

---

**NEW YORK STATE**

---

# **REGISTER**

---

***INSIDE THIS ISSUE:***

- Changes to Eligibility Criteria for the Child Care Assistance Program
- Firearm Licensing Appeals
- Amends the Objection Regulations of the New York State Board of Elections to Conform with Statutory Changes

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

---

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

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

- the 60-day period expires on June 18, 2023
- the 45-day period expires on June 3, 2023
- the 30-day period expires on May 19, 2023

**KATHY HOCHUL  
GOVERNOR**

**ROBERT J. RODRIGUEZ  
SECRETARY OF STATE**

**NEW YORK STATE DEPARTMENT OF STATE**

For press and media inquiries call:  
(518) 486-9844

For *State Register* production, scheduling and subscription information  
call: (518) 474-6957  
E-mail: adminrules@dos.ny.gov

For legal assistance with *State Register* filing requirements  
call: (518) 474-6740  
E-mail: dos.dl.inetcounsel@dos.ny.gov

The *New York State Register* is now available on-line at:  
[dos.ny.gov/state-register](http://dos.ny.gov/state-register)



The *New York State Register* (ISSN 0197 2472) is published weekly. Subscriptions are \$80 per year for first class mailing and \$40 per year for periodical mailing. The *New York State Register* is published by the New York State Department of State, One Commerce Plaza, 99 Washington Avenue, Albany, NY 12231-0001. Periodical postage is paid at Albany, New York and at additional mailing offices.

POSTMASTER: Send address changes to NY STATE REGISTER, the Department of State, Division of Administrative Rules, One Commerce Plaza, 99 Washington Avenue, Albany, NY 12231-0001

 printed on recycled paper

---

# NEW YORK STATE REGISTER

---

## Be a part of the rule making process!

The public is encouraged to comment on any of the proposed rules appearing in this issue. Comments must be made in writing and must be submitted to the agency that is proposing the rule. Address your comments to the agency representative whose name and address are printed in the notice of rule making. No special form is required; a handwritten letter will do. Individuals who access the online *Register* ([www.dos.ny.gov](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

---

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

The *Register* costs \$80 a year for a subscription mailed first class and \$40 for periodical (second) class. Prepayment is required. To order, send a check or money order payable to the NYS Department of State to the following address:

NYS Department of State  
One Commerce Plaza  
99 Washington Avenue  
Suite 650  
Albany, NY 12231-0001  
Telephone: (518) 474-6957



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

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

**Rule Making Activities**

**Children and Family Services, Office of**

1 / Changes to Eligibility Criteria for the Child Care Assistance Program (EP)

**Criminal Justice Services, Division of**

3 / Firearm Licensing Appeals (EP)

**Elections, State Board of**

5 / Amends the Objection Regulations of the New York State Board of Elections to Conform with Statutory Changes (EP)

6 / Provides for Gender Designations on Party Position Petitions and Ballots in Conformance with Election Law (EP)

7 / Provides for Change to Petition Coversheets to Facilitate Ballot Access and Notice to Candidates by Email (EP)

**Financial Services, Department of**

7 / Virtual Currency Licensee Assessments (A)

8 / Excess Line Placements Governing Standards (P)

**Health, Department of**

9 / Investigation of Communicable Disease (P)

12 / Utilization Reviews (P)

**Long Island Power Authority**

14 / Time of Day Rates for Residential Electric Customers (A)

**Public Service Commission**

14 / Electric Metering Equipment (P)

14 / Marginal Cost of Service Studies (P)

15 / Notice of Intent to Submeter Electricity (P)

15 / Electric Metering Equipment (P)

16 / Intra-corporate Merger of FirstEnergy's Four Distribution Operating Companies (P)

17 / Electric Metering Equipment (P)

**State, Department of**

17 / New York State Uniform Fire Prevention and Building Code (Uniform Code) (A)

**Hearings Scheduled for Proposed Rule Makings / 19**

**Action Pending Index / 21**

**Securities Offerings**

75 / State Notices

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

77 / Homeland Security and Emergency Services, Division of

**Miscellaneous Notices/Hearings**

79 / Notice of Abandoned Property Received by the State Comptroller

79 / Notice of Public Hearing

79 / Public Notice



# RULE MAKING ACTIVITIES

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

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

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

---

---

## Office of Children and Family Services

---

---

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

#### Changes to Eligibility Criteria for the Child Care Assistance Program

**I.D. No.** CFS-16-23-00001-EP

**Filing No.** 288

**Filing Date:** 2023-03-29

**Effective Date:** 2023-03-31

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

**Proposed Action:** Amendment of Parts 404 and 415 of Title 18 NYCRR.

**Statutory authority:** Social Services Law, sections 20, 34, 410-u, 410-w and 410-x

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

**Specific reasons underlying the finding of necessity:** This emergency rule is necessary for the preservation of the general welfare of families in New York state. Despite continuous efforts to alleviate the child care crisis throughout New York state, many families remain unable to obtain affordable, reliable care for their children. Further, child care providers need to be paid promptly for the services they provide. Revisions are being made to Title 18 NYCRR Parts 404 and 415 in an effort to combat this statewide child care crisis for both families and providers on an immediate basis.

This rule will expand eligibility under the New York State Child Care

Block Grant Program, shorten the time frame within which districts must process claims, and implement additional program integrity measures. This rule is necessary to implement revisions to Social Services Law 410-w, which will take effect on March 31, 2023, allowing districts the option to authorize child care assistance for 24 months. Additionally, this rule revises companion regulations time frames to align with the implementation of 24-month eligibility. These revisions will combat the statewide crisis and continue to stabilize the child care assistance program by giving both providers and families continuity of care.

**Subject:** Changes to eligibility criteria for the child care assistance program.

**Purpose:** To implement statutory changes and expand access to child care assistance.

**Substance of emergency/proposed rule (Full text is posted at the following State website: <https://ocfs.ny.gov/main/legal/regulatory/pc/>):** The proposed changes to the child care regulations are necessary to implement statutory changes allowing districts to choose to authorize child care assistance under the New York State Child Care Block Grant Program (NYSCCBGP) for a period of 12 months or 24 months. Companion regulatory changes are necessary to clarify the process and achieve consistency in implementation across the state.

The New York State Office of Children and Family Services (OCFS) proposes to amend regulations to include both 12-month and 24-month eligibility periods, for districts that choose to authorize child care assistance beyond the federally required 12-month minimum.

OCFS proposes to amend regulations to clarify the age at which a child in receipt of child care assistance loses eligibility.

OCFS proposes to amend regulations to state that a family who has applied for public assistance is only eligible to receive child care services during the application period unless the application is approved. If denied, the case must be closed unless the family is determined otherwise eligible. If the application is approved, the child(ren) would receive child care assistance for the duration of the eligibility period.

OCFS proposes to extend the time frame that a caretaker may be eligible for child care assistance while attending certain educational and vocational activities from 30 consecutive calendar months to 48 consecutive calendar months.

OCFS proposes to no longer limit an emergency situation to a short duration since families are authorized for the entirety of the 12-month or 24-month eligibility period, regardless of the duration of the emergency situation. Districts will continue to have the discretion to explain in the Child and Family Services Plan what situations constitute an emergency.

OCFS proposes to reduce the time frame in which a district must allow, disallow, or defer a claim for reimbursement submitted by an eligible provider from 30 to 21 days. This change will bring OCFS into compliance with federal regulation.

OCFS proposes to amend jurisdictional regulations to align with 12-month and 24-month eligibility periods and to make the district of origin responsible for child care assistance payments under the NYSCCBGP for the duration of the period of authorization. For cases funded under Title XX, the current district of residence shall be responsible for child care services.

OCFS proposes that a provider who fails to comply with the terms of a repayment plan for grant programs administered by OCFS can be disqualified from receiving payment for child care services provided, and such a provider is ineligible to receive payments through any social services district for a minimum of five years if full restitution is made. Providers that do not make full restitution would remain ineligible for future OCFS grant opportunities.

OCFS proposes that a parent or caretaker who was responsible for fraudulent activity must agree to and comply with a repayment plan as a condition of being eligible for child care services. This removes responsibility from members of the child care services unit who were not responsible for the overpayment, including children and siblings.



OCFS proposes to add to the process and criteria for waiver submission to clarify that districts requesting waivers must consider the intent of the regulation and the effects of the waiver.

OCFS proposes to align the definition of third degree of consanguinity with other instances in regulation and Social Services Law. There will be no fundamental change in the application of the regulation.

OCFS proposes to update terminology used throughout the regulations.

**This notice is intended:** to serve as both a notice of emergency adoption and a notice of proposed rule making. The emergency rule will expire June 26, 2023.

**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 12144, (518) 474-8310, email: regcomments@ocfs.ny.gov

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

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

#### Regulatory Impact Statement

##### 1. Statutory Authority:

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

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

Section 410-u of the SSL establishes the New York State Child Care Block Grant Program (NYSCCBGP).

Section 410-w of the SSL delineates which families may be eligible to receive child care assistance funded by the NYSCCBG and for how long such families may be eligible.

Section 410-x(8) of the SSL requires child care assistance payments under the NYSCCBGP to be in accordance with OCFS regulations.

##### 2. Legislative Objectives:

Social Services Law Section 410-w(3) and (5)(a) previously stated that social services districts must provide child care services under the NYSCCBGP for a period of 12 months from the date of eligibility determination. These provisions were revised to allow social services districts the option to provide child care services under the NYSCCBGP for a period of 24 months. OCFS must change relevant child care regulations to achieve compliance with these revisions.

The federal Child Care and Development Block Grant Act requires timely payment practices for child care providers. Providers must be paid within no more than 21 calendar days of receipt of a complete invoice for services. OCFS must change relevant child care regulations to achieve compliance.

Revisions are required to include that child care providers who falsely obtained OCFS funds through a grant opportunity will be disqualified for five years from the date of disqualification. A provider who does not make full restitution will remain ineligible for future grant opportunities offered by OCFS.

##### 3. Needs and Benefits:

This rule is necessary to implement practices that will comply with the state law which allows 24-month eligibility periods as a district option and federal regulation requiring prompt payments to providers. In addition, this rule is necessary to implement additional program integrity measures.

This rule will benefit families and child care providers across New York state by expanding families' access to child care assistance, expediting provider payment processes, and preserving the integrity of the NYSCCBGP's resources. The rule will combat the statewide child care crisis that has continued to impact New York State since the onset of the global pandemic, despite consistent and prolonged efforts.

##### 4. Costs:

The amendments to reducing time frames to process claims and implementing new program integrity measures may place additional administrative costs on the district, however these expenses can be absorbed as an expense to the districts' child care block grant allocation.

##### 5. Local Government Mandates:

Social services districts must comply with the reduced provider payment time frame and new fraud guidelines imposed by this rule. Additionally, each social services district must update its Child and Family Services Plan (CFSP) to reflect any changes that result from these regulatory changes.

##### 6. Paperwork:

Each district that makes changes must update its CFSP to reflect changes in accordance with these regulatory changes. OCFS will support and assist in this process. OCFS' Division of Child Care Services will be available to assist with questions.

##### 7. Duplication:

This rule does not duplicate state or federal requirements.

##### 8. Alternatives:

There are no alternatives. Revisions are required pursuant to federal and state law and to preserve program integrity.

##### 9. Federal Standards:

This rule is consistent with applicable federal requirements.

##### 10. Compliance Schedule:

Districts must come into compliance on March 31, 2023.

#### Regulatory Flexibility Analysis

##### 1. Effect of Rule:

There are approximately 17,000 licensed/registered child care programs (including New York City group day care centers) and 7,100 enrolled legally exempt child care programs, and 58 social services districts in New York State affected by this rule.

##### 2. Compliance Requirements:

Each of the 58 social services districts that make changes to the Child and Family Services Plan (CFSP) as a result of these regulatory changes will have to update their individual plan to reflect such changes in eligibility. The New York State Office of Children and Family Services (OCFS) will assist in this process. Additionally, social services districts must comply with the claim processing time frame and program integrity measures imposed by this rule.

##### 3. Professional Services:

There are no new professional services anticipated to be required as a result of this rule.

##### 4. Compliance Costs:

The amendments to reducing time frames to process claims and implementing new program integrity measures may place additional administrative costs on the district, however these expenses can be absorbed as an expense to the districts' child care block grant allocation.

##### 5. Economic and Technological Feasibility:

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

##### 6. Minimizing Adverse Impact:

OCFS believes there will be no adverse impact on child care programs, and in fact a positive impact is anticipated for programs. OCFS believes there will be minimal adverse impact on social services districts, as they may need to update their CFSP and comply with claim processing timelines and program integrity measures.

##### 7. Small Business and Local Government Participation:

OCFS will provide guidance, technical assistance, and outreach to those that are impacted by this rule. Specifically, in accordance with SAPA 202-b(6), OCFS will notify social services districts through the issuance of an administrative directive and assist those districts that need to update their CFSP to reflect changes to eligibility. OCFS will also post this information on the OCFS' website, including contact information for questions on this rule and the email address of the regulations' mailbox (regcomments@ocfs.ny.gov) to provide public comments.

#### Rural Area Flexibility Analysis

##### 1. Types and Estimated Numbers of Rural Areas:

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

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

Each of the 58 social services districts that make changes to the Child and Family Services Plan (CFSP) as a result of these regulatory changes will have to update their individual plan to reflect such changes in eligibility, reduce time frames within which to process claims, and comply with new program integrity measures. The New York State Office of Children and Family Services (OCFS) will assist in this process. There are no new professional services anticipated to be required as a result of this rule.

##### 3. Costs:

The amendments to reducing time frames to process claims and implementing new program integrity measures may place additional administrative costs on the district, however these expenses can be absorbed as an expense to the districts' child care block grant allocation.

##### 4. Minimizing Adverse Impact:

OCFS believes there will be no adverse impact on child care programs, and in fact a positive impact on programs is anticipated. OCFS believes there may be minimal adverse impact on social services districts to update CFSPs and comply with claim processing timelines and program integrity measures.

##### 5. Rural Area Participation:

OCFS will provide guidance, technical assistance, and outreach to those that are impacted by this rule. Specifically, OCFS will assist social services districts that have to update their CFSPs to reflect changes to eligibility. OCFS will also post this information on the OCFS' website, including contact information for questions on this rule and the email address of the regulations' mailbox (regcomments@ocfs.ny.gov) to provide public comments.



**Job Impact Statement**

1. Nature of Impact:  
The New York State Office of Children and Family Services (OCFS) does not anticipate that this rule will have a negative impact on employment opportunities in any region of the state. On the contrary, OCFS anticipates this rule will have a positive impact on employment opportunities across NYS as it will encourage continuity of care and more timely provider payment practices.
2. Categories and Numbers Affected:  
It is estimated that there are 17,000 licensed/registered child care programs (including New York City group day care centers) and 7,100 enrolled legally exempt child care programs in New York state, across 58 social services districts.
3. Regions of Adverse Impact:  
This rule applies to licensed/registered and enrolled legally exempt child care programs, and social services districts. There are no regions where this rule will have a disproportionate adverse impact on employment opportunities.
4. Minimizing Adverse Impact:  
OCFS does not anticipate an adverse impact.

---



---

## Division of Criminal Justice Services

---



---

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

**Firearm Licensing Appeals**

**I.D. No.** CJS-16-23-00008-EP  
**Filing No.** 293  
**Filing Date:** 2023-04-01  
**Effective Date:** 2023-04-01

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

**Proposed Action:** Addition of Part 6059 to Title 9 NYCRR.  
**Statutory authority:** Executive Law, sections 235(2), 837(23)(b); Penal Law, section 400.00(4-a)  
**Finding of necessity for emergency rule:** Preservation of general welfare.  
**Specific reasons underlying the finding of necessity:** I, Rossana Rosado, Commissioner of the Division of Criminal Justice Services (DCJS), do hereby add Part 6059 of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York; and do hereby certify that the attached text of Part 6059 of Title 9 of the Official Compilation of Codes, Rules and Regulations is complete and accurate. Accordingly, I hereby promulgate the attached regulations.

I determined that it is necessary for the preservation of the general welfare of people of the State of New York that the attached regulations be adopted on an emergency basis, as authorized by section 202(6) of the State Administrative Procedure Act, effective immediately upon filing with the Department of State.

The authority for the promulgation of these regulations is contained in Executive Law § 837(23)(b), Executive Law § 235(2) and Penal Law § 400.00(4-a). Executive Law § 837(23)(b) and Executive Law § 235(2) require DCJS and the New York State Police (SP) to create an Appeals Board for the purpose of hearing certain appeals from a denial of a firearms application, renewal, or recertification, or the revocation of a firearms license, and to promulgate regulations governing the appeals process.

Penal Law § 400(4-a) authorizes an individual, within ninety days of receipt of a notice of a denial of a firearms application, renewal, or recertification, or the revocation of a firearms license, to appeal the denial or revocation to the Appeals Board created by DCJS and SP. This section also authorizes DCJS and SP to promulgate regulations governing the appeals process.

Chapter 371 of the Laws of 2022 added Executive Law § 837(23)(b), Executive Law § 235(2) and Penal Law § 400.00(4-a) to create a new licensing procedure that satisfies the requirements set forth in the United States Supreme Court decision *New York State Rifle & Pistol Association, Inc., v. Bruen, et al.* The new provisions replace New York’s “proper cause” requirements with a new set of requirements that protects individu-

als’ Second Amendment rights as determined by the Supreme Court. The Court held, among other things, that New York’s “proper cause” standard violates Fourteenth Amendment by preventing law-abiding citizens with ordinary self-defense needs from exercising their Second Amendment right to keep and bear arms. The proposed regulations provide an applicant with recourse if a local licensing officer denies or revokes a firearms license.

For that reason, it would, in this case, be contrary to the general welfare of the People of the State of New York to adhere to the normal requirements of the rule-making process.

NOW, THEREFORE, be it known that the attached rules and regulations are duly adopted pursuant to the authority vested in me by Executive Law § 837(13) and shall be effective immediately upon filing with the Department of State.

**Subject:** Firearm Licensing Appeals.

**Purpose:** Set forth an appeal process for when there is a denial of a firearms application, renewal, or recertification, or revocation.

**Text of emergency/proposed rule:** A new Part 6059 is added to read as follows:

**PART 6059. FIREARM LICENSING APPEALS**

**Section 6059.1 Purpose and Scope.**

(a) Pursuant to subdivision four-a of section 400.00 of the Penal Law, subparagraph b of subdivision twenty-three of section 837 of the Executive Law, and subdivision two of section 235 of the Executive Law, the Division of Criminal Justice Services and the Division of State Police are responsible for promulgating rules and regulations governing the appeals process related to the denial of firearm license applications, renewals, and recertifications, and the revocation of firearm licenses. This Part is jointly adopted by the Division of Criminal Justice Services and the Division of State Police for the purpose of implementing the above-referenced statutory provisions.

(b) The scope of the firearm licensing appeals process established by this Part shall be limited to those jurisdictions in which the licensing officer responsible for the issuance of firearm licenses is a non-judicial licensing officer.

**Section 6059.2 Definitions.**

As used in this Part, the following terms are defined as follows:

(a) “Appeals board” means the board established by subparagraph b of subdivision twenty-three of section 837 of the Executive Law and subdivision two of section 235 of the Executive Law, for the purpose of hearing appeals as provided in subdivision four-a of section 400.00 of the Penal Law.

(b) “Licensing officer” has the same meaning as that term is defined in subdivision ten of section 265.00 of the New York Penal Law.

(c) “Firearm” has the same meaning as that term is defined in subdivision three of section 265.00 of the New York Penal Law.

(d) “Firearm license appeals officer” means a person or persons designated by a non-judicial licensing officer to receive and determine appeals resulting from the denial of firearm license applications, renewals, and recertifications, and the revocation of firearm licenses that arise from the designating licensing officer’s jurisdiction.

(e) “License” or “firearm license” means a license issued pursuant to the provisions of section 400.00 of the New York Penal Law.

(f) “Non-judicial licensing officer” means any agency or officer of the state or any political subdivision thereof that is a licensing officer but is not a judge or justice of a court of record.

**Section 6059.3 Composition of the Appeals Board.**

The appeals board shall consist of the following members:

(a) The Commissioner of the Division of Criminal Justice Services or their designee.

(b) The Superintendent of the Division of State Police or their designee.

(c) The firearm license appeals officer designated by the non-judicial licensing officers within the State, who shall serve on the Appeals board for appeals that originate from the political subdivision from which they were appointed.

**Section 6059.4 Appeal Procedures.**

(a) A request to appeal must be made within ninety days of a firearm license applicant or firearm licensee receiving written notice of the denial of a firearm license application, renewal, or recertification, or the revocation of a firearm license. This ninety-day time limitation shall be computed from the postmarked date of the written notification of denial or revocation issued by the licensing officer.

(b) The request to appeal shall be made in writing by mail or electronic communication as designated on websites of the Division of Criminal Justice Services and the Division of the State Police. The appeal shall be directed to the appropriate firearm license appeal officer for review.

(c) A firearm license appeals officer receiving an appeal from a firearm license applicant or firearm licensee may elect to hold a hearing, if requested, but is not required to hold a hearing and may determine the ap-

peal based upon information received from the person requesting appeal and the licensing officer that denied the firearm license application, renewal, or recertification, or revoked the firearm license.

(d) The Appeals officer shall use the requirements set forth in section 400.00 of the Penal Law to determine the appeal. The determination by the appeals officer, after review and approval of a majority of the appeals board members shall:

(1) Issue a final determination affirming the decision by the non-judicial licensing officer; or

(2) Return the application for further review and for a final decision by the non-judicial licensing officer if the appeals officer finds that the application determination was not supported by substantial evidence, along with the reasoning for the finding.

#### Section 6059.5 Informational Reporting.

Firearm license appeals officers shall submit quarterly reports to the appeals board indicating, by category, the total number of appeals decided within the quarterly reporting period resulting from: (i) denials of firearm license applications, (ii) denials of firearm license renewals, (iii) denials of firearm license recertifications, and (iv) revocation of firearm licenses, and the number of such appeal decisions during the quarterly reporting period that affirm the licensing officer's denial of a firearm license application, renewal, or recertification, or the revocation of a firearm license.

**This notice is intended:** to serve as both a notice of emergency adoption and a notice of proposed rule making. The emergency rule will expire June 29, 2023.

**Text of rule and any required statements and analyses may be obtained from:** Natasha M. Harvin-Locklear, NYS Division of Criminal Justice Services, 80 South Swan Street, Albany, New York 12210, (518) 457-8413, email: dcjslegalrulemaking@dcjs.ny.gov

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

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

#### Regulatory Impact Statement

1. Statutory authority: The authority for the promulgation of these regulations is contained in Executive Law § 837(23)(b), Executive Law § 235(2) and Penal Law § 400.00(4-a).

Executive Law § 837(23)(b) and Executive Law § 235(2) require the Division of Criminal Justice Services (DCJS) and the New York State Police (SP) to create an Appeals Board for the purpose of hearing appeals from a denial of a firearms application, renewal, or recertification, or the revocation of a firearms license, and to promulgate regulations governing the appeals process.

Penal Law § 400(4-a) authorizes an individual, within ninety days of receipt of a notice of a denial of a firearms application, renewal, or recertification, or the revocation of a firearms license to appeal the denial or revocation to request a hearing and appeals the determination to the Appeals Board created by DCJS and SP. This section also authorizes DCJS and SP to promulgate regulations governing the appeals process.

2. Legislative objectives: Chapter 371 of the Laws of 2022 added Executive Law § 837(23)(b), Executive Law § 235(2) and Penal Law § 400.00(4-a).

The bill provides an appeal process to ensure the system is administered consistently and fairly across New York State. If an application for a firearms license is denied, not renewed, or not recertified, or if the firearms license is revoked, the licensing officer shall issue a written notice to the applicant setting forth the reasons for such denial. An individual may, within ninety days of receipt of such notice, request a hearing and appeals the determination to the Appeals Board created by DCJS and SP. An individual may be represented by counsel at any appearance before the Appeals Board and shall be afforded an opportunity to present additional supportive evidence.

Pursuant to the regulations, the Appeals Board shall consist of the Commissioner of DCJS (or their designee), the Superintendent of SP (or their designee), and the firearm license appeals officer designated by the non-judicial licensing officers within the State, who shall serve on the Appeals board for appeals that originate from the political subdivision from which they were appointed.

In addition, a firearm license appeals officer receiving an appeal from a firearm license applicant or firearm licensee may elect to hold a hearing, if requested, but is not required to hold a hearing and may determine the appeal based upon information received from the person requesting appeal and the licensing officer that denied the firearm license application, renewal, or recertification, or revoked the firearm license.

Further, the appeals officer shall use the requirements set forth in section 400.00 of the Penal Law to determine the appeal. The determination by the appeals officer, after review and approval of a majority of the appeals board members shall: (1) issue a final determination affirming the decision by the non-judicial licensing officer; or (2) return the application for further review and for a final decision by the non-judicial licensing officer

if the appeals officer finds that the application determination was not supported by substantial evidence, along with the reasoning for the finding.

3. Needs and benefits: Chapter 371 of the Laws of 2022 added Executive Law § 837(23)(b), Executive Law § 235(2) and Penal Law § 400.00(4-a) to create a new licensing procedure that satisfies the requirements set forth in the United States Supreme Court decision *New York State Rifle & Pistol Association, Inc., v. Bruen, et al.* The new provisions replace New York's "proper cause" requirements with a new set of requirements that protects individuals' Second Amendment rights as determined by the Supreme Court. The Court held, among other things, that New York's "proper cause" standard violates Fourteenth Amendment by preventing law-abiding citizens with ordinary self-defense needs from exercising their Second Amendment right to keep and bear arms.

Thus, the proposed regulations are necessary for the general welfare of people of the State of New York. The regulations provide an applicant with recourse if local licensing officer denies a firearms license or revokes it. Without the regulations, when a licensing officer denies an application, judicial review is limited. This leaves applicants little recourse if their local licensing officer denies their firearms license or revokes it.

4. Costs: No funds were appropriated to offset any costs to regulated parties, the agency, or State and local governments for the implementation of and continuing compliance with the rule. However, the costs (and potential savings) are undetermined, but are expected to include the use of existing resources.

5. Local government mandates: The proposed regulations will require the firearm license appeals officer designated by the non-judicial licensing officers within the State to serve on the Appeals board for appeals that originate from the political subdivision from which they were appointed. Also, the firearm license appeals officer receiving an appeal from a firearm license applicant or firearm licensee may elect to hold a hearing, if requested, but is not required to hold a hearing and may determine the appeal based upon information received from the person requesting appeal and the licensing officer that denied the firearm license application, renewal, or recertification, or revoked the firearm license. In addition, the appeals officer must use the requirements set forth in section 400.00 of the Penal Law to determine the appeal. The determination by the appeals officer, after review and approval of a majority of the appeals board members must: (1) issue a final determination affirming the decision by the non-judicial licensing officer; or (2) return the application for further review and for a final decision by the non-judicial licensing officer if the appeals officer finds that the application determination was not supported by substantial evidence, along with the reasoning for the finding. Further, the firearm license appeals officers must submit quarterly reports to the appeals board indicating, by category, the total number of appeals decided within the quarterly reporting period resulting from: (1) denials of firearm license applications, (2) denials of firearm license renewals, (3) denials of firearm license recertifications, and (4) revocation of firearm licenses, and the number of such appeal decisions during the quarterly reporting period that affirm the licensing officer's denial of a firearm license application, renewal, or recertification, or the revocation of a firearm license.

6. Paperwork: Appeal requests shall be made in writing by mail or electronic communication as designated on the websites of DCJS and SP.

The determination by the appeals officer, after review and approval of a majority of the appeals board members must: (1) issue a final determination affirming the decision by the non-judicial licensing officer; or (2) return the application for further review and for a final decision by the non-judicial licensing officer if the appeals officer finds that the application determination was not supported by substantial evidence, along with the reasoning for the finding. The firearm license appeals officers must also submit quarterly reports to the appeals board indicating, by category, the total number of appeals decided within the quarterly reporting period resulting from: (1) denials of firearm license applications, (2) denials of firearm license renewals, (3) denials of firearm license recertifications, and (4) revocation of firearm licenses, and the number of such appeal decisions during the quarterly reporting period that affirm the licensing officer's denial of a firearm license application, renewal, or recertification, or the revocation of a firearm license.

7. Duplication: None.

8. Alternatives: There are no alternatives. The proposed rule is pursuant to legislation and federal standards.

9. Federal standards: Chapter 371 of the Laws of 2022 added Executive Law § 837(23)(b), Executive Law § 235(2) and Penal Law § 400.00(4-a) to create a new licensing procedure that satisfies the requirements set forth in the United States Supreme Court decision *New York State Rifle & Pistol Association, Inc., v. Bruen, et al.* The new provisions replace New York's "proper cause" requirements with a new set of requirements that protects individuals' Second Amendment rights as determined by the Supreme Court.

10. Compliance schedule: Regulated parties are expected to be able to achieve compliance with the proposed rule as soon as it is adopted.



**Regulatory Flexibility Analysis**

A Regulatory Flexibility Analysis for Small Businesses and Local Governments is not being submitted with this Notice of Emergency Adoption and Proposed Rule Making because it is evident from the subject matter of the regulation that it will not impose any adverse economic impact or reporting, recordkeeping or other compliance requirements on small businesses or local governments.

The proposed rule merely sets forth an appeal process for when there is a denial of a firearms application, renewal, or recertification, or the revocation of a firearms license.

**Rural Area Flexibility Analysis**

A Rural Area Flexibility Analysis is not being submitted with this Notice of Emergency Adoption and Proposed Rule Making it is evident from the subject matter of the regulation that it will not impose any adverse impact on rural areas or reporting, recordkeeping or other compliance requirements on public or private entities in rural areas.

The proposed rule merely sets forth an appeal process for when there is a denial of a firearms application, renewal, or recertification, or the revocation of a firearms license.

**Job Impact Statement**

A Job Impact Statement is not being submitted with this Notice of Emergency Adoption and Proposed Rule Making because it is evident from the subject matter of the regulation that it will have no adverse impact on jobs or employment opportunities.

The proposed rule merely sets forth an appeal process for when there is a denial of a firearms application, renewal, or recertification, or the revocation of a firearms license.

---



---

## State Board of Elections

---



---

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

**Amends the Objection Regulations of the New York State Board of Elections to Conform with Statutory Changes**

**I.D. No.** SBE-16-23-00005-EP

**Filing No.** 290

**Filing Date:** 2023-03-31

**Effective Date:** 2023-03-31

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

**Proposed Action:** Amendment of section 6204.1 of Title 9 NYCRR.

**Statutory authority:** Election Law, sections 3-102(1), (17), 6-134(2) and 6-154

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

**Specific reasons underlying the finding of necessity:** The Commissioners determined that it is necessary for the preservation of the general welfare that this amendment be adopted on an emergency basis as authorized by section 202(6) of the State Administrative Procedure Act, effective immediately upon filing with the Department of State. This amendment is adopted as an emergency measure because time is of the essence and to adopt the regulation in the normal course of business would be contrary to the general welfare. Chapter 744 of Laws of 2022 and Chapter 77 Laws of 2023 (effective March 23, 2023) requires the adjustment of the objections and filing process related to designating petitions set to begin on April 3, 2023. Absent this amendment the orderly administrative of New York's ballot access process in furtherance of the upcoming 2023 elections will be impaired.

**Subject:** Amends the objection regulations of the New York State Board of Elections to conform with statutory changes.

**Purpose:** Conforming regulations to requirements of Chapter 744 Laws of 2022 and Chapter 77 Laws of 2023.

**Text of emergency/proposed rule:** Part 6204.1 is amended to read as follows:

6204.1 Specification of objections to designating and independent nominating petitions and certificates.

(a) Any person filing general objections to any designating, [or] independent nominating petition, or certificate filed with the State Board of Elections or a board of elections who thereafter files specifications of [his]

objections to any such petition or certificate with such board shall do so in accordance with the provisions of section 6-154 of the Election Law. All such specifications shall substantially comply with the following requirements:

(1) the volume number, page number, and line number of any signature objected to on any petition shall be set forth in detail. In addition, any portion of any petition or any signature line or witness statement objected to shall be specifically identified and reasons given for any such objection;

(2) the total number of signatures objected to shall be set forth and all objections relating to a single signature line should be grouped together; [and]

(3) symbols and/or abbreviations may be used to set forth objections, provided that a sheet explaining the meaning of any such symbols and/or abbreviations is attached to the specifications[.]; and

(4) all text should be provided using a font size of not less than ten points and formatted for a page measuring 8 1/2 x 11 inches, provided however, the use of text and formatting not in compliance with the provisions of this subdivision shall not be a fatal defect.

(b) No specifications of objections to any petition or certificate will be considered by the board unless the objector filing the specifications personally delivers or mails by [registered or certified] overnight mail a duplicate copy of the specification to each candidate for public office named on the petition or certificate. In the case of a petition or certificate containing candidates for party positions, service of the specifications shall be made on either the named candidates or the first person named on the petition's committee to fill vacancies. Service shall be made on or before the date of filing of any specifications with the board. Proof of service shall accompany the specifications or be received by the end of business two days following the filing of the specifications, whichever is later. A petition or certificate shall be considered a separate instrument as to each candidate named therein. For purposes of making an objection, an objection may be made against specific candidates named on a petition or certificate and not others also named, and in which case service of specifications shall only be required upon the candidate or candidates against whom objections are made.

(c) Any notice and/or determination relating to a petition or certificate for which specifications of objections have been filed shall be transmitted by the board to the objector filing the specifications, provided that any such objector may designate an attorney or agent to receive any such notice and/or determination on his behalf. Any such designation shall be in writing and include the name, address, email address and telephone number of any such attorney or agent, and any such attorney and/or agent shall be eligible to represent any such objector in any proceeding conducted by the board relating to the specifications.

**This notice is intended:** to serve as both a notice of emergency adoption and a notice of proposed rule making. The emergency rule will expire June 28, 2023.

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

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

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

**Regulatory Impact Statement**

1. Statutory authority: Chapter 744 Laws of 2022 and Chapter 77 Laws of 2023 provide for a detailed process for making ballot access objections. This regulation is authorized by Election Law 3-102 (1); 3-102 (17); 6-134 (2) and 6-154.

2. Legislative objectives: The legislative objective furthered by the proposed regulation is conforming the regulations of the State Board to the procedures for making ballot access objections adopted by the state legislature, principally requiring that local boards of elections now follow certain due process and procedural requirements that have long been followed by the New York State Board of Elections.

3. Needs and benefits: The regulation is needed to ensure the integrity of the election process by conforming the regulations of the State Board of Elections to the express provisions of the statute.

4. Costs: No net additional costs are anticipated for the State, agency, local governments or any regulated entity because the regulation implements clear statutory mandates.

5. Local government mandates: The regulatory change harmonizes existing regulations to state statute. The regulation imposes no new mandates.

6. Paperwork: This proposal imposes new notice requirements on county boards of elections with respect to the consideration of ballot access objections that are required by law.

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

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

9. Federal standards: Not applicable.

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

#### **Regulatory Flexibility Analysis**

When it is apparent from the nature and purpose of the rule that it will not have any economic impact on nor any regulatory implications for small business or local governments, the agency may file a Statement in Lieu of. This rulemaking, as is apparent from its nature and purpose, will not have an adverse impact on and imposes no regulatory burden on small businesses or local governments. The proposed amendment simply conforms regulations to mirror clear statutory requirements. This rulemaking imposes no new regulatory burden on any facet of small business or local governments. Specifically, this rulemaking imposes no new reporting, record keeping nor any other compliance requirements on small businesses or local governments that are not independently required by statute.

#### **Rural Area Flexibility Analysis**

Under SAPA 202-bb(4)(a), when a rule does not impose an adverse economic impact on rural areas and the agency finds it would not impose reporting, recordkeeping, or other compliance requirements on public or private entities in rural areas, the agency may file a Statement in Lieu of. This rule has statewide application, providing for a uniform amendment of the board's regulations to reflect statutory procedures for making ballot access objections that have no differential impact on rural communities. Accordingly, this rule has no differential nor adverse impact on rural areas.

#### **Job Impact Statement**

Under SAPA 201-a(2)(a), when it is apparent from the nature and purpose of the rule that it will not have a substantial adverse impact on jobs and employment opportunities, the agency may file a Statement in Lieu of. This rulemaking, as is apparent from its nature and purpose, will not have an adverse impact on jobs or employment opportunities. The proposed amendment simply adjusts board regulations to reflect statutory requirements related to the ballot access challenge process. This rulemaking imposes no regulatory burden on any facet of job creation or employment.

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

### **Provides for Gender Designations on Party Position Petitions and Ballots in Conformance with Election Law**

**I.D. No.** SBE-16-23-00006-EP

**Filing No.** 291

**Filing Date:** 2023-03-31

**Effective Date:** 2023-03-31

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

**Proposed Action:** Addition of section 6215.10 to Title 9 NYCRR.

**Statutory authority:** Election Law, sections 3-102(1), (17), (18) and 6-134(2)

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

**Specific reasons underlying the finding of necessity:** The Commissioners determined that it is necessary for the preservation of the general welfare that this amendment be adopted on an emergency basis as authorized by section 202(6) of the State Administrative Procedure Act, effective immediately upon filing with the Department of State. This amendment is adopted as an emergency measure because time is of the essence and to adopt the regulation in the normal course of business would be contrary to the general welfare. The filing of designating petitions will begin on April 3, 2023 and this regulation provides for the treatment of gendered party positions on petitions and on the June primary ballot. Absent this amendment the orderly administrative of New York's ballot access process in furtherance of the upcoming 2023 elections will be impaired.

**Subject:** Provides for gender designations on party position petitions and ballots in conformance with election law.

**Purpose:** Effectuates chapter 231 of the Laws of 2022 to allow for gender designations on party position petitions and ballots.

**Text of emergency/proposed rule:** A new 6215.10 is added to Part 6215 to read as follows:

*6215.10 Party positions determined by gender.*

*(a) The state committee of a political party whose rules provide for*

*party positions to be divided by gender shall adopt rules which provide for the ability of individuals who do not exclusively identify as a binary gender to stand for election to such party positions.*

*(b) Whenever party positions are divided by gender, there shall not be a separate contest for each such gendered position. There shall be one contest in which eligible voters may vote for as many candidates as there are party positions to be filled. The canvass of such election shall be transmitted to the party committee which shall determine from such canvass which persons shall be seated in accordance with the rules of the party, in conformity with section 2-102 of the Election Law.*

*(c) Whenever party positions are divided by gender, the candidates shall be listed on the ballot with a designation identifying their gender association in parenthesis following the name of such candidate. "M" shall designate male gender, "F" shall designate female gender, and "X" shall designate any gender other than female or male.*

*(d) Candidates for gendered party positions shall indicate their gender on their designating petition. Any gender designated other than male or female shall be recorded as "X."*

**This notice is intended:** to serve as both a notice of emergency adoption and a notice of proposed rule making. The emergency rule will expire June 28, 2023.

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

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

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

#### **Regulatory Impact Statement**

1. Statutory authority: Chapter 231 Laws of 2022 and Chapter 77 Laws of 2023 provide for a detailed process for making ballot access objections. This regulation is authorized by Election Law 3-102 (1); 3-102 (17); 3-102 (18); and 6-134 (2).

2. Legislative objectives: The legislative objective furthered by the proposed regulation is conforming the regulations of the State Board to new statutory requirements related to gendered party positions.

3. Needs and benefits: The regulation is needed to ensure the integrity of the election process by conforming the regulations of the State Board of Elections to the express provisions of the statute.

4. Costs: No net additional costs are anticipated for the State, agency, local governments or any regulated entity because the regulations relate to gender designations on documents and ballots that would otherwise already exist.

5. Local government mandates: The regulatory change harmonizes existing regulations to state statute. The regulation imposes no new mandates.

6. Paperwork: This proposal imposes no new paperwork requirements.

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

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

9. Federal standards: Not applicable.

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

#### **Regulatory Flexibility Analysis**

When it is apparent from the nature and purpose of the rule that it will not have any economic impact on nor any regulatory implications for small business or local governments, the agency may file a Statement in Lieu of. This rulemaking, as is apparent from its nature and purpose, will not have an adverse impact on and imposes no regulatory burden on small businesses or local governments. The proposed amendment simply conforms regulations to mirror clear statutory requirements. This rulemaking imposes no new regulatory burden on any facet of small business or local governments. Specifically, this rulemaking imposes no new reporting, record keeping nor any other compliance requirements on small businesses or local governments that are not independently required by statute.

#### **Rural Area Flexibility Analysis**

Under SAPA 202-bb(4)(a), when a rule does not impose an adverse economic impact on rural areas and the agency finds it would not impose reporting, recordkeeping, or other compliance requirements on public or private entities in rural areas, the agency may file a Statement in Lieu of. This rule has statewide application, providing for a uniform amendment of the board's regulations to reflect statutory procedures for gender designations on petitions and ballots and has no differential impact on rural communities. Accordingly, this rule has no differential nor adverse impact on rural areas.

#### **Job Impact Statement**

Under SAPA 201-a(2)(a), when it is apparent from the nature and purpose of the rule that it will not have a substantial adverse impact on jobs and

employment opportunities, the agency may file a Statement in Lieu of. This rulemaking, as is apparent from its nature and purpose, will not have an adverse impact on jobs or employment opportunities. The proposed amendment simply reflects statutory procedures for gender designations on petitions and ballots and has no impact on any governmental or private sector activities involving employment or burdens thereto. This rulemaking imposes no regulatory burden on any facet of job creation or employment.

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

**Provides for Change to Petition Coversheets to Facilitate Ballot Access and Notice to Candidates by Email**

**I.D. No.** SBE-16-23-00007-EP  
**Filing No.** 292  
**Filing Date:** 2023-03-31  
**Effective Date:** 2023-03-31

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

**Proposed Action:** Amendment of section 6215.8 of Title 9 NYCRR.  
**Statutory authority:** Election Law, sections 3-102(1), (17) and 6-134(2)  
**Finding of necessity for emergency rule:** Preservation of general welfare.  
**Specific reasons underlying the finding of necessity:** The Commissioners determined that it is necessary for the preservation of the general welfare that this amendment be adopted on an emergency basis as authorized by section 202(6) of the State Administrative Procedure Act, effective immediately upon filing with the Department of State. This amendment is adopted as an emergency measure because time is of the essence and to adopt the regulation in the normal course of business would be contrary to the general welfare. Chapter 744 of Laws of 2022 and Chapter 77 Laws of 2023 (effective March 23, 2023) requires the adjustment of the objections and filing process related to designating petitions set to begin on April 3, 2023, including coversheets to petitions. Absent this amendment the orderly administrative of New York’s ballot access process in furtherance of the upcoming 2023 elections will be impaired.

**Subject:** Provides for change to petition coversheets to facilitate ballot access and notice to candidates by email.  
**Purpose:** Effectuates chapter 744 Laws of 2022 and chapter 77 Laws of 2023 regarding notice to candidates by email.

**Text of emergency/proposed rule:** Section 6215.8 is hereby repealed and replaced by the following:  
 6215.8 Form of coversheet  
 Please see the Appendix at the end of this Issue for the full text of the cover sheet.

**This notice is intended:** to serve as both a notice of emergency adoption and a notice of proposed rule making. The emergency rule will expire June 28, 2023.

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

**Data, views or arguments may be submitted to:** Same as above.  
**Public comment will be received until:** 60 days after publication of this notice.

**Regulatory Impact Statement**  
 1. Statutory authority: Chapter 744 Laws of 2022 and Chapter 77 Laws of 2023 provide for a detailed process for making ballot access objections. This regulation is authorized by Election Law 3-102 (1); 3-102 (17); 6-134 (2) and 6-154.  
 2. Legislative objectives: The legislative objective furthered by the proposed regulation is conforming the regulations of the State Board to the procedures for making ballot access objections adopted by the state legislature, principally requiring that local boards of elections now follow certain due process and procedural requirements that have long been followed by the New York State Board of Elections. This requires changing coversheets to petitions to provide for notice by email.  
 3. Needs and benefits: The regulation is needed to ensure the integrity of the election process by conforming the regulations of the State Board of Elections to the express provisions of the statute.  
 4. Costs: No net additional costs are anticipated for the State, agency,

local governments or any regulated entity because the regulation implements clear statutory mandates.  
 5. Local government mandates: The regulatory change harmonizes existing regulations to state statute. The regulation imposes no new mandates.  
 6. Paperwork: This proposal imposes new notice requirements on county boards of elections with respect to the consideration of ballot access objections that are required by law.  
 7. Duplication: There is no jurisdictional duplication created by this rulemaking.  
 8. Alternatives: There is no alternative given the statutory requirements.  
 9. Federal standards: Not applicable.  
 10. Compliance schedule: Compliance can be immediate upon publication of the Emergency Adoption.

**Regulatory Flexibility Analysis**  
 When it is apparent from the nature and purpose of the rule that it will not have any economic impact on nor any regulatory implications for small business or local governments, the agency may file a Statement in Lieu of. This rulemaking, as is apparent from its nature and purpose, will not have an adverse impact on and imposes no regulatory burden on small businesses or local governments. The proposed amendment simply conforms petition coversheets to provide notice by email as permitted by new statutory provisions. This rulemaking imposes no new regulatory burden on any facet of small business or local governments. Specifically, this rulemaking imposes no new reporting, record keeping nor any other compliance requirements on small businesses or local governments that are not independently required by statute.

**Rural Area Flexibility Analysis**  
 Under SAPA 202-bb(4)(a), when a rule does not impose an adverse economic impact on rural areas and the agency finds it would not impose reporting, recordkeeping, or other compliance requirements on public or private entities in rural areas, the agency may file a Statement in Lieu of. This rule has statewide application, providing for a uniform amendment of the board’s regulations to permit notices related to petitions to be made on candidates by email. Accordingly, this rule has no differential nor adverse impact on rural areas.

**Job Impact Statement**  
 Under SAPA 201-a(2)(a), when it is apparent from the nature and purpose of the rule that it will not have a substantial adverse impact on jobs and employment opportunities, the agency may file a Statement in Lieu of. This rulemaking, as is apparent from its nature and purpose, will not have an adverse impact on jobs or employment opportunities. The proposed amendment simply provides amendments to petition coversheets to provide for notification to candidates by email. This rulemaking imposes no regulatory burden on any facet of job creation or employment.

---



---

## Department of Financial Services

---



---

### NOTICE OF ADOPTION

**Virtual Currency Licensee Assessments**

**I.D. No.** DFS-03-23-00002-A  
**Filing No.** 289  
**Filing Date:** 2023-03-31  
**Effective Date:** 2023-04-19

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

**Action taken:** Addition of Part 102 to Title 23 NYCRR.  
**Statutory authority:** Financial Services Law, sections 102, 201, 202, 206, 301 and 302  
**Subject:** Virtual Currency Licensee Assessments.  
**Purpose:** To set forth the basis for allocating costs and expenses attributable to virtual currency businesses for FSI assessments.  
**Text or summary was published** in the January 18, 2023 issue of the Register, I.D. No. DFS-03-23-00002-P.  
**Final rule as compared with last published rule:** No changes.

**Text of rule and any required statements and analyses may be obtained from:** George Bogdan, Esq., New York State Department of Financial Services, 1 State Street, New York, New York 10004, (212) 480-4758, email: george.bogdan@dfs.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 2026, which is no later than the 3rd year after the year in which this rule is being adopted.

**Assessment of Public Comment**

The Department has considered every comment received and will not make any changes to Part 102. This Assessment provides an overview of the comments received and the reasons requested revisions were not made. The Department is adopting 23 NYCRR Part 102 as originally proposed.

**Comment:** All four commenters state that the complexity of digital asset platforms and the number of digital assets offered by a licensee should have a direct correlation to the assessment of examination costs and, they assert, the proposed rule's assessment computation fails to adequately account for the complexities of different cryptocurrency business models. In particular, they claim, using total outstanding liability and transaction volume as a proxy for the complexity of the virtual currency industry is not sufficiently specific because companies with similar liability and transaction volumes may offer a significantly different array of products and services that may require different levels of supervisory resources. Further, some commenters asserted that using the total value of virtual currency held on behalf of all customers for the past year rather than just funds held for New York customers is not an accurate measure for allocating the costs of the Department's supervision.

**Response:** The Department understands that virtual currency business models may vary significantly and will likely continue to do so as the industry evolves and innovates. Given the variety of existing business models, and the fact that the industry is growing and developing, it is impossible to establish an assessment mechanism that captures all the possible variations. In preparing the proposed regulation, the Department conducted an extensive analysis of its supervisory and regulatory costs and staffing models, both historical and projected, to identify the most effective method of allocating the Department's cost of regulating the industry in line with the resources required to regulate licensees. When it promulgated 23 NYCRR 102, the Department concluded that the proposed data points are the most effective proxies for assessing the agency resources required to effectively regulate a licensee. The Department continues to believe that the proposal reflects the most effective way to allocate the costs of regulating virtual currency licensees. Notably, while the commenters criticize the methodology proposed in 23 NYCRR 102, they do not propose an alternative methodology.

Part 102 uses total custodial funds, not just New York customer funds, because the Department concluded that total custodial funds are the better metric to assess the amount of oversight required by the Department to ensure that an entity is operating in compliance with the requirements of 23 NYCRR 500. As stewards of others' assets, virtual currency entities play an important role in the financial system and, therefore, a comprehensive and safe regulatory framework is vital to protecting customers and preserving trust. Total custodial funds, however, is not the only metric used by proposed Part 102. In particular, to align the assessment with actual New York activity, Part 102 uses the number of New York transactions as a key metric for allocating the assessment of the Department's costs.

**Comment:** Three commenters objected to the proposed rule's methodology of distributing Transaction Basis and Custody Basis supervisory hours among three tiers. Specifically, the proposed rule classifies licensees as small, medium, and large depending on certain metrics as a proxy for the complexity of the business model of each licensee and uses that classification to assess supervisory resources needed (5%, 15%, and 30% respectively) for each tier. For example, commenters stated, while it may turn out that "large" licensees, as measured by Transaction Basis, will account for 30% of actual supervisory hours, the proposed rule does not explain the mechanism to verify those assumptions. In addition, commenters argue that the three tiers are not sufficient to adequately differentiate among similarly situated licensees.

**Response:** Extensive binominal distribution analyses were performed based on the Transaction Basis and Custody Basis, relative to the number of entities and the determination of the associated tiers. DFS will review the assigned tier ranges annually to ensure adequate binominal distribution based on the preceding year's business activity (average quarterly total custodial assets and annual number of New York virtual currency transactions), of the associated operating costs, as well as reasonableness of the estimated time commitments for each tier. Distributing supervisory hours by tiering the size of a licensed entity has long been used in the Department's assessments of banking entities. Details on the use of supervisory hours is available on the Department's website in publicly posted quarterly calculations for other industries regulated by the Department.

**Comment:** One commenter objected to the allocation of the Regulatory Component to virtual currency licensees without any differentiation based

on the proportion of activity in New York akin to the proportion of Industry Financial Basis used for other industries regulated by the Department. The commenter noted that given the variability in size of businesses, this would disadvantage small entities and should be charged proportionally like other elements in the proposed calculations.

**Response:** While significant portions of the proposed assessment calculation accounts for the size of the entity and the volume of their transactions, the regulatory component represents the baseline cost of examining licensees. As all licensees are subject to examination, the cost was spread evenly. The variable cost of regulating larger, more complex entities is captured in the supervisory component.

**Comment:** Two commenters recommended transparency requirements to the proposed rule, including adding a provision that requires the Department to publish an annual report detailing the amounts of assessments levied against each licensee and the corresponding percentage of assessments paid by each licensee. This would allow licensees to understand how much of the financial burden they are being asked to shoulder each year. Public disclosure of regulated entities' regular assessments would promote greater transparency.

**Response:** The Department is committed to transparency and already posts assessment calculations for all licensed entities online for entities subject to assessments on a quarterly basis on the Department's website. The Department plans to post similar materials for virtual currency assessments in the near future. Further the Department's full budget is publicly available at the New York State Division of Budget website. Further amendments are not needed.

While the public is entitled to know the aggregate revenues received by the Department as a result of the assessment, the Department will not publicize transactional volume or assets managed by individual companies as such disclosure could cause licensees commercial harm. The Department routinely protects such information from public disclosure.

**Comment:** Two commenters recommended an appeals review process wherein licensees can challenge or otherwise seek input from DFS on assessed fees.

**Response:** The Department is committed to transparency with its licensees and has historically answered questions regarding their assessments or provided further explanation to licensees when requested. New York State law provides an existing process to challenge agency determinations through the New York State Civil Practice Law and Rules Article 78. Adding an additional internal procedure for administrative appeal is not necessary and would be unduly burdensome.

**Comment:** An industry trade association expressed concern about the special assessments provision in Section 102.6. It points out that the Department initiates investigations in its sole discretion and conducts them with minimal transparency. Any special assessment arising from such an investigation could create unpredictable costs for a licensee. This commenter requests a methodology for periodic disclosure and review of such costs during an investigation and a way to challenge the hours worked or fees charged for any special assessment.

**Response:** The Department included a special assessments provision in Part 102 because Financial Services Law Section 206 already provides for assessment of special examinations. The language used in Part 102 is identical to the language used in 23 NYCRR Part 101, applicable to banking organizations and their affiliates. Virtual currency businesses subject to the Banking Law are already subject to this provision in 23 NYCRR 101.

**Comment:** One commenter recommended process changes to the way the Department reviews and processes virtual currency license applications.

**Response:** This comment bears no relationship to how the Department calculates or bills assessments of virtual current companies and is not germane to the Proposed Rule.

## PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

**Excess Line Placements Governing Standards**

**I.D. No.** DFS-16-23-00002-P

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

**Proposed Action:** This is a consensus rule making to amend Part 27 (Regulation 41) of Title 11 NYCRR.

**Statutory authority:** Financial Services Law, sections 202, 302; Insurance Law, sections 301, 2105 and 2118

**Subject:** Excess Line Placements Governing Standards.

**Purpose:** To conform to changes made by chapter 833 of the Laws of 2022 and chapter 93 of the Laws of 2023 and prior amendments.

**Text of proposed rule:** Section 27.0(a)(1) is amended as follows:  
 (a) The Insurance Law prohibits the sale in New York of insurance (other than ocean marine insurance and such other insurance specified in section 2117(b) and (c) of the Insurance Law) when written by insurers not authorized in New York, unless:

(1) the contract of insurance provides insurance coverage only of the kinds specified in paragraphs 4 through 14, 16, 17, 19, 20, 22, 27, 28, [or] 31, 32, and 33 of section 1113(a) of the Insurance Law;

Section 27.2(a) is amended as follows:

(a) Each application for an excess line broker’s license or renewal thereof shall be submitted to the Licensing [Bureau] Unit of the New York State Department of Financial Services located in Albany, NY, using the appropriate form, which may be obtained, upon request, from the Licensing [Bureau] Unit.

Section 27.5(g)(1) is amended as follows:

(g) In part A of the affidavit, the excess line broker shall:

(1) identify each authorized insurer [and its representative] declining to issue or renew the coverage *and the date of each declination*;

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

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

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

**Consensus Rule Making Determination**

No person is likely to object to this amendment, which makes technical changes to Part 27 to conform to amendments to Insurance Law Section 2118(b)(3)(C) made by Chapter 833 of the Laws of 2022 (“Chapter 833”) and Chapter 93 of the Laws of 2023 (“Chapter 93”) regarding excess line affidavit requirements. Chapter 833 amended Insurance Law Section 2118(b)(3)(C) to require an excess line broker only to record on the excess line insurance placement affidavit the name and National Association of Insurance Commissioners code for each authorized insurer declining a risk and the information relied upon that formed the basis of the excess line broker’s or affirming broker’s reason to believe that the authorized insurer might consider writing the type of coverage or class of insurance involved. Chapter 93 amended the law further to require a broker to record on the affidavit the declination date and only permit a broker to omit from the affidavit the name of the representative declining the risk, the representative’s affiliation, and the reason for the declination. This amendment to Part 27 is necessary to conform to Chapter 833 and Chapter 93.

This amendment also makes technical changes to Part 27 to conform to amendments the Legislature previously made to Insurance Law Section 2105 regarding the kinds of insurance that an insurer may write in the excess line market and to change a reference from the Department’s Licensing Bureau to Licensing Unit.

The Department determines this rule to be a consensus rule, as defined in State Administrative Procedure Act Section 102(11) (“SAPA”), and the rule is proposed pursuant to SAPA Section 202(1)(b)(i). Accordingly, this rulemaking is exempt from the requirement to file a Regulatory Impact Statement, Regulatory Flexibility Analysis for Small Businesses and Local Governments, or a Rural Area Flexibility Analysis.

**Job Impact Statement**

This amendment should not adversely impact jobs or employment opportunities in New York State. This amendment merely makes technical amendments to conform Part 27 to amendments made to Insurance Law Section 2118(b)(3)(C) by Chapter 833 of the Laws of 2022 and Chapter 93 of the Laws of 2023, with regard to excess line affidavits. It also makes technical amendments to Part 27 to conform to changes to Insurance Law Section 2105 previously made by the Legislature and to change references to the Department’s Licensing Bureau to Licensing Unit.

---



---

## Department of Health

---



---

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

**Investigation of Communicable Disease**

**I.D. No.** HLT-16-23-00004-P

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

**Proposed Action:** Amendment of Part 2, section 405.3; addition of section 58-1.14 to Title 10 NYCRR.

**Statutory authority:** Public Health Law, sections 225, 576 and 2803

**Subject:** Investigation of Communicable Disease.

**Purpose:** Control of communicable disease.

**Text of proposed rule:** Subdivision (a) of section 2.1 is amended to read as follows:

(a) When used in the Public Health Law and in this Chapter, the term infectious, contagious or communicable disease, shall be held to include the following diseases and any other disease which the commissioner, in the reasonable exercise of his or her medical judgment, determines to be communicable, rapidly emergent or a significant threat to public health, provided that the disease which is added to this list solely by the commissioner’s authority shall remain on the list only if confirmed by the Public Health and Health Planning Council at its next scheduled meeting:

\* \* \*

[Monkeypox] Mpox

\* \* \*

Section 2.5 is amended to read as follows:

A physician in attendance on a person affected with or suspected of being affected with any of the diseases mentioned in this section shall submit to an approved laboratory, or to the laboratory of the State Department of Health, for examination of such specimens as may be designated by the State Commissioner of Health, together with data concerning the history and clinical manifestations pertinent to the examination:

\* \* \*

[Monkeypox] Mpox

\* \* \*

Section 2.6 is repealed and replaced as follows:

**2.6 Investigations and Response Activities.**

(a) *Except where other procedures are specifically provided in law, every local health authority, either personally or through a qualified representative, shall immediately upon receiving a report of a case, suspected case, outbreak, or unusual disease, investigate the circumstances of such report at any and all public and private places in which the local health authority has reason to believe, based on epidemiological or other relevant information available, that such places are associated with such disease. Such investigations and response activities shall, consistent with any direction that the State Commissioner of Health may issue:*

- (1) Verify the existence of a disease or condition;
- (2) Ascertain the source of the disease-causing agent or condition;
- (3) Identify unreported cases;
- (4) Locate and evaluate contacts of cases and suspected cases, as well as those reasonably expected to have been exposed to the disease;
- (5) Collect and submit, or cause to be collected or submitted, for laboratory examination such specimens as may furnish necessary or appropriate information for determining the source of disease, or to assist with diagnosis; and furnish or cause to be furnished with such specimens pertinent data on forms prescribed by the State Commissioner of Health, including but not limited to the history of cases, physical findings and details of the epidemiological investigation;
- (6) With the training or assistance of the State Department of Health, examine the processes, structures, conditions, machines, apparatus, devices, equipment, records, and material within such places that may be relevant to the investigation of disease or condition;
- (7) Instruct a responsible member of a household or entity, as applicable, to implement appropriate actions to prevent further spread of a disease; and
- (8) Take any other steps to reduce morbidity and mortality that the local health authority determines to be appropriate.

(b) *When a case or suspected case of a disease, condition, outbreak, or unusual disease occurs in any business, organization, institution, or private home, the person in charge of the business, organization, institution or the home owner, as well as any individuals or entities required to report pursuant to sections 2.10 and 2.12 of this Part, shall cooperate with the State Department of Health and local health authorities in the investigation of such disease, condition, outbreak, or unusual disease.*

(c) *Investigation Updates and Reports.*

(1) *Upon request of the State Department of Health, the local health authority shall submit updates and reports on outbreak investigations to the State Department of Health. The content, timeframe, and manner of submission of such updates shall be determined by the State Department of Health.*

(2) *The local health authority shall complete investigation reports of outbreaks within 30 days of the conclusion of the investigation in a man-*



ner prescribed by the State Commissioner of Health, unless the State Commissioner of Health prescribes a different time period.

(d) Commissioner authority to lead investigation and response activities.

(1) The State Commissioner of Health may elect to lead investigation and response activities where:

(i) Residents of multiple jurisdictions within the State are affected by an outbreak of a reportable disease, condition, or unusual disease; or

(ii) Residents in a jurisdiction or jurisdictions within the State and in another state or states are affected by an outbreak of a reportable disease, condition, or unusual disease; or

(iii) An outbreak of an unusual disease or a reportable disease or condition involves a single jurisdiction with the high potential for statewide impact.

(2) Where the State Commissioner of Health elects to lead investigation and response activities pursuant to paragraph (1) of this subdivision, local health authorities shall take all reasonable steps to assist in such investigation and response, including supply of personnel, equipment or information. Provided further that the local health authority shall take any such action as the State Commissioner of Health deems appropriate and that is within the jurisdiction of the local health authority. Any continued investigation or response by the local health authority shall be solely pursuant to the direction of the State Commissioner of Health, and the State Commissioner of Health shall have access to any investigative materials which were heretofore created by the local health authority.

Paragraph (11) of subdivision (d) of section 405.3 is amended, paragraph (12) is renumbered paragraph (13), and a new paragraph (12) is added, to read as follows:

(d) Records and reports. Any information, records or documents provided to the department shall be subject to the applicable provisions of the Public Health Law, Mental Hygiene Law, Education Law, and the Public Officers Law in relation to disclosure. The hospital shall maintain and furnish to the Department of Health, immediately upon written request, copies of all documents, including but not limited to:

\* \* \*

(11) written minutes of each committee's proceedings. These minutes shall include at least the following:

(i) attendance;

(ii) date and duration of the meeting;

(iii) synopsis of issues discussed and actions or recommendations made; [and]

(12) whenever the commissioner determines that there exists an outbreak of a highly contagious communicable disease pursuant to Part 2 of this Title or other public health emergency, such syndromic and disease surveillance data as the commissioner deems appropriate, which the hospital shall submit in the manner and form determined by the commissioner; and

(13) any record required to be kept by the provisions of this Part.

\* \* \*

Section 405.3 is amended by adding a new subdivision (g) as follows:

(g) Whenever the commissioner determines that there exists an outbreak of a highly contagious communicable disease pursuant to Part 2 of this Title or other public health emergency, the commissioner may direct general hospitals, as defined in Article 28 of the public health law, and consistent with the federal Emergency Medical Treatment and Labor Act (EMTALA), to accept patients pursuant to such procedures and conditions as the commissioner may determine appropriate.

New section 58-1.14 is added to read as follows:

Section 58-1.14 Reporting of certain communicable diseases.

(a) The commissioner shall designate those communicable diseases, as defined by section 2.1 of the Sanitary Code, that require prompt action, and shall make available on the Department's website a list of such communicable diseases.

(b) Laboratories performing tests for screening, diagnosis or monitoring of communicable diseases requiring prompt action pursuant to subdivision (a) of this section, for New York State residents and/or New York State health care providers, shall:

(i) immediately report to the commissioner all positive results for such communicable diseases in a manner and format as prescribed by the commissioner; and

(ii) report all results, including positive, negative and indeterminate results, to the commissioner in a time and manner consistent with Public Health Law § 576-c.

**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:

The statutory authority for the regulatory amendments to Part 2 of Title 10 of the Official Compilation of Codes, Rules and Regulations of the State of New York is Section 225 of the Public Health Law (PHL), which authorizes the Public Health and Health Planning Council (PHHPC), subject to the approval of the Commissioner of Health (Commissioner), to establish and amend the State Sanitary Code (SSC) provisions related to any matters affecting the security of life or health or the preservation and improvement of public health in the State of New York. Additionally, Section 2103 of the PHL requires all local health officers to report cases of communicable disease to the New York State Department of Health (Department).

The statutory authority for the proposed amendments to section 405.3 of Title 10 of the Official Compilation of Codes, Rules and Regulations of the State of New York is section 2803 of the PHL, which authorizes PHHPC to adopt and amend rules and regulations, subject to the approval of the Commissioner, to implement the purposes and provisions of PHL Article 28, and to establish minimum standards governing the operation of health care facilities.

The statutory authority for the proposed new section 58-1.14 of Title 10 of the Official Compilation of Codes, Rules and Regulations of the State of New York is section 576 of the PHL, which authorizes the Department to adopt regulations prescribing the requirements for the proper operation of a clinical laboratory, including the methods and the manner in which testing or analyses of samples shall be performed and reports submitted.

Legislative Objectives:

The legislative objective of PHL § 225 is, in part, to protect the public health by authorizing PHHPC, with the approval of the Commissioner, to amend the SSC to address public health issues related to communicable disease.

The legislative objective of PHL § 2803 includes, among other objectives, authorizing PHHPC, with the approval of the Commissioner, to adopt regulations concerning the operation of facilities licensed pursuant to Article 28 of the PHL, including general hospitals.

The legislative objective of PHL § 576 is, in part, to promote public health by establishing minimum standards for clinical laboratory testing and reporting of test results, including to the Department for purposes of taking prompt action to address outbreaks of disease.

Needs and Benefits:

These regulations update, clarify and strengthen the Department's authority as well as that of local health departments to take specific actions to monitor the spread of disease, including actions related to investigation and response to a disease outbreak.

The following is a summary of the amendments to the Department's regulations:

Part 2 Amendments:

- Amend sections 2.1 and 2.5 to reflect The World Health Organization's (WHO) decision to change the name of "monkeypox" to "mpox" in an effort to reduce the stigma that monkeypox comes with and deal with possible misinformation falsely suggesting that monkeys are the main source of spreading the virus.

- Repeal and replace current section 2.6, related to investigations, to clarify existing local health department authority.

- Sets forth specific actions that local health departments must take to investigate a case, suspected case, outbreak, or unusual disease.

- Requires individuals and entities subject to a public health investigation to cooperate with the Department and local health departments.

- While the Department works collaboratively with local health departments on a variety of public health issues, including disease control, this regulation clarifies the authority for the Commissioner to lead disease investigation activities under certain circumstances (i.e., where there is potential for statewide impact, multiple jurisdictions impacted, or impact on one or more New York State jurisdictions and another state or states), while working collaboratively with impacted local health departments. In all other situations, local health departments retain the primary authority and responsibility to control communicable disease within their respective jurisdictions, with the Department providing assistance as needed.

- Codify in regulation the requirement that local health departments send reports to the Department during an outbreak.

Part 405 Amendments

- Mandates hospitals to report syndromic surveillance data during an outbreak of a highly contagious communicable disease.

- Permits the Commissioner to direct hospitals to take patients during

an outbreak of a highly contagious communicable disease, which is consistent with the federal Emergency Medical Treatment and Labor Act (EMTALA).

**Part 58 Amendments**

- New section 58-1.14 added clarifying reporting requirements for certain communicable diseases.

- Requires the Commissioner to designate those communicable diseases that require prompt action, and to make available a list of such diseases on the State Department of Health website.

- Requires clinical laboratories to immediately report positive test results for communicable diseases identified as requiring prompt attention, in a manner and format identified by the Commissioner.

- Requires clinical laboratories to report all test results, including negative and indeterminate results, for communicable diseases identified as requiring prompt attention, via the Electronic Clinical Laboratory Reporting System (ECLRS).

**Costs:**

**Costs to Regulated Parties:**

Although there are costs associated with disease investigation and response for any outbreak, these regulations clarify and strengthen the existing authorities and responsibilities of local governments. As such, these regulations do not impose any substantial additional costs beyond what local health departments would incur in the absence of these regulations.

The requirement that hospitals submit syndromic surveillance reports when requested during an outbreak is not expected to result in any substantial costs. Hospitals are already regularly and voluntarily submitting data to the Department, and nearly all of them submit such reports electronically. With regard to the Commissioner directing general hospitals to accept patients during an outbreak of a highly contagious communicable disease, hospitals are already required to adhere to the federal Emergency Medical Treatment and Labor Act (EMTALA). Accordingly, both of these proposed amendments will not impose any substantial additional cost to hospitals.

Clinical laboratories must already report communicable disease testing results using the ECLRS and must also immediately report communicable diseases pursuant to PHL § 2102. The regulation simply clarifies existing requirements and is not anticipated to impose any substantial additional costs beyond those costs that laboratories would incur in the absence of these regulations.

**Costs to Local and State Governments:**

Although there are costs associated with disease investigation and response for any outbreak, these regulations clarify and strengthen the existing authorities and responsibilities of local governments. As such, these regulations do not impose any substantial additional costs beyond what local health departments would incur in the absence of these regulations. Further, making explicit the Department’s authority to lead investigation activities will result in increased coordination of resources, likely resulting in a cost-savings for State and local governments.

Any clinical laboratories operated by a local government must already report communicable disease testing results using the ECLRS and must also immediately report communicable diseases pursuant to PHL § 2102. The regulation simply clarifies existing requirements and is not anticipated to impose any substantial additional costs beyond those costs that laboratories would incur in the absence of these regulations.

**Paperwork:**

Some hospitals may be required to make additional syndromic surveillance reports that they are not already making. Otherwise, these regulations do not require any additional paperwork.

**Local Government Mandates:**

Under existing regulation, local health departments already have the authority and responsibility to take actions to control the spread of disease within their jurisdictions. The proposed amendments clarify these existing authorities and duties.

**Duplication:**

There is no duplication in existing State or federal law.

**Alternatives:**

The alternative would be to leave in place the current regulations on disease investigation. However, many of these regulatory provisions have not been updated in fifty years and should be modernized to ensure appropriate response to a disease outbreak, such as COVID-19.

**Federal Standards:**

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

**Compliance Schedule:**

The regulations will become effective upon publication of a Notice of Adoption in the New York State Register.

**Regulatory Flexibility Analysis**

**Effect of Rule:**

Under existing regulation, local health departments already have the

authority and responsibility to take actions to control the spread of disease within their jurisdictions. The proposed amendments clarify these existing authorities and duties.

**Compliance Requirements:**

Under existing regulation, local health departments already have the authority and responsibility to take actions to control the spread of disease within their jurisdictions. The proposed amendments clarify these existing authorities and duties. With respect to mandating syndromic surveillance reporting during an outbreak of a highly infectious communicable disease, hospitals are already reporting syndromic surveillance data regularly and voluntarily.

With respect to clinical laboratories, they must already report communicable disease testing results using the ECLRS and must also immediately report communicable diseases pursuant to PHL § 2102. The regulation simply clarifies existing requirements and is not anticipated to impose any substantial additional costs beyond those costs that laboratories would incur in the absence of these regulations.

**Professional Services:**

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

**Compliance Costs:**

Although there are costs associated with disease investigation and response for any outbreak, these regulations clarify and strengthen the existing authorities and responsibilities of local governments. As such, these regulations do not impose any substantial additional costs beyond what local health departments would incur in the absence of these regulations.

Further, making explicit the Department’s authority to lead investigation activities will result in increased coordination of resources, likely resulting in a cost-savings for State and local governments.

**Economic and Technological Feasibility:**

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

**Minimizing Adverse Impact:**

As the proposed regulations largely clarify existing responsibility and duties among regulated entities and individuals, any adverse impacts are expected to be minimal. The Department, however, will work with regulated entities to ensure they are aware of the new regulations and have the information necessary to comply.

**Small Business and Local Government Participation:**

Due to the emergent nature of COVID-19, small business and local governments were not consulted. If these regulations are proposed for permanent adoption, all parties will have an opportunity provided comments during the notice and comment period.

**Rural Area Flexibility Analysis**

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

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

The following 44 counties have a population of less than 200,000 based upon 2020 United States Census data:

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



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

As the proposed regulations largely clarify existing responsibilities and duties among regulated entities and individuals, no additional recordkeeping, compliance requirements, or professional services are expected. With respect to mandating syndromic surveillance reporting during an outbreak of a highly infectious communicable disease, hospitals are already reporting syndromic surveillance data regularly and voluntarily. Additionally, the requirement for local health departments to continually report to the Department during an outbreak is historically a practice that already occurs. With respect to clinical laboratories, they must already report communicable disease testing results using the ECLRS and must also immediately report communicable diseases pursuant to PHL § 2102.

Costs:

As the proposed regulations largely clarify existing responsibility and duties among regulated entities and individuals, no initial or annual capital costs of compliance are expected above and beyond the cost of compliance for the requirements currently in Parts 2, 405 and 58.

Economic and Technological Feasibility:

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

Minimizing Adverse Impact:

As the proposed regulations largely clarify existing responsibility and duties among regulated entities and individuals, any adverse impacts are expected to be minimal. The Department, however, will work with local health departments to ensure they are aware of the new regulations and have the information necessary to comply.

Rural Area Participation:

Due to the emergent nature of COVID-19, parties representing rural areas were not consulted. If these regulations are proposed for permanent adoption, all parties will have an opportunity provided comments during the notice and comment period.

**Job Impact Statement**

The Department of Health has determined that this regulatory change will not have a substantial adverse impact on jobs and employment, based upon its nature and purpose.

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

**Utilization Reviews**

**I.D. No.** HLT-16-23-00018-P

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

**Proposed Action:** Amendment of sections of 505.2, 506.5 and Part 511 of Title 18 NYCRR.

**Statutory authority:** Social Services Law, sections 20(3)(d), 34(3)(f), 363-a(2) and 365-g

**Subject:** Utilization Reviews.

**Purpose:** To decrease the administrative burden on enrolled Medicaid fee-for-service members and providers.

**Text of proposed rule:** Subdivision (i) of section 505.2 is amended to read as follows:

(i) Utilization [threshold] review. (1) [This subdivision describes the utilization threshold that t]The department has established *utilization review* for physician and clinic services. Part [503] 511 of this Title authorizes the department to establish a *system for utilization [threshold] review* for specific provider service types including physician and clinic services. Part [503]511 also describes [the application of the utilization threshold,] the services and procedures excluded from the utilization [threshold]review for all provider service types [subject to a threshold, the method for obtaining an exemption from or increase in the utilization threshold, notices, and the right to a fair hearing in certain situations.

(2) General rules. The department will pay for up to 14 physician and clinic service encounters in a benefit year. As used in this subdivision, the term clinic means hospital outpatient departments, free-standing diagnostic and treatment centers and hospital emergency rooms. As used in this subdivision, the term encounter is defined as follows:

(i) all medical care, services and supplies received during a visit with a physician, a physician’s assistant, a specialist or a specialist’s assistant, unless excluded by paragraph (3) of this subdivision; or

(ii) all medical care, services and supplies received during a visit to a clinic certified under Article 28 of the Public Health Law, unless excluded by paragraph (3) of this subdivision].

(2[3]) Exclusions. In addition to those services and procedures generally excluded from any utilization [threshold]review by Section [503.4]511.2 of this Title, the following services are excluded from the utilization [threshold]review established by this subdivision:

(i) Physician services.

(a) anesthesiology services; and

(b) psychiatric services.

(ii) Clinic services.

(a) mental health services, alcoholism treatment services, and [mental retardation and]developmental disability treatment services provided in clinics certified under Article 28 of the Public Health Law or Article 31 of the Mental Hygiene Law;

(b) ambulatory services ordered by a qualified practitioner;

(c) services provided in a [physically handicapped children’s program]speech and hearing clinic *program for children with physical disabilities*; and

(d) services provided in an [physically handicapped children’s]amputee center *for children with physical disabilities*.

(4) The department will pay for services provided in hospital emergency rooms as emergency services; however, each encounter counts as one service unit under the utilization threshold established by this subdivision.]

Section 506.5 is amended to read as follows:

506.5 Utilization [threshold]review. (a) [This section describes the utilization threshold that the department has established for dental services and supplies.] Part [503]511 of this Title authorizes the department to establish a system for utilization [threshold]review for specific provider types, including dental services and supplies. Part [503]511 also describes the [application of utilization thresholds,] services and procedures excluded from the utilization [threshold]review for all provider service types [subject to a threshold, the method for obtaining an exemption from or increase in the utilization threshold, notices, and the right to a fair hearing in certain situations.

(b) General rule. The department will pay for up to three dental service encounters in a benefit year. For purposes of this section, each discrete visit to a dentist or to a dental clinic is one encounter, regardless of the number of services provided or procedures performed during the visit].

Part 511 is renamed to read as follows:

Part 511 - MEDICAL CARE - UTILIZATION [THRESHOLDS] REVIEW

Section 511.1 is amended to read as follows:

Section 511.1 Utilization [thresholds] review. (a) In accordance with section 365-g of the Social Services Law, the department [has established] *may implement* utilization [thresholds] reviews which apply to certain care, services, and supplies for medical assistance (MA) recipients. Utilization [thresholds] review [are annual service limitations which are established by the department based upon provider service type.- Utilization thresholds are designed to promote] *evaluates the* appropriateness [use] and quality of [services] *medical assistance, and safeguards against unnecessary utilization of care and services;* [consistent with quality care.] *including post-payment review process to develop and review beneficiary utilization profiles, provider services profiles and exceptions criteria to correct misutilization practice of beneficiaries and providers; and for referral to the Office of the Medicaid Inspector General where suspected fraud, waste or abuse are identified in the unnecessary or inappropriate use of care, service or supplies.*

(b) Within a benefit year, as defined in section 511.4 of this Part, the MA program will pay for care, services and supplies provided to eligible recipients up to and including the number of service units established as a utilization threshold for the particular provider service type. A service unit is defined as one encounter, procedure, or formulary code, depending upon the provider service type.

(c) After a recipient has reached the utilization threshold established for a particular provider service type, the MA program will not pay for additional care, services or supplies for that provider service type unless one of the following conditions is satisfied:

(1) the department has exempted the recipient from the utilization threshold;

(2) the department has granted the recipient an increase in the utilization threshold;

(3) the provider certifies that the care, services, or supplies were furnished to address an urgent medical need. An urgent medical need exists when a patient has an acute or active medical problem which, if left untreated, could reasonably result in an increase in the severity of the symptoms of the problem, an increase in the patient's recovery time, or a medical emergency; or

(4) the provider certifies that the care, services or supplies were furnished to address a medical emergency. Emergency services are medical care, services or supplies provided after a sudden onset of a medical condition manifesting itself by acute symptoms of sufficient severity that the absence of immediate medical treatment could reasonably result in serious impairment of bodily functions, serious dysfunction of a bodily organ or body part, or would otherwise place the recipient's health in serious jeopardy.

(d) The utilization thresholds for select provider service types are set forth in sections 511.10 through 511.13 of this Part.]

Section 511.2 is repealed, and section 511.3 is renumbered as section 511.2

511.2 Excluded services. Utilization [thresholds] reviews do not apply to the following services:

(a) services furnished by or through a managed care program to persons enrolled in and receiving medical care from such program. Managed care programs include health maintenance organizations, preferred provider plans, physician case management programs or other managed medical care programs recognized by the Department;

(b) services otherwise subject to prior approval or prior authorization;

(c) reproductive health and family planning services including: diagnosis, treatment, drugs, supplies, and related counseling furnished or prescribed by a physician or under a physician's supervision;

(d) until September 1, 1992, services provided by or under the direction of a primary provider under the recipient restriction program, as established by section 360-6.4 of this Title;

(e) methadone maintenance treatment services;

(f) services provided by private practitioners on a fee-for-service basis to inpatients in general hospitals certified under Article 28 of the Public Health Law or Article 31 of the Mental Hygiene Law and residential health care facilities;

(g) hemodialysis services;

(h) obstetrical services provided by a physician, hospital outpatient department, or free-standing diagnostic and treatment center-certified under Article 28 of the Public Health Law; or

(i) services provided through or by referral from a preferred primary care provider designated pursuant to Section 2807(12) of the Public Health Law[.];

(j) services provided pursuant to a court order; or

(k) services provided as a condition of eligibility for any other public program, including but not limited to public assistance.

Sections 511.4, 511.5, 511.6, 511.7, 511.8, 511.9, 511.10, 511.11, 511.12, 511.13, and 511.14 are repealed.

**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: regsqa@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 363-a and Public Health Law ("PHL") section 201(1)(v) provide that the Department is the single state agency responsible for supervising the administration of the State's medical assistance ("Medicaid") program and for adopting such regulations, not inconsistent with law, as may be necessary to implement the State's Medicaid program. The State's Medicaid program includes utilization review authorized by SSL § 365-g, as amended by Chapter 55 of the Laws of 2022. The Department may promulgate regulations necessary to carry out the program's objectives, which includes the review of services for necessity and appropriateness or where there are suspected cases of fraud, waste or abuse by providers or members. The proposed amendment to the utilization regulation is within the Department's statutory rulemaking authority as it sets forth a required framework to ensure the best use of care, services, and supplies.

Legislative Objectives:

The Legislature's objective in amending SSL § 365-g was to lessen the administrative burden on providers and members who would otherwise need to submit requests for overrides of service limits. This will eliminate potential barriers to care.

Needs and Benefits:

The current regulation must be amended to conform to statutory amendments to Social Services Law § 365-g, as amended by Chapter 57 of the laws of 2022. § 365-g as amended decreased the administrative burden on enrolled fee-for-service Medicaid members and providers by eliminating utilization thresholds as service limits, while meeting the federal regulatory requirements at 42 CFR Part 456, Subparts A and B through continued utilization monitoring in a post-payment review process, with referral to the OHIP pre-payment Provider on Review Program, and to the Office of the Medicaid Inspector General (OMIG) where suspected fraud, waste or abuse are identified in the unnecessary or inappropriate use of care, services or supplies by members or providers. The monitoring of service utilization has moved from a prospective to a retrospective function and removes the requirement for provider-submitted increase requests, thereby eliminating the administrative burden and interruption of service delivery to members and providers who formerly had to request increases to benefit limits upon reaching the previous utilization thresholds.

Costs:

Costs to Regulated Parties:

There will be no additional costs to private regulated parties because of the proposed regulation.

Costs to State Government:

As reflected in the State's fiscal year 2022-23 budget, there is no increase in Medicaid expenditures anticipated because of the proposed regulation.

Costs to Local Government:

There will be no additional costs to local governments because of the proposed regulation.

Costs to the Department of Health:

There will be no additional administrative cost to the Department of Health.

Local Government Mandates:

The proposed regulation does not impose any new programs, services, duties or responsibilities upon any county, city, town, village, school district, fire district or other special district.

Paperwork:

The proposed regulations do not impose any reporting requirements on fiscal intermediaries or other entities. This will result in a decrease in paperwork for enrolled providers and members.

Duplication:

The proposed regulation does not duplicate any existing federal, state, or local regulations.

Alternatives:

As discussed above, the Legislature has determined that there is a need to decrease the administrative burden on those enrolled in the fee-for-service Medicaid program. Accordingly, the alternative of not taking this regulatory action was rejected.

Federal Standards:

The proposed regulations do not exceed any minimum federal standards.

Compliance Schedule:

There is no compliance schedule imposed by this amendment, which shall be effective upon publication of a Notice of Adoption.

#### **Regulatory Flexibility Analysis**

No Regulatory Flexibility Analysis is required pursuant to section 202-(b)(3)(a) of the State Administrative Procedure Act. The proposed amendment does not impose an adverse economic impact on small businesses or local governments, and it does not impose reporting, recordkeeping or other compliance requirements on small businesses or local governments.

#### **Rural Area Flexibility Analysis**

A Rural Area Flexibility Analysis for these amendments is not being submitted because the amendments will not impose any adverse impact or significant reporting, recordkeeping or other compliance requirements on public or private entities in rural areas. There are no professional services, capital, or other compliance costs imposed on public or private entities in rural areas as a result of the proposed amendments.

#### **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.

## Long Island Power Authority

### NOTICE OF ADOPTION

#### Time of Day Rates for Residential Electric Customers

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

**Filing Date:** 2023-03-31

**Effective Date:** 2023-03-31

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

**Action taken:** The Long Island Power Authority adopted modifications to its Tariff for Electric Service to create a Time-of-Day (TOD) rate as 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 electric customers.

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

**Text of final rule:** The Trustees of the Long Island Power Authority ("LIPA" or the "Authority") approved changes to 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. 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 adopted, 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.

**Final rule as compared with last published rule:** Substantive revisions were made in Leaf 188B, E and 34F-2.

**Text of rule and any required statements and analyses may be obtained from:** John Little, Long Island Power Authority, 333 Earle Ovington Blvd., Suite 403, Uniondale, NY 11553, (516) 719-9807, email: tariffchanges@lipower.org

#### Revised Regulatory Impact Statement

A revised regulatory impact statement is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

#### Revised Regulatory Flexibility Analysis

A revised regulatory flexibility analysis is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

#### Revised Rural Area Flexibility Analysis

A revised rural area flexibility analysis is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

#### Revised Job Impact Statement

A revised job impact statement is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

#### Assessment of Public Comment

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

## Public Service Commission

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

#### Electric Metering Equipment

**I.D. No.** PSC-16-23-00009-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 Ritz Instrument Transformers, Inc. to use the VEF15-09 instrument transformer in electric metering applications in New York State.

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

**Subject:** Electric metering equipment.

**Purpose:** To ensure that consumer bills are based on accurate measurements of electric usage.

**Substance of proposed rule:** The Public Service Commission (Commission) is considering a petition filed on February 14, 2023, by Ritz Instrument Transformers, Inc., to use its 15-kilovolt voltage class instrument transformer of the type VEF15-09 (Device) in electric metering applications in New York State.

The Device is a potential instrument transformer cast in cycloaliphatic epoxy resin. The Commission requires new types of electric meters and metering equipment, used to measure a customer's electric usage, conform to the requirements of 16 NYCRR Part 93 and be approved by the Commission before being used for customer billing purposes.

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, modify or reject, 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.

(23-E-0085SP1)

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

#### Marginal Cost of Service Studies

**I.D. No.** PSC-16-23-00010-P

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

**Proposed Action:** The Commission is considering a Whitepaper filed by Department of Public Service Staff that makes various recommendations for the preparation of Marginal Cost of Service studies to be conducted by the State's major utilities.

**Statutory authority:** Public Service Law, sections 4(1), 5(1), (2), 65 and 66

**Subject:** Marginal Cost of Service studies.

**Purpose:** To identify appropriate inputs and methodologies for preparing Marginal Cost of Service studies.

**Substance of proposed rule:** The Public Service Commission (Commission) is considering a Whitepaper, filed by Department of Public Service



Staff (Staff) on March 27, 2023 (the Whitepaper), which makes various recommendations for the preparation of Marginal Cost of Service (MCOS) studies to be conducted by Central Hudson Gas & Electric Corporation, Consolidated Edison Company of New York, Inc., New York State Electric & Gas Corporation, Niagara Mohawk Power Corporation d/b/a National Grid, Orange and Rockland Utilities, Inc., and Rochester Gas and Electric Corporation (collectively, the Joint Utilities).

These MCOS studies would be used to, among other things, calculate the Locational System Relief Value and the Demand Reduction Value elements of the Commission's Value of Distributed Energy Resources (VDER) Value Stack Compensation, addressed under Case 15-E-0751. The Whitepaper compares the MCOS methodologies applied by the Joint Utilities in preparing their MCOS studies and presents stakeholder comments and Staff recommendations for modifications to each. This is followed by a discussion of various costing issues that pertain to all of the Joint Utilities' MCOS studies, including a summary of stakeholder comments and Staff proposals for modifications. Staff focuses on maintaining consistency and recommends a MCOS study methodology to be utilized going forward.

The full text of the Whitepaper and the full record of the proceedings 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) 474-6517, 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.

(19-E-0283SP1)

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

**Notice of Intent to Submeter Electricity**

**I.D. No.** PSC-16-23-00011-P

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

*Proposed Action:* The Commission is considering the notice of intent of Bud North, LLC to submeter electricity at 2-21 Malt Drive, Long Island City, New York.

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

*Subject:* Notice of intent to submeter electricity.

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

*Substance of proposed rule:* The Commission is considering the notice of intent filed by Bud North LLC filed on October 28, 2022, seeking authority to submeter electricity to a new rental building located at 2-21 Malt Drive, Long Island City, New York, 11101, located in the service territory of Consolidated Edison Company of New York, Inc. (Con Edison).

In the notice of intent, Bud North LLC requests authorization to take electric service from Con Edison and then distribute and meter that electricity to its residents. Submetering of electricity to residential residents is allowed so long as it complies with the protections and requirements of the Commission's regulations in 16 NYCRR Part 96.

The full text of the notice of intent 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-0607SP1)

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

**Electric Metering Equipment**

**I.D. No.** PSC-16-23-00012-P

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

*Proposed Action:* The Commission is considering a petition filed by Ritz Instrument Transformers, Inc. to use the VZF36-10 instrument transformer in electric metering applications in New York State.

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

*Subject:* Electric metering equipment.

*Purpose:* To ensure that consumer bills are based on accurate measurements of electric usage.

*Substance of proposed rule:* The Public Service Commission (Commission) is considering a petition filed on February 14, 2023, by Ritz Instrument Transformers, Inc., to use its 36-kilovolt voltage class instrument transformer of the type VZF36-10 (Device) in electric metering applications in New York State.

The Device is a potential instrument transformer cast in cycloaliphatic epoxy resin. The Commission requires new types of electric meters and metering equipment, used to measure a customer's electric usage, conform to the requirements of 16 NYCRR Part 93 and be approved by the Commission before being used for customer billing purposes.

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, modify or reject, 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.

(23-E-0089SP1)

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

**Electric Metering Equipment**

**I.D. No.** PSC-16-23-00013-P

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

**Proposed Action:** The Commission is considering a petition filed by Ritz Instrument Transformers, Inc. to use the GIFU15-03 instrument transformer in electric metering applications in New York State.

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

**Subject:** Electric metering equipment.

**Purpose:** To ensure that consumer bills are based on accurate measurements of electric usage.

**Substance of proposed rule:** The Public Service Commission (Commission) is considering a petition filed on February 14, 2023, by Ritz Instrument Transformers, Inc., to use its 15-kilovolt voltage class instrument transformer of the type GIFU15-03 (Device) in electric metering applications in New York State.

The Device is a current instrument transformer cast in cycloaliphatic epoxy resin. The Commission requires new types of electric meters and metering equipment, used to measure a customer's electric usage, conform to the requirements of 16 NYCRR Part 93 and be approved by the Commission before being used for customer billing purposes.

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, modify or reject, 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.

(23-E-0090SP1)

## PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

### Electric Metering Equipment

**I.D. No.** PSC-16-23-00014-P

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

**Proposed Action:** The Commission is considering a petition filed by Ritz Instrument Transformers, Inc. to use the GIFU25-03 instrument transformer in electric metering applications in New York State.

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

**Subject:** Electric metering equipment.

**Purpose:** To ensure that consumer bills are based on accurate measurements of electric usage.

**Substance of proposed rule:** The Public Service Commission (Commission) is considering a petition filed on February 14, 2023, by Ritz Instrument Transformers, Inc., to use its 25-kilovolt voltage class instrument transformer of the type GIFU25-03 (Device) in electric metering applications in New York State.

The Device is a current instrument transformer cast in cycloaliphatic epoxy resin. The Commission requires new types of electric meters and metering equipment, used to measure a customer's electric usage, conform to the requirements of 16 NYCRR Part 93 and be approved by the Commission before being used for customer billing purposes.

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, modify or reject, 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.

(23-E-0091SP1)

## PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

### Electric Metering Equipment

**I.D. No.** PSC-16-23-00015-P

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

**Proposed Action:** The Commission is considering a petition filed by Ritz Instrument Transformers, Inc. to use the VEF36-10 instrument transformer in electric metering applications in New York State.

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

**Subject:** Electric metering equipment.

**Purpose:** To ensure that consumer bills are based on accurate measurements of electric usage.

**Substance of proposed rule:** The Public Service Commission (Commission) is considering a petition filed on February 14, 2023, by Ritz Instrument Transformers, Inc., to use its 36-kilovolt voltage class instrument transformer of the type VEF36-10 (Device) in electric metering applications in New York State.

The Device is a potential instrument transformer cast in cycloaliphatic epoxy resin. The Commission requires new types of electric meters and metering equipment, used to measure a customer's electric usage, conform to the requirements of 16 NYCRR Part 93 and be approved by the Commission before being used for customer billing purposes.

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, modify or reject, 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.

(23-E-0087SP1)

## PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

### Intra-corporate Merger of FirstEnergy's Four Distribution Operating Companies

**I.D. No.** PSC-16-23-00016-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 for an intra-corporate merger of Pennsylvania Electric Company, wholly owned by FirstEnergy Corp. (FirstEnergy), with three other FirstEnergy Pennsylvania distribution operating companies into one corporation.



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

**Subject:** Intra-corporate merger of FirstEnergy’s four distribution operating companies.

**Purpose:** To consider whether an intra-corporate merger of FirstEnergy’s four distribution companies is in the public interest.

**Substance of proposed rule:** The Commission is considering a petition filed on March 6, 2023, by Pennsylvania Electric Company (Penelec), a New York and Pennsylvania electric distribution company, which is wholly owned by FirstEnergy Corp. (FirstEnergy), for an intra-corporate merger between Penelec and FirstEnergy’s other three Pennsylvania distribution operating companies to form one corporation.

Penelec is subject to the Commission’s jurisdiction over its franchise located in the Village of Waverly, New York and the surrounding vicinity (Waverly District) where it owns distribution utility assets and property. Penelec serves approximately 4,000 customers in the Waverly District.

The proposed intra-corporate merger involves wholly owned intra-corporate subsidiaries and will not change the ultimate owner of the distribution utility assets and property, Penelec’s parent company, FirstEnergy.

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.

(23-E-0118SP1)

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

**Electric Metering Equipment**

**I.D. No.** PSC-16-23-00017-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 Ritz Instrument Transformers, Inc. to use the VZF15-09 instrument transformer in electric metering applications in New York State.

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

**Subject:** Electric metering equipment.

**Purpose:** To ensure that consumer bills are based on accurate measurements of electric usage.

**Substance of proposed rule:** The Public Service Commission (Commission) is considering a petition filed on February 14, 2023, by Ritz Instrument Transformers, Inc., to use its 15-kilovolt voltage class instrument transformer of the type VZF15-09 (Device) in electric metering applications in New York State.

The Device is a potential instrument transformer cast in cycloaliphatic epoxy resin. The Commission requires new types of electric meters and metering equipment, used to measure a customer’s electric usage, conform to the requirements of 16 NYCRR Part 93 and be approved by the Commission before being used for customer billing purposes.

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, modify or reject, 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.

(23-E-0086SP1)

**Department of State**

**NOTICE OF ADOPTION**

**New York State Uniform Fire Prevention and Building Code (Uniform Code)**

**I.D. No.** DOS-03-23-00003-A

**Filing No.** 294

**Filing Date:** 2023-04-04

**Effective Date:** 2023-04-19

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

**Action taken:** Amendment of Parts 1220, 1221 and 1226 of Title 19 of the NYCRR

**Statutory authority:** Executive Law, sections 377 and 378(14)

**Subject:** New York State Uniform Fire Prevention and Building Code (Uniform Code).

**Purpose:** To amend the existing Uniform Code to amend provisions relating to hot tubs and spas.

**Text of final rule:** 1. Section 1220.3 of Part 1220 of Title 19 of the Official Compilation of Codes, Rules, and Regulations of the State of New York (NYCRR) is amended to add new subdivisions (f) and (g) to read as follows:

(f) 2020 RCNYS Section 326.4.2 Permanent Barriers. Section 326.4.2 shall be deemed to be amended to read as follows:

[NY]R326.4.2 Permanent barriers. Swimming pools shall be completely enclosed by a permanent barrier complying with Sections R326.4.2.1 through R326.4.2.6.

Exception: A hot tub or spa with a safety cover which complies with ASTM F1346 shall not be required to comply with section R326.4.2.

(g) 2020 RCNYS Chapter 44 Referenced Standards. The following publication shall be deemed to be added under ASTM International (ASTM):

F1346–91 (2018): Standard Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs. (Sections of this document that reference this standard: R326.4.1, R326.4.2, R326.7).

2. Section 1221.3 of Part 1221 of Title 19 of the NYCRR is amended to add a new paragraph (4) to subdivision (a) and to add a new subdivision (b) to read as follows:

(4) The entry in Chapter 35 of the 2020 BCNYS for the publication entitled “Standard Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs” in the list of referenced standards published by ASTM International (ASTM) shall be deemed to be amended to read as follows:

F1346–91 (2018): Standard Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs. (Sections of this document that reference this standard: 3109.3.1, 3109.3.2, 3109.5).

(b) 2020 BCNYS Section 3109.3.2 Permanent Barriers. Section 3209.3.2 shall be deemed to be amended to read as follows:

[NY]3109.3.2 Permanent barriers. Swimming pools, spas, and hot tubs shall be completely enclosed by a permanent barrier complying with Sections 3109.3.2.1 through 3109.3.2.6.

Exception: A hot tub or spa with a safety cover which complies with ASTM F1346 shall not be required to comply with section 3109.3.2.

3. Section 1226.3 of Part 1226 of Title 19 of the NYCRR is amended to add a new subdivision (b) to read as follows:

(b) *2020 PMCNYS Chapter 8 Referenced Standards. The entry in Chapter 8 of the 2020 PMCNYS for the publication entitled "Performance Specifications for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs" in the list of referenced standards published by ASTM International (ASTM) shall be deemed to be amended to read as follows:*

*F1346-91 (2018): Standard Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs. (Section of this document that references this standard: 303.3).*

**Final rule as compared with last published rule:** Nonsubstantial changes were made in section 1221.3(a)(4).

**Text of rule and any required statements and analyses may be obtained from:** Jeanne Rice, Department of State, 99 Washington Ave., Suite 1160, Albany, NY 12231, (518) 473-2265, email: code.development@dos.ny.gov

**Additional matter required by statute:** The State Fire Prevention and Building Code Council ("Code Council") found, pursuant to Executive Law section 378(19)(a)(ii), that making the changes to the New York State Uniform Fire Prevention and Building Code (the "Uniform Code") made by this rule effective on the date of publication of the Notice of Adoption of this rule in the State Register, rather than 90 days after publication of the Notice of Adoption of this rule, is appropriate because the changes to the Uniform Code will not impose any additional compliance requirements on any person for the following reasons:

(1) Chapter 651 of the Laws of 2022 and Chapter 18 of the Laws of 2023 provide that the amendments to subdivision fourteen of Executive Law section 378 shall be effective on November 23, 2022.

(2) Currently, the Uniform Code requires permanent barriers to be installed around all swimming pools, hot tubs, and spas; however, the new legislation allows for an exception to these permanent barrier requirements for hot tubs and spas which are equipped with a safety cover meeting ASTM F1346 (2003), or any similar standard approved by the Code Council.

(3) This rule would amend the Uniform Code to include provisions addressing subdivision fourteen of Executive Law section 378, as amended and effective November 23, 2022, to allow for the aforementioned exceptions.

(4) Developing, proposing, adopting, and implementing such a rule to become effective at least ninety days after the date on which notice of such change has been published in the State Register would delay the effective date of the rule and be inconsistent with the mandate provided in Chapter 651 of the Laws of 2022 and Chapter 18 of the Laws of 2023.

(5) A rule amending the Uniform Code to add these new exceptions will not impose any additional compliance requirements but allow for an alternative to compliance with the existing permanent barrier requirements of the Uniform Code for hot tubs and spas which are equipped with a safety cover meeting ASTM F1346 (2003), or any similar standard approved by the Code Council.

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

The Department of State has determined that the changes made to the last published rule are non-substantive and do not necessitate a revision of the original Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement published in the Notice of Proposed Rule Making in the State Register on January 18, 2023.

Non-substantive changes were made to 19 NYCRR section 1221.3(a)(4) to make a grammatical correction by replacing the word "references" with the word "reference."

**Initial Review of Rule**

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2026, 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.

**HEARINGS SCHEDULED  
FOR PROPOSED RULE MAKINGS**

Agency I.D. No.	Subject Matter	Location—Date—Time
<b>Education Department</b>		
EDU-09-23-00031-P.....	Special Education Due Process Hearings	<p>Via Zoom—May 1, 2023, 11:30 a.m.                      Link: <a href="https://us06web.zoom.us/j/84161631017?pwd=ajk0NlloeTBOR1BSc1g0ZDRmelBZZz09">https://us06web.zoom.us/j/84161631017?pwd=ajk0NlloeTBOR1BSc1g0ZDRmelBZZz09</a>                      Meeting ID: 841 6163 1017, Passcode: w0QRHu, Call In: +1 646 558 8656 US (New York)</p> <p>Via Zoom—May 1, 2023, 6:00 p.m.                      Link: <a href="https://us06web.zoom.us/j/87150443913?pwd=aDdGU2JPZWNXa1J2aU5BYWlGLzBodz09">https://us06web.zoom.us/j/87150443913?pwd=aDdGU2JPZWNXa1J2aU5BYWlGLzBodz09</a>                      Meeting ID: 871 5044 3913, Passcode: VWm9UT, Call In: +1 646 558 8656 US (New York)</p> <p>Education Department, 89 Washington Ave., Albany, NY—May 2, 2023, 4:00 p.m.</p> <p>Pre-registration is required at stakeholderDPU@nysed.gov or (518) 473-0170</p> <p>Sign-In with Security on 1st Floor Washington Avenue Entrance</p>
<b>Environmental Conservation, Department of</b>		
ENV-15-23-00006-P.....	Class SA, SB, SC and I Saline Waters of the State	<p>Department of Environmental Conservation, Region 2, Long Island City—June 13, 2023, 2:00 p.m.</p> <p>Virtual via WebEx—June 15, 2023, 2:00 p.m.</p>
<b>Public Service Commission</b>		
PSC-02-23-00025-P.....	Proposed Major Rate Increase in Con Edison’s Annual Revenues by \$137 million	<p>Department of Public Service, 19th Fl. Board Rm., Three Empire State Plaza, Albany, NY—May 2, 2023 and continuing daily as needed, 10:30 a.m. (Evidentiary Hearing)*</p> <p>*On occasion, the evidentiary hearing date may be rescheduled or postponed. In that event, notification of any subsequent scheduling changes will be available at the DPS website (<a href="http://www.dps.ny.gov">www.dps.ny.gov</a>) under Case No. 22-S-0659.</p>
<b>State, Department of</b>		
DOS-13-23-00003-P.....	Uniform Code Variance and Appeal Procedures	<p>Department of State, 99 Washington Ave., Rm. 505, Albany, NY—May 31, 2023, 10:00 a.m.</p>



**ACTION PENDING INDEX**

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

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

For additional information concerning any of the proposals

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

Agency code	Issue number	Year published	Serial number	Action Code
<b>AAM</b>	<b>01</b>	<b>12</b>	<b>0001</b>	<b>P</b>

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
-----------------	---------	----------------	-------------------

**AGING, OFFICE FOR THE**

AGE-02-23-00020-P	..... 01/11/24	Nutrition Program	The purpose of this rule is to update the regulations governing the Nutrition Program
-------------------	----------------	-------------------	---

**AGRICULTURE AND MARKETS, DEPARTMENT OF**

AAM-09-23-00032-P	..... 02/29/24	2023 National Institute of Standards and Technology ("NIST") Handbook 44	To incorporate provisions of the 2023 Edition National Institute of Standards and Technology Handbook 44
-------------------	----------------	--	--

**ALCOHOLISM AND SUBSTANCE ABUSE SERVICES, OFFICE OF**

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-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
--------------------	----------------	--------------------------------------	--

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
-------------------	----------------	--------------------	---

OCM-14-23-00011-P	..... 04/04/24	Cannabis Research License	The proposed rule establishes the application process, requirements and prohibitions associated with the Cannabis Research License
-------------------	----------------	---------------------------	--

**Action Pending Index****NYS Register/April 19, 2023**

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>CHILDREN AND FAMILY SERVICES, OFFICE OF</b>			
CFS-14-23-00010-P	04/04/24	Updates to foster care rates	To update various rules related to foster care rates and to make technical corrections
CFS-16-23-00001-EP	04/18/24	Changes to eligibility criteria for the child care assistance program	To implement statutory changes and expand access to child care assistance
<b>CIVIL SERVICE, DEPARTMENT OF</b>			
CVS-02-23-00001-P	01/11/24	Jurisdictional Classification	To classify a position in the exempt class and to classify a position in the non-competitive class
CVS-02-23-00002-P	01/11/24	Jurisdictional Classification	To classify positions in the exempt class.
CVS-02-23-00003-P	01/11/24	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-02-23-00004-P	01/11/24	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-02-23-00005-P	01/11/24	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-02-23-00006-P	01/11/24	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-02-23-00007-P	01/11/24	Jurisdictional Classification	To classify a position in the exempt class
CVS-02-23-00008-P	01/11/24	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-02-23-00009-P	01/11/24	Jurisdictional Classification	To classify a position in the exempt class.
CVS-02-23-00010-P	01/11/24	Jurisdictional Classification	To classify a position in the exempt class.
CVS-02-23-00011-P	01/11/24	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-02-23-00012-P	01/11/24	Jurisdictional Classification	To classify a position in the exempt class.
CVS-02-23-00013-P	01/11/24	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-02-23-00014-P	01/11/24	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-02-23-00015-P	01/11/24	Jurisdictional Classification	To delete positions from and to classify positions in the non-competitive class
CVS-02-23-00016-P	01/11/24	Jurisdictional Classification	To classify positions in the exempt class.
CVS-02-23-00017-P	01/11/24	Jurisdictional Classification	To classify positions in the exempt class.
CVS-06-23-00001-P	02/08/24	Jurisdictional Classification	To delete and to classify a position in the exempt and non-competitive classes
CVS-06-23-00002-P	02/08/24	Jurisdictional Classification	To classify a position in the exempt class.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>CIVIL SERVICE, DEPARTMENT OF</b>			
CVS-06-23-00003-P	02/08/24	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-06-23-00004-P	02/08/24	Jurisdictional Classification	To classify positions in the exempt class.
CVS-06-23-00005-P	02/08/24	Jurisdictional Classification	To classify a position in the exempt class.
CVS-06-23-00006-P	02/08/24	Jurisdictional Classification	To delete positions from and to classify positions in the exempt and non-competitive classes
CVS-06-23-00007-P	02/08/24	Jurisdictional Classification	To delete a position from and to classify a position in the exempt class.
CVS-06-23-00008-P	02/08/24	Jurisdictional Classification	To delete positions from and to classify positions in the non-competitive class
CVS-06-23-00009-P	02/08/24	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-09-23-00001-P	02/29/24	Jurisdictional Classification	To classify a position in the exempt class and to delete a position from and to classify positions in the non-competitive class
CVS-09-23-00002-P	02/29/24	Jurisdictional Classification	To classify a position in the exempt class and to classify positions in the non-competitive class
CVS-09-23-00003-P	02/29/24	Jurisdictional Classification	To classify positions in the exempt class.
CVS-09-23-00004-P	02/29/24	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-09-23-00005-P	02/29/24	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-09-23-00006-P	02/29/24	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-09-23-00007-P	02/29/24	Jurisdictional Classification	To classify positions in the exempt class.
CVS-09-23-00008-P	02/29/24	Jurisdictional Classification	To classify positions in the exempt class.
CVS-09-23-00009-P	02/29/24	Jurisdictional Classification	To delete positions from and to classify positions in the non-competitive class
CVS-09-23-00010-P	02/29/24	Jurisdictional Classification	To classify positions in the exempt class and to classify positions from the non-competitive class
CVS-09-23-00011-P	02/29/24	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-09-23-00012-P	02/29/24	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-09-23-00013-P	02/29/24	Jurisdictional Classification	To delete a position from and to classify a position in the exempt class.
CVS-09-23-00014-P	02/29/24	Jurisdictional Classification	To classify a position in the exempt class.



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>CIVIL SERVICE, DEPARTMENT OF</b>			
CVS-09-23-00015-P	02/29/24	Jurisdictional Classification	To delete positions from and to classify positions in the non-competitive class
CVS-09-23-00016-P	02/29/24	Jurisdictional Classification	To delete a position from and to classify a position in the exempt class.
CVS-13-23-00005-P	03/28/24	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-13-23-00006-P	03/28/24	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-13-23-00007-P	03/28/24	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-13-23-00008-P	03/28/24	Jurisdictional Classification	To classify positions in the exempt class.
CVS-13-23-00009-P	03/28/24	Jurisdictional Classification	To classify positions in the exempt class.
CVS-13-23-00010-P	03/28/24	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-13-23-00011-P	03/28/24	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-13-23-00012-P	03/28/24	Jurisdictional Classification	To classify positions in the exempt class.
CVS-13-23-00013-P	03/28/24	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-13-23-00014-P	03/28/24	Jurisdictional Classification	To delete a position from and to classify a position in the exempt class and to classify positions in the non-competitive class.
CVS-13-23-00015-P	03/28/24	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-13-23-00016-P	03/28/24	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-13-23-00024-P	03/28/24	Supplemental military leave benefits	To extend the availability of supplemental military leave benefits for certain New York State employees until December 31, 2023

**COMMISSIONER OF PILOTS, BOARD OF**

COP-07-23-00002-P	exempt	Rate increases for pilot services.	To harmonize rates collected with increased costs for pilotage services.
-------------------	--------	------------------------------------	--

**CORRECTIONS AND COMMUNITY SUPERVISION, DEPARTMENT OF**

*CCS-08-22-00007-ERP	05/24/23	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-ERP	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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>CORRECTIONS AND COMMUNITY SUPERVISION, DEPARTMENT OF</b>			
CCS-31-22-00002-P	08/03/23	Privileged Correspondence	To update law changes regarding correspondence from CANY
<b>CRIMINAL JUSTICE SERVICES, DIVISION OF</b>			
CJS-16-23-00008-EP	04/18/24	FIREARM LICENSING APPEALS	Set forth an appeal process for when there is a denial of a firearms application, renewal, or recertification, or revocation
<b>ECONOMIC DEVELOPMENT, DEPARTMENT OF</b>			
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-42-22-00004-RP	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-52-22-00005-P	12/28/23	The individual arts assessment pathway to graduation	To establish the Individual Arts Assessment Pathway to graduation
EDU-52-22-00006-P	12/28/23	Extensions for coordinators of work-based learning programs.	To create a new uniform "Coordinator of Work-Based Learning Programs" extension
EDU-52-22-00007-P	12/28/23	Continuing education requirements for the profession of architecture.	To implement Chapter 578 of the Laws of 2021.
EDU-52-22-00008-EP	12/28/23	Licensure as a clinical laboratory technologist or cytotechnologist and certification as a clinical laboratory technician or histological technician	To implement Chapter 446 of the Laws of 2022.
EDU-52-22-00009-P	12/28/23	Indigenous Names, Mascots, and Logos	To prohibit the use of Indigenous names, mascots, and logos by public schools.
EDU-04-23-00004-EP	01/25/24	Continuing education requirements for licensed optometrists certified to prescribe and use therapeutic pharmaceutical agents.	To implement section 9 of Chapter 506 of the Laws of 2021.
EDU-04-23-00005-P	01/25/24	Educator certification for candidates from another state or territory of the United States or the District of Columbia.	To streamline the endorsement & comparable program pathways providing additional flexibility & increasing the pool of candidates
EDU-04-23-00006-EP	01/25/24	Removes requirement that a postdoctoral general practice or specialty dental residency program experience be clinically based	To implement Chapter 613 of the Laws of 2022.
EDU-04-23-00007-EP	03/29/24	Special education due process system procedures.	To implement the Department's and the New York City Department of Education's Memorandum of Agreement with New York City's Office of Administrative Trials and Hearings to establish an administrative team of full-time impartial hearing officers
EDU-09-23-00028-P	02/29/24	The Indigenous Culture and Language Studies certificate.	To establish the Indigenous Culture and Language Studies certificate.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>EDUCATION DEPARTMENT</b>			
EDU-09-23-00029-P	02/29/24	Licensure of licensed behavior analysts and certification of behavior analyst assistants	To implement Chapter 818 of the Laws of 2021 and Chapter 641 of the Laws of 2022 and align provisions with national standards.
EDU-09-23-00030-EP	02/29/24	Pilot P-20 Partnerships for Principal Preparation Program.	To extend the September 30, 2022 end date of the pilot program to September 30, 2025.
EDU-09-23-00031-P	05/01/24	Special education due process hearings.	To amend due process hearing procedures relating to extensions, mediation and resolution, rules of conduct, and use of in-person, teleconference, and videoconference hearings
EDU-13-23-00017-P	03/28/24	School counselor education program general registration requirements.	To require programs which lead to Initial and Professional certification to provide training in the prevention and intervention of school violence, harassment, bullying/discrimination and identification and reporting of suspected abuse or maltreatment
EDU-13-23-00018-P	03/28/24	Mental health practitioners' diagnostic privilege.	To implement sections 2 and 3 of Chapter 230 of the Laws of 2022.
<b>ELECTIONS, STATE BOARD OF</b>			
SBE-06-23-00012-EP	02/08/24	Provides for adjustment of campaign finance limits resulting from changes in the consumer price index	To adopt regulation specifically required by Election Law 14-114 (e)
SBE-13-23-00004-P	03/28/24	Procedures for failure to file enforcement proceedings.	Establishes expedited procedure for exclusively failure to file proceedings.
SBE-16-23-00005-EP	04/18/24	Amends the objection regulations of the New York State Board of Elections to conform with statutory changes.	Conforming regulations to requirements of Chapter 744 Laws of 2022 and Chapter 77 Laws of 2023.
SBE-16-23-00006-EP	04/18/24	Provides for gender designations on party position petitions and ballots in conformance with election law.	Effectuates Chapter 231 Laws of 2022 to allow for gender designations on party position petitions and ballots.
SBE-16-23-00007-EP	04/18/24	Provides for change to petition coversheets to facilitate ballot access and notice to candidates by email.	Effectuates Chapter 744 Laws of 2022 and Chapter 77 Laws of 2023 regarding notice to candidates by email.
<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-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>ENVIRONMENTAL CONSERVATION, DEPARTMENT OF</b>			
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-45-22-00021-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.
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
ENV-52-22-00003-P	12/28/23	Rush Oak Openings Unique Area	Protection of public safety and natural resources
ENV-52-22-00015-EP	02/29/24	Advanced Clean Car (ACC) Standards	To adopt California's Advanced Clean Cars II (ACC II) Program regulations
ENV-52-22-00016-EP	02/28/24	Medium- and Heavy-Duty Diesel Vehicle emission standards	To update Medium and- Heavy-Duty Diesel Vehicle emission standards and adopt CA's Heavy-Duty Omnibus and Phase 2 GHG regulations
ENV-10-23-00001-P	03/07/24	Regulations governing fisheries management of American shad in the Delaware River and cobia	Limit recreational harvest of species to ensure sustainability and consistency with interstate and federal FMPs
ENV-12-23-00005-EP	03/21/24	Regulations governing recreational and commercial fishing for striped bass.	To amend 6 NYCRR Part 40 pertaining to recreational and commercial regulations for striped bass.
ENV-15-23-00006-P	06/14/24	Class SA, SB, SC and I saline waters of the State.	Amend the water quality standards protective of shellfishing and recreation in the State's saline waters.
<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-ERP	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-15-23-00007-EP	04/11/24	Publicly available information and documents and records access requests.	Provides clarity and guidance on the process for requesting and accessing information, documents and records of the Commission.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<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-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-07-23-00003-P	..... 02/15/24	General Duties, Accountability, and Transparency Provisions for Pharmacy Benefit Managers; Electronic Filings	To define and clarify the provisions of PHL 280-a(2) and to require electronic filings for PBMs
DFS-08-23-00001-P	..... 02/22/24	Original issuance of license or change of control of a licensee	To eliminate existing language in the regulation that requires every licensed check cashing location to have a minimum dimension
DFS-14-23-00004-P	..... 04/04/24	Permissible indices for variable rate loans.	To permit the use of CME Term SOFR as a replacement benchmark for LIBOR and to eliminate an obsolete index for savings & loans.
DFS-16-23-00002-P	..... 04/18/24	Excess Line Placements Governing Standards	To conform to changes made by Chapter 833 of the Laws of 2022 and Chapter 93 of the Laws of 2023 and prior amendments.
<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-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
SGC-08-23-00004-P	..... 02/22/24	Amendments to rules governing the content of gaming facility license applications.	To govern the content of gaming facility license applications.
<b>GAMING FACILITY LOCATION BOARD, NEW YORK</b>			
GFB-04-23-00001-P	..... 01/25/24	Minimum capital investment for additional gaming facility	To establish a minimum capital investment amount for additional gaming facilities
GFB-04-23-00002-P	..... 01/25/24	License fee for additional gaming facility	To establish a license fee for additional gaming facilities
<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-12-22-00001-RP	..... 06/21/23	Clinical Laboratories and Blood Banks	To allow for remote supervision and updates to provide concordance with NYSED law for qualifications of technical personnel
HLT-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>HEALTH, DEPARTMENT OF</b>			
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-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-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-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
HLT-09-23-00020-P	02/29/24	Clinical Staffing in General Hospitals	Requires general hospitals to have clinical staffing committees and create clinical staffing plans.
HLT-12-23-00001-P	03/21/24	Contingent Reserve Requirements for Managed Care Organizations (MCOs)	Maintains the contingent reserve requirement at 7.25% through 2023 applied to the Medicaid Managed Care, HIV SNP & HARP programs
HLT-12-23-00013-P	04/12/24	Newborn Hearing Screening	To improve follow-up after newborn hearing screening and articulate reporting requirements
HLT-14-23-00009-P	04/04/24	Assisted Living Residences	To update admission, operator authority, personnel, environmental standards&resident protections for assisted living residences.
HLT-15-23-00008-P	04/11/24	Inclusion of a Health Equity Impact Assessment as Part of the Certificate of Need Process	To ensure community members and stakeholders are meaningfully engaged and considered in proposed facility projects
HLT-16-23-00004-P	04/18/24	Investigation of Communicable Disease	Control of communicable disease
HLT-16-23-00018-P	04/18/24	Utilization Reviews	To decrease the administrative burden on enrolled Medicaid fee-for-service members and providers
<b>HOUSING AND COMMUNITY RENEWAL, DIVISION OF</b>			
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.
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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>HOUSING AND COMMUNITY RENEWAL, DIVISION OF</b>			
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>LABOR, DEPARTMENT OF</b>			
LAB-37-22-00004-P	09/14/23	Prevailing Wage for Aggregate Hauling	To clarify the application Labor Law § 220(3-a)(f)
LAB-13-23-00002-P	03/28/24	Update to the Worker Adjustment and Retraining Notification (WARN) Act Rules	To provide clarification and conform to statutory changes pursuant to Labor Law Section 860-b
<b>LAW, DEPARTMENT OF</b>			
LAW-12-23-00006-P	03/21/24	Presumptive cases of gross disparity under the price gouging law.	To facilitate enforcement of the price gouging law by providing consumer and industry guidance and statutory presumptions.
LAW-12-23-00007-P	03/21/24	Presumptive unfair leverage for large enterprises or enterprises with large market share under the price gouging law.	To facilitate enforcement of the price gouging law by providing consumer and industry guidance and statutory presumptions.
LAW-12-23-00008-P	03/21/24	Presumptive cases of gross disparity for purposes of the price gouging statute.	To facilitate enforcement of the price gouging law by providing consumer and industry guidance and statutory presumptions.
LAW-12-23-00009-P	03/21/24	Application of price gouging prohibition to parties within the chain of distribution.	To facilitate enforcement of the price gouging law by providing consumer and industry guidance and statutory presumptions.
LAW-12-23-00010-P	03/21/24	Application of the price gouging law to dynamic pricing.	To facilitate enforcement of the price gouging law by providing consumer and industry guidance and statutory presumptions.
LAW-12-23-00011-P	03/21/24	Presumptive cases of unfair leverage for purposes of the price gouging law.	To facilitate enforcement of the price gouging law by providing consumer and industry guidance and statutory presumptions.
LAW-12-23-00012-P	03/21/24	Costs not within the control of the defendant for purposes of the price gouging law.	To facilitate enforcement of the price gouging law by providing consumer and industry guidance and statutory presumptions.
<b>LONG ISLAND POWER AUTHORITY</b>			
*LPA-08-01-00003-P	exempt	Pole attachments and related matters	To approve revisions to the authority's tariff
*LPA-41-02-00005-P	exempt	Tariff for electric service	To revise the tariff for electric service
*LPA-04-06-00007-P	exempt	Tariff for electric service	To adopt provisions of a ratepayer protection plan
*LPA-03-10-00004-P	exempt	Residential late payment charges	To extend the application of late payment charges to residential customers
*LPA-15-18-00013-P	exempt	Outdoor area lighting	To add an option and pricing for efficient LED lamps to the Authority's outdoor area lighting



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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>METROPOLITAN TRANSPORTATION AGENCY</b>			
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
MTA-02-23-00018-EP	01/11/24	Rules of conduct for persons entering and using Grand Central Madison Terminal and its related facilities	To facilitate the proper use of Grand Central Madison Terminal and ensure the safety of employees, customers and the public
<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
NFW-52-22-00004-EP	exempt	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>PEOPLE WITH DEVELOPMENTAL DISABILITIES, OFFICE FOR</b>			
PDD-26-22-00005-P	06/29/23	Gender Identity and Expression	To ensure people are treated with dignity and respect
PDD-49-22-00004-P	12/07/23	Protection of Individuals Receiving Services	To add clarity and consistency
PDD-10-23-00002-EP	03/07/24	General Purposes and Certification of the Facility Class Known as Individualized Residential Alternatives	To increase IRA capacity in cases of emergent circumstances
PDD-10-23-00003-P	03/07/24	Eligibility Determinations	To establish the eligibility criteria for individuals applying for OPWDD services
<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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>POWER AUTHORITY OF THE STATE OF NEW YORK</b>			
PAS-11-23-00003-P	..... exempt	Rates for the Sale of Power and Energy	Maintain System's integrity. This increase in rates does not result from Power Authority's rate increase to the Village
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-09-99-00012-P	..... exempt	Transfer of books and records by Citizens Utilities Company	To relocate Ogden Telephone Company's books and records out-of-state
*PSC-15-99-00011-P	..... exempt	Electronic tariff by Woodcliff Park Corp.	To replace the company's current tariff with an electronic tariff
*PSC-12-00-00001-P	..... exempt	Winter bundled sales service election date by Central Hudson Gas & Electric Corporation	To revise the date
*PSC-44-01-00005-P	..... exempt	Annual reconciliation of gas costs by Corning Natural Gas Corporation	To authorize the company to include certain gas costs
*PSC-07-02-00032-P	..... exempt	Uniform business practices	To consider modification
*PSC-36-03-00010-P	..... exempt	Performance assurance plan by Verizon New York	To consider changes
*PSC-40-03-00015-P	..... exempt	Receipt of payment of bills by St. Lawrence Gas Company	To revise the process
*PSC-41-03-00010-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-41-03-00011-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-44-03-00009-P	..... exempt	Retail access data between jurisdictional utilities	To accommodate changes in retail access market structure or commission mandates
*PSC-02-04-00008-P	..... exempt	Delivery rates for Con Edison's customers in New York City and Westchester County by the City of New York	To rehear the Nov. 25, 2003 order
*PSC-06-04-00009-P	..... exempt	Transfer of ownership interest by SCS Energy LLC and AE Investors LLC	To transfer interest in Steinway Creek Electric Generating Company LLC to AE Investors LLC
*PSC-10-04-00005-P	..... exempt	Temporary protective order	To consider adopting a protective order
*PSC-10-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and VIC-RMTS-DC, L.L.C. d/b/a Verizon Avenue	To amend the agreement
*PSC-14-04-00008-P	..... exempt	Submetering of natural gas service to industrial and commercial customers by Hamburg Fairgrounds	To submeter gas service to commercial customers located at the Buffalo Speedway
*PSC-15-04-00022-P	..... exempt	Submetering of electricity by Glenn Gardens Associates, L.P.	To permit submetering at 175 W. 87th St., New York, NY
*PSC-21-04-00013-P	..... exempt	Verizon performance assurance plan by Metropolitan Telecommunications	To clarify the appropriate performance level
*PSC-22-04-00010-P	..... exempt	Approval of new types of electricity meters by Powell Power Electric Company	To permit the use of the PE-1250 electronic meter

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



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-27-05-00018-P	..... exempt	Annual reconciliation of gas costs by New York State Electric & Gas Corporation	To consider the manner in which the gas cost incentive mechanism has been applied
*PSC-41-05-00013-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries by local distribution companies and municipalities	To consider the filings
*PSC-45-05-00011-P	..... exempt	Treatment of lost and unaccounted gas costs by Corning Natural Gas Corporation	To defer certain costs
*PSC-46-05-00015-P	..... exempt	Sale of real and personal property by the Brooklyn Union Gas Company d/b/a KeySpan Energy Delivery New York and Steel Arrow, LLC	To consider the sale
*PSC-47-05-00009-P	..... exempt	Transferral of gas supplies by Corning Natural Gas Corporation	To approve the transfer
*PSC-50-05-00008-P	..... exempt	Long-term debt by Saratoga Glen Hollow Water Supply Corp.	To obtain long-term debt
*PSC-04-06-00024-P	..... exempt	Transfer of ownership interests by Mirant NY-Gen LLC and Orange and Rockland Utilities, Inc.	To approve of the transfer
*PSC-06-06-00015-P	..... exempt	Gas curtailment policies and procedures	To examine the manner and extent to which gas curtailment policies and procedures should be modified and/or established
*PSC-07-06-00009-P	..... exempt	Modification of the current Environmental Disclosure Program	To include an attributes accounting system
*PSC-22-06-00019-P	..... exempt	Hourly pricing by National Grid	To assess the impacts
*PSC-22-06-00020-P	..... exempt	Hourly pricing by New York State Electric & Gas Corporation	To assess the impacts
*PSC-22-06-00021-P	..... exempt	Hourly pricing by Rochester Gas & Electric Corporation	To assess the impacts
*PSC-22-06-00022-P	..... exempt	Hourly pricing by Consolidated Edison Company of New York, Inc.	To assess the impacts
*PSC-22-06-00023-P	..... exempt	Hourly pricing by Orange and Rockland Utilities, Inc.	To assess the impacts
*PSC-24-06-00005-EP	..... exempt	Supplemental home energy assistance benefits	To extend the deadline to Central Hudson's low-income customers
*PSC-25-06-00017-P	..... exempt	Purchased power adjustment by Massena Electric Department	To revise the method of calculating the purchased power adjustment and update the factor of adjustment
*PSC-34-06-00009-P	..... exempt	Inter-carrier telephone service quality standards and metrics by the Carrier Working Group	To incorporate appropriate modifications
*PSC-37-06-00015-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-37-06-00017-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-43-06-00014-P	..... exempt	Electric delivery services by Strategic Power Management, Inc.	To determine the proper mechanism for the rate-recovery of costs
*PSC-04-07-00012-P	..... exempt	Petition for rehearing by Orange and Rockland Utilities, Inc.	To clarify the order
*PSC-06-07-00015-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for electric service
*PSC-06-07-00020-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for gas service
*PSC-11-07-00010-P	..... exempt	Investigation of the electric power outages by the Consolidated Edison Company of New York, Inc.	To implement the recommendations in the staff's investigation
*PSC-11-07-00011-P	..... exempt	Storm-related power outages by Consolidated Edison Company of New York, Inc.	To modify the company's response to power outages, the timing for any such changes and other related matters
*PSC-17-07-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and BridgeCom International, Inc.	To amend the agreement
*PSC-18-07-00010-P	..... exempt	Existing electric generating stations by Independent Power Producers of New York, Inc.	To repower and upgrade existing electric generating stations owned by Rochester Gas and Electric Corporation
*PSC-20-07-00016-P	..... exempt	Tariff revisions and making rates permanent by New York State Electric & Gas Corporation	To seek rehearing
*PSC-21-07-00007-P	..... exempt	Natural Gas Supply and Acquisition Plan by Corning Natural Gas Corporation	To revise the rates, charges, rules and regulations for gas service
*PSC-22-07-00015-P	..... exempt	Demand Side Management Program by Consolidated Edison Company of New York, Inc.	To recover incremental program costs and lost revenue
*PSC-23-07-00022-P	..... exempt	Supplier, transportation, balancing and aggregation service by National Fuel Gas Distribution Corporation	To explicitly state in the company's tariff that the threshold level of elective upstream transmission capacity is a maximum of 112,600 Dth/day of marketer-provided upstream capacity
*PSC-24-07-00012-P	..... exempt	Gas Efficiency Program by the City of New York	To consider rehearing a decision establishing a Gas Efficiency Program
*PSC-39-07-00017-P	..... exempt	Gas bill issuance charge by New York State Electric & Gas Corporation	To create a gas bill issuance charge unbundled from delivery rates
*PSC-41-07-00009-P	..... exempt	Submetering of electricity rehearing	To seek reversal
*PSC-42-07-00012-P	..... exempt	Energy efficiency program by Orange and Rockland Utilities, Inc.	To consider any energy efficiency program for Orange and Rockland Utilities, Inc.'s electric service
*PSC-42-07-00013-P	..... exempt	Revenue decoupling by Orange and Rockland Utilities, Inc.	To consider a revenue decoupling mechanism for Orange and Rockland Utilities, Inc.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-45-07-00005-P	..... exempt	Customer incentive programs by Orange and Rockland Utilities, Inc.	To establish a tariff provision
*PSC-02-08-00006-P	..... exempt	Additional central office codes in the 315 area code region	To consider options for making additional codes
*PSC-03-08-00006-P	..... exempt	Rehearing of the accounting determinations	To grant or deny a petition for rehearing of the accounting determinations
*PSC-04-08-00010-P	..... exempt	Granting of easement rights on utility property by Central Hudson Gas & Electric Corporation	To grant easement rights to Millennium Pipeline Company, L.L.C.
*PSC-04-08-00012-P	..... exempt	Marketing practices of energy service companies by the Consumer Protection Board and New York City Department of Consumer Affairs	To consider modifying the commission's regulation over marketing practices of energy service companies
*PSC-08-08-00016-P	..... exempt	Transfer of ownership by Entergy Nuclear Fitzpatrick LLC, et al.	To consider the transfer
*PSC-12-08-00019-P	..... exempt	Extend the provisions of the existing electric rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-12-08-00021-P	..... exempt	Extend the provisions of the existing gas rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-13-08-00011-P	..... exempt	Waiver of commission policy and NYSEG tariff by Turner Engineering, PC	To grant or deny Turner's petition
*PSC-13-08-00012-P	..... exempt	Voltage drops by New York State Electric & Gas Corporation	To grant or deny the petition
*PSC-23-08-00008-P	..... exempt	Petition requesting rehearing and clarification of the commission's April 25, 2008 order denying petition of public utility law project	To consider whether to grant or deny, in whole or in part, the May 7, 2008 Public Utility Law Project (PULP) petition for rehearing and clarification of the commission's April 25, 2008 order denying petition of Public Utility Law Project
*PSC-25-08-00007-P	..... exempt	Policies and procedures regarding the selection of regulatory proposals to meet reliability needs	To establish policies and procedures regarding the selection of regulatory proposals to meet reliability needs
*PSC-25-08-00008-P	..... exempt	Report on Callable Load Opportunities	Rider U report assessing callable load opportunities in New York City and Westchester County during the next 10 years
*PSC-28-08-00004-P	..... exempt	Con Edison's procedure for providing customers access to their account information	To consider Con Edison's implementation plan and timetable for providing customers access to their account information
*PSC-31-08-00025-P	..... exempt	Recovery of reasonable DRS costs from the cost mitigation reserve (CMR)	To authorize recovery of the DRS costs from the CMR
*PSC-32-08-00009-P	..... exempt	The ESCO referral program for KEDNY to be implemented by October 1, 2008	To approve, reject or modify, in whole or in part, KEDNY's recommended ESCO referral program
*PSC-33-08-00008-P	..... exempt	Noble Allegany's request for lightened regulation	To consider Noble Allegany's request for lightened regulation as an electric corporation

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-36-08-00019-P	..... exempt	Land Transfer in the Borough of Manhattan, New York	To consider petition for transfer of real property to NYPH
*PSC-39-08-00010-P	..... exempt	RG&E's economic development plan and tariffs	Consideration of the approval of RG&E's economic development plan and tariffs
*PSC-40-08-00010-P	..... exempt	Loans from regulated company to its parent	To determine if the cash management program resulting in loans to the parent should be approved
*PSC-41-08-00009-P	..... exempt	Transfer of control of cable TV franchise	To determine if the transfer of control of Margaretville's cable TV subsidiary should be approved
*PSC-43-08-00014-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-46-08-00008-P	..... exempt	Property transfer in the Village of Avon, New York	To consider a petition for the transfer of street lighting and attached equipment to the Village of Avon, New York
*PSC-46-08-00010-P	..... exempt	A transfer of indirect ownership interests in nuclear generation facilities	Consideration of approval of a transfer of indirect ownership interests in nuclear generation facilities
*PSC-46-08-00014-P	..... exempt	The attachment of cellular antennae to an electric transmission tower	To approve, reject or modify the request for permission to attach cellular antennae to an electric transmission tower
*PSC-48-08-00005-P	..... exempt	A National Grid high efficiency gas heating equipment rebate program	To expand eligibility to customers converting from oil to natural gas
*PSC-48-08-00008-P	..... exempt	Petition for the master metering and submetering of electricity	To consider the request of Bay City Metering, to master meter & submeter electricity at 345 E. 81st St., New York, New York
*PSC-48-08-00009-P	..... exempt	Petition for the submetering of electricity	To consider the request of PCV/ST to submeter electricity at Peter Cooper Village & Stuyvesant Town, New York, New York
*PSC-50-08-00018-P	..... exempt	Market Supply Charge	A study on the implementation of a revised Market Supply Charge
*PSC-51-08-00006-P	..... exempt	Commission's October 27, 2008 Order on Future of Retail Access Programs in Case 07-M-0458	To consider a Petition for rehearing of the Commission's October 27, 2008 Order in Case 07-M-0458
*PSC-51-08-00007-P	..... exempt	Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078	To consider Petitions for rehearing of the Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078
*PSC-53-08-00011-P	..... exempt	Use of deferred Rural Telephone Bank funds	To determine if the purchase of a softswitch by Hancock is an appropriate use of deferred Rural Telephone Bank funds
*PSC-53-08-00012-P	..... exempt	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY
*PSC-53-08-00013-P	..... exempt	To transfer common stock and ownership	To consider transfer of common stock and ownership



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-01-09-00015-P	..... exempt	FCC decision to redefine service area of Citizens/Frontier	Review and consider FCC proposed redefinition of Citizens/Frontier service area
*PSC-02-09-00010-P	..... exempt	Competitive classification of independent local exchange company, and regulatory relief appropriate thereto	To determine if Chazy & Westport Telephone Corporation more appropriately belongs in scenario 1 rather than scenario 2
*PSC-05-09-00008-P	..... exempt	Revenue allocation, rate design, performance metrics, and other non-revenue requirement issues	To consider any remaining non-revenue requirement issues related to the Company's May 9, 2008 tariff filing
*PSC-05-09-00009-P	..... exempt	Numerous decisions involving the steam system including cost allocation, energy efficiency and capital projects	To consider the long term impacts on steam rates and on public policy of various options concerning the steam system
*PSC-06-09-00007-P	..... exempt	Interconnection of the networks between Frontier Comm. and WVT Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier Comm. and WVT Comm.
*PSC-07-09-00015-P	..... exempt	Transfer certain utility assets located in the Town of Montgomery from plant held for future use to non-utility property	To consider the request to transfer certain utility assets located in the Town of Montgomery to non-utility assets
*PSC-07-09-00017-P	..... exempt	Request for authorization to defer the incremental costs incurred in the restoration work resulting from the ice storm	To allow the company to defer the incremental costs incurred in the restoration work resulting from the ice storm
*PSC-07-09-00018-P	..... exempt	Whether to permit the submetering of natural gas service to an industrial and commercial customer at Cooper Union, New York, NY	To consider the request of Cooper Union, to submeter natural gas at 41 Cooper Square, New York, New York
*PSC-12-09-00010-P	..... exempt	Charges for commodity	To charge customers for commodity costs
*PSC-12-09-00012-P	..... exempt	Charges for commodity	To charge customers for commodity costs
*PSC-13-09-00008-P	..... exempt	Options for making additional central office codes available in the 718/347 numbering plan area	To consider options for making additional central office codes available in the 718/347 numbering plan area
*PSC-14-09-00014-P	..... exempt	The regulation of revenue requirements for municipal utilities by the Public Service Commission	To determine whether the regulation of revenue requirements for municipal utilities should be modified
*PSC-16-09-00010-P	..... exempt	Petition for the submetering of electricity	To consider the request of AMPS on behalf of Park Imperial to submeter electricity at 230 W. 56th Street, in New York, New York
*PSC-16-09-00020-P	..... exempt	Whether SUNY's core accounts should be exempt from the mandatory assignment of local distribution company (LDC) capacity	Whether SUNY's core accounts should be exempt from the mandatory assignment of local distribution company (LDC) capacity
*PSC-17-09-00010-P	..... exempt	Whether to permit the use of Elster REX2 solid state electric meter for use in residential and commercial accounts	To permit electric utilities in New York State to use the Elster REX2
*PSC-17-09-00011-P	..... exempt	Whether Brooklyn Navy Yard Cogeneration Partners, L.P. should be reimbursed by Con Edison for past and future use taxes	Whether Brooklyn Navy Yard Cogeneration Partners, L.P. should be reimbursed by Con Edison for past and future use taxes

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-17-09-00012-P	..... exempt	Petition for the submetering of gas at commercial property	To consider the request of Turner Construction, to submeter natural gas at 550 Short Ave., & 10 South St., Governors Island, NY
*PSC-17-09-00014-P	..... exempt	Benefit-cost framework for evaluating AMI programs prepared by the DPS Staff	To consider a benefit-cost framework for evaluating AMI programs prepared by the DPS Staff
*PSC-17-09-00015-P	..... exempt	The construction of a tower for wireless antennas on land owned by National Grid	To approve, reject or modify the petition to build a tower for wireless antennas in the Town of Onondaga
*PSC-18-09-00012-P	..... exempt	Petition for rehearing of Order approving the submetering of electricity	To consider the request of Frank Signore to rehear petition to submeter electricity at One City Place in White Plains, New York
*PSC-18-09-00013-P	..... exempt	Petition for the submetering of electricity	To consider the request of Living Opportunities of DePaul to submeter electricity at E. Main St. located in Batavia, New York
*PSC-18-09-00017-P	..... exempt	Approval of an arrangement for attachment of wireless antennas to the utility's transmission facilities in the City of Yonkers	To approve, reject or modify the petition for the existing wireless antenna attachment to the utility's transmission tower
*PSC-20-09-00016-P	..... exempt	The recovery of, and accounting for, costs associated with the Companies' advanced metering infrastructure (AMI) pilots etc	To consider a filing of the Companies as to the recovery of, and accounting for, costs associated with it's AMI pilots etc
*PSC-20-09-00017-P	..... exempt	The recovery of, and accounting for, costs associated with CHG&E's AMI pilot program	To consider a filing of CHG&E as to the recovery of, and accounting for, costs associated with it's AMI pilot program
*PSC-22-09-00011-P	..... exempt	Cost allocation for Consolidated Edison's East River Repowering Project	To determine whether any changes are warranted in the cost allocation of Consolidated Edison's East River Repowering Project
*PSC-25-09-00005-P	..... exempt	Whether to grant, deny, or modify, in whole or in part, the petition	Whether to grant, deny, or modify, in whole or in part, the petition
*PSC-25-09-00006-P	..... exempt	Electric utility implementation plans for proposed web based SIR application process and project status database	To determine if the proposed web based SIR systems are adequate and meet requirements needed for implementation
*PSC-25-09-00007-P	..... exempt	Electric rates for Consolidated Edison Company of New York, Inc	Consider a Petition for Rehearing filed by Consolidated Edison Company of New York, Inc
*PSC-27-09-00011-P	..... exempt	Interconnection of the networks between Vernon and tw telecom of new york l.p. for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Vernon and TW Telecom of New York L.P.
*PSC-27-09-00014-P	..... exempt	Billing and payment for energy efficiency measures through utility bill	To promote energy conservation
*PSC-27-09-00015-P	..... exempt	Interconnection of the networks between Oriskany and tw telecom of new york l.p. for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Oriskany and TW Telecom of New York L.P.
*PSC-29-09-00011-P	..... exempt	Consideration of utility compliance filings	Consideration of utility compliance filings

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-32-09-00009-P	..... exempt	Cost allocation for Consolidated Edison's East River Repowering Project	To determine whether any changes are warranted in the cost allocation of Consolidated Edison's East River Repowering Project
*PSC-34-09-00016-P	..... exempt	Recommendations made in the Management Audit Final Report	To consider whether to take action or recommendations contained in the Management Audit Final Report
*PSC-34-09-00017-P	..... exempt	To consider the transfer of control of Plattsburgh Cablevision, Inc. d/b/a Charter Communications to CH Communications, LLC	To allow the Plattsburgh Cablevision, Inc. to distribute its equity interest in CH Communications, LLC
*PSC-36-09-00008-P	..... exempt	The increase in the non-bypassable charge implemented by RG&E on June 1, 2009	Considering exemptions from the increase in the non-bypassable charge implemented by RG&E on June 1, 2009
*PSC-37-09-00015-P	..... exempt	Sale of customer-generated steam to the Con Edison steam system	To establish a mechanism for sale of customer-generated steam to the Con Edison steam system
*PSC-37-09-00016-P	..... exempt	Applicability of electronic signatures to Deferred Payment Agreements	To determine whether electronic signatures can be accepted for Deferred Payment Agreements
*PSC-39-09-00015-P	..... exempt	Modifications to the \$5 Bill Credit Program	Consideration of petition of National Grid to modify the Low Income \$5 Bill Credit Program
*PSC-39-09-00018-P	..... exempt	The offset of deferral balances with Positive Benefit Adjustments	To consider a petition to offset deferral balances with Positive Benefit Adjustments
*PSC-40-09-00013-P	..... exempt	Uniform System of Accounts - request for deferral and amortization of costs	To consider a petition to defer and amortize costs
*PSC-51-09-00029-P	..... exempt	Rules and guidelines for the exchange of retail access data between jurisdictional utilities and eligible ESCOs	To revise the uniform Electronic Data Interchange Standards and business practices to incorporate a contest period
*PSC-51-09-00030-P	..... exempt	Waiver or modification of Capital Expenditure condition of merger	To allow the companies to expend less funds for capital improvement than required by the merger
*PSC-52-09-00006-P	..... exempt	ACE's petition for rehearing for an order regarding generator-specific energy deliverability study methodology	To consider whether to change the Order Prescribing Study Methodology
*PSC-52-09-00008-P	..... exempt	Approval for the New York Independent System Operator, Inc. to incur indebtedness and borrow up to \$50,000,000	To finance the renovation and construction of the New York Independent System Operator, Inc.'s power control center facilities
*PSC-05-10-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of University Residences - Rochester, LLC to submeter electricity at 220 John Street, Henrietta, NY
*PSC-05-10-00015-P	..... exempt	Petition for the submetering of electricity	To consider the request of 243 West End Avenue Owners Corp. to submeter electricity at 243 West End Avenue, New York, NY
*PSC-06-10-00022-P	..... exempt	The Commission's Order of December 17, 2009 related to redevelopment of Consolidated Edison's Hudson Avenue generating facility	To reconsider the Commission's Order of December 17, 2009 related to redevelopment of the Hudson Avenue generating facility

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-07-10-00009-P	..... exempt	Petition to revise the Uniform Business Practices	To consider the RESA petition to allow rescission of a customer request to return to full utility service
*PSC-08-10-00007-P	..... exempt	Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847	Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847
*PSC-08-10-00009-P	..... exempt	Consolidated Edison of New York, Inc. energy efficiency programs	To modify approved energy efficiency programs
*PSC-12-10-00015-P	..... exempt	Recommendations made by Staff intended to enhance the safety of Con Edison's gas operations	To require that Con Edison implement the Staff recommendations intended to enhance the safety of Con Edison's gas operations
*PSC-14-10-00010-P	..... exempt	Petition for the submetering of electricity	To consider the request of 61 Jane Street Owners Corporation to submeter Electricity at 61 Jane Street, Manhattan, NY
*PSC-16-10-00005-P	..... exempt	To consider adopting and expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-16-10-00007-P	..... exempt	Interconnection of the networks between TDS Telecom and PAETEC Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between TDS Telecom and PAETEC Communications
*PSC-16-10-00015-P	..... exempt	Interconnection of the networks between Frontier and Choice One Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier and Choice One Communications
*PSC-18-10-00009-P	..... exempt	Electric utility transmission right-of-way management practices	To consider electric utility transmission right-of-way management practices
*PSC-19-10-00022-P	..... exempt	Whether National Grid should be permitted to transfer a parcel of property located at 1 Eddy Street, Fort Edward, New York	To decide whether to approve National Grid's request to transfer a parcel of vacant property in Fort Edward, New York
*PSC-22-10-00006-P	..... exempt	Requirement that Noble demonstrate that its affiliated electric corporations operating in New York are providing safe service	Consider requiring that Noble demonstrate that its affiliated electric corporations in New York are providing safe service
*PSC-22-10-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of 48-52 Franklin Street to submeter electricity at 50 Franklin Street, New York, New York
*PSC-24-10-00009-P	..... exempt	Verizon New York Inc. tariff regulations relating to voice messaging service	To remove tariff regulations relating to retail voice messaging service from Verizon New York Inc.'s tariff
*PSC-25-10-00012-P	..... exempt	Reassignment of the 2-1-1 abbreviated dialing code	Consideration of petition to reassign the 2-1-1 abbreviated dialing code
*PSC-27-10-00016-P	..... exempt	Petition for the submetering of electricity	To consider the request of 9271 Group, LLC to submeter electricity at 960 Busti Avenue, Buffalo, New York
*PSC-34-10-00003-P	..... exempt	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-34-10-00005-P	..... exempt	Approval of a contract for \$250,000 in tank repairs that may be a financing	To decide whether to approve a contract between the parties that may be a financing of \$250,000 for tank repairs
*PSC-34-10-00006-P	..... exempt	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program
*PSC-36-10-00010-P	..... exempt	Central Hudson's procedures, terms and conditions for an economic development plan	Consideration of Central Hudson's procedures, terms and conditions for an economic development plan
*PSC-40-10-00014-P	..... exempt	Disposition of a state sales tax refund	To determine how much of a state sales tax refund should be retained by National Grid
*PSC-40-10-00021-P	..... exempt	Whether to permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall	To permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall
*PSC-41-10-00018-P	..... exempt	Amount of hourly interval data provided to Hourly Pricing customers who have not installed a phone line to read meter	Allow Central Hudson to provide less than a years worth of interval data and charge for manual meter reading for some customers
*PSC-41-10-00022-P	..... exempt	Request for waiver of the individual living unit metering requirements at 5742 Route 5, Vernon, NY	Request for waiver of the individual living unit metering requirements at 5742 Route 5, Vernon, NY
*PSC-42-10-00011-P	..... exempt	Petition for the submetering of electricity	To consider the request of 4858 Group, LLC to submeter electricity at 456 Main Street, Buffalo, New York
*PSC-43-10-00016-P	..... exempt	Utility Access to Ducts, Conduit Facilities and Utility Poles	To review the complaint from Optical Communications Group
*PSC-44-10-00003-P	..... exempt	Third and fourth stage gas rate increase by Corning Natural Gas Corporation	To consider Corning Natural Gas Corporation's request for a third and fourth stage gas rate increase
*PSC-51-10-00018-P	..... exempt	Commission proceeding concerning three-phase electric service by all major electric utilities	Investigate the consistency of the tariff provisions for three-phase electric service for all major electric utilities
*PSC-11-11-00003-P	..... exempt	The proposed transfer of 55.42 acres of land and \$1.4 million of revenues derived from the rendition of public service	The proposed transfer of 55.42 acres of land and \$1.4 million of revenues derived from the rendition of public service
*PSC-13-11-00005-P	..... exempt	Exclude the minimum monthly bill component from the earnings test calculation	Exclude the minimum monthly bill component from the earnings test calculation
*PSC-14-11-00009-P	..... exempt	Petition for the submetering of electricity	To consider the request of 83-30 118th Street to submeter electricity at 83-30 118th Street, Kew Gardens, New York
*PSC-19-11-00007-P	..... exempt	Utility price reporting requirements related to the Commission's "Power to Choose" website	Modify the Commission's utility electric commodity price reporting requirements related to the "Power to Choose" website
*PSC-20-11-00012-P	..... exempt	Petition for the submetering of electricity	To consider the request of KMW Group LLC to submeter electricity at 122 West Street, Brooklyn, New York

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-20-11-00013-P	..... exempt	Determining the reasonableness of Niagara Mohawk Power Corporation d/b/a National Grid 's make ready charges	To determine if the make ready charges of Niagara Mohawk Power Corporation d/b/a National Grid are reasonable
*PSC-22-11-00004-P	..... exempt	Whether to permit the use of the Sensus accWAVE for use in residential gas meter applications	To permit gas utilities in New York State to use the Sensus accWAVE diaphragm gas meter
*PSC-26-11-00007-P	..... exempt	Water rates and charges	To approve an increase in annual revenues by about \$25,266 or 50%
*PSC-26-11-00009-P	..... exempt	Petition for the submetering of electricity at commercial property	To consider the request of by Hoosick River Hardwoods, LLC to submeter electricity at 28 Taylor Avenue, in Berlin, New York
*PSC-26-11-00012-P	..... exempt	Waiver of generation retirement notice requirements	Consideration of waiver of generation retirement notice requirements
*PSC-29-11-00011-P	..... exempt	Petition requesting the Commission reconsider its May 19, 2011 Order and conduct a hearing, and petition to stay said Order	To consider whether to grant or deny, in whole or in part, Windstream New York's Petition For Reconsideration and Rehearing
*PSC-35-11-00011-P	..... exempt	Whether to permit Consolidated Edison a waiver to commission regulations Part 226.8	Permit Consolidated Edison to conduct a inspection program in lieu of testing the accuracy of Category C meters
*PSC-36-11-00006-P	..... exempt	To consider expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-38-11-00002-P	..... exempt	Operation and maintenance procedures pertaining to steam trap caps	Adopt modified steam operation and maintenance procedures
*PSC-38-11-00003-P	..... exempt	Waiver of certain provisions of the electric service tariffs of Con Edison	Consideration of waiver of certain provisions of the electric service tariffs of Con Edison
*PSC-40-11-00010-P	..... exempt	Participation of regulated local exchange carriers in the New York Data Exchange, Inc. (NYDE)	Whether to partially modify its order requiring regulated local exchange carriers' participation NYDE
*PSC-40-11-00012-P	..... exempt	Granting of transfer of plant in-service to a regulatory asset	To approve transfer and recovery of unamortized plant investment
*PSC-42-11-00018-P	..... exempt	Availability of telecommunications services in New York State at just and reasonable rates	Providing funding support to help ensure availability of affordable telecommunications service throughout New York
*PSC-43-11-00012-P	..... exempt	Transfer of outstanding shares of stock	Transfer the issued outstanding shares of stock of The Meadows at Hyde Park Water-Works Corporation to HPWS, LLC
*PSC-47-11-00007-P	..... exempt	Remedying miscalculations of delivered gas as between two customer classes	Consideration of Con Edison's proposal to address inter-class delivery imbalances resulting from past Company miscalculations
*PSC-48-11-00007-P	..... exempt	Transfer of controlling interests in generation facilities from Dynegy to PSEG	Consideration of the transfer of controlling interests in electric generation facilities from Dynegy to PSEG
*PSC-48-11-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of To Better Days, LLC to submeter electricity at 37 East 4th Street, New York, New York

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-37-12-00009-P	..... exempt	Proposed modification by Con Edison of its procedures to calculate estimated bills to its customers	Proposed modification by Con Edison of its procedures to calculate estimated bills to its customers
*PSC-42-12-00009-P	..... exempt	Regulation of Gipsy Trail Club, Inc.'s long-term financing agreements	To exempt Gipsy Trail Club, Inc. from Commission regulation of its financing agreements
*PSC-45-12-00008-P	..... exempt	Whether to grant, deny or modify, in whole or part, ESHG's petition for a waiver of Commission policy and RG&E tariff	Whether to grant, deny or modify, in whole or part, ESHG's petition for a waiver of Commission policy and RG&E tariff
*PSC-45-12-00010-P	..... exempt	Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District	Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District
*PSC-50-12-00003-P	..... exempt	Affiliate standards for Corning Natural Gas Corporation	To resolve issues raised by Corning Natural Gas Corporation in its petition for rehearing
*PSC-04-13-00006-P	..... exempt	Expansion of mandatory day ahead hourly pricing for customers of Orange and Rockland Utilities with demands above 100 kW	To consider the expansion of mandatory day ahead hourly pricing for customers with demands above 100 kW
*PSC-04-13-00007-P	..... exempt	Authorization to transfer certain real property	To decide whether to approve the transfer of certain real property
*PSC-06-13-00008-P	..... exempt	Verizon New York Inc.'s retail service quality	To investigate Verizon New York Inc.'s retail service quality
*PSC-08-13-00012-P	..... exempt	Filing requirements for certain Article VII electric facilities	To ensure that applications for certain electric transmission facilities contain pertinent information
*PSC-08-13-00014-P	..... exempt	Uniform System of Accounts - Request for Accounting Authorization	To allow the company to defer an item of expense or capital beyond the end of the year in which it was incurred
*PSC-12-13-00007-P	..... exempt	Protecting company water mains	To allow the company to require certain customers to make changes to the electrical grounding system at their homes
*PSC-13-13-00008-P	..... exempt	The potential waiver of 16 NYCRR 255.9221(d) completion of integrity assessments for certain gas transmission lines	To determine whether a waiver of the timely completion of certain gas transmission line integrity assessments should be granted
*PSC-18-13-00007-P	..... exempt	Whether Demand Energy Networks energy storage systems should be designated technologies for standby rate eligibility purposes	Whether Demand Energy Networks energy storage systems should be designated technologies for standby rate eligibility purposes
*PSC-21-13-00003-P	..... exempt	To consider policies that may impact consumer acceptance and use of electric vehicles	To consider and further develop policies that may impact consumer acceptance and use of electric vehicles
*PSC-21-13-00005-P	..... exempt	To implement an abandonment of Windover's water system	To approve the implementation of abandonment of Windover's water system
*PSC-21-13-00008-P	..... exempt	Rates of National Fuel Gas Distribution Corporation	To make the rates of National Fuel Gas Distribution Corporation temporary, subject to refund, if they are found to be excessive



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-21-13-00009-P	..... exempt	Reporting requirements for natural gas local distribution companies	To help ensure efficient and economic expansion of the natural gas system as appropriate
*PSC-22-13-00009-P	..... exempt	On remand from New York State court litigation, determine the recovery of certain deferred amounts owed NFG by ratepayers	On remand, to determine the recovery of certain deferral amounts owed NFG from ratepayers
*PSC-23-13-00005-P	..... exempt	Waiver of partial payment, directory database distribution, service quality reporting, and service termination regulations	Equalize regulatory treatment based on level of competition and practical considerations
*PSC-25-13-00008-P	..... exempt	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request
*PSC-25-13-00009-P	..... exempt	Provision by utilities of natural gas main and service lines	To help ensure efficient and economic expansion of the natural gas system as appropriate
*PSC-25-13-00012-P	..... exempt	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request
*PSC-27-13-00014-P	..... exempt	Columbia Gas Transmission Corporation Cost Refund	For approval for temporary waiver of tariff provisions regarding its Columbia Gas Transmission Corporation cost refund
*PSC-28-13-00014-P	..... exempt	Provision for the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces	To consider the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces
*PSC-28-13-00016-P	..... exempt	The request of NGT for lightened regulation as a gas corporation	To consider whether to approve, reject, or modify the request of Niagara gas transport of Lockport, NY LLC
*PSC-28-13-00017-P	..... exempt	The request by TE for waiver of regulations requiring that natural gas be odorized in certain gathering line segments	Consider the request by TE for waiver of regulations that gas be odorized in certain lines
*PSC-32-13-00009-P	..... exempt	To consider the definition of "misleading or deceptive conduct" in the Commission's Uniform Business Practices	To consider the definition of "misleading or deceptive conduct" in the Commission's Uniform Business Practices
*PSC-32-13-00012-P	..... exempt	To consider whether NYSEG should be required to undertake actions to protect its name and to minimize customer confusion	To consider whether NYSEG should be required to undertake actions to protect its name and to minimize customer confusion
*PSC-33-13-00027-P	..... exempt	Waive underground facility requirements for new construction in residential subdivisions to allow for overhead electric lines	Determine whether Chapin Lumberland, LLC subdivision will be allowed overhead electric distribution and service lines
*PSC-33-13-00029-P	..... exempt	Deferral of incremental costs associated with the restoration of steam service following Superstorm Sandy	To consider a petition by Con Edison to defer certain incremental steam system restoration costs relating to Superstorm Sandy
*PSC-34-13-00004-P	..... exempt	Escrow account and surcharge to fund extraordinary repairs	To approve the establishment of an escrow account and surcharge
*PSC-42-13-00013-P	..... exempt	Failure to Provide Escrow Information	The closure of the Escrow Account
*PSC-42-13-00015-P	..... exempt	Failure to Provide Escrow Information	The closure of the Escrow Account

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-43-13-00015-P	..... exempt	Petition for submetering of electricity	To consider the request of 2701 Kingsbridge Terrace L.P. to submeter electricity at 2701 Kingsbridge Terrace, Bronx, N.Y.
*PSC-45-13-00021-P	..... exempt	Investigation into effect of bifurcation of gas and electric utility service on Long Island	To consider a Petition for an investigation into effect of bifurcation of gas and electric utility service on Long Island
*PSC-45-13-00022-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4)	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00023-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4)	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00024-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4); waiver of filing deadlines	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00025-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4)	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-47-13-00009-P	..... exempt	Petition for submetering of electricity	To consider the request of Hegeman Avenue Housing L.P. to submeter electricity at 39 Hegeman Avenue, Brooklyn, N.Y.
*PSC-47-13-00012-P	..... exempt	Conditioning, restricting or prohibiting the purchase of services by NYSEG and RG&E from certain affiliates	Consideration of conditioning, restricting or prohibiting the purchase of services by NYSEG and RG&E from certain affiliates
*PSC-49-13-00008-P	..... exempt	Authorization to transfer all of Crystal Water Supply Company, Inc. stocks to Essel Infra West Inc.	To allow Crystal Water Supply Company, Inc to transfer all of its issued and outstanding stocks to Essel Infra West Inc.
*PSC-51-13-00009-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates
*PSC-51-13-00010-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates
*PSC-51-13-00011-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates
*PSC-52-13-00012-P	..... exempt	The development of reliability contingency plan(s) to address the potential retirement of Indian Point Energy Center (IPEC)	To address the petition for rehearing and reconsideration/motion for clarification of the IPEC reliability contingency plan(s)
*PSC-52-13-00015-P	..... exempt	To enter into a loan agreement with the banks for up to an amount of \$94,000	To consider allowing Knolls Water Company to enter into a long-term loan agreement
*PSC-05-14-00010-P	..... exempt	The New York State Reliability Council's revisions to its rules and measurements	To adopt revisions to various rules and measurements of the New York State Reliability Council
*PSC-07-14-00008-P	..... exempt	Petition for submetering of electricity	To consider the request of Greater Centennial Homes HDFC, Inc. to submeter electricity at 102, 103 and 106 W 5th Street, et al.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-07-14-00012-P	..... exempt	Water rates and charges	Implementation of Long-Term Water Supply Surcharge to recover costs associated with the Haverstraw Water Supply Project
*PSC-08-14-00015-P	..... exempt	Verizon New York Inc.'s service quality and Customer Trouble Report Rate (CTRR) levels at certain central office entities	To improve Verizon New York Inc.'s service quality and the Customer Trouble Report Rate levels at certain central office entities
*PSC-10-14-00006-P	..... exempt	Actions to facilitate the availability of ESCO value-added offerings, ESCO eligibility and ESCO compliance	To facilitate ESCO value-added offerings and to make changes to ESCO eligibility and to ensure ESCO compliance
*PSC-11-14-00003-P	..... exempt	Provision for the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces	To consider the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces
*PSC-16-14-00014-P	..... exempt	Whether to order NYSEG to provide gas service to customers when an expanded CPCN is approved and impose PSL 25-a penalties	To order gas service to customers in the Town of Plattsburgh after approval of a town wide CPCN and to impose penalties
*PSC-16-14-00015-P	..... exempt	Whether Central Hudson should be permitted to defer obligations of the Order issued on October 18, 2013 in Case 13-G-0336	Consideration of the petition by Central Hudson to defer reporting obligations of the October 18, 2013 Order in Case 13-G-0336
*PSC-17-14-00003-P	..... exempt	Con Edison's Report on its 2013 performance under the Electric Service Reliability Performance Mechanism	Con Edison's Report on its 2013 performance under the Electric Service Reliability Performance Mechanism
*PSC-17-14-00004-P	..... exempt	To consider certain portions of petitions for rehearing, reconsideration and/or clarification	To consider certain portions of petitions for rehearing, reconsideration and/or clarification
*PSC-17-14-00007-P	..... exempt	To consider petitions for rehearing, reconsideration and/or clarification	To consider petitions for rehearing, reconsideration and/or clarification
*PSC-17-14-00008-P	..... exempt	To consider certain portions of petitions for rehearing, reconsideration and/or clarification	To consider certain portions of petitions for rehearing, reconsideration and/or clarification
*PSC-19-14-00014-P	..... exempt	Market Supply Charge	To make tariff revisions to the Market Supply Charge for capacity related costs
*PSC-19-14-00015-P	..... exempt	Whether to permit the use of the Sensus accuWAVE for use in residential and commercial gas meter applications	To permit gas utilities in New York State to use the Sensus accuWAVE 415TC gas meter
*PSC-22-14-00013-P	..... exempt	Petition to transfer and merge systems, franchises and assets	To consider the Comcast and Time Warner Cable merger and transfer of systems, franchises and assets
*PSC-23-14-00010-P	..... exempt	Whether to permit the use of the GE Dresser Series B3-HPC 11M-1480 rotary gas met for use in industrial gas meter applications	To permit gas utilities in New York State to use the GE Dresser Series B3-HPC 11M-1480 rotary gas meter
*PSC-23-14-00014-P	..... exempt	Waiver of the negative revenue adjustment associated with KEDLI's 2013 Customer Satisfaction Performance Metric	Consideration of KEDLI's waiver request pertaining to its 2013 performance under its Customer Satisfaction Metric
*PSC-24-14-00005-P	..... exempt	To examine LDC's performance and performance measures	To improve gas safety performance
*PSC-26-14-00013-P	..... exempt	Waiver of RG&E's tariffed definition of emergency generator	To consider waiver of RG&E's tariffed definition of emergency generator

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-26-14-00020-P	..... exempt	New electric utility backup service tariffs and standards for interconnection may be adopted	To encourage development of microgrids that enhance the efficiency, safety, reliability and resiliency of the electric grid
*PSC-26-14-00021-P	..... exempt	Consumer protections, standards and protocols pertaining to access to customer data may be established	To balance the need for the information necessary to support a robust market with customer privacy concerns
*PSC-28-14-00014-P	..... exempt	Petition to transfer systems, franchises and assets	To consider the Comcast and Charter transfer of systems, franchise and assets
*PSC-30-14-00023-P	..... exempt	Whether to permit the use of the Sensus iPERL Fire Flow Meter	Pursuant to 16 NYCRR Part 500.3 , it is necessary to permit the use of the Sensus iPERL Fire Flow Meter
*PSC-30-14-00026-P	..... exempt	Petition for a waiver to master meter electricity	Considering the request of Renaissance Corporation of to master meter electricity at 100 Union Drive, Albany, NY
*PSC-31-14-00004-P	..... exempt	To transfer 100% of the issued and outstanding stock from Vincent Cross to Bonnie and Michael Cross	To transfer 100% of the issued and outstanding stock from Vincent Cross to Bonnie and Michael Cross
*PSC-32-14-00012-P	..... exempt	Whether to grant or deny, in whole or in part, the Connect New York Coalition's petition	To consider the Connect New York Coalition's petition seeking a formal investigation and hearings
*PSC-35-14-00004-P	..... exempt	Regulation of a proposed electricity generation facility located in the Town of Brookhaven, NY	To consider regulation of a proposed electricity generation facility located in the Town of Brookhaven, NY
*PSC-35-14-00005-P	..... exempt	Whether to permit the use of the Sensus iConA electric meter	Pursuant to 16 NYCRR Parts 92 and 93, Commission approval is necessary to permit the use of the Sensus iConA electric meter
*PSC-36-14-00009-P	..... exempt	Modification to the Commission's Electric Safety Standards	To consider revisions to the Commission's Electric Safety Standards
*PSC-38-14-00003-P	..... exempt	Whether to approve, reject or modify, in whole or in part a time-sensitive rate pilot program	Whether to approve, reject or modify, in whole or in part a time-sensitive rate pilot program
*PSC-38-14-00004-P	..... exempt	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn
*PSC-38-14-00005-P	..... exempt	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2
*PSC-38-14-00007-P	..... exempt	Whether to expand Con Edison's low income program to include Medicaid recipients	Whether to expand Con Edison's low income program to include Medicaid recipients
*PSC-38-14-00008-P	..... exempt	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn
*PSC-38-14-00010-P	..... exempt	Inter-carrier telephone service quality standard and metrics and administrative changes	To review recommendations from the Carrier Working Group and incorporate appropriate modifications to the existing Guidelines



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-38-14-00012-P	..... exempt	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2
*PSC-39-14-00020-P	..... exempt	Whether to permit the use of the Mueller Systems 400 Series and 500 Series of water meters	Pursuant to 16 NYCRR section 500.3, whether to permit the use of the Mueller Systems 400, and 500 Series of water meters
*PSC-40-14-00008-P	..... exempt	To consider granting authorization for Buy Energy Direct to resume marketing to residential customers	To consider granting authorization for Buy Energy Direct to resume marketing to residential customers
*PSC-40-14-00009-P	..... exempt	Whether to permit the use of the Itron Open Way Centron Meter with Hardware 3.1 for AMR and AMI functionality	Pursuant to 16 NYCRR Parts 93, is necessary to permit the use of the Itron Open Way Centron Meter with Hardware 3.1
*PSC-40-14-00011-P	..... exempt	Late Payment Charge	To modify Section 7.6 - Late Payment Charge to designate a specific time for when a late payment charge is due
*PSC-40-14-00013-P	..... exempt	Regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY	To consider regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY
*PSC-40-14-00014-P	..... exempt	Waiver of 16 NYCRR Sections 894.1 through 894.4(b)(2)	To allow the Town of Goshen, NY, to waive certain preliminary franchising procedures to expedite the franchising process
*PSC-40-14-00015-P	..... exempt	Late Payment Charge	To modify Section 6.6 - Late Payment Charge to designate a specific time for when a late payment charge is due
*PSC-42-14-00003-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-42-14-00004-P	..... exempt	Winter Bundled Sales Service Option	To modify SC-11 to remove language relating to fixed storage charges in the determination of the Winter Bundled Sales charge
*PSC-48-14-00014-P	..... exempt	Considering the recommendations contained in Staff's electric outage investigation report for MNRR, New Haven Line	To consider the recommendations contained in Staff's electric outage investigation report for MNRR, New Haven Line
*PSC-52-14-00019-P	..... exempt	Petition for a waiver to master meter electricity	Considering the request of 614 South Crouse Avenue, LLC to master meter electricity at 614 South Crouse Avenue, Syracuse, NY
*PSC-01-15-00014-P	..... exempt	State Universal Service Fund Disbursements	To consider Edwards Telephone Company's request for State Universal Service Fund disbursements
*PSC-08-15-00010-P	..... exempt	Request pertaining to the lawfulness of National Grid USA continuing its summary billing program	To grant, deny, or modify URAC Rate Consultants' request that National Grid cease its summary billing program
*PSC-10-15-00007-P	..... exempt	Notification concerning tax refunds	To consider Verizon New York Inc.'s partial rehearing or reconsideration request regarding retention of property tax refunds

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-10-15-00008-P	..... exempt	Whether to waive Policy on Test Periods in Major Rate Proceedings and provide authority to file tariff changes	Whether to waive Policy on Test Periods in Major Rate Proceedings and provide authority to file tariff changes
*PSC-13-15-00024-P	..... exempt	Whether Leatherstocking should be permitted to recover a shortfall in earnings	To decide whether to approve Leatherstocking's request to recover a shortfall in earnings
*PSC-13-15-00026-P	..... exempt	Whether to permit the use of the Sensus Smart Point Gas AMR/AMI product	To permit the use of the Sensus Smart Point Gas AMR/AMI product
*PSC-13-15-00027-P	..... exempt	Whether to permit the use of the Measurlogic DTS 310 electric submeter	To permit the use of the Measurlogic DTS 310 submeter
*PSC-13-15-00028-P	..... exempt	Whether to permit the use of the SATEC EM920 electric meter	To permit necessary to permit the use of the SATEC EM920 electric meter
*PSC-13-15-00029-P	..... exempt	Whether to permit the use the Triacta Power Technologies 6103, 6112, 6303, and 6312 electric submeters	To permit the use of the Triacta submeters
*PSC-17-15-00007-P	..... exempt	To consider the petition of Leatherstocking Gas Company, LLC seeking authority to issue long-term debt of \$2.75 million	To consider the petition of Leatherstocking Gas Company, LLC seeking authority to issue long-term debt of \$2.75 million
*PSC-18-15-00005-P	..... exempt	Con Edison's Report on its 2014 performance under the Electric Service Reliability Performance Mechanism	Con Edison's Report on its 2014 performance under the Electric Service Reliability Performance Mechanism
*PSC-19-15-00011-P	..... exempt	Gas Safety Performance Measures and associated negative revenue adjustments	To update the performance measures applicable to KeySpan Gas East Corporation d/b/a National Grid
*PSC-22-15-00015-P	..... exempt	To consider the request for waiver of the individual residential unit meter requirements and 16 NYCRR 96.1(a)	To consider the request for waiver of the individual residential unit meter requirements and 16 NYCRR 96.1(a)
*PSC-23-15-00005-P	..... exempt	The modification of New York American Water's current rate plan	Whether to adopt the terms of the Joint Proposal submitted by NYAW and DPS Staff
*PSC-23-15-00006-P	..... exempt	The modification of New York American Water's current rate plan	Whether to adopt the terms of the Joint Proposal submitted by NYAW and DPS Staff
*PSC-25-15-00008-P	..... exempt	Notice of Intent to Submeter electricity	To consider the request of 165 E 66 Residences, LLC to submeter electricity at 165 East 66th Street, New York, New York
*PSC-29-15-00025-P	..... exempt	Joint Petition for authority to transfer real property located at 624 West 132nd Street, New York, NY	Whether to authorize the proposed transfer of real property located at 624 West 132nd Street, New York, NY
*PSC-32-15-00006-P	..... exempt	Development of a Community Solar Demonstration Project	To approve the development of a Community Solar Demonstration Project
*PSC-33-15-00009-P	..... exempt	Remote net metering of a demonstration community net metering program	To consider approval of remote net metering of a demonstration community net metering program
*PSC-33-15-00012-P	..... exempt	Remote net metering of a Community Solar Demonstration Project	To consider approval of remote net metering of a Community Solar Demonstration Project

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-34-15-00021-P	..... exempt	Petition by NYCOM requesting assistance with obtaining information on CLECs and ESCOs	To consider the petition by NYCOM requesting assistance with obtaining information on CLECs and ESCOs
*PSC-35-15-00014-P	..... exempt	Consideration of consequences against Light Power & Gas, LLC for violations of the UBP	To consider consequences against Light Power & Gas, LLC for violations of the UBP
*PSC-37-15-00007-P	..... exempt	Submetered electricity	To consider the request of 89 Murray Street Ass. LLC, for clarification of the submetering order issued December 20, 2007
*PSC-40-15-00014-P	..... exempt	Whether to permit the use of the Open Way 3.5 with cellular communications	To consider the use of the Open Way 3.5 electric meter, pursuant to 16 NYCRR Parts 92 and 93
*PSC-42-15-00006-P	..... exempt	Deferral of incremental expenses associated with NERC's new Bulk Electric System (BES) compliance requirements approved by FERC	Consideration of Central Hudson's request to defer incremental expenses associated with new BES compliance requirements
*PSC-44-15-00028-P	..... exempt	Deferral of incremental expenses associated with new compliance requirements	Consideration of Central Hudson's request to defer incremental expenses associated with new compliance requirements
*PSC-47-15-00013-P	..... exempt	Whitepaper on Implementing Lightened Ratemaking Regulation	Consider Whitepaper on Implementing Lightened Ratemaking Regulation
*PSC-48-15-00011-P	..... exempt	Proposal to retire Huntley Units 67 and 68 on March 1, 2016	Consider the proposed retirement of Huntley Units 67 and 68
*PSC-50-15-00006-P	..... exempt	The reduction of rates	To consider the reduction of rates charged by Independent Water Works, Inc.
*PSC-50-15-00009-P	..... exempt	Notice of Intent to submeter electricity	To consider the request to submeter electricity at 31-33 Lincoln Road and 510 Flatbush Avenue, Brooklyn, New York
*PSC-51-15-00010-P	..... exempt	Modification of the EDP	To consider modifying the EDP
*PSC-01-16-00005-P	..... exempt	Proposed amendment to Section 5, Attachment 1.A of the Uniform Business Practices	To consider amendment to Section 5, Attachment 1.A of the Uniform Business Practices
*PSC-04-16-00007-P	..... exempt	Whether Hamilton Municipal Utilities should be permitted to construct and operate a municipal gas distribution facility	Consideration of the petition by Hamilton Municipal Utilities to construct and operate a municipal gas distribution facility
*PSC-04-16-00012-P	..... exempt	Proposal to mothball three gas turbines located at the Astoria Gas Turbine Generating Station	Consider the proposed mothball of three gas turbines located at the Astoria Gas Turbine Generating Station
*PSC-04-16-00013-P	..... exempt	Proposal to find that three gas turbines located at the Astoria Gas Turbine Generating Station are uneconomic	Consider whether three gas turbines located at the Astoria Gas Turbine Generating Station are uneconomic
*PSC-06-16-00013-P	..... exempt	Continued deferral of approximately \$16,000,000 in site investigation and remediation costs	To consider the continued deferral of approximately \$16,000,000 in site investigation and remediation costs
*PSC-06-16-00014-P	..... exempt	MEGA's proposed demonstration CCA program	To consider MEGA's proposed demonstration CCA program

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-14-16-00008-P	..... exempt	Resetting retail markets for ESCO mass market customers	To ensure consumer protections with respect to residential and small non-residential ESCO customers
*PSC-18-16-00013-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs	To ensure consumer protection for ESCO customers
*PSC-18-16-00014-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs	To ensure consumer protection for ESCO customers
*PSC-18-16-00015-P	..... exempt	Petitions for rehearing of the Order Resetting Retail Energy Markets and Establishing Further Process	To ensure consumer protections for ESCO customers
*PSC-18-16-00016-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs	To ensure consumer protection for ESCO customers
*PSC-18-16-00018-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs	To ensure consumer protection for ESCO customers
*PSC-20-16-00008-P	..... exempt	Consideration of consequences against Global Energy Group, LLC for violations of the Uniform Business Practices (UBP)	To consider consequences against Global Energy Group, LLC for violations of the Uniform Business Practices (UBP)
*PSC-20-16-00010-P	..... exempt	Deferral and recovery of incremental expense	To consider deferring costs of conducting leak survey and repairs for subsequent recovery
*PSC-20-16-00011-P	..... exempt	Enetics LD-1120 Non-Intrusive Load Monitoring Device in the Statewide Residential Appliance Metering Study	To consider the use of the Enetics LD-1120 Non-Intrusive Load Monitoring Device
*PSC-25-16-00009-P	..... exempt	To delay Companies' third-party assessments of customer personally identifiable information until 2018	To extend the time period between the Companies' third-party assessments of customer personally identifiable information
*PSC-25-16-00025-P	..... exempt	Acquisition of all water supply assets of Woodbury Heights Estates Water Co., Inc. by the Village of Kiryas Joel	To consider acquisition of all water supply assets of Woodbury Heights Estates Water Co., Inc. by the Village of Kiryas Joel
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-35-16-00015-P	..... exempt	NYSRC's revisions to its rules and measurements	To consider revisions to various rules and measurements of the NYSRC
*PSC-36-16-00004-P	..... exempt	Recovery of costs for installation of electric service	To consider the recovery of costs for installation of electric service
*PSC-40-16-00025-P	..... exempt	Consequences pursuant to the Commission's Uniform Business Practices (UBP)	To consider whether to impose consequences on Smart One for its apparent non-compliance with Commission requirements
*PSC-47-16-00009-P	..... exempt	Petition to use commercial electric meters	To consider the petition of Itron, Inc. to use the Itron CP2SO and CP2SOA in commercial electric meter applications
*PSC-47-16-00010-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00013-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00014-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00016-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-02-17-00010-P	..... exempt	Implementation of the four EAMs	To consider the implementation of EAMs for RG&E
*PSC-02-17-00012-P	..... exempt	Implementation of the four EAMs	To consider the implementation of EAMs for NYSEG
*PSC-18-17-00024-P	..... exempt	A petition for rehearing or reconsideration of the Order Addressing Public Policy Transmission Need for AC Transmission Upgrades	To determine whether Public Policy Transmission Need/Public Policy Requirements continue to exist
*PSC-18-17-00026-P	..... exempt	Revisions to the Dynamic Load Management surcharge	To consider revisions to the Dynamic Load Management surcharge
*PSC-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



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-26-17-00005-P	..... exempt	Notice of Intent to submeter electricity	To consider the Notice of Intent to submeter electricity at 125 Waverly Street, Yonkers, New York
*PSC-34-17-00011-P	..... exempt	Waiver to permit Energy Cooperative of America to serve low-income customers	To consider the petition for a waiver
*PSC-37-17-00005-P	..... exempt	Financial incentives to create customer savings and develop market-enabling tools, with a focus on outcomes and incentives	To consider the revised Interconnection Survey Process and Earnings Adjustment Mechanisms
*PSC-39-17-00011-P	..... exempt	Whether to direct New York State Electric & Gas to complete electric facility upgrades at no charge to Hanehan	To determine financial responsibility between NYSEG and Hanehan for the electric service upgrades to Hanehan
*PSC-42-17-00010-P	..... exempt	Petition for rehearing of negative revenue adjustment and contents of annual Performance Report	To consider NFGD's petition for rehearing
*PSC-48-17-00015-P	..... exempt	Low Income customer options for affordable water bills	To consider the Low Income Bill Discount and/or Energy Efficiency Rebate Programs
*PSC-50-17-00017-P	..... exempt	New Wave Energy Corp.'s petition for rehearing	To consider the petition for rehearing filed by New Wave Energy Corp.
*PSC-50-17-00018-P	..... exempt	Application of the Public Service Law to DER suppliers	To determine the appropriate regulatory framework for DER suppliers
*PSC-50-17-00019-P	..... exempt	Transfer of utility property	To consider the transfer of utility property
*PSC-50-17-00021-P	..... exempt	Disposition of tax refunds and other related matters	To consider the disposition of tax refunds and other related matters
*PSC-51-17-00011-P	..... exempt	Petition for recovery of certain costs related to the implementation of a Non-Wires Alternative Project	To consider Con Edison's petition for the recovery of costs for implementing the JFK Project
*PSC-04-18-00005-P	..... exempt	Notice of intent to submeter electricity	To consider the notice of intent of Montante/ Morgan Gates Circle LLC to submeter electricity
*PSC-05-18-00004-P	..... exempt	Lexington Power's ZEC compliance obligation	To promote and maintain renewable and zero-emission electric energy resources
*PSC-06-18-00012-P	..... exempt	To consider further proposed amendments to the original criteria to grandfathering established in the Transition Plan	To modify grandfathering criteria
*PSC-06-18-00017-P	..... exempt	Merger of NYAW and Whitlock Farms Water Corp.	To consider the merger of NYAW and Whitlock Farms Water Company into a single corporate entity
*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

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-20-19-00010-P	..... exempt	Compensation policies for certain CHP projects	To consider appropriate rules for compensation of certain CHP resources
*PSC-31-19-00013-P	..... exempt	Implementation of Statewide Energy Benchmarking	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
*PSC-32-19-00012-P	..... exempt	Standby Service Rates and Buyback Service Rates	To ensure just and reasonable rates, including compensation, for distributed energy resources
*PSC-38-19-00002-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
*PSC-39-19-00018-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
*PSC-41-19-00003-P	..... exempt	A voluntary residential three-part rate that would include fixed, usage and demand charges	To provide qualifying residential customers with an optional three-part rate
*PSC-46-19-00008-P	..... exempt	Wappingers Falls Hydroelectric LLC's facility located in Wappingers Falls, New York	To promote and maintain renewable electric energy resources
*PSC-08-20-00003-P	..... exempt	PSC regulation 16 NYCRR § 86.3(a)(2) and 86.3(b)(2)	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-10-20-00003-P	..... exempt	The Commission's statewide low-income discount policy	To consider modifications to certain conditions regarding utility low-income discount programs
*PSC-12-20-00008-P	..... exempt	Delivery rates of Corning Natural Gas Corporation	Whether to postpone the implementation of a change in rates that would otherwise become effective on June 1, 2020
*PSC-15-20-00011-P	..... exempt	To modify the terms and conditions under which gas utilities provide service to electric generators	To provide clarity and uniformity to the provision of gas service to electric generators
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-25-20-00016-P	..... exempt	Modifications to the Low-Income Affordability program	To address the economic impacts of the COVID-19 pandemic
*PSC-27-20-00003-P	..... exempt	To make the uniform statewide customer satisfaction survey permanent	To encourage consumer protections and safe and adequate service
*PSC-28-20-00022-P	..... exempt	Compensation of distributed energy resources	To ensure just and reasonable rates, including compensation, for distributed energy resources
*PSC-28-20-00034-P	..... exempt	Petition to implement Section 7(5) of the Accelerated Renewable Energy Growth and Community Benefit Act	To develop the bulk transmission investments necessary to achieve the Climate Leadership and Community Protection Act goals
*PSC-34-20-00005-P	..... exempt	Petition to provide a renewable, carbon-free energy option to residential and small commercial full-service customers	To increase customer access to renewable energy in the Consolidated Edison Company of New York, Inc. service territory
*PSC-38-20-00004-P	..... exempt	The annual Reconciliation of Gas Expenses and Gas Cost Recoveries	To consider filings of LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-42-20-00008-P	..... exempt	Availability of gas leak information to the public safety officials.	Facilitate availability of gas leak information to public safety officials by gas corporations
*PSC-45-20-00003-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
*PSC-46-20-00005-P	..... exempt	The recommendations of the DPS Staff report to improve Hudson Valley Water's service	To determine if approving the DPS Staff's recommendations is in the public interest
*PSC-48-20-00005-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether Chief Energy Power, LLC should be permitted to offer green gas products to mass market customers
*PSC-48-20-00007-P	..... exempt	Tariff modifications to change National Fuel Gas Distribution Corporation's Monthly Gas Supply Charge provisions	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
*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



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-17-21-00005-P	..... exempt	Submetering equipment	To consider use of submetering equipment and if it is in the public interest
*PSC-17-21-00006-P	..... exempt	Community Choice Aggregation and Community Distributed Generation	To consider permitting opt-out Community Distributed Generation to be offered as the sole product in an aggregation
*PSC-17-21-00007-P	..... exempt	Utility studies of climate change vulnerabilities	To assess the need for utilities to conduct distinct studies of their climate change vulnerabilities
*PSC-18-21-00006-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-36-21-00006-P	..... exempt	The Westchester Power Program	To consider integration of Opt-out Community Distributed Generation into the Westchester Power program
*PSC-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-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-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-14-22-00008-P	..... exempt	An opt-out community distributed generation program	To establish the program rules for offering community distributed generation on and opt-out basis in New York State
PSC-18-22-00002-P	..... exempt	NYSEG and RG&E's petition for a waiver of its 2021 customer service quality performance	To determine if NYSEG and RG&E's petition for waiver is in the public interest
PSC-18-22-00007-P	..... exempt	Extension of deadline	Whether it is in the public interest to extend the deadline to allow the developer more time to energize residential units
PSC-19-22-00021-P	..... exempt	Brooklyn Clean Energy Hub and cost recovery	To meet the Climate Leadership and Community Protection Act's goal of 9,000 megawatts of offshore wind generation
PSC-19-22-00022-P	..... exempt	Modification of Con Edison's electric tariff	To either eliminate or waive a provision of the Standby Service Offset Tariff
PSC-20-22-00009-P	..... exempt	Modify lease of utility property	To determine whether to authorize the extension and amendment of the lease of the Volney-Marcy transmission line
PSC-20-22-00011-P	..... exempt	Establishment of the regulatory regime applicable to a wind electric generating facility	To ensure appropriate regulation of a new electric corporation
PSC-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
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-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-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-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-30-22-00009-P	..... exempt	Establishment of the regulatory regime applicable to a battery storage project.	To ensure appropriate regulation of an electric corporation.
PSC-31-22-00005-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-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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
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-34-22-00005-P	..... exempt	Transfer of a Certificate of Environmental Compatibility and Public Need.	Consideration of whether the proposed transfer is in the public interest.
PSC-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-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-38-22-00004-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-39-22-00007-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-40-22-00004-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-42-22-00010-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-42-22-00011-P	..... exempt	Gas system planning.	To consider cost recovery procedures and an incentive mechanism for non-pipeline alternatives.
PSC-42-22-00012-P	..... exempt	Gas system planning.	To consider screening and suitability criteria for non-pipeline alternatives.
PSC-42-22-00013-P	..... exempt	Gas system planning.	To consider screening and suitability criteria for non-pipeline alternatives.
PSC-42-22-00014-P	..... exempt	Gas system planning.	To consider screening and suitability criteria for non-pipeline alternatives.
PSC-42-22-00015-P	..... exempt	Gas system planning.	To consider screening and suitability criteria for non-pipeline alternatives.
PSC-42-22-00016-P	..... exempt	Gas system planning.	To consider screening and suitability criteria for non-pipeline alternatives.
PSC-42-22-00017-P	..... exempt	Gas system planning.	To consider screening and suitability criteria for non-pipeline alternatives.
PSC-42-22-00019-P	..... exempt	Gas system planning.	To consider screening and suitability criteria for non-pipeline alternatives.
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-43-22-00009-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-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-46-22-00010-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-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-49-22-00017-P	..... exempt	Stock ownership interest and associated financial transactions.	To consider the transfer of controlling interest and associated financial transactions.
PSC-49-22-00019-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-49-22-00021-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-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-51-22-00003-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.
PSC-52-22-00011-P	..... exempt	The Integrated Energy Data Resource platform.	To consider customer consent and utility liability issues related to the Integrated Energy Data Resource.
PSC-52-22-00013-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-52-22-00014-P	..... exempt	Extension of regulatory deadline.	Whether it is in the public interest to extend the regulatory deadline for Keystone Homes, Inc.'s housing development.
PSC-01-23-00007-P	..... exempt	Distribution-level demand response programs.	More efficient demand response programs to gain operational efficiency and shave peak demand.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-01-23-00008-P	..... exempt	Distribution-level demand response programs.	More efficient demand response programs to gain operational efficiency and shave peak demand.
PSC-01-23-00009-P	..... exempt	Transfer of direct ownership of cable television facilities and 5 municipal franchises.	To ensure performance in accordance with applicable cable laws, regulations and standards in the public interest.
PSC-01-23-00010-P	..... exempt	Proposed tariff revisions for the summer 2023 capability period in order to improve flexibility and customer participation.	More efficient demand response programs to gain operational efficiency and shave peak demand.
PSC-01-23-00011-P	..... exempt	Distribution-level demand response programs.	More efficient demand response programs to gain operational efficiency and shave peak demand.
PSC-01-23-00013-P	..... exempt	Distribution-level demand response programs.	More efficient demand response programs to gain operational efficiency and shave peak demand.
PSC-01-23-00014-P	..... exempt	Interconnection costs.	To consider a petition requesting relief from interconnection costs assigned by NYSEG.
PSC-01-23-00015-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-01-23-00016-P	..... exempt	Brooklyn Clean Energy Hub alternative and cost recovery.	To meet the Climate Leadership and Community Protection Act's goal of 9,000 megawatts of offshore wind generation.
PSC-01-23-00017-P	..... exempt	Interconnection costs.	To consider a petition requesting relief from interconnection costs assigned by NYSEG.
PSC-01-23-00018-P	..... exempt	Lease of certain real property.	To determine whether to provide written consent for the proposed transfer of certain real property.
PSC-01-23-00019-P	..... exempt	Energy efficiency and building electrification programs.	To identify and implement potential changes to the energy efficiency and building electrification programs .
PSC-02-23-00021-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-02-23-00022-P	..... exempt	Compensation of and incentives for distributed energy resources.	To encourage the development of and ensure just and reasonable rates for distributed energy resources.
PSC-02-23-00023-P	..... exempt	Long-term gas system planning.	To consider and review long-term gas system planning.
PSC-02-23-00024-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-02-23-00025-P	..... exempt	Proposed major rate increase in Con Edison's annual revenues by \$137 million.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-02-23-00026-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-03-23-00004-P	..... exempt	Updated recommendations for the solicitation, procurement, and/or installation of qualified energy storage systems.	To encourage energy storage deployment and establish an updated 2030 target and deployment program.
PSC-04-23-00008-P	..... exempt	Updates to guidance for electric utility Distributed System Implementation Plans (DSIPs).	Development of updated guidance and directives for utility DSIPs for improving utility planning and operations functions.
PSC-04-23-00009-P	..... exempt	Gas metering equipment.	To consider use of volume corrector and ensure that consumer bills will be based on accurate measurements of gas usage.
PSC-04-23-00010-P	..... exempt	The New York State Standardized Interconnection Requirements.	To clarify and improve the process for distributed generation and energy storage projects interconnecting to utility systems.
PSC-04-23-00011-P	..... exempt	Proposal by electric utilities for a coordinated grid planning process.	To identify local transmission investments necessary to achieve the the State's clean energy and climate goals.
PSC-04-23-00012-P	..... exempt	Transfer of electric facilities.	To determine whether to authorize the transfer electric facilities and the proper accounting for the transaction.
PSC-04-23-00013-P	..... exempt	Application of the Public Service Law to owners of a proposed project connecting Sunrise Wind Farm to New York's electric grid.	To determine whether to apply a lightened regulatory regime to the owners of the proposed multi-part project.
PSC-04-23-00014-P	..... exempt	Waiver of certain Commission requirements related to the publishing and distribution of telephone directories.	To ensure performance in accordance with applicable telecommunications laws, regulations and standards and the public interest.
PSC-05-23-00001-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects.
PSC-05-23-00002-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects.
PSC-05-23-00003-P	..... exempt	The electric utilities' 2023 Electric Emergency Response Plans.	To consider the adequacy of the proposed 2023 Electric Emergency Response Plans.
PSC-05-23-00004-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects.
PSC-05-23-00005-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects.
PSC-05-23-00006-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects.
PSC-05-23-00007-P	..... exempt	The electric utilities' 2023 Electric Emergency Response Plans.	To consider the adequacy of the proposed 2023 Electric Emergency Response Plans.
PSC-05-23-00008-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects.
PSC-05-23-00009-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-05-23-00010-P	..... exempt	The electric utilities' 2023 Electric Emergency Response Plans.	To consider the adequacy of the proposed 2023 Electric Emergency Response Plans.
PSC-05-23-00011-P	..... exempt	The electric utilities' 2023 Electric Emergency Response Plans.	To consider the adequacy of the proposed 2023 Electric Emergency Response Plans.
PSC-05-23-00012-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects.
PSC-05-23-00013-P	..... exempt	The electric utilities' 2023 Electric Emergency Response Plans.	To consider the adequacy of the proposed 2023 Electric Emergency Response Plans.
PSC-05-23-00014-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects.
PSC-05-23-00015-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects.
PSC-05-23-00016-P	..... exempt	The electric utilities' 2023 Electric Emergency Response Plans.	To consider the adequacy of the proposed 2023 Electric Emergency Response Plans.
PSC-06-23-00011-P	..... exempt	Compensation of and incentives for distributed energy resources.	To encourage the development of and ensure just and reasonable rates for distributed energy resources.
PSC-07-23-00004-P	..... exempt	Transfer of street lighting facilities.	To determine whether to authorize the transfer street of lighting facilities and the proper accounting for the transaction.
PSC-07-23-00005-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-08-23-00002-P	..... exempt	Transfer of direct ownership of cable television facilities and three municipal franchises	To ensure performance in accordance with applicable cable laws, regulations and standards in the public interest.
PSC-08-23-00003-P	..... exempt	Exemptions from utility standby rates for distributed energy resources and renewable energy systems.	To determine whether utility standby rate exemptions should be continued and/or modified.
PSC-09-23-00021-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-09-23-00022-P	..... exempt	Notice of intent to submeter electricity and request for waiver.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-09-23-00023-P	..... exempt	Electric metering equipment.	To consider use of electric metering equipment and ensure consumer bills are based on accurate measurements of electric usage.
PSC-09-23-00024-P	..... exempt	Development periods for residential developments.	To consider waiving the five-year limit on development periods impacted by COVID-19, extending it by one year.
PSC-09-23-00025-P	..... exempt	Energy efficiency and building electrification programs.	To identify and implement potential changes to the energy efficiency and building electrification programs.



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-09-23-00026-P	..... exempt	Electric metering equipment.	To consider use of electric meter and ensure that consumer bills will be based on accurate measurements of electric usage.
PSC-09-23-00027-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-11-23-00001-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-11-23-00002-P	..... exempt	Modifications to the Electric Vehicle Make-Ready Program.	To deploy the infrastructure needed to meet the State's goals of 850,000 EVs by 2025 and recommend appropriate utility roles.
PSC-12-23-00004-P	..... exempt	Registration of energy brokers and energy consultants.	To implement the provisions of Public Service Law Section 66-t.
PSC-13-23-00019-P	..... exempt	The frequency of incentive payments for the active managed charging program.	To consider adequate incentive frequency.
PSC-13-23-00020-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-13-23-00021-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-13-23-00022-P	..... exempt	The applicable regulatory regime under the Public Service Law for the owner of an energy storage facility.	Consideration of a lightened regulatory regime for the owner of an approximately 150 MW energy storage facility.
PSC-13-23-00023-P	..... exempt	Agreement for the provision of water service and request for waivers.	To consider whether the terms of a service agreement and requested waivers are in the public interest.
PSC-14-23-00002-EP	..... exempt	Authorization for Fillmore Gas Company, Inc. to collect interest payments on a bank line of credit from its customers.	To ensure Fillmore Gas Company, Inc. can continue to provide uninterrupted gas service to its customers.
PSC-14-23-00003-EP	..... exempt	Appointment of a temporary operator.	To ensure safe water supply through appointment of a temporary operator.
PSC-14-23-00005-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-14-23-00006-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-14-23-00007-P	..... exempt	Waiver of 16 NYCRR Sections 86.3(a)(1), 86.3(a)(2), 86.3(b)(2).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting.
PSC-14-23-00008-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-15-23-00002-P	..... exempt	Community Choice Aggregation	To determine if Mid-Hudson Energy Transition Inc. should operate as a Community Choice Aggregation Administrator.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-15-23-00003-P	..... exempt	National Grid's billing loading factors.	To ensure National Grid's billing loading factor adjustment frequency is reasonable.
PSC-15-23-00004-P	..... exempt	Waiver of the timing requirement in the Commission's policy on test years in rate cases.	To determine whether waiver of the Commission's 150 day requirement for test years is in the public interest.
PSC-15-23-00005-P	..... exempt	Petition for waiver of the requirements of Opinion No. 76-17 and 16 NYCRR Part 96 regarding individual metering of living units.	To consider providing master-metered electricity to residents on a rent included basis.
PSC-16-23-00009-P	..... exempt	Electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
PSC-16-23-00010-P	..... exempt	Marginal Cost of Service studies.	To identify appropriate inputs and methodologies for preparing Marginal Cost of Service studies.
PSC-16-23-00011-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-16-23-00012-P	..... exempt	Electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
PSC-16-23-00013-P	..... exempt	Electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
PSC-16-23-00014-P	..... exempt	Electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
PSC-16-23-00015-P	..... exempt	Electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
PSC-16-23-00016-P	..... exempt	Intra-corporate merger of FirstEnergy's four distribution operating companies.	To consider whether an intra-corporate merger of FirstEnergy's four distribution companies is in the public interest.
PSC-16-23-00017-P	..... exempt	Electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
<b>STATE, DEPARTMENT OF</b>			
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.
DOS-05-23-00018-P	..... 04/04/24	Certification and training of code enforcement personnel	To amend the existing certification and training regulations to comply with recent amendments to Executive Law section 376-a
DOS-13-23-00003-P	..... 05/30/24	Uniform Code Variance and Appeals Procedures	To amend the procedures whereby any provision or requirement of the Uniform Code may be varied or modified.
<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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>TAXATION AND FINANCE, DEPARTMENT OF</b>			
*TAF-46-20-00003-P	..... exempt	Fuel use tax on motor fuel and diesel motor fuel and the art. 13-A carrier tax jointly administered therewith	To set the sales tax component and the composite rate per gallon for the period January 1, 2021 through March 31, 2021
TAF-09-23-00017-P	..... exempt	Fuel use tax on motor fuel and diesel motor fuel and the art. 13-A carrier tax jointly administered therewith.	To set the sales tax component and the composite rate per gallon for the period April 1, 2023 through June 30, 2023.
<b>TEMPORARY AND DISABILITY ASSISTANCE, OFFICE OF</b>			
TDA-05-23-00017-P	..... 02/01/24	Public Assistance (PA) earned income and work expense disregards and income tests for PA eligibility	To update State regulations pertaining to the above-referenced consistent with Part U of Chapter 56 of the Laws of 2022
<b>THRUWAY AUTHORITY, NEW YORK STATE</b>			
THR-01-23-00001-P	..... 01/04/24	Toll rate adjustments on the New York State Thruway system.	To provide for toll rate adjustments necessary to support the Authority's financial obligations.
<b>TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY</b>			
TBA-09-23-00018-P	..... exempt	A proposal to establish a new crossing charge schedule for use of bridges and tunnels operated by TBTA.	A proposal to fund ongoing operations.
<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-RP	..... 05/31/23	Intraoperative Neurophysiological Monitoring	To define IOM and clarify that remote IOM is prohibited except in very limited circumstances
WCB-41-22-00002-P	..... 10/12/23	Disability benefits	To update and clarify DB claims process, and conform to statute
WCB-09-23-00019-P	..... 02/29/24	Telehealth	Provides the option for telehealth visits in some circumstances.
WCB-13-23-00001-P	..... 03/28/24	MTGs	To conform regulation text to actual effective date of MTGs



# SECURITIES OFFERINGS

---

## STATE NOTICES

Published pursuant to provisions of General Business Law  
[Art. 23-A, § 359-e(2)]

## DEALERS; BROKERS

---

B Capital Watermark 2023 Fund LP  
272 Ruth Rd., Harleysville, PA 19438  
*State or country in which incorporated* — Delaware

BGO Industrial Real Estate Income Trust, Inc.  
399 Park Ave., 18th Fl., New York, NY 10022  
*State or country in which incorporated* — Maryland

Compagnie de Saint-Gobain  
12 Place De L'Iris, Courbevoie, France 92400  
*State or country in which incorporated* — France

Danone S.A.  
17 Blvd Haussmann Paris, France 75009  
*State or country in which incorporated* — France

Everwind MIP Aggregator, L.P.  
122 Greenwich Ave., PHA, New York, NY 10011  
*State or country in which incorporated* — Delaware

Genus plc  
Matrix House Basing View Basingstoke Hampshire, RG21 4DZ  
United Kingdom  
*State or country in which incorporated* — England and Wales

IMA Financial Group, Inc.  
430 E. Douglas Ave., Suite 400, Wichita, KS 67202  
*State or country in which incorporated* — Kansas

Investment.com Collecting LLC  
1111 Brickle, Fl. No. 10, Miami, FL 33131  
*State or country in which incorporated* — Delaware

IREX Industrial Portfolio I DST  
2001 Ross Ave., Suite 3400, Dallas, TX 75201  
*State or country in which incorporated* — Delaware

Keefe, Bruyette & Woods, Inc., a Stifel Company  
787 Seventh Ave., 4th Fl., New York, NY 10019  
*State or country in which incorporated* — New York

Knox Medical Diagnostics, Inc.  
345 California St., Suite 700, San Francisco, CA 94104  
*State or country in which incorporated* — Delaware

LawVu Limited  
26–28 Wharf St., Tauranga, New Zealand, International 3110  
*State or country in which incorporated* — New Zealand

Modern Citizen Inc.  
250 Oak St., San Francisco, CA 94102  
*State or country in which incorporated* — Delaware

Nighthawk Ballantyne, LLC  
500 Westover Dr., Sanford, NC 27330  
*State or country in which incorporated* — Georgia

NTE Mobility Partners Segments 3 LLC  
9001 Airport Freeway, Suite 600, North Richland Hills, TX 76180  
*State or country in which incorporated* — Delaware

NYFEN Development, LLC  
1st Fl. W., 51 John Kennedy Pkwy., Shorthills, NJ 07078  
*State or country in which incorporated* — Delaware

Pender Real Estate Credit Fund  
235 W. Galena St., Milwaukee, WI 53212  
*State or country in which incorporated* — Delaware

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

PWA Securities, LLC  
515 E. Las Olas Blvd., 16th Fl., Ft. Lauderdale, FL 33301–2281  
*State or country in which incorporated* — Florida

StoryFit Inc.  
3305 Steck Ave., Suite 275, Austin, TX 78757  
*State or country in which incorporated* — Delaware

Turner Multifamily Impact Fund III, L.P.  
1702 Olympic Blvd., Santa Monica, CA 90404  
*Partnership* — TMIF III GP LLC

WealthForge Securities, LLC  
3015 W. Moore St., Suite 102, Richmond, VA 23230  
*State or country in which incorporated* — Virginia





# NOTICE OF AVAILABILITY OF STATE AND FEDERAL FUNDS

---

Division of Homeland Security and Emergency  
Services

1220 Washington Ave.  
State Office Building Campus, Bldg. 7A  
Albany, NY 12226

## NON-PROFIT ORGANIZATIONS

### **Federal Fiscal Year 2023 Nonprofit Security Grant Program - Urban Area (NSGP-UA); Nonprofit Security Grant Program - State (NSGP-S)**

#### Description:

Request for Applications (RFA) in federal NSGP-UA funding and federal NSGP-S funding is being made available by the NYS Division of Homeland Security and Emergency Services (DHSES) from the U.S. Department of Homeland Security Federal Emergency Management Agency. There is a total of \$152.5 million nationally for the NSGP-UA program and \$152.5 million nationally, with NYS having a target allocation of \$4.2 million, for the NSGP-S program. Funds will be awarded competitively based on the submission of applications by eligible nonprofit organizations. If your nonprofit site is physically located within a FY2023 UASI-designated urban area, then you may apply to NSGP-UA; in NYS, organizations who are located in the NYC Urban Area which includes: the five boroughs in New York City, Nassau County, Suffolk County and Westchester County are eligible to apply under NSGP-UA. If your nonprofit site is not physically located within the NYC urban area, then you may apply to NSGP-S.

Each nonprofit organization may apply for up to \$150,000 per site. Nonprofits with multiple sites may apply for additional sites at up to \$150,000 per site for a maximum of three (3) sites located within the NSGP-UA area and three (3) sites located within the NSGP-S area, for a maximum of six (6) sites total, not to exceed a grand total of \$450,000 per organization. A nonprofit organization with locations in multiple states may apply for up to these application limits within each state.

Funding will be awarded to support target hardening activities to nonprofit organizations (as described under section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code) that are at high risk of terrorist or other extremist attack. NSGP provides funding for physical security enhancements and other security-related activities to nonprofit organizations that are at high risk of a terrorist or other extremist attack. The NSGP also seeks to integrate the preparedness activities of nonprofit organizations with broader state and local preparedness efforts.

Due to the competitive nature of this program, organizations who have not previously received funding will receive fifteen (15) bonus points added to their total application score. Additionally, organizations that are located in historically underserved or disadvantaged communities will receive up to fifteen (15) bonus points added to their total application score. FEMA will apply the CDC's Social Vulnerability Index tool to each applicant and will add ten (10) bonus points to applications from organizations in communities with a "High" SVI ranking and fifteen (15) bonus points to applications from organizations in communities with a "Very High" SVI ranking.

Applications must be submitted by 5:00 p.m. on April 20, 2023, through New York State's Division of Homeland Security and Emergency Services (NYS-DHSES) electronic grants management system (E-Grants).



# 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.

## NOTICE OF PUBLIC HEARING Thruway Authority

NOTICE is hereby given that Public Hearings on a Notice of Proposed Rulemaking, I.D. No. THR-01-23-00001-P, related to Toll Rate adjustments on the New York State Thruway System, published in the January 4, 2023 issue of the State Register, as follows:

Buffalo – Monday, May 8, 2023 4:00 p.m. – 7:00 p.m.  
NYS Thruway Authority  
Buffalo Division HQ  
455 Cayuga Rd., Suite 800  
Cheektowaga, NY 14225-0121

Syracuse – Tuesday, May 9, 2023 4:00 p.m. – 7:00 p.m.  
NYS Fairgrounds (Bistro Rm.)  
581 State Fair Blvd.  
Syracuse, NY 13209

Rockland – Tuesday, May 16, 2023 4:00 p.m. – 7:00 p.m.  
Palisades Center (Adler Community Rm.)  
1000 Palisades Center Dr.  
West Nyack, NY 10994

Albany – Monday, May 22, 2023 5:00 p.m. – 8:00 p.m.  
Glenmont Elementary School  
328 Rte 9W  
Glenmont, NY 12077

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.

Virtual – Monday, June 5, 2023 4:00 p.m. – 7:00 p.m.

Instructions on how to “join” the hearing virtually will be posted on the Thruway Authority's website: <http://www.thruway.ny.gov/news/adjustment/index.html>. The instructions will also advise how interested parties may register to provide comments during a hearing. Speakers will be limited to five (5) minutes in order to give as many people an opportunity to be heard.

Interpreter Service: Interpreter services will be made available to hearing impaired persons, at no charge, through closed captioning.

Purpose of action: The rule provides for toll rate adjustment necessary to finance the Authority's capital plan and comply with the relevant requirements of the General Revenue Bond Resolution and the Authority's Fiscal Management guidelines

Comments will be received until five days after the date of the last hearing indicated above and may be submitted by ordinary mail to: Pam Davis, Deputy General Counsel, New York State Thruway Authority, 200 Southern Boulevard, Albany, New York 12209, or by email to the Authority: [tollcomments@thruway.ny.gov](mailto:tollcomments@thruway.ny.gov)

## PUBLIC NOTICE

### Chenango County Deferred Compensation Plan Committee

Pursuant to Section 457 of the Internal Revenue Code, the Chenango County Deferred Compensation Plan Committee (the “Plan” and the “Committee” respectively) is requesting proposals from firms authorized to do business in New York State to provide Deferred Compensation Services, including serving as the Plan's administrative service agency, marketing/enrollment services, investment management, custodial trustee and related services. Details of the proposal can be found in the Request for Proposals that can be obtained by contacting the individual named below. Pre-proposal questions must be submitted to the individuals named below by April 28, 2023 and proposals must be submitted by May 26, 2023.

*For further information, contact:* Chenango County Deferred Compensation Plan Committee, Zachary T. Wentworth, Esq., Five Court St., Norwich, NY 13815, (607) 337-1405, [ccatty@frontiernet.net](mailto:ccatty@frontiernet.net)

## PUBLIC NOTICE

### Office of Fire Prevention and Control

Pursuant to Section 176-b of the Town Law, the Office of Fire Prevention and Control hereby gives notice of the following:

Application for Waiver of the Limitation of Non-resident Members of Volunteer Fire Companies

An application for a waiver of the requirements of paragraph a of subdivision 7 of section 176-b of the Town Law, which limits the membership of volunteer fire companies to forty-five per centum of the actual membership of the fire company, has been submitted by the Niskayuna Fire District No. 1, County of Schenectady.

Pursuant to section 176-b of the Town Law, the non-resident membership limit shall be waived provided that no adjacent fire department objects within sixty days of the publication of this notice.

Objections shall be made in writing, setting forth the reasons such

waiver should not be granted, and shall be submitted to: James B. Cable, State Fire Administrator, Office of Fire Prevention and Control, 1220 Washington Ave., Bldg. 7A, Fl. 2, Albany, NY 12226

Objections must be received by the State Fire Administrator within sixty days of the date of publication of this notice.

In cases where an objection is properly filed, the State Fire Administrator shall have the authority to grant a waiver upon consideration of (1) the difficulty of the fire company or district in retaining and recruiting adequate personnel; (2) any alternative means available to the fire company or district to address such difficulties; and (3) the impact of the waiver on adjacent fire departments.

*For further information, please contact:* Deputy Chief William H. Rifenburgh, Office of Fire Prevention and Control, 1220 Washington Ave., Bldg. 7A, Fl. 2, Albany, NY 12226, (518) 474-6746, William.Rifenburgh@dhses.ny.gov

## PUBLIC NOTICE

### Department of Health

The Department of Health has prepared an application for the renewal of the Nursing Home Transition and Diversion (NHTD) 1915(c) Waiver Program (waiver number NY.033.03). Applications for 1915(c) waivers are approved for five (5) year periods, and the current application expires on June 30, 2023.

This application allows for flexibility in the intake process by including telephonic and virtual methods for the collection of applicant information. Changes in this application also include guidance surrounding Service Coordination visits and flexibilities related to Level of Care assessments.

Further, state minimum wage language and cost reporting language have been updated to reflect the enacted state budget and current practice, respectively.

Language has also been added to provide consistency between Licensed Home Care Services Agency (LHCSA) regulations and waiver service definitions.

Pursuant to guidance from the Centers for Medicare and Medicaid Services, language has also been included clarifying the state's timeline for federally mandated 372 reporting. There is no anticipated change to projected per-participant Medicaid expenditures as a result of this proposed application.

A draft of the proposed waiver amendment is available for review at: [https://health.ny.gov/facilities/long\\_term\\_care/nhtd/reference/docs/NHTDApplicationRenewalDraft2023.PDF](https://health.ny.gov/facilities/long_term_care/nhtd/reference/docs/NHTDApplicationRenewalDraft2023.PDF)

The public is invited to review and comment on this initiative. *Comments may be filed electronically at:* [waivertransition@health.ny.gov](mailto:waivertransition@health.ny.gov), *or mailed to:* Department of Health, Office of Aging and Long Term Care, Bureau of Community Integration and Alzheimer's Disease, One Commerce Plaza, Suite 1610, Albany, NY 12210

All comments must be postmarked or emailed by 30 days of the date of this notice. Include "NHTD Waiver Renewal" in the subject line and indicate your name and affiliation.

For individuals with limited online access and/or who require special accommodation, please call (518) 474-5271 to access paper copies.

## PUBLIC NOTICE

### New York City Deferred Compensation Plan and NYCE IRA

The New York City Deferred Compensation Plan & NYCE IRA (the "Plan") is seeking proposals from qualified vendors to provide Legal Services for the City of New York Deferred Compensation Plan. The Request for Proposals ("RFP") will be available beginning on Thursday, April 13, 2023. Responses are due no later than 4:30 p.m. Eastern Time on Thursday, May 4, 2023. To obtain a copy of the RFP, please visit the Plan's website at [www1.nyc.gov/site/olr/about/about-rfp.page](http://www1.nyc.gov/site/olr/about/about-rfp.page) and download and review the applicable documents. If you have any questions, please email them to Georgette Gestely, Director, at [rffpmail@nyceplans.org](mailto:rffpmail@nyceplans.org)

Consistent with the policies expressed by the City, proposals from certified minority-owned and/or women-owned businesses or proposals that include partnering arrangements with certified minority-owned and/or women-owned firms are encouraged. Additionally, proposals from small and New York City-based businesses are also encouraged.

## PUBLIC NOTICE

### City of Rochester

#### Auditing Services for Deferred Compensation Plan

The City of Rochester's Deferred Compensation Plan Committee is seeking written proposals from qualified auditors to provide auditing services for the Deferred Compensation Plan for City employees Established pursuant to Section 457 of the Internal Revenue Code.

The City's Plan has two accounts, deferred compensation and deferred FICA (OBRA) with approximately 3,275 participants, and a total plan value of \$308 million as of December 31, 2022.

*Interested firms may request a copy of the complete Request for Proposal from:* Kim D. Jones, Director of Finance, 30 Church St., Rm. 109-A, Rochester, NY 14614, (585) 428-7151, [Kim.Jones@cityofrochester.gov](mailto:Kim.Jones@cityofrochester.gov) or from the City of Rochester web page [www.CityofRochester.gov](http://www.CityofRochester.gov)

Proposals must be received no later than 5:00 p.m. on May 12, 2023.

## PUBLIC NOTICE

### Department of State

#### Notice of Review of Request for

#### Brownfield Opportunity Area

#### Conformance Determination

#### Project: EJ Victory Building

#### Location: Endicott Johnson Industrial Spine

#### Brownfield Opportunity Area in Village of Johnson City

In accordance with General Municipal Law, Article 18 - C, Section 970-r, the Secretary of State designated the Endicott Johnson Industrial Spine Brownfield Opportunity Area, in the Village of Johnson City, on December 4, 2015. The designation of the Endicott Johnson Industrial Spine Brownfield Opportunity Area was supported by a Nomination or a comprehensive planning tool that identifies strategies to revitalize the area which is affected by one or more known or suspected brownfield sites.

Pursuant to New York State Tax Law, Article 1, Section 21, the eligible taxpayer(s) of a project site located in a designated Brownfield Opportunity Area may apply for an increase in the allowable tangible property tax credit component of the brownfield redevelopment tax credit if the Secretary of State determines that the project conforms to the goals and priorities established in the Nomination for a designated Brownfield Opportunity Area.

On February 16, 2023, EJ Victory Building, LLC submitted a request for the Secretary of State to determine whether the EJ Victory Building project, which will be located within the designated Endicott Johnson Industrial Spine Brownfield Opportunity Area, conforms to the goals and priorities identified in the Nomination that was prepared for the designated Endicott Johnson Industrial Spine Brownfield Opportunity Area.

The public is permitted and encouraged to review and provide comments on the request for conformance. For this purpose, the full application for a conformance determination is available online at: <https://dos.ny.gov/2023-02-15-ej-victory-boa-application>

*Comments must be submitted no later than May 19, 2023, either by mail to:* Julie Sweet, Department of State, Office of Planning and Development, 44 Hawley St., Rm. 1506, Binghamton, NY 13901, or by email to: [julie.sweet@dos.ny.gov](mailto:julie.sweet@dos.ny.gov)

## PUBLIC NOTICE

### Department of State

#### F-2022-0983

#### Date of Issuance – April 19, 2023

The New York State Department of State (DOS) is required by Federal regulations to provide timely public notice for the activities



described below, which are subject to the consistency provisions of the Federal Coastal Zone Management Act of 1972, as amended.

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

In F-2022-0983, 351 Bridge Dock, is proposing to construct a new 4' x 310' elevated catwalk with 4' x 5' stairs to grade. Construct 4' x 35' fixed dock, 351 Bridge Lane, Sagaponack, Suffolk County, Sagaponack Pond.

The stated purpose of the proposed action is to "access to waterway and kayak/canoe launch/retrieval".

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2023/04/f-2022-0983.pdf> or at <https://dos.ny.gov/public-notices>

Original copies of public information and data submitted by the applicant are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York.

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice, or May 19, 2023.

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

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

**PUBLIC NOTICE**

Department of State  
F-2023-0107

Date of Issuance – April 19, 2023

The New York State Department of State (DOS) is required by Federal regulations to provide timely public notice for the activities described below, which are subject to the consistency provisions of the Federal Coastal Zone Management Act of 1972, as amended.

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

In F-2023-0107, New York City Department of Design and Construction, is proposing to create approximately 74,060 square feet (1.7 acres) of tidal wetland habitat. The proposed work would include the removal of upland fill and invasive species to create approximately 22,480 square feet (0.52 acres) of intertidal marsh and 51,580 square feet (1.18 acres) of high marsh. In addition, approximately 52,348 square feet (1.2 acres) of maritime grassland/shrubland would be planted as transition area and restoration for the proposed access and staging. This would be completed by excavating the western side of the existing tidal channel and grading a shallow intertidal swale through the center of the site. Areas along the tidal channel would be hand-graded to avoid existing patches of smooth cordgrass (*Spartina alterniflora*). If grading operations cannot avoid the existing smooth cordgrass (*Spartina alterniflora*) the vegetation would be salvaged and stored in the intertidal channel during the grading activities and replanted in their current location after the completion of the grading. The proposed work would be located at the Four Sparrow Marsh Nature Preserve located at 2905 Flatbush Avenue in Brooklyn. Four Sparrow Marsh has a tidal connection to Mill Basin.

The stated purpose of the proposed action is to compensate for the loss of New York State Regulated tidal wetlands as a result of Capital Project SE-795 in Far Rockaway Queens.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2023/04/f-2023-0107.pdf> or at <https://dos.ny.gov/public-notices>

Original copies of public information and data submitted by the applicant are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York.

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice, or May 19, 2023.

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

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

**PUBLIC NOTICE**

Department of State  
F-2023-0139

Date of Issuance – April 19, 2023

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-2023-0139, the applicant, Canal Properties, LLC c/o Gregg Rechler, is proposing maintenance dredging of a private boat basin to a depth of -5.0 feet below MLW, which will result in the removal of +/-380 cubic yards of dredged material from a total area of +/-8,700 SF. Dredging will be accomplished using a clamshell bucket attached to a barge mounted excavator or crane with material loaded onto a barge for temporary storage then offloaded to dump trucks and disposed of in an upland licensed facility. This project is located at 5 North Road, Town of Southampton, Suffolk County, Shinnecock Canal.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2023/04/f-2023-0139.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 May 19, 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  
F-2023-0160

Date of Issuance – April 19, 2023

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-2023-0160, Spectre Landing, LLC, is proposing to build a 4' x 92' open grate catwalk proposed to connect to existing walk/ stairs at the landward end. 4' wide open grate stairs are proposed on both sides of the catwalk near landward end. 3' x 60' ramp leading to an 8' by 40' float are proposed. Catwalk to be supported by (24) 12" Dia. piles elevated a min. of 4' above the MHW (TWL). Float to be supported by (6) 12" Dia. Piles. Total length proposed is 187'. 70'+/- from the south property line. The project is proposed at 60 Tiffany Road within the Village of Laurel Hollow, Town of Oyster Bay, Nassau County and on Cold Spring Harbor

The stated purpose of the proposed action is to create "Recreational mooring and safe shoreline access for recreational uses."

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2023/04/f-2023-0160.pdf> or at <https://dos.ny.gov/public-notices>

The proposed activity would be located within or has the potential to affect the following Special Management or Regulated Area(s): Oyster Bay: Cold Spring Harbor [https://dos.ny.gov/system/files/documents/2020/03/oyster\\_bay\\_cold\\_spring\\_harbor.pdf](https://dos.ny.gov/system/files/documents/2020/03/oyster_bay_cold_spring_harbor.pdf)

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice or May 19, 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  
F-2023-0226 (DA)

Date of Issuance – April 19, 2023

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-2023-0226 (DA) The National Marine Fisheries Service (NOAA Fisheries) Proposed Rule to Prohibit Retention of Oceanic Whitetip Sharks in U.S. Atlantic Waters and Hammerhead Sharks in the U.S. Caribbean Sea. This proposed rule that would consider prohibiting the commercial and recreational retention of oceanic whitetip sharks in U.S. waters of the Atlantic Ocean, including the Gulf of Mexico and Caribbean Sea, and all hammerhead sharks in the large coastal shark's complex (i.e., great, smooth, and scalloped hammerhead sharks) in U.S. waters of the Caribbean Sea. Specifically, this action proposes adding oceanic whitetip sharks to the prohibited shark species group and prohibiting the commercial and recreational retention of great, smooth, and scalloped hammerhead sharks in the U.S. Caribbean region.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2023/04/f-2023-0226da.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 May 19, 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

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.

2023-0130 "Wanakah Country Club" located at 5161 Lakeshore Road, Town of Hamburg (County of Erie) NY, for a variance concerning staircase and accessibility requirements. (Board Variance)

## PUBLIC NOTICE

Department of State

Uniform Code Variance/Appeal Petitions

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

2023-0141 "Muse Jar" located at 71 Pine Street, Town of East Aurora (County of Erie) NY, for a variance concerning drinking fountains and separate toilet facilities requirements. (Board Variance)

## PUBLIC NOTICE

Department of State

Uniform Code Variance/Appeal Petitions

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

2023-0166 in the Matter of Dan Wahl, 43 Mountain View Terrace, Walden, NY 12586, for a variance concerning safety requirements, including ceiling height. Involved is a one family dwelling located at 520 Washington Avenue, Town of Newburgh, NY 12550, County of Orange, State of New York.

2023-0167 in the Matter of RD Studio Inc., Rocco Dileo, 363 Westchester Ave., Port Chester, NY 10573, for a variance concerning

safety requirements, including ceiling height. Involved is a one family dwelling located at 36 Cottage Place, Village of Tarrytown, NY 10591, County of Westchester, State of New York.

**PUBLIC NOTICE**

Department of State  
Uniform Code Variance/Appeal Petitions

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

2023-0170 “Ashton Place Senior Living” located at 190 Ashton Court, Town of Clifton Springs (County of Ontario) NY, for a variance concerning sprinkler system requirements. (Board Variance)



# APPENDIX

The following Appendix was filed with a Notice of Emergency Adoption and Proposed Rule Making pertaining to “Provides for change to petition coversheets to facilitate ballot access and

notice to candidates by email,” I.D. SBE-16-23-00007-EP, published in this issue of the State Register.

## Sample Cover Sheet Designating and Independent Petitions

[ Place Name of Party or Independent Body Here ]

Name of Candidate	Residence Address <i>(Also mailing address if different)</i>	Public Office or Party Position <i>(Include district number where appropriate)</i>

Volume Number	
Total Number of Volumes in Petition	

The petition contains the number, or in excess of the number, of valid signatures required by Election Law.

**Contact Person to Correct Deficiencies:**

**Name** \_\_\_\_\_  
*(Please print)*

**Residence Address** \_\_\_\_\_  
*(Also mailing address if different)*

\_\_\_\_\_

**Phone** \_\_\_\_\_ **Fax** \_\_\_\_\_  
*(Include if notice by fax desired)*

**Email** \_\_\_\_\_  
*(Include if notice by email desired)*

I hereby authorize that any notice of any determination made by the Board of Elections be transmitted to the person named above. If an email address is provided, all notices or determinations shall be sent by email only. I understand that by not providing an email notice, notifications will be sent by mail which will delay notification.

**Optional: For candidates for statewide office, Member of Assembly or State Senator only**  
The following website address is submitted to be published on the state board of elections website pursuant to Election Law § 4-123 for the candidate listed opposite:

Name of Candidate	Website Address

\_\_\_\_\_  
**Signature of Candidate or Agent**



## Sample Cover Sheet

### Designating and Independent Petitions Filed In New York City and Counties Which Utilize Petition Identification Numbering Systems

*[ Place Name of Party or Independent Body Here ]*

Name of Candidate	Residence Address <i>(Also mailing address if different)</i>	Public Office or Party Position <i>(Include district number where appropriate)</i>

Total Number of Volumes in Petition	
Identification Numbers	

The petition contains the number, or in excess of the number, of valid signatures required by Election Law.

**Contact Person to Correct Deficiencies:**

**Name** \_\_\_\_\_

*(Please print)*

**Residence  
Address** \_\_\_\_\_

*(Also mailing address if different)*

\_\_\_\_\_

**Phone** \_\_\_\_\_

**Fax** \_\_\_\_\_

*(Include if notice by fax desired)*

**Email** \_\_\_\_\_

*(Include if notice by email desired)*

I hereby authorize that any notice of any determination made by the Board of Elections be transmitted to the person named above. If an email address is provided, all notices or determinations shall be sent by email only. I understand that by not providing an email notice, notifications will be sent by mail which will delay notification.

**Optional: For candidates for statewide office, Member of Assembly or State Senator only**

The following website address is submitted to be published on the state board of elections website pursuant to Election Law § 4-123 for the candidate listed opposite:

**Name of Candidate**

**Website Address**

--	--

\_\_\_\_\_  
**Signature of Candidate or Agent**