
NEW YORK STATE

REGISTER

INSIDE THIS ISSUE:

- Preventive Housing Subsidy
- Groveland Correctional Facility
- Regulations Governing Commercial Fishing for Jonah Crab

Notice of Availability of State and Federal Funds

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 November 5, 2023
- the 45-day period expires on October 21, 2023
- the 30-day period expires on October 6, 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



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) 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)

Rule Making Activities

Children and Family Services, Office of

1 / Preventive Housing Subsidy (P)

Corrections and Community Supervision, Department of

2 / Groveland Correctional Facility (P)

Environmental Conservation, Department of

2 / Regulations Governing the Recreational Fishing of Scup and Black Sea Bass (A)

2 / Regulations Governing Commercial Fishing for Jonah Crab (P)

Financial Services, Department of

4 / Principle-Based Reserving (P)

Mental Health, Office of

5 / Use of Telehealth in Crisis Stabilization Centers (P)

Motor Vehicles, Department of

7 / Point System and Licensing or Relicensing After Revocation Action (P)

Public Service Commission

10 / Submetering of Electricity and Waiver Request (A)

11 / Coordinated Grid Planning (A)

11 / Submetering of Electricity (A)

11 / Electric Metering Equipment (A)

12 / Submetering of Electricity (A)

12 / Submetering of Electricity and Waiver Request (A)

12 / Electric Metering Equipment (A)

12 / Submetering of Electricity (A)

13 / Electric Metering Equipment (A)

14 / Transfer of Street Lighting Facilities (A)

14 / Electric Metering Equipment (A)

14 / Financing Arrangement (A)

15 / Waiver for NUP Surcharge Modifications (A)

15 / Transfer in Ownership of Street Lighting Facilities (P)

16 / Registration of Energy Brokers and Energy Consultants (P)

17 / Agreement for the Provision of Water Service and Waivers of Tariff Provisions and Commission Rules (P)

17 / Registration of Energy Brokers and Energy Consultants (P)

Hearings Scheduled for Proposed Rule Makings / 19

Action Pending Index / 21

Advertisements for Bidders/Contractors

77 / Sealed Bids

Notice of Availability of State and Federal Funds

79 / Homeland Security and Emergency Services, Division of

Miscellaneous Notices/Hearings

81 / Notice of Abandoned Property Received by the State Comptroller

81 / 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

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Preventive Housing Subsidy

I.D. No. CFS-36-23-00023-P

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

Proposed Action: This is a consensus rule making to amend sections 423.2 and 423.4 of Title 18 NYCRR.

Statutory authority: Social Services Law, sections 20(3)(d), 34(3)(f) and 409-a

Subject: Preventive Housing Subsidy.

Purpose: To increase the preventive services housing subsidy for foster children living independently from \$300.00 to \$725.00 a month.

Text of proposed rule: Paragraph (16) of subdivision (b) of section 423.2 is amended to read as follows:

(16) Housing services defined as rent subsidies, including payment of rent arrears, or any other assistance necessary to obtain adequate housing will be considered preventive services but will only be available to families of children already in foster care if such families satisfy the definition set forth in paragraph (c)(2) of this section and the eligibility standards set forth in sections 430.9(e)(2) and 430(f) of this Title. Rent subsidies and/or assistance necessary to obtain adequate housing may not exceed the sum of [\$300] \$725 per month per family, except as provided in section 423.4(b)(2) of this Part, may not be provided for a period of more than three years, and must be made in addition to any other payments or benefits received by the family.

Paragraph (2) of subdivision (b) of section 423.4 of Title 18 NYCRR is amended to read as follows:

(2) (i) With the exception of housing services as defined in section 423.2(b)(16) of this Part, the provision of mandated preventive services to children and their families during a foster care placement may not be provided for more than the average of three months for all children in care within each particular social services district with a goal of return to parents or relatives and no child in foster care may receive preventive services for more than a total of 24 months. Local social services districts that exceed the three-month average must have that portion of expenditures in excess of the average reimbursed as nonmandated preventive services.

(ii) Where housing services are provided in the form of payment of rent or mortgage arrears, such arrears payment must be made directly to the landlord or mortgage holder. The amount of such arrears payment may not exceed [\$1,800] \$4,350, or the equivalent of six months services at the maximum amount of [\$300] \$725 a month, and in no case may exceed the total amount owed. In cases where an arrears payment relates to a period preceding the date of application for preventive services by more than six months, the authorization period will begin six months preceding the date of the application. Where the arrears payment relates to a period preceding the application by less than six months, the authorization date will be the date arrears began to accrue.

(iii) Payments for security deposits, finder's or broker's fees, household moving expenses, exterminator fees, and/or essential repairs of conditions in rental or client owned property which create a substantial health or safety risk, and which are payable in the same month, may be issued in one month but the total amount paid not exceed an amount equivalent to up to six months of housing services at [\$300] \$725 a month, or [\$1,800] \$4,350. In such cases the authorization date will be deemed to have commenced on a date six months prior to the date payments were made. Each [\$300] \$725 increment of payment must be included in determining the maximum 36 month eligibility period.

Text of proposed rule and any required statements and analyses may be obtained from: Stephanie Deyoe, Office of Children and Family Services, 52 Washington Street, Rensselaer, NY 12144, (518) 402-3891, 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.

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

Consensus Rule Making Determination

This rule is exempt from the formal rule making process because it is being proposed as a consensus rule making. This rule is proposed by the Office of Children and Family Services as a consensus rule making pursuant to the expectation that no person is likely to object to its adoption because it merely conforms to Chapter 56 of the Laws of 2023 that increased the maximum preventive services housing subsidy amount from \$300 to \$725 per month. The proposed amendments to 18 NYCRR 423.2 and 423.4 increase those amounts accordingly and make no other changes.

Job Impact Statement

1. Nature of Impact:

The New York State Office of Children and Family Services (OCFS) anticipates that this rule, increasing the preventive services housing subsidy from \$300.00 to \$725.00 per month for up to three years, will assist in preventing homelessness and addressing housing instability for families and youth aging out of foster care. This could result in less foster care placements, expedite reunification, and help youth aging out of foster care.

2. Categories and Numbers Affected:

The amount of the preventive housing subsidy is increasing from \$300.00 to \$725.00 per month for up to three years. The annual dollar amount cap increases from \$10,800.00 to \$26,100.00.

3. Regions of Adverse Impact:

This statute and regulation amendment applies to all local departments of 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 on jobs or employment opportunities in either public or private child welfare agencies.

Department of Corrections and Community Supervision

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Groveland Correctional Facility

I.D. No. CCS-36-23-00019-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 section 100.107 of Title 7 NYCRR.

Statutory authority: Correction Law, section 70

Subject: Groveland Correctional Facility.

Purpose: To correct the location reference of Groveland Correctional Facility.

Text of proposed rule: Revise section 100.107 as follows:

100.107 Groveland Correctional Facility

(a) There shall be in the department an institution to be known as Groveland Correctional Facility, which shall be located in the Town of [Groveland] *Sonyea* in Livingston County and which shall consist of property under the jurisdiction of the department, [(formerly under the jurisdiction of the New York State Office of Mental Health at that location)].

(b) Groveland Correctional Facility shall be a correctional facility for males 18 years of age or older.

(c) Groveland Correctional Facility shall be classified as a medium security facility, to be used as a general confinement facility.

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

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

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

Consensus Rule Making Determination

This proposal will make a technical correction to the location reference of Groveland Correctional Facility. No person is likely to object to this proposal because it merely amends regulatory provisions to ensure the accurate designation of the facility to confirm with the designation as required by Correction Law § 70(5). See SAPA section 102(11)(a).

Job Impact Statement

A job impact statement is not submitted because this proposed rule will have no adverse impact on jobs or employment opportunities nor does the proposed rule impose any reporting, recordkeeping or other compliance requirements upon employers.

Department of Environmental Conservation

NOTICE OF ADOPTION

Regulations Governing the Recreational Fishing of Scup and Black Sea Bass

I.D. No. ENV-20-23-00001-A

Filing No. 710

Filing Date: 2023-08-17

Effective Date: 2023-09-06

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

Action taken: Amendment of Part 40 of Title 6 NYCRR.

Statutory authority: Environmental Conservation Law, sections 13-0105, 13-0340-e and 13-0340-f

Subject: Regulations governing the recreational fishing of scup and black sea bass.

Purpose: To revise regulations concerning the recreational harvest of scup and black sea bass in New York State.

Text or summary was published in the May 17, 2023 issue of the Register, I.D. No. ENV-20-23-00001-EP.

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

Text of rule and any required statements and analyses may be obtained from: Rachel Sysak, New York State Department of Environmental Conservation, 123 Kings Park Blvd., Kings Park, NY 11754, (631) 444-0469, email: rachel.sysak@dec.ny.gov

Additional matter required by statute: Pursuant to Article 8 of the ECL, the State Environmental Quality Review Act, a Coastal Assessment Form and a Short Environmental Assessment Form with a negative declaration have been prepared, and are on file with the Department.

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.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Regulations Governing Commercial Fishing for Jonah Crab

I.D. No. ENV-36-23-00020-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 44 of Title 6 NYCRR.

Statutory authority: Environmental Conservation Law, sections 13-0105 and 13-0331

Subject: Regulations governing commercial fishing for Jonah crab.

Purpose: To define the Jonah crab directed trap fishery, establish bycatch limits, and maintain consistency with Federal rules.

Text of proposed rule: Existing subdivision 44.2(a) of 6 NYCRR, is amended to read as follows:

Paragraph 44.2(a)(7) is amended to read:

(7) [Jonah Crab bycatch indicates there must be fewer pounds of Jonah Crab onboard the fishing vessel at all times during a fishing trip than the pounds of the target species the deployed gear is targeting. Target species are those species primarily sought by the fishermen and are the subject of directed fishing effort.] *'Bycatch' means any incidental harvest of non-targeted or otherwise protected species in the course of legal fishing activity.*

A new paragraph 44.2(a)(8) is added to read:

(8) *'Target species' means those species that are the main subject of fishing effort in a fishery.*

Subdivision 44.2(f) is repealed.

A new subdivision 44.2(f) is added to read as follows:

(f) *Jonah Crab.*

(1) *Directed trap fishery.*

(i) *To participate in the Jonah Crab fishery, an individual must either:*

(‘a’) *Hold a current commercial lobster permit with trap tag allocations; or*

(‘b’) *Hold a current commercial crab permit and prove prior participation in the Jonah Crab fishery before June 2, 2015.*

(‘1’) *Submission of state and/or federal vessel trip reports which include Jonah Crab landings prior to the control date of June 2, 2015 constitute proof of prior participation in the Jonah Crab fishery.*

(‘2’) *Those who qualify under the above provision are eligible to receive a 50-trap tag allocation to participate in the directed Jonah Crab fishery.*

(ii) *All traps must conform to specifications of the lobster management plan, including the trap tag and escape vent requirements at Part 44.1 of this Title.*

(2) *Bycatch limits.*

(i) *Any person landing Jonah Crab who does not qualify to participate in the directed Jonah Crab fishery pursuant to (f)(1), must hold a commercial crab permit and abide by the following bycatch limits.*

(ii) *There must be fewer pounds of Jonah Crab onboard the fishing vessel at all times during a fishing trip than the pounds of the target species the deployed gear is targeting.*

(iii) *There is a 1,000-crab incidental bycatch limit for vessels fishing non-trap gear and non-lobster traps (including but not limited to, fish pots, whelk pots, and crab pots). The 1,000-crab limit applies to trips of any length.*

(3) *Claw harvest.*

Permit holders may possess or land whole Jonah Crabs or may remove claws at sea, keeping the claw and returning the crab to the water. If the permit holder is taking more than a five-gallon bucket full of claws, each claw must measure at least two and three-quarters inches long.. Claw length is measured along the bottom of the claw, from the joint to the lower tip of the claw. Only whole Jonah Crab may be possessed or landed recreationally.

Text of proposed rule and any required statements and analyses may be obtained from: Justin Pellegrino, Department of Environmental Conservation, 123 Kings Park Blvd., Kings Park, New York 11754, (631) 444-0488, email: justin.pellegrino@dec.ny.gov

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

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

Additional matter required by statute: Pursuant to Article 8 of the ECL, the State Environmental Quality Review Act, a Coastal Assessment Form and a Short Environmental Assessment Form with a negative declaration have been prepared, and are on file with the Department.

Regulatory Impact Statement

1. **Statutory Authority:**

Environmental Conservation Law (ECL) § 13-0105 directs the Department of Environmental Conservation (DEC) to manage New York State’s marine fishery resources to preserve their long-term abundance for future generations while maintaining consistency with interjurisdictional fishery management plans (FMPs). ECL § 13-0331 authorizes DEC to regulate crabs. More specifically, ECL § 13-0331(1-a) authorizes DEC to fix by regulation the limit of Jonah Crabs that may be taken for commercial purposes by commercial crab permit holders and by holders of New York commercial lobster licenses, provided that such regulations are consistent with the Atlantic States Marine Fisheries Commission’s (ASMFC) FMPs.

2. **Legislative Objectives:**

It is the objective of the above-cited legislation that DEC manages marine fisheries to optimize resource use for commercial and recreational harvesters in a manner that is consistent with marine fisheries conservation and management policies and interjurisdictional FMPs.

3. **Needs and Benefits:**

This rulemaking is necessary to ensure the sustainability of New York State’s Jonah Crab fishery and to bring the State into compliance with the ASMFC Jonah Crab FMP. Failure to adopt this rulemaking could result in federal closure of the Jonah Crab fishery in New York.

In 2022, the New York State Legislature amended ECL section 13-0331 to authorize DEC to adopt regulations for the management of Jonah Crab. Prior to that, DEC did not have statutory authority to manage the Jonah Crab fishery. The ASMFC has noted New York’s lack of compliance with the interstate Jonah Crab FMP and threatened to initiate non-compliance proceedings. DEC is proposing to amend 6 NYCRR Part 44, “Lobsters and Crabs,” to define the Jonah Crab directed trap fishery, establish bycatch limits to protect Jonah Crab, and bring New York into compliance with the Jonah Crab FMP.

Specifically, this proposal would amend 6 NYCRR Part 44 to:

1. Limit participation in the directed trap fishery for Jonah Crab to:

a. Current commercial lobster permit holders with trap tag allocations;

or,

b. Current crab permit holders who can prove prior participation in the Jonah Crab fishery with landings on vessel trip reports before June 2, 2015.

2. Establish bycatch limits for Jonah Crab. The proposed bycatch limits would require that there be fewer pounds of Jonah Crab onboard the fishing vessel than pounds of the target species and set a 1,000-crab incidental bycatch limit for vessels fishing non-trap gear and non-lobster traps (including, but not limited to, fish pots, whelk pots, and crab pots).

4. **Costs:**

There are no new costs to state and local governments from this action. DEC will incur limited costs associated with both the implementation and administration of these rules, including costs relating to notifying commercial fishers of the new rules.

DEC anticipates minimal costs to permit holders. Those who qualify under the proposed rules will be eligible to receive a 50-trap tag allocation and would be required to purchase lobster trap tags and attach them to all lobster traps being fished for Jonah Crab. Trap tag costs range from 0.18¢ - 0.20¢ resulting in a \$9 - \$10 cost to obtain 50-trap tags.

In addition, there are currently seven commercial fishermen who have harvested Jonah Crab since the control date of June 2, 2015, that will not meet the requirements to harvest Jonah Crab in the directed trap fishery under the proposed rule changes. These fishermen will not be eligible to harvest Jonah Crab because they do not currently hold a commercial lobster permit with trap tag allocations, and do not have Jonah Crab landings prior to June 2, 2015. Two of these individuals had significant Jonah Crab landings (e.g., tens of thousands of crabs) prior to 2017, but do not currently hold lobster or crab permits and cannot legally land crabs for commercial purposes in New York State. The remaining five individuals have a small number of Jonah Crab landings (e.g., fewer than 40 crabs in their fishing history). Although these individuals would not be eligible to participate in the directed trap fishery for Jonah Crab under the proposed rule, they could continue to take less than 1,000 crabs per trip as long as they hold a crab permit and are fishing non-trap gear and non-lobster traps. Based on the above, expected costs to fisherman are minimal.

5. **Local Government Mandates:**

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

6. **Paperwork:**

The proposed rule would not impose any new reporting requirements.

7. **Duplication:**

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

8. **Alternatives:**

Status quo – If the proposed amendments are not adopted, the commercial Jonah Crab regulations in New York would continue to be inconsistent with the ASMFC Jonah Crab FMP. As a result, New York could be found out of compliance by ASMFC and its fishery for Jonah Crab could be closed by a federally imposed moratorium.

9. **Federal Standards:**

The proposed rule does not exceed any minimum federal standards.

10. **Compliance Schedule:**

Compliance with the proposed rule would be required upon the effective date of the rule. The public would be notified of the changes to the regulations through appropriate news releases, by DEC Delivers, and through DEC’s website.

Regulatory Flexibility Analysis

1. **Effect of rule:**

This rulemaking will amend regulations governing the commercial harvest of Jonah Crab in New York to maintain consistency with the Atlantic State Marine Fisheries Commission’s (ASMFC) fisheries management plan (FMP) for Jonah Crab.

These amendments would limit participation in the directed trap fishery for Jonah Crab to either current commercial lobster permit holders with trap tag allocations, or current crab permit holders who can prove prior participation in the Jonah Crab fishery with landings on vessel trip reports before June 2, 2015. These amendments would also establish bycatch limits that would require there be fewer pounds of Jonah Crab onboard the fishing vessel than pounds of the target species and set a 1,000-crab incidental bycatch limit for vessels fishing non-trap gear and non-lobster traps (including, but not limited to, fish pots, whelk pots, and crab pots).

Currently, there are seven commercial fishermen who have harvested Jonah Crab since the control date of June 2, 2015, that will not meet the requirements to harvest Jonah Crab in the directed trap fishery under the proposed rule changes. These fishermen will not be eligible to harvest Jonah Crab because they do not currently have a commercial lobster permit with trap tag allocations and do not have Jonah Crab landings history prior to June 2, 2015. Two of these individuals had significant Jonah Crab landings (e.g., tens of thousands of crabs) prior to 2017, but do not currently hold lobster or crab permits and cannot legally land crabs for commercial purposes in New York State. The remaining five individuals have a small

number of Jonah Crab landings (e.g., fewer than 40 crabs in their fishing history). Although these individuals would not be eligible to participate in the directed trap fishery for Jonah Crab under the proposed rule, they could continue to take up to 1,000 crabs per trip as long as they hold a crab permit and are fishing non trap gear and non-lobster traps. For these reasons, any impact on small business is expected to be minimal.

2. Compliance requirements:

Commercial harvest of Jonah Crab will be limited to the permit holders described above. All traps fished for Jonah Crab must conform to specifications of the lobster management plan, including the trap tag and escape vent requirements (6 NYCRR 44.1). Those harvesting Jonah Crab with non-trap gear and non-lobster traps will have to abide by a 1000-crab bycatch limit and must have fewer pounds of Jonah Crab onboard the fishing vessel than pounds of the target species.

3. Professional services:

This rulemaking will not impose any professional service requirements for small businesses and local governments.

4. Compliance costs:

DEC anticipates minimal costs to permit holders. Those who qualify under the proposed rules will be eligible to receive a 50-trap tag allocation and would be required to purchase lobster trap tags and attach them to all lobster traps being fished for Jonah Crab. Trap tag costs range from 0.18¢ - 0.20¢ resulting in a \$9 - \$10 cost to obtain 50-trap tags.

5. Economic and technological feasibility:

The proposed rule does not apply to local governments. The technology required to comply with the proposed rule is readily available and costs associated with the purchase of the required technology are minimal. Small businesses should not experience hardship associated with acquiring technology to comply with the proposed rule.

6. Minimizing adverse impact:

Amendments contained in this rulemaking are necessary for New York to maintain consistency and compliance with the ASMFC Jonah Crab FMP. Failure to adopt this rulemaking could potentially lead to the federal closure of the Jonah Crab fishery in New York.

In addition, this rulemaking is necessary to ensure the sustainability of New York State's Jonah Crab fishery. Limiting participation in the Jonah Crab fishery to current lobster permit holders and current crab permit holders who have landings history prior to June 2, 2015, prevents unchecked effort and over capitalization of the Jonah Crab fishery in New York. Limiting the harvest of incidentally captured Jonah Crab from non-trap gear and non-lobster traps to 1000-crabs per trip protects the Jonah Crab population from overharvest from non-selective fishing gears and makes more of the stock available to the permit holders that target Jonah Crab. Additionally, the trap tag requirements will minimize trap theft, aid law enforcement in returning lost gear to license holders and allow the DEC to track effort within the fishery. Ultimately, the conservation of long-term sustainable fisheries will have a positive effect on the permit holders which participate in this fishery.

7. Small business and local government participation:

DEC presented the proposed rulemaking at the September 13, 2022 Marine Resources Advisory Council (MRAC) meeting. There were no comments received about the proposed rule from the MRAC members or the public at this meeting. DEC will notify the public of the proposed rule and comment period through the DEC's Environmental Notice Bulletin (ENB), through appropriate news releases, by "DEC Delivers" email communications, and through DEC's website.

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

Pursuant to the State Administrative Procedure Act (SAPA) § 202-b(1-a), (b), a cure period is not included in the rule because of the potential adverse impact on the resource. Cure periods for the illegal taking of fish or wildlife are neither desirable nor recommended. Immediate compliance is required to ensure that the general welfare of the public and the resource are both protected.

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

The department will conduct an initial review of the rule within three years as required by SAPA § 207(1)(b).

Rural Area Flexibility Analysis

The Department of Environmental Conservation (DEC) has determined that this rule would not impose an adverse impact on rural areas. There are no rural areas within the marine and coastal district. The commercial Jonah Crab fishery is located entirely within the marine and coastal district and is not located adjacent to any rural areas of New York State. Further, the proposed rule would not impose any reporting, record-keeping, or other compliance requirements on public or private entities in rural areas. Since no rural areas would be affected by the proposed amendments to 6 NYCRR Part 44, a Rural Area Flexibility Analysis is not required.

Job Impact Statement

The current 6 NYCRR Part 44.2 describes gear limits and size limits for "Crabs". The proposed rulemaking amends Part 44 to implement new

regulations governing the commercial harvest of Jonah Crab in New York that are consistent with the Atlantic State Marine Fisheries Commission's (ASMFC) fisheries management plan (FMP) for Jonah Crab. These amendments would limit participation in the directed trap fishery for Jonah Crab to either current commercial lobster permit holders with trap tag allocations, or current crab permit holders who can prove prior participation in the Jonah Crab fishery with landings on vessel trip reports before June 2, 2015. These amendments would also establish bycatch limits that would require there be fewer pounds of Jonah Crab onboard the fishing vessel than pounds of the target species and set a 1,000-crab incidental bycatch limit for vessels fishing non-trap gear and non-lobster traps (including, but not limited to, fish pots, whelk pots, and crab pots). Currently, there are seven commercial fishermen who have harvested Jonah Crab since the control date of June 2, 2015, that will not meet the requirements to harvest Jonah Crab in the directed trap fishery under the proposed rule changes. These fishermen will not be eligible because they do not currently hold a commercial lobster permit with trap tag allocations, or they do not have Jonah Crab landings prior to June 2, 2015. Two of these individuals had significant Jonah Crab landings (e.g., tens of thousands of crabs) prior to 2017, but do not currently hold lobster or crab permits and cannot legally land crabs for commercial purposes in New York State. The remaining five individuals have a small number of Jonah Crab landings (e.g., fewer than 40 crabs in their fishing history). Although these five individuals would not be eligible to participate in the directed trap fishery for Jonah Crab under the proposed rule, they could continue to take fewer than 1,000 crabs per trip as long as they hold a crab permit and are fishing non-trap gear and non-lobster traps. Based on the above, the economic impact of the proposed rule is expected to be minimal. A Job Impact Statement is not submitted with this proposal because the proposal would have no substantial adverse impact on existing or future jobs and/or employment opportunities.

Department of Financial Services

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Principle-Based Reserving

I.D. No. DFS-36-23-00021-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 103 (Regulation 213) of Title 11 NYCRR.

Statutory authority: Financial Services Law, sections 202, 302; Insurance Law, sections 301, 4217 and 4517

Subject: Principle-Based Reserving.

Purpose: To adopt the 2023 Valuation Manual.

Text of proposed rule: Footnote 1 to section 103.3(b) is amended as follows:

¹ The [2022] 2023 Valuation Manual, published by the National Association of Insurance Commissioners, is hereby incorporated by reference in this Part. The [2022] 2023 Valuation Manual is readily available without charge at the following internet address: https://www.naic.org/pbr_data.htm. The [2022] 2023 Valuation Manual is also available for public inspection and copying at the New York State Department of Financial Services, One State Street, New York, NY 10004.

Text of proposed rule and any required statements and analyses may be obtained from: Amanda Fenwick, Department of Financial Services, One Commerce Plaza, Albany, New York 12257, (518) 474-7929, email: Amanda.Fenwick@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 adopts the most recent (2023) edition of the Valuation Manual published by the National Association of Insurance Commissioners ("NAIC"), replacing the rule's current reference to the 2022 Valuation Manual.

Insurance Law Section 4217 sets forth rules for the valuation of insurance policies and contracts and Insurance Law Section 4217(g) requires

principle-based reserving (“PBR”) for certain individual and group life insurance policies and annuity contracts. The minimum standard for the valuation of all such policies and contracts is the standard prescribed in the NAIC’s Valuation Manual as adopted by the Superintendent of Financial Services by regulation.

PBR is also an NAIC accreditation standard. Thus, this amendment is necessary for the Department of Financial Services (“Department”) to maintain its accreditation status with the NAIC.

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. Insurance Law Section 4217(g) requires principle-based reserving (“PBR”) for certain individual and group life insurance policies and annuity contracts. The minimum standard for the valuation of all such policies and contracts must be the standard prescribed in the National Association of Insurance Commissioners (“NAIC”) valuation manual (the “Manual”) as adopted by the Superintendent of Financial Services by regulation. PBR is also an NAIC accreditation standard. This amendment to the regulation adopts the NAIC’s 2023 edition of the Manual, which also ensures continued compliance with the NAIC’s accreditation standards.

Office of Mental Health

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Use of Telehealth in Crisis Stabilization Centers

I.D. No. OMH-36-23-00030-P

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

Proposed Action: Addition of Part 602 to Title 14 NYCRR.

Statutory authority: Mental Hygiene Law, sections 31.36, 32.36 and 36.01

Subject: Use of Telehealth in Crisis Stabilization Centers.

Purpose: To establish regulations regarding the use of Telehealth in Crisis Stabilization Centers.

Text of proposed rule: 14 NYCRR Part 602

Telehealth

§ 602.1 Applicability

The provisions of this Part are applicable to all programs certified by the Office of Addiction Services and Supports (hereinafter referred to as “OASAS”) and the Office of Mental Health (hereinafter referred to as “OMH”) (together, hereinafter referred to as “the Offices”) pursuant to Article 36 of the Mental Hygiene Law. Such programs shall require application for an operating certificate “designation” indicating approval by the Offices to provide such services.

§ 602.2 Legal base

(a) Article 36 of the Mental Hygiene Law allows the Commissioner of OASAS and the Commissioner of OMH to issue regulations to effectuate jointly certified programs of the Offices.

(b) Articles 1, 19, 22, 25 and 32 of the Mental Hygiene Law allows the commissioner of OASAS to issue rules and regulations for the implementation and operation of programs to treat addiction.

(c) Section 7.09 of the Mental Hygiene Law grants the Commissioner of OMH the power and responsibility to adopt regulations that are necessary and proper to implement matters under his or her jurisdiction.

(d) Sections 31.02 and 31.04 of the Mental Hygiene Law authorize the Commissioner of OMH to set standards of quality and adequacy of facilities, equipment, personnel, services, records and programs for the rendition of services for persons diagnosed with mental illness, pursuant to an operating certificate.

(e) Section 2999-dd of the Public Health Law provides that health care services delivered by means of telehealth are entitled to Medicaid reimbursement under Social Services Law Section 367-u, subject to federal financial participation.

(f) Section 829 of Title 21 of the United States Code governs the law concerning internet prescribing of controlled substances.

(g) Article 29-G of the Public Health Law relates to reimbursement and requirements for health care services delivered via telehealth.

(f) 14 New York Code of Rules and Regulations (NYCRR) Parts 800-857 specify rules for the implementation and operation of programs to treat addiction.

(g) 14 NYCRR 596 provide rules relating to the provision of telehealth services for OMH licensed, designated or otherwise authorized entities.

§ 602.3 Definitions

As used in this Part, the following terms shall have the following meanings:

(a) “Telehealth” means a dedicated secure real-time audio and/or interactive telecommunication system for the purpose of providing mental health and/or addiction services at a distance. Such services do not include an electronic mail message, text message or facsimile transmission between a provider and a recipient or a consultation between two professionals or clinical staff, although these activities may support the delivery of services via telehealth. Additionally, such services will not be defined as telehealth when provided where the originating and distant sites are the same location.

(b) “Designated program” means a Crisis Stabilization Center operating pursuant to Article 36 of the Mental Hygiene Law and has received an operating certificate designation indicating Offices approval.

(c) “Distant or hub site” means the distant secure location at which the practitioner delivering the service is located at the time the service is provided via telehealth technologies, which may include the practitioner’s place of residence, office, or other identified space within the United States.

(d) “Originating or spoke site” means the site at which the service recipient is located at the time the service is being provided via telehealth technologies, which may include the service recipient’s place of residence, other identified location, or other temporary location out-of-state.

(e) “Practitioner” means:

(1) a prescribing professional eligible to prescribe medications including buprenorphine pursuant to federal regulations;

(2) other staff authorized by the Offices to provide addiction and mental health services consistent with their scope of practice where applicable, in accordance with guidelines established by the Offices and as authorized pursuant to this Title and Article 29G of the public health law.

(f) “Service recipient” means a person who is receiving services delivered via telehealth.

(g) “Telehealth technologies” means a dedicated secure interactive audio and/or video linkage system approved by the Offices to transmit data between an originating and distant site for purposes of providing telehealth services.

§ 602.4 General Standards Applicable to Delivery of Services Via Telehealth

(a) Telehealth services, as defined in this Part, may be authorized by the Offices for the delivery of addiction and mental health services provided by practitioners employed by, or pursuant to a contract or Memorandum of Understanding (MOU), with a program licensed by the Offices. Telehealth services may be provided only where clinically appropriate and with informed consent of the recipient. Where the recipient is a minor, consent shall also be provided by the parent/guardian or other person who has legal authority to consent to health care on behalf of the minor. The recipient may withdraw consent at any time. A provider may not deny services to an individual who has a preference to receive services in-person. Services may be delivered via telehealth in accordance with guidance issued by the Offices.

(b) The Offices support the use of telehealth as an appropriate component of the delivery of services to the extent that:

(1) it is both the preference and in the best interests of the person receiving services;

(2) is performed in compliance with applicable federal and state laws and regulations and the provisions of this Part in order to address legitimate concerns about privacy, security, service recipient safety, and interoperability; and

(3) is delivered by appropriate staff working within their scope of practice.

(c) Services may be provided via telehealth by a practitioner from a site distant from the location of the service recipient, provided both practitioner and service recipient are located in sites approved by the Offices pursuant to the policies and procedures submitted by a licensed program in an application for a telehealth designation and in accordance with guidance.

(d) A practitioner must be licensed, certified or credentialed to practice in New York State and be in good standing with the appropriate licensing or credentialing authority and be physically located in the USA when providing services via telehealth.

(e) The provision of buprenorphine prescribing and monitoring and other controlled substances via telehealth must comply with applicable state and federal laws and regulations and in accordance with additional guidance.

§ 602.5 Approval to Utilize Telehealth Services

(a) A program must obtain prior written authorization from the Offices pursuant to this section before implementing service delivery via telehealth; services shall be limited to those authorized and approved by the Offices in guidance issued by the Offices.

(b) Requests for authorization to provide services via telehealth shall be in the form and format prescribed by the Offices. Authorization will be based on a review of the program policies and procedures, completion of an attestation, and other information as may be requested by the Offices, in accordance with guidance. Once approved, such provider shall be accountable for ensuring compliance with all ethical and scope of practice requirements for the provision of such services via telehealth.

§ 602.6 Policies and Procedures

Policies and procedures. A program designated to deliver services via telehealth must have written policies and procedures submitted by the program for designation approval, and the applicable requirements of this Part.

(a) Programs shall issue written policies and procedures to allow for the delivery of services via telehealth consistent with the following criteria, including but not limited to:

(1) Telehealth services must be conducted via telehealth technologies employing acceptable authentication and identification procedures by both the sender and the receiver; applicant must document a relationship with a credible technology service provider.

(2) Delivery of services meet federal and state confidentiality requirements including, but not limited to, 42 C.F.R. Part 2, and 45 C.F.R. Parts 160 and 164 (HIPAA Security Rules). Such policies and procedures must ensure that:

(i) confidentiality requirements applicable to written medical records shall apply to telehealth services including the actual transmission of the service, any recordings made during the transmission, and any other electronic records.

(ii) spaces occupied by the practitioner must meet privacy standards as provided in guidance.

(3) Policies for ensuring that culturally competent translation services are provided when the service recipient and practitioner do not speak the same language;

(4) Procedures for handling emergencies with persons who receive telehealth services including procedures detailing the availability of in-person assessments;

(5) Procedures for a contingency plan in the event of a transmission failure or other technical difficulties which may render the service undeliverable;

(6) Where applicable, a written and executed contract or MOU between an applicant provider and an individual practitioner or a corporate entity encompassing multiple practitioners regarding the above criteria and including billing, payment, record sharing, background checks, and any other relevant details necessary for implementation;

(7) Procedures for assessing recipients to determine whether a recipient may be properly treated via telehealth services;

(8) Informed consent of persons who receive telehealth services and procedures for the withdrawal of such consent;

(b) Implementation policies and procedures must ensure that:

(1) The service recipient be provided basic information about telehealth including alternatives.

(2) The service recipient may refuse to receive services via telehealth.

(3) The service recipient and prospective service recipients must be evaluated to determine if telehealth is clinically appropriate; additional evaluations may be required for medication for addiction treatment using controlled substances.

(c) Service delivery via Telehealth must be included in a provider's quality review process.

(1) The distant site practitioner must directly render the service delivered via telehealth.

(2) If the distant site is a hospital, the practitioner must be credentialed and privileged by such hospital, consistent with applicable accreditation standards.

(d) Policies and procedures relating to privacy must provide:

(1) Telehealth sessions shall not be recorded without the service recipient's consent, which shall be documented in the clinical record.

(2) Unless otherwise required, service recipients receiving services via telehealth may be accompanied by a staff member during the session or may be alone. If the initial evaluation or a subsequent treatment plan recommends that the service recipient be accompanied during telehealth sessions, the person must be accompanied for the session to be reimbursed.

(e) Contracts or Memorandum of Understanding (MOU) for the Provision of Services via Telehealth services.

(1) Prior approval of the Offices is not required before entering into such contracts or MOU; however, notice of such contracts or agreements must be provided to the Offices.

(2) The designated program is the default billing entity. Reimbursement of practitioners for services delivered via telehealth shall be pursuant to such contract or MOU; services are not separately billable by the practitioner unless agreed to in writing in advance of any service delivery.

(3) Designated programs or approved practitioners shall not engage in any services via telehealth not authorized by the Offices.

(4) Practitioners under contract or MOU with a certified and designated program must comply with the provisions of this Title related to criminal history information reviews or provide documentation that such security checks have been conducted and satisfied.

(5) Designated programs shall notify the Offices of any change in practitioners pursuant to a contract or MOU and compliance with provisions of Part and any guidance issued by the Offices.

(f) Telehealth Standards. The Offices shall post standards on its public website to assist in compliance with the provisions of this Part and in achieving treatment goals through the provision of services via telehealth. Such standards shall include, but not be limited to:

(1) Technology guidelines, including:

(i) The minimum technology thresholds (i.e., equipment, bandwidth, videoconferencing software, network specifications, carrier selection, hub/bridge, and security specifications), which shall be updated as new technology is approved; and

(ii) The form or format regarding the technology and communications to be used.

(2) Clinical standards, including but not limited to, the prescribing of medication for addiction treatment (MAT), including controlled substances, via telehealth.

§ 602.7 Revocation of Authority

(a) Failure to maintain minimum standards for authorization, implementation and/or reimbursement may result in disciplinary action against a program. In the event the Offices determine that an authorization must be revoked, the Office will notify the program in writing in accordance with guidance. The program may request an administrative review of such decision pursuant to this paragraph.

(i) The program must request such review in writing within fifteen (15) days of receipt of the notice of revocation of authorization. The request shall state the reasons the program considers the revocation of authorization incorrect and shall include any supporting documentation;

(ii) the commissioners of OASAS and OMH shall jointly notify the program, in writing, of the results of the administrative review within twenty (20) days of receipt of the request for review. Failure to notify the program within twenty (20) days shall be deemed confirmation of revocation of an authorization.

(iii) The determination jointly issued by the commissioners of OASAS and OMH after administrative review shall be final and not subject to further review.

§ 602.8 Reimbursement of Telehealth Services

(a) For purposes of billing for Medicaid reimbursement, both the practitioner and/or facility employing the practitioner, and the designated program must be Medicaid enrolled.

(b) For purposes of this subdivision, services delivered via telehealth shall be considered face-to-face contacts.

(c) To be eligible for Medicaid reimbursement, services delivered via telehealth must meet all requirements applicable to service delivery in accordance with this Title and the Part pursuant to which the designated program operating certificate is issued and must exercise the same standard of care as services delivered on-site or in-community.

(d) Services delivered via Telehealth shall be reimbursed at the same rates for identical procedures provided by practitioners in person unless otherwise specified by the Offices.

(e) The designated program is the primary billing entity; reimbursement for practitioners at a distant site must be pursuant to a contract or MOU. Delivery of services via telehealth are covered when medically necessary and under the following circumstances:

(1) the service recipient is located at an originating site and is seeking services from a certified program;

(2) the practitioner is employed by or contracted with a program certified by the Offices;

(3) the service recipient is present during the telehealth session;

(iv) the request for a telehealth session and the rationale for the request are documented in the case record;

(4) the service recipient case record includes documentation that the telehealth session occurred and the results and findings were communicated to the designated provider.

(f) Services delivered via Telehealth may only be delivered via technological means approved by the federal Center for Medicaid and Medicare Services (CMS), provided such means are compliant with federal confidentiality requirements.

(g) If all or part of a Telehealth session is interrupted due to a failure of transmission or other technical difficulty, reimbursement shall not be provided.

§ 602.9 Severability

If any provision of this Part or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Part which can be given effect without the invalid provision or applications, and to this end the provisions of the Part are declared to be severable.

Text of proposed rule and any required statements and analyses may be obtained from: Sara Paupini, Esq., Office of Mental Health, 44 Holland Avenue, Albany, NY 12229, (518) 474-1331, email: regs@omh.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: Sections 31.36, 32.36, and 36.01 of the Mental Hygiene Law, grant the Commissioners of the Office of Mental Health (OMH) and Office of Addiction Services and Supports (OASAS) the authority and responsibility to create and operate Crisis Stabilization Centers and promulgate joint regulations for the operation of such centers.

2. Legislative Objectives: To establish regulations regarding the expansion of Crisis Stabilization Centers to offer telehealth services.

3. Needs and Benefits: The proposed amendments are intended to continue to expand the opportunity to offer telehealth services in the New York State regulated behavioral health system, specifically for Crisis Stabilization Centers.

The adoption of this regulation is necessary to allow Crisis Stabilization Centers to maintain continuity of care with their patients, rapidly evaluate and screen new patients, and offer crisis and support interventions. The purpose of Crisis Stabilization Centers for those individuals with a known or suspected mental health condition or substance use disorder is to provide observation, evaluation, care, and treatment in a safe and comfortable environment, twenty-four (24) hours per day, seven (7) days per week.

4. Costs:

(a) Cost to State government: There are no costs to State government as a result of these amendments. (b) Cost to local government: There are no new costs to local government as a result of these amendments. (c) Cost to regulated parties: There are no new costs to regulated parties as a result of these amendments.

5. Local Government Mandates: The provision of telehealth services is not required. These regulatory amendments will not involve or result in any additional imposition of duties or responsibilities upon county, city, town, village, school, or fire districts.

6. Paperwork: There are no new paperwork requirements as a result of the amendments.

7. Duplication: These regulatory amendments do not duplicate existing State or federal requirements.

8. Alternatives: It was determined that should the Office consider not moving forward with the proposed rule, it would have a detrimental effect on behavioral health care delivery. The field has consistently expressed support for the increase flexibility previously authorized during the public health emergency, and the ability to serve their populations fully. They have also expressed concern about continuity of care and delivering necessary services. The proposed amendment intends to increase flexibility for Crisis Stabilization Centers wishing to deliver telehealth services and conforms regulations to recent amendments to Section 2999-cc of the Public Health Law.

9. Federal Standards: Currently states can choose to cover telehealth under Medicaid, as defined via their state plan amendment.

10. Compliance Schedule: This rulemaking will be effective upon filing with the Department of State.

Regulatory Flexibility Analysis

Effect of Rule:

There will be no adverse economic impact upon small businesses or local governments as a result of this rule making. The rule serves to provide additional flexibilities for Crisis Stabilization Centers.

Compliance Requirements:

Additional compliance requirements are expected to be minimal, as telehealth has already been authorized.

Professional Services:

No professional services are required by this regulation.

Economic and Technological Feasibility:

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

Minimizing Adverse Impact:

This regulation is consistent with the existing flexibilities providers have utilized. Therefore, any adverse impacts are expected to be minimal and are outweighed by the regulation's intent to continue to provide broad access to services

Small Business and Local Government Participation:

The Office will notify such entities of the existence of these regulations and the opportunity to submit comments or questions to the Department.

Rural Area Flexibility Analysis

Types and Estimated Numbers of Rural Areas:

Although 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.

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

This regulation imposes no additional paperwork. Although the regulation may require recordkeeping these records must already be maintained by facilities. Additionally, no additional professional services are required by this regulation.

Costs:

Costs are expected to be minimal, as telehealth has already been authorized.

Economic and Technological Feasibility:

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

Minimizing Adverse Impact:

This regulation is consistent with the existing flexibilities providers have utilized. Therefore, any adverse impacts are expected to be minimal and are outweighed by the regulation's intent to continue to provide broad access to services

Rural Area Participation:

The Office will notify covered entities located in rural areas of the existence of these regulations and the opportunity to submit comments or questions to the Office.

Job Impact Statement

The addition of 14 NYCRR Part 602 are intended to improve mental health services by expanding the opportunity to offer telehealth services in Crisis Stabilization Centers. It is evident from the subject matter of this rule, that it could only have a positive impact or no impact on jobs or employment, therefore a Job Impact Statement is not necessary with this notice.

Department of Motor Vehicles

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Point System and Licensing or Relicensing After Revocation Action

I.D. No. MTV-36-23-00031-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 131.3, 131.4, 136.5 and 136.6 of Title 15 NYCRR.

Statutory authority: Vehicle and Traffic Law, sections 215(a), 510(3)(d), (6)(a) and 1193(2)(c)

Subject: Point System and Licensing or Relicensing After Revocation Action.

Purpose: To assign a point value for alcohol related convictions and increase point values and negative units for certain violations.

Text of proposed rule: Subdivision (b) of section 131.3 is amended to add a new paragraph (1) and renumber existing paragraphs 1-8 as 2-9, amended to read as follows:

(b) Exceptions. (1) The following violations shall be assigned a point value of 14 points:

(i) any alcohol or drug-related driving conviction or incident, as such term is defined by 15 NYCRR § 136.5(a)(1).

[(1)](2) The following violations shall be assigned a point value of 11 points:

(i) any violation involving speeding more than 40 miles per hour over the speed limit[.]; and

(ii) any conviction of section five hundred eleven of the Vehicle and Traffic Law.

[(2)](3) The following violations shall be assigned a point value of eight points:

(i) any violation involving speeding more than 30 but no more than 40 miles per hour over the speed limit[.];

(ii) any violation involving overtaking or passing a stopped school bus;

(iii) any violation involving the operation or movement of a vehicle or a combination of vehicles exceeding height or weight limitations over, under, on, or through highways, bridges or highway structures, or the striking of a bridge or highway structure, pursuant to subdivisions (2) or (14) of section 385 of the Vehicle and Traffic Law; and

(iv) any violation involving driving through a highway construction or maintenance work area at a speed in excess of the posted work area speed limit, pursuant to subdivision (f) of section 1180 of the Vehicle and Traffic Law.

[(3)](4) The following violations shall be assigned a point value of six points:

(i) any violation involving speeding more than 20 but not more than 30 miles per hour over the speed limit.

[4](5) The following violations shall be assigned a point value of five points:

(i) reckless driving;

(ii) [any violation involving overtaking or passing a stopped school bus;

(iii)] any violation involving the use of a mobile telephone or portable electronic device; and

[(iv)] (iii) any violation involving a railroad crossing.

[(5)](6) The following violations shall be assigned a point value of four points:

(i) any violation involving speeding more than 10 but not more than 20 miles per hour over the speed limit;

(ii) following too closely; and

(iii) inadequate service brakes, except for such a violation committed by an employed driver during the course of his employment, which shall be subject to the provisions of subdivision (a) of this section.

[(6)](7) The following violations shall be assigned a point value of three points:

(i) any violation involving speed except where a different point value has been assigned;

(ii) any violation constituting a failure to yield the right-of-way;

(iii) any violation involving disobeying a traffic control signal or a stop or yield sign;

(iv) any violation involving improper passing, changing lanes unsafely, driving to left of center of roadway, or driving in the wrong direction;

(v) leaving the scene of a *personal injury accident*, property damage incident or injury to an animal without reporting; and

(vi) any violation involving use of safety belts or seats by a child under the age of 16.

[(7)](8) The following violations shall not be assigned any point value:

(i) any violation relating to vehicle registration, licensing or insurance;

(ii) any violation relating to motor vehicle inspection, vehicle weights or dimensions or vehicle equipment other than inadequate service brakes;

(iii) [any violation, other than a violation set forth in paragraphs (1) through (6) of this subdivision, for which suspension or revocation action is mandated upon conviction; (iv)] any parking violation;

[(v)](iv) any pedestrian or bicycle violation;

[(vi)](v) any violation relating to a business or the sale of goods established in the Vehicle and Traffic Law or any local law;

[(vii)](vi) any other violation not resulting from the operation of a motor vehicle; and

[(viii)](vii) any violation of section 1110(a) of the Vehicle and Traffic Law relative to the improper use of high occupancy vehicle lanes in Suffolk County, between exits 49 and 57 of the Long Island Expressway.

[(8)](9) Point values for violations committed on or after July 1, 1988, shall be assigned in accordance with the provisions of this section which became effective on October 12, 1988.

Subdivisions (a), (b), and (c) of section 131.4 are amended to read as follows:

(a) A motorist may be mailed a letter advising him of the status of his driving record and any possible future action which may be taken in the event of his accumulation of additional points when a motorist has accumulated between four and six points within [an 18] a 24- month period.

(b) A motorist may be required to attend a driver improvement clinic when he has accumulated between 7 and 10 points within [an 18] a 24-month period. Failure to attend a driver improvement clinic when required may result in the suspension of the motorist's license as prescribed in Part 132 of this Title.

(c) A motorist may be required to attend a formal hearing to investigate habitual or persistent violation of the provisions of the Vehicle and Traffic Law or of any lawful ordinance, rule or regulation made by local authori-

ties in relation to traffic at which suspension or revocation action may be taken against his license when he has accumulated:

(1) eleven or more points within [an 18] a 24- month period, *except when all such points result from a single alcohol- or drug-related driving conviction or incident as defined by paragraph (1) of subdivision (a) of section 136.5 of this Title;*

(2) nine or more points resulting from speeding violations within [an 18] a 24- month period; or

(3) four or more additional points within a 12-month period after having attended a formal hearing.

Subparagraph (i) of paragraph (1) of subdivision (a) of section 136.5 is amended to read as follows:

(i) a conviction *or a youthful offender adjudication* of a violation of section 1192 of the Vehicle and Traffic Law or an out-of-state conviction for operating a motor vehicle while under the influence of alcohol or drugs;

Subparagraph (iv) of paragraph (2) of subdivision (a) of section 136.5 is amended to read as follows:

(iv) 20 or more points from any violations *other than as defined in paragraph (1) of this subdivision.*

Paragraphs (1) and (2) of subdivision (b) of section 136.5 is amended to read as follows:

(1) the person has [five] *four* or more alcohol- or drug-related driving convictions or incidents in any combination within his or her lifetime, then the Commissioner shall deny the application.

(2) the person has three [or four] alcohol- or drug-related driving convictions or incidents in any combination within the 25 year look back period and, in addition, has one or more serious driving offenses within the 25 year look back period, then the Commissioner shall deny the application.

Subparagraph (i) of paragraph (3) of subdivision (b) of section 136.5 is amended to read as follows:

(i) the person has three [or four] alcohol- or drug-related driving convictions or incidents in any combination within the 25 year look back period but no serious driving offenses within the 25 year look back period; and

Subparagraph (i) of paragraph (4) of subdivision (b) of section 136.5 is amended to read as follows:

(i) the person has three [or four] alcohol- or drug-related driving convictions or incidents in any combination within the 25 year look back period but no serious driving offenses within the 25 year look back period; and

Subdivision (a) of section 136.6 is amended to read as follows:

(a) There shall be assigned to each safety factor a negative unit as follows:

Safety factor	Assigned Negative Units	
	over one year to [three] <i>four</i> years of application	within one year of application
(1) for each reportable accident of record with a finding by the referee of gross negligence in the operation of a motor vehicle in a manner showing a reckless disregard for the life and property of others	-5	-8
(2) for each reportable accident of record with conviction involvement or with a finding by the referee of a violation of the Vehicle and Traffic Law	-3	-4
(3) for the first and second speeding conviction of record*	-3	-4
(4) for the third and subsequent speeding conviction*	-5	-8

Safety factor	Assigned Negative Units	
(5) for reckless driving, speed contest, <i>overtaking</i> or passing a stopped school bus, <i>any violation involving the use of a mobile telephone or portable electronic device, or operation or movement of a vehicle exceeding height or weight limitations on highways, bridges, or highway structures, or striking bridges or highway structures, pursuant to Vehicle and Traffic Law § 385(2) or (14), or speeding in a work zone in excess of the posted speed limit pursuant to Vehicle and Traffic Law § 1180(f)</i>	-[5]8	-[8]11
(6) for each conviction of record for leaving the scene of a personal injury accident of record	-8	-11
(7) for each alcohol-related offense of record as follows:		
(i) conviction for violation of subdivision (1) of section 1192 of the Vehicle and Traffic Law:		
first offense	-[5]8	-[8]11
second offense	-[8]11	-[11]14
third offense	-[11]14	-[14]17
(ii) conviction for violation of subdivision (2), (2-a), (3), (4), or (4-a) of section 1192 of the Vehicle and Traffic Law:		
first offense	-[8]11	-[11]14
second or subsequent offense	-[11]14	-[14]17
(iii) chemical test refusal	-[6]9	-[11]14
(8) for each conviction of homicide, criminally negligent homicide, or assault arising out of the operation of a motor vehicle	-[11]14	-[14]17
(9)(i) for each incident of driving during a period of alcohol-related license suspension or revocation	-[10]13	-[12]15
(ii) for each other incident of driving during a period of license suspension or revocation	-[8]11	-[10]13
(10) for each conviction or finding by the commissioner's referee of a violation of section 392 of the Vehicle and Traffic Law	-3	-4
(11) for each other conviction of record for a moving violation	-2	-3

*For each speeding violation of 25 miles per hour or more over the posted speed limit, add one [point] unit.

Text of proposed rule and any required statements and analyses may be obtained from: Heidi A. Bazicki, NYS Department of Motor Vehicles, 6 Empire State Plaza, Room 522A, Albany, New York 12228, (518) 474-0871, email: dmv.sm.legal@dmv.ny.gov

Data, views or arguments may be submitted to: John J. Kenefick, NYS Department of Motor Vehicles, 6 Empire State Plaza, Room 522A, Albany, New York 12228, (518) 474-0871, email: dmv.sm.legal@dmv.ny.gov

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

Regulatory Impact Statement

1. Statutory authority: Vehicle and Traffic Law (VTL) section 215(a) provides that the Commissioner of Motor Vehicles (“Commissioner”) may enact rules and regulations that regulate and control the exercise of the powers of the Department of Motor Vehicles (“DMV” or “Department”). Section 510(3)(d) of the VTL provides that the Commissioner may suspend or revoke a license, registration, or privilege of operating for habitual or persistent violation of any provision of the VTL or of any lawful

local ordinance, rule or regulation made by local authorities in relation to traffic.

Section 510(6)(a) of the VTL provides that where a license is mandatorily revoked, such license shall not be restored except in the discretion of the Commissioner. Section 1193(2)(c) of the VTL provides that when a license is revoked as the result of alcohol- or drug-related conviction, no new license shall be issued after the expiration of the minimum revocation period, except in the discretion of the Commissioner. Section 1194(2)(d)(1) provides that where a license is revoked arising out of a chemical test refusal, no new license shall be issued except in the discretion of the Commissioner.

2. Legislative objectives: The objectives of the authority granted above are twofold. The first is to establish a system for the Department to identify driving records which shall be presumptively deemed to constitute habitual and persistent violations of laws related to traffic and take appropriate license sanctions against an operator who poses a highway safety risk to others. The second is to establish a system for the restoration of a driver’s license and the re-licensing of individuals whose licenses have been suspended or revoked for alcohol- or drug-related offenses.

3. Needs and benefits: The proposed rule is both necessary and beneficial for the enhancement of highway safety in New York State. This proposal is consistent with legislative objectives that grant the Commissioner discretion to identify driving records which shall be presumptively deemed to constitute habitual and persistent violations of laws related to traffic. The Commissioner promulgated Part 131 of the rules and regulations to establish the point system that serves as the basis for the assessment of persistent violator status. The Department determines which violations are assigned points and how many such points are assigned. The criteria set forth in Part 131 are designed to permit the Department to take appropriate license sanctions against an operator who poses a highway safety risk to others. This proposal is consistent with the legislative objective of sanctioning drivers who commit persistent violations of the law.

Currently, Part 131 provides, in pertinent part, that a person who accumulates 11 or more points within an 18-month period is deemed a persistent violator and is subject to a license suspension or revocation. Under the proposed rule a person who accumulates 11 points within a 24-month period is deemed a persistent violator and is subject to a license suspension or revocation. Increasing the time frame from 18 months to 24 months allows the Department to review a longer period of operation for when administrative action can be taken for a persistent violator, and will result in an increase of about 40% of drivers being classified as persistent violators. Increasing the time frame within which an operator can be considered a persistent violator aligns with the legislative objective of sanctioning drivers who commit persistent violations of the law, and ultimately, will modify driver behavior for a longer period of time.

The proposed rule will increase the points for violations of passing or overtaking a stopped school bus from five (5) points to eight (8) points. Passing or overtaking a stopped school bus has serious public safety consequences and such violations should carry a point value commensurate with those potential consequences. Increasing the points for passing or overtaking a stopped school bus reinforces the message that DMV considers this a serious offense. This action is also consistent with recent statutory changes regarding passing a stopped school bus. In 2019, the law was changed to allow for the use of automated enforcement via camera for passing school busses illegally. This violation is particularly egregious because it shows a disregard for more vulnerable road users – especially children. Violations for passing a stopped school bus increased by 6.7% from 2021 to 2022, and are projected to increase 15% from 2022 to 2023.

The proposed rule will add points for violations that currently have no point value associated with them. This includes alcohol- and drug-related offenses, aggravated unlicensed operation of a motor vehicle, leaving the scene of a personal injury crash, violations for the exceeding the posted weight capacity and height clearance for a bridge, striking a bridge or structure, and speeding in a work zone. Adding points for violations that currently have no point value associated with them has the purpose of reinforcing the message that DMV considers such violations to be of a serious nature and a great risk to public safety. These amendments to the point system are needed because currently there are no points assigned to alcohol/drugged driving convictions, chemical test refusals, operating while suspended or revoked, or leaving the scene of a personal injury crash, thus there is no authority currently to treat these egregious behaviors and convictions similarly to other convictions which qualify motorists to be deemed problem drivers. Adding these points will increase the likelihood of reaching a threshold to be revoked, thus requiring application for re-licensure be submitted to the Commissioner for consideration and review of the specific record. Additionally, these violations have negative units assigned to their associated safety factors. Assigning point values to them reflects the severity of the infraction and is commensurate with the Department’s approach when reviewing the motorist’s record upon application for relicensure.

Moreover, the increased points become part of the persistent violator equation which subjects such motorist to the suspension or revocation of their license. Assigning appropriate point values for violations of the VTL is an essential component of DMV's commitment to highway safety and its effort to deter such violations on our highways. Determining and setting appropriate point values for different types of violations, relative to their severity and the risk they pose, aligns with the legislative objective of sanctioning drivers who commit persistent violations of the law.

Additionally, a person whose driver's license is revoked must apply to the DMV for relicensure. Such person's driving record is subject to a review pursuant to Part 136 of the rules and regulations. The proposed rule would amend section 136.5 to lower the bar for permanent license forfeiture of motorists who continue to drive under the influence of alcohol and drugs. This proposal is both necessary and beneficial because it protects the public from recidivist drunk drivers who pose a real threat to highway safety. For example, the proposed rule provides that an application will be "permanently" denied if the applicant has four or more alcohol- or drug-related convictions or incidents on his or her entire record or if such person has three such convictions or incidents plus one or more serious driving offense within the 25-year period prior to the date of the revocable offense. One in five convicted drinking drivers in New York State is a recidivist, and 44% of fatal crashes in New York are alcohol- or drug-related. These proposals will provide a vital next step in protecting the motoring public from recidivist alcohol- and drug-related offenders who pose a real threat to highway safety. Approximately 10,000 recidivist drivers with 4 alcohol- or drugged driving incidents on their record could still re-obtain a driving privilege in New York under existing regulations.

This proposal is consistent with legislative objectives that grant the Commissioner broad discretion in establishing criteria for the restoration of driver's licenses and the re-licensing of individuals whose licenses have been suspended or revoked for alcohol- or drug-related offenses. The Commissioner promulgated Part 136 of the rules and regulations to set forth such criteria. The criteria set forth in Part 136 are designed to permit relicensure of motorists who no longer pose a danger on our highways. This proposal is consistent with the legislative objective of protecting the motoring public as it strengthens the standards used to evaluate a motorist's lifetime record and it lowers the bar for permanent license forfeiture of motorists who continue to drive under the influence of alcohol and drugs.

Under section 136.6, the Department assigns negative units to various safety factors, as defined in section 136.1(b)(5). If a person has 25 or more negative units, such person is deemed a highway safety risk and is denied relicensure. Negative units are assigned for various violations of the VTL. This proposed rule would increase the negative units for the following violations: reckless driving, speed contest and passing a stopped school bus, for alcohol- and drug-related convictions, chemical test refusals, convictions of homicide, criminally negligent homicide, or assault arising out of the operation of a motor vehicle and driving during a period of license suspension or revocation. The proposed rule would also expand the negative unit scheme to include violations involving the use of a mobile telephone or portable electronic device, violations for the exceeding the posted weight capacity and height clearance for a bridge, striking a bridge or structure, and speeding in a work zone. These changes ensure safety factors are commensurate with point values for associated violations. The proposed rule would change the time frame in which the Department is able to utilize negative units from within three years to within four years. The increase of negative units for certain offenses or the addition of negative units being applied to violations of a serious nature will provide a critical step in protecting the motoring public from unsafe operators of motor vehicles and will ensure a driver's violations are appropriately weighted when the department reviews a relicensing application. These changes further highway safety by strengthening the criteria for approval of an application for relicensure.

4. Costs: There is no cost to regulated parties, customers, the State, the agency, and local government.

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

6. Paperwork: There are no new paperwork requirements.

7. Duplication: This proposal does not duplicate, overlap, or conflict with any relevant rule or legal requirement of the State and federal governments.

8. Alternatives: After reviewing the continuing and serious highway safety risks associated with habitual and persistent violators of the VTL, DMV determined that it was prudent to increase the time frame for which someone is deemed a persistent violator, to increase the points for certain violations, and to add points for violations that previously did not have a point value assigned. DMV considered increasing all point values, but instead decided to add point values to violations for which no point values are currently assessed. Increases are tailored to violations that the state, as a policy, has also addressed via statutory modification in recent years. The

Vehicle and Traffic law was amended in 2019 to authorize automated enforcement via camera tickets for violations for passing a stopped school bus. The legislature has also passed legislation to expand the conduct that is considered aggravated unlicensed operation and has proposed additional notice requirements be sent to certain drivers in an effort to deter this behavior.

The Department examined several ways to strengthen the re-licensing criteria set forth in Part 136. For example, we considered permanent denial if the applicant has three or more alcohol- or drug-related convictions or incidents on their entire record, but decided on a gradual approach, instead reducing to four convictions. A no-action alternative was considered but not adopted, because the Department believes that steps must be taken to lower the bar for permanent license forfeiture for reckless drivers who continue to drive under the influence of alcohol and drugs.

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

10. Compliance schedule: Compliance shall commence immediately upon adoption of this regulation and shall apply to violations committed on or after the date the rule is adopted and to applications received on or after its effective date.

Regulatory Flexibility Analysis

No regulatory flexibility analysis is submitted with this notice because the proposed rule does not impose any requirements on small businesses and local governments. This proposed rulemaking will not impose any adverse economic impacts on small businesses and local governments or impose any reporting, recordkeeping or other compliance requirements on small businesses and local governments.

Rural Area Flexibility Analysis

No rural area flexibility analysis is submitted with this notice because the proposed rule does not impose any requirements on public or private entities in rural areas. The proposed rule will not impose any adverse economic impact on rural areas or impose any reporting, recordkeeping, professional services, or other compliance requirements on public or private entities in rural areas.

Job Impact Statement

A Job Impact Statement is not submitted with this proposal because there is no adverse impact on job creation or development in New York State.

Public Service Commission

NOTICE OF ADOPTION

Submetering of Electricity and Waiver Request

I.D. No. PSC-46-22-00007-A

Filing Date: 2023-08-21

Effective Date: 2023-08-21

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

Action taken: On 8/17/23, the PSC adopted an order approving Archer Towers Phase I Development LLC's (Archer Towers) petition to submeter electricity at 92-33 Guy R Brewer Blvd., Queens, New York and a waiver of energy audit requirements in 16 NYCRR § 96.5(k)(3).

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

Subject: Submetering of electricity and waiver request.

Purpose: To approve Archer Towers' petition to submeter electricity and waiver request.

Substance of Final Rule: The Commission, on August 17, 2023, adopted an order approving Archer Towers Phase I Development LLC's petition to submeter electricity at 92-33 Guy R Brewer Blvd., Queens, New York, located in the service territory of Consolidated Edison Company of New York, Inc., and a waiver of the energy audit and energy efficiency plan requirements in 16 NYCRR § 96.5(k)(3), subject to the terms and conditions set forth in the order.

Text or summary was published in the November 16, 2022 issue of the Register, I.D. No. PSC-46-22-00007-P.

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

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

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

Assessment of Public Comment

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

(23-E-0050SA1)

NOTICE OF ADOPTION

Coordinated Grid Planning

I.D. No. PSC-04-23-00011-A

Filing Date: 2023-08-17

Effective Date: 2023-08-17

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

Action taken: On 8/17/23, the PSC adopted an order approving, with modifications, the Revised Coordinated Grid Planning Process Proposal.

Statutory authority: Public Service Law, sections 4, 5, 65, 66, 66-p: Accelerated Renewable Energy Growth and Community Benefit Act of 2020

Subject: Coordinated Grid Planning.

Purpose: To approve, with modifications, the Revised Coordinated Grid Planning Process Proposal.

Substance of final rule: The Commission, on August 17, 2023, adopted an order approving, with modifications, the Revised Coordinated Grid Planning Process Proposal. Central Hudson Gas & Electric Corporation, Consolidated Edison Company of New York, Inc., New York State Electric and Gas Corporation, Niagara Mohawk Power Corporation d/b/a National Grid, Orange and Rockland Utilities, Inc., and Rochester Gas and Electric Corporation (collectively, the major electric utilities), are directed to modify the proposed approach to representing local constraints in the capacity expansion model during Stage 1 of the Coordinated Grid Planning Process (CGPP). The major electric utilities are directed to consult with Department of Public Service Staff (Staff) to develop conceptual cost estimates for local transmission and distribution upgrades beyond the existing local headroom and, in coordination with Staff, determine how to incorporate the conceptual local transmission and distribution cost estimates into the capacity expansion model. Staff is directed to work with the New York State Energy Research and Development Authority (NYSERDA) to assess the approach used to develop conceptual cost estimates for local transmission and distribution upgrades during the first cycle of the CGPP and propose modifications to the approach for future cycles. The major electric utilities are directed to consult with Staff to determine if and when additional iterations between Stages 3 through 5 are necessary. Staff shall consult with the Energy Policy Planning Advisory Council and NYSEDA to provide modeling assumptions for the first scenario of the first cycle of the CGPP. Staff shall consult with and offer recommendations to the New York Independent System Operator, Inc.'s (NYISO) planners regarding how additional resources of NYISO might be deployed to align the planning processes and to improve the overall efficiency of the CGPP. The major electric utilities are directed to consult with the Long Island Power Authority (LIPA), Staff, and NYISO and to file by June 1, 2024, recommendations for reducing the CGPP cycle time to two years. Staff shall provide a mid-cycle assessment to the Commission by June 1, 2024. The major electric utilities shall consult with the Advanced Technology Working Group (ATWG) and Staff to schedule a public technical conference. The major electric utilities are directed to consult with the ATWG and LIPA during Stages 3 and 4 of the CGPP. The major electric utilities shall explain their approach to implementing advanced technologies and the ATWG's recommendations in the final Least Cost Plan Report of the CGPP cycle. The major electric utilities are directed to explore interim applications of technologies that may improve system capacity or efficiency at a low cost while long-term solutions are being developed. The major electric utilities are directed to identify any proposed projects that would be partially or entirely located in a disadvantaged community, and to provide sufficient information and justification for the Commission to evaluate impacts on the disadvantaged community. The major electric utilities shall consult with LIPA and Staff to establish additional points in the process for stakeholders to provide meaningful input. The major electric utilities are directed to consult with Staff to establish effective and timely means for sharing information about the process with the public and interested stakeholders, including at least two public events, with one event to explain the results of the work done in Stage 1 and one event to provide details of the findings and recommendations in the final Least Cost Plan Report. The major electric utilities are

directed to consult with Staff and NYSEDA and to file a proposal in this proceeding for an annual headroom reporting date that, once accepted by the Commission, will replace the semi-annual headroom reporting requirement. The major electric utilities are also directed to include information on previously funded Phase 1 and Phase 2 projects in the final Least Cost Plan Report, subject to the terms and conditions set forth in the order.

Text or summary was published in the January 25, 2023 issue of the Register, I.D. No. PSC-04-23-00011-P.

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

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

Assessment of Public Comment

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

(20-E-0197SA14)

NOTICE OF ADOPTION

Submetering of Electricity

I.D. No. PSC-09-23-00021-A

Filing Date: 2023-08-21

Effective Date: 2023-08-21

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

Action taken: On 8/17/23, the PSC adopted an order approving RXR 2413 Third Owner LLC's (RXR 2413) notice of intent to submeter electricity at 2413 Third Avenue, Bronx, 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: Submetering of electricity.

Purpose: To approve RXR 2413's notice of intent to submeter electricity.

Substance of final rule: The Commission, on August 17, 2023, adopted an order approving RXR 2413 Third Owner LLC's notice of intent to submeter electricity at 2413 Third Avenue, Bronx, New York, located in the service territory of Consolidated Edison Company of New York, Inc., subject to the terms and conditions set forth in the order.

Text or summary was published in the March 1, 2023 issue of the Register, I.D. No. PSC-09-23-00021-P.

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

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

Assessment of Public Comment

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

(22-E-0664SA1)

NOTICE OF ADOPTION

Electric Metering Equipment

I.D. No. PSC-09-23-00026-A

Filing Date: 2023-08-21

Effective Date: 2023-08-21

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

Action taken: On 8/17/23, the PSC adopted an order approving Landis+Gyr Technology Inc.'s (Landis+Gyr) petition to use the Landis+Gyr Revelo E660 electric meter for electric metering applications in New York State.

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

Subject: Electric metering equipment.

Purpose: To approve Landis+Gyr's petition to use electric metering equipment.

Substance of final rule: The Commission, on August 17, 2023, adopted an order approving Landis+Gyr Technology Inc.'s petition to use the Landis+Gyr Revelo E660 electric meter for electric metering applications in New York State, subject to the terms and conditions set forth in the order.

Text or summary was published in the March 1, 2023 issue of the Register, I.D. No. PSC-09-23-00026-P.

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

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

Assessment of Public Comment

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

(23-E-0041SA1)

NOTICE OF ADOPTION

Submetering of Electricity

I.D. No. PSC-09-23-00027-A

Filing Date: 2023-08-21

Effective Date: 2023-08-21

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

Action taken: On 8/17/23, the PSC adopted an order approving 28 South Division Owner LLC's (28 South) notice of intent to submeter electricity at 50 Clinton Place, New Rochelle, 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: Submetering of electricity.

Purpose: To approve 28 South's notice of intent to submeter electricity.

Substance of final rule: The Commission, on August 17, 2023, adopted an order approving 28 South Division Owner LLC's notice of intent to submeter electricity at 50 Clinton Place, New Rochelle, New York, located in the service territory of Consolidated Edison Company of New York, Inc., subject to the terms and conditions set forth in the order.

Text or summary was published in the March 1, 2023 issue of the Register, I.D. No. PSC-09-23-00027-P.

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

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

Assessment of Public Comment

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

(23-E-0050SA1)

NOTICE OF ADOPTION

Submetering of Electricity and Waiver Request

I.D. No. PSC-14-23-00008-A

Filing Date: 2023-08-21

Effective Date: 2023-08-21

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

Action taken: On 8/17/23, the PSC adopted an order approving Bethany Senior Terraces' (Bethany Senior) notice of intent to submeter electricity at 604 East 40th Street, Brooklyn, New York, and a waiver of energy audit requirements in 16 NYCRR § 96.5(k)(3).

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

Subject: Submetering of electricity and waiver request.

Purpose: To approve Bethany Senior's notice of intent to submeter electricity and waiver request.

Substance of Final Rule: The Commission, on August 17, 2023, adopted an order approving Bethany Senior Terraces' notice of intent to submeter electricity at 604 East 40th Street, Brooklyn, New York, located in the service territory of Consolidated Edison Company of New York, Inc., and a waiver of the energy audit and energy efficiency plan requirements in 16 NYCRR § 96.5(k)(3), subject to the terms and conditions set forth in the order.

Text or summary was published in the April 5, 2023 issue of the Register, I.D. No. PSC-14-23-00008-P.

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

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

Assessment of Public Comment

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

(23-E-0037SA1)

NOTICE OF ADOPTION

Electric Metering Equipment

I.D. No. PSC-16-23-00009-A

Filing Date: 2023-08-21

Effective Date: 2023-08-21

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

Action taken: On 8/17/23, the PSC adopted an order approving Ritz Instrument Transformers, Inc.'s (Ritz) petition to use the Ritz VEF15-09 single pole potential instrument transformer in electric metering applications in New York State.

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

Subject: Electric metering equipment.

Purpose: To approve Ritz's petition to use electric metering equipment.

Substance of final rule: The Commission, on August 17, 2023, adopted an order approving Ritz Instrument Transformers, Inc.'s petition to use the Ritz VEF15-09 single pole potential instrument transformer in electric metering applications in New York State, subject to the terms and conditions set forth in the order.

Text or summary was published in the April 19, 2023 issue of the Register, I.D. No. PSC-16-23-00009-P.

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

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

Assessment of Public Comment

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

(23-E-0085SA1)

NOTICE OF ADOPTION

Submetering of Electricity

I.D. No. PSC-16-23-00011-A

Filing Date: 2023-08-21

Effective Date: 2023-08-21

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

Action taken: On 8/17/23, the PSC adopted an order approving Bud North LLC's (Bud North) notice of intent 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: Submetering of electricity.

Substance of Final Rule: The Commission, on August 17, 2023, adopted

an order approving Bud North LLC's notice of intent to submeter electricity at 2-21 Malt Drive, Long Island City, New York., located in the service territory of Consolidated Edison Company of New York, Inc., subject to the terms and conditions set forth in the order.

Purpose: To approve Bud North's notice of intent to submeter electricity.
Text or summary was published in the April 19, 2023 issue of the Register, I.D. No. PSC-16-23-00011-P.

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

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

Assessment of Public Comment

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

(22-E-0607SA1)

NOTICE OF ADOPTION

Electric Metering Equipment

I.D. No. PSC-16-23-00012-A

Filing Date: 2023-08-21

Effective Date: 2023-08-21

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

Action taken: On 8/17/23, the PSC adopted an order approving Ritz Instrument Transformers, Inc.'s (Ritz) petition to use the Ritz VZF36-10 double pole potential instrument transformer in electric metering applications in New York State.

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

Subject: Electric metering equipment.

Purpose: To approve Ritz's petition to use electric metering equipment.

Substance of final rule: The Commission, on August 17, 2023, adopted an order approving Ritz Instrument Transformers, Inc.'s petition to use the Ritz VZF36-10 double pole potential instrument transformer in electric metering applications in New York State, subject to the terms and conditions set forth in the order.

Text or summary was published in the April 19, 2023 issue of the Register, I.D. No. PSC-16-23-00012-P.

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

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

Assessment of Public Comment

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

(23-E-0089SA1)

NOTICE OF ADOPTION

Electric Metering Equipment

I.D. No. PSC-16-23-00013-A

Filing Date: 2023-08-21

Effective Date: 2023-08-21

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

Action taken: On 8/17/23, the PSC adopted an order approving Ritz Instrument Transformers, Inc.'s (Ritz) petition to use the Ritz GIFU15-03 current instrument transformer in electric metering applications in New York State.

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

Subject: Electric metering equipment.

Purpose: To approve Ritz's petition to use electric metering equipment.

Substance of Final Rule: The Commission, on August 17, 2023, adopted

an order approving Ritz Instrument Transformers, Inc.'s petition to use the Ritz GIFU15-03 current instrument transformer in electric metering applications in New York State, subject to the terms and conditions set forth in the order.

Text or summary was published in the April 19, 2023 issue of the Register, I.D. No. PSC-16-23-00013-P.

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

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

Assessment of Public Comment

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

(23-E-0090SA1)

NOTICE OF ADOPTION

Electric Metering Equipment

I.D. No. PSC-16-23-00014-A

Filing Date: 2023-08-21

Effective Date: 2023-08-21

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

Action taken: On 8/17/23, the PSC adopted an order approving Ritz Instrument Transformers, Inc.'s (Ritz) petition to use the Ritz GIFU25-03 current instrument transformer in electric metering applications in New York State.

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

Subject: Electric metering equipment.

Purpose: To approve Ritz's petition to use electric metering equipment.

Substance of Final Rule: The Commission, on August 17, 2023, adopted an order approving Ritz Instrument Transformers, Inc.'s petition to use the Ritz GIFU25-03 current instrument transformer in electric metering applications in New York State, subject to the terms and conditions set forth in the order.

Text or summary was published in the April 19, 2023 issue of the Register, I.D. No. PSC-16-23-00014-P.

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

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

Assessment of Public Comment

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

(23-E-0091SA1)

NOTICE OF ADOPTION

Electric Metering Equipment

I.D. No. PSC-16-23-00015-A

Filing Date: 2023-08-21

Effective Date: 2023-08-21

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

Action taken: On 8/17/23, the PSC adopted an order approving Ritz Instrument Transformers, Inc.'s (Ritz) petition to use the Ritz VEF36-10 single pole potential instrument transformer in electric metering applications in New York State.

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

Subject: Electric metering equipment.

Purpose: To approve Ritz's petition to use electric metering equipment.

Substance of Final Rule: The Commission, on August 17, 2023, adopted an order approving Ritz Instrument Transformers, Inc.'s petition to use the

Ritz VEF36-10 single pole potential instrument transformer in electric metering applications in New York State, subject to the terms and conditions set forth in the order.

Text or summary was published in the April 19, 2023 issue of the Register, I.D. No. PSC-16-23-00015-P.

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

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

Assessment of Public Comment

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

(23-E-0087SA1)

NOTICE OF ADOPTION

Electric Metering Equipment

I.D. No. PSC-16-23-00017-A

Filing Date: 2023-08-21

Effective Date: 2023-08-21

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

Action taken: On 8/17/23, the PSC adopted an order approving Ritz Instrument Transformers, Inc.'s (Ritz) petition to use the Ritz VZF15-09 double pole potential instrument transformer in electric metering applications in New York State.

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

Subject: Electric metering equipment.

Purpose: To approve Ritz's petition to use electric metering equipment.

Substance of Final Rule: The Commission, on August 17, 2023, adopted an order approving Ritz Instrument Transformers, Inc.'s petition to use the Ritz VZF15-09 double pole potential instrument transformer in electric metering applications in New York State, subject to the terms and conditions set forth in the order.

Text or summary was published in the April 19, 2023 issue of the Register, I.D. No. PSC-16-23-00017-P.

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

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

Assessment of Public Comment

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

(23-E-0086SA1)

NOTICE OF ADOPTION

Transfer of Street Lighting Facilities

I.D. No. PSC-18-23-00005-A

Filing Date: 2023-08-18

Effective Date: 2023-08-18

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

Action taken: On 8/17/23, the PSC adopted an order authorizing Niagara Mohawk Power Corporation d/b/a National Grid's (National Grid) petition to transfer street lighting facilities within the City of Watervliet, New York (Watervliet) to Watervliet.

Statutory authority: Public Service Law, sections 5, 65, 66 and 70(1)

Subject: Transfer of street lighting facilities.

Purpose: To authorize National Grid's petition to transfer street lighting facilities

Substance of final rule: The Commission, on August 17, 2023, adopted an order authorizing Niagara Mohawk Power Corporation d/b/a National

Grid's (National Grid) petition to transfer street lighting facilities within the City of Watervliet, New York (Watervliet) to Watervliet. The authority is granted for one year from the issuance of the order and shall expire if the transaction is not completed within the one-year period. National Grid shall file with the Secretary, within 60 days of the transfer of the street lighting facilities to Watervliet, a copy of the actual journal entries recorded to account for this transaction, together with the related workpapers, subject to the terms and conditions set forth in the order.

Text or summary was published in the May 3, 2023 issue of the Register, I.D. No. PSC-18-23-00005-P.

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

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

Assessment of Public Comment

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

(23-E-0139SA1)

NOTICE OF ADOPTION

Electric Metering Equipment

I.D. No. PSC-19-23-00019-A

Filing Date: 2023-08-21

Effective Date: 2023-08-21

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

Action taken: On 8/17/23, the PSC adopted an order approving ABB Inc.'s (ABB) petition to use the ABB KIR-11ES current transformer for electric metering applications in New York State.

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

Subject: Electric metering equipment.

Purpose: To approve ABB's petition to use electric metering equipment.

Substance of Final Rule: The Commission, on August 17, 2023, adopted an order ABB Inc.'s petition to use the ABB KIR-11ES current transformer for electric metering applications in New York State, subject to the terms and conditions set forth in the order.

Text or summary was published in the May 10, 2023 issue of the Register, I.D. No. PSC-19-23-00019-P.

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

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

Assessment of Public Comment

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

(23-E-0101SA1)

NOTICE OF ADOPTION

Financing Arrangement

I.D. No. PSC-22-23-00004-A

Filing Date: 2023-08-17

Effective Date: 2023-08-17

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

Action taken: On 8/17/23, the PSC adopted an order authorizing Rochester Gas and Electric Corporation (RG&E) to issue and sell up to \$825 million of new securities in one or more transactions, not later than December 31, 2026.

Statutory authority: Public Service Law, section 69

Subject: Financing arrangement.

Purpose: To authorize RG&E to enter into a financing arrangement.

Substance of final rule: The Commission, on August 17, 2023, adopted an order approving, with modifications, the Revised Coordinated Grid Planning Process Proposal. Central Hudson Gas & Electric Corporation, Consolidated Edison Company of New York, Inc., New York State Electric and Gas Corporation, Niagara Mohawk Power Corporation d/b/a National Grid, Orange and Rockland Utilities, Inc., and Rochester Gas and Electric Corporation (collectively, the major electric utilities), are directed to modify the proposed approach to representing local constraints in the capacity expansion model during Stage 1 of the Coordinated Grid Planning Process (CGPP). The major electric utilities are directed to consult with Department of Public Service Staff (Staff) to develop conceptual cost estimates for local transmission and distribution upgrades beyond the existing local headroom and, in coordination with Staff, determine how to incorporate the conceptual local transmission and distribution cost estimates into the capacity expansion model. Staff is directed to work with the New York State Energy Research and Development Authority (NYSERDA) to assess the approach used to develop conceptual cost estimates for local transmission and distribution upgrades during the first cycle of the CGPP and propose modifications to the approach for future cycles. The major electric utilities are directed to consult with Staff to determine if and when additional iterations between Stages 3 through 5 are necessary. Staff shall consult with the Energy Policy Planning Advisory Council and NYSEDA to provide modeling assumptions for the first scenario of the first cycle of the CGPP. Staff shall consult with and offer recommendations to the New York Independent System Operator, Inc.'s (NYISO) planners regarding how additional resources of NYISO might be deployed to align the planning processes and to improve the overall efficiency of the CGPP. The major electric utilities are directed to consult with the Long Island Power Authority (LIPA), Staff, and NYISO and to file by June 1, 2024, recommendations for reducing the CGPP cycle time to two years. Staff shall provide a mid-cycle assessment to the Commission by June 1, 2024. The major electric utilities shall consult with the Advanced Technology Working Group (ATWG) and Staff to schedule a public technical conference. The major electric utilities are directed to consult with the ATWG and LIPA during Stages 3 and 4 of the CGPP. The major electric utilities shall explain their approach to implementing advanced technologies and the ATWG's recommendations in the final Least Cost Plan Report of the CGPP cycle. The major electric utilities are directed to explore interim applications of technologies that may improve system capacity or efficiency at a low cost while long-term solutions are being developed. The major electric utilities are directed to identify any proposed projects that would be partially or entirely located in a disadvantaged community, and to provide sufficient information and justification for the Commission to evaluate impacts on the disadvantaged community. The major electric utilities shall consult with LIPA and Staff to establish additional points in the process for stakeholders to provide meaningful input. The major electric utilities are directed to consult with Staff to establish effective and timely means for sharing information about the process with the public and interested stakeholders, including at least two public events, with one event to explain the results of the work done in Stage 1 and one event to provide details of the findings and recommendations in the final Least Cost Plan Report. The major electric utilities are directed to consult with Staff and NYSEDA and to file a proposal in this proceeding for an annual headroom reporting date that, once accepted by the Commission, will replace the semi-annual headroom reporting requirement. The major electric utilities are also directed to include information on previously funded Phase 1 and Phase 2 projects in the final Least Cost Plan Report, subject to the terms and conditions set forth in the order.

Text or summary was published in the May 31, 2023 issue of the Register, I.D. No. PSC-22-23-00004-P.

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

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

Assessment of Public Comment

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

(23-M-0232SA1)

NOTICE OF ADOPTION

Waiver for NUP Surcharge Modifications

I.D. No. PSC-23-23-00006-A

Filing Date: 2023-08-18

Effective Date: 2023-08-18

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

Action taken: On 8/17/23, the PSC adopted an order approving KEDLI and KEDNY's petition for a waiver and tariff modifications to adjust the timing of the collection of the previously approved Net Utility Plant (NUP) and Depreciation Expense Surcharge.

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

Subject: Waiver for NUP Surcharge modifications.

Purpose: To approve KEDLI and KEDNY's petition for a waiver and tariff modifications regarding the NUP Surcharge.

Substance of final rule: The Commission, on August 17, 2023, adopted an order approving KeySpan Gas East Corporation d/b/a National Grid (KEDLI) and The Brooklyn Union Gas Company d/b/a National Grid NY's (KEDNY) petition for a waiver of Rule 59 in their Gas Tariff Schedules, P.S.C. No. 1 – Gas and P.S.C. No. 12 – Gas, respectively, to allow for the adjustment of the timing of the collection of the previously approved Net Utility Plant and Depreciation Expense Surcharge to commence on September 1, 2023. KEDLI and KEDNY are directed to file tariff amendments to reflect the change to the beginning date of the Net Utility Plant and Depreciation Expense Surcharge (NUP Surcharge) to commence on September 1, 2023, consistent with the draft tariff amendments attached to the petition filed in this case on May 19, 2023 and with the discussion in the body of the order. The tariff amendments shall be filed on not less than five days' notice to become effective September 1, 2023. KEDLI and KEDNY are also directed to defer any over or under-recoveries as of August 31, 2024 for future Commission disposition, subject to the terms and conditions set forth in the order.

Text or summary was published in the June 7, 2023 issue of the Register, I.D. No. PSC-23-23-00006-P.

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

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

Assessment of Public Comment

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

(23-G-0253SA1)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Transfer in Ownership of Street Lighting Facilities

I.D. No. PSC-36-23-00024-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 Orange and Rockland Utilities, Inc. to transfer certain street lighting facilities located within the Village of Warwick, New York to the Village.

Statutory authority: Public Service Law, sections 5, 65, 66, and 70(1)

Subject: Transfer in ownership of street lighting facilities.

Purpose: To determine whether to authorize the transfer street of lighting facilities and the proper accounting for the transaction.

Substance of proposed rule: The Public Service Commission (Commission) is considering a petition filed on June 9, 2023 by Orange and Rockland Utilities, Inc. (Orange and Rockland or the Company), requesting authorization pursuant to Public Service Law Section 70(1) to transfer ownership of certain street lighting facilities installed throughout the Village of Warwick (the Village) from Orange and Rockland to the Village.

The street lighting facilities consist of a system of street luminaires, lamps, mast arms, their associated wiring, electrical connections and appurtenances, including In-Line Fused Disconnects. The Company

requests the Commission's approval of the transaction pursuant to Public Service Law § 70(1), as the original cost of the proposed assets to be transferred is greater than \$100,000.

Based on plant records, the original cost of the facilities was approximately \$228,517 and the net book value is \$171,619. The Company proposes to transfer the ownership of the street lighting facilities to the Village for approximately \$200,457. If authorized, the Company states that the Village would have sole responsibility for the installation, operation, maintenance, repair, replacement, removal, modification, and inspection of the facilities upon closing. Orange and Rockland would remain responsible for stray voltage testing in conformance with the Commission's Safety Standards. The Company asserts that the transfer would not impact the reliability, safety, operation, or maintenance of Orange and Rockland's electric distribution system.

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

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

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

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

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

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

(23-E-0304SP1)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Transfer in Ownership of Street Lighting Facilities

I.D. No. PSC-36-23-00025-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 Orange and Rockland Utilities, Inc. to transfer certain street lighting facilities located within the Town of Ramapo, New York to the Town.

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

Subject: Transfer in ownership of street lighting facilities.

Purpose: To determine whether to authorize the transfer of street lighting facilities and the proper accounting for the transaction.

Substance of proposed rule: The Public Service Commission (Commission) is considering a petition filed on July 25, 2023 by Orange and Rockland Utilities, Inc. (Orange and Rockland or the Company), requesting authorization pursuant to Public Service Law Section 70(1) to transfer ownership of certain street lighting facilities installed throughout the Town of Ramapo (Town) to the Town. The street lighting facilities consist of a system of street luminaires, lamps, mast arms, their associated wiring, electrical connections and appurtenances, including In-Line Fused Disconnects.

Based on plant records, the original cost of the facilities was approximately \$288,454 and the net book value is \$243,422. The Company proposes to transfer the ownership of the street lighting facilities to the Town for approximately \$597,988. Upon the closing date of the sale, the Town will become solely responsible and liable for the operation, maintenance, and condition of the street lighting facilities. The transfer will not impact the reliability, safety, operation, or maintenance of Orange and Rockland's electric distribution system.

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

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

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

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

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

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

(23-E-0405SP1)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Registration of Energy Brokers and Energy Consultants

I.D. No. PSC-36-23-00026-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 by NRG Energy, Inc., and the NRG Retail Companies requesting a rehearing of the Commission's Order Adopting Energy Broker and Consultant Registration Requirements.

Statutory authority: Public Service Law, sections 5(1)(b), 22, 23, 65(1), (2), (3), 66(1), (2), (3), (5), (8) and 66-t

Subject: Registration of energy brokers and energy consultants.

Purpose: To implement the provisions of Public Service Law Section 66-t.

Substance of proposed rule: The Public Service Commission (Commission) is considering a petition (Petition), filed on July 24, 2023, by NRG Energy, Inc., and Direct Energy Business Marketing, LLC, Direct Energy Business, LLC, Direct Energy Services LLC, Energy Plus Holdings LLC, Energy Plus Natural Gas LLC, Gateway Energy Services Corporation, Green Mountain Energy Company, INDEPENDENCE ENERGY GROUP, LLC d/b/a Cirro Energy, Reliant Energy Northeast LLC d/b/a NRG Home and d/b/a NRG Business Solutions, Stream Energy New York, LLC, and XOOM Energy New York, LLC (collectively, the NRG Retail Companies) requesting a rehearing and a stay of the Commission's Order Adopting Energy Broker and Energy Consultant Registration Requirements (Order), issued on June 23, 2023, which implemented the provisions of Public Service Law (PSL) § 66-t.

Specifically, the petition requests that the Commission stay enforcement of the Order until ninety days after the Commission issues a determination on the petition. The petition also requests that the Commission reconsider the entities required to register as brokers or consultants and the extent that broker or consultant compensation must be disclosed.

The petition argues that the Commission does not have the statutory authority to require energy service companies (ESCOs) to disclose third-party vendor compensation to ESCO customers and argues that this requirement is arbitrary and capricious. The petition asserts that ESCO marketing representatives should not be required to register as energy brokers or energy consultants because these entities must already comply with the Uniform Business Practices. The petition states that, even if these entities are energy consultants, PSL § 66-t only requires ESCOs to disclose compensation that the ESCO collects on behalf of a broker or consultant and, because ESCOs do not collect compensation on behalf of third-party vendors, the Commission does not have the statutory authority to require ESCOs to disclose the ESCO's compensation to third-party vendors. The petition further asserts that the Order overlooked logistical issues that would arise when an ESCO's third-party vendors are required to register, including an impracticable registration form and complex, varying payment structures for an ESCO's third-party vendors.

The petition alleges that the Order exceeds the Commission's jurisdiction by prohibiting ESCOs from contracting or doing business with

brokers or consultants that are not registered with the Commission. Specifically, the petition asserts that the Commission’s implementation of PSL § 66-t would have an impermissible retroactive effect and interferes with contracts by prohibiting payments to brokers or consultants in accordance with pre-existing contracts if those brokers and consultants are not registered with the Commission.

Finally, the petition alleges that the Order substantially deviated from the staff proposal by expanding compensation disclosure requirements to third-party vendors. The petition argues that this departure from the Staff proposal violates the State Administrative Procedure Act (SAPA) because notice and an opportunity to comment were not provided to stakeholders.

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

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

Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6517, email: secretary@dps.ny.gov

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

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

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

(23-M-0106SP2)

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

Agreement for the Provision of Water Service and Waivers of Tariff Provisions and Commission Rules

I.D. No. PSC-36-23-00027-P

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

Proposed Action: The Commission is considering the petition of Saratoga Water Services, Inc. and View at 182, LLC for an agreement for the provision of water service and waivers of certain tariff provisions and Commission rules.

Statutory authority: Public Service Law, sections 4(1) and 89-b

Subject: Agreement for the provision of water service and waivers of tariff provisions and Commission rules.

Purpose: To consider whether the terms of a service agreement and requested waivers are in the public interest.

Substance of proposed rule: The Commission is considering the petition (Petition) filed by Saratoga Water Services, Inc (Saratoga) and View at 182, LLC (View) on July 27, 2023, for a waiver of certain provisions of its tariff and of 16 NYCRR Parts 501 and 502.

The petitioners are seeking this waiver to extend Saratoga’s water service area to include three new residences. These residences are currently outside of Saratoga’s service territory. Saratoga will also need to seek permission from the Department of Environmental Conservation (DEC) to provide service to View. Waiving 16 NYCRR § 501.10 will allow Saratoga and the Applicant to receive the Commission’s approval before DEC approves the project.

Saratoga seeks to provide water service to View under an “Agreement for the Provision of Water Service” dated July 10, 2023 (Agreement). This Agreement outlines the cost of 402 feet of water main, three services and meters, one hydrant, and appurtenances; the costs of the connection to Saratoga’s water main will be borne by View. Saratoga would be responsible for constructing and installing a storage tank with a capacity of 675 gallons for the increased demand on the system.

The petition requests an Order which: (a) finds the terms and condi-

tions of the Agreement to be in in the public interest; (b) determines that the provision of water service by Saratoga, in accordance with the terms set forth in the Agreement, is in the public interest; (c) waives Saratoga’s tariff provisions to the extent they are inconsistent with the Agreement, specifically Section XI(I) and XIII on Leaf Nos. 44 and 45; and (d) waives the applicability of some provisions in 16 NYCRR Parts 501 and 502, including 16 NYCRR § 501.2, 501.3, 501.4, 501.6, 501.9, 501.10, and 502.3.

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

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

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

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

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

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

(23-W-0410SP1)

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

Registration of Energy Brokers and Energy Consultants

I.D. No. PSC-36-23-00028-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 by the New York Retail Choice Coalition requesting a rehearing, reconsideration and/or clarification of the Commission’s Order Adopting Energy Broker and Consultant Registration Requirements.

Statutory authority: Public Service Law, sections 5(1)(b), 22, 23, 65(1), (2), (3), 66(1), (2), (3), (5), (8) and 66-t

Subject: Registration of energy brokers and energy consultants.

Purpose: To implement the provisions of Public Service Law Section 66-t.

Substance of proposed rule: The Public Service Commission (Commission) is considering a petition (Petition), filed on July 25, 2023, by the New York Retail Choice Coalition (Petitioner) requesting rehearing, reconsideration, and/or clarification, including a motion for a stay of the Commission’s Order Adopting Energy Broker and Energy Consultant Registration Requirements (Order), issued on June 23, 2023, which implemented the provisions of Public Service Law (PSL) § 66-t.

The petition requests that the Commission clarify that agents and subcontractors of registered consultants and brokers are excluded from registration requirements. The petition argues that placing registration requirements on agents and subcontractors of registered brokers or consultants would be costly and burdensome. Additionally, the petition states that such registration is unnecessary as the oversight exercised over these entities is similar to that which is exercised over the employees of a broker or consultant, which are exempted from registration under the Order.

The petition alleges that the Order is unconstitutionally vague regarding which entities are subject to registration as brokers or consultants and requests that the Commission clarify the scope of entities subject to registration requirements.

The petition alleges that the Order committed an error of law, violated the State Administrative Procedure Act (SAPA), and breached procedural due process because it rejected a staff proposal to exclude contractors, vendors, and agents of energy service companies (ESCOs) from broker and consultant registration requirements. The petition

also argues that SAPA was violated because no notice and comment period was provided for the Order's provisions requiring brokers and consultants to retain records of third-party verification of customer disclosure for two years.

Finally, the petition requests a stay of the Order either until sixty days after a final order on rehearing, reconsideration and clarification is issued, or sixty days after the technical conference scheduled in this proceeding.

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

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

Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6517, email: secretary@dps.ny.gov

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

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

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

(23-M-0106SP4)

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

Registration of Energy Brokers and Energy Consultants

I.D. No. PSC-36-23-00029-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 by Family Energy, Inc., requesting a rehearing, reconsideration, and/or clarification of the Commission's Order Adopting Energy Broker and Consultant Registration Requirements.

Statutory authority: Public Service Law, sections 5(1)(b), 22, 23, 65(1), (2), (3), 66(1), (2), (3), (5), (8) and 66-t

Subject: Registration of energy brokers and energy consultants.

Purpose: To implement the provisions of Public Service Law Section 66-t.

Substance of proposed rule: The Public Service Commission (Commission) is considering a petition (Petition), filed on July 24, 2023, by Family Energy, Inc. (Petitioner) requesting rehearing, reconsideration and/or clarification, including a motion for a stay of the Commission's Order Adopting Energy Broker and Energy Consultant Registration Requirements (Order), issued on June 23, 2023, which implemented the provisions of Public Service Law (PSL) § 66-t.

Specifically, the petition requests that the Commission stay enforcement of the Order until the Commission issues a determination on this petition and issues final rules to implement PSL § 66-t. The petition also requests that the Commission rehear, reconsider, or clarify several provisions of its Order and amendments to the Uniform Business Practices.

The petition alleges that the Order violates the State Administrative Procedure Act (SAPA) by soliciting comments after the adoption of rules. The petition argues that the Order's failure to address the extensive redlining offered by the Petitioner of the proposed rules, and the direction to Department of Public Service staff to schedule a technical conference and review the entire Uniform Business Practices evinces an intent to adopt temporary rules before giving notice and holding a comment period as required under SAPA. The petition also alleges that the Order erred in not addressing the comments Petitioner submitted regarding imposing certain requirements on energy brokers and consultants.

The petition requests several clarifications of the Order, including:

(1) an exemption from the registration requirement for individual contractors and agents of brokers and consultants; (2) the form of compensation disclosure and the types of compensation that must be disclosed; (3) whether third-party verification of compensation disclosure is necessary and whether it should be limited to certain types of compensation, (4) when an energy service company (ESCO) must cease doing business with an unregistered broker or consultant, and (5) whether the Order prohibits compensation to unregistered brokers and consultants on pre-existing contracts.

Further, the petition requests that safe harbor against enforcement issues and customer complaints be granted to ESCOs that make good faith efforts to comply with the Order's requirements on compensation disclosure, as no review of the compensation disclosure format will be undertaken until ESCO annual filings.

The petition requests that the Commission reconsider the requirement that ESCOs verify that any brokers or consultants they do business with are registered. The petition suggests the Commission adopt a proactive method of notifying ESCOs when a registered broker or consultant misses a filing required for registration.

The petition argues that the Order violates the Contract Clause and the Takings Clause of the United States Constitution and the New York State Constitution. Specifically, the petition alleges that the Order would result in termination of contracts before their expiration and would violate the Petitioner's protected property interest in its contractual relationship with its brokers and consultants.

The petition also alleges that the Order violates the Climate Leadership and Community Protection Act (CLCPA) because the Order did not undertake an analysis of whether its requirements would interfere with the attainment of statewide greenhouse gas emissions limits or disproportionately burden disadvantaged communities. Similarly, the petition asserts that the Order violates the State Environmental Quality Review Act (SEQRA) as the Order did not undertake a SEQRA analysis. Finally, the petition argues that the Order is arbitrary and capricious based on numerous errors of law and fact.

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

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

Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6517, email: secretary@dps.ny.gov

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

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

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

(23-M-0106SP3)

**HEARINGS SCHEDULED
FOR PROPOSED RULE MAKINGS**

Agency I.D. No.	Subject Matter	Location—Date—Time
Agriculture and Markets, Department of		
AAM-32-23-00015	Holding and Movement of Captive Cervids	Department of Agriculture and Markets, 10B Airline Dr., Albany, NY—October 10, 2023, 10:00 a.m. Remote: (518) 549-0500; Code 37251788
Public Service Commission		
PSC-28-23-00024-P	Proposed Major Rate Increase	Department of Public Service, 19th Fl. Board Rm., Three Empire State Plaza, Albany, NY—October 10, 2023, 10:30 a.m. and continuing daily as needed (Evidentiary Hearing)* *On occasion, there are requests to reschedule or postpone evidentiary hearing dates. If such a request is granted, notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Case 23-G-0225.
PSC-28-23-00025-P	Proposed Major Rate Increase	Department of Public Service, 19th Fl. Board Rm., Three Empire State Plaza, Albany, NY—October 10, 2023, 10:30 a.m. and continuing daily as needed (Evidentiary Hearing)* *On occasion, there are requests to reschedule or postpone evidentiary hearing dates. If such a request is granted, notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Case 23-G-0226.
PSC-31-23-00002-P	Proposed Major Rate Increase	Department of Public Service, 19th Fl. Board Rm., Three Empire State Plaza, Albany, NY—October 23, 2023, 10:30 a.m. and continuing daily as needed (Evidentiary Hearing)* *On occasion, there are requests to reschedule or postpone evidentiary hearing dates. If such a request is granted, notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Case 23-W-0235.
State, Department of		
DOS-27-23-00016-P	Implementation of State Environmental Quality Review Act (SEQR)	Department of State, 99 Washington Ave., Rm. 505, Albany, NY—September 6, 2023, 10:00 a.m.

ACTION PENDING INDEX

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

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

For additional information concerning any of the proposals

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

Agency code	Issue number	Year published	Serial number	Action Code
AAM	01	12	0001	P

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

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

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-22-23-00001-P	..... 05/30/24	Amendments to the Box Tree Moth Quarantine	To expand the BTM quarantine to include additional counties, require pre-notification of certain shipments, and add an exemption
AAM-29-23-00001-P	..... 07/18/24	Avian influenza control measures.	To remove a duplicative definition and clarify requirements for the movement of live poultry.
AAM-30-23-00007-P	..... 07/25/24	Agriculture water standards for growing, harvesting, packing, and holding of produce for human consumption.	To incorporate by reference 21 CFR Part 112, Subpart E, containing agricultural water standards.
AAM-32-23-00015-EP	..... 10/09/24	Holding and movement of Captive Cervids	To extend the prohibition on the importation of captive cervids into New York State

ALCOHOLISM AND SUBSTANCE ABUSE SERVICES, OFFICE OF

ASA-24-23-00021-P 06/13/24	Voluntary certification of Recovery Residences in NYS.	This Part establishes requirements for recovery residences certified by the Office of Addiction Services and Supports (OASAS).
-------------------	----------------	--	--

AUDIT AND CONTROL, DEPARTMENT OF

AAC-27-23-00004-P 07/04/24	Special Accidental Death Benefits	To prescribe requirements for reimbursing special accidental death benefits.
-------------------	----------------	-----------------------------------	--

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CANNABIS MANAGEMENT, OFFICE OF			
OCM-49-22-00024-ERP	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-RP	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-32-23-00031-EP	08/08/24	Cannabinoid Hemp	Update Part 114 with new CBD to THC ratios and limitations on total THC and cannabinoid levels and update packaging and labeling requirements amongst other things
CHILDREN AND FAMILY SERVICES, OFFICE OF			
CFS-33-23-00001-P	08/15/24	Rights of Unmarried Fathers Regarding Adoption of Children in Foster Care	To conform regulations to amendments made by Ch. 828, L. 2022
CFS-36-23-00023-P	09/05/24	Preventive Housing Subsidy	To increase the preventive services housing subsidy for foster children living independently from \$300.00 to \$725.00 a month
CIVIL SERVICE, DEPARTMENT OF			
CVS-23-23-00001-P	06/06/24	Paid family leave	To provide a grant of up to twelve weeks of paid family leave for a qualifying event for subject employees in M/C positions.
CVS-24-23-00001-P	06/13/24	Jurisdictional Classification	To classify a position in the exempt class.
CVS-24-23-00002-P	06/13/24	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-24-23-00003-P	06/13/24	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-24-23-00004-P	06/13/24	Jurisdictional Classification	To delete positions from and to classify positions in the non-competitive class
CVS-24-23-00005-P	06/13/24	Jurisdictional Classification	To classify a position in the exempt class.
CVS-24-23-00006-P	06/13/24	Jurisdictional Classification	To classify a position in the exempt class.
CVS-24-23-00007-P	06/13/24	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-24-23-00008-P	06/13/24	Jurisdictional Classification	To classify a position in the exempt class.
CVS-24-23-00009-P	06/13/24	Jurisdictional Classification	To classify positions in the exempt class and to classify positions in the non-competitive class
CVS-24-23-00010-P	06/13/24	Jurisdictional Classification	To classify a position in the exempt class.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-24-23-00011-P	06/13/24	Jurisdictional Classification	To delete a subheading and positions from and to classify a subheading and positions in the exempt and non-competitive classes
CVS-24-23-00012-P	06/13/24	Jurisdictional Classification	To delete a position from the non-competitive class
CVS-24-23-00013-P	06/13/24	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-24-23-00014-P	06/13/24	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-24-23-00015-P	06/13/24	Jurisdictional Classification	To classify positions in the exempt class.
CVS-24-23-00016-P	06/13/24	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-24-23-00017-P	06/13/24	Jurisdictional Classification	To classify a position in the exempt class and to delete a position from the non-competitive class
CVS-24-23-00018-P	06/13/24	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-24-23-00019-P	06/13/24	Jurisdictional Classification	To classify a position in the exempt class and to classify a position in the non-competitive class
CVS-24-23-00020-P	06/13/24	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-28-23-00001-P	07/11/24	Jurisdictional Classification	To classify a position in the exempt class.
CVS-28-23-00002-P	07/11/24	Jurisdictional Classification	To classify a position in the exempt class and to classify positions in the non-competitive class
CVS-28-23-00003-P	07/11/24	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-28-23-00004-P	07/11/24	Jurisdictional Classification	To classify a position in the exempt class and to classify positions in the non-competitive class
CVS-28-23-00005-P	07/11/24	Jurisdictional Classification	To classify positions in the exempt class.
CVS-28-23-00006-P	07/11/24	Jurisdictional Classification	To delete positions from and to classify positions in the labor class
CVS-28-23-00007-P	07/11/24	Jurisdictional Classification	To delete a position from the non-competitive class
CVS-28-23-00008-P	07/11/24	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-28-23-00009-P	07/11/24	Jurisdictional Classification	To classify positions in the exempt class.
CVS-28-23-00010-P	07/11/24	Jurisdictional Classification	To classify a position in the exempt class.

Action Pending Index**NYS Register/September 6, 2023**

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-28-23-00011-P	07/11/24	Jurisdictional Classification	To classify a position in the exempt class.
CVS-28-23-00012-P	07/11/24	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-28-23-00013-P	07/11/24	Jurisdictional Classification	To classify positions in the exempt class.
CVS-28-23-00014-P	07/11/24	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-28-23-00015-P	07/11/24	Jurisdictional Classification	To classify positions in the exempt class.
CVS-28-23-00016-P	07/11/24	Jurisdictional Classification	To classify positions in the exempt class.
CVS-28-23-00017-P	07/11/24	Jurisdictional Classification	To delete positions from and to classify positions in the exempt and non-competitive classes
CVS-28-23-00018-P	07/11/24	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-28-23-00019-P	07/11/24	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-28-23-00027-P	07/11/24	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-32-23-00001-P	08/08/24	Jurisdictional Classification	To classify positions in the exempt class.
CVS-32-23-00002-P	08/08/24	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-32-23-00003-P	08/08/24	Jurisdictional Classification	To delete a position from and to classify positions in the exempt class.
CVS-32-23-00004-P	08/08/24	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-32-23-00005-P	08/08/24	Jurisdictional Classification	To classify positions in the exempt class.
CVS-32-23-00006-P	08/08/24	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-32-23-00007-P	08/08/24	Jurisdictional Classification	To classify a position in the exempt class.
CVS-32-23-00008-P	08/08/24	Jurisdictional Classification	To delete positions from and to classify positions in the non-competitive class
CVS-32-23-00009-P	08/08/24	Jurisdictional Classification	To classify a subheading and positions in the non-competitive class
CVS-32-23-00010-P	08/08/24	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-32-23-00011-P	08/08/24	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-32-23-00012-P	08/08/24	Jurisdictional Classification	To classify positions in the non-competitive class

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-32-23-00013-P	08/08/24	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-32-23-00014-P	08/08/24	Jurisdictional Classification	To classify a position in the exempt class and to classify positions from the non-competitive class
COMMISSIONER OF PILOTS, BOARD OF			
COP-28-23-00022-P	07/11/24	Adding controls relating to recreational crafts/yachts, and the resources necessary to govern their use in the harbor.	To compensate pilots who are asked to tend to recreational crafts in the harbor.
CORRECTIONS AND COMMUNITY SUPERVISION, DEPARTMENT OF			
CCS-27-23-00002-P	07/04/24	Revocation hearing locations	To provide for locations at which revocation hearings may be scheduled.
CCS-35-23-00005-P	08/29/24	Clinton Correctional Facility	To update the functions of Clinton Correctional Facility.
CCS-36-23-00019-P	09/05/24	Groveland Correctional Facility	To correct the location reference of Groveland Correctional Facility
CRIMINAL JUSTICE SERVICES, DIVISION OF			
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
EDUCATION DEPARTMENT			
EDU-04-23-00006-ERP	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-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-09-23-00031-RP	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-13-23-00018-P	03/28/24	Mental health practitioners' diagnostic privilege.	To implement sections 2 and 3 of Chapter 230 of the Laws of 2022.
EDU-18-23-00010-EP	05/02/24	Deadline to apply and qualify for the provisional school counselor certificate.	See attached.
EDU-18-23-00011-EP	05/02/24	Education requirements for licensure as a registered professional nurse and licensed practical nurse	See attached.
EDU-22-23-00007-P	05/30/24	Employment of substitute teachers.	To make permanent substitute teaching flexibility for school districts and BOCES.

Action Pending Index**NYS Register/September 6, 2023**

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
EDUCATION DEPARTMENT			
EDU-22-23-00008-EP	05/30/24	Extending a flexibility for incidental teaching.	To extend flexibility for incidental teaching through the 2023-2024 school year.
EDU-22-23-00009-EP	05/30/24	Licensing examination and testing accommodations in the profession of architecture.	To conform NYS architecture licensure requirements with national standards set by the National Council of Architectural Registra
EDU-22-23-00010-P	05/30/24	New York State Learning Standards	Updating to Reflect Current New York State Learning Standards
EDU-26-23-00011-EP	06/27/24	Temporary practice by certain U.S. servicemembers andservicemembers' spouses licensed or certified in another state.	To implement section 19 of Public Law 117-333.
EDU-26-23-00012-EP	06/27/24	Requiring concussion management protocols in nonpublic schools.	To implement Chapter 617 of the Laws of 2022.
EDU-26-23-00013-EP	06/27/24	Universal Prekindergarten Program (UPK) Staffing Qualifications	To implement Part A of Chapter 56 of the Laws of 2022
EDU-26-23-00014-P	06/27/24	Requirements for the endorsement of a certificate as a school counselor	To align the pathways for certification for school counselor candidates with the pat
EDU-26-23-00015-P	06/27/24	Registration and operation of central fill pharmacies.	To establish parameters for the central fill pharmacy model.
EDU-31-23-00006-EP	08/01/24	Academic Intervention Services	See attached.
EDU-31-23-00007-EP	08/01/24	Occupational therapists' authority to provide treatment for a limited time without a referral.	To implement section 1 of Chapter 601 of the Laws of 2022.
EDU-35-23-00004-EP	08/29/24	School food service programs and bidding exemptions for purchasing New York State food and milk.	To implement Part OO of Chapter 58 of the Laws of 2023.
ELECTIONS, STATE BOARD OF			
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.
ENVIRONMENTAL CONSERVATION, DEPARTMENT OF			
*ENV-28-22-00011-P	09/13/23	Forest Tax Law	Improving and sustainably managing New York's forest resources and lessening the administrative burden on participants/DEC staff
*ENV-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
ENVIRONMENTAL CONSERVATION, DEPARTMENT OF			
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-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.
ENV-22-23-00002-P	07/31/24	Recreational shark management	To protect prohibited sharks from harvest and establish gear restrictions and handling requirements
ENV-25-23-00001-P	06/20/24	Sanitary Control Over Shellfish	Enhance the protection of public health, safety, and welfare for all consumers of raw or undercooked shellfish.
ENV-25-23-00010-P	08/21/24	The repeal of obsolete rules and to make all necessary attendant revisions.	The repeal of obsolete rules and to make all necessary attendant revisions.
ENV-27-23-00003-EP	07/04/24	Regulations governing recreational fishing for striped bass.	To amend 6 NYCRR Parts 10 and 40 pertaining to recreational regulations for striped bass.
ENV-30-23-00001-EP	07/25/24	Sanitary Condition of Shellfish Lands and Certification of Shellfish Lands.	To reclassify underwater shellfish lands and update certification requirements to protect public health and general welfare.
ENV-36-23-00020-P	09/05/24	Regulations governing commercial fishing for Jonah crab	To define the Jonah crab directed trap fishery, establish bycatch limits, and maintain consistency with federal rules
FINANCIAL SERVICES, DEPARTMENT OF			
*DFS-17-16-00003-P	exempt	Plan of Conversion by Commercial Travelers Mutual Insurance Company	To convert a mutual accident and health insurance company to a stock accident and health insurance company
*DFS-25-18-00006-P	exempt	Plan of Conversion by Medical Liability Mutual Insurance Company	To convert a mutual property and casualty insurance company to a stock property and casualty insurance company
DFS-45-22-00025-RP	11/09/23	Cybersecurity Requirements for Financial Services Companies	To ensure that DFS-regulated entities most effectively address new and evolving cybersecurity threats.
DFS-21-23-00002-P	05/23/24	Pharmacy Benefits Bureau; Pharmacy Benefit Manager Assessments; Filings and Other Requirements for Issuance et al.	To establish rules for PBMs re: assessments, license requirements, and reporting and record keeping, and to clarify definitions.
DFS-27-23-00017-EP	07/04/24	Minimum Provisions for Automobile Liability Insurance Policies	To conform to changes to the Insurance Law regarding supplemental spousal liability insurance
DFS-31-23-00004-P	08/01/24	Financial Statement Filings and Accounting Practices and Procedures	To update reference to NAIC AP&P Manual as of date from March 2021 to March 2023, and other non-substantive changes.
DFS-33-23-00009-P	08/15/24	Definitions, licensing of PBMs, contracting with network pharmacies, acquisition of PBMs, consumer protections, and audits	Establish definitions, licensing, contracting with pharmacies, acquisition of PBMs, consumer protections, and audit regulations
DFS-36-23-00021-P	09/05/24	Principle-Based Reserving	To adopt the 2023 Valuation Manual

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
GAMING COMMISSION, NEW YORK STATE			
*SGC-29-22-00010-RP	10/18/23	Comprehensive regulations for interactive fantasy sports	To regulate interactive fantasy sports in New York.
SGC-50-22-00009-RP	12/14/23	Purchase location requirements for lottery courier services	To facilitate the proper sale of lottery tickets to generate revenue for education
SGC-29-23-00004-P	07/18/24	Attending veterinarian examinations in Thoroughbred racing.	To decrease the risks of injury to racehorses.
SGC-31-23-00010-P	08/01/24	Sports wagering advertising and marketing.	To regulate advertising, marketing and promotions concerning sports wagering.
SGC-34-23-00009-P	08/22/24	Claiming rules revisions in Thoroughbred racing	To improve the claiming process in Thoroughbred racing
SGC-34-23-00012-P	08/22/24	Lottery prize assignment processing fee	To defray administrative expenses associated with a prizewinner's assignment
GAMING FACILITY LOCATION BOARD, NEW YORK			
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
GENERAL SERVICES, OFFICE OF			
GNS-28-23-00023-P	07/11/24	Prohibited and Controlled Activities	To correct an unintended erroneous citation.
GNS-29-23-00003-P	07/18/24	Service-Disabled Veteran-Owned Business Enterprises	To make amendments to definitions and statutory references in order to remain consistent with new statutory changes.
HEALTH, DEPARTMENT OF			
*HLT-14-94-00006-P	exempt	Payment methodology for HIV/AIDS outpatient services	To expand the current payment to incorporate pricing for services
*HLT-23-22-00001-ERP	09/06/23	Hospital and Nursing Home Personal Protective Equipment (PPE) Requirements	To ensure that all general hospitals and nursing homes maintain a 60-day supply of PPE during the COVID-19 emergency
HLT-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-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
HEALTH, DEPARTMENT OF			
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-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-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
HLT-18-23-00013-P	05/02/24	Update Standards for Adult Homes and Standards for Enriched Housing Programs	To address changes required to achieve & sustain compliance with the federal Home & Community Based Settings final rule.
HLT-18-23-00014-P	05/02/24	Standards for Tissue Banks and Nontransplant Anatomic Banks	To remove discriminatory requirements pertaining to reproductive tissue and make technical corrections.
HLT-22-23-00011-P	05/30/24	Perinatal Services, Perinatal Regionalization, Birthing Centers and Maternity Birthing Centers	To update the regulatory requirements of birthing hospitals and centers to meet current standards of clinical care
HLT-25-23-00002-P	06/20/24	Humane Euthanasia of Animals	To provide for the humane euthanasia of animals.
HLT-26-23-00001-P	06/27/24	Removal of the COVID-19 Vaccine Requirement for Personnel in Covered Entities	To remove the COVID-19 Vaccine Requirement for Personnel in Covered Entities
HLT-31-23-00008-P	08/01/24	Expanded Syringe Access Programs (ESAPs)	To remove the requirement that ESAPs may only furnish a quantity of 10 or fewer syringes at a time.

HOUSING AND COMMUNITY RENEWAL, DIVISION OF

HCR-35-22-00004-P	11/15/23	The City Rent and Eviction Regulations governing rent control in New York City.	To implement changes required or informed by the Housing Stability and Tenant Protection Act of 2019.
HCR-35-22-00005-P	11/15/23	The Emergency Tenant Protection Regulations regulating residential rents and evictions.	To implement changes required or informed by the Housing Stability and Tenant Protection Act of 2019.
HCR-35-22-00006-P	11/15/23	The State Rent and Eviction Regulations governing statewide rent control.	To implement changes required or informed by the Housing Stability and Tenant Protection Act of 2019.
HCR-35-22-00007-P	11/15/23	The Rent Stabilization Code regulating residential rents and evictions.	To implement changes required or informed by the Housing Stability and Tenant Protection Act of 2019.

Action Pending Index

NYS Register/September 6, 2023

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
LAW, DEPARTMENT OF			
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.
LONG ISLAND POWER AUTHORITY			
*LPA-08-01-00003-P	exempt	Pole attachments and related matters	To approve revisions to the authority's tariff
*LPA-41-02-00005-P	exempt	Tariff for electric service	To revise the tariff for electric service
*LPA-04-06-00007-P	exempt	Tariff for electric service	To adopt provisions of a ratepayer protection plan
*LPA-03-10-00004-P	exempt	Residential late payment charges	To extend the application of late payment charges to residential customers
*LPA-15-18-00013-P	exempt	Outdoor area lighting	To add an option and pricing for efficient LED lamps to the Authority's outdoor area lighting
*LPA-37-18-00013-P	exempt	The net energy metering provisions of the Authority's Tariff for Electric Service	To implement PSC guidance increasing eligibility for value stack compensation to larger projects
*LPA-37-18-00017-P	exempt	The treatment of electric vehicle charging in the Authority's Tariff for Electric Service	To effectuate the outcome of the Public Service Commission's proceeding on electric vehicle supply equipment
*LPA-37-18-00018-P	exempt	The treatment of energy storage in the Authority's Tariff for Electric Service	To effectuate the outcome of the Public Service Commission's proceeding on the NY Energy Storage Roadmap
*LPA-09-20-00010-P	exempt	To update and implement latest requirements for ESCOs proposing to do business within the Authority's service territory	To strengthen customer protections and be consistent with Public Service Commission orders on retail energy markets

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
LONG ISLAND POWER AUTHORITY			
*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
MENTAL HEALTH, OFFICE OF			
OMH-46-22-00012-P	..... 11/16/23	Administrative Compensation	To Repeal Part 513 as Executive Order 38 has sunset
OMH-35-23-00001-P	..... 08/29/24	COVID-19 Vaccination Program.	To Repeal Part 557.
OMH-35-23-00002-P	..... 08/29/24	Clinical review criteria.	Adopt standards and processes to obtain and approve clinical review criteria.
OMH-36-23-00030-P	..... 09/05/24	Use of Telehealth in Crisis Stabilization Centers	To establish regulations regarding the use of Telehealth in Crisis Stabilization Centers
MOTOR VEHICLES, DEPARTMENT OF			
MTV-36-23-00031-P	..... 09/05/24	Point System & Licensing or Relicensing After Revocation Action	To assign a point value for alcohol related convictions & increase point values and negative units for certain violations
NIAGARA FALLS WATER BOARD			
*NFW-04-13-00004-EP	..... exempt	Adoption of Rates, Fees and Charges	To pay for the increased costs necessary to operate, maintain and manage the system, and to achieve covenants with bondholders
*NFW-13-14-00006-EP	..... exempt	Adoption of Rates, Fees and Charges	To pay for increased costs necessary to operate, maintain and manage the system and to achieve covenants with the bondholders
NFW-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.
OGDENSBURG BRIDGE AND PORT AUTHORITY			
*OBA-33-18-00019-P	..... exempt	Increase in Bridge Toll Structure	To increase bridge toll revenue in order to become financially self-supporting. Our bridge operations are resulting in deficit

Action Pending Index

NYS Register/September 6, 2023

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
OGDENSBURG BRIDGE AND PORT AUTHORITY			
*OBA-07-19-00019-P	..... exempt	Increase in Bridge Toll Structure	To increase bridge toll revenue in order to become financially self-supporting. Our bridge operations are resulting in deficit
PEOPLE WITH DEVELOPMENTAL DISABILITIES, OFFICE FOR			
PDD-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-21-23-00004-P	..... 05/23/24	Waiver eligibility	To use gender neutral language and coincide with SSL 366(7-a)(b)
PDD-28-23-00026-P	..... 07/11/24	Supported Employment	To update requirements of supported employment
POWER AUTHORITY OF THE STATE OF NEW YORK			
*PAS-01-10-00010-P	..... exempt	Rates for the sale of power and energy	Update ECSB Programs customers' service tariffs to streamline them/include additional required information
PUBLIC SERVICE COMMISSION			
*PSC-09-99-00012-P	..... exempt	Transfer of books and records by Citizens Utilities Company	To relocate Ogden Telephone Company's books and records out-of-state
*PSC-15-99-00011-P	..... exempt	Electronic tariff by Woodcliff Park Corp.	To replace the company's current tariff with an electronic tariff
*PSC-12-00-00001-P	..... exempt	Winter bundled sales service election date by Central Hudson Gas & Electric Corporation	To revise the date
*PSC-44-01-00005-P	..... exempt	Annual reconciliation of gas costs by Corning Natural Gas Corporation	To authorize the company to include certain gas costs
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-10-04-00005-P	..... exempt	Temporary protective order	To consider adopting a protective order
*PSC-10-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and VIC-RMTS-DC, L.L.C. d/b/a Verizon Avenue	To amend the agreement
*PSC-14-04-00008-P	..... exempt	Submetering of natural gas service to industrial and commercial customers by Hamburg Fairgrounds	To submeter gas service to commercial customers located at the Buffalo Speedway
*PSC-15-04-00022-P	..... exempt	Submetering of electricity by Glenn Gardens Associates, L.P.	To permit submetering at 175 W. 87th St., New York, NY
*PSC-21-04-00013-P	..... exempt	Verizon performance assurance plan by Metropolitan Telecommunications	To clarify the appropriate performance level
*PSC-22-04-00010-P	..... exempt	Approval of new types of electricity meters by Powell Power Electric Company	To permit the use of the PE-1250 electronic meter
*PSC-22-04-00013-P	..... exempt	Major gas rate increase by Consolidated Edison Company of New York, Inc.	To increase annual gas revenues
*PSC-22-04-00016-P	..... exempt	Master metering of water by South Liberty Corporation	To waive the requirement for installation of separate water meters
*PSC-25-04-00012-P	..... exempt	Interconnection agreement between Frontier Communications of Ausable Valley, Inc., et al. and Sprint Communications Company, L.P.	To amend the agreement
*PSC-27-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-27-04-00009-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-28-04-00006-P	..... exempt	Approval of loans by Dunkirk & Fredonia Telephone Company and Cassadaga Telephone Corporation	To authorize participation in the parent corporation's line of credit
*PSC-31-04-00023-P	..... exempt	Distributed generation service by Consolidated Edison Company of New York, Inc.	To provide an application form
*PSC-34-04-00031-P	..... exempt	Flat rate residential service by Emerald Green Lake Louise Marie Water Company, Inc.	To set appropriate level of permanent rates
*PSC-35-04-00017-P	..... exempt	Application form for distributed generation by Orange and Rockland Utilities, Inc.	To establish a new supplementary application form for customers
*PSC-43-04-00016-P	..... exempt	Accounts recievable by Rochester Gas and Electric Corporation	To include in its tariff provisions for the purchase of ESCO accounts recievable
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-02-05-00006-P	..... exempt	Violation of the July 22, 2004 order by Dutchess Estates Water Company, Inc.	To consider imposing remedial actions against the company and its owners, officers and directors
*PSC-09-05-00009-P	..... exempt	Submetering of natural gas service by Hamlet on Olde Oyster Bay	To consider submetering of natural gas to a commercial customer
*PSC-14-05-00006-P	..... exempt	Request for deferred accounting authorization by Freeport Electric Inc.	To defer expenses beyond the end of the fiscal year
*PSC-18-05-00009-P	..... exempt	Marketer Assignment Program by Consolidated Edison Company of New York, Inc.	To implement the program
*PSC-20-05-00028-P	..... exempt	Delivery point aggregation fee by Allied Frozen Storage, Inc.	To review the calculation of the fee
*PSC-25-05-00011-P	..... exempt	Metering, balancing and cashout provisions by Central Hudson Gas & Electric Corporation	To establish provisions for gas customers taking service under Service Classification Nos. 8, 9 and 11
*PSC-27-05-00018-P	..... exempt	Annual reconciliation of gas costs by New York State Electric & Gas Corporation	To consider the manner in which the gas cost incentive mechanism has been applied
*PSC-41-05-00013-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries by local distribution companies and municipalities	To consider the filings
*PSC-45-05-00011-P	..... exempt	Treatment of lost and unaccounted gas costs by Corning Natural Gas Corporation	To defer certain costs
*PSC-46-05-00015-P	..... exempt	Sale of real and personal property by the Brooklyn Union Gas Company d/b/a KeySpan Energy Delivery New York and Steel Arrow, LLC	To consider the sale
*PSC-47-05-00009-P	..... exempt	Transferral of gas supplies by Corning Natural Gas Corporation	To approve the transfer
*PSC-50-05-00008-P	..... exempt	Long-term debt by Saratoga Glen Hollow Water Supply Corp.	To obtain long-term debt
*PSC-04-06-00024-P	..... exempt	Transfer of ownership interests by Mirant NY-Gen LLC and Orange and Rockland Utilities, Inc.	To approve of the transfer
*PSC-06-06-00015-P	..... exempt	Gas curtailment policies and procedures	To examine the manner and extent to which gas curtailment policies and procedures should be modified and/or established
*PSC-07-06-00009-P	..... exempt	Modification of the current Environmental Disclosure Program	To include an attributes accounting system
*PSC-22-06-00019-P	..... exempt	Hourly pricing by National Grid	To assess the impacts
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-22-06-00022-P	..... exempt	Hourly pricing by Consolidated Edison Company of New York, Inc.	To assess the impacts
*PSC-22-06-00023-P	..... exempt	Hourly pricing by Orange and Rockland Utilities, Inc.	To assess the impacts
*PSC-24-06-00005-EP	..... exempt	Supplemental home energy assistance benefits	To extend the deadline to Central Hudson's low-income customers
*PSC-25-06-00017-P	..... exempt	Purchased power adjustment by Massena Electric Department	To revise the method of calculating the purchased power adjustment and update the factor of adjustment
*PSC-34-06-00009-P	..... exempt	Inter-carrier telephone service quality standards and metrics by the Carrier Working Group	To incorporate appropriate modifications
*PSC-37-06-00015-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-37-06-00017-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-43-06-00014-P	..... exempt	Electric delivery services by Strategic Power Management, Inc.	To determine the proper mechanism for the rate-recovery of costs
*PSC-04-07-00012-P	..... exempt	Petition for rehearing by Orange and Rockland Utilities, Inc.	To clarify the order
*PSC-06-07-00015-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for electric service
*PSC-06-07-00020-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for gas service
*PSC-11-07-00010-P	..... exempt	Investigation of the electric power outages by the Consolidated Edison Company of New York, Inc.	To implement the recommendations in the staff's investigation
*PSC-11-07-00011-P	..... exempt	Storm-related power outages by Consolidated Edison Company of New York, Inc.	To modify the company's response to power outages, the timing for any such changes and other related matters
*PSC-17-07-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and BridgeCom International, Inc.	To amend the agreement
*PSC-18-07-00010-P	..... exempt	Existing electric generating stations by Independent Power Producers of New York, Inc.	To repower and upgrade existing electric generating stations owned by Rochester Gas and Electric Corporation
*PSC-20-07-00016-P	..... exempt	Tariff revisions and making rates permanent by New York State Electric & Gas Corporation	To seek rehearing
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-23-07-00022-P	..... exempt	Supplier, transportation, balancing and aggregation service by National Fuel Gas Distribution Corporation	To explicitly state in the company's tariff that the threshold level of elective upstream transmission capacity is a maximum of 112,600 Dth/day of marketer-provided upstream capacity
*PSC-24-07-00012-P	..... exempt	Gas Efficiency Program by the City of New York	To consider rehearing a decision establishing a Gas Efficiency Program
*PSC-39-07-00017-P	..... exempt	Gas bill issuance charge by New York State Electric & Gas Corporation	To create a gas bill issuance charge unbundled from delivery rates
*PSC-41-07-00009-P	..... exempt	Submetering of electricity rehearing	To seek reversal
*PSC-42-07-00012-P	..... exempt	Energy efficiency program by Orange and Rockland Utilities, Inc.	To consider any energy efficiency program for Orange and Rockland Utilities, Inc.'s electric service
*PSC-42-07-00013-P	..... exempt	Revenue decoupling by Orange and Rockland Utilities, Inc.	To consider a revenue decoupling mechanism for Orange and Rockland Utilities, Inc.
*PSC-45-07-00005-P	..... exempt	Customer incentive programs by Orange and Rockland Utilities, Inc.	To establish a tariff provision
*PSC-02-08-00006-P	..... exempt	Additional central office codes in the 315 area code region	To consider options for making additional codes
*PSC-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-25-08-00008-P	..... exempt	Report on Callable Load Opportunities	Rider U report assessing callable load opportunities in New York City and Westchester County during the next 10 years
*PSC-28-08-00004-P	..... exempt	Con Edison's procedure for providing customers access to their account information	To consider Con Edison's implementation plan and timetable for providing customers access to their account information
*PSC-31-08-00025-P	..... exempt	Recovery of reasonable DRS costs from the cost mitigation reserve (CMR)	To authorize recovery of the DRS costs from the CMR
*PSC-32-08-00009-P	..... exempt	The ESCO referral program for KEDNY to be implemented by October 1, 2008	To approve, reject or modify, in whole or in part, KEDNY's recommended ESCO referral program
*PSC-33-08-00008-P	..... exempt	Noble Allegany's request for lightened regulation	To consider Noble Allegany's request for lightened regulation as an electric corporation
*PSC-36-08-00019-P	..... exempt	Land Transfer in the Borough of Manhattan, New York	To consider petition for transfer of real property to NYPH
*PSC-39-08-00010-P	..... exempt	RG&E's economic development plan and tariffs	Consideration of the approval of RG&E's economic development plan and tariffs
*PSC-40-08-00010-P	..... exempt	Loans from regulated company to its parent	To determine if the cash management program resulting in loans to the parent should be approved
*PSC-41-08-00009-P	..... exempt	Transfer of control of cable TV franchise	To determine if the transfer of control of Margaretville's cable TV subsidiary should be approved
*PSC-43-08-00014-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-46-08-00008-P	..... exempt	Property transfer in the Village of Avon, New York	To consider a petition for the transfer of street lighting and attached equipment to the Village of Avon, New York
*PSC-46-08-00010-P	..... exempt	A transfer of indirect ownership interests in nuclear generation facilities	Consideration of approval of a transfer of indirect ownership interests in nuclear generation facilities
*PSC-46-08-00014-P	..... exempt	The attachment of cellular antennae to an electric transmission tower	To approve, reject or modify the request for permission to attach cellular antennae to an electric transmission tower
*PSC-48-08-00005-P	..... exempt	A National Grid high efficiency gas heating equipment rebate program	To expand eligibility to customers converting from oil to natural gas
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-51-08-00006-P	..... exempt	Commission's October 27, 2008 Order on Future of Retail Access Programs in Case 07-M-0458	To consider a Petition for rehearing of the Commission's October 27, 2008 Order in Case 07-M-0458
*PSC-51-08-00007-P	..... exempt	Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078	To consider Petitions for rehearing of the Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078
*PSC-53-08-00011-P	..... exempt	Use of deferred Rural Telephone Bank funds	To determine if the purchase of a softswitch by Hancock is an appropriate use of deferred Rural Telephone Bank funds
*PSC-53-08-00012-P	..... exempt	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY
*PSC-53-08-00013-P	..... exempt	To transfer common stock and ownership	To consider transfer of common stock and ownership
*PSC-01-09-00015-P	..... exempt	FCC decision to redefine service area of Citizens/Frontier	Review and consider FCC proposed redefinition of Citizens/Frontier service area
*PSC-02-09-00010-P	..... exempt	Competitive classification of independent local exchange company, and regulatory relief appropriate thereto	To determine if Chazy & Westport Telephone Corporation more appropriately belongs in scenario 1 rather than scenario 2
*PSC-05-09-00008-P	..... exempt	Revenue allocation, rate design, performance metrics, and other non-revenue requirement issues	To consider any remaining non-revenue requirement issues related to the Company's May 9, 2008 tariff filing
*PSC-05-09-00009-P	..... exempt	Numerous decisions involving the steam system including cost allocation, energy efficiency and capital projects	To consider the long term impacts on steam rates and on public policy of various options concerning the steam system
*PSC-06-09-00007-P	..... exempt	Interconnection of the networks between Frontier Comm. and WVT Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier Comm. and WVT Comm.
*PSC-07-09-00015-P	..... exempt	Transfer certain utility assets located in the Town of Montgomery from plant held for future use to non-utility property	To consider the request to transfer certain utility assets located in the Town of Montgomery to non-utility assets
*PSC-07-09-00017-P	..... exempt	Request for authorization to defer the incremental costs incurred in the restoration work resulting from the ice storm	To allow the company to defer the incremental costs incurred in the restoration work resulting from the ice storm
*PSC-07-09-00018-P	..... exempt	Whether to permit the submetering of natural gas service to an industrial and commercial customer at Cooper Union, New York, NY	To consider the request of Cooper Union, to submeter natural gas at 41 Cooper Square, New York, New York
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-16-09-00010-P	..... exempt	Petition for the submetering of electricity	To consider the request of AMPS on behalf of Park Imperial to submeter electricity at 230 W. 56th Street, in New York, New York
*PSC-16-09-00020-P	..... exempt	Whether SUNY's core accounts should be exempt from the mandatory assignment of local distribution company (LDC) capacity	Whether SUNY's core accounts should be exempt from the mandatory assignment of local distribution company (LDC) capacity
*PSC-17-09-00010-P	..... exempt	Whether to permit the use of Elster REX2 solid state electric meter for use in residential and commercial accounts	To permit electric utilities in New York State to use the Elster REX2
*PSC-17-09-00011-P	..... exempt	Whether Brooklyn Navy Yard Cogeneration Partners, L.P. should be reimbursed by Con Edison for past and future use taxes	Whether Brooklyn Navy Yard Cogeneration Partners, L.P. should be reimbursed by Con Edison for past and future use taxes
*PSC-17-09-00012-P	..... exempt	Petition for the submetering of gas at commercial property	To consider the request of Turner Construction, to submeter natural gas at 550 Short Ave., & 10 South St., Governors Island, NY
*PSC-17-09-00014-P	..... exempt	Benefit-cost framework for evaluating AMI programs prepared by the DPS Staff	To consider a benefit-cost framework for evaluating AMI programs prepared by the DPS Staff
*PSC-17-09-00015-P	..... exempt	The construction of a tower for wireless antennas on land owned by National Grid	To approve, reject or modify the petition to build a tower for wireless antennas in the Town of Onondaga
*PSC-18-09-00012-P	..... exempt	Petition for rehearing of Order approving the submetering of electricity	To consider the request of Frank Signore to rehear petition to submeter electricity at One City Place in White Plains, New York
*PSC-18-09-00013-P	..... exempt	Petition for the submetering of electricity	To consider the request of Living Opportunities of DePaul to submeter electricity at E. Main St. located in Batavia, New York
*PSC-18-09-00017-P	..... exempt	Approval of an arrangement for attachment of wireless antennas to the utility's transmission facilities in the City of Yonkers	To approve, reject or modify the petition for the existing wireless antenna attachment to the utility's transmission tower
*PSC-20-09-00016-P	..... exempt	The recovery of, and accounting for, costs associated with the Companies' advanced metering infrastructure (AMI) pilots etc	To consider a filing of the Companies as to the recovery of, and accounting for, costs associated with it's AMI pilots etc
*PSC-20-09-00017-P	..... exempt	The recovery of, and accounting for, costs associated with CHG&E's AMI pilot program	To consider a filing of CHG&E as to the recovery of, and accounting for, costs associated with it's AMI pilot program
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-27-09-00011-P	..... exempt	Interconnection of the networks between Vernon and tw telecom of new york l.p. for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Vernon and TW Telecom of New York L.P.
*PSC-27-09-00014-P	..... exempt	Billing and payment for energy efficiency measures through utility bill	To promote energy conservation
*PSC-27-09-00015-P	..... exempt	Interconnection of the networks between Oriskany and tw telecom of new york l.p. for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Oriskany and TW Telecom of New York L.P.
*PSC-29-09-00011-P	..... exempt	Consideration of utility compliance filings	Consideration of utility compliance filings
*PSC-32-09-00009-P	..... exempt	Cost allocation for Consolidated Edison's East River Repowering Project	To determine whether any changes are warranted in the cost allocation of Consolidated Edison's East River Repowering Project
*PSC-34-09-00016-P	..... exempt	Recommendations made in the Management Audit Final Report	To consider whether to take action or recommendations contained in the Management Audit Final Report
*PSC-34-09-00017-P	..... exempt	To consider the transfer of control of Plattsburgh Cablevision, Inc. d/b/a Charter Communications to CH Communications, LLC	To allow the Plattsburgh Cablevision, Inc. to distribute its equity interest in CH Communications, LLC
*PSC-36-09-00008-P	..... exempt	The increase in the non-bypassable charge implemented by RG&E on June 1, 2009	Considering exemptions from the increase in the non-bypassable charge implemented by RG&E on June 1, 2009
*PSC-37-09-00015-P	..... exempt	Sale of customer-generated steam to the Con Edison steam system	To establish a mechanism for sale of customer-generated steam to the Con Edison steam system
*PSC-37-09-00016-P	..... exempt	Applicability of electronic signatures to Deferred Payment Agreements	To determine whether electronic signatures can be accepted for Deferred Payment Agreements
*PSC-39-09-00015-P	..... exempt	Modifications to the \$5 Bill Credit Program	Consideration of petition of National Grid to modify the Low Income \$5 Bill Credit Program
*PSC-39-09-00018-P	..... exempt	The offset of deferral balances with Positive Benefit Adjustments	To consider a petition to offset deferral balances with Positive Benefit Adjustments
*PSC-40-09-00013-P	..... exempt	Uniform System of Accounts - request for deferral and amortization of costs	To consider a petition to defer and amortize costs
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-05-10-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of University Residences - Rochester, LLC to submeter electricity at 220 John Street, Henrietta, NY
*PSC-05-10-00015-P	..... exempt	Petition for the submetering of electricity	To consider the request of 243 West End Avenue Owners Corp. to submeter electricity at 243 West End Avenue, New York, NY
*PSC-06-10-00022-P	..... exempt	The Commission's Order of December 17, 2009 related to redevelopment of Consolidated Edison's Hudson Avenue generating facility	To reconsider the Commission's Order of December 17, 2009 related to redevelopment of the Hudson Avenue generating facility
*PSC-07-10-00009-P	..... exempt	Petition to revise the Uniform Business Practices	To consider the RESA petition to allow rescission of a customer request to return to full utility service
*PSC-08-10-00007-P	..... exempt	Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847	Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847
*PSC-08-10-00009-P	..... exempt	Consolidated Edison of New York, Inc. energy efficiency programs	To modify approved energy efficiency programs
*PSC-12-10-00015-P	..... exempt	Recommendations made by Staff intended to enhance the safety of Con Edison's gas operations	To require that Con Edison implement the Staff recommendations intended to enhance the safety of Con Edison's gas operations
*PSC-14-10-00010-P	..... exempt	Petition for the submetering of electricity	To consider the request of 61 Jane Street Owners Corporation to submeter Electricity at 61 Jane Street, Manhattan, NY
*PSC-16-10-00005-P	..... exempt	To consider adopting and expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-16-10-00007-P	..... exempt	Interconnection of the networks between TDS Telecom and PAETEC Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between TDS Telecom and PAETEC Communications
*PSC-16-10-00015-P	..... exempt	Interconnection of the networks between Frontier and Choice One Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier and Choice One Communications
*PSC-18-10-00009-P	..... exempt	Electric utility transmission right-of-way management practices	To consider electric utility transmission right-of-way management practices
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-25-10-00012-P	..... exempt	Reassignment of the 2-1-1 abbreviated dialing code	Consideration of petition to reassign the 2-1-1 abbreviated dialing code
*PSC-27-10-00016-P	..... exempt	Petition for the submetering of electricity	To consider the request of 9271 Group, LLC to submeter electricity at 960 Busti Avenue, Buffalo, New York
*PSC-34-10-00003-P	..... exempt	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program
*PSC-34-10-00005-P	..... exempt	Approval of a contract for \$250,000 in tank repairs that may be a financing	To decide whether to approve a contract between the parties that may be a financing of \$250,000 for tank repairs
*PSC-34-10-00006-P	..... exempt	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program
*PSC-36-10-00010-P	..... exempt	Central Hudson's procedures, terms and conditions for an economic development plan	Consideration of Central Hudson's procedures, terms and conditions for an economic development plan
*PSC-40-10-00014-P	..... exempt	Disposition of a state sales tax refund	To determine how much of a state sales tax refund should be retained by National Grid
*PSC-40-10-00021-P	..... exempt	Whether to permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall	To permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall
*PSC-41-10-00018-P	..... exempt	Amount of hourly interval data provided to Hourly Pricing customers who have not installed a phone line to read meter	Allow Central Hudson to provide less than a years worth of interval data and charge for manual meter reading for some customers
*PSC-41-10-00022-P	..... exempt	Request for waiver of the individual living unit metering requirements at 5742 Route 5, Vernon, NY	Request for waiver of the individual living unit metering requirements at 5742 Route 5, Vernon, NY
*PSC-42-10-00011-P	..... exempt	Petition for the submetering of electricity	To consider the request of 4858 Group, LLC to submeter electricity at 456 Main Street, Buffalo, New York
*PSC-43-10-00016-P	..... exempt	Utility Access to Ducts, Conduit Facilities and Utility Poles	To review the complaint from Optical Communications Group
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-14-11-00009-P	..... exempt	Petition for the submetering of electricity	To consider the request of 83-30 118th Street to submeter electricity at 83-30 118th Street, Kew Gardens, New York
*PSC-19-11-00007-P	..... exempt	Utility price reporting requirements related to the Commission's "Power to Choose" website	Modify the Commission's utility electric commodity price reporting requirements related to the "Power to Choose" website
*PSC-20-11-00012-P	..... exempt	Petition for the submetering of electricity	To consider the request of KMW Group LLC to submeter electricity at 122 West Street, Brooklyn, New York
*PSC-20-11-00013-P	..... exempt	Determining the reasonableness of Niagara Mohawk Power Corporation d/b/a National Grid 's make ready charges	To determine if the make ready charges of Niagara Mohawk Power Corporation d/b/a National Grid are reasonable
*PSC-22-11-00004-P	..... exempt	Whether to permit the use of the Sensus accWAVE for use in residential gas meter applications	To permit gas utilities in New York State to use the Sensus accWAVE diaphragm gas meter
*PSC-26-11-00007-P	..... exempt	Water rates and charges	To approve an increase in annual revenues by about \$25,266 or 50%
*PSC-26-11-00009-P	..... exempt	Petition for the submetering of electricity at commercial property	To consider the request of by Hoosick River Hardwoods, LLC to submeter electricity at 28 Taylor Avenue, in Berlin, New York
*PSC-26-11-00012-P	..... exempt	Waiver of generation retirement notice requirements	Consideration of waiver of generation retirement notice requirements
*PSC-29-11-00011-P	..... exempt	Petition requesting the Commission reconsider its May 19, 2011 Order and conduct a hearing, and petition to stay said Order	To consider whether to grant or deny, in whole or in part, Windstream New York's Petition For Reconsideration and Rehearing
*PSC-35-11-00011-P	..... exempt	Whether to permit Consolidated Edison a waiver to commission regulations Part 226.8	Permit Consolidated Edison to conduct a inspection program in lieu of testing the accuracy of Category C meters
*PSC-36-11-00006-P	..... exempt	To consider expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-38-11-00002-P	..... exempt	Operation and maintenance procedures pertaining to steam trap caps	Adopt modified steam operation and maintenance procedures
*PSC-38-11-00003-P	..... exempt	Waiver of certain provisions of the electric service tariffs of Con Edison	Consideration of waiver of certain provisions of the electric service tariffs of Con Edison
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-47-11-00007-P	..... exempt	Remedying miscalculations of delivered gas as between two customer classes	Consideration of Con Edison's proposal to address inter-class delivery imbalances resulting from past Company miscalculations
*PSC-48-11-00007-P	..... exempt	Transfer of controlling interests in generation facilities from Dynegy to PSEG	Consideration of the transfer of controlling interests in electric generation facilities from Dynegy to PSEG
*PSC-48-11-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of To Better Days, LLC to submeter electricity at 37 East 4th Street, New York, New York
*PSC-01-12-00007-P	..... exempt	The New York State Reliability Council's revisions to its rules and measurements	To adopt revisions to various rules and measurements of the New York State Reliability Council
*PSC-01-12-00008-P	..... exempt	Transfer of real property and easements from NMPNS to NMP3	Consideration of the transfer of real property and easements from NMPNS to NMP3
*PSC-01-12-00009-P	..... exempt	Recovery of expenses related to the expansion of Con Edison's ESCO referral program, PowerMove	To determine how and to what extent expenses related to the Expansion of Con Edison's ESCO referral program should be recovered
*PSC-11-12-00002-P	..... exempt	Whether to grant, deny or modify, in whole or part, Hegeman's petition for a waiver of Commission policy and Con Edison tariff	Whether to grant, deny or modify, in whole or part, Hegeman's petition for a waiver of Commission policy and Con Edison tariff
*PSC-11-12-00005-P	..... exempt	Transfer of land and water supply assets	Transfer the land and associated water supply assets of Groman Shores, LLC to Robert Groman
*PSC-13-12-00005-P	..... exempt	Authorization to transfer certain real property	To decide whether to approve the transfer of certain real property
*PSC-19-12-00023-P	..... exempt	Petition for approval pursuant to Section 70 for the sale of goods with an original cost of less than \$100,000	To consider whether to grant, deny or modify, in whole or in part, the petition filed by Orange and Rockland Utilities, Inc.
*PSC-21-12-00006-P	..... exempt	Tariff filing requirements and refunds	To determine if certain agreements should be filed pursuant to the Public Service Law and if refunds are warranted
*PSC-21-12-00011-P	..... exempt	Whether to grant, deny or modify, in whole or part, the petition for waiver of tariff Rules 8.6 and 47	Whether to grant, deny or modify, in whole or part, the petition for waiver of tariff Rules 8.6 and 47
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-29-12-00019-P	..... exempt	Waiver of 16 NYCRR 894.1 through 894.4	To allow the Town of Hamden to waive certain preliminary franchising procedures to expedite the franchising process
*PSC-30-12-00010-P	..... exempt	Waiver of 16 NYCRR 894.1 through 894.4	To allow the Town of Andes to waive certain preliminary franchising procedures to expedite the franchising process
*PSC-33-12-00009-P	..... exempt	Telecommunications companies ability to attach to utility company poles	Consideration of Tech Valley's ability to attach to Central Hudson poles
*PSC-37-12-00009-P	..... exempt	Proposed modification by Con Edison of its procedures to calculate estimated bills to its customers	Proposed modification by Con Edison of its procedures to calculate estimated bills to its customers
*PSC-42-12-00009-P	..... exempt	Regulation of Gipsy Trail Club, Inc.'s long-term financing agreements	To exempt Gipsy Trail Club, Inc. from Commission regulation of its financing agreements
*PSC-45-12-00008-P	..... exempt	Whether to grant, deny or modify, in whole or part, ESHG's petition for a waiver of Commission policy and RG&E tariff	Whether to grant, deny or modify, in whole or part, ESHG's petition for a waiver of Commission policy and RG&E tariff
*PSC-45-12-00010-P	..... exempt	Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District	Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District
*PSC-50-12-00003-P	..... exempt	Affiliate standards for Corning Natural Gas Corporation	To resolve issues raised by Corning Natural Gas Corporation in its petition for rehearing
*PSC-04-13-00006-P	..... exempt	Expansion of mandatory day ahead hourly pricing for customers of Orange and Rockland Utilities with demands above 100 kW	To consider the expansion of mandatory day ahead hourly pricing for customers with demands above 100 kW
*PSC-04-13-00007-P	..... exempt	Authorization to transfer certain real property	To decide whether to approve the transfer of certain real property
*PSC-06-13-00008-P	..... exempt	Verizon New York Inc.'s retail service quality	To investigate Verizon New York Inc.'s retail service quality
*PSC-08-13-00012-P	..... exempt	Filing requirements for certain Article VII electric facilities	To ensure that applications for certain electric transmission facilities contain pertinent information
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-21-13-00003-P	..... exempt	To consider policies that may impact consumer acceptance and use of electric vehicles	To consider and further develop policies that may impact consumer acceptance and use of electric vehicles
*PSC-21-13-00005-P	..... exempt	To implement an abandonment of Windover’s water system	To approve the implementation of abandonment of Windover’s water system
*PSC-21-13-00008-P	..... exempt	Rates of National Fuel Gas Distribution Corporation	To make the rates of National Fuel Gas Distribution Corporation temporary, subject to refund, if they are found to be excessive
*PSC-21-13-00009-P	..... exempt	Reporting requirements for natural gas local distribution companies	To help ensure efficient and economic expansion of the natural gas system as appropriate
*PSC-22-13-00009-P	..... exempt	On remand from New York State court litigation, determine the recovery of certain deferred amounts owed NFG by ratepayers	On remand, to determine the recovery of certain deferral amounts owed NFG from ratepayers
*PSC-23-13-00005-P	..... exempt	Waiver of partial payment, directory database distribution, service quality reporting, and service termination regulations	Equalize regulatory treatment based on level of competition and practical considerations
*PSC-25-13-00008-P	..... exempt	To deny, grant or modify, in whole or in part, Central Hudson’s rehearing request	To deny, grant or modify, in whole or in part, Central Hudson’s rehearing request
*PSC-25-13-00009-P	..... exempt	Provision by utilities of natural gas main and service lines	To help ensure efficient and economic expansion of the natural gas system as appropriate
*PSC-25-13-00012-P	..... exempt	To deny, grant or modify, in whole or in part, Central Hudson’s rehearing request	To deny, grant or modify, in whole or in part, Central Hudson’s rehearing request
*PSC-27-13-00014-P	..... exempt	Columbia Gas Transmission Corporation Cost Refund	For approval for temporary waiver of tariff provisions regarding its Columbia Gas Transmission Corporation cost refund
*PSC-28-13-00014-P	..... exempt	Provision for the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces	To consider the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces
*PSC-28-13-00016-P	..... exempt	The request of NGT for lightened regulation as a gas corporation	To consider whether to approve, reject, or modify the request of Niagara gas transport of Lockport, NY LLC
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-33-13-00029-P	..... exempt	Deferral of incremental costs associated with the restoration of steam service following Superstorm Sandy	To consider a petition by Con Edison to defer certain incremental steam system restoration costs relating to Superstorm Sandy
*PSC-34-13-00004-P	..... exempt	Escrow account and surcharge to fund extraordinary repairs	To approve the establishment of an escrow account and surcharge
*PSC-42-13-00013-P	..... exempt	Failure to Provide Escrow Information	The closure of the Escrow Account
*PSC-42-13-00015-P	..... exempt	Failure to Provide Escrow Information	The closure of the Escrow Account
*PSC-43-13-00015-P	..... exempt	Petition for submetering of electricity	To consider the request of 2701 Kingsbridge Terrace L.P. to submeter electricity at 2701 Kingsbridge Terrace, Bronx, N.Y.
*PSC-45-13-00021-P	..... exempt	Investigation into effect of bifurcation of gas and electric utility service on Long Island	To consider a Petition for an investigation into effect of bifurcation of gas and electric utility service on Long Island
*PSC-45-13-00022-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4)	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00023-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4)	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00024-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4); waiver of filing deadlines	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00025-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4)	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-47-13-00009-P	..... exempt	Petition for submetering of electricity	To consider the request of Hegeman Avenue Housing L.P. to submeter electricity at 39 Hegeman Avenue, Brooklyn, N.Y
*PSC-47-13-00012-P	..... exempt	Conditioning,restricting or prohibiting the purchase of services by NYSEG and RG&E from certain affiliates	Consideration of conditioning,restricting or prohibiting the purchase of services by NYSEG and RG&E from certain affiliates
*PSC-49-13-00008-P	..... exempt	Authorization to transfer all of Crystal Water Supply Company, Inc. stocks to Essel Infra West Inc.	To allow Crystal Water Supply Company, Inc to transfer all of its issued and outstanding stocks to Essel Infra West Inc.
*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)

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-52-13-00015-P	..... exempt	To enter into a loan agreement with the banks for up to an amount of \$94,000	To consider allowing Knolls Water Company to enter into a long-term loan agreement
*PSC-05-14-00010-P	..... exempt	The New York State Reliability Council's revisions to its rules and measurements	To adopt revisions to various rules and measurements of the New York State Reliability Council
*PSC-07-14-00008-P	..... exempt	Petition for submetering of electricity	To consider the request of Greater Centennial Homes HDFC, Inc. to submeter electricity at 102, 103 and 106 W 5th Street, et al.
*PSC-07-14-00012-P	..... exempt	Water rates and charges	Implementation of Long-Term Water Supply Surcharge to recover costs associated with the Haverstraw Water Supply Project
*PSC-08-14-00015-P	..... exempt	Verizon New York Inc.'s service quality and Customer Trouble Report Rate (CTRR) levels at certain central office entities	To improve Verizon New York Inc.'s service quality and the Customer Trouble Report Rate levels at certain central office entities
*PSC-10-14-00006-P	..... exempt	Actions to facilitate the availability of ESCO value-added offerings, ESCO eligibility and ESCO compliance	To facilitate ESCO value-added offerings and to make changes to ESCO eligibility and to ensure ESCO compliance
*PSC-11-14-00003-P	..... exempt	Provision for the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces	To consider the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces
*PSC-16-14-00014-P	..... exempt	Whether to order NYSEG to provide gas service to customers when an expanded CPCN is approved and impose PSL 25-a penalties	To order gas service to customers in the Town of Plattsburgh after approval of a town wide CPCN and to impose penalties
*PSC-16-14-00015-P	..... exempt	Whether Central Hudson should be permitted to defer obligations of the Order issued on October 18, 2013 in Case 13-G-0336	Consideration of the petition by Central Hudson to defer reporting obligations of the October 18, 2013 Order in Case 13-G-0336
*PSC-17-14-00003-P	..... exempt	Con Edison's Report on its 2013 performance under the Electric Service Reliability Performance Mechanism	Con Edison's Report on its 2013 performance under the Electric Service Reliability Performance Mechanism
*PSC-17-14-00004-P	..... exempt	To consider certain portions of petitions for rehearing, reconsideration and/or clarification	To consider certain portions of petitions for rehearing, reconsideration and/or clarification
*PSC-17-14-00007-P	..... exempt	To consider petitions for rehearing, reconsideration and/or clarification	To consider petitions for rehearing, reconsideration and/or clarification
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-23-14-00010-P	..... exempt	Whether to permit the use of the GE Dresser Series B3-HPC 11M-1480 rotary gas met for use in industrial gas meter applications	To permit gas utilities in New York State to use the GE Dresser Series B3-HPC 11M-1480 rotary gas meter
*PSC-23-14-00014-P	..... exempt	Waiver of the negative revenue adjustment associated with KEDLI's 2013 Customer Satisfaction Performance Metric	Consideration of KEDLI's waiver request pertaining to its 2013 performance under its Customer Satisfaction Metric
*PSC-24-14-00005-P	..... exempt	To examine LDC's performance and performance measures	To improve gas safety performance
*PSC-26-14-00013-P	..... exempt	Waiver of RG&E's tariffed definition of emergency generator	To consider waiver of RG&E's tariffed definition of emergency generator
*PSC-26-14-00020-P	..... exempt	New electric utility backup service tariffs and standards for interconnection may be adopted	To encourage development of microgrids that enhance the efficiency, safety, reliability and resiliency of the electric grid
*PSC-26-14-00021-P	..... exempt	Consumer protections, standards and protocols pertaining to access to customer data may be established	To balance the need for the information necessary to support a robust market with customer privacy concerns
*PSC-28-14-00014-P	..... exempt	Petition to transfer systems, franchises and assets	To consider the Comcast and Charter transfer of systems, franchise and assets
*PSC-30-14-00023-P	..... exempt	Whether to permit the use of the Sensus iPERL Fire Flow Meter	Pursuant to 16 NYCRR Part 500.3 , it is necessary to permit the use of the Sensus iPERL Fire Flow Meter
*PSC-30-14-00026-P	..... exempt	Petition for a waiver to master meter electricity	Considering the request of Renaissance Corporation of to master meter electricity at 100 Union Drive, Albany, NY
*PSC-31-14-00004-P	..... exempt	To transfer 100% of the issued and outstanding stock from Vincent Cross to Bonnie and Michael Cross	To transfer 100% of the issued and outstanding stock from Vincent Cross to Bonnie and Michael Cross
*PSC-32-14-00012-P	..... exempt	Whether to grant or deny, in whole or in part, the Connect New York Coalition's petition	To consider the Connect New York Coalition's petition seeking a formal investigation and hearings
*PSC-35-14-00004-P	..... exempt	Regulation of a proposed electricity generation facility located in the Town of Brookhaven, NY	To consider regulation of a proposed electricity generation facility located in the Town of Brookhaven, NY
*PSC-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-38-14-00008-P	..... exempt	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn
*PSC-38-14-00010-P	..... exempt	Inter-carrier telephone service quality standard and metrics and administrative changes	To review recommendations from the Carrier Working Group and incorporate appropriate modifications to the existing Guidelines
*PSC-38-14-00012-P	..... exempt	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2
*PSC-39-14-00020-P	..... exempt	Whether to permit the use of the Mueller Systems 400 Series and 500 Series of water meters	Pursuant to 16 NYCRR section 500.3, whether to permit the use of the Mueller Systems 400, and 500 Series of water meters
*PSC-40-14-00008-P	..... exempt	To consider granting authorization for Buy Energy Direct to resume marketing to residential customers	To consider granting authorization for Buy Energy Direct to resume marketing to residential customers
*PSC-40-14-00009-P	..... exempt	Whether to permit the use of the Itron Open Way Centron Meter with Hardware 3.1 for AMR and AMI functionality	Pursuant to 16 NYCRR Parts 93, is necessary to permit the use of the Itron Open Way Centron Meter with Hardware 3.1
*PSC-40-14-00011-P	..... exempt	Late Payment Charge	To modify Section 7.6 - Late Payment Charge to designate a specific time for when a late payment charge is due
*PSC-40-14-00013-P	..... exempt	Regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY	To consider regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY
*PSC-40-14-00014-P	..... exempt	Waiver of 16 NYCRR Sections 894.1 through 894.4(b)(2)	To allow the Town of Goshen, NY, to waive certain preliminary franchising procedures to expedite the franchising process
*PSC-40-14-00015-P	..... exempt	Late Payment Charge	To modify Section 6.6 - Late Payment Charge to designate a specific time for when a late payment charge is due
*PSC-42-14-00003-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-08-15-00010-P	..... exempt	Request pertaining to the lawfulness of National Grid USA continuing its summary billing program	To grant, deny, or modify URAC Rate Consultants' request that National Grid cease its summary billing program
*PSC-10-15-00007-P	..... exempt	Notification concerning tax refunds	To consider Verizon New York Inc.'s partial rehearing or reconsideration request regarding retention of property tax refunds
*PSC-10-15-00008-P	..... exempt	Whether to waive Policy on Test Periods in Major Rate Proceedings and provide authority to file tariff changes	Whether to waive Policy on Test Periods in Major Rate Proceedings and provide authority to file tariff changes
*PSC-13-15-00024-P	..... exempt	Whether Leatherstocking should be permitted to recover a shortfall in earnings	To decide whether to approve Leatherstocking's request to recover a shortfall in earnings
*PSC-13-15-00026-P	..... exempt	Whether to permit the use of the Sensus Smart Point Gas AMR/AMI product	To permit the use of the Sensus Smart Point Gas AMR/AMI product
*PSC-13-15-00027-P	..... exempt	Whether to permit the use of the Measurlogic DTS 310 electric submeter	To permit the use of the Measurlogic DTS 310 submeter
*PSC-13-15-00028-P	..... exempt	Whether to permit the use of the SATEC EM920 electric meter	To permit necessary to permit the use of the SATEC EM920 electric meter
*PSC-13-15-00029-P	..... exempt	Whether to permit the use the Triacta Power Technologies 6103, 6112, 6303, and 6312 electric submeters	To permit the use of the Triacta submeters
*PSC-17-15-00007-P	..... exempt	To consider the petition of Leatherstocking Gas Company, LLC seeking authority to issue long-term debt of \$2.75 million	To consider the petition of Leatherstocking Gas Company, LLC seeking authority to issue long-term debt of \$2.75 million
*PSC-18-15-00005-P	..... exempt	Con Edison's Report on its 2014 performance under the Electric Service Reliability Performance Mechanism	Con Edison's Report on its 2014 performance under the Electric Service Reliability Performance Mechanism
*PSC-19-15-00011-P	..... exempt	Gas Safety Performance Measures and associated negative revenue adjustments	To update the performance measures applicable to KeySpan Gas East Corporation d/b/a National Grid
*PSC-22-15-00015-P	..... exempt	To consider the request for waiver of the individual residential unit meter requirements and 16 NYCRR 96.1(a)	To consider the request for waiver of the individual residential unit meter requirements and 16 NYCRR 96.1(a)
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-33-15-00009-P	..... exempt	Remote net metering of a demonstration community net metering program	To consider approval of remote net metering of a demonstration community net metering program
*PSC-33-15-00012-P	..... exempt	Remote net metering of a Community Solar Demonstration Project	To consider approval of remote net metering of a Community Solar Demonstration Project
*PSC-34-15-00021-P	..... exempt	Petition by NYCOM requesting assistance with obtaining information on CLECs and ESCOs	To consider the petition by NYCOM requesting assistance with obtaining information on CLECs and ESCOs
*PSC-35-15-00014-P	..... exempt	Consideration of consequences against Light Power & Gas, LLC for violations of the UBP	To consider consequences against Light Power & Gas, LLC for violations of the UBP
*PSC-37-15-00007-P	..... exempt	Submetered electricity	To consider the request of 89 Murray Street Ass. LLC, for clarification of the submetering order issued December 20, 2007
*PSC-40-15-00014-P	..... exempt	Whether to permit the use of the Open Way 3.5 with cellular communications	To consider the use of the Open Way 3.5 electric meter, pursuant to 16 NYCRR Parts 92 and 93
*PSC-42-15-00006-P	..... exempt	Deferral of incremental expenses associated with NERC's new Bulk Electric System (BES) compliance requirements approved by FERC	Consideration of Central Hudson's request to defer incremental expenses associated with new BES compliance requirements
*PSC-44-15-00028-P	..... exempt	Deferral of incremental expenses associated with new compliance requirements	Consideration of Central Hudson's request to defer incremental expenses associated with new compliance requirements
*PSC-47-15-00013-P	..... exempt	Whitepaper on Implementing Lightened Ratemaking Regulation	Consider Whitepaper on Implementing Lightened Ratemaking Regulation
*PSC-48-15-00011-P	..... exempt	Proposal to retire Huntley Units 67 and 68 on March 1, 2016	Consider the proposed retirement of Huntley Units 67 and 68
*PSC-50-15-00006-P	..... exempt	The reduction of rates	To consider the reduction of rates charged by Independent Water Works, Inc.
*PSC-50-15-00009-P	..... exempt	Notice of Intent to submeter electricity	To consider the request to submeter electricity at 31-33 Lincoln Road and 510 Flatbush Avenue, Brooklyn, New York
*PSC-51-15-00010-P	..... exempt	Modification of the EDP	To consider modifying the EDP
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-06-16-00013-P	..... exempt	Continued deferral of approximately \$16,000,000 in site investigation and remediation costs	To consider the continued deferral of approximately \$16,000,000 in site investigation and remediation costs
*PSC-06-16-00014-P	..... exempt	MEGA's proposed demonstration CCA program	To consider MEGA's proposed demonstration CCA program
*PSC-14-16-00008-P	..... exempt	Resetting retail markets for ESCO mass market customers	To ensure consumer protections with respect to residential and small non-residential ESCO customers
*PSC-18-16-00013-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs	To ensure consumer protection for ESCO customers
*PSC-18-16-00014-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs	To ensure consumer protection for ESCO customers
*PSC-18-16-00015-P	..... exempt	Petitions for rehearing of the Order Resetting Retail Energy Markets and Establishing Further Process	To ensure consumer protections for ESCO customers
*PSC-18-16-00016-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs	To ensure consumer protection for ESCO customers
*PSC-18-16-00018-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs	To ensure consumer protection for ESCO customers
*PSC-20-16-00008-P	..... exempt	Consideration of consequences against Global Energy Group, LLC for violations of the Uniform Business Practices (UBP)	To consider consequences against Global Energy Group, LLC for violations of the Uniform Business Practices (UBP)
*PSC-20-16-00010-P	..... exempt	Deferral and recovery of incremental expense	To consider deferring costs of conducting leak survey and repairs for subsequent recovery
*PSC-20-16-00011-P	..... exempt	Enetics LD-1120 Non-Intrusive Load Monitoring Device in the Statewide Residential Appliance Metering Study	To consider the use of the Enetics LD-1120 Non-Intrusive Load Monitoring Device
*PSC-25-16-00009-P	..... exempt	To delay Companies' third-party assessments of customer personally identifiable information until 2018	To extend the time period between the Companies' third-party assessments of customer personally identifiable information
*PSC-25-16-00025-P	..... exempt	Acquisition of all water supply assets of Woodbury Heights Estates Water Co., Inc. by the Village of Kiryas Joel	To consider acquisition of all water supply assets of Woodbury Heights Estates Water Co., Inc. by the Village of Kiryas Joel
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-33-16-00001-EP	..... exempt	Use of escrow funds for repairs	To authorize the use of escrow account funds for repairs
*PSC-33-16-00005-P	..... exempt	Exemption from certain charges for delivery of electricity to its Niagara Falls, New York facility	Application of System Benefits Charges, Renewable Portfolio Standard charges and Clean Energy Fund surcharges
*PSC-35-16-00015-P	..... exempt	NYSRC's revisions to its rules and measurements	To consider revisions to various rules and measurements of the NYSRC
*PSC-36-16-00004-P	..... exempt	Recovery of costs for installation of electric service	To consider the recovery of costs for installation of electric service
*PSC-40-16-00025-P	..... exempt	Consequences pursuant to the Commission's Uniform Business Practices (UBP)	To consider whether to impose consequences on Smart One for its apparent non-compliance with Commission requirements
*PSC-47-16-00009-P	..... exempt	Petition to use commercial electric meters	To consider the petition of Itron, Inc. to use the Itron CP2SO and CP2SOA in commercial electric meter applications
*PSC-47-16-00010-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00013-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00014-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00016-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-02-17-00010-P	..... exempt	Implementation of the four EAMs	To consider the implementation of EAMs for RG&E
*PSC-02-17-00012-P	..... exempt	Implementation of the four EAMs	To consider the implementation of EAMs for NYSEG
*PSC-18-17-00024-P	..... exempt	A petition for rehearing or reconsideration of the Order Addressing Public Policy Transmission Need for AC Transmission Upgrades	To determine whether Public Policy Transmission Need/Public Policy Requirements continue to exist
*PSC-18-17-00026-P	..... exempt	Revisions to the Dynamic Load Management surcharge	To consider revisions to the Dynamic Load Management surcharge
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-21-17-00018-P	..... exempt	Proposed agreement for the provision of water service by Saratoga Water Services, Inc.	To consider a waiver and approval of terms of a service agreement
*PSC-22-17-00004-P	..... exempt	Financial incentives to create customer savings and develop market-enabling tools, with a focus on outcomes and incentives	To consider the proposed Interconnection Survey Process and Earnings Adjustment Mechanisms
*PSC-24-17-00006-P	..... exempt	Development of the Utility Energy Registry	Improved data access
*PSC-26-17-00005-P	..... exempt	Notice of Intent to submeter electricity	To consider the Notice of Intent to submeter electricity at 125 Waverly Street, Yonkers, New York
*PSC-34-17-00011-P	..... exempt	Waiver to permit Energy Cooperative of America to serve low-income customers	To consider the petition for a waiver
*PSC-37-17-00005-P	..... exempt	Financial incentives to create customer savings and develop market-enabling tools, with a focus on outcomes and incentives	To consider the revised Interconnection Survey Process and Earnings Adjustment Mechanisms
*PSC-39-17-00011-P	..... exempt	Whether to direct New York State Electric & Gas to complete electric facility upgrades at no charge to Hanehan	To determine financial responsibility between NYSEG and Hanehan for the electric service upgrades to Hanehan
*PSC-42-17-00010-P	..... exempt	Petition for rehearing of negative revenue adjustment and contents of annual Performance Report	To consider NFGD's petition for rehearing
*PSC-48-17-00015-P	..... exempt	Low Income customer options for affordable water bills	To consider the Low Income Bill Discount and/or Energy Efficiency Rebate Programs
*PSC-50-17-00017-P	..... exempt	New Wave Energy Corp.'s petition for rehearing	To consider the petition for rehearing filed by New Wave Energy Corp.
*PSC-50-17-00018-P	..... exempt	Application of the Public Service Law to DER suppliers	To determine the appropriate regulatory framework for DER suppliers
*PSC-50-17-00019-P	..... exempt	Transfer of utility property	To consider the transfer of utility property
*PSC-50-17-00021-P	..... exempt	Disposition of tax refunds and other related matters	To consider the disposition of tax refunds and other related matters
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-07-18-00015-P	..... exempt	The accuracy and reasonableness of National Grid's billing for certain interconnection upgrades	To consider AEC's petition requesting resolution of their billing dispute with National Grid
*PSC-11-18-00004-P	..... exempt	New York State Lifeline Program	To consider TracFone's petition seeking approval to participate in Lifeline
*PSC-13-18-00015-P	..... exempt	Eligibility of an ESCO to market to and enroll residential customers	To consider whether Astral should be allowed to market to and enroll residential customers following a suspension
*PSC-13-18-00023-P	..... exempt	Reconciliation of property taxes	To consider NYAW's request to reconcile property taxes
*PSC-14-18-00006-P	..... exempt	Petition for abandonment	To consider the abandonment of Willsboro Bay Water Company's water system
*PSC-17-18-00010-P	..... exempt	Petition for use of gas metering equipment	To ensure that consumer bills are based on accurate measurements of gas usage
*PSC-18-18-00009-P	..... exempt	Transfer of control of Keene Valley Video Inc.	To ensure performance in accordance with applicable cable laws, regulations and standards and the public interest
*PSC-23-18-00006-P	..... exempt	Whether to impose consequences on Aspurity for its non-compliance with Commission requirements	To ensure the provision of safe and adequate energy service at just and reasonable rates
*PSC-24-18-00013-P	..... exempt	Implementation of program rules for Renewable Energy Standard and ZEC requirements	To promote and maintain renewable and zero-emission electric energy resources
*PSC-28-18-00011-P	..... exempt	Storm Hardening Collaborative Report	To ensure safe and adequate gas service
*PSC-29-18-00008-P	..... exempt	Participation in Targeted Accessibility Fund	To encourage enhanced services for low-income consumers
*PSC-29-18-00009-P	..... exempt	Overvaluing real property tax expense recovery in water rates	To prevent unjust and unreasonable water rates
*PSC-34-18-00015-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and energy efficiency protections are in place
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-35-18-00008-P	..... exempt	Central Hudson's 2018 DSIP and BCA Handbook Update	To continue Central Hudson's transition to a modern utility serving as a Distributed System Platform Provider
*PSC-35-18-00010-P	..... exempt	O&R's 2018 DSIP and BCA Handbook Update	To continue O&R's transition to a modern utility acting as a Distributed System Platform Provider
*PSC-39-18-00005-P	..... exempt	Participation in New York State Lifeline Program	To encourage enhanced services for low-income customers
*PSC-40-18-00014-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	To review the gas utilities' reconciliation of Gas Expenses and Gas Cost Recoveries for 2018
*PSC-42-18-00011-P	..... exempt	Voluntary residential beneficial electrification rate design	To provide efficient rate design for beneficial technologies in New York State that is equitable for all residential customers
*PSC-42-18-00013-P	..... exempt	Petition for clarification and rehearing of the Smart Solutions Program Order	To address the increased demand for natural gas in the Con Edison's service territory and the limited pipeline capacity
*PSC-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-19-19-00013-P	..... exempt	Proposed merger of three water utilities into one corporation	To determine if the proposed merger is in the public interest
*PSC-20-19-00008-P	..... exempt	Reporting on energy sources	To ensure accurate reporting and encourage clean energy purchases
*PSC-20-19-00010-P	..... exempt	Compensation policies for certain CHP projects	To consider appropriate rules for compensation of certain CHP resources
*PSC-31-19-00013-P	..... exempt	Implementation of Statewide Energy Benchmarking	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
*PSC-32-19-00012-P	..... exempt	Standby Service Rates and Buyback Service Rates	To ensure just and reasonable rates, including compensation, for distributed energy resources
*PSC-38-19-00002-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
*PSC-39-19-00018-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
*PSC-41-19-00003-P	..... exempt	A voluntary residential three-part rate that would include fixed, usage and demand charges	To provide qualifying residential customers with an optional three-part rate
*PSC-46-19-00008-P	..... exempt	Wappingers Falls Hydroelectric LLC's facility located in Wappingers Falls, New York	To promote and maintain renewable electric energy resources
*PSC-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-25-20-00010-P	..... exempt	Whitepaper regarding energy service company financial assurance requirements	To consider the form and amount of financial assurances to be included in the eligibility criteria for energy service companies
*PSC-25-20-00016-P	..... exempt	Modifications to the Low-Income Affordability program	To address the economic impacts of the COVID-19 pandemic
*PSC-27-20-00003-P	..... exempt	To make the uniform statewide customer satisfaction survey permanent	To encourage consumer protections and safe and adequate service
*PSC-28-20-00022-P	..... exempt	Compensation of distributed energy resources	To ensure just and reasonable rates, including compensation, for distributed energy resources
*PSC-28-20-00034-P	..... exempt	Petition to implement Section 7(5) of the Accelerated Renewable Energy Growth and Community Benefit Act	To develop the bulk transmission investments necessary to achieve the Climate Leadership and Community Protection Act goals
*PSC-34-20-00005-P	..... exempt	Petition to provide a renewable, carbon-free energy option to residential and small commercial full-service customers	To increase customer access to renewable energy in the Consolidated Edison Company of New York, Inc. service territory
*PSC-38-20-00004-P	..... exempt	The annual Reconciliation of Gas Expenses and Gas Cost Recoveries	To consider filings of LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-42-20-00008-P	..... exempt	Availability of gas leak information to the public safety officials.	Facilitate availability of gas leak information to public safety officials by gas corporations
*PSC-45-20-00003-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
*PSC-46-20-00005-P	..... exempt	The recommendations of the DPS Staff report to improve Hudson Valley Water's service	To determine if approving the DPS Staff's recommendations is in the public interest
*PSC-48-20-00005-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether Chief Energy Power, LLC should be permitted to offer green gas products to mass market customers
*PSC-48-20-00007-P	..... exempt	Tariff modifications to change National Fuel Gas Distribution Corporation's Monthly Gas Supply Charge provisions	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-13-21-00016-P	..... exempt	Revised distribution strategies and reallocation of remaining funding	To ensure the appropriate use of funding reserved for gas safety programs
*PSC-17-21-00005-P	..... exempt	Submetering equipment	To consider use of submetering equipment and if it is in the public interest
*PSC-17-21-00006-P	..... exempt	Community Choice Aggregation and Community Distributed Generation	To consider permitting opt-out Community Distributed Generation to be offered as the sole product in an aggregation
*PSC-17-21-00007-P	..... exempt	Utility studies of climate change vulnerabilities	To assess the need for utilities to conduct distinct studies of their climate change vulnerabilities
*PSC-18-21-00006-P	..... exempt	Community Choice Aggregation renewable products	To consider waiving the locational and delivery requirements for RECs purchased to support renewable CCA products
*PSC-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-21-21-00019-P	..... exempt	Utility capital expenditure proposal	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
*PSC-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-32-21-00002-P	..... exempt	The prohibition on ESCO service to low-income customers	To consider whether Icon Energy, LLC d/b/a Source Power Company should be granted a waiver to serve low-income customers
*PSC-35-21-00009-P	..... exempt	To modify the terms and conditions under which gas utilities provide service to electric generators	To provide clarity and uniformity to the provision of gas service to electric generators in New York State
*PSC-36-21-00006-P	..... exempt	The Westchester Power Program	To consider integration of Opt-out Community Distributed Generation into the Westchester Power program
*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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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-19-22-00022-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-21-22-00007-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether Atlantic Energy, LLC should be permitted to offer its LED Lighting product to mass market customers
*PSC-21-22-00008-P	..... exempt	Cybersecurity requirements	Modify the framework to ensure the protection of utility systems and customer data from cyber events
*PSC-21-22-00011-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether Atlantic Energy, LLC should be permitted to offer its Smart Home Program product to mass market customers
*PSC-22-22-00014-P	..... exempt	Amendments to the Standardized Interconnection Requirements	To consider changes to accommodate the interconnection of distributed energy resources by governmental entities
*PSC-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-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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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.
*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-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-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
PUBLIC SERVICE COMMISSION			
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-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-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-46-22-00010-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
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-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-49-22-00022-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-51-22-00003-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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-01-23-00014-P	..... exempt	Interconnection costs.	To consider a petition requesting relief from interconnection costs assigned by NYSEG.
PSC-01-23-00017-P	..... exempt	Interconnection costs.	To consider a petition requesting relief from interconnection costs assigned by NYSEG.
PSC-02-23-00023-P	..... exempt	Long-term gas system planning.	To consider and review long-term gas system planning.
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-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-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-05-23-00004-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-05-23-00008-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.
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-05-23-00014-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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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-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-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-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-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-15-23-00002-P	..... exempt	Community Choice Aggregation	To determine if Mid-Hudson Energy Transition Inc. should operate as a Community Choice Aggregation Administrator.
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-16-23-00016-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-17-23-00002-P	..... exempt	Tariff filing.	To consider whether the proposed tariff revisions are in the public interest.
PSC-17-23-00003-P	..... exempt	Issuance of securities and other forms of indebtedness.	To determine if the issuance of funding for capital needs and a surcharge mechanism is in the public interest.
PSC-17-23-00004-P	..... exempt	Waiver of certain Commission requirements related to the distribution of telephone directories.	To ensure performance in accordance with applicable telecommunications laws, regulations and standards and the public interest.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-18-23-00001-P	..... exempt	A request for waiver of negative revenue adjustments.	Whether it is in the public interest to waive the negative revenue adjustments for NYSEG and RGE.
PSC-18-23-00002-P	..... exempt	Consideration of the Audit Implementation Plan and audit recommendations.	To ensure that recommendations issued in a management and operations audit are appropriately addresses and implemented.
PSC-18-23-00007-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-19-23-00014-P	..... exempt	Demand Charge Rebates and Commercial Managed Charging Programs.	To consider Demand Charge Rebate and Commercial Managed Charging Program design characteristics and program operations.
PSC-19-23-00015-P	..... exempt	Electric metering equipment.	To consider use of metering equipment and ensure that consumer bills will be based on accurate measurements of electric usage.
PSC-19-23-00016-P	..... exempt	Transfer of transportation asset.	To determine whether to authorize the transfer of the transportation asset and the proper accounting for the transaction.
PSC-19-23-00017-P	..... exempt	Minor water rate filing to increase annual revenues.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-19-23-00018-P	..... exempt	Demand Charge Rebate and draft tariff leaves.	To consider Demand Charge Rebate design characteristics and program operations and associated draft tariff leaves.
PSC-19-23-00020-P	..... exempt	Demand Charge Rebate and draft tariff leaves.	To consider Demand Charge Rebate design characteristics and program operations and associated draft tariff leaves.
PSC-19-23-00021-P	..... exempt	Demand Charge Rebate, Commercial Managed Charging Program, PPI Program, BIR Quick Charging Program, and draft tariff leaves.	To consider Demand Charge Rebate, newly proposed program design, operations, and associated draft tariff leaves.
PSC-19-23-00022-P	..... exempt	Disposition of a New York State sales and use tax refund.	To determine the just and reasonable disposition of tax refunds.
PSC-19-23-00023-P	..... exempt	Demand Charge Rebate and draft tariff leaves.	To consider Demand Charge Rebate design characteristics and program operations and associated draft tariff leaves.
PSC-19-23-00024-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 110 MW energy storage facility.
PSC-20-23-00002-P	..... exempt	The CBC charge used to recover the costs for certain energy efficiency and other public policy benefit programs.	To ensure the CBC is consistently applied statewide and to provide Distributed Energy Resource projects with market certainty.
PSC-20-23-00003-P	..... exempt	Transfer in ownership of interconnection facilities.	To determine if the transfer is in the public interest.
PSC-21-23-00005-P	..... exempt	Proposed major increase in VVNY's annual base rate revenues.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-21-23-00006-P	..... exempt	Community Choice Aggregation.	To determine if ProjectEconomics d/b/a PowerMarket shall operate as a Community Choice Aggregation Administrator.
PSC-22-23-00003-P	..... exempt	Minor gas rate filing to increase annual gas revenues.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-22-23-00005-P	..... exempt	Modification of Gas Business Enablement program key performance indicators.	To determine whether the proposed modifications to certain GBE KPIs are reasonable.
PSC-22-23-00006-P	..... exempt	Transfer of gas facilities.	To determine whether to authorize the transfer of gas facilities and the proper accounting for the transaction.
PSC-23-23-00002-P	..... exempt	Waiver of certain Commission requirements related to the distribution of telephone directories.	To ensure performance in accordance with applicable telecommunications laws, regulations and standards and the public interest.
PSC-23-23-00003-P	..... exempt	Implementation of a new CSS above the current \$421 million cap.	To provide Con Edison with authority to continue to capitalize costs to implement a new CSS.
PSC-23-23-00004-P	..... exempt	Waiver of certain Commission requirements related to the distribution of telephone directories.	To ensure performance in accordance with applicable telecommunications laws, regulations and standards and the public interest.
PSC-23-23-00005-P	..... exempt	Transfer of street lighting facilities.	To consider whether the transfer of street lighting facilities is in the public interest.
PSC-24-23-00022-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-24-23-00023-P	..... exempt	Deferral of costs for later collection from ratepayers.	To determine whether it is reasonable to authorize the deferral of costs associated with a gas demand response pilot program.
PSC-24-23-00024-P	..... exempt	Audit Implementation Plan and audit recommendations.	To ensure that recommendations issued in a management and operations audit are appropriately addresses and implemented.
PSC-24-23-00025-P	..... 06/13/24	Prohibition of utilities engaging in detrimental conduct towards a residential customer	To provide the utilities the implementation and enforcement rules designed to prevent harassment of residential customers
PSC-25-23-00003-P	..... exempt	Community Choice Aggregation.	To determine the appropriate requirements to be placed on Community Choice Aggregation solicitations and service agreements.
PSC-25-23-00004-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-25-23-00005-P	..... exempt	Community Choice Aggregation.	To evaluate whether the Expanded Solar for All program could be scaled Statewide.
PSC-25-23-00006-P	..... exempt	Community Choice Aggregation.	To determine the appropriate requirements to be placed on Community Choice Aggregation outreach and education plans.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-25-23-00007-P	..... exempt	Termination of the PPI Program and deployment of the EVLMTI Program in the Joint Utilities' service territories.	To consider the transition from the PPI to the EVLMTI program including design characteristics and program operations.
PSC-25-23-00008-P	..... exempt	Long-term gas system planning for Con Edison and O&R.	To consider and review long-term gas system planning for Con Edison and O&R.
PSC-25-23-00009-P	..... exempt	Community Choice Aggregation.	To determine if Local Power LLC shall operate as a Community Choice Aggregation Administrator.
PSC-26-23-00002-P	..... exempt	Tier 1 projects awarded a Renewable Energy Certificate purchase and sale agreement and currently under development.	To consider modification to existing Tier 1 Renewable Energy Certificate purchase and sale agreements.
PSC-26-23-00003-P	..... exempt	Sunrise Wind LLC's Offshore Wind Renewable Energy Certificate Purchase and Sale Agreement.	To consider modification to the Offshore Wind Renewable Energy Certificate Purchase and Sale Agreement.
PSC-26-23-00004-P	..... exempt	Empire Offshore Wind LLC and Beacon Wind LLC's Offshore Wind Renewable Energy Certificate Purchase and Sale Agreements.	To consider modification to the Offshore Wind Renewable Energy Certificate Purchase and Sale Agreements.
PSC-26-23-00005-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, consumer protections, and energy efficiency protections are in place.
PSC-26-23-00006-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-26-23-00007-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-26-23-00008-P	..... exempt	Authority to issue and sell Long-Term Indebtedness, and to enter into multi-year credit agreements.	To fund improvements to the Company's plant, refund existing debt, and ensure cash flow for day-to-day operations.
PSC-26-23-00009-P	..... exempt	Issuance of securities and other forms of indebtedness.	To provide funding for capital needs, including construction, and refinancing of maturing debt.
PSC-26-23-00010-P	..... exempt	Petition to modify the SIC tariff statement.	To consider whether amending the SIC mechanism is in the public interest.
PSC-27-23-00005-P	..... exempt	Transfer of street lighting facilities.	To determine whether to authorize the transfer street of lighting facilities and the proper accounting for the transaction.
PSC-27-23-00006-P	..... exempt	A proposed methodology for annual greenhouse gas emissions inventory reporting.	To consider whether the proposed Green House Gas Inventory Report will provide sufficient emissions information.
PSC-27-23-00007-P	..... exempt	Utilities' DEI Plans.	To consider the sufficiency of the plans and whether to require additional working group sessions and reporting.
PSC-27-23-00008-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, and consumer protections are in place.
PSC-27-23-00009-P	..... exempt	Reinstate funding mechanism.	To determine if reinstating the proposed funding mechanism is in the public interest.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-27-23-00010-P	..... exempt	Request of NYISO to incur indebtedness.	To ensure that debt financing is used reasonably and appropriately.
PSC-27-23-00011-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, and consumer protections are in place.
PSC-27-23-00012-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-27-23-00013-P	..... exempt	The proposed Greenhouse Gas Emissions Reduction Pathways Study.	To consider whether the proposed Study is sufficient and whether to proceed with the Study.
PSC-27-23-00014-P	..... exempt	Lightened regulatory regime and financing petition.	Consideration of a lightened regulatory regime and financing for the owner of a wind energy and transmission facility.
PSC-27-23-00015-P	..... exempt	The Tier 4 renewable energy certificate purchase and sale agreement modifications.	To consider modification to the existing Tier 4 renewable energy certificate purchase and sale agreement.
PSC-28-23-00024-P	..... exempt	Proposed major rate increase.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-28-23-00025-P	..... exempt	Proposed major rate increase.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-29-23-00006-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-29-23-00007-P	..... exempt	Reconciliation mechanism.	To limit any further near-term customer bill impacts.
PSC-30-23-00002-P	..... exempt	Proposed revisions to the Companies' firm gas demand response programs for the 2023 - 2024 winter season and going forward.	To determine if the Companies' proposed modifications to their firm gas demand response programs are in the public interest.
PSC-30-23-00003-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-30-23-00004-P	..... exempt	Proposed transfer of the Company's capital stock.	To determine if transfer of the Company's capital stock to the Purchaser is in the public interest.
PSC-30-23-00005-P	..... exempt	Proposed revisions to National Grid's firm gas demand response programs for the 2023 - 2024 winter season and going forward.	To determine if National Grid's proposed modifications to its demand response programs are in the public interest.
PSC-30-23-00006-P	..... exempt	Lease of certain real property.	To consider whether to the authorize the proposed transfer of real property.
PSC-31-23-00001-P	..... exempt	A petition for a special permit exemption from odorization requirements.	To determine if the granting of the special permit is in the public interest.
PSC-31-23-00002-P	..... exempt	Proposed major rate increase.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-31-23-00003-P	..... exempt	Incidental regulation for a water-works corporation.	To determine if incidental regulation is in the public interest.
PSC-32-23-00016-P	..... exempt	Community Choice Aggregation programs.	To consider tariff modifications reflecting CCA program rules adopted by the Commission in January 2023.
PSC-32-23-00017-P	..... exempt	Renewable Energy Certificate Purchase and Sale Agreements (including offshore wind) that utilize an Index REC pricing mechanism.	To consider formulaic changes related to new capacity accreditation rules.
PSC-32-23-00018-P	..... exempt	Community Choice Aggregation programs.	To consider tariff modifications reflecting CCA program rules adopted by the Commission in January 2023.
PSC-32-23-00019-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-32-23-00020-P	..... exempt	Transfer in ownership of interconnection facilities.	To determine if the transfer is in the public interest.
PSC-32-23-00021-P	..... exempt	Community Choice Aggregation programs.	To consider tariff modifications reflecting CCA program rules adopted by the Commission in January 2023.
PSC-32-23-00022-P	..... exempt	Community Choice Aggregation programs.	To consider tariff modifications reflecting CCA program rules adopted by the Commission in January 2023.
PSC-32-23-00023-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-32-23-00024-P	..... exempt	Community Choice Aggregation programs.	To consider tariff modifications reflecting CCA program rules adopted by the Commission in January 2023.
PSC-32-23-00025-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-32-23-00026-P	..... exempt	Community Choice Aggregation programs.	To consider tariff modifications reflecting CCA program rules adopted by the Commission in January 2023.
PSC-32-23-00027-P	..... exempt	Community Choice Aggregation programs.	To consider tariff modifications reflecting CCA program rules adopted by the Commission in January 2023.
PSC-32-23-00028-P	..... exempt	Community Choice Aggregation programs.	To consider tariff modifications reflecting CCA program rules adopted by the Commission in January 2023.
PSC-32-23-00029-P	..... exempt	Community Choice Aggregation programs.	To consider tariff modifications reflecting CCA program rules adopted by the Commission in January 2023.
PSC-32-23-00032-P	..... exempt	Lightened regulatory regime and financing for the owner and operator of a wind-powered generating facility	To determine the regulatory framework and applicable financing for a wholesale electric generator

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-33-23-00002-P	..... exempt	Research and Development Plan for Advanced Transmission and Distribution Technologies	To accelerate deployment of advanced transmission and distribution technologies that further the State's clean energy goals.
PSC-33-23-00003-P	..... exempt	Research and development plan for deploying advanced technologies in electric transmission and distribution systems	To ensure safe and adequate service at just and reasonable rates and to support the State's clean energy and climate goals.
PSC-33-23-00004-P	..... exempt	Street lighting services and rates.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-33-23-00005-P	..... exempt	A debt financing arrangement with respect to an electric transmission line under development.	To review the proposed financing and consider whether it is within the public interest.
PSC-33-23-00006-P	..... exempt	Purchase of renewable energy from new distributed generators and/or energy storage systems 30 kilowatts or less.	To establish provisions to ensure safe and reliable service for all customers.
PSC-33-23-00007-P	..... exempt	The Integrated Energy Data Resource platform.	To consider funding for Phase 2 of the Integrated Energy Data Resource.
PSC-34-23-00004-P	..... exempt	Notice of intent to submeter electricity and request for waiver.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-34-23-00005-P	..... exempt	Waiver of certain Commission requirements related to the distribution of telephone directories.	To ensure performance in accordance with applicable telecommunications laws, regulations and standards and the public interest.
PSC-34-23-00006-P	..... exempt	Petition to submeter electricity and request for waiver.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-34-23-00007-P	..... exempt	Notice of intent to submeter electricity and request for waiver.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-34-23-00008-P	..... exempt	Proposed transfer of capital stock.	To determine if the transfer of capital stock is in the public interest.
PSC-35-23-00007-P	..... 08/29/24	EV Commercial Managed Charging Program Implementation Plan.	To consider the deployment of an EV CMCP Implementation Plan in the Central Hudson service territory.
PSC-35-23-00008-P	..... 08/29/24	Lightened regulation.	To determine whether a lightened regulatory regime for Empire is consistent with prior Commission orders and the PSL.
PSC-35-23-00009-P	..... 08/29/24	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-35-23-00010-P	..... 08/29/24	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-35-23-00011-P	..... 08/29/24	EV Commercial Managed Charging Program Implementation Plan.	To consider the deployment of an EV CMCP Implementation Plan in the National Grid service territory.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-35-23-00012-P	08/29/24	EV Phase-In Rate.	To consider if the EV Phase-In Rate is a near-term solution in the O&R service territory.
PSC-35-23-00013-P	08/29/24	EV Phase-In Rate.	To consider if the EV Phase-In Rate is a near-term solution in the National Grid service territory.
PSC-35-23-00014-P	08/29/24	EV Phase-In Rate.	To consider if the EV Phase-In Rate is a near-term solution in the Central Hudson service territory.
PSC-35-23-00015-P	08/29/24	EV Commercial Managed Charging Program Implementation Plan.	To consider the deployment of an EV CMCP Implementation Plan in the NYSEG/RG&E service territories.
PSC-35-23-00016-P	exempt	The Commission's statewide low-income affordability policy	To disburse the funds appropriated in the 2023-2024 New York State budget
PSC-35-23-00017-P	exempt	EV Phase-In Rate	To consider if the EV Phase-In Rate is a near-term solution in the Con Edison service territory
PSC-35-23-00018-P	exempt	Clean Energy Standard administration	To authorize the funding necessary for continued implementation of the Clean Energy Standard
PSC-35-23-00019-P	exempt	Notice of intent to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-35-23-00020-P	exempt	Reconciliation mechanism	To limit any further near-term customer bill impacts
PSC-35-23-00021-P	exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-35-23-00022-P	08/29/24	EV Phase-In Rate.	To consider if the EV Phase-In Rate is a near-term solution in the NYSEG and RG&E service territories.
PSC-35-23-00023-P	08/29/24	Lightened regulation.	To determine whether a lightened regulatory regime for HSEC is consistent with prior Commission orders and the PSL.
PSC-35-23-00024-P	08/29/24	Issuance of securities and other forms of indebtedness.	To provide funding for capital needs including construction, and refinancing of maturing short debt and promissory notes.
PSC-36-23-00024-P	exempt	Transfer in ownership of street lighting facilities.	To determine whether to authorize the transfer street of lighting facilities and the proper accounting for the transaction.
PSC-36-23-00025-P	exempt	Transfer in ownership of street lighting facilities.	To determine whether to authorize the transfer street of lighting facilities and the proper accounting for the transaction.
PSC-36-23-00026-P	exempt	Registration of energy brokers and energy consultants.	To implement the provisions of Public Service Law Section 66-t.
PSC-36-23-00027-P	exempt	Agreement for the provision of water service and waivers of tariff provisions and Commission rules.	To consider whether the terms of a service agreement and requested waivers are in the public interest.

Action Pending Index**NYS Register/September 6, 2023**

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-36-23-00028-P	..... exempt	Registration of energy brokers and energy consultants.	To implement the provisions of Public Service Law Section 66-t.
PSC-36-23-00029-P	..... exempt	Registration of energy brokers and energy consultants.	To implement the provisions of Public Service Law Section 66-t.
STATE, DEPARTMENT OF			
DOS-27-23-00016-P	..... 09/05/24	Implementation of State Environmental Quality Review Act (SEQR)	To amend and update that State Fire Prevention and Building Code Council's regulations for implementation of SEQR
DOS-34-23-00003-P	..... 08/22/24	Telemarketing	To consolidate and amend regulations relating to telemarketing
DOS-34-23-00010-P	..... 08/22/24	Rules for natural organic reduction operations, facilities, and certification of operators.	To provide rules for natural organic reduction operations, facilities, and certification of operators.
DOS-34-23-00011-P	..... 08/22/24	Repeal of limits on administrative expenses and executive compensation.	Repeal of limits on administrative expenses and executive compensation.
DOS-35-23-00003-P	..... 08/29/24	Appearance Enhancement Licensure and Dyeing of Eyebrow and Eyelash Hair.	To amend the rule to allow dyeing of eyebrow and eyelash hair in accordance with federal regulations.
STATE UNIVERSITY OF NEW YORK			
SUN-29-23-00005-P	..... 07/18/24	Certificates of residence for nonresident community college students.	To clarify procedures for certificate of residence issuance for nonresident community college students.
SUN-35-23-00006-EP	..... 08/29/24	State University of New York Tuition and Fee Schedule	To amend the Tuition and Fees Schedule effective for the Fall 2023 semester.
TAXATION AND FINANCE, DEPARTMENT OF			
*TAF-46-20-00003-P	..... exempt	Fuel use tax on motor fuel and diesel motor fuel and the art. 13-A carrier tax jointly administered therewith	To set the sales tax component and the composite rate per gallon for the period January 1, 2021 through March 31, 2021
TAF-32-23-00030-P	..... 08/08/24	Corporate tax reform.	To implement the comprehensive corporate tax reform effected by L.2014, c.59, pt.A; L.2015, c.59, pt. T; L.2016, c.60, pt.P.
TAF-34-23-00001-P	..... exempt	Fuel use tax on motor fuel and diesel motor fuel and the art. 13-A carrier tax jointly administered therewith.	To set the sales tax component and the composite rate per gallon for the period October 1, 2023 through December 31, 2023.
TEMPORARY AND DISABILITY ASSISTANCE, OFFICE OF			
TDA-21-23-00003-P	..... 05/23/24	See attached addendum	To update State regulations relative to such interviews, screenings and assessments consistent with applicable State law.
TDA-31-23-00005-P	..... 08/01/24	Temporary Assistance (TA) resource limits and New York Achieving a Better Life Experience (NY ABLE) program accounts	To up date State regulations consistent with statutory amendments to SSL § 131-n(1)(a) and (k)

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
THRUWAY AUTHORITY, NEW YORK STATE			
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.
TRANSPORTATION, DEPARTMENT OF			
TRN-27-23-00001-P	07/04/24	Child Safety Zones	To add violent crimes statistics and the density of vacant buildings or structures to the creation of child safety zones.
TRN-34-23-00002-P	08/22/24	Regulation of motor carriers in New York State.	To update Title 49 CFR provisions incorporated by reference pursuant to regulation of commercial motor carriers.
VICTIM SERVICES, OFFICE OF			
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.

ADVERTISEMENTS FOR BIDDERS/CONTRACTORS

SEALED BIDS

MODERNIZE ELEVATORS

Auburn Correctional Facility
Auburn, Cayuga County

Sealed bids for Project Nos. M3143-C, M3143-U, M3143-H, M3143-P, and M3143-E, comprising separate contracts for Construction Work, Elevator Work, HVAC Work, Plumbing Work, and Electrical Work, Modernization of Elevators 6, 9 & 11, Industry Buildings 12, 15 & 16, Auburn Correctional Facility, 135 State Street, Auburn (Cayuga County), NY will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Department of Corrections and Community Supervision, until 2:00 p.m. on Wednesday, September 13, 2023 when they will be publicly opened and read. Each bid must be prepared and submitted in accordance with the Instructions to Bidders and must be accompanied by a bid security (i.e. certified check, bank check, or bid bond in the amount of \$21,400 for C, \$68,200 for U, \$4,900 for H, \$5,000 for P, and \$12,100 for E).

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond pursuant to Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract estimated to be between \$250,000 and \$500,000 for C, between \$2,000,000 and \$3,000,000 for U, between \$50,000 and \$100,000 for H, between \$50,000 and \$100,000 for P, and between \$100,000 and \$250,000 for E.

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

Pursuant to Public Buildings Law § 8(6), effective January 11, 2020, for any projects where the project design commenced on or after January 1, 2020 and for any contracts over \$5,000 for the work of construction, reconstruction, alteration, repair, or improvement of any

State building, a responsible and reliable NYS-certified Minority or Women-Owned Business Enterprise that submits a bid within ten percent of the lowest bid will be deemed the apparent low bidder provided that the bid is \$1,400,000 or less, as adjusted annually for inflation beginning January 1, 2020. If more than one responsible and reliable MWBE firm meets these requirements, the MWBE firm with the lowest bid will be deemed the apparent low bidder.

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

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

The Substantial completion shall be in accordance with Section 011000 – Summary of the Work.

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 10:00 a.m. on August 31, 2023 at Auburn Correctional Facility, OGS Trailer, 135 State Street, Auburn, NY. Prospective bidders are urged, but not mandated, to visit the site at this time. Prospective bidders or their representatives attending the pre-bid site visit will not be admitted on facility grounds without proper photo identification. Note that parking restrictions and security provisions will apply, and all vehicles will be subject to search. Refer to Document 002218 for any additional requirements for attendance at the pre-bid site visit.

Phone the office of Mark Jackson (315-253-8282) a minimum of 72 hours in advance of the date to provide the names of those who will attend the pre-bid site visit. Only contractors that schedule a visit at least 72 hours in advance will be allowed to participate in the pre-bid site visit.

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

Article 3 of the Veteran's Services Law provides for more meaningful participation in public procurement by certified Service-Disabled Veteran-Owned Businesses ("SDVOBs"). Bidders are expected to consider SDVOBs in the fulfillment of the requirements of the Contract. Such participation may be as subcontractors or suppliers, as protégés, or in other partnering or supporting roles. OGS hereby establishes overall goals for SDVOBs' participation under this contract as follows: 6% for the C trade contractor, 3% for the E trade contractor, 0% for the H trade contractor, 0% for the P trade contractor, 0% for the U trade contractor, based on the current availability of qualified SDVOBs. Trades with 0% goals are encouraged to make

“good faith efforts” to promote and assist in the participation of SDVOBs on the Contract for the provision of services and materials.

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

The Bidding and Contract Documents for this Project are available for viewing, downloading, and Electronic Bidding from OGS Design & Construction’s Electronic Bidding service, Bid Express.

Registration along with viewing, downloading, and electronic bidding can be accessed at the following link: <http://www.bidexpress.com>

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

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

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

By OGS - Design & Construction Group

PROVIDE
OXYGEN STORAGE ROOM UNIT
Kirby Forensic Psychiatric Center
Wards Island, New York County

Sealed bids for Project No. 47473-C, for Construction Work, Provide Oxygen Storage Room Unit 4A, Building 102, Kirby Forensic Psychiatric Center, 600 East 125th Street, Wards Island, (New York County), NY 10035, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Office of Mental Health, until 2:00 p.m. on Wednesday, September 13, 2023, when they will be publicly opened and read. Each bid must be prepared and submitted in accordance with the Instructions to Bidders and must be accompanied by a bid security (i.e. certified check, bank check, or bid bond in the amount of \$12,800 for C).

Further, Project Labor Agreement (PLA) Projects require a completed form BDC 59P (Project Labor Agreement List of Subcontractors) be filled out and submitted in accordance with Document 002221, Supplemental Instructions to Bidders – PLA. Failure to submit this form correctly will result in a disqualification of the bid.

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

Designated staff are Jessica Cook, Jessica Hoffman, and Pierre Alric in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862

Pursuant to Public Buildings Law § 8(6), effective January 11, 2020, for any projects where the project design commenced on or after January 1, 2020 and for any contracts over \$5,000 for the work of construction, reconstruction, alteration, repair, or improvement of any State building, a responsible and reliable NYS-certified Minority or Women-Owned Business Enterprise that submits a bid within ten percent of the lowest bid will be deemed the apparent low bidder provided that the bid is \$1,400,000 or less, as adjusted annually for inflation beginning January 1, 2020. If more than one responsible and reliable MWBE firm meets these requirements, the MWBE firm with the lowest bid will be deemed the apparent low bidder.

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

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

The substantial completion date for this project is 216 days after the Agreement is approved by the Comptroller.

As a condition of award, within five (5) days of receipt of the proposed Contract Agreement from the State, the apparent low bidder

shall return the Contract Agreement to the State, properly executed, along with the Bonds if required by said Agreement. Low bidders who cannot meet these provisions may be subject to disqualification and forfeiture of the bid security.

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 10:00 a.m. on Friday, September 1, 2023, at Manhattan Psychiatric Center, OGS-TDX Field Office, 102 Rivers Edge Road, Wards Island, NY 10035. Prospective bidders are urged, but not mandated, to visit the site at this time. Prospective bidders or their representatives attending the pre-bid site visit will not be admitted on facility grounds without proper photo identification. Note that parking restrictions and security provisions will apply and all vehicles will be subject to search. Refer to Document 002218 for any additional requirements for attendance at the pre-bid site visit.

Phone the office of Irene Gomez, (212-655-8484) a minimum of 48 hours in advance of the date to provide the names of those who will attend the pre-bid site visit. Only contractors that schedule a visit at least 48 hours in advance will be allowed to participate in the pre-bid site visit.

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

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

The Bidding and Contract Documents for this Project are available for viewing, downloading, and Electronic Bidding from OGS Design & Construction’s Electronic Bidding service, Bid Express.

Registration along with viewing, downloading, and electronic bidding can be accessed at the following link: <http://www.bidexpress.com>

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

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

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

By OGS - Design & Construction Group

NOTICE OF AVAILABILITY OF STATE AND FEDERAL FUNDS

Division of Homeland Security and Emergency

Services

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

2023 SICG Targeted Grant Program

The NYS Division of Homeland Security and Emergency Services, Office of Interoperable and Emergency Communications announce the 2023 SICG-Targeted Grant Program. \$20 Million in state funding is made available to eligible applicants and will be distributed competitively based on an analysis of data related to consolidation and redundancy projects.

The SICG-Targeted Program focuses on closing gaps in National Interoperability channels, implementation and enhancement of regional alliances, ensuring that county communication systems are capable to support multijurisdictional response, and providing redundancy, both inter-county and inter-consortium. The SICG-Targeted Program provides a way forward for providing a safer environment for public safety personnel, integration with other emergent technologies, and the ability to establish technology and performance standards.

Applications will be accepted until September 8, 2023 at 5:00 p.m. through the DHSES electronic grants management system (E-Grants).

For the Request for Applications (RFA) please visit the DHSES website at RFA and Application Materials or contact DHSES's Grants Hotline at (866) 837-9133.

MISCELLANEOUS NOTICES/HEARINGS

Notice of Abandoned Property Received by the State Comptroller

Pursuant to provisions of the Abandoned Property Law and related laws, the Office of the State Comptroller receives unclaimed monies and other property deemed abandoned. A list of the names and last known addresses of the entitled owners of this abandoned property is maintained by the office in accordance with Section 1401 of the Abandoned Property Law. Interested parties may inquire if they appear on the Abandoned Property Listing by contacting the Office of Unclaimed Funds, Monday through Friday from 8:00 a.m. to 4:30 p.m., at:

1-800-221-9311
or visit our web site at:
www.osc.state.ny.us

Claims for abandoned property must be filed with the New York State Comptroller's Office of Unclaimed Funds as provided in Section 1406 of the Abandoned Property Law. For further information contact: Office of the State Comptroller, Office of Unclaimed Funds, 110 State St., Albany, NY 12236.

PUBLIC NOTICE

City of Buffalo City Clerk and the Buffalo Water Board

Pursuant to New York State Public Authorities Law section 1048-i(7)(a), the City of Buffalo City Clerk and the Buffalo Water Board hereby give notice of the following:

Further pursuant to the provisions of the Chapter 796 of the Laws of 1985 of the State of New York (the "State"), constituting the Buffalo Municipal Water Finance Authority Act, codified as Section 1048-a through 1048-bb of Title 2-B of Article 5 of the Public Authorities Law of the State, as amended (the "Authority Act"), the City of Buffalo (the "City"), the Buffalo Water Board (the "Board") and the Buffalo Municipal Water Finance Authority (the "Authority") are parties to a Financing Agreement dated as of September 24, 1992, as amended (the "Financing Agreement") pursuant to which the Authority finances capital projects for the water supply and distribution system located in the City and owned by the Water Board (the "Water System") and the Water Board imposes fees and rents on Water System users which, together with other revenues available for such purpose, if any, are sufficient to pay to the Authority debt service on bonds issued by the Authority pursuant to the Financing Agreement and for operation and maintenance of the Water System, and for the purpose of maintaining the Water System on an independent basis. Pursuant to Section 2.1 of the Financing Agreement, the Financing Agreement may, upon approval by resolution of the City, the Authority and the Board, be amended to add, delete or modify Water System capital projects to be financed by the Authority. Following a public hearing duly noticed and held on June 27, 2023 in accordance with the provisions of the Authority Act, and resolutions duly adopted by their respective governing boards on their respective dates, the City, the Board and the Authority executed an amendment to the Financing Agreement dated August 1, 2023, to add certain new Water System capital projects to the Financing Agreement (the "2023 Amendment"). A copy of the complete Financing Agreement, including the 2023 Amendment, is on file for public inspection in the Office of the City Clerk of the City where the same may be examined by any interested person

during regular business hours. The validity of the 2023 Amendment may be hereafter contested only upon the ground or grounds that: (i) the Financing Agreement as amended by the 2023 Amendment violates, or the performance of any provision thereof by any party thereto would violate, the provisions of any law or the New York State Constitution, or (ii) the provisions of law which should have been complied with in relation to the authorization and execution of the 2023 Amendment were not substantially complied with, and in any event an action, suit or proceeding is commenced within sixty days after the date of this notice.

For further information, contact: Tianna Marks, City of Buffalo, City Clerk, 1308 City Hall, Buffalo, NY 14202, (716) 851-5431, and Peter J. Merlo, P.E., City of Buffalo, Principal Engineer, Secretary of Buffalo Water Board, 602 City Hall, Buffalo, NY 14202, (716) 851-9626, pmerlo@city-buffalo.com

PUBLIC NOTICE

Division of Criminal Justice Services

Pursuant to the Federal program requirements for the Edward Byrne Memorial Justice Assistance Grant (JAG) FY 2023 program solicitation, the Division of Criminal Justice Services (Division) hereby gives notice regarding New York State's application for such funding:

On August 30, 2023, the Division will submit a funding application requesting New York State's federal fiscal year (FFY) 2023 award of \$10,015,972 appropriated under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program. The application generally describes the proposed program activities for the four-year grant period and the types of programs for which funding will be used.

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

For further information, contact: Division of Criminal Justice Services, Dean Defruscio, Deputy Commissioner, 80 S. Swan St., Albany, NY 12210, (518) 485-7913, funding@dcjs.ny.gov

PUBLIC NOTICE

Department of State
F-2023-0285

Date of Issuance – September 6, 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-2023-0285, National Grid is proposing the hydraulic and/or mechanical maintenance dredging of the intake and discharge channels at the Northport Power Station, Suffolk County, Northport, New

York. Up to approximately 30,000 cubic yards of sediment will be dredged from an approximately 3,000-foot-long by 150 - 300-foot-wide section of the intake channel to variable depths ranging from 10 to 25 feet below mean low water. Up to approximately 18,000 cubic yards of material will be dredged from an approximately 1,000-foot-long by 125-foot-wide section of the discharge channel to a depth of 2.5 feet below mean low water. A maximum of one dredging event per year is proposed.

As mandated by the US Army Corps of Engineers (USACE), approximately 45,000 cubic yards of suitable dredge material or clean compatible sand from the channels and/or an upland source will be placed along an approximately one-mile section of Asharoken Beach located west of the intake canal, starting at a point 1000 feet west of the western jetty. Non-beach compatible material will be placed in a previously approved upland disposal area west of the intake channel or other suitable upland location.

The purpose of the project is maintenance dredging to ensure the intake channel remains navigable and to ensure that the intake and discharge channels are at sufficient depth for safe operation of the power plant facilities.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2023/09/f-2023-0285.pdf> or at <https://dos.ny.gov/public-notices>

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

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 15 days from the date of publication of this notice, or September 21, 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

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

PUBLIC NOTICE

Department of State
F-2023-0317

Date of Issuance – September 6, 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-2023-0317, James Kirchberger is proposing to construct a 70' x 60' crib dock straight out from an existing sea wall. The project is located at 16961 Blanchard Lane in the Town of Clayton, Jefferson County on the St. Lawrence River. The purpose of the project is to reconstruct the existing dock that was damaged by an ice storm in 2003.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2023/09/f-2023-0317a.pdf> and <https://dos.ny.gov/system/files/documents/2023/09/f-2023-0317b.pdf> or at <https://dos.ny.gov/public-notices>

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

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by

filing their comments, in writing, no later than 4:30 p.m., 15 days from the date of publication of this notice, or September 21, 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

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

PUBLIC NOTICE

Department of State
F-2023-0404 (DA)

Date of Issuance – September 6, 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 U.S. Department of Housing and Urban Development (HUD) has determined that the proposed activity will be undertaken in a manner consistent to the maximum extent practicable with the enforceable policies of the New York State Coastal Management Program. The applicant's consistency determination and accompanying supporting information and data are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue in Albany, New York.

Proposed approval of the disposition of public housing property from HUD under Rental Assistance Demonstration (RAD) and Section 18 will facilitate the rehabilitation and preservation of such housing as long-term Section 8 project-based vouchers assisted housing. New York City Housing Authority (NYCHA) will convey two existing public housing developments (White Houses and Metro North Plaza) located in the State and City of New York, in the East Harlem neighborhood of Manhattan, New York. The Proposed Action would allow for a public/private partnership and a 99-year ground lease between NYCHA and the Developers, to allow for the financing, rehabilitation, operation, management, preservation of social services, unit affordability and resident rights in line with Section 8 housing requirements at the Project Sites. The Proposed Project addresses both the needs captured by the RAD Physical Condition Assessment ("RPCA") and those arising from resident and NYCHA priorities, particularly around heating, security, and the mitigation of lead, mold, asbestos hazards, and radon.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2023/09/f-2023-0404da>

Any interested parties and/or agencies desiring to express their views concerning the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 15 from the date of publication of this notice, or September 21, 2023.

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

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

PUBLIC NOTICE

Department of State
F-2023-0479

Date of Issuance – September 6, 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-2023-0479, Verizon New York, Inc. is proposing to install a underground fiber optic line using Horizontal Directional Drill (HDD). Verizon intends to utilize HDD to install replacement underground communications cable/fiber under the East River between East 54th Street in Manhattan and South Loop Road on Roosevelt Island, NY.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2023/09/f-2023-0479.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 October 6, 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

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

PUBLIC NOTICE

Department of State
F-2023-0524

Date of Issuance – September 6, 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-2023-0524, Verizon New York, Inc. is proposing to install a underground fiber optic line using Horizontal Directional Drill (HDD). Verizon intends to utilize HDD to install replacement underground communications cable/fiber under the East River between East 54th Street in Manhattan and South Loop Road on Roosevelt Island, NY.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2023/09/f-2023-0524.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 October 6, 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

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

PUBLIC NOTICE

Department of State
F-2023-0525

Date of Issuance – September 6, 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-2023-0525, Verizon New York, Inc. is proposing to install a underground fiber optic line using Horizontal Directional Drill (HDD). Verizon intends to utilize HDD to install replacement underground communications cable/fiber under the East River (East Channel) between Rainey Park in Queens and Pony Field on Roosevelt Island, NY.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2023/09/f-2023-0525.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 October 6, 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

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

PUBLIC NOTICE

Department of State
F-2023-0526

Date of Issuance – September 6, 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-2023-0526, Verizon New York, Inc. is proposing to install a underground fiber optic line using Horizontal Directional Drill (HDD). Verizon intends to utilize HDD to install replacement underground communications cable/fiber under the Harlem River between E. 102nd Street in Manhattan and athletic fields located on Wards Island, NY.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2023/09/f-2023-0526.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 October 6, 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

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

PUBLIC NOTICE

Department of State
F-2023-0568

Date of Issuance – September 6, 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-2023-0568, 69286 Bayfield LLC is proposing to remove and replace the existing bulkhead, timber piles, boardwalk walkway, and launching ramp and replace with a 75' long vinyl/fiberglass bulkhead with returns on the inland property lines. Proposed is the installation of a 4'x31' fixed dock and a "T" head section measuring approximately 6'x8', 4'x30' gangway leading to a 10'x 20' floating dock. Also, proposed is the construction of a two family residential building. The project is located on Jamaica Bay at 69-26 Bayfield Avenue, Arverne, NY, 11692.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2023/09/f-2023-0568.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 October 6, 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

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

PUBLIC NOTICE

Department of State
F-2023-0575 (DA)

Date of Issuance – September 6, 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 U.S. Department of Housing and Urban Development (HUD) has determined that the proposed activity will be undertaken in a manner consistent to the maximum extent practicable with the enforceable policies of the New York State Coastal Management Program. The applicant's consistency determination and accompanying supporting information and data are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue in Albany, New York.

The proposed approval of the disposition of public housing property from HUD under RAD and Section 18 will facilitate the rehabili-

tation and preservation of such housing as long-term Section 8 project-based vouchers assisted housing. NYCHA will convey seven (7) existing public housing developments (131 Saint Nicholas Avenue, Corsi Houses, Morris Park Senior Citizens Home, Taft Rehabs, Jackie Robinson, UPACA Site 5, and UPACA Site 6) located in the State and City of New York, in the Harlem section of Manhattan. Of these seven developments, two are within the New York City Coastal Zone and are therefore subject to New York City's Waterfront Revitalization Program. NYCHA will convey the Project Sites through a 99-year ground lease to Harlem PACT Partners LLC. The Proposed Action would allow for a public/private partnership and a 99-year ground lease between NYCHA and the Developers, to allow for the financing, rehabilitation, operation, management, preservation of social services, unit affordability and resident rights in line with Section 8 housing requirements at the Project Sites. The Proposed Project addresses both the needs captured by the RAD Physical Condition Assessment ("RPCA") and those arising from resident and NYCHA priorities, particularly around heating, security, and the mitigation of lead, mold, asbestos hazards, and radon.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2023/09/f-2023-0575da>

Any interested parties and/or agencies desiring to express their views concerning the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 15 from the date of publication of this notice, or, September 21, 2023.

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

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

PUBLIC NOTICE

Department of State
F-2023-0592

Date of Issuance – September 6, 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-2023-0592, Mill Basin Waterfront Property, LLC is proposing the construct of seven single-family residences with associated pools and docks. Six of the residences will have docks consisting of a 4' x 20' - 32' fixed dock. Each fixed dock to have a 3' x 30' ramp leading to a 6' x 40' floating dock and 5' x 11' jet ski float. The project site is located on Mill Basin at 2657 E. 66th Street, Brooklyn, NY, 11234.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2023/09/f-2023-0592.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 October 6, 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

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.

2023-0298: Matter of Kingsblock, LLC, 124 Jay Street, Schenectady, NY, 12305, for a variance concerning safety requirements, including fire rated cellar ceilings. Involved is an existing multiple family dwelling located at 122-124 Jay Street, City of Schenectady, County of Schenectady, State of New York.

2023-0332: Matter of Ashraf Ghaly, 855 Union Street, Schenectady, NY, 12308, for a variance concerning safety requirements, including fire rated cellar ceilings. Involved is an existing multiple family dwelling located at 1001 Union Street, City of Schenectady, County of Schenectady, State of New York.

2023-0331: Matter of Edge Architecture, PLLC, 277 Alexander Street, Suite 407, Rochester, NY, 14607, for a variance concerning safety requirements, including basement ceiling height. Involved is an existing one family dwelling located at 58 Torrington Drive, Town of Brighton, County of Monroe, State of New York.

2023-0376: Matter of Ramchand Durgocharran, 321 Duane Avenue, Schenectady, NY, 12307, for a variance concerning safety requirements, including fire rated cellar ceilings. Involved is an existing multiple family dwelling located at 1018 Stanley Street, City of Schenectady, County of Schenectady, State of New York.

2023-0377: Matter of Cutler and Bridge, LLC, 8905 212Th Place, Queens Village, NY, 11427, for a variance concerning safety requirements, including fire rated cellar ceilings. Involved is an existing multiple family dwelling located at 822 Bridge Street, City of Schenectady, County of Schenectady, State of New York.

2023-0378: Matter of Brian T. Cody, 630 Valley Road, Unit #2, Gillette, NJ, 07933, for a variance concerning safety requirements, including fire rated cellar ceilings. Involved is an existing multiple family dwelling located at 1381 Union Street, City of Schenectady, County of Schenectady, State of New York.

2023-0379: Matter of Maurice Bostick, 947 Maple Avenue, Schenectady, NY, 12307, for a variance concerning safety requirements, including fire rated cellar ceilings. Involved is an existing multiple family dwelling located at 947 Maple Avenue, City of Schenectady, County of Schenectady, State of New York.

2023-0380: Matter of Maurice Bostick, 949 Maple Avenue, Schenectady, NY, 12307, for a variance concerning safety requirements, including fire rated cellar ceilings. Involved is an existing multiple family dwelling located at 949 Maple Avenue, City of Schenectady, County of Schenectady, State of New York.

2023-0426: Matter of Kate Davis, 6 Smith Street, West Hempstead, NY, 11552, for a variance concerning safety requirements, including fire rated cellar ceilings. Involved is an existing multiple family dwelling located at 120 Degraff Street, City of Schenectady, County of Schenectady, State of New York.

2023-0427: Matter of Li-Cycle North American Hub Inc., 1200 Ridgeway Ave., Rochester, NY, 14615, for a variance concerning safety requirements, including plumbing fixtures. Involved is a new building known as the Li-Cycle Hub Facility, located at 205 McLaughlin Road, Building 5, Town of Greece, County of Monroe, State of New York.

2023-0430: Matter of Kokosa Law Firm, P.C., 240 Washington Avenue Extension, Suite 504, Albany, NY, 12203, for a variance concern-

ing safety requirements, including means of egress. Involved is an existing building known as Stay Saratoga, located at 198 South Broadway, City of Saratoga, County of Schenectady, 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.

2023-0432 Matter of Integrity Expediting, Mitch Brendle, 2800 Middle Country Rd., Lake Grove, NY 11755, for a variance concerning safety requirements, including a ceiling height and a height under projection. Involved is an existing dwelling located at 341 Lakeland Avenue, Town of Islip, County of Suffolk, State of New York.

2023-0434 Matter of Long Island Perfect Permits, Chris Ross, 124 Front St., Suite 205, Massapequa Park, NY 11762, for a variance concerning safety requirements, including a height under projection. Involved is an existing dwelling located at 84 Cranberry Street, Town of Islip, County of Suffolk, State of New York.

PUBLIC NOTICE

Department of State
Uniform Code Variance/Appeal Petitions

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

2023-0439 in the Matter of Joe Dooly, 18 Bronsonavenue, Scarsdale, NY 10583, for a variance concerning safety requirements, including ceiling height. Involved is a one family dwelling located in the County of Westchester, State of New York.

2023-0440 in the Matter of Jose Suarez, 261 E. Erie Street, Blauvelt, NY 10913, for a variance concerning safety requirements, including landings and stairways. Involved is a one family dwelling located in the County of Rockland, State of New York.

2023-0441 in the Matter of Michael Mignone, 290 Spackenkill Road, Poughkeepsie, NY 12603, for a variance concerning safety requirements, including garage height. Involved is a garage located in the Town of Dutchess, 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.

2023-0443 In the matter of Jared Heath, ASM Engineering LLC, 6744 Townline Road, Syracuse NY, for Glen Dreamer, P.O. Box 857, Syracuse, NY, for a variance concerning commercial kitchen hood exhaust termination location requirements for renovated space for new restaurant located at 431 South Warren Street, City of Syracuse, County of Onondaga, State of New York.