*

FarmTogether Oak Ridge, LLC  
16192 Coastal Hwy., Lewes, DE 19958  
*State or country in which incorporated — Delaware*

Foreside Financial Services, LLC  
8182 Maryland Ave., Suite 500, St. Louis, MO 63105  
*State or country in which incorporated — Delaware*

Gateway Investors LLC  
3295 Elder St., Suite 209, Boise, ID 83705  
*State or country in which incorporated — Idaho*

GO UES Investors LLC  
80 Fifth Ave., Suite 1201, New York, NY 10011

Innovaqor, Inc.  
400 S. Australian Ave., Suite 800, W. Palm Beach, FL 33401  
*State or country in which incorporated — Nevada*

iSpot.tv, Inc.  
15831 NE. 8th St., Suite 100, Bellevue, WA 98008-3916  
*State or country in which incorporated — Delaware*

KGSB Lender, L.P.  
1000 Conshohocken State Rd., Suite 2-201, W. Conshohocken, PA  
19428  
*State or country in which incorporated — Delaware*

K.M. Davies Co., Inc.  
6509 Lake Ave., Williamson, NY 14589  
*State or country in which incorporated — New York*

Lone Star Portfolio, LLC  
1011 S. Dairy Ashford Rd., Houston, TX 77077  
*State or country in which incorporated — Texas*

Maryland Green Multifamily, LLC  
1883 W. Royal Hunte Dr., Suite 200-A, Cedar City, UT 84720  
*State or country in which incorporated — Wyoming*

Oak Park & Stephenson Owner, LLC  
c/o Capital Solutions, Inc., 751 Arbor Way, Suite 210, Blue Bell, PA  
19422  
*State or country in which incorporated — Delaware*

PIMCO Investments LLC  
650 Newport Center Dr., Newport Beach, CA 92660  
*State or country in which incorporated — Delaware*

Slow DAO 2, LLC  
1006 Kearny St., San Francisco, CA 94133  
*State or country in which incorporated — Delaware*

Tallahassee High Road, LLC  
14407 SW. 2nd Place, Newberry, FL 32669  
*State or country in which incorporated — Delaware*

Thumb Bancorp, Inc.  
7254 Michigan Ave., Pigeon, MI 48755  
*State or country in which incorporated — Michigan*

Velthius, L.P., The  
501 Main Ave., Brookings, SD 57006  
*State or country in which incorporated — South Dakota*

Vue Austin, LLC  
3718 Menchaca Rd., Austin, TX 78704  
*State or country in which incorporated — Texas*



# ADVERTISEMENTS FOR BIDDERS/CONTRACTORS

## SEALED BIDS

### REHABILITATE 5th FLOOR Ten Eyck Office Building Albany, Albany County

Sealed bids for Project Nos. 47216-C, 47216-H, 47216-P and 47216-E, comprising separate contracts for Construction Work, HVAC Work, Plumbing Work, and Electrical Work, Rehabilitate 5th Floor, Ten Eyck Office Building, 40 N Pearl Street, Albany (Albany County), NY will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Office of General Services, until 2:00 p.m. on Wednesday, January 4, 2023, when they will be publicly opened and read. Each bid must be prepared and submitted in accordance with the Instructions to Bidders and must be accompanied by a bid security (i.e. certified check, bank check, or bid bond in the amount of \$38,000 for C, \$4,700 for H, \$15,900 for P, and \$23,300 for E).

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond pursuant to Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract estimated to be between \$500,000 and \$1,000,000 for C, between \$50,000 and \$100,000 for H, between \$100,000 and \$250,000 for P, and between \$500,000 and \$1,000,000 for E.

Pursuant to State Finance Law §§ 139-j and 139-k, this solicitation includes and imposes certain restrictions on communications between OGS D&C and a bidder during the procurement process. A bidder is restricted from making contacts from the earliest posting on the OGS website, in a newspaper of general circulation, or in the Contract Reporter, of written notice, advertisement or solicitation of offers, through final award and approval of the contract by OGS D&C and the Office of the State Comptroller ("Restricted Period") to other than designated staff, unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a). Designated staff are Jessica Cook, Jessica Hoffman, and Pierre Alric in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and to make a determination of the responsibility of the bidder pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a four-year period, the bidder is debarred from obtaining governmental Procurement Contracts. Bidders responding to this Advertisement must familiarize themselves with the State Finance Law requirements and will be expected to affirm that they understand and agree to comply on the bid form. Further information about these requirements can be found within the project manual or at: <https://ogs.ny.gov/ACPL/>

Pursuant to Public Buildings Law § 8(6), effective January 11, 2020, for any projects where the project design commenced on or after January 1, 2020 and for any contracts over \$5,000 for the work of construction, reconstruction, alteration, repair, or improvement of any State building, a responsible and reliable NYS-certified Minority or Women-Owned Business Enterprise that submits a bid within ten percent of the lowest bid will be deemed the apparent low bidder

provided that the bid is \$1,400,000 or less, as adjusted annually for inflation beginning January 1, 2020. If more than one responsible and reliable MWBE firm meets these requirements, the MWBE firm with the lowest bid will be deemed the apparent low bidder.

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

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

The substantial completion date for this project is 241 days after the Agreement is approved by the Comptroller.

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

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 2:00 p.m. on December 21, 2022, at Main Entrance, Ten Eyck Office Building, 40 N Pearl Street, Albany NY. Prospective bidders are urged, but not mandated, to visit the site at this time. Prospective bidders or their representatives attending the pre-bid site visit will not be admitted on facility grounds without proper photo identification. Note that parking restrictions and security provisions will apply, and all vehicles will be subject to search. Refer to Document 002218 for any additional requirements for attendance at the pre-bid site visit.

Phone the office of Eric Luft (518-573-1364) a minimum of 48 hours in advance of the date to provide the names of those who will attend the pre-bid site visit. Only contractors that schedule a visit at least 48 hours in advance will be allowed to participate in the pre-bid site visit.

Pursuant to New York State Executive Law Article 15-A and the rules and regulations promulgated thereunder, OGS is required to promote opportunities for the maximum feasible participation of New York State-certified Minority and Women-owned Business Enterprises ("MWBEs") and the employment of minority group members and women in the performance of OGS contracts. All bidders are expected to cooperate in implementing this policy. OGS hereby establishes an overall goal of 30% for MWBE participation, 15% for Minority-Owned Business Enterprises ("MBE") participation and 15% for Women-Owned Business Enterprises ("WBE") participation (based on the current availability of qualified MBEs and WBEs) for Construction Work and an overall goal of 16% for MWBE participation, 8% for Minority-Owned Business Enterprises ("MBE") participation and 8% for Women-Owned Business Enterprises ("WBE") participation (based on the current availability of qualified MBEs and WBEs) for Plumbing Work an overall goal of 10% for MWBE participation, 5% for Minority-Owned Business Enterprises ("MBE") participation and 5% for Women-Owned Business Enterprises ("WBE") participation (based on the current availability of qualified MBEs and WBEs) for Electrical Work. The total contract goal can be obtained by utilizing any combination of MBE and/or WBE participation for subcontracting and supplies acquired under this Contract. Trades with 0% goals are encouraged to make "good faith efforts" to promote and assist in the participation of MWBEs on the Contract for the provision of services and materials.

Article 17-B of the New York State Executive Law provides for more meaningful participation in public procurement by certified Service-Disabled Veteran-Owned Businesses (“SDVOBs”). Bidders are expected to consider SDVOBs in the fulfillment of the requirements of the Contract. Such participation may be as subcontractors or suppliers, as protégés, or in other partnering or supporting roles. OGS hereby establishes overall goals for SDVOBs’ participation under this contract as follows: 6% for the C trade contractor, 0% for the H trade contractor, 3% for the E trade contractor, and 3% for the P trade contractor, based on the current availability of qualified SDVOBs. Trades with 0% goals are encouraged to make “good faith efforts” to promote and assist in the participation of SDVOBs on the Contract for the provision of services and materials.

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

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

For questions about downloading of bid documents, please send an e-mail to [support@bidexpress.com](mailto:support@bidexpress.com), or call the Bid Express toll-free number at (888) 352-2439.

For all other questions, please send an email to [DCPlans@ogs.ny.gov](mailto:DCPlans@ogs.ny.gov), or call (518) 474-0203.

For additional information on this project, please use the link below and then click on the project number: <https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

By OGS - Design & Construction Group

# NOTICE OF AVAILABILITY OF STATE AND FEDERAL FUNDS

Housing Trust Fund Corporation  
Office of Community Renewal  
38-40 State St., 4th Fl. South  
Albany, NY 12207

## ORGANIZATIONS INCORPORATED UNDER THE NEW YORK STATE NOT-FOR-PROFIT CORPORATION LAW Neighborhood Preservation Program (NPP); Rural Preservation Program (RPP)

The Housing Trust Fund Corporation (HTFC) announces funding availability and the opportunity for participation in the Neighborhood Preservation Program (NPP) and Rural Preservation Program (RPP). HTFC is soliciting applications from community based not-for-profit corporations to serve as either Neighborhood Preservation Companies (NPCs) or Rural Preservation Companies (RPCs). The following opportunities are available:

### Neighborhood Preservation Program (NPP)

- Four (4) new organizations to participate as NPCs.
- Serves urban areas of the State with cities, towns, and villages having a population of 25,000 or more.

- Anticipated award of \$47,313.

### Rural Preservation Program (RPP)

- One (1) new organization to participate as an RPC.
- Serves rural areas of the State with cities, towns and villages having a population of less than 25,000.

- Anticipated award of \$44,913.

## NEIGHBORHOOD AND RURAL PRESERVATION PROGRAMS PROGRAM DESCRIPTION

The Neighborhood Preservation Program and the Rural Preservation Program provide administrative funding to support community based not-for-profits known as “preservation companies.” Funding is restricted to the payment of salaries and wages to employees of such companies who are engaged in rendering housing and community renewal activities, fees to consultants and professionals retained by them for planning and performing such activities and other costs and expenses directly related to such employees, consultants, and professionals. Funding may not be used for capital costs, such as construction, repair, or rehabilitation activities.

### ELIGIBLE APPLICANTS

Eligible applicants for the program are organizations incorporated under the New York State Not-For-Profit Corporation Law, that have been providing relevant service to and engaged in active preservation of the community for at least five years prior to application. Eligible applicants must describe experience with past and current housing or community renewal activities and must also have a physical office in the proposed service area.

### WORKPLAN ACTIVITIES

Applicants must propose a work plan with housing, client assistance and/or community renewal activities benefitting the proposed services area to be completed during the contract period. NPP/RPP funding supports the payment of salaries and wages to employees, or fees to consultants and professionals who are engaged in these activities but does not directly fund related capital activities.

Review the Neighborhood and Rural Preservation Programs Manual for more information related to work plan activities and eligible

costs: <https://hcr.ny.gov/system/files/documents/2022/06/2022-nrpp-manual-final-draft.pdf>

### GENERAL REQUIREMENTS

These amounts are provided as guidelines for expected awards and HTFC reserves the right to award additional funds, a portion of, or none of the funds based on funding availability.

The Office of Community Renewal (OCR) reserves the right to reject any and all proposals, to conduct site visits, interview the applicant, extend the submission deadline, and request additional information. OCR reserves the right to waive or modify any requirement contained in the Request for Application and applications received subject to the applicable statutes and the Program Regulations.

### ELIGIBLE SERVICE AREAS

HTFC is soliciting applications limited to new preservation companies that propose service area boundaries inclusive of one, or more identified targeted regions. An evaluation of the current program has identified regions where program attrition has resulted in an area being unserved or underserved. An underserved area may be served by one or more preservation companies, but demand/need for preservation activities remains unmet. Maps are available upon request.

Portions of the counties listed below are unserved or underserved. Applicants will be required to demonstrate that a proposed service area within the following targeted regions meets statutory N/RPP eligible area requirements.

Albany County	New York County
Broome County	Onondaga County
Bronx County	Orange County
Chenango County	Queens County
Dutchess County	Rockland County
Erie County	Schenectady County
Hamilton County	Suffolk County
Kings County	Washington County
Monroe County	Warren County
Montgomery County	Warren County
Montgomery County	Westchester County
Nassau County	

### APPLICATION FOR FUNDING

#### THRESHOLD ELIGIBILITY CRITERIA

Applicants must meet the following threshold eligibility criteria and all program statutory and regulatory requirements to advance to a full application review. Failure to satisfy the threshold eligibility criteria will result in the disqualification of the application from further consideration or review.

- The organization is not currently a preservation company funded by HCR.

- The organization proposes a service area that meets the program statutory and regulatory definitions for eligible areas and the boundaries are within one or more identified targeted regions listed.

- The organization has been in existence and providing relevant service and engaged in active preservation of the community in the proposed service area for at least five (5) years.

- The organization is actively engaged in activities related to the preservation, stabilization, or improvement of neighborhoods/rural areas as described under “work plan activities.”
- The organization has an office in the proposed service area.
- A substantial portion of the residential population in the service area the applicant proposes to assist through its activities must be persons of low-income. This is defined as residents whose median household income (MHI) does not exceed 90 percent for all residents of the municipality (for NPCs) or region (for RPCs) within which they reside.
- The organization has funding available to meet NPP/RPP program matching requirements. This will be a minimum of at least one-third of the total grant award.
- The organization’s program budget clearly identifies how program funds will be utilized for the payment of salaries and wages to employees, or fees to consultants and professionals or other administrative expenses.
- The Board of Directors for the not-for-profit organization is representative of the community and meets the following requirements:
  - o NPP: Board must have at least seven (7) members and 33% of the board must be residents (not work-reside) in the proposed service area
  - o RPP: Board must have at least five (5) members and 51% of the board must be residents (not work-reside) in the proposed service area

Application materials for the sources identified above will be available on the NYS Homes and Community Renewal website, <https://hcr.ny.gov> on or before December 15, 2022. Applications will be due no later than 4:00 pm on Tuesday, January 31, 2023. Applications must be submitted via email to: [NRPP@hcr.ny.gov](mailto:NRPP@hcr.ny.gov)

Applicants are subject to an evaluation of prior performance with other OCR funded programs and organizational capacity. The above-stated application deadline is firm as to date and hour. In the interest of fairness to all competing applicants, applications received after the specified date and time will be deemed ineligible and will not be considered for funding. Early submission of applications is recommended to avoid risks of ineligibility resulting from unanticipated delays.

#### FUNDING LIMITS for 2022-23

The funding amounts for any new companies added through this process represent half of the regular award amount for the 2022-23 Program Year. Companies that are added through this process will be eligible to apply to renew the contract at the full funding amount made available in the next fiscal year (2023-24).

#### Neighborhood Preservation Program (NPP)

- Four (4) NPP vacancies with total funding of up to \$47,313.44 per award.

#### Rural Preservation Program (RPP)

- One (1) RPP vacancies with total funding of up to \$44,913.80 per award.

#### CONTACT INFORMATION

*For inquiries or technical assistance regarding these programs please contact:* Home and Community Renewal, Office of Community Renewal, 38-40 State Street, 4th Floor South, Albany, NY 12207, (518) 474-2057, e-mail: [NRPP@hcr.ny.gov](mailto:NRPP@hcr.ny.gov) or <https://hcr.ny.gov>



# 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

### Division of Criminal Justice Services

Pursuant to the Federal program requirements for the Byrne State Crisis Intervention Program (SCIP) FY 2022 and 2023 program solicitation, the NYS Division of Criminal Justice Services (Division) hereby gives notice regarding New York State's application for such funding:

On December 19, 2022, the Division will submit a funding application requesting New York State's federal fiscal year (FFY) 2022 and 2023 award of \$13,313,053 appropriated under the Byrne State Crisis Intervention Program (SCIP). The application generally describes the proposed program activities for the four-year grant period and the types of programs for which funding will be used.

This application is required to be made available for a 30-day period for public review and comment. The application will be available on the Division's website, and requests for copies may be made via e-mail to: [funding@dcjs.ny.gov](mailto:funding@dcjs.ny.gov). Requests may also be made in writing or by calling the Division offices during regular business hours. If a paper copy of the application is requested, a payment of \$0.25 per page will be due to the Division in accordance with Public Officer Law § 87.

For further information, contact: Division of Criminal Justice Services, Office of Program Development and Funding, Yvonne Turner, Director, 80 S. Swan St., Albany, NY 12210, (518) 457-8462, [funding@dcjs.ny.gov](mailto:funding@dcjs.ny.gov)

## PUBLIC NOTICE

Department of State  
F-2022-0819

Date of Issuance – December 21, 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-2022-0819, New York City Parks and Recreation is proposing to make improvements and repairs at the Lemon Creek Marina. Proposed repairs and/or replace the damaged marina elements with more resilient materials, replace the pump-out station and associated features, dredge the marina and harbor entrance, and stabilize the shoreline to bring it up to current resiliency standards. The project site is located on Lemon Creek at 91 Trenton Court & 590 Sequine Ave., Staten Island, NY, 10309.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2022/12/f-2022-0819nycparkslemoncreekmarina.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 January 20, 2023.

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

### Important Information About the Not-For-Profit Financial Reporting Program

If your not-for-profit organization is required to register with the New York State Attorney General's Charities Bureau and is

- a 501(c)(3) organization that provides support for a 501(c)(4) organization engaging in lobbying OR
- a 501(c)(4) organization that spends on advocacy related media, you may be required by law to file financial reports with the New York State Department of State.

The Department's program applies to:

501(c)(3) organizations that:

- Share staff, staff time, personnel, or other resources
- totaling more than \$10,000 in a six-month period
- with a 501(c)(4) organization that files a source of funding report with the Commission on Ethics and Lobbying in Government

501(c)(4) organizations that:

- Spend more than \$10,000 a year on communications
- distributed to 500 or more members of a general public audience

• that refer to and advocates for/against individuals, issues or government bodies

If you believe your organization might fall within either of these categories, please make sure you are complying with the law. For more information on the filing requirements and how to file reports, please visit our website at: <https://dos.ny.gov/financial-reports-be-filed-certain-not-profit-organizations>

For further information, contact: Department of State, Not-for-Profit Financial Reports, One Commerce Plaza, 99 Washington Avenue, Albany, NY 12231-0001. [NFPFinancialReports@dos.ny.gov](mailto:NFPFinancialReports@dos.ny.gov)

## PUBLIC NOTICE

Department of State

Pursuant to the Federal requirements of the Coastal Zone Management Act (CZMA) at 16 USC § 1455(e) and 15 CFR Part 923 Subpart H, the New York State Department of State (NYS DOS) has submitted to the Office for Coastal Management (OCM) of the National Oceanic and Atmospheric Administration (NOAA) proposed changes to the federally-approved New York State Coastal Management Program (NYSCMP). NYSDOS is requesting concurrence of OCM as a program change for a Geographic Location Description (GLD) to establish NYSDOS' federal consistency review authority for renewable energy activities in federal waters of the Outer Continental Shelf (OCS) under the CZMA.

If approved by NOAA, the following authorizations for research, siting, construction, operations and maintenance, and decommissioning of offshore renewable energy generation infrastructure, and transmission infrastructure, within New York's Renewable Energy GLD would be subject to review by NYSDOS:

- Department of Defense, Army Corps of Engineers:
  - o Construction of dams, dikes or ditches across navigable waters, or obstruction or alteration of navigable waters required under Sections 9 and 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 401, 403).
  - o Occupation of seawall, bulkhead, jetty, dike, levee, wharf, pier, or other work built by the U.S. pursuant to Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. 408).
- Department of Energy, Federal Energy Regulatory Commission:
  - o Permits and licenses required for marine hydrokinetic projects pursuant to the Federal Power Act. (16 U.S.C. §§ 792 to 823; implementing regulations at 18 C.F.R. Parts 4 and 5).
  - o Permits and licenses for interstate electric transmission facilities under Section 216 of the Federal Power Act (16 U.S.C. § 824p).
- Department of Interior, Bureau of Ocean Energy Management:
  - o Permits required for pipelines crossing federal lands, including OCS lands, and associated activities pursuant to the OCS Lands Act (43 U.S.C. 1334) and 43 U.S.C. 931 (c) and 30 U.S.C. 185.
  - o Issuance or approval of leases, permits, easements, rights-of-way, research activities, and other authorizations pursuant to the OCS Lands Act (43 U.S.C. §§ 1331 et seq.; 43 U.S.C. § 1337(8)(p)(3); implementing regulations at 30 C.F.R. Part 585), including in response to unsolicited requests, for the planning, construction, operation, maintenance and/or support activities related to OCS renewable energy development.

The incorporation of the Renewable Energy GLD within the NYSCMP will allow the NYSDOS to review federal licenses or permits for the listed activities for consistency with the State's enforceable policies as provided by 16 USC § 1456 and 15 CFR Part 930 Subpart D – Consistency for Activities Requiring a Federal License or Permit and Subpart E – Consistency for Outer Continental Shelf (OCS) Exploration, Development and Production Activities.

Please submit any comments on the incorporation of the program change into the NYSCMP to NOAA through NOAA's Program Change website within 21 calendar days of the date of this notice. No comments shall be accepted or considered for program changes once NOAA issues its decision.

The full program change request to OCM is available on the NOAA web site at: <https://coast.noaa.gov/czmprogramchange/#/public/home>

Any questions regarding this notice can be made by email at: [CR@dos.ny.gov](mailto:CR@dos.ny.gov) and including GLD in the subject line. Questions may also be directed to Department of State, Office of Planning, Development and Community Infrastructure, Consistency Review Unit, One Commerce Plaza, Suite 1010, 99 Washington Avenue, Albany, New York 12231.

## 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.

2022-0656 in the Matter of Accessibility Services, Dominic Marinelli, 33 Leo Crest Court, West Seneca, NY 14224, for a variance concerning safety requirements, including Type B unit doors. Involved is a twenty-five story building located at 25 N. Lexington Ave., City of White Plains, NY 10601, County of Westchester, State of New York.

2022-0657 in the Matter of Cosentini Associates, Michael Maybaum, 498 7th Avenue, New York, NY 10018, for a variance concerning safety requirements, including shaft enclosures. Involved is a twenty-seven story building located at 10 LeCount Place, City of New Rochelle, NY 10801, County of Westchester, State of New York.

2022-0662 in the Matter of Patrick S. Sibilia, One Derry Lane, Hastings On Hudson, NY 10706, for a variance concerning safety requirements, including ceiling height and plumbing clearance. Involved is a one family dwelling located at One Derry Lane, Village of Hastings On Hudson, NY 10706, County of Westchester, State of New York.

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2022-0664 "67 West" located at 67 West Chippewa Street, City of Buffalo (County of Erie) NY, for a variance concerning access to public way requirements. (Board Variance)

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2022-0665 In the matter of Pamela Johnston, 109 Dewitt Place LLC, Nine Maplewood Point, Ithaca, NY, for a variance concerning

handrail and guardrail requirements located at PJ Apartments, 109 Dewitt Place, City of Ithaca, County of Tompkins, State of New York.

2022-0666 In the matter of Brett Lojewski, of Premier Properties MV LLC, 147 Genesee Street, New Hartford, NY 13413, for a variance concerning violations of NYS Multiple Residence Law, cellar ceiling and basement stairs, located at 27 Shepard Place, City of Utica, County of Onieda, State of New York.

