
NEW YORK STATE

REGISTER

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

For notices published in this issue:

- the 60-day period expires on December 3, 2023
- the 45-day period expires on November 18, 2023
- the 30-day period expires on November 3, 2023

**KATHY HOCHUL
GOVERNOR**

**ROBERT J. RODRIGUEZ
SECRETARY OF STATE**

NEW YORK STATE DEPARTMENT OF STATE

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NEW YORK STATE REGISTER

Be a part of the rule making process!

The public is encouraged to comment on any of the proposed rules appearing in this issue. Comments must be made in writing and must be submitted to the agency that is proposing the rule. Address your comments to the agency representative whose name and address are printed in the notice of rule making. No special form is required; a handwritten letter will do. Individuals who access the online *Register* (www.dos.ny.gov) may send public comment via electronic mail to those recipients who provide an e-mail address in Notices of Proposed Rule Making. This includes Proposed, Emergency Proposed, Revised Proposed and Emergency Revised Proposed rule makings.

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

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

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

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

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

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

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- 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 Alcoholism and Substance Abuse Services

EMERGENCY/PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Credentialing of Addiction Professionals

I.D. No. ASA-40-23-00035-EP

Filing No. 800

Filing Date: 2023-09-19

Effective Date: 2023-09-26

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

Proposed Action: Amendment of Part 853 of Title 14 NYCRR.

Statutory authority: Mental Hygiene Law, sections 19.07(a), (d), 19.20, 19.20-a, 32.01, 32.02; Executive Law, section 554; Protection of People with Special Needs Act (L. 2012, ch. 501); Executive Law, section 495 (L. 2012, ch. 501); Corrections Law, art. 23-A; Military Law, sections 308-a and 308-b

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

Specific reasons underlying the finding of necessity: The opioid epidemic has become one of the most severe public health crises in New York State and there are significant shortages in all substance use disorder (SUD) workforce occupations; the greatest need is for frontline workers, including substance use counselors (CASAC's). In order to assist the addiction workforce crisis, the adoption of these emergency regulations will allow OASAS to assist in expanding access to gaining an addiction credential.

In order to alleviate an identified “workforce crisis” in the field of substance use disorder professionals, the Office is now establishing an additional credential called the CASAC-Provisional, or “CASAC-P”, in addition to establishing the standards and minimum qualifications for this credential. In addition to establishing this credential, OASAS has eliminated outdated terminology and made edits to streamline the credentialing process without affecting the quality of the process. This expansion allows those with a Bachelor’s or Master’s degree in human services to be hired in OASAS certified programs with minimum qualifications while they are working towards their credential. In addition, the process for obtaining a renewal for a credential has been expedited to allow for a quicker turnaround time similar to what the NYS Education Department requires. OASAS has been working with our providers on addressing the workforce crisis and many of the changes in the regulation have come from their direct input on what they need.

As mentioned above, the establishment of this new credential is a direct response from OASAS to the Substance Use Disorder workforce crisis and a response to the end of the “social work exemption” in 2022. The end of the social work exemption created the workforce crisis and since that time the field has sought a solution to the lack of credentialed professionals. The CASAC-P allows individuals with a related bachelor’s or master’s degree to be hired at an OASAS provider while obtaining the additional education and work experience to obtain a full CASAC. The regulatory changes establish the minimum qualifications for those seeking the credential.

OASAS also revised the requirements that make up the membership composition of the credentials board. This change makes the number of individuals who hold the OASAS credentials part of the formula of how many individuals are on the board representing each credential. Previously, all OASAS credentials had the same number of representatives regardless of the total number of people who held each credential. The intent is that this will better represent the total number of credentialed individuals.

OASAS removed the reference to the International Certification & Reciprocity Consortium and the National Academy of Medicine and replaced these with “as determined by the office”—this change reflects the growing number of options related to National Substance Use Disorder certification entities as well as the criteria associated with those credentials. It allows OASAS to vet all options that meet the needs of OASAS and to change such criteria (in Guidance) when it becomes outdated or incongruent with the needs of the agency and/or better options become available.

Last, OASAS added reference to a “reinstatement” process and removed reference to “inactive status” as well as included an attestation for credentialed renewal requirements, as opposed to a certifying evaluation. These changes are intended to streamline the process for renewal to be commensurate with other professions. It allows for an attestation of continuing education requirements and ethical conduct which is similar to renewals for other related NYS professions. It streamlined the reinstatement process to encourage renewal and reinstatement and increase the number of credentialed individuals.

Subject: Credentialing of Addiction Professionals.

Purpose: Add new credentialing pathway for a CASAC-Provisional and modify outdated terminology.

Substance of emergency/proposed rule (Full text is posted at the following State website: <https://oasas.ny.gov/legal>): In addition to technical amendments updating this regulation consistent with Title 14 and eliminating outdated terminology, the Proposed Rule amends Part 853 as follows:

§ 853.1 Legal base. No substantive edits.

§ 853.2 Applicability. No substantive edits.

§ 853.3 Definitions. Revisions include adding the definition of “CASAC-P” (CASAC-Provisional).

§ 853.4 Credentials Board. Revised the requirements that make up the membership composition of the credentials board.

§ 853.5 Minimum qualifications for all credentials. Included the minimum requirements for the CASAC-Provisional.

- § 853.6 Credentialing applications. No substantive changes.
- § 853.7 Additional qualifications to become a Credentialed Alcoholism and Substance Abuse Counselor (CASAC) or CASAC-Trainee or CASAC-Provisional. Included the minimum requirements for the CASAC-Provisional.
- § 853.8 Additional qualifications to become a Credentialed Prevention Professional (CPP) or Credentialed Prevention Specialist. No substantive edits.
- § 853.9 Additional qualifications to receive a Gambling designation. No substantive edits.
- § 853.10 Issuance and registration of credentials. No substantive edits.
- § 853.11 Credential reinstatement status. Added reference to “reinstatement” and removed reference to “inactive status” as well as included an attestation for credentialed renewal requirements, as opposed to a certifying evaluation. Included the requirements for reinstatement as well.
- § 853.12 Reciprocity. No substantive edits.
- § 853.13 Misconduct. Included language referencing the “reinstatement” in reference to violations, and clarified language in what constitutes “misconduct”.
- § 853.14 Complaints and investigations. No substantive edits.
- § 853.15 Penalties. No substantive edits.
- § 853.16 Summary action and other remedial actions. No substantive edits.
- § 853.17 Notifications; right to a hearing. No substantive edits.
- § 853.18 Application following revocation. No substantive edits.
- § 853.19 Canons of Ethical Principles, Ethical Standards, Code of Conduct. No substantive edits.
- § 853.20 Severability. No substantive edits.

This notice is intended: to serve as both a notice of emergency adoption and a notice of proposed rule making. The emergency rule will expire December 17, 2023.

Text of rule and any required statements and analyses may be obtained from: Kelly E. Grace, Esq., Office of Addiction Services and Supports, 1450 Western Ave., Albany NY 12203, (518) 366-7958, email: kelly.grace@oasas.ny.gov

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

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

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

Regulatory Impact Statement

1. Statutory Authority:

(a) Section 19.07(a) of the Mental Hygiene Law (MHL) charges the Office of Addiction Services and Supports (OASAS or Office) with assuring the development of comprehensive plans, programs, and services for research, prevention, care, treatment, rehabilitation, education, and training related to substance use disorder and problem gambling.

(b) Section 19.07(d) of the MHL directs the Office to foster programs for the training and development of persons capable of providing substance use disorder and gambling addiction services; to establish minimum qualifications for credentialed professionals; to issue credentials to persons who meet such qualifications; to suspend or revoke such credentials for good cause; and to establish a credentialing board to provide advice concerning the credentialing process.

(c) Section 19.20 of the MHL authorizes the Office to receive and review criminal history information from the Justice Center related to employees or volunteers of treatment facilities certified, licensed or otherwise operated by the Office.

(d) Section 19.20-a of the MHL authorizes the Office to receive and review criminal history information from the Justice Center related to persons seeking to be credentialed by the Office or applicants for an operating certificate issued by the Office.

(e) Section 32.01 of the MHL authorizes the Commissioner of the Office to adopt any regulation reasonably necessary to implement and effectively exercise the powers and perform the duties conferred by Article 32 of the MHL.

(f) Section 32.02 of the MHL authorizes the Commissioner of the Office to adopt regulations necessary to ensure quality services to those suffering from problem gambling disorder.

(g) Section 554 of the Executive Law (Chapter 501 of the Laws of 2012), requires custodians, as defined in Part 836 of this Title, in programs licensed, certified, or otherwise operated by the Office to adhere to the code of conduct for custodians developed by the Justice Center.

(h) The Protection of People with Special Needs Act (Chapter 501 of the Laws of 2012) establishes the Justice Center and requires criminal history information reviews be conducted for applicants for any credential issued by the Office pursuant to this Part.

(i) Section 495 of the Executive Law (Chapter 501 of the Laws of 2012) established the “Register of Substantiated Category One Cases of Abuse and Neglect” maintained by the Justice Center.

(j) Article 23-A of the Corrections Law is applicable to any applicant for a credentialed person who has previously been convicted of one or more criminal offenses in New York or in any other jurisdiction.

(k) Sections 308-a and 308-b of the Military Law provide for the preservation and extension of professional licenses held by persons in active military service.

2. Legislative Objectives: The legislature has authorized OASAS to establish standards and regulations establishing the minimum qualifications for credentialed professionals and issue such credentials that meet the qualifications. In order to alleviate an identified “workforce crisis” in the field of substance use disorder professionals, the Office is now establishing an additional credential called the CASAC-Provisional or “CASAC-P”, in addition to establishing the standards and minimum qualifications for this credential. In addition to this credential, OASAS has developed a streamlined process for renewal and allows for reinstatement of a credential for those that are looking to return to the addictions’ profession.

3. Needs and Benefits: As mentioned above, the establishment of this new credential is a direct response from OASAS to the Substance Use Disorder workforce crisis and a response to the end of the “social work exemption” in 2022. The end of the social work exemption heightened the workforce crisis and since that time the field has sought a solution to the lack of credentialed professionals. The CASAC-P allows individuals with a related bachelor’s or master’s degree to be hired at an OASAS provider while obtaining the additional education and work experience to obtain a full CASAC. The regulatory changes establish the minimum qualifications for those seeking the credential.

OASAS also revised the requirements that make up the membership composition of the credentials board. This change makes the number of individuals who hold the OASAS credentials part of the formula of how many individuals are on the board representing each credential. Previously, all OASAS credentials had the same number of representatives regardless of the total number of people who held each credential. The intent is that this will better represent the total number of credentialed individuals.

OASAS removed the reference to the International Certification & Reciprocity Consortium and the National Academy of Medicine and replaced these with “as determined by the office”—this change reflects the growing number of options related to National Substance Use Disorder certification entities as well as the criteria associated with those credentials. It allows OASAS to vet all options that meet the needs of OASAS and to change such criteria when it becomes outdated or incongruent with the needs of the agency and/or better options become available. Specifically, OASAS wanted to make sure that as the field evolves, the 300 hours of core competencies may change based on guidance from SAMHSA, OASAS’ ever evolving continuum of care, and the IC & RC standards that the CASAC examination is based on. For example, harm reduction and co-occurring disorders have never been included in core competencies, and the agency is just now embracing a harm reduction approach, as is SAMHSA.

Last, OASAS added reference to a “reinstatement” process and removed reference to “inactive status” as well as included an attestation for credentialed renewal requirements, as opposed to a certifying evaluation. These changes are intended to streamline the process for renewal to be commensurate with other professions. It allows for an attestation of continuing education requirements and ethical conduct which is similar to renewals for other related NYS professions. It streamlined the reinstatement process to encourage renewal and reinstatement and increase the number of credentialed individuals retaining their credentials.

4. Costs: The agency has factored in costs to develop the new online credentialing management system (electronic) and has already contracted with a vendor for such work. This should also help with the increased cost to the agency resulting from reviewing additional applications. The cost has already been accounted for through OASAS federal funding (SOR 1 & 2 grant funding). A portion of that funding was allocated to cover the expense of this system.

There are no other costs to the State, local governments, or regulated entities.

5. Paperwork: There is no additional paperwork required by these regulatory changes and if anything, is intended to reduce paperwork for individuals seeking credentialing.

6. Local Government Mandates: There are no new local government mandates.

7. Duplication: This proposed rule does not duplicate, overlap, or conflict with any State or federal statute or rule.

8. Alternatives: The alternative is to leave the regulation as it currently reads, without addressing the workforce crisis in the substance use disorder field. OASAS explored alternatives to the CASAC-P, and the CASAC-P in the resulting regulation was most well received by the field. OASAS received feedback from ASAP, the Behavioral Health Services Advisory Council, conversations the Commissioner had during outreach

with providers, and the main concern was the ability to get additional qualified people into the field and to ease the renewal process. The idea of the CASAC-provisional was presented to ASAP and the BHSAC, and each were in agreement that this would greatly help the SUD workforce.

9. Federal Standards: This regulation does not conflict with federal standards.

10. Compliance Schedule: This rulemaking will be effective as an Emergency Rule upon publication of a Notice Emergency Adoption and Proposed Rulemaking in the State Register.

Regulatory Flexibility Analysis

OASAS has determined that the rule will not impose any adverse economic impact or reporting, recordkeeping or other compliance requirements on small businesses or local governments because all of the amendments are intended to reduce burden on those seeking credentialing as well as the providers that hire credentialed professionals.

Rural Area Flexibility Analysis

OASAS has determined that the rule will not impose any adverse impact on rural areas or reporting, recordkeeping or other compliance requirements on public or private entities in rural areas because the amended regulation does not impose any new requirements on the credentialed professions. In effect, it eliminates inefficiencies that have been identified in the credentialing process and is intended to reduce the burden on those seeking to become credentialed as well as the providers hiring credentialed professionals.

Job Impact Statement

OASAS is not submitting a Job Impact Statement for this rulemaking. OASAS does not anticipate any adverse impact on jobs and employment opportunities because the amended regulation is intended to solve the workforce crisis created by the ending of the "social work exemption" by creating a new CASAC-Provisional and overall streamlining the credentialing process and removing inefficiencies.

NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Consensus Rule Making Determination

Section 6(1) of the Civil Service Law authorizes the State Civil Service Commission to prescribe and amend suitable rules and regulations concerning leaves of absence for employees in the Classified Service of the State.

Governor Hochul has announced a new policy increasing the maximum number of sick leave days that may be accumulated by employees serving in positions designated managerial/confidential from 200 to 225.

Consistent with Commission practice, significant changes to State leave policies are incorporated, as appropriate, as amendments or additions to the Attendance Rules for Employees in New State Departments and Institutions (Attendance Rules). Accordingly, an amendment is proposed to section 28-1.3(b) of the Attendance Rules, applicable to employees serving in unrepresented positions.

As no person or entity is likely to object to the rule as written, the proposed rule is advanced as a consensus rule pursuant to State Administrative Procedure Act (SAPA) § 202(1)(b)(i). Employees in represented New York State positions will be eligible to obtain equivalent benefits through the collective bargaining process.

Job Impact Statement

By amending Title 4 of the NYCRR to provide for an increase in the maximum number of sick leave that may be accrued by certain New York State employees serving in unrepresented positions, this rule will not negatively impact jobs or employment opportunities for eligible employees, as set forth in section 201-a(2)(a) of the State Administrative Procedure Act (SAPA). Therefore, a Job Impact Statement (JIS) is not required by section 201-a of such Act.

Department of Civil Service

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

M/C Sick Leave

I.D. No. CVS-40-23-00002-P

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

Proposed Action: This is a consensus rule making to amend section 28-1.3(b) of Title 4 NYCRR.

Statutory authority: Civil Service Law, section 6(1)

Subject: M/C Sick Leave.

Purpose: To increase the maximum sick leave days that may be accumulated by employees designated M/C from 200 to 225.

Text of proposed rule: Amend section 28 of the Attendance Rules for Employees in New York State Departments and Institutions be and hereby is amended, to read as follows:

28-1.3(b) Increase Sick Leave Accruals

(b) Employees shall earn sick leave credits at the rate of one-half day per biweekly pay period and may accumulate such credits up to a total of [200] 225 days. Effective January 1, 2000, up to 200 days of such credits may be used to pay for health insurance in retirement in accordance with section 167(4) of the Civil Service Law and provided, however, that an employee shall not earn sick leave credit for any biweekly pay period unless such employee is in full pay status for at least seven workdays during such biweekly pay period. A part-time employee who is required to work a fixed number of hours on a fixed schedule five days per week, or who is required to work at least half-time each biweekly pay period for a fixed number of hours on a fixed schedule, shall also earn sick leave credit as provided herein, but total pay when absent on such leave shall be the amount which would have been due had such employee worked regularly at his/her usual hours for such period.

Text of proposed rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: commops@cs.ny.gov

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel,

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

Jurisdictional Classification

I.D. No. CVS-40-23-00005-P

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

Proposed Action: Amendment of Appendix 2 of Title 4 NYCRR.

Statutory authority: Civil Service Law, section 6(1)

Subject: Jurisdictional Classification.

Purpose: To classify a position in the non-competitive class.

Text of proposed rule: Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Department of Civil Service, by adding thereto the position of Coordinator Testing Support (1).

Text of proposed rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: commops@cs.ny.gov

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

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

Jurisdictional Classification

I.D. No. CVS-40-23-00006-P

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

Proposed Action: Amendment of Appendix 2 of Title 4 NYCRR.

Statutory authority: Civil Service Law, section 6(1)

Subject: Jurisdictional Classification.

Purpose: To delete a position from and to classify a position in the non-competitive class

Text of proposed rule: Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Department of Public Service, by decreasing the number of positions of Administrative Assistant 2 from 4 to 3 and by adding there to the position of Administrative Assistant 2 (1).

Text of proposed rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: commops@cs.ny.gov

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

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

Jurisdictional Classification

I.D. No. CVS-40-23-00007-P

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

Proposed Action: Amendment of Appendix 1 of Title 4 NYCRR.

Statutory authority: Civil Service Law, section 6(1)

Subject: Jurisdictional Classification.

Purpose: To classify a position in the exempt class.

Text of proposed rule: Amend Appendix 1 of the Rules for the Classified Service, listing positions in the exempt class, in the Department of Motor Vehicles, by increasing the number of positions of Special Assistant from 6 to 7.

Text of proposed rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: commops@cs.ny.gov

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov
Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

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

Jurisdictional Classification

I.D. No. CVS-40-23-00008-P

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

Proposed Action: Amendment of Appendix 1 of Title 4 NYCRR.

Statutory authority: Civil Service Law, section 6(1)

Subject: Jurisdictional Classification.

Purpose: To classify positions in the exempt class.

Text of proposed rule: Amend Appendix 1 of the Rules for the Classified Service, listing positions in the exempt class, in the Westchester County under the subheading "Office of the District Attorney," by increasing the number of positions of Senior Assistant District Attorney from 15 to 20.

Text of proposed rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: commops@cs.ny.gov

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

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

Jurisdictional Classification**I.D. No.** CVS-40-23-00009-P

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

Proposed Action: Amendment of Appendix 1 of Title 4 NYCRR.**Statutory authority:** Civil Service Law, section 6(1)**Subject:** Jurisdictional Classification.**Purpose:** To classify positions in the exempt class.

Text of proposed rule: Amend Appendix 1 of the Rules for the Classified Service, listing positions in the exempt class, in the Executive Department under the subheading "Office for the Aging," by increasing the number of positions of Assistant Director from 1 to 3, Deputy Director from 4 to 5 and Special Assistant from 3 to 9.

Text of proposed rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: commops@cs.ny.gov

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

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

Jurisdictional Classification**I.D. No.** CVS-40-23-00010-P

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

Proposed Action: Amendment of Appendix 2 of Title 4 NYCRR.**Statutory authority:** Civil Service Law, section 6(1)**Subject:** Jurisdictional Classification.**Purpose:** To classify positions in the non-competitive class.

Text of proposed rule: Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Department of Labor under the subheading "Workers' Compensation Board," by adding thereto the positions of Data Analyst 1 (1) and Equal Opportunity Specialist 1 (1).

Text of proposed rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: commops@cs.ny.gov

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

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

Jurisdictional Classification**I.D. No.** CVS-40-23-00011-P

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

Proposed Action: Amendment of Appendix 2 of Title 4 NYCRR.**Statutory authority:** Civil Service Law, section 6(1)**Subject:** Jurisdictional Classification.**Purpose:** To classify positions in the non-competitive class.

Text of proposed rule: Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Department of Audit and Control, by increasing the number of positions of Information Systems Auditors 1 from 24 to 26, Information Systems Auditors 2 from 7 to 8, Public Information Specialist 1 (Digital Content) from 7 to 9 and Public Information Specialist 2 (Digital Content) from 5 to 6.

Text of proposed rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: commops@cs.ny.gov

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

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

Jurisdictional Classification**I.D. No.** CVS-40-23-00012-P

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

Proposed Action: Amendment of Appendix 2 of Title 4 NYCRR.**Statutory authority:** Civil Service Law, section 6(1)**Subject:** Jurisdictional Classification.**Purpose:** To delete a position from and to classify a position in the non-competitive class.**Text of proposed rule:** Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the New York State Thruway Authority, by deleting therefrom the position of Thruway Authority Controller (1) and by adding thereto the position of Thruway Authority Controller (1).**Text of proposed rule and any required statements and analyses may be obtained from:** Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: commops@cs.ny.gov**Data, views or arguments may be submitted to:** Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov**Public comment will be received until:** 60 days after publication of this notice.**Regulatory Impact Statement**

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

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

Jurisdictional Classification**I.D. No.** CVS-40-23-00013-P

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

Proposed Action: Amendment of Appendix 2 of Title 4 NYCRR.**Statutory authority:** Civil Service Law, section 6(1)**Subject:** Jurisdictional Classification.**Purpose:** To delete a position from and to classify a position in the non-competitive class.**Text of proposed rule:** Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Department of Labor, by deleting therefrom the position of Director of Workforce Development and Training (1) and by adding thereto the position of Director of Workforce Development and Training (1).**Text of proposed rule and any required statements and analyses may be obtained from:** Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: commops@cs.ny.gov**Data, views or arguments may be submitted to:** Eugene Sarfoh, Counsel,

NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov
Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

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

Jurisdictional Classification**I.D. No.** CVS-40-23-00014-P

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

Proposed Action: Amendment of Appendix 2 of Title 4 NYCRR.**Statutory authority:** Civil Service Law, section 6(1)**Subject:** Jurisdictional Classification.**Purpose:** To delete positions from and to classify positions in the non-competitive class.**Text of proposed rule:** Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Executive Department under the subheading "Division of Homeland Security and Emergency Services," by deleting therefrom the positions of DHSES Training Extra (12) and by adding thereto the positions of DHSES Training Extra.**Text of proposed rule and any required statements and analyses may be obtained from:** Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: commops@cs.ny.gov**Data, views or arguments may be submitted to:** Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov**Public comment will be received until:** 60 days after publication of this notice.**Regulatory Impact Statement**

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

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

Jurisdictional Classification

I.D. No. CVS-40-23-00015-P

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

Proposed Action: Amendment of Appendix 1 of Title 4 NYCRR.

Statutory authority: Civil Service Law, section 6(1)

Subject: Jurisdictional Classification.

Purpose: To classify a position in the exempt class.

Text of proposed rule: Amend Appendix 1 of the Rules for the Classified Service, listing positions in the exempt class, in the Department of Family Assistance under the subheading “Office of Children and Family Services,” by adding thereto the position of Assistant Director Internal Audit.

Text of proposed rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: commops@cs.ny.gov

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

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

Jurisdictional Classification

I.D. No. CVS-40-23-00016-P

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

Proposed Action: Amendment of Appendix 1 of Title 4 NYCRR.

Statutory authority: Civil Service Law, section 6(1)

Subject: Jurisdictional Classification.

Purpose: To classify positions in the exempt class.

Text of proposed rule: Amend Appendix 1 of the Rules for the Classified Service, listing positions in the exempt class, in the Executive Department under the subheading “State Board of Elections,” by increasing the number of positions of Administrative Assistant from 11 to 13, Elections Finance Enforcement Specialist from 2 to 4, Investigative Auditor from 42 to 48, Supervising Investigative Auditor from 2 to 6 and Training Associate from 4 to 6.

Text of proposed rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: commops@cs.ny.gov

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel,

NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

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

Jurisdictional Classification

I.D. No. CVS-40-23-00017-P

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

Proposed Action: Amendment of Appendix 2 of Title 4 NYCRR.

Statutory authority: Civil Service Law, section 6(1)

Subject: Jurisdictional Classification.

Purpose: To classify positions in the non-competitive class

Text of proposed rule: Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Department of Mental Hygiene under the subheading “Office for People with Developmental Disabilities,” by adding thereto the positions of Data Analyst 1 (2).

Text of proposed rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: commops@cs.ny.gov

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

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

Jurisdictional Classification

I.D. No. CVS-40-23-00018-P

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

Proposed Action: Amendment of Appendix 1 of Title 4 NYCRR.

Statutory authority: Civil Service Law, section 6(1)

Subject: Jurisdictional Classification.

Purpose: To classify a position in the exempt class.

Text of proposed rule: Amend Appendix 1 of the Rules for the Classified Service, listing positions in the exempt class, in the Executive Department under the subheading "Office of General Services," by adding thereto the position of Director Public Information.

Text of proposed rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: commops@cs.ny.gov

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

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

Jurisdictional Classification

I.D. No. CVS-40-23-00019-P

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

Proposed Action: Amendment of Appendix 1 of Title 4 NYCRR.

Statutory authority: Civil Service Law, section 6(1)

Subject: Jurisdictional Classification.

Purpose: To classify positions in the exempt class.

Text of proposed rule: Amend Appendix 1 of the Rules for the Classified Service, listing positions in the exempt class, in the Executive Department under the subheading "Division of Criminal Justice Services," by increasing the number of positions of Crime Analysis Center Director from 4 to 11.

Text of proposed rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: commops@cs.ny.gov

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

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

Jurisdictional Classification

I.D. No. CVS-40-23-00020-P

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

Proposed Action: Amendment of Appendices 1 and 2 of Title 4 NYCRR.

Statutory authority: Civil Service Law, section 6(1)

Subject: Jurisdictional Classification.

Purpose: To classify a position in the exempt class and to classify positions from the non-competitive class.

Text of proposed rule: Amend Appendix 1 of the Rules for the Classified Service, listing positions in the exempt class, in the Executive Department under the subheading "Office of Park, Recreation and Historic Preservation," by increasing the number of positions of Assistant Public Information Officer from 3 to 4; and

Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Executive Department under the subheading "Office of Parks, Recreation and Historic Preservation," by increasing the number of positions of Scientist Archeology from 4 to 6.

Text of proposed rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: commops@cs.ny.gov

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously

printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

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

Jurisdictional Classification

I.D. No. CVS-40-23-00021-P

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

Proposed Action: Amendment of Appendix 1 of Title 4 NYCRR.

Statutory authority: Civil Service Law, section 6(1)

Subject: Jurisdictional Classification.

Purpose: To classify a position in the exempt class.

Text of proposed rule: Amend Appendix 1 of the Rules for the Classified Service, listing positions in the exempt class, in the Department of Health, by increasing the number of positions of Special Assistant from 39 to 40.

Text of proposed rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: commops@cs.ny.gov

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

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

Jurisdictional Classification

I.D. No. CVS-40-23-00022-P

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

Proposed Action: Amendment of Appendix 1 of Title 4 NYCRR.

Statutory authority: Civil Service Law, section 6(1)

Subject: Jurisdictional Classification.

Purpose: To delete positions from and to classify positions in the exempt class.

Text of proposed rule: Amend Appendix 1 of the Rules for the Classified Service, listing positions in the exempt class, in the Department of Financial Services, by decreasing the number of positions of Chief Actuary from 16 to 6 and by increasing the number of positions of Director Financial Services Programs 3 from 50 to 70.

Text of proposed rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: commops@cs.ny.gov

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel,

NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

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

Jurisdictional Classification

I.D. No. CVS-40-23-00023-P

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

Proposed Action: Amendment of Appendix 2 of Title 4 NYCRR.

Statutory authority: Civil Service Law, section 6(1)

Subject: Jurisdictional Classification.

Purpose: To classify a position in the non-competitive class

Text of proposed rule: Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Department of Taxation and Finance, by adding thereto the position Print Operations Manager (1).

Text of proposed rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: commops@cs.ny.gov

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

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

Jurisdictional Classification

I.D. No. CVS-40-23-00024-P

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

Proposed Action: Amendment of Appendix 1 of Title 4 NYCRR.

Statutory authority: Civil Service Law, section 6(1)

Subject: Jurisdictional Classification.

Purpose: To delete a position from and to classify a position in the exempt class.

Text of proposed rule: Amend Appendix 1 of the Rules for the Classified Service, listing positions in the exempt class, in the Executive Department under the subheading "Office of Information Technology Services," by decreasing the number of positions of Chief Information Officer from 2 to 1 and by increasing the number of positions of Special Assistant from 29 to 30.

Text of proposed rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: commops@cs.ny.gov

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

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

Jurisdictional Classification

I.D. No. CVS-40-23-00025-P

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

Proposed Action: Amendment of Appendix 2 of Title 4 NYCRR.

Statutory authority: Civil Service Law, section 6(1)

Subject: Jurisdictional Classification.

Purpose: To classify a position in the non-competitive class.

Text of proposed rule: Amend Appendix 2 of the Rules for the Classified Service, listing positions in the non-competitive class, in the Education Department under the subheading "New York State Higher Education Services Corporation," by adding thereto the position of Data Analyst 1 (1).

Text of proposed rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: commops@cs.ny.gov

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel,

NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov
Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

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

Jurisdictional Classification

I.D. No. CVS-40-23-00026-P

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

Proposed Action: Amendment of Appendix 1 of Title 4 NYCRR.

Statutory authority: Civil Service Law, section 6(1)

Subject: Jurisdictional Classification.

Purpose: To classify a position in the exempt class.

Text of proposed rule: Amend Appendix 1 of the Rules for the Classified Service, listing positions in the exempt class, in the Council on the Arts, by adding thereto the position of Associate Counsel.

Text of proposed rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: commops@cs.ny.gov

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

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

Jurisdictional Classification

I.D. No. CVS-40-23-00027-P

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

Proposed Action: Amendment of Appendix 1 of Title 4 NYCRR.

Statutory authority: Civil Service Law, section 6(1)

Subject: Jurisdictional Classification.

Purpose: To classify positions in the exempt class.

Text of proposed rule: Amend Appendix 1 of the Rules for the Classified Service, listing positions in the exempt class, in the Executive Department under the subheading "Gaming Commission," by increasing the number of positions of Special Assistant from 6 to 9.

Text of proposed rule and any required statements and analyses may be obtained from: Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: commops@cs.ny.gov

Data, views or arguments may be submitted to: Eugene Sarfoh, Counsel, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-2624, email: public.comments@cs.ny.gov

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

Regulatory Impact Statement

A regulatory impact statement is not submitted with this notice because this rule is subject to a consolidated regulatory impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not submitted with this notice because this rule is subject to a consolidated regulatory flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not submitted with this notice because this rule is subject to a consolidated rural area flexibility analysis that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

Job Impact Statement

A job impact statement is not submitted with this notice because this rule is subject to a consolidated job impact statement that was previously printed under a notice of proposed rule making, I.D. No. CVS-02-23-00007-P, Issue of January 11, 2023.

**State Commission of
Correction**

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

Use of Body Imaging Scanning Equipment

I.D. No. CMC-40-23-00003-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 7640 to Title 9 NYCRR.

Statutory authority: Correction Law, sections 45(6), (15); Public Health Law, section 3502(6)(a)(iii)

Subject: Use of body imaging scanning equipment.

Purpose: To establish regulations for the use of body imaging scanning equipment to screen visitors and incarcerated individuals.

Text of proposed rule: A new Part 7640 of Title 9 is added to read as follows:

Part 7640

Use of body imaging scanning equipment

§ 7640.1 Policy.

The purpose of this Part shall be to ensure that body imaging scanning equipment is used in correctional facilities to prevent the entry of contraband, in a manner that ensures for the safety and security of both incarcerated individuals and facility staff.

§ 7640.2 Definitions.

As used in this Part, the following definitions shall apply to the terms listed below:

(a) *Body imaging scanning equipment* shall mean equipment that utilizes a low dose of ionizing radiation to produce an anatomical image capable of detecting objects placed on, attached to, or secreted within a person's body.

(b) *Department of Health* shall mean the New York State Department of Health.

(c) *Visitor* shall mean a person entering a correctional facility with the intent of visiting an incarcerated individual, but shall not include an attorney, acting in a professional capacity and authorized to practice law in New York State or in any jurisdiction where the incarcerated individual has a legal action, proceeding or other legal matter pending, or any individual with the statutory authority to visit, at pleasure, any correctional facility within the state.

§ 7640.3 General use of body imaging scanning equipment.

(a) The department shall ensure that the installation, registration, recordkeeping, maintenance, operation and inspection of any body imaging scanning equipment utilized in a correctional facility shall comply with the regulatory requirements promulgated by the Department of Health.

(b) An individual who is pregnant shall not be subject to body imaging scanning equipment at any time.

(c) Procedures for identifying pregnant individuals shall be implemented by the department, consistent with applicable Department of Health regulations.

(d) Body imaging scanning equipment may not be used for medical examinations or to diagnose an illness or injury.

(e) Absent exigent circumstances, all body scans must be conducted by an officer of the same sex as the individual being scanned. Individuals who are transgender or intersex may request that they be scanned by an officer of a specific gender.

§ 7640.4 Body imaging scanning of incarcerated individuals.

(a) Incarcerated individuals may be searched utilizing body imaging scanning equipment in the following circumstances:

- (1) upon admission to a correctional facility;
- (2) when subject to a drug or special watch;
- (3) when involved in an assault or other significant facility incident;
- (4) during a facility-wide or random individual search;
- (5) prior to exiting and upon returning to a facility;
- (6) at the conclusion of a contact visit; or
- (7) when other means of searching an incarcerated individual provide a basis to believe the individual is in possession of contraband.

(b) Alternative methods of screening may be used to accommodate incarcerated individuals who decline or are unable to be screened by body imaging scanning equipment for diagnosed medical reasons. No incarcerated individual shall be subjected to any form of harassment, intimidation or disciplinary action for choosing to be searched by an alternative method of screening in lieu of body imaging scanning.

(c) Notwithstanding the provisions of subdivision (b) of this section, an incarcerated individual may be screened by body imaging scanning equipment, despite declining such screening for reasons other than pregnancy or diagnosed medical reasons, where security considerations warrant.

(d) Any determination to utilize body imaging scanning equipment following an incarcerated individual's declination, pursuant to subdivision (c) of this section, shall be made by the watch commander, or facility staff member of higher rank, in writing, and shall state the specific facts and reasons underlying the determination.

§ 7640.5 Body imaging scanning of visitors.

(a) Visitors may be searched utilizing body imaging scanning equipment when entering a facility to visit an incarcerated individual or participating in the Family Reunion Program.

(b) Alternative methods of screening may be used to accommodate visitors who decline or are unable to be screened by body imaging scanning equipment for diagnosed medical reasons. No visitor shall be subjected to any form of harassment or intimidation for choosing to be searched by an alternative method of screening in lieu of body imaging scanning.

(c) Notwithstanding the provisions of subdivision (b) of this section, a visitor may be required to submit to screening by body imaging scanning equipment, despite declining such screening for reasons other than pregnancy or diagnosed medical reasons, where security considerations warrant. Ensuing declination by the visitor to screening by body imaging scanning equipment shall constitute grounds to deny the visitation.

(d) Any determination to require screening by body imaging scanning equipment following a visitor's declination, pursuant to subdivision (c) of this section, shall be made by the watch commander, or facility staff member of higher rank, in writing, and shall state the specific facts and reasons underlying the determination.

Text of proposed rule and any required statements and analyses may be obtained from: Deborah Slack-Bean, Associate Attorney, New York State Commission of Correction, Alfred E. Smith State Office Building, 80 S. Swan Street, 12th Floor, Albany, New York 12210, (518) 485-2346, email: Deborah.Slack-Bean@scoc.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:

Subdivision (6) of section 45 of the Correction Law authorizes the Commission to promulgate rules and regulations establishing minimum standards for the care, custody, correction, treatment, supervision, discipline, and other correctional programs for all persons confined in the local correctional facilities of New York State. Subdivision (15) of section 45 of the Correction Law allows the Commission to adopt, amend or rescind such rules and regulations as may be necessary or convenient to the performance of its functions, powers and duties. Public Health Law section 3502(6)(a)(iii) requires the Commission to promulgate regulations establishing when body imaging scanning equipment will be used to screen visitors and incarcerated individuals in state correctional facilities.

2. Legislative objectives:

By vesting the Commission with this rulemaking and oversight authority, the Legislature intended the Commission to promulgate regulations establishing when body imaging scanning equipment will be used to screen visitors and incarcerated individuals in state correctional facilities.

3. Needs and benefits:

On May 3, 2023, Governor Hochul signed into law legislation (Chapter 56, pt. LL, § 1 of the Laws of 2023), which allows facilities of the New York State Department of Correctional Services and Community Supervision (DOCCS) to utilize body imaging scanning equipment for purposes of screening individuals detained in, committed to, visiting, or employed in such facility, in connection with the implementation of such facility's security program. Body imaging scanning equipment utilizes a low dose of ionizing radiation to produce an anatomical image capable of detecting objects placed on, attached to, or secreted within a person's body.

The legislation requires the Commission, in consultation with DOCCS, to promulgate regulations establishing when body imaging scanning equipment will be used to screen visitors and incarcerated individuals in state correctional facilities. Such regulations are required by the legislation to include provisions establishing that alternative methods of screening may be used to accommodate individuals who decline or are unable to be screened by body imaging scanning equipment for medical reasons and that alternative methods of screening may be used to accommodate individuals who decline to be screened for other reasons, unless security considerations warrant otherwise. Lastly, the legislation requires that the regulations ensure that no person shall be subjected to any form of harassment, intimidation, or disciplinary action for choosing to be searched by an alternative method of screening in lieu of body imaging scanning.

The addition of Part 7640 of Title 9 NYCRR satisfies the Commission's statutory obligation to promulgate regulations establishing when body imaging scanning equipment will be used to screen visitors and incarcerated individuals in state correctional facilities. Consequently, the proposed rulemaking is immediately necessary to conform with this enactment and to provide DOCCS with the rules necessary to comply with the legislation.

4. Costs:

a. Costs to regulated parties for the implementation of and continuing compliance with the rule: None. The proposed regulations do not require the use of body imaging scanning equipment in state correctional facilities, but rather only establishes when body imaging scanning equipment may be used to screen visitors and incarcerated individuals.

b. Costs to the agency, the state and local governments for the implementation and continuation of the rule: None. The regulation does not apply to local governments. As set forth above in subdivision (a), there would be no additional costs incurred by state agencies.

c. This statement detailing the projected costs of the rule is based upon the Commission's oversight and experience relative to the operation and function of a correctional facility.

5. Local government mandates:

The regulation does not apply to local governments.

6. Paperwork:

The proposed regulations require a written determination of a facility's watch commander, or facility staff of higher rank, in any instance where the use of body imaging scanning equipment is required following a visitor or incarcerated individual's initial declination.

7. Duplication:

The rule does not duplicate any existing State or Federal requirement.

8. Alternatives:

Given the legislation that requires the promulgation of regulations establishing when body imaging scanning equipment will be used to screen visitors and incarcerated individuals in state correctional facilities, the Commission did not see any alternative to promulgating conforming regulations.

9. Federal standards:

There are no applicable minimum standards of the federal government.

10. Compliance schedule:

Each state correctional facility is expected to be able to achieve compliance with the proposed rule immediately once adopted.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not required pursuant to subdivision three of section 202-b of the State Administrative Procedure Act because the rule does not impose an adverse economic impact on small businesses or local governments. The proposed rule seeks only to establish when body imaging scanning equipment will be used to screen visitors and incarcerated individuals in state correctional facilities. Consequently, the rule will not have an adverse impact on small businesses or local governments, nor impose any additional significant reporting, record keeping, or other compliance requirements on small businesses or local governments.

Rural Area Flexibility Analysis

A rural area flexibility analysis is not required pursuant to subdivision four of section 202-bb of the State Administrative Procedure Act because the rule does not impose an adverse impact on rural areas. The proposed rule seeks only to establish when body imaging scanning equipment will be used to screen visitors and incarcerated individuals in state correctional facilities. Consequently, it will not impose an adverse economic impact on rural areas, nor impose any additional significant record keeping, reporting, or other compliance requirements on private or public entities in rural areas.

Job Impact Statement

A job impact statement is not required pursuant to subdivision two of section 201-a of the State Administrative Procedure Act because the rule will not have a substantial adverse impact on jobs and employment opportunities, as apparent from its nature and purpose. The proposed rule seeks only to establish when body imaging scanning equipment will be used to screen visitors and incarcerated individuals in state correctional facilities. As such, there will be no impact on jobs and employment opportunities.

Department of Economic Development

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

NYC Musical and Theatrical Production Tax Credit Program

I.D. No. EDV-40-23-00028-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 270 of Title 5 NYCRR.

Statutory authority: L. 2023, ch. 59, part E

Subject: NYC Musical and Theatrical Production Tax Credit Program.

Purpose: To update the additional administrative process of this tax credit program and conform to statute.

Substance of proposed rule (Full text is posted at the following State website: www.esd.ny.gov): The regulation contained in 5 NYCRR Part 270, which governs the New York City Musical and Theatrical Production Tax Credit Program, is summarized as follows:

The regulation begins by extending the end of the credit period of a production until September 30, 2025 per statute. It adds in a definition of production budget and replaces the definition of Qualified New York City Production Facility with two new definitions – Level One Qualified New York City Production Facility and Level Two Qualified New York City Production Facility.

Next, the regulation clarifies that no initial application may be submitted to the Program after June 30, 2025 per statute.

The regulation clarifies that in order for a final application to be approved, profitable productions must submit a Profit Distribution report (for each quarter) to the Department, beginning with the first performance after the cap has been reached (the last performance date on the final application) and continuing until the date the tax credit certificate is issued.

Finally, the regulation prescribes, per statute, that the amount of the credit cannot exceed \$350,000 per qualified New York City musical and theatrical production in a Level Two Qualified New York City Production Facility and \$3,000,000 per qualified New York City musical and theatrical production in a Level One Qualified New York City Production Facility. In addition, the regulation now states that the credit shall be allowed for the taxable year beginning on or after January 1, 2021 but before January 1, 2026.

The text of the rulemaking is available at www.esd.ny.gov

Text of proposed rule and any required statements and analyses may be obtained from: Thomas Regan, Department of Economic Development, 625 Broadway, Albany NY 12245, (518) 292-5120, email: thomas.regan@esd.ny.gov

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

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

Regulatory Impact Statement

STATUTORY AUTHORITY:

Chapter 59 of the Laws of 2021 allow the Commissioner of the Department of Economic Development (the "Department") to promulgate regulations establishing the application process for the New York City Musical and Theatrical Production Tax Credit Program ("the Program"). These regulations include provisions describing the application process, the due dates for such applications, the standards that will be used to evaluate the applications, the documentation that will be provided by applicants to substantiate to the department the amount of qualified production expenditures of such applicants, and such other provisions as deemed necessary and appropriate. In addition, Subpart E of Chapter 59 of the Laws of 2023 made certain changes to the Program which this regulation incorporates.

LEGISLATIVE OBJECTIVES:

The proposed rule gives effect to the intention of the legislature in adopting this new tax credit program which was to provide immediate financial incentives to qualified New York City musical and theatrical production companies for productions that produce either paused or new performances during the next several years.

NEEDS AND BENEFITS:

This proposed rulemaking is necessary in order to update the administrative process for this tax credit program.

The New York City Musical and Theatrical Production Tax Credit program was first enacted in 2021 in response to the devastating impact of the COVID-19 pandemic on the arts, entertainment, tourism, and recreation sectors in New York State generally, and on the New York City tourism and musical and theatrical industries in particular. The new program provided incentives to qualified New York City musical and theatrical production companies for productions that either paused productions in 2020 or delayed the production of planned new performances for 2021 and 2022. This past legislative session changes were made by statute to update the program.

Specifically, the end of the credit period of a production was extended from September 2023 to September 30, 2025. In addition, the regulation replaces the definition of Qualified New York City Production Facility with two new definitions – Level One Qualified New York City Production Facility and Level Two Qualified New York City Production Facility, the distinction being number of seats and location within New York City.

Next, the regulation clarifies that no initial application may be submitted to the Program after June 30, 2025. The regulation also clarifies that in order for a final application to be approved, profitable productions must submit a Profit Distribution report (for each quarter) to the Department, beginning with the first performance after the cap has been reached (the last performance date on the final application) and continuing until the date the tax credit certificate is issued. Finally, the regulation prescribes, per statute, that the amount of the credit cannot exceed \$350,000 per qualified New York City musical and theatrical production in a level two qualified New York City production facility and \$3,000,000 per qualified New York City musical and theatrical production in a level one qualified New York City production facility. In addition, the regulation now states that the credit shall be allowed for the taxable year beginning on or after January 1, 2021 but before January 1, 2026.

COSTS:

I. Costs to private regulated parties (the business applicants): None. The proposed rule will not impose any additional costs to eligible business applicants.

II. Costs to the regulating agency for the implementation and continued

administration of the rule: None. The proposed rule will not impose any costs on the Department.

III. Costs to the State government: None. The proposed rule will not impose any costs on the State.

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

LOCAL GOVERNMENT MANDATES:

None. There are no local government mandates associated with this program.

PAPERWORK:

The proposed rule requires an application process and necessarily entails certain paperwork burdens including materials to be submitted as part of applications for tax credits, additional documents the Department may request from applicants as part of its evaluation of applications, and certain records that must be maintained by program participants for auditing purposes. The proposed rule now specifically states profitable productions must submit a Profit Distribution report for each quarter.

DUPLICATION:

The proposed rule updates an existing tax credit program. However, there is no risk of duplication in the adoption of the proposed rule.

ALTERNATIVES:

No alternatives were considered with regard to not creating a new rule in response to the statutory requirement. The rule is authorized and required by statute.

FEDERAL STANDARDS:

There are no federal standards applicable to this program; it is purely a state tax credit program. Therefore, the proposed rule does not exceed any federal standard.

COMPLIANCE SCHEDULE:

The affected agency (Department of Economic Development) and any applicants to this program will be able to achieve compliance with the regulation at Notice of Adoption.

Regulatory Flexibility Analysis

Participation in the New York City Musical and Theatrical Production Tax Credit Program is entirely at the discretion of qualifying business entities. Neither statute nor the proposed rule impose any obligation on any local government or business entity to participate in the program. The proposed rule does not impose any adverse economic impact or compliance requirements on small businesses or local governments. In fact, it may have a positive economic impact on small businesses.

Because it is evident from the nature of the proposed rule that it will have either no impact or a positive impact on small businesses and local government, no further affirmative steps were needed to ascertain that fact and none were taken. Accordingly, a regulatory flexibility analysis for small businesses and local governments is not required and one has not been prepared.

Rural Area Flexibility Analysis

The New York City Musical and Theatrical Production Tax Credit Program does not impose any special reporting, record keeping or other compliance requirements on public or private entities in rural areas. Therefore, the proposed rule will not have a substantial adverse economic impact on rural areas nor on the reporting, record keeping or other compliance requirements on public or private entities in such rural areas. Accordingly, a rural area flexibility analysis is not required, and one has not been prepared.

Job Impact Statement

The proposed rule updates the administrative process for the New York City Musical and Theatrical Production Tax Credit Program. The program aims to assist small businesses negatively impacted by the COVID-19 pandemic and will not have a substantial adverse impact on jobs and employment opportunities; rather, the program is intended to increase employment opportunities.

Because it is evident from the nature of the proposed rulemaking that it will have either no impact or a positive impact on job and employment opportunities, no further affirmative steps were needed to ascertain that fact and none were taken. Accordingly, a job impact statement is not required and one has not been prepared.

Department of Environmental Conservation

EMERGENCY RULE MAKING

Regulations Governing Recreational Fishing for Striped Bass

I.D. No. ENV-27-23-00003-E

Filing No. 796

Filing Date: 2023-09-15

Effective Date: 2023-09-15

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

Action taken: Amendment of Parts 10 and 40 of Title 6 NYCRR.

Statutory authority: Environmental Conservation Law, sections 11-0303, 13-0105, 13-0339 and 13-0347

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

Specific reasons underlying the finding of necessity: This emergency rulemaking, which adopts new recreational Atlantic Striped Bass fishery restrictions, is necessary for the preservation of the general welfare. The Atlantic States Marine Fisheries Commission (ASMFC) required by emergency action that all states reduce recreational Atlantic Striped Bass harvest by July 2, 2023, by implementing changes to the recreational slot size. ASMFC then extended the emergency action through October 2024. Failure to readopt these amendments by emergency rulemaking by September 15, 2023, would put New York State out of compliance with this mandate. Non-compliance could result in a federally imposed closure of New York State’s recreational and commercial Atlantic Striped Bass fisheries. Atlantic Striped Bass is one of the most popular species targeted by recreational anglers in New York State, in addition to being a commercially harvested species. Closure of the recreational fishery would have significant negative economic impacts to the numerous businesses that rely on it, including but not limited to, the party and charter boat industry. In 2023, DEC issued 525 party and charter boat licenses, in the marine and coastal district. There were 396,841 people enrolled in the DEC Recreational Marine Fishing Registry in 2022, the last year for which data is available. Additionally, 395 individual Atlantic Striped Bass Commercial Harvester permit holders would be negatively impacted by closure of New York’s commercial Atlantic Striped Bass fishery.

The Department of Environmental Conservation (DEC) is amending the current recreational regulations for Atlantic Striped Bass as required by the ASMFC emergency action that was taken for Atlantic Striped Bass on May 2, 2023. The emergency rule will amend the recreational slot size for Atlantic Striped Bass in marine waters south of the George Washington Bridge and in the Delaware River and its West Branch bordering Pennsylvania, from 28 to 35 inches to 28 to 31 inches. ASMFC board members initiated the motion to decrease the slot limit with the intention of protecting fish born in 2015, one of the last remaining strong year classes, and assist population rebuilding.

The management measures specified in this Notice of Emergency Adoption are already in effect. DEC originally submitted a Notice of Emergency Adoption and Proposed Rule Making to the Department of State on June 20, 2023, and the new regulations became effective that day. The public comment period for the proposed rulemaking ends on September 5, 2023, and it is therefore not possible to adopt this final rule prior to the emergency rule’s expiration on September 17, 2023. Failure to maintain compliance with ASMFC could result in closure of the fishery by the US Secretary of Commerce and would have significant negative economic impacts on the commercial Striped Bass fishery and negative impacts to recreational anglers.

Subject: Regulations governing recreational fishing for striped bass.

Purpose: To amend 6 NYCRR Parts 10 and 40 pertaining to recreational regulations for striped bass.

Text of emergency rule: Part 10 of 6 NYCRR, titled “Sportfishing Regulations,” is amended as follows:

Table D in existing subparagraph 10.2(i)(2)(f) is amended to read as follows:

(2) Table D: Fishing regulations for Delaware River and its West Branch bordering Pennsylvania.

‘Species’	‘Open season’	‘Minimum length’	‘Daily limit’
(f) Striped bass	All year	28” to [35]31” TL (total length see [ECL § 13-0339[4]] ECL § 13-0339(4))	1

Part 40 of 6 NYCRR, titled “Marine Fish,” is amended as follows: Table A in existing subdivision 40.1(f) is amended to read as follows: Species Striped bass is amended to read as follows: 40.1 (f) Table A – Recreational Fishing.

Species	Open Season	Minimum Length	Possession Limit
Striped bass (except the Hudson River north of the George Washington Bridge)	April 15-Dec. 15	28” to [35]31” TL	1

This notice is intended to serve only as a notice of emergency adoption. This agency intends to adopt the provisions of this emergency rule as a permanent rule, having previously submitted to the Department of State a notice of proposed rule making, I.D. No. ENV-27-23-00003-EP, Issue of July 5, 2023. The emergency rule will expire November 13, 2023.

Text of rule and any required statements and analyses may be obtained from: Caitlin Craig, New York State Department of Environmental Conservation, 123 Kings Park Blvd., Kings Park, NY 11754, (631) 444-0457, email: caitlin.craig@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.

Regulatory Impact Statement

1. Statutory authority:

Environmental Conservation Law (ECL) ECL § 13-0105 directs that it shall be “the policy of the state that the primary principle in managing the state’s marine fishery resource is to maintain the long-term health and abundance of marine fisheries resources and their habitats, and to ensure that [fisheries] are sustained in usable abundance and diversity for future generations.” The legislature further directs that “the management of the state’s transboundary and migratory species shall be consistent with [all] interjurisdictional management plans, interstate or state-federal.”

ECL §§ 11-0303 and 13-0339 authorize the Department of Environmental Conservation (DEC) to adopt regulations governing Atlantic Striped Bass including: size limits, catch and possession limits, open and closed seasons, closed areas, restrictions on the manner of taking and landing, and other management measures.

ECL § 13-0347 establishes additional provisions for Atlantic Striped Bass management in the marine district.

2. Legislative objectives:

It is the objective of the above-cited legislation that DEC manages marine fisheries to optimize resource use for recreational and commercial harvesters in a manner that is consistent with federal marine fisheries conservation and management policies including all applicable interstate fishery management plans. These amendments will ensure that New York maintains compliance and consistency with requirements of the Atlantic States Marine Fisheries Commission’s (ASMFC) Interstate Fishery Management Plan (FMP) for Atlantic Striped Bass.

3. Needs and benefits:

This rulemaking must be adopted on an emergency basis for the preservation of the general welfare by ensuring that New York State maintains compliance with the requirements of ASMFC’s emergency action for the Fishery Management Plan (FMP) of Atlantic Striped Bass. Failure to maintain compliance may result in the federal closure of New York State’s Atlantic Striped Bass fishery. FMPs are designed to promote the long-term sustainability of managed marine species, preserve the States’ marine resources, and protect the interests of both commercial and recreational fishermen.

The proposed new management measures are required by ASMFC’s emergency action on Atlantic Striped Bass, which is designed to reduce recreational harvest of striped bass by protecting certain size fish to rebuild the stock to its target level by 2029. To comply with this directive, New

York State must amend 6 NYCRR Parts 10 and 40 to ensure that the State's regulations are consistent with the required reduction in slot size. Failure to adopt these regulations could further impede the rebuilding plan for the Atlantic Striped Bass stock, which is currently overfished and may lead to the closure of New York State's Atlantic Striped Bass fishery by the federal government due to New York State's failure to comply with mandatory requirements.

4. Costs:

There are no new costs to state and local governments from this action. The DEC will incur limited costs associated with both the implementation and administration of these rules, including the costs relating to notifying recreational fishers, party and charter boat operators, and other recreational fishing associated businesses of the new rules. The proposed regulations do not require any expenditure on the part of affected businesses to comply with the changes. There is no additional technology required for small businesses, and this action does not apply to local governments. The proposed regulations may decrease the income of some party and charter businesses, marinas, and bait and tackle shops that depend upon the recreational Atlantic Striped Bass fishery.

5. Local government mandates:

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

6. Paperwork:

Regulated parties are not expected to experience an increase in paperwork as a result of the proposed regulations.

7. Duplication:

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

8. Alternatives:

The ASMFC Management Board voted to pass an emergency action on Atlantic Striped Bass to decrease the slot size from 28 to 35 inches to 28 to 31 inches. This motion passed with fifteen member states voting in favor and one member state voting against. Implementation of any other option would place New York State out of compliance with the ASMFC's action.

A "no action" alternative would not amend recreational fishing regulations, would fail to keep New York in compliance with ASMFC's emergency action on Atlantic Striped Bass, and could result in a closure of the fishery.

9. Federal standards:

The amendments to 6 NYCRR Parts 10 and 40 comply with ASMFC's emergency action for Atlantic Striped Bass.

10. Compliance schedule:

The management measures specified in this Notice of Emergency Adoption are already in effect. DEC originally submitted a Notice of Emergency Adoption and Proposed Rule Making to the Department of State on June 20, 2023 and the new regulations became effective that day. The public will be notified of the changes to the regulations through publication in the State Register, through appropriate news releases, and through DEC's website.

Regulatory Flexibility Analysis

1. Effect of rule:

The Atlantic State Marine Fisheries Commission (ASMFC) facilitates the cooperative management of marine and diadromous fish species among the fifteen Atlantic Coast member states. The principal mechanism for implementation of cooperative management of migratory fish is the ASMFC's Interstate Fishery Management Plans (FMPs) for individual species or groups of fish. The FMPs are designed to promote the long-term health of these species, preserve resources, and protect the interests of both commercial and recreational harvesters. To avoid the federal closure of New York State's Striped Bass fishery, the Department of Environmental Conservation (DEC) is adopting by emergency measure amendments to 6 NYCRR Parts 10 and 40 to remain in compliance with ASMFC's Atlantic Striped Bass Management Board's emergency action on May 2, 2023.

The proposed amendments to 6 NYCRR Parts 10 and 40 will reduce the recreational slot size for Atlantic Striped Bass in marine waters south of the George Washington Bridge, and in the Delaware River and its West Branch bordering Pennsylvania, from 28 to 35 inches to 28 to 31 inches.

In 2023, DEC issued 525 party and charter boat licenses, in the marine and coastal district. There were 396,841 people enrolled in DEC's Recreational Marine Fishing Registry in 2022, the last year for which data is available. All fishers are required to register if they are age 16 and older and are either: (1) fishing for a saltwater fish species in the marine and coastal district while not aboard a party or charter boat; or (2) fishing for a migratory fish of the sea (diadromous species) within the tidal waters of the Hudson River and its tributaries, or within the waters of the Delaware River. 2022 data from NOAA Fisheries reported 5,107,504 recreational angler trips targeting Atlantic Striped Bass in New York State.

The regulations will not have any direct effects on local governments.

2. Compliance requirements:

This rulemaking will not impose new compliance requirements for small businesses and local governments.

3. Professional services:

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

4. Compliance costs:

This rulemaking will not impose any new compliance costs for small businesses and local governments.

5. Economic and technological feasibility:

The proposed regulations do not require any expenditure on the part of affected businesses to comply with the changes. There is no additional technology required for small businesses, and this action does not apply to local governments. The proposed regulations may decrease the income of some party and charter businesses, marinas, and bait and tackle shops that depend upon the recreational Atlantic Striped Bass fishery.

6. Minimizing adverse impact:

This regulation is necessary for DEC to comply with the ASMFC's Atlantic Striped Bass Management Board's emergency action. The proposed regulations are intended to decrease recreational harvest to help rebuild the currently overfished Atlantic Striped Bass coastwide stock. These measures will help to avoid the adverse economic and social impacts that would be associated with worsening stock condition, or a closure of the fishery for non-compliance. A moratorium on the harvest of Atlantic Striped Bass would have a much greater adverse impact on New York's recreational and commercial Atlantic Striped Bass fishery and supporting industries than the proposed size limit change. Ultimately, the maintenance of long-term sustainable fisheries will have a positive effect on the fishery and other industries that the fishery supports.

7. Small business and local government participation:

The proposed rule seeks to amend 6 NYCRR Parts 10 and 40 so that New York is compliant with ASMFC's emergency action for Atlantic Striped Bass. Emergency action by ASMFC is uncommon and does not have the standard public comment period as required by ASMFC's addendum and amendment process. Fifteen of ASMFC's member states, including New York, voted in favor of this action, with one member state voting against the action.

The management measures specified in this Notice of Emergency Adoption are already in effect. DEC originally submitted a Notice of Emergency Adoption and Proposed Rule Making to the Department of State on June 20, 2023 and the new regulations became effective that day. DEC will continue to provide notice to affected fishers through email communications, newsletters, and other media outlets.

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

Pursuant to SAPA 202-b(1-a)(b), no such cure period is included in this 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 the general welfare of the public and that the resource is protected.

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

DEC will conduct an initial review of the proposed rule within three years, as required by SAPA § 207.

Rural Area Flexibility Analysis

1. Types and estimated numbers of rural areas:

There are no rural areas within, or directly adjacent to, the marine and coastal district. Two Delaware River counties are in the rural area category: Delaware and Sullivan counties. The proposed regulations will affect individuals who participate in the Atlantic Striped Bass fishery and may also have an indirect effect on supporting industries.

2. Reporting, recordkeeping and other compliance requirements; and professional services:

There are no new reporting or record keeping requirements associated with this rulemaking. Furthermore, the rulemaking will not require the use of professional services for compliance.

All recreational anglers currently must enroll in the no-fee Department of Environmental Conservation (DEC) Recreational Marine Fishing Registry if they are age 16 and older and are either: 1) fishing for saltwater fish species in the marine and coastal district and are not fishing on a party or charter boat, or 2) fishing for migratory fish of the sea (diadromous species) within the tidal waters of the Hudson River and its tributaries, or waters of the Delaware River.

3. Costs:

There will be no initial capital or annual costs to comply with the new regulations.

4. Minimizing adverse impact:

This regulation is necessary for DEC to comply with the Atlantic States Marine Fisheries Commission's (ASMFC) emergency action for Atlantic Striped Bass. The proposed regulations are intended to decrease recreational harvest to help rebuild the currently overfished Atlantic Striped Bass coastwide stock. These measures will help to avoid the adverse economic and social impacts that would be associated with worsening stock

condition, or a federal closure of the fishery for non-compliance. A moratorium on the harvest of Atlantic Striped Bass would have a much greater adverse impact on New York's recreational and commercial Atlantic Striped Bass fishery and supporting industries than the proposed reduction in size. Ultimately, the maintenance of long-term sustainable fisheries will have a positive effect on the fishery and other industries the fishery supports.

5. Rural area participation:

The ASMFC Atlantic Striped Bass Management Board voted to enact an emergency action on May 2, 2023. Emergency action by ASMFC is very rare and does not have the standard public comment period as required by ASMFC's addendum and amendment process. Fifteen of ASMFC's member states, including New York, voted in favor of this action, with one member state voting against the action (New Jersey). ASMFC and DEC have published press releases, social media posts, and electronic newsletters, responded to news outlets, and have received direct communication via telephone and email from the concerned public. ASMFC held four virtual public hearings where New York stakeholders could attend and voice opinions on the Board's emergency action.

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

DEC will conduct an initial review of the proposed rule within three years, as required by SAPA section 207.

Job Impact Statement

1. Nature of impact:

The promulgation of this regulation is necessary for the Department of Environmental Conservation (DEC) to comply with the Atlantic State Marine Fisheries Commission's (ASMFC) emergency action for Atlantic Striped Bass. The proposed amendments to 6 NYCRR Part 10 and Part 40 will amend the recreational slot size for Atlantic Striped Bass in marine waters, including the Hudson River south of the George Washington Bridge, and in the Delaware River and its West Branch bordering Pennsylvania, from 28 to 35 inches to 28 to 31 inches.

This rulemaking may impact recreational fisheries, including private recreational fishers, and party and charter boat operators. Private anglers may have fewer opportunities to keep a legal sized fish, and party and charter boat operators may potentially lose business if customers have decreased interest in paying for fishing trips because of the decreased chance of keeping a legal-sized fish.

The management measures specified in this Notice of Emergency Adoption are already in effect. DEC originally submitted a Notice of Emergency Adoption and Proposed Rule Making to the Department of State on June 20, 2023 and the new regulations became effective that day.

2. Categories and numbers affected:

In 2023, DEC has issued 525 party and charter boat licenses, in the marine and coastal district. There were 396,841 people enrolled in the DEC Recreational Marine Fishing Registry in 2022, the last year for which data is available. All fishers need to register if they are age 16 and older and are either: (1) fishing for a saltwater fish species in the marine and coastal district while not aboard a party or charter boat; or (2) fishing for a migratory fish of the sea within the tidal waters of the Hudson River and its tributaries, or within the waters of the Delaware River. 2022 data from NOAA Fisheries reported 5,107,504 recreational angler trips targeting Atlantic Striped Bass in New York State.

3. Regions of adverse impact:

The proposed rule will affect recreational Atlantic Striped Bass fishers in the Marine and Coastal District and the Delaware River. The proposed regulations would not affect individuals who participate in the Atlantic Striped Bass fishery in the northern portion of the Hudson River, as those current limits will remain unchanged.

4. Minimizing adverse impact:

This regulation is necessary for DEC to comply with the ASMFC's emergency action for Atlantic Striped Bass. The proposed regulations are intended to decrease recreational harvest to help rebuild the currently overfished Atlantic Striped Bass coastwide stock. These measures will help to avoid the adverse economic and social impacts that would be associated with worsening stock condition, or a federal closure of the fishery for non-compliance. A moratorium on the harvest of Atlantic Striped Bass would have an adverse impact on New York's recreational and commercial Atlantic Striped Bass fishery and supporting industries that is significantly worse than the proposed reduction in size. Ultimately, the maintenance of long-term sustainable fisheries will have a positive effect on the fishery and other industries the fishery supports.

5. Self-employment opportunities:

The party and charter boat businesses, bait and tackle shops, and marinas likely to be impacted by this rule are mostly small businesses that are self-owned and operated. Some members of the recreational fishing industry are also self-employed.

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

DEC will conduct an initial review of the rule within three years, as required by SAPA section 207.

NOTICE OF EXPIRATION

The following notice has expired and cannot be reconsidered unless the Department of Environmental Conservation publishes a new notice of proposed rule making in the *NYS Register*.

Forest Tax Law

I.D. No.	Proposed	Expiration Date
ENV-28-22-00011-P	July 13, 2022	September 13, 2023

Department of Financial Services

**EMERGENCY
RULE MAKING**

Minimum Provisions for Automobile Liability Insurance Policies

I.D. No. DFS-27-23-00017-E

Filing No. 794

Filing Date: 2023-09-15

Effective Date: 2023-09-15

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

Action taken: Amendment of Subpart 60-1 (Regulation 35-A) of Title 11 NYCRR.

Statutory authority: Financial Services Law, sections 202, 302; Insurance Law, sections 301 and 3420(g)

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

Specific reasons underlying the finding of necessity: Chapter 735 of the Laws of 2022 ("Chapter 735"), as amended by Chapter 108 of the Laws of 2023 ("Chapter 108"), amended Insurance Law section 3420(g) to require motor vehicle liability insurers to provide supplemental spousal liability ("SSL") insurance to all policyholders in New York State who are covered under motor vehicle liability insurance policies that satisfy the requirements of New York Vehicle and Traffic Law Article 6, unless a named insured declines the insurance in writing. This requirement applies to all policies issued, renewed, or modified on and after August 1, 2023, and applies to all policyholders regardless of marital status and regardless of whether the policyholder is a business entity or natural person. An insurer also must notify named insureds that policies will include SSL insurance unless the named insured declines the insurance. According to the sponsor's memorandum in support for Chapter 735, the changes to the law were aimed at preventing "insurance consumers [from] unknowingly waiving supplemental spousal liability insurance coverage" as few "drivers are aware of the value of supplemental spousal liability insurance and insurance companies rarely promote this form of insurance coverage."

Insurance Law section 3420(g) applies to all policies issued, renewed, or modified on and after August 1, 2023. Insurers have begun sending renewal notices for policies renewing on or after August 1, 2023 and insurers must comply with Chapters 735 and 108 and this rulemaking when renewing such policies. Therefore, it is necessary to adopt the rulemaking on an emergency basis.

Subject: Minimum Provisions for Automobile Liability Insurance Policies.

Purpose: To conform to changes to the Insurance Law regarding supplemental spousal liability insurance.

Text of emergency rule: Section 60-1.6 is amended as follows:

This section implements *Insurance Law* section 3420(a) and (g) [of the *Insurance Law*], as amended by chapter 584 of the Laws of 2002, *chapter 735 of the Laws of 2022, and chapter 108 of the Laws of 2023*, which requires motor vehicle liability insurers to [offer] *provide* supplemental spousal liability [(SSL)] insurance to all policyholders in New York State who are covered under motor vehicle liability insurance policies that satisfy the requirements of [article 6 of the] New York Vehicle and Traffic Law *article 6, unless a named insured elects, in writing, and in such form as the superintendent determines, to decline and refuse such insurance in the policy.* This requirement applies to all policies issued, [or] renewed, [that become effective] *or modified on* [and] *or after* [January] *August 1, [2003] 2023, and applies to all policyholders, regardless of marital status, and regardless of whether the policyholder is a business entity or natural*

person. Section 3420(g)(2) provides that[, pursuant to regulations promulgated by the Superintendent of Financial Services,] a notification by the insurer to the named insured shall include an explanation of the coverage and the insurer's premium for the coverage.

(a) Minimum requirements of SSL insurance.

(1) Supplemental spousal liability insurance or *SSL insurance* means coverage against liability of an insured because of death of or injuries to [his or her] *the insured's* spouse up to the liability insurance limits provided under the policy even where the injured spouse, to be entitled to recover, must prove the culpable conduct of the insured spouse.

(2) SSL insurance and the requirements of this section shall apply only to the bodily injury liability coverage under a primary motor vehicle liability insurance policy that satisfies the requirements of [article 6 of the] New York Vehicle and Traffic Law *article 6* and shall not apply to other coverages under the policy or other types of policies, such as an umbrella liability or a for hire motor vehicle liability policy.

(3) If [an insurer has offered to the insured the option to purchase SSL insurance and the] a named insured [has not opted to purchase this] *elects, in writing, and in such form as the superintendent determines*, to decline and refuse SSL insurance, the policy will [continue to] not include [spousal liability coverage] *SSL insurance. An insurer shall not be required to obtain a written declination at each renewal or amendment of the policy if a named insured previously submitted a written declination of SSL insurance. An insurer may obtain an electronic written declination if the insurer adheres to the requirements of Insurance Law section 3458 regarding electronic notices and documents.*

(b) Notification about SSL insurance.

(1) An insurer issuing motor vehicle liability insurance policies that satisfy the requirements of [article 6 of the] New York Vehicle and Traffic Law *article 6* shall, with all such policies issued, [or] renewed, [that become effective] or modified on [and] or after [January] *August 1, [2003] 2023*, provide the notification to the named insureds under the policies [of] that the [availability of the optional] *policies shall include SSL insurance unless a named insured declines and refuses such insurance in writing and in such form as determined by the superintendent.*

(2) The notification [must] *shall* be contained on the front of the premium notice in boldface type and include a concise statement that supplementary spousal liability insurance is [available] *provided unless declined by a named insured*, an explanation of the insurance, and the premium for the insurance.

(3) For the purpose of this section, premium notice shall mean any one or more of the following: declarations page, premium notice, premium bill, installment bill or any attachment thereto, generally used by the insurer to communicate information to the insured concerning an insured's coverages and corresponding premiums.

(4) This notification shall be provided [with all new policies and thereafter annually with all] *upon issuance, renewal, or amendment of policies.*

(5) *For the purpose of this section, amendment or modified means a change in the policy coverage or underlying risk characteristics that results in a revised policy premium, such as the addition or removal of a vehicle, driver, or any coverage under the policy, or a change in the principal garaging of the insured's vehicle. Amendment or modified shall not mean purely ministerial changes, such as changes to the manner or timing of payment or corrections of typographical errors.*

(6) An insurer may use the following sample notification or its substantive equivalent:

SUPPLEMENTAL SPOUSAL LIABILITY COVERAGE

New York State law requires [that upon written request of an insured, and upon payment of the premium,] an insurer issuing or delivering a policy that satisfies the requirements of [article 6 of the] New York Vehicle and Traffic Law *article 6* [shall] to provide [Supplemental Spousal Liability Insurance coverage] *supplemental spousal liability insurance, unless a named insured elects, in writing, to decline and refuse such insurance in the policy.*

Supplemental spousal liability insurance provides bodily injury liability coverage under a motor vehicle insurance policy [to cover the liability of an insured spouse because of the death of or injury to his or her spouse, even where the injured spouse must prove the culpable conduct of the insured spouse] *when a person is injured or killed in a motor vehicle accident caused by the negligence of the person's spouse.*

This coverage is included within the policy's bodily injury liability limits and does not increase the amount of those limits. For example:

Insured's bodily injury policy coverage limit: \$100,000/\$300,000

Insured's bodily injury damage claim paid to spouse: \$75,000

Insured's bodily injury policy coverage limit available to all other claimants subject to a maximum of \$100,000 per person: \$225,000

This example assumes the spouse and other claimants involved in the accident have a right to sue the insured for economic loss or for non-economic loss (i.e., pain and suffering) sustained as a result of a "serious

injury" as defined in [section 5102(d) of the] Insurance Law *section 5102(d)*. It must also have been shown that there was negligence on the part of the insured.

If you decline this coverage, then the injured or deceased spouse would not be covered under the bodily injury liability coverage in the policy.

The additional premium for [SSL coverage] *supplemental spousal liability insurance* is \$XX.XX. If you do not [elect to purchase] *decline or have not previously declined* this coverage [and do not remit the additional premium] *in writing, [SSL coverage] supplemental spousal liability insurance* is [not] *automatically* included in your motor vehicle insurance policy. *If the supplemental spousal liability insurance is not declined in writing, failure to pay the supplemental spousal liability insurance premium may result in the issuance of a policy cancellation notice for nonpayment of premium.*

(7) *An insurer may specify the supplemental spousal liability insurance premium in the declination form or the notification as a percentage of the bodily injury premium if the declination form or notification clearly includes all the relevant information so that the named insured can reasonably ascertain the dollar amount from the declination form or notification, including the bodily injury premium. If the bodily injury premium is listed on a different page of the notification (i.e., on the declarations page), then the notification shall direct the named insured to such other page. If the policy provides coverage for more than one motor vehicle and the bodily injury premium is separately stated for each motor vehicle, the declination form or notification shall clearly state that the premium for supplemental spousal liability insurance would be a percentage of the sum of all the bodily injury premiums.*

This notice is intended to serve only as a notice of emergency adoption. This agency intends to adopt the provisions of this emergency rule as a permanent rule, having previously submitted to the Department of State a notice of proposed rule making, I.D. No. DFS-27-23-00017-EP, Issue of July 5, 2023. The emergency rule will expire November 13, 2023.

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

Regulatory Impact Statement

1. Statutory authority: The Superintendent's authority to promulgate this rulemaking derives from Financial Services Law ("FSL") sections 202 and 302 and Insurance Law ("IL") sections 301 and 3420(g).

FSL section 202 establishes the office of the Superintendent and designates the Superintendent as the head of the Department of Financial Services ("Department").

FSL section 302 and Insurance Law section 301 authorize the Superintendent to effectuate any power accorded to the Superintendent by the Insurance Law, the Banking Law, the FSL, or any other law of this state and to prescribe regulations interpreting the Insurance Law, among other things.

IL section 3420(g) sets forth requirements for the provision of supplemental spousal liability ("SSL") insurance.

2. Legislative objectives: To require an insurer to provide SSL insurance unless a named insured declines the insurance in writing.

3. Needs and benefits: Chapter 735 of the Laws of 2022 ("Chapter 735"), as amended by Chapter 108 of the Laws of 2023 ("Chapter 108"), amended IL section 3420(g) to require motor vehicle liability insurers to provide SSL insurance to all policyholders in New York State who are covered under motor vehicle liability insurance policies that satisfy the requirements of New York Vehicle and Traffic Law Article 6, unless a named insured declines the insurance in writing. This requirement applies to all policies issued, renewed, or modified on and after August 1, 2023, and applies to all policyholders regardless of marital status and regardless of whether the policyholder is a business entity or natural person. An insurer also must notify named insureds that policies will include SSL insurance unless the named insured declines the insurance (the "mandatory SSL notice"). According to the sponsor's memorandum in support for Chapter 735, the changes to the law were aimed at preventing "insurance consumers [from] unknowingly waiving supplemental spousal liability insurance coverage" as few "drivers are aware of the value of supplemental spousal liability insurance and insurance companies rarely promote this form of insurance coverage."

This rulemaking accords with the Legislature's public policy objectives by amending existing SSL insurance requirements to conform to the amendments made by Chapters 735 and 108 so that the rule matches the law and so that named insureds automatically receive SSL insurance unless they decline it.

IL section 3420(g) applies to all policies issued, renewed, or modified on and after August 1, 2023. Insurers have begun sending renewal notices for policies renewing on or after August 1, 2023 and insurers must comply with Chapters 735 and 108 and this rulemaking when renewing such

policies. Therefore, it is necessary to adopt the rulemaking on an emergency basis.

4. **Costs:** Insurers may incur costs to revise the mandatory SSL notice already set forth in Subpart 60-1 and to file revised policy forms with the Department if insurers include the mandatory SSL notice in their policies, such as on the declarations page. Insurers also may incur costs obtaining written declination forms from named insureds. However, that is the consequence of Chapters 735 and 108 and not this rulemaking.

The Department may incur costs to review revised policy forms that insurers may file. However, any additional costs incurred should be minimal and the Department should be able to absorb such costs in its ordinary budget.

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

6. **Paperwork:** Insurers will need to revise the mandatory SSL notice already set forth in Subpart 60-1 and obtain declination forms from named insureds. Insurers also may need to submit revised policy forms to the Department for approval if insurers include the mandatory SSL notice in their policies, such as on the declarations page. However, that is the consequence of Chapters 735 and 108 and not this rulemaking.

7. **Duplication:** This rulemaking does not duplicate, overlap, or conflict with any existing State or federal rules or other legal requirements.

8. **Alternatives:** The Department considered not promulgating the rulemaking. However, the rulemaking is necessary to conform to the changes made by Chapters 735 and 108.

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

10. **Compliance schedule:** The rulemaking will take effect immediately upon the filing of the Notice of Emergency Adoption with the Secretary of State.

Regulatory Flexibility Analysis

1. **Effect of rule:** This rulemaking amends existing requirements applicable to supplemental spousal liability (“SSL”) insurance to conform to Chapter 735 of the Laws of 2022 (“Chapter 735”) and Chapter 108 of the Laws of 2023 (“Chapter 108”), which amended Insurance Law section 3420(g) to require an insurer to provide SSL insurance unless a named insured declines the insurance in writing and to notify named insureds that policies will include SSL insurance unless declined (the “mandatory SSL notice”).

Industry has asserted in the past that certain insurers, in particular mutual insurers, subject to the rulemaking fall within the definition of a “small business” as defined by State Administrative Procedure Act section 102(8) because in general they are independently owned and have fewer than 100 employees.

2. **Compliance requirements:** No local government will have to undertake any reporting, recordkeeping, or other affirmative acts to comply with the rulemaking because the rulemaking does not apply to any local government.

Insurers that are small businesses, like all insurers subject to this regulation, will need to revise the mandatory SSL notice already set forth in Subpart 60-1 and obtain declination forms from named insureds. They also may need to submit revised policy forms to the Department of Financial Services (“Department”) for approval if they include the mandatory SSL notice in their policies, such as on the declarations page. However, that is the consequence of Chapters 735 and 108 and not this rulemaking.

3. **Professional services:** No local government will need professional services to comply with this rulemaking because the rulemaking does not apply to any local government. The Department does not anticipate that any insurer that is a small business affected by the rulemaking, if any, should need to retain professional services, such as lawyers or auditors, to comply with this rulemaking.

4. **Compliance costs:** Insurers that are small businesses may incur costs to revise the mandatory SSL notice already set forth in Subpart 60-1 and obtain declination forms from named insureds. They also may incur costs if they need to submit revised policy forms to the Department for approval because they include the mandatory SSL notice in their policies, such as on the declarations page. However, that is the consequence of Chapters 735 and 108 and not this rulemaking.

5. **Economic and technological feasibility:** This rulemaking does not apply to any local government; therefore, no local government should experience any economic or technological impact because of the rulemaking. An insurer that is a small business affected by the rulemaking, if any, should not experience any economic or technological impact because of the rulemaking.

6. **Minimizing adverse impact:** There will not be an adverse impact on any local government because the rulemaking does not apply to any local government. This rulemaking should not have an adverse impact on an insurer that is a small business affected by the rulemaking, if any, because

the rulemaking uniformly affects all insurers that are subject to the rulemaking.

7. **Small business and local government participation:** The Department filed a notice of proposed rulemaking and emergency adoption that was published in the State Register on July 5, 2023, and complied with SAPA Section 202-b(6) by posting a draft of the regulation on its website on May 19, 2023 for pre-proposal comment and notifying interested parties of the posting. The Department posted the filed rulemaking on its website on June 21, 2023. All small businesses and local governments also will have an opportunity to participate in the rulemaking process again when the rulemaking is published in the State Register and posted on the Department’s website for formal public comment.

Rural Area Flexibility Analysis

The Department of Financial Services finds that this rulemaking will not have any adverse economic impact or impose compliance requirements on rural areas. The rulemaking merely implements Chapter 735 of the Laws of 2022 and Chapter 108 of the Laws of 2023, which require an insurer to provide supplemental spousal liability insurance unless a named insured declines the insurance in writing and to notify named insureds that policies will include supplemental spousal liability insurance unless declined. The rulemaking applies uniformly to insurers that do business in both rural and non-rural areas of New York State.

Job Impact Statement

The Department of Financial Services finds that this rulemaking will not have a substantial adverse impact on jobs and employment opportunities. The rulemaking merely implements Chapter 735 of the Laws of 2022 and Chapter 108 of the Laws of 2023, which require an insurer to provide supplemental spousal liability insurance unless a named insured declines the insurance in writing and to notify named insureds that policies will include supplemental spousal liability insurance unless declined.

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Minimum Provisions for Automobile Liability Insurance Policies

I.D. No. DFS-27-23-00017-A

Filing No. 791

Filing Date: 2023-09-13

Effective Date: 2023-10-04

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

Action taken: Amendment of Subpart 60-1 (Regulation 35-A) of Title 11 NYCRR.

Statutory authority: Financial Services Law, sections 202, 302; Insurance Law, sections 301 and 3420(g)

Subject: Minimum Provisions for Automobile Liability Insurance Policies.

Purpose: To conform to changes to the Insurance Law regarding supplemental spousal liability insurance.

Text or summary was published in the July 5, 2023 issue of the Register, I.D. No. DFS-27-23-00017-EP.

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

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

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2026, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

The agency received no public comment.

Department of Health

NOTICE OF ADOPTION

Investigation of Communicable Disease

I.D. No. HLT-16-23-00004-A

Filing No. 795

Filing Date: 2023-09-15

Effective Date: 2023-10-04

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

Action taken: Amendment of Part 2 and section 405.3 of Title 10 NYCRR.

Statutory authority: Public Health Law, sections 225 and 2803

Subject: Investigation of Communicable Disease.

Purpose: Control of communicable disease.

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

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

* * *

[Monkeypox] *Mpox*

* * *

Section 2.5 is amended to read as follows:

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

* * *

[Monkeypox] *Mpox*

* * *

Section 2.6 is repealed and replaced as follows:

2.6 Investigations and Response Activities.

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

- (1) Verify the existence of a disease or condition;
- (2) Ascertain the source of the disease-causing agent or condition;
- (3) Identify unreported cases;

(4) Locate and evaluate contacts of cases and suspected cases, as well as those reasonably expected to have been exposed to the disease;

(5) Collect and submit, or cause to be collected or submitted, for laboratory examination such specimens as may furnish necessary or appropriate information for determining the source of disease, or to assist with diagnosis; and furnish or cause to be furnished with such specimens pertinent data on forms prescribed by the State Commissioner of Health, including but not limited to the history of cases, physical findings and details of the epidemiological investigation;

(6) With the training or assistance of the State Department of Health, examine the processes, structures, conditions, machines, apparatus, devices, equipment, records, and material within such places that may be relevant to the investigation of disease or condition;

(7) Instruct a responsible member of a household or entity, as applicable, to implement appropriate actions to prevent further spread of a disease; and

(8) Take any other steps to reduce morbidity and mortality that the local health authority determines to be appropriate.

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

(c) Investigation Updates and Reports.

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

(2) The local health authority shall complete investigation reports of outbreaks within 30 days of the conclusion of the investigation in a manner prescribed by the State Commissioner of Health, unless the State Commissioner of Health prescribes a different time period.

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

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

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

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

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

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

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

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

* * *

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

- (i) attendance;
- (ii) date and duration of the meeting;
- (iii) synopsis of issues discussed and actions or recommendations made; [and]

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

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

* * *

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

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

Final rule as compared with last published rule: Nonsubstantial changes were made in section 405.3(d)(12) and (g).

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

Revised Regulatory Impact Statement**Statutory Authority:**

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

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

Legislative Objectives:

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

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

Needs and Benefits:

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

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

Part 2 Amendments:

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

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

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

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

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

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

Part 405 Amendments

- Mandates hospitals to report syndromic surveillance data during an outbreak of a communicable disease of high public health consequence or other public health emergency.

- Permits the Commissioner to direct general hospitals to accept patients during an outbreak of a communicable disease of high public health consequence or other public health emergency, provided it's done consistent with the federal Emergency Medical Treatment and Labor Act (EMTALA).

Costs:**Costs to Regulated Parties:**

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

The requirement that hospitals submit syndromic surveillance reports when requested during an outbreak is not expected to result in any substantial costs. Hospitals are already regularly and voluntarily submitting data to the Department, and nearly all of them submit such reports

electronically. With regard to the Commissioner directing general hospitals to accept patients during an outbreak of a communicable disease of high public health consequence, hospitals are already required to adhere to the federal Emergency Medical Treatment and Labor Act (EMTALA). Accordingly, both of these proposed amendments will not impose any substantial additional cost to hospitals.

Costs to Local and State Governments:

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

Paperwork:

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

Local Government Mandates:

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

Duplication:

There is no duplication in existing State or federal law.

Alternatives:

The alternative would be to leave in place the current regulations on disease investigation. However, many of these regulatory provisions have not been updated in fifty years and should be modernized to ensure appropriate response to communicable disease outbreaks.

Federal Standards:

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

Compliance Schedule:

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

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

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

Compliance Requirements:

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

Professional Services:

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

Compliance Costs:

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

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

Economic and Technological Feasibility:

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

Minimizing Adverse Impact:

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

Small Business and Local Government Participation:

These regulations have been proposed for permanent adoption, so all parties have had an opportunity to provide comments during the notice and comment period.

Revised Rural Area Flexibility Analysis**Types and Estimated Numbers of Rural Areas:**

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

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

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

The following counties of have population of 200,000 or greater, and towns with population densities of 150 person or fewer per square mile, based upon the United States Census estimated county populations for 2010:

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

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

As the proposed regulations largely clarify existing responsibilities and duties among regulated entities and individuals, no additional recordkeeping, compliance requirements, or professional services are expected. With respect to mandating syndromic surveillance reporting during an outbreak of a communicable disease of high public health consequence, hospitals are already reporting syndromic surveillance data regularly and voluntarily. Additionally, the requirement for local health departments to continually report to the Department during such an outbreak is historically a practice that already occurs.

Costs:

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

Economic and Technological Feasibility:

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

Minimizing Adverse Impact:

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

Rural Area Participation:

These regulations have been proposed for permanent adoption, so all parties have had an opportunity to provide comments during the notice and comment period.

Revised Job Impact Statement

Changes made to the last published rule do not necessitate revision to the previously published Job Impact Statement.

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2026, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

The New York State Department of Health (NYSDOH or “the Department”) published a Notice of Proposed Rulemaking in the State Register on April 19, 2023. The Department received public comments from the New York City Department of Health and Mental Hygiene and from the New York State Association of County Health Officials (NYSACHO). These comments and the Department’s responses are summarized below.

COMMENT: Commenters requested modifications to 10 NYCRR § 2.6(a) to allow for more flexibility in case investigations. Commenters noted that regulation as drafted requires local health departments to “immediately” investigate every suspected and confirmed case of disease. The New York City Health Department indicated that it receives millions of reports annually for the over 70 reportable diseases listed in 10 NYCRR § 2.1 and was concerned that it is not possible to investigate all such cases—much less all suspected cases—nor necessary or desirable from a public health, economic, or privacy perspective.

RESPONSE: The Department finds this comment to be reasonable. However, there are diseases that warrant immediate investigation to protect public health. These diseases include ones that involve an agent where post-exposure prophylaxis may prevent future cases or future spread of cases, ones that involve select agents, and ones that involve pathogens of high consequence. These are delineated in form DOH-389 and will continue to be indicated as such. No changes to the proposed regulation are being made as a result of these comments; however, the Department anticipates making future amendments to 10 NYCRR § 2.6(a) to incorporate additional flexibilities are suggested by commenters.

COMMENT: Commenters shared concerns that the proposed regulations include a list of activities that must be undertaken as part of a communicable disease investigation—including investigating all public and private places in which the local health department has reason to believe are associated with such disease, ascertaining the source of the disease-causing agent, and causing laboratory specimens to be collected or submitted for testing—which commenters pointed out was neither feasible nor necessary or desirable for all reported suspected and confirmed cases of disease. Commenters pointed out that the regulations being repealed (and replaced by the proposed regulations) allowed local health departments discretion to investigate cases “as the circumstances may require” and suggested such discretion be added back into the proposed regulations.

RESPONSE: The Department agrees that the modifying the regulation to require investigations “as the circumstances may require” would be appropriate. Although no changes to the proposed regulation are being made at this time, the Department anticipates making this change in future rulemaking.

COMMENT: A commentor recommended striking the phrase “as well as those reasonably expected to have been exposed to the disease” from 10 NYCRR § 2.6(a)(4), as they thought it was not clear what this phrase is meant to cover beyond contacts.

RESPONSE: The Department agrees with this comment. As contact tracing is not indicated in all investigations, and as some pathogens are not transmitted person-to-person, it makes sense to strike this or to alter language to include a phrase such as “when indicated” after the phrase the commenter highlights. Although no changes to the proposed regulation are being made at this time, the Department anticipates making this change in future rulemaking.

COMMENT: A commenter suggested revising 10 NYCRR § 2.6(c) to allow for more flexibility in the report submission process, particularly regarding timing, as thirty (30) days will often not allow sufficient time to gather necessary information. The commenter also noted that decisions regarding the manner, timing, and form of report submission should be made in consultation with local health departments.

RESPONSE: The Department understands the concern raised by this comment; however, thirty (30) days should be sufficient to report closed investigations. It is also important to note that the proposed regulation includes a provision that allows the Commissioner of Health to set a different time period, which could allow for additional time. No amendments to the proposed regulation are necessary as a result of these comments.

COMMENT: A commenter strongly opposed 10 NYCRR § 2.6(d) of the proposed regulations, which allows the Department to lead local disease investigation and response activities if they impact multiple NYS jurisdictions, impact out-of-state jurisdictions, or involve an outbreak with a high potential for statewide impact. In such cases, the regulations require local health departments to “take all reasonable steps to assist in such investigation and response, including supply of personnel, equipment or information.” The commenter stated that this requirement not only usurps local health departments’ authority over such investigations but requires

them to use their own staff and resources as dictated by NYSDOH, impacting other unrelated local health department activities and budgets. In addition, the commenter stated that there could be union and other labor issues as this seemingly allows for a secondment of staff.

RESPONSE: The Department understands the concerns of the commenter; however, pursuant to Public Health Law (PHL) § 206, the Commissioner of Health and the Department have the power and duty to investigate the causes of disease, epidemics, the sources of mortality, and the effect of localities, employments, and other conditions, upon the public health. While local health departments are authorized and have the power to investigate outbreaks within their respective jurisdictions, it is important that the Commissioner of Health has the power to elect to lead investigation in the interest of public health at large. No changes to the proposed regulation were made as a result of these comments.

COMMENT: One commenter recommended to amend 10 NYCRR § 2.12, which is cross-referenced in the proposed regulations in Section 2.6(b). Section 2.12 creates a duty for the head of a private household or the person in charge of any institution or school (among others) to immediately report the name and address of persons with a disease to the local health department “when no physician is in attendance.” The commenter strongly recommended that this provision be modified to require such reporting only if directed by NYSDOH or the local health department. This provision has been in place for many years and the commenter does not believe it is complied with, nor reasonable or practicable to do so. They recommended modifying this provision to afford discretion for local health departments to require employer or school reporting of a reportable disease, as appropriate and necessary under the circumstances, but not create a blanket obligation that is not reasonable or practicable under all circumstances.

RESPONSE: Section 2.12 of Title 10 of the NYCRR is outside the scope of the proposed rulemaking; however, the Department understands the commenter’s concerns and will consider making the recommended amendments in future rulemaking.

COMMENT: One commenter suggested amending Section 2.6(d)(1) by adding a new subparagraph (v) to allow the State Commissioner of Health to elect to lead investigation and response activities where: “A local health authority requests that the State Health Commissioner lead the investigation due to jurisdictional concerns, lack of regulatory/oversight authority, or absent the resources necessary to conduct or continue an investigation.” The commenter stated that the proposed regulation fails to provide a regulatory pathway for a local health department to request the Health Commissioner lead the investigation. In these events, local health departments respond to the best of their ability, but resource and staffing barriers may impede this process and State assistance or takeover as lead in those situations may be warranted.

RESPONSE: Where a local health department declares a state of emergency due to a communicable disease outbreak, there is an avenue to request aid from the Governor, and in alignment with the Governor, the Health Commissioner. Pursuant to Executive Law § 24(7), in cases where the chief executive of the county where the local state of emergency is declared determines that the disaster is beyond the capacity of the local government to meet adequately and State assistance is necessary to amplify local efforts to save lives and protect property, public health and safety, or to avert or less the threat of a disaster, the chief executive may request the Governor to provide assistance. No changes to the proposed regulation were made as a result of these comments.

NOTICE OF ADOPTION

Removal of the COVID-19 Vaccine Requirement for Personnel in Covered Entities

I.D. No. HLT-26-23-00001-A

Filing No. 797

Filing Date: 2023-09-18

Effective Date: 2023-10-04

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

Action taken: Repeal of section 2.61; amendment of sections 405.3, 415.19, 751.6, 763.13, 766.11, 794.3 and 1001.11 of Title 10 NYCRR; amendment of sections 487.9, 488.9 and 490.9 of Title 18 NYCRR.

Statutory authority: Public Health Law, sections 225, 2800, 2803, 3612, 4010; Social Services Law, sections 461 and 461-e

Subject: Removal of the COVID-19 Vaccine Requirement for Personnel in Covered Entities.

Purpose: To remove the COVID-19 Vaccine Requirement for Personnel in Covered Entities.

Text or summary was published in the June 28, 2023 issue of the Register, I.D. No. HLT-26-23-00001-P.

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

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

Initial Review of Rule

As a rule that does not require a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2028, which is no later than the 5th year after the year in which this rule is being adopted.

Assessment of Public Comment

The New York State Department of Health (Department) received one comment regarding the proposed repeal of the COVID-19 vaccination requirement for personnel in covered entities. This comment and the Department’s response are summarized below.

Comment: The New York City Department of Health and Mental Hygiene urged the Department not to repeal the COVID-19 vaccination requirement for personnel in covered health care facilities and to instead amend the regulation to require personnel in covered entities to be “up to date with their COVID-19 vaccination and wear a mask if they are not, during such times as the State Commissioner of Health determines COVID-19 to be prevalent.” The New York City Department of Health and Mental Hygiene stated that such an amendment would reduce the risk of COVID-19 transmission to patients, many of whom may be at increased risk for severe COVID-19 outcomes; help protect health care infrastructure; and align COVID-19 health care setting vaccination requirements with those for influenza.

Response: The Department carefully considered amending the regulation to require personnel to be “up to date” on COVID-19 vaccinations, rather than “fully vaccinated.” However, this change was not made because of the likelihood of continued changes to federal COVID-19 vaccine recommendations and the uncertainty of such recommendations in the future. The Department also considered allowing personnel to wear a well-fitting face covering in lieu of being vaccinated against COVID-19. However, this option was ultimately not chosen because of unknowns surrounding future trends in COVID-19 case rates and because of the likely continuing evolution of federal vaccine recommendations. Unlike influenza, COVID-19 has not completely established a seasonality and requiring health care facilities to track both influenza and COVID-19 vaccination status and/or mask wearing for all personnel would create significant logistical challenges for healthcare facilities. By repealing the regulation, health care facilities will be able to determine on their own whether to implement a COVID-19 vaccination requirement or a face-covering requirement. The Department is continually monitoring the spread and mutations of COVID-19 and will keep these comments in mind should future rulemaking on the matter be necessary. No changes to the proposed regulation have been made as a result of these comments.

NOTICE OF EXPIRATION

The following notice has expired and cannot be reconsidered unless the Department of Health publishes a new notice of proposed rule making in the *NYS Register*:

Hospital and Nursing Home Personal Protective Equipment (PPE) Requirements

I.D. No.	Proposed	Expiration Date
HLT-23-22-00001-P	May 19, 2022	September 6, 2023

Department of Labor

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Minimum Wage Increases for 2024-2026

I.D. No. LAB-40-23-00036-P

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

Proposed Action: Amendment of Parts 141, 142, 143, 146 and 190 of Title 12 NYCRR.

Statutory authority: Labor Law, sections 21(11), 652 and 673

Subject: Minimum Wage Increases for 2024-2026.

Purpose: To implement minimum wage increases set by Labor Law Section 652 as amended in 2023.

Substance of proposed rule (Full text is posted at the following State website: <https://dol.ny.gov/minimum-wage-0>): 12 NYCRR Part 141 (Minimum Wage Order for the Building Service Industry) is amended: at 141-1.2(a)(1), 141-1.2(a)(2), 141-1.2(b), 141-1.2(c), 141-1.3(a)(1)(i), 141-1.3(a)(1)(ii), 141-1.3(a)(2), 141-1.3(a)(3), 141-1.6(a)(2)(i)(a)(i), 141-1.6(a)(2)(i)(a)(ii), 141-1.6(a)(2)(i)(b), 141-1.6(a)(2)(i)(c), 141-1.6(a)(2)(ii)(a)(i), 141-1.6(a)(2)(ii)(a)(ii), 141-1.6(a)(2)(ii)(b), 141-1.6(a)(2)(ii)(c), 141-1.8(a)(1)(i), 141-1.8(a)(1)(ii), 141-1.8(a)(2), 141-1.8(a)(3), 141-2.8(a)(i), 141-2.8(a)(ii), 141-2.8(b), 141-2.8(c), 141-3.2(c)(1)(i)(e)(1)(i), 141-3.2(c)(1)(i)(e)(1)(ii), 141-3.2(c)(1)(i)(e)(2), 141-3.2(c)(1)(i)(e)(3), 141-3.2(c)(1)(ii)(d)(1)(i), 141-3.2(c)(1)(ii)(d)(1)(ii), 141-3.2(c)(1)(ii)(d)(2), and 141-3.2(c)(1)(ii)(d)(3) to increase the basic hourly minimum wage to conform with Labor Law Section 652(1-a) and Labor Law Section 652(2).

12 NYCRR Part 142-2 (Minimum Wage Order for Miscellaneous Industries except Nonprofitmaking Institutions) is amended: 142-2.1(a)(1)(i), 142-2.1(a)(1)(ii), 142-2.1(a)(2), 142-2.1(a)(3), 142-2.5(a)(1)(i)(a)(1), 142-2.5(a)(1)(i)(a)(2), 142-2.5(a)(1)(i)(b), 142-2.5(a)(1)(i)(c), 142-2.5(a)(1)(ii)(a)(1), 142-2.5(a)(1)(ii)(a)(2), 142-2.5(a)(1)(ii)(b), 142-2.5(a)(1)(ii)(c), 142-2.5(a)(2)(i)(a), 142-2.5(a)(2)(i)(b), 142-2.5(a)(2)(ii), 142-2.5(a)(2)(iii), 142-2.5(b), 142-2.5(c)(1)(i), 142-2.5(c)(1)(ii), 142-2.5(c)(2), 142-2.5(c)(3), 142-2.14(c)(4)(i)(e)(1)(i), 142-2.14(c)(4)(i)(e)(1)(ii), 142-2.14(c)(4)(i)(e)(2), 142-2.14(c)(4)(i)(e)(3), 142-2.14(c)(4)(ii)(d)(1)(i), 142-2.14(c)(4)(ii)(d)(1)(ii), 142-2.14(c)(4)(ii)(d)(2), 142-2.14(c)(4)(ii)(d)(3) and 142-2.21 to increase the basic hourly minimum wage to conform with Labor Law Section 652(1-a) and Labor Law Section 652(2).

12 NYCRR Part 142-3 (Minimum Wage Order for Nonprofit Making Institutions that have not Elected to be Exempt from Coverage under a Minimum Wage Order) is amended: at 142-3.1(a)(1)(i), 142-3.1(a)(1)(ii), 142-3.1(a)(2), 142-3.1(a)(3), 142-3.5(a)(1)(i)(a)(1), 142-3.5(a)(1)(i)(a)(2), 142-3.5(a)(1)(i)(b), 142-3.5(a)(1)(i)(c), 142-3.5(a)(1)(ii)(a)(1), 142-3.5(a)(1)(ii)(a)(2), 142-3.5(a)(1)(ii)(b), 142-3.5(a)(1)(ii)(c), 142-3.5(a)(2)(i)(a), 142-3.5(a)(2)(i)(b), 142-3.5(a)(2)(ii), 142-3.5(a)(2)(iii), 142-3.5(b)(1)(i)(a), 142-3.5(b)(1)(i)(b), 142-3.5(b)(1)(ii), 142-3.5(b)(1)(iii), 142-3.5(b)(2)(i)(a), 142-3.5(b)(2)(i)(b), 142-3.5(b)(2)(ii), 142-3.5(b)(2)(iii), 142-3.5(c)(1)(i), 142-3.5(c)(1)(ii), 142-3.5(c)(2), 142-3.5(c)(3), 142-3.12(c)(2)(i)(e)(1)(i), 142-3.12(c)(2)(i)(e)(1)(ii), 142-3.12(c)(2)(i)(e)(2), 142-3.12(c)(2)(i)(e)(3), 142-3.12(c)(2)(ii)(d)(1)(i), 142-3.12(c)(2)(ii)(d)(1)(ii), 142-3.12(c)(2)(ii)(d)(2) and 142-3.12(c)(2)(ii)(d)(3) to increase the basic hourly minimum wage to conform with Labor Law Section 652(1-a) and Labor Law Section 652(2).

12 NYCRR Part 143 (Minimum Wage Order for not-for-profit institutions that certifies that it will pay the statutory minimum wage in lieu of being covered under a minimum wage order) is amended: at 143.0(b)(1)(i), 143.0(b)(1)(ii), 143.0(b)(2), 143.0(b)(3), 143.1(b)(1)(v)(a)(1), 143.1(b)(1)(v)(a)(2), 143.1(b)(1)(v)(b), 143.1(b)(1)(v)(c), 143.1(b)(2)(iv)(a)(1), 143.1(b)(2)(iv)(a)(2), 143.1(b)(2)(iv)(b), and 143.1(b)(2)(iv)(c) to increase the basic hourly minimum wage to conform with Labor Law Section 652(1-a) and Labor Law Section 652(2).

12 NYCRR Part 146 (Minimum Wage Order for the Hospitality Industry) is amended: at 146-1.2, 146-1.3(a)(1)(i)(a), 146-1.3(a)(1)(i)(a), 146-1.3(a)(1)(ii), 146-1.3(a)(1)(iii), 146-1.3(a)(2)(i)(a), 146-1.3(a)(2)(i)(b), 146-1.3(a)(2)(ii), 146-1.3(a)(2)(iii), 146-1.3(b)(1)(i), 146-1.3(b)(1)(ii), 146-1.3(b)(2), 146-1.3(b)(3), 146-1.7(a)(1)(i), 146-1.7(a)(1)(ii), 146-1.7(a)(2), 146-1.7(a)(3), 146-1.9(a)(1)(i)(a), 146-1.9(a)(1)(i)(b), 146-1.9(a)(1)(ii), 146-1.9(a)(1)(iii), 146-1.9(b)(1)(i)(a), 146-1.9(b)(1)(i)(b), 146-1.9(b)(1)(ii), 146-1.9(b)(1)(iii), 146-1.9(b)(2)(i)(a), 146-1.9(b)(2)(i)(b), 146-1.9(b)(2)(ii), 146-1.9(b)(2)(iii), 146-1.9(c)(1)(i), 146-1.9(c)(1)(ii), 146-1.9(c)(2), 146-1.9(c)(3), 146-1.9(d)(1)(i)(a), 146-1.9(d)(1)(i)(b), 146-1.9(d)(1)(ii), 146-1.9(d)(1)(iii), 146-1.9(d)(2)(i)(a), 146-1.9(d)(2)(i)(b), 146-1.9(d)(2)(ii), 146-1.9(d)(2)(iii), 146-1.9(d)(3)(i)(a), 146-1.9(d)(3)(i)(b), 146-1.9(d)(3)(ii), 146-1.9(d)(3)(iii), 146-3.2(c)(1)(i)(e)(1)(i), 146-3.2(c)(1)(i)(e)(1)(ii), 146-3.2(c)(1)(i)(e)(2), 146-3.2(c)(1)(i)(e)(3), 146-3.2(c)(1)(ii)(d)(1)(i), 146-3.2(c)(1)(ii)(d)(1)(ii), 146-3.2(c)(1)(ii)(d)(2), and 146-3.2(c)(1)(ii)(d)(3) to increase the basic hourly minimum wage to conform with Labor Law Section 652(1-a) and Labor Law Section 652(2).

12 NYCRR Part 190 (Minimum Wage Order for Farm Workers) is amended: at 190-2.1(a)(1), 190-2.1(a)(2), 190-2.1(b), and 190-2.1(c) to increase the basic hourly minimum wage to conform with Labor Law Section 652(1-a) and Labor Law Section 652(2).

Text of proposed rule and any required statements and analyses may be obtained from: Jill Archambault, NYS Department of Labor, Building 12, State Office Campus, Albany, NY 12240, (518) 485-2191, email: regulations@labor.ny.gov

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

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

Regulatory Impact Statement

Statutory Authority: Labor Law §§ 21(11), 652, and 673. This rulemaking implements the public policy objectives that the legislature sought to advance by enacting a statutory scheme to increase the minimum wage in several regions across the State. Chapter 56 of the Laws of 2023 (Labor Law § 652(1-a)) provided for increases in the minimum wage at a set rate and schedule. On January 1, 2024, the minimum wage for each hour worked in New York City and the counties of Nassau, Suffolk and Westchester will be \$16.00; and will be \$15.00 on January 1, 2024, for each hour worked in the rest of the state. The statute provides additional increases by \$0.50 each year on January 1, 2025 (\$16.50 in New York City and the counties of Nassau, Suffolk, and Westchester; and \$15.50 in the rest of the state) and January 1, 2026 (\$17.00 in New York City and the counties of Nassau, Suffolk, and Westchester; and \$16.00 in the rest of the state). Beginning January 1, 2027, the State's minimum wage will be a rate established by the Commissioner of Labor ("Commissioner") and determined by the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) for the Northeast Region. See Labor Law § 652(1-b).

Labor Law § 652(2) requires the Commissioner to increase monetary amounts in existing wage orders in the same proportion as the hourly minimum wage. Such modified wage orders shall be promulgated by the Commissioner without a public hearing, and without reference to a wage board, and shall become effective on the effective date of such increases in the minimum wage. See Labor Law § 652(2). This rulemaking adjusts existing wage orders from Articles 19 and 19-A of the Labor Law accordingly.

Legislative Objectives: To adjust existing wage orders from Articles 19 and 19-A of the Labor Law to conform to minimum wage increases in Labor Law § 652 as amended in 2023.

Needs and Benefits: This rulemaking implements the increases in the minimum wage rates contemplated and required by Chapter 56 of the Laws of 2023 according to the statutory formulas set forth in Labor Law § 652 at subdivisions 1-a, 2, 4, and 5, as amended. This rulemaking is required by law and will conform existing wage orders to the law, which will provide clarity to employers and employees about the rates and allowances permitted under Labor Law § 652.

Costs: The cost of this rulemaking to the regulated community is related to the cost of the increase in the minimum wage scheme enacted by the legislature. This rulemaking does not establish or eliminate any requirements for additional pay or opportunities for allowances that employers may claim, but simply establishes the new dollar amounts that result from legislation enacted in 2023.

Local Government Mandates: None. Federal, state, and municipal governments, and political subdivisions thereof, are excluded from coverage under 12 NYCRR Parts 141, 142, 143, 146 and 190 by Labor Law § 651(5) and Labor Law § 671(2). They are not covered under Part 143 because it covers only certain non-profit organizations, in accordance with Labor Law § 652(3).

Paperwork: The rulemaking imposes no new or additional paperwork requirements.

Duplication: This rulemaking exceeds the federal minimum wage requirements, but follows the requirements set by the New York State Legislature.

Alternatives: This rulemaking is required by law and, thus, there were no alternatives considered.

Federal Standards: This rulemaking implements the minimum wage and requirements set forth in New York law that exceeds the federal minimum wage. There are no other federal standards relating to this rule at this time.

Compliance Schedule: The regulated community will be required to comply with this regulation on and after January 1, 2024.

Regulatory Flexibility Analysis

Effect of Rule: All small businesses, but no local governments, are potentially affected by the changes in this rulemaking.

Compliance Requirements: There are no changes in the reporting or record-keeping requirements regarding the minimum wage. Different minimum wage rates apply in different regions, therefore employers who choose to pay different hourly rates for hours worked in different regions for a given employee during a single payroll period will have to track the hours worked at each rate. The requirement to track hours worked at different rates is not a new requirement imposed by this rulemaking and is based on the employer's decision to pay different rates for different hours. That requirement can be avoided by paying the same hourly rate for work performed in two regions, as long as that hourly rate does not fall below the minimum rate for either region.

Professional Services: No professional services would be required to effectuate the purposes of this rule.

Compliance Costs: This rulemaking does not establish or eliminate any requirements for additional pay or opportunities for allowances that employers may claim, but simply establishes the new dollar amounts that result from the legislation enacted in 2023.

Economic and Technological Feasibility: Compliance with these amendments will be economically and technologically feasible because this rulemaking simply adjusts existing rates, without imposing new, or altering existing, requirements or procedures for complying with minimum wage requirements.

Minimizing Adverse Impact: The increases to the minimum wage rates are required by law. Small businesses may choose to take steps to minimize their costs by claiming available allowances for items such as meals and lodging and by avoiding practices that trigger additional pay requirements for certain work shifts and uniform (clothing) practices.

Small Business and Local Government Participation: The Department of Labor will be including information about the regulation in its monthly newsletter to subscribing businesses. Additionally, the increases in minimum wage rates were enacted by the New York State Legislature and the Governor as part of the annual budget process outlined by Article VII of the New York State Constitution. Increases to the minimum wage were initially included in the Governor's Executive Budget proposal and adopted by the legislature after members of the Senate and Assembly considered the Governor's proposal at their public joint budget committee hearing, and as part of several months of negotiations during the budget process, throughout which many individuals and organizations representing small businesses could reach out to their elected officials. The Department of Labor's mandate is to adjust existing wage orders accordingly.

Rural Area Flexibility Analysis

1. Types and estimated numbers of rural areas: This rulemaking applies to all private employers in all areas of the state.

2. Reporting, recordkeeping and other compliance requirements; and professional services: There are no changes in the reporting or record-keeping requirements regarding the minimum wage and no professional services will be required to comply with this rule. Employers who choose to pay different hourly rates for hours worked in different regions for a given employee during a single payroll period will have to track the hours worked at each rate. The requirement to track hours worked at different rates is not a new requirement imposed by this rulemaking and is based on the employer's decision to pay different rates for different hours. That requirement can be avoided by paying the same hourly rate for work performed in two regions, as long as that hourly rate does not fall below the minimum rate for either region.

3. Costs: This rulemaking does not impose any additional costs separate and apart from the costs imposed by the legislature in increasing minimum wage rates and in establishing statutory formulas for adjusting amounts set forth in these rules. Such compliance costs, however characterized, do not exceed the cost of reviewing and increasing pay rates consistent with the statutory increases implemented by this rulemaking.

4. Minimizing adverse impact: The increases to the minimum wage rates are required by law, but rural businesses may choose to take steps to minimize their costs by claiming available allowances for items such as meals and lodging and by avoiding practices that trigger additional pay requirements for certain work shifts and uniform (clothing) practices.

5. Rural area participation: The increases in minimum wage rates were enacted by the New York State Legislature and the Governor as part of the annual budget process outlined by Article VII of the New York State Constitution. Increases to the minimum wage were initially included in the Governor's Executive Budget proposal and adopted by the legislature after members of the Senate and Assembly considered the Governor's proposal at their public joint budget committee hearing, and as part of several months of negotiations during the budget process, throughout which many individuals and organizations representing small businesses could reach out to their elected officials. The Department of Labor's mandate is to adjust existing wage orders accordingly.

6. Initial Review of Rule: The Department of Labor will review the rule within the third calendar year after adoption.

Job Impact Statement

1. Nature of Impact: This rulemaking conforms existing Wage Orders to the statutory increases in the New York State minimum hourly wage rate required by Labor Law § 652 and the amendments thereto made by Chapter 56 of the Laws of 2023.

2. Categories and Numbers Affected: This rulemaking applies to all private employers in all areas of the state.

3. Regions of Adverse Impact: This rulemaking tracks the regions defined in Labor Law § 652 and schedules that provide additional time for employers in upstate regions outside of New York City and the counties of Nassau, Suffolk, and Westchester. On January 1, 2024, the minimum wage for each hour worked in New York City and the counties of Nassau, Suffolk and Westchester will be \$16.00; and will be \$15.00 on January 1,

2024, for each hour worked in the rest of the state. The statute provides additional increases by \$0.50 each year on January 1, 2025 (\$16.50 in New York City and the counties of Nassau, Suffolk, and Westchester; and \$15.50 in the rest of the state) and January 1, 2026 (\$17.00 in New York City and the counties of Nassau, Suffolk, and Westchester; and \$16.00 in the rest of the state). Beginning January 1, 2027, the State's minimum wage will be a rate established by the Commissioner of Labor ("Commissioner") and determined by the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) for the Northeast Region. See Labor Law § 652(1-b).

4. Minimizing Adverse Impact: The increases to the minimum wage rates are required and in accordance with the process established by the legislature in adopting Chapter 56 of the Laws of 2023, but employers may minimize their costs and impact on jobs, by claiming available allowances for items such as meals and lodging and by avoiding practices that trigger additional pay requirements for certain work shifts and uniform (clothing) practices.

5. Self-Employment Opportunities: It is not anticipated that this rulemaking will have a measurable impact on opportunities for self-employment.

6. Initial Review of Rule: The Department of Labor will review the rule within the third calendar year after adoption.

Public Service Commission

NOTICE OF ADOPTION

Submetering of Electricity and Waiver Request

I.D. No. PSC-51-22-00003-A

Filing Date: 2023-09-19

Effective Date: 2023-09-19

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

Action taken: On 9/14/23, the PSC adopted an order approving BOP Greenpoint D LLC's (BOP Greenpoint) petition to submeter electricity at 27 Eagle 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 BOP Greenpoint's petition to submeter electricity and waiver request.

Substance of final rule: The Commission, on September 14, 2023, adopted an order approving BOP Greenpoint D LLC's petition to submeter electricity at 27 Eagle 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 December 21, 2022 issue of the Register, I.D. No. PSC-51-22-00003-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-0463SA1)

NOTICE OF ADOPTION

UTEN Pilot Project Proposal

I.D. No. PSC-05-23-00008-A

Filing Date: 2023-09-14

Effective Date: 2023-09-14

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

Action taken: On 9/14/23, the PSC adopted an order directing New York State's seven largest utilities to file a Final Utility Thermal Energy Network (UTEN) Pilot Project Proposal no later than December 15, 2023.

Statutory authority: Public Service Law, sections 4(1), 65(1), 66(1) and 66-t

Subject: UTEN Pilot Project Proposal.

Purpose: To direct New York State's seven largest utilities to file a Final UTEN Pilot Project Proposal.

Substance of final rule: The Commission, on September 14, 2023, adopted an order directing Consolidated Edison of New York, Inc., Orange and Rockland Utilities, Inc., New York State Electric & Gas Corporation, Rochester Gas and Electric Corporation, Central Hudson Gas & Electric Corporation, National Grid USA (Niagara Mohawk Power Corporation d/b/a National Grid, The Brooklyn Union Gas Company d/b/a National Grid NY, and KeySpan Gas East Corporation d/b/a National Grid), and National Fuel Gas Distribution Company, collectively, New York State's seven largest utilities, to file a Final Utility Thermal Energy Network (UTEN) Pilot Project Proposal no later than December 15, 2023. Staff of the Department of Public Service (Staff) shall convene a technical conference, by public notice and within 30 days of the effective date of the order, to identify key terms and develop agreed upon definitions for use within this proceeding, which Staff shall file with the Secretary to the Commission upon completion. Staff shall conduct a compliance review to determine whether the Final UTEN Pilot Project Proposals meet the requirements set forth in the order. If a Final UTEN Pilot Project Proposal is found to be compliant, the Director of the Office of Energy System Planning and Performance (or successor) shall issue a letter confirming compliance and allowing the pilot project to advance to Stage 2 described in the body of the order. New York State's seven largest utilities shall, within nine months following the issuance of a letter allowing its pilot project(s) to advance to Stage 2 as described in Ordering Clause 3, file with the Secretary to the Commission its Final UTEN Pilot Project Engineering Design and Customer Protection Plan for that pilot project. Staff shall convene one or more technical conference(s) to address performance metrics including, but not limited to, the categories of: (1) technical; (2) financial; (3) customer/societal; and (4) safety/reliability. The first technical conference shall be held before March 31, 2024. Staff shall, following the final technical conference required in Ordering Clause 5, make a filing documenting the outcome of the technical conferences. New York State's seven largest utilities shall file monthly Progress and Expenditure reports detailing the pilot project(s) status and associated expenditures to date. The first report shall be filed by November 15, 2023 with subsequent reports to be filed on the 15th of every month thereafter, subject to the terms and conditions set forth in the order.

Text or summary was published in the February 1, 2023 issue of the Register, I.D. No. PSC-05-23-00008-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.

(22-M-0429SA1)

NOTICE OF ADOPTION

Transfer of Ownership and Control

I.D. No. PSC-08-23-00002-A

Filing Date: 2023-09-15

Effective Date: 2023-09-15

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

Action taken: On 9/14/23, the PSC adopted an order approving, subject to conditions, Archtop Fiber LLC (Archtop) and Hancock Telephone Company, Inc., et al.'s (Hancock) joint petition to transfer ownership and control of Hancock to Archtop.

Statutory authority: Public Service Law, section 222

Subject: Transfer of ownership and control.

Purpose: To approve, subject to conditions, the transfer of control from Hancock to Archtop.

Substance of final rule: The Commission, on September 14, 2023, adopted an order approving, subject to conditions, the joint petition filed on January 19, 2023, as supplemented on August 15, 2023, of Archtop Fiber LLC (Archtop), Hancock Telephone Company, Inc. (Hancock Tel), Hancock Long Distance, Inc. (Hancock LD) and Han Cel, Inc. (Hancel) (collectively, the Petitioners) to complete a transfer of ownership and control of Hancock Tel, Hancock LD, and Hancel (collectively Hancock) to Archtop. Upon receipt by the Commission of certification by the Petitioners that they and their successors in interest unequivocally accept and agree to comply with the conditions and commitments set forth in the body of the order. Such certification shall be submitted within seven (7) business days of the issuance of the order. If the Petitioners do not unconditionally accept within seven (7) business days of the issuance of the order, the order shall constitute a denial of the joint petition and supplement. Within 60 days after the consummation of the Transaction, the Petitioners shall notify the Secretary to the Commission in writing that the Transaction has been successfully executed. If the Transaction is not consummated within one year of the date of the order, the Commission may rescind the approvals granted herein. The Petitioners shall extend high-speed broadband service (defined for purposes of this commitment as an internet access service with minimum speeds of 100 Megabits-per-second (Mbps) download and 10 Mbps upload) to at least 227 incremental unserved/underserved addresses in and around its New York Incumbent Local Exchange Carrier's footprint, consistent with the discussion in the body of the order. The Petitioners shall pass any combination of at least 81 of the identified unserved/underserved and/or overbuild addresses within one (1) year of the close of the Transaction, and the remainder of at least 146 unserved/underserved addresses within two (2) years of the close of the Transaction. Within 60 days of the issuance of the order, the Petitioners shall file with the Secretary to the Commission a list of at least 227 unserved/underserved addresses they propose to pass. These addresses will be subject to Department of Public Service Staff's (Department Staff) review and acceptance. To the extent the Petitioners receive any public funding (e.g., State, federal, county) for any addresses used to satisfy the broadband build-out requirements described herein and in the body of the order, Petitioners shall invest an amount equal to the amount received by Petitioners under such public funding, to extend high-speed broadband service to additional unserved/underserved addresses or overbuild addresses with existing high-speed broadband service provided by another carrier. Every six (6) months from the date of the issuance of the order, Petitioners shall file with the Secretary to the Commission a report containing the details of any publicly funded awards, including for example, the date and amount of the award, funding sources, addresses covered, and, if applicable, the amount and plan for additional capital investment in high-speed broadband expansion in accordance with the build-out conditions herein. Petitioners shall complete any expansion of high-speed broadband service as soon as commercially reasonable but no later than 24 months after receipt of such public funding. The Petitioners shall file with the Secretary to the Commission network build-out compliance reports every six (6) months, beginning from the date of the issuance of the order, indicating the number of unserved/underserved addresses and/or overbuild addresses passed as of the date of the respective compliance report filings. The Petitioners shall be required to (1) upgrade Hancock's network to XGS-PON; (2) increase middle mile backhaul capacity and establish an additional middle mile backhaul circuit to an Internet point of presence; (3) upgrade Hancock's operations support systems and business support systems; and (4) upgrade Hancock's cybersecurity safeguards consistent with the discussion in the body of the order within two years of the close of the Transaction. To ensure that the Petitioners are meeting the obligations in Ordering Clause 8 in a timely manner, the Petitioners shall be required to file with the Secretary to the Commission compliance reports every six (6) months, beginning six (6) months from the date of the issuance of the order, indicating the status of each project discussed in Ordering Clause 8 consistent with the discussion in the body of the order. The Petitioners shall notify the Secretary to the Commission within 30 days of the date should the common equity ratio of Hancock Tel fall below 50 percent on a 12-month rolling average basis. Following the notification, the Petitioners must meet with the Department Staff within 30 days to discuss their plan to address any further deterioration in the common equity ratio. The Petitioners shall file the agreed-upon capital structure mitigation plan with the Secretary to the Commission no later than 30 days after meeting with the Department Staff. The Petitioners may request relief from this condition five years from the date of the close of the Transaction. The Petitioners shall notify the Secretary to the Commission within 30 days of the date should the common equity ratio of the consolidated entity (i.e., Archtop) fall below 40 percent on a 12-month rolling average basis. Following the notification, the Petitioners must meet with the Department Staff within 30 days to discuss their plan to address any further deterioration in the common equity ratio. The Petitioners shall file the agreed-upon capital structure mitigation plan with the Secretary to

the Commission no later than 30 days after meeting with the Department Staff. Archtop shall provide annual balance sheet and income statements to the Commission within 60 days of the end of every calendar year for the duration of this condition. The Petitioners may request relief from this condition, through the later of, two years from the date of the close of the Transaction or the completion of the broadband deployment commitments. No amount of goodwill or premium paid above book value incurred in the Transaction shall be recovered from Hancock Tel's ratepayers or included on the books and records of Hancock Tel. The costs of the Transaction shall be excluded from the rate base, expenses and capitalization in the determination of rates and earned returns of Hancock Tel for New York State intrastate regulatory accounting and reporting purposes. No costs related to Archtop's acquisition transaction shall be recovered from Hancock Tel's ratepayers. The Transaction shall not be secured by Hancock Tel, Hancock LD or Hancel assets. Moreover, Archtop shall not provide any financial guarantees of Hancock Tel, Hancock LD or Hancel assets to facilitate the Transaction or any other future acquisitions without Commission approval. The Petitioners shall continue to participate in the Affordable Connectivity Program (ACP) or its successor program(s) implemented by the Federal Communications Commission for the remaining length of the ACP or successor program(s), so long as the ACP or successor program(s) retain materially similar terms and conditions as the ACP has as of the date of the order. The Petitioners shall be precluded from laying off, involuntarily reducing, or taking any action that is intended to reduce customer-facing jobs in New York for Hancock Tel, Hancock LD, and Hancel for a period of two years following the close of the Transaction, with the exception of early retirement incentives and attrition. The Petitioners shall demonstrate that the total number of employees at Hancock Tel, Hancock LD, and Hancel as of the date of the order is maintained through the second anniversary of the close of the Transaction, at the same full/part time ratio. Hancock Tel, Hancock LD, and Hancel shall be required to report to the Commission the number of customer-facing jobs in their respective service territories within 21 days of the issuance of the order, and to provide quarterly updates for the two years following the close of the Transaction. Department Staff shall have unrestricted access to all books and records (including General Ledger and Trial Balance) of the acquirer (Archtop) and the acquired companies (Hancock Tel, Hancock LD and Hancel). The aforementioned books and records (1) shall not be removed from New York State without prior Commission approval and (2) shall be maintained separately from those of its affiliates. Hancock Tel, Hancock LD and Hancel shall maintain their books and records in a place accessible (which may be through electronic access) to the Commission and Department Staff and shall provide such access to the Commission and Department Staff upon request. The Petitioners shall be subject to a Most Favored State clause consistent with the discussion in the body of the order. If, in obtaining approval of the Transaction in other state or federal jurisdictions, the Petitioners commit to additional benefits, they shall, within 30 days allowing such commitments, notify the Commission of their intent to provide those commitments in New York. Notwithstanding the foregoing, the conditions here shall be provided in addition to any benefit that results from any other state or federal action regarding the Transaction, subject to the terms and conditions set forth in the order.

Text or summary was published in the February 22, 2023 issue of the Register, I.D. No. PSC-08-23-00002-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-0042SA1)

NOTICE OF ADOPTION

Waiver of Article VII Application Regulations

I.D. No. PSC-14-23-00007-A

Filing Date: 2023-09-18

Effective Date: 2023-09-18

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

Action taken: On 9/14/23, the PSC adopted an order granting Queensboro Development LLC (Queensboro) a waiver of certain Commission regula-

tions related to its Article VII application for a Certificate of Environmental Compatibility and Public Need.

Statutory authority: Public Service Law, sections 4 and 122

Subject: Waiver of Article VII application regulations.

Purpose: To grant Queensboro a waiver of certain Article VII application regulations.

Substance of Final Rule: The Commission, on September 14, 2023, adopted an order granting Queensboro Development LLC a waiver of certain Commission regulations related to its Article VII application for a Certificate of Environmental Compatibility and Public Need, 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-14-23-00007-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.

(22-T-0670SA1)

NOTICE OF ADOPTION

Waiver Relating to the Distribution of Printed Telephone Directories

I.D. No. PSC-17-23-00004-A

Filing Date: 2023-09-18

Effective Date: 2023-09-18

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

Action taken: On 9/14/23, the PSC adopted an order granting, subject to conditions, Newport Telephone Company, Inc. (Newport) a waiver of 16 NYCRR § 602.10(b), relating to the distribution of printed telephone directories.

Statutory authority: Public Service Law, section 94(2)

Subject: Waiver relating to the distribution of printed telephone directories.

Purpose: To grant, subject to conditions, Newport a waiver of 16 NYCRR § 602.10(b).

Substance of Final Rule: The Commission, on September 14, 2023, adopted an order granting, subject to conditions, Newport Telephone Company, Inc. (Newport) a waiver of 16 NYCRR § 602.10(b), relating to the distribution of printed telephone directories, discontinuing the blanket distribution of hard-copy printed annual directories to its customers and transitioning to an environmentally sustainable digital directory option. Newport shall provide residential and business white page directory listings, including "front-of-book" information, to customers online or in printed form upon request, at no charge. Within 30 days of the issuance of the order, and consistent with the discussion herein, Newport shall communicate the change in directory distribution and the options available to consumers, through bill inserts and/or customer billing statements, on the Company's website, and through press release. Proof of each notification shall be submitted to the Secretary of the Commission and filed in the case within 45 days of the issuance of the order. Within 30 days of the issuance of the order, and consistent with the discussion herein, Newport shall notify carriers with whom it has interconnection or commercial agreements alerting them to the change in the directory distribution process. Proof of each notification shall be submitted to the Secretary of the Commission and filed in the case within 45 days of the issuance of the order. Within 30 days of the issuance of the order, and consistent with the discussion herein, Newport shall provide notification to Competitive Local Exchange Carrier customers relying on the Company for distribution in affected local exchange areas of the change in directory distribution and the options available to consumers. Proof of each notification shall be submitted to the Secretary of the Commission and filed in the case within 45 days of the issuance of the order, subject to the terms and conditions set forth in the order.

Text or summary was published in the April 26, 2023 issue of the Register, I.D. No. PSC-17-23-00004-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-C-0149SA1)

NOTICE OF ADOPTION

Annual Rate Increase

I.D. No. PSC-18-23-00007-A

Filing Date: 2023-09-14

Effective Date: 2023-09-14

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

Action taken: On 9/14/23, the PSC adopted an order authorizing the Village of Churchville (Churchville) to increase its annual electric revenues by \$162,881, to be effective on October 1, 2023.

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

Subject: Annual rate increase.

Purpose: To authorize Churchville for an increase in annual revenue.

Substance of Final Rule: The Commission, on September 14, 2023, adopted an order authorizing the Village of Churchville (Churchville) to increase its annual electric revenues by \$162,881, to be effective on October 1, 2023. Churchville is directed to file on not less than five days' notice, to become effective on October 1, 2023, such tariff revisions establishing the approved rates as shown in Appendix C and any other tariff changes consistent with the discussion in the body of the order. Churchville is directed to file a cancellation supplement, effective on not less than one day's notice, on or before September 22, 2023, cancelling the tariff amendments listed in Appendix A to the order. Churchville is directed to provide its customers with individual notification of the Commission's determination in the order no later than four weeks after the issuance of the order. Churchville is directed to file with the Secretary to the Commission, no later than four weeks after the issuance of the order, a copy of the customer notification, identified in Ordering Clause No. 3, and an attestation that Churchville complied with Ordering Clause No. 3. Churchville is directed to work with the Department of Public Service's Office of Consumer Services Staff to develop written customer service procedures and related materials that include, but are not limited to, complaint handling procedures, deferred payment agreement processes, Home Energy Fair Practices Act compliance documents, and a plan for customer education and outreach. Within 180 days of the order, Churchville is directed to file these written customer service procedures with the Secretary to the Commission under Case 23-E-0159. Churchville is directed to file further tariff amendments as authorized in the order to effectuate new delivery rates for the Second Stage Update within 60 days after the in-service date of the new derrick digger, on not less than 30 days' notice, and to become effective on the first day of a month, but no earlier than October 1, 2024. Churchville is directed to provide its customers with individual notification of its Second Stage Update no later than two weeks after Churchville files tariff amendments to effectuate the Second Stage Update rates. Churchville is directed to file with the Secretary to the Commission, no later than 25 days after submitting the Second Stage Update filing, a copy of the customer notification, identified in Ordering Clause No. 7, and an attestation that Churchville complied with Ordering Clause No. 7, 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-18-23-00007-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-0159SA1)

NOTICE OF ADOPTION

Waiver Relating to the Distribution of Printed Telephone Directories

I.D. No. PSC-23-23-00002-A

Filing Date: 2023-09-18

Effective Date: 2023-09-18

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

Action taken: On 9/14/23, the PSC adopted an order granting, subject to conditions, Germantown Telephone Company Inc d/b/a GTel Teleconnections (GTel) a waiver of 16 NYCRR § 602.10(b), relating to the distribution of printed telephone directories.

Statutory authority: Public Service Law, section 94(2)

Subject: Waiver relating to the distribution of printed telephone directories.

Purpose: To grant, subject to conditions, GTel a waiver of 16 NYCRR § 602.10(b).

Substance of Final Rule: The Commission, on September 14, 2023, adopted an order granting, subject to conditions, Germantown Telephone Company Inc d/b/a GTel Teleconnections (GTel) a waiver of 16 NYCRR § 602.10(b), relating to the distribution of printed telephone directories, discontinuing the blanket distribution of hard-copy printed annual directories to its customers and transitioning to an environmentally sustainable digital directory option. GTel shall provide residential and business white page directory listings, including "front-of-book" information, to customers online or in printed form upon request, at no charge. Within 30 days of the issuance of the order, and consistent with the discussion herein, GTel shall communicate the change in directory distribution and the options available to consumers, through bill inserts and/or customer billing statements, on the Company's website, and through press release. Proof of each notification shall be submitted to the Secretary of the Commission and filed in the case within 45 days of the issuance of the order. Within 30 days of the issuance of the order, and consistent with the discussion herein, GTel shall notify carriers with whom it has interconnection or commercial agreements alerting them to the change in the directory distribution process. Proof of each notification shall be submitted to the Secretary of the Commission and filed in the case within 45 days of the issuance of the order. Within 30 days of the issuance of the order, and consistent with the discussion herein, GTel shall provide notification to Competitive Local Exchange Carrier customers relying on the Company for distribution in affected local exchange areas of the change in directory distribution and the options available to consumers. Proof of each notification shall be submitted to the Secretary of the Commission and filed in the case within 45 days of the issuance of the order, 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-23-23-00002-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-C-0245SA1)

NOTICE OF ADOPTION

Waiver Relating to the Distribution of Printed Telephone Directories

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

Filing Date: 2023-09-18

Effective Date: 2023-09-18

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

Action taken: On 9/14/23, the PSC adopted an order granting, subject to conditions, Dunkirk and Fredonia Telephone Company (D&F) and Cassadaga Telephone Corporation (Cassadaga) a waiver of 16 NYCRR § 602.10(b), relating to the distribution of telephone directories.

Statutory authority: Public Service Law, section 94(2)

Subject: Waiver relating to the distribution of printed telephone directories.

Purpose: To grant, subject to conditions, D&F and Cassadaga a waiver of 16 NYCRR § 602.10(b).

Substance of Final Rule: The Commission, on September 14, 2023, adopted an order granting, subject to conditions, Dunkirk and Fredonia Telephone Company (D&F) and Cassadaga Telephone Corporation (Cassadaga) a waiver of 16 NYCRR § 602.10(b), relating to the distribution of printed telephone directories, discontinuing the blanket distribution of hard-copy printed annual directories to their customers and transitioning to an environmentally sustainable digital directory option. The request for a waiver of the requirements of 16 NYCRR § 602.10(a), to publish online directories at an interval greater than the required interval is denied. D&F and Cassadaga shall each provide residential and business white page directory listings, including “front-of-book” information, to customers online or in printed form upon request, at no charge. Within 30 days of the issuance of the order, and consistent with the discussion herein, D&F and Cassadaga shall both communicate the change in directory distribution and the options available to consumers, through bill inserts and/or customer billing statements, on the Companies’ websites, and through press releases. Proof of each notification shall be submitted to the Secretary of the Commission and filed in the case within 45 days of the issuance of the order. Within 30 days of the issuance of the order, and consistent with the discussion herein, D&F and Cassadaga shall both notify carriers with whom they each have interconnection or commercial agreements alerting them to the change in the directory distribution process. Proof of each notification shall be submitted to the Secretary of the Commission and filed in the case within 45 days of the issuance of the order. Within 30 days of the issuance of the order, and consistent with the discussion herein, D&F and Cassadaga both shall provide notification to Competitive Local Exchange Carrier customers relying on the Companies for distribution in affected local exchange areas of the change in directory distribution and the options available to consumers. Proof of each notification shall be submitted to the Secretary of the Commission and filed in the case within 45 days of the issuance of the order, 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-23-23-00004-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-C-0252SA1)

NOTICE OF ADOPTION

Transfer of Street Lighting Facilities

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

Filing Date: 2023-09-18

Effective Date: 2023-09-18

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

Action taken: On 9/14/23, the PSC adopted an order authorizing Central Hudson Gas & Electric Corporation’s (Central Hudson) petition to transfer street lighting facilities within the Town of Cornwall, New York (Cornwall) to Cornwall.

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

Subject: Transfer of street lighting facilities.

Purpose: To authorize Central Hudson’s petition to transfer street lighting facilities.

Substance of Final Rule: The Commission, on September 14, 2023, adopted an order authorizing Central Hudson Gas & Electric Corporation’s (Central Hudson) petition to transfer street lighting facilities within the Town of Cornwall, New York (Cornwall) to Cornwall. 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. Central Hudson shall file with the Secretary, within 60 days of the transfer of the street lighting facilities to Cornwall, 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 June 7, 2023 issue of the Register, I.D. No. PSC-23-23-00005-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-0206SA1)

NOTICE OF ADOPTION

Submetering of Electricity

I.D. No. PSC-25-23-00004-A

Filing Date: 2023-09-19

Effective Date: 2023-09-19

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

Action taken: On 9/14/23, the PSC adopted an order approving Wampus Mills, LLC’s (Wampus Mills) notice of intent to submeter electricity at 585 Main Street, Armonk, 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 Wampus Mills’ notice of intent to submeter electricity.

Substance of final rule: The Commission, on September 14, 2023, adopted an order approving Wampus Mills, LLC’s notice of intent to submeter electricity at 585 Main Street, Armonk, 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 June 21, 2023 issue of the Register, I.D. No. PSC-25-23-00004-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-E-0281SA1)

NOTICE OF ADOPTION

Modification to Financing Arrangement

I.D. No. PSC-26-23-00009-A

Filing Date: 2023-09-15

Effective Date: 2023-09-15

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

Action taken: On 9/14/23, the PSC adopted an order authorizing Orange and Rockland Utilities, Inc. (O&R) to modify the financing arrangement previously granted in the Order Authorizing the Issuance of Securities, issued on May 13, 2022.

Statutory authority: Public Service Law, section 69

Subject: Modification to financing arrangement.

Purpose: To authorize O&R to modify the previously granted financing arrangement.

Substance of Final Rule: The Commission, on September 14, 2023, adopted an order authorizing Orange and Rockland Utilities, Inc. (O&R)

to modify the financing arrangement previously granted in the Order Authorizing the Issuance of Securities, issued in this case on May 13, 2022 (May 2022 Order), permitting O&R to include a negative pledge as one of the terms and conditions of future long-term debt securities issued pursuant to said financing authority. All other provisions of the May 2022 Order remain in effect without modification, subject to the terms and conditions set forth in the order.

Text or summary was published in the June 28, 2023 issue of the Register, I.D. No. PSC-26-23-00009-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.

(22-M-0062SA2)

NOTICE OF ADOPTION

Long-term Financing Arrangements

I.D. No. PSC-27-23-00010-A

Filing Date: 2023-09-15

Effective Date: 2023-09-15

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

Action taken: On 9/14/23, the PSC adopted an order authorizing the New York Independent System Operator, Inc. (NYISO) to enter into financing arrangements to incur long-term indebtedness.

Statutory authority: Public Service Law, sections 2(12), (13), 4(1), 5(2), 65(1), 66(1), (2), (4), (5) and 69

Subject: Long-term financing arrangements.

Purpose: To authorize NYISO to enter into financing arrangements to incur long-term indebtedness.

Substance of Final Rule: The Commission, on September 14, 2023, adopted an order authorizing the New York Independent System Operator, Inc. (NYISO) to enter into financing arrangements to incur long-term indebtedness. NYISO is authorized to enter into a new five-year, \$50 million revolving line of credit through December 31, 2028. NYISO is also authorized to enter into a new five-year, \$100 million unsecured term loan facility dedicated to funding capital investments, software development projects and other strategic initiatives through December 31, 2028. The credit facilities authorized may be used only for the respective purposes and in the manner described in the body of the order. If, prior to closing, the respective terms of one or more of the credit facilities authorized indicate higher interest costs or other material changes that increase the cost of the proposed facilities compared to the costs described in the petition or the body of the order, NYISO shall seek additional Commission authority before closing on the applicable credit facility or facilities. Within 120 days of the closing of any part of the facilities authorized under the order, NYISO shall file with the Secretary to the Commission at Secretary@dps.ny.gov, a copy of the agreement and a verified report that shows all costs and expenses associated with that portion of the financial facility. NYISO shall, within 60 days after the end of each calendar year, file with the Secretary to the Commission at Secretary@dps.ny.gov, a verified report in the form prescribed by 16 NYCRR Section 115.1. The report shall include the date the proceeds were utilized for the purposes authorized in Ordering Clause Nos. 1 and 2 of the order, the amount, and the purpose for which the funds were utilized. The securities authorized by the order shall not be issued unless and until there has been filed with this Commission an unconditional acceptance by NYISO to obey all the terms, conditions, and requirements of the order. If such acceptance is not so filed within a period of 30 days from the effective date of the order, the order may be revoked by the Commission without further notice, subject to the terms and conditions set forth in the order.

Text or summary was published in the July 5, 2023 issue of the Register, I.D. No. PSC-27-23-00010-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-0293SA1)

NOTICE OF ADOPTION

Submetering of Electricity and Waiver Request

I.D. No. PSC-27-23-00012-A

Filing Date: 2023-09-19

Effective Date: 2023-09-19

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

Action taken: On 9/14/23, the PSC adopted an order approving Chelsea 23rd Realty LLC's (Chelsea 23rd) notice of intent to submeter electricity at 280 W 24th Street, New York, 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 Chelsea 23rd's notice of intent to submeter electricity and waiver request.

Substance of final rule: The Commission, on September 14, 2023, adopted an order approving Chelsea 23rd Realty LLC's notice of intent to submeter electricity at 280 W 24th Street, New York, 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 July 5, 2023 issue of the Register, I.D. No. PSC-27-23-00012-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-0240SA1)

PROPOSED RULE MAKING HEARING(S) SCHEDULED

Proposed Major Rate Increase in Electric Delivery Revenues

I.D. No. PSC-40-23-00030-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 proposal filed by Central Hudson Gas & Electric Corporation to make various changes in the rates, charges, rules and regulations as contained in its tariff schedule P.S.C. No. 15 — Electricity.

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

Subject: Proposed major rate increase in electric delivery revenues.

Purpose: To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.

Public hearing(s) will be held at: 10:30 a.m., Jan. 9, 2024 and continuing daily as needed at Department of Public Service, 19th Fl., Board Rm., 3 Empire State Plaza Albany, NY (Evidentiary Hearing)*

*On occasion, the evidentiary hearing date may be rescheduled or postponed. In that event, notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Case 23-E-0418.

Interpreter Service: Interpreter services will be made available to hearing

impaired persons, at no charge, upon written request submitted within reasonable time prior to the scheduled public hearing. The written request must be addressed to the agency representative designated in the paragraph below.

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

Substance of proposed rule: The Commission is considering a proposal, filed on July 31, 2023, by Central Hudson Gas and Electric Corporation (Central Hudson or the Company) to increase its electric delivery revenues for the rate year ending June 30, 2025, as contained in P.S.C. No. 15 – Electricity.

Central Hudson is requesting an increase in annual electric delivery revenues of approximately \$139.5 million (31.6 percent in base delivery revenues, or 13.3 percent in total system revenues). The Company's requested increase in electric delivery revenues would result in a total monthly bill increase of about \$30.12 (31.9 percent increase on the delivery bill, or 16.4 percent increase on the total bill) for an average residential customer using 660 kWh per month. Central Hudson states that the major drivers of the electric revenue request include increases related to capital investment mainly associated with the replacement of aging infrastructure (24 percent); increased labor expense (21 percent); continued and enhanced low income, energy efficiency and heat pump programs (18 percent); increases due to capitalizations and financing costs (13 percent); and timely recovery of costs associated with responding to major storms and extreme weather (11 percent). The initial suspension period for the proposed filing runs through December 31, 2023.

The full text of the proposal 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 also 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: Five days after the last scheduled public hearing.

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

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

(23-E-0418SP1)

PROPOSED RULE MAKING HEARING(S) SCHEDULED

Proposed Major Rate Increase in Gas Delivery Revenues

I.D. No. PSC-40-23-00034-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 proposal filed by Central Hudson Gas & Electric Corporation to make various changes in the rates, charges, rules and regulations as contained in its tariff schedule P.S.C. No. 12 — Gas.

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

Subject: Proposed major rate increase in gas delivery revenues.

Purpose: To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.

Public hearing(s) will be held at: 10:30 a.m., Jan. 9, 2024 and continuing daily as needed at Department of Public Service, 19th Fl., Board Rm., 3 Empire State Plaza, Albany, NY (Evidentiary Hearing)*

*On occasion, the evidentiary hearing date may be rescheduled or postponed. In that event, notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Case 23-G-0419.

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

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

Substance of proposed rule: The Commission is considering a proposal, filed on July 31, 2023, by Central Hudson Gas and Electric Corporation (Central Hudson or the Company) to increase its gas delivery revenues for the rate year ending June 30, 2025, as contained in P.S.C. No. 12 — Gas.

Central Hudson is requesting an increase in annual gas delivery revenues of approximately \$41.5 million (29.8 percent in base delivery revenues, or 14.2 percent in total system revenues). The Company's requested increase in gas delivery revenues would result in a total monthly bill increase of about \$30.13 (29.2 percent increase on the delivery bill, or 19.0 percent increase on the total bill) for an average residential customer using 780 Ccf per year. Central Hudson states that the major drivers of the gas revenue request include increases related to capital investment driven by the continued elimination of leak prone pipe (34 percent); increased labor expense (19 percent); increases due to capitalization and financing costs (19 percent); and continued and enhanced low income and energy efficiency programs (8 percent). The initial suspension period for the proposed filing runs through December 31, 2023.

The full text of the proposal 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 also 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: Five days after the last scheduled public hearing.

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

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

(23-G-0419SP1)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

The Applicable Regulatory Regime for the Owner/operator of an Approximately 200 Megawatt Solar Electric Generating Facility

I.D. No. PSC-40-23-00029-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 Garnet Energy Center, LLC seeking a lightened regulatory regime in relation to its ownership and operation of a proposed solar electric generating facility located in the Town of Conquest, Cayuga County, NY.

Statutory authority: Public Service Law, sections 2(12), (13), 5(1)(b), 64, 65, 66, 68, 69, 69-a, 70, 71, 72, 72-a, 105-114, 114-a, 115, 118, 119-b and 119-c

Subject: The applicable regulatory regime for the owner/operator of an approximately 200 megawatt solar electric generating facility.

Purpose: Consideration of whether a requested lightened regulatory regime is in accordance with the Public Service Law and precedent.

Substance of proposed rule: The New York State Public Service Commission (Commission) is considering a petition filed on August 17, 2023 by Garnet Energy Center, LLC (Garnet) seeking a lightened regulatory regime in relation to its ownership and operation of a proposed approximately 200 megawatt solar electric generating facility Garnet is developing in the Town of Conquest, Cayuga County, New York.

Garnet requests an order providing that they will be regulated as an electric corporation under a lightened regulatory regime consistent with that imposed on the owners-operators of other competitive wholesale generators. Garnet is also seeking a Certificate of Public

Convenience and Necessity pursuant to Public Service Law (PSL) § 68.

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-0460SP1)

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

Compensation of and Incentives for Distributed Energy Resources

I.D. No. PSC-40-23-00031-P

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

Proposed Action: The Commission is considering a petition filed by the New York State Energy Research and Development Authority to reconsider rules governing the transition from the Community Credit to the Community Adder.

Statutory authority: Public Service Law, sections 5(1)(b), 5(2), 65(1), 65(2), (3), 66(1), (2), (5), (12), (14), 66-j, 66-l and 66-p

Subject: Compensation of and incentives for distributed energy resources.

Purpose: To encourage the development of and ensure just and reasonable rates for distributed energy resources.

Substance of proposed rule: The Public Service Commission (Commission) is considering a petition (the Petition) filed on September 13, 2023 by the New York State Energy Research and Development Authority (NYSERDA), seeking reconsideration and clarification of the Commission's Order Directing Tariff Modifications (Order), which was issued in Case 15-E-0751 on April 21, 2023.

The Petition notes that certain distributed solar projects have been unexpectedly impacted by the Order and proposes that such projects should be allowed a one-time option to forfeit the Community Credit established in Consolidated Edison Company of New York, Inc.'s (Con Edison) service territory. According to NYSERDA, this would allow these projects to receive NY-Sun funding that provides a higher upfront incentive and would assist with cashflow challenges and difficulty obtaining or maintaining project financing.

NYSERDA underscores that the requested relief appears to not pose any negative consequences for ratepayers. NYSERDA calculates that the Con Edison Community Credit provides an incentive equivalent to approximately \$1.40 per Watt DC (paid over the twenty-five-year tariff period) while the incremental NY-Sun incentives that would be maintained by projects exercising the proposed one-time forfeiture of Community Credit, range from \$0.50 to \$1.20 per Watt DC, depending on project-specific characteristics. However, NYSERDA notes that eight projects have been allocated the Community Credit, are operational, and have already received payment of the higher NY-Sun incentive amount, totaling \$544,558 above the amount for which these projects should have been eligible. To avoid negative impacts to ratepayers and any further market disruption, NYSERDA proposes a reduction in that amount to the NY-Sun budget for Con Edison MW Block Incentives and Adders, previously approved in the Commission's Order Expanding NY-Sun Program, which was issued in Case 21-E-0629, et al. on April 14, 2022.

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 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.

(15-E-0751SP51)

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

Transfer of Street Lighting Facilities

I.D. No. PSC-40-23-00032-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 Niagara Mohawk Power Corporation d/b/a National Grid seeking authorization to transfer certain street lighting facilities in the City of Niagara Falls to the City of Niagara Falls.

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

Subject: Transfer 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 August 25, 2023, by Niagara Mohawk Power Corporation d/b/a National Grid (National Grid), requesting authorization to transfer certain street lighting facilities located in the City of Niagara Falls (the City) to the City.

The original cost of the facilities was approximately \$6,282,727 and the net book value of the assets was \$3,793,710, as of May 31, 2023. National Grid proposes to transfer the street lighting facilities to the City for approximately \$3,936,418, which includes the net book value of the assets as well as transition and transaction costs. National Grid explains that the agreement provides that the purchase price would be adjusted to reflect the actual net book value at the date of the closing.

The full text of the petition and the full record of the proceeding may be viewed 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-0471SP1)

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

A Debt Financing Arrangement with Respect to Natural Gas Pipelines and Related Facilities Providing Wholesale Services

I.D. No. PSC-40-23-00033-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 Bluestone Gas Corporation of New York, Inc. and DT Midstream, Inc., seeking flexible financing authorization under lightened regulation.

Statutory authority: Public Service Law, sections 5, 64, 65, 66 and 69

Subject: A debt financing arrangement with respect to natural gas pipelines and related facilities providing wholesale services.

Purpose: To consider the requested financing arrangement and what regulatory conditions should apply.

Substance of proposed rule: The Public Service Commission (Commission) is considering a petition filed by Bluestone Gas Corporation of New York, Inc. and DT Midstream, Inc., (Petitioners) on August 16, 2023, requesting flexible financing under Section 69 of the Public Service Law.

According to the petition, the Petitioners are the owners of natural gas pipelines and related facilities providing wholesale services, with jurisdictional assets in New York State. The Petitioners seek authorization to issue up to \$250 million of additional long-term debt (the Financing). The Petitioners' total amount of its revolving loan credit commitments will increase from \$750 million to \$1 billion, according to the petition, with the total amount of indebtedness reaching \$2 billion under this proposed Financing. The petition states that the proposed Financing is for the same purpose as approved in a July 18, 2022 Commission Order in Case 21-G-0547 – to provide capital to pay for future improvements to infrastructure, provide access to capital for operations and working capital needs, and to take advantage of favorable borrowing conditions. The petition also asserts that approval of the Financing will ultimately strengthen the Petitioners' ability to provide cost-effective, safe, and reliable service.

The Petitioners also seek flexibility to modify, without prior Commission approval, the identity of the financing entities, payment terms, and the amount financed, for the additional \$250 million of long-term debt. Petitioners assert that approval of such flexibility is consistent with existing Commission precedent regarding lightly regulated entities and is needed for quick modification or refinancing in case of changing market conditions.

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-G-0452SP1)

State University of New York

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

Appointment of Employees and Leave of Absence for Employees in the Professional Service

I.D. No. SUN-40-23-00004-EP

Filing No. 792

Filing Date: 2023-09-14

Effective Date: 2023-09-14

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

Proposed Action: Amendment of sections 335.11, 335.17 and Part 337 of Title 8 NYCRR.

Statutory authority: Education Law, sections 353 and 355

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

Specific reasons underlying the finding of necessity: Amendment of these regulations needs to proceed on an emergency basis because United University Professions ratified the July 2, 2022 through July 1, 2026 collective bargaining agreement on August 24, 2023 and the changes need to be implemented as soon as possible.

Subject: Appointment of Employees and Leave of Absence for Employees in the Professional Service.

Purpose: Revise to comport with provisions of the collective bargaining agreement between the State and United University Professions.

Substance of emergency/proposed rule (Full text is posted at the following State website: <https://system.suny.edu/proposed-regulations>): The State of New York and the United University Professions have reached a collective bargaining agreement for 2023-2026 for members of the professional services negotiating unit. Revision of certain provisions of Title 8 of the Official Compilation of Codes, Rules and Regulations of the State of New York must be affected to comport with provisions of the collective bargaining agreement.

The regulations regarding part-time service have been amended to provide term appointments of not less than one year to those part-time employees who have been employed six consecutive semesters or three years; and, three year term appointments for full-time employees at certain campuses who have been employed for seven consecutive years.

The regulations regarding definition of probationary appointment have been amended to provide 3-month appointments for any full-time professional in a teaching hospital position at a SUNY Article 28 facility whose professional obligation will include patient-facing duties (in-person patient care or service).

The regulations regarding accrual of vacation leaves for employees in the professional service have been amended to address newly negotiated accrual rates for part-time employees.

The regulations regarding sick leave accrual for employees in the professional service have been amended to address newly negotiated accrual rates for part-time employees.

The regulations regarding maximum accumulation of sick leave credits have been amended to allow for 225 days.

The regulations regarding holiday leave have been amended clarify time off when a holiday falls on a Saturday, or a pass day; and, provide additional compensation in lieu of compensatory time for employees assigned to work in SUNY hospitals or the Long Island State Veteran's Home on holidays.

This notice is intended: to serve as both a notice of emergency adoption and a notice of proposed rule making. The emergency rule will expire December 12, 2023.

Text of rule and any required statements and analyses may be obtained from: Lisa S. Campo, State University of New York, H. Carl McCall SUNY Building, Albany, NY 12246, (518) 320-1400, email: Lisa.Campo@SUNY.edu

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: Education Law §§ 353 and 355 authorizes the State University Trustees to make rules and regulations relating to ap-

pointment of employees and leave of absence for employees in the professional service.

2. Legislative objectives: The present measure makes amendments to the State University of New York regulations regarding appointment of employees and leave of absence of employees in the professional service.

3. Needs and benefits: The amendments are necessary to revise provisions of the University's regulations to comport with provisions of the collective bargaining agreement between the State and United University Professions members of the professional services negotiating unit.

4. Costs: None.

5. Local government mandates: None.

6. Paperwork: None.

7. Duplication: None.

8. Alternatives: There are no viable alternatives.

9. Federal standards: There are no related Federal standards.

10. Compliance schedule: Compliance should be immediate.

Regulatory Flexibility Analysis

No regulatory flexibility analysis is submitted with this notice because this proposal does not impose any requirements on small businesses and local governments. This proposed rule making will not impose any adverse economic impact on small businesses and local governments or impose any reporting, recordkeeping or other compliance requirements on small businesses and local governments. The proposal addresses appointment of employees and leave of absence of employees in the professional service at the State University of New York.

Rural Area Flexibility Analysis

No rural area flexibility analysis is submitted with this notice because this proposal will not impose any adverse economic impact on rural areas or impose any reporting, recordkeeping or other compliance requirements on public or private entities in rural areas. The proposal addresses appointment of employees and leave of absence of employees in the professional service at the State University of New York.

Job Impact Statement

No job impact statement is submitted with this notice because this proposal does not impose any adverse economic impact on existing jobs or employment opportunities. The proposal addresses appointment of employees and leave of absence of employees in the professional service at the State University of New York.

Department of Transportation

NOTICE OF ADOPTION

Child Safety Zones

I.D. No. TRN-27-23-00001-A

Filing No. 799

Filing Date: 2023-09-19

Effective Date: 2023-10-04

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

Action taken: Amendment of sections 191.1, 191.2, 191.3, 191.4 and 191.8 of Title 17 NYCRR.

Statutory authority: Transportation Law, section 14(30); Education law, section 3635-b

Subject: Child Safety Zones.

Purpose: To add violent crime statistics and the density of vacant buildings to the formula for creating a child safety zone.

Text or summary was published in the July 5, 2023 issue of the Register, I.D. No. TRN-27-23-00001-P.

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

Text of rule and any required statements and analyses may be obtained from: Louis DelGiaccio, Department of Transportation, 50 Wolf Road, Albany, New York 12232, (518) 457-7074, email: Louis.Delgiaccio@dot.ny.gov

Initial Review of Rule

As a rule that does not require a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2028, which is no later than the 5th 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

Towing Contracts on Special Parkways

I.D. No. TRN-40-23-00001-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 182.3(m) and 182.37(a)-(d); repeal of Parts 185 and 190 of Title 17 NYCRR.

Statutory authority: Highway Law, sections 10, 14, 15; Transportation Law, sections 14, 70, 71; Vehicle and Traffic Law, sections 1621 and 1630

Subject: Towing contracts on special parkways.

Purpose: To repeal regulations requiring competitively bid roadside assistance contracts on the State's special parkways.

Text of proposed rule: Subdivision (m) of 17 NYCRR Section 182.31 is amended to read as follows:

(m) trucks, *except emergency service or towing vehicles operated in compliance with section 182.37 of this Part.*

17 NYCRR 182.37 is repealed and replaced with:

Towing. Emergency service and towing vehicles are allowed to enter upon and operate within the parkway system in direct response to calls for assistance. When responding to a service call, such vehicles shall enter the parkway system at the entrance nearest to the disabled vehicle and shall leave at the nearest exit.

17 NYCRR Part 185 is repealed.

17 NYCRR Part 190 is repealed.

Text of proposed rule and any required statements and analyses may be obtained from: Louis DelGiaccio, Department of Transportation, 50 Wolf Road, Albany, New York 12232, (518) 457-7074, email: louis.delgiaccio@dot.ny.gov

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

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

Regulatory Impact Statement

1. Statutory authority

The New York State Department of Transportation (NYSDOT) is promulgating this amendment of subdivision (m) of 17 NYCRR Section 182.31, the repeal and replacement of 17 NYCRR Section 182.37, and the repeal of 17 NYCRR Parts 185 and 190 of Title 17 of the Official Compilation of Codes, Rules and Regulations of the State of New York, pursuant to authority granted in sections 14, 70, and 71 of the Transportation Law. Transportation Law Section 14(18) states: "The department, by or through the commissioner or his duly authorized officer or employee, shall have the following general functions, powers and duties: To make and prescribe rules and regulations in relation to the discharge of the commissioner's functions, powers and duties and those of the department of transportation." Transportation Law Section 70(1) states: "The department shall be responsible for and shall have jurisdiction for the purposes of construction, reconstruction, improvement and maintenance of the special parkways as designated in this article, and for expediting the construction, reconstruction and improvement of said special parkways to safe, modern standards." Section 71 of the Transportation Law gives the Commissioner the authority to "make rules and regulations governing the use and safety standards of the special parkway facilities, including the power to lease property, regulate the use and operation of gasoline stations, restaurants and other facilities for the public on or along the special parkways."

2. Legislative objectives

The proposed changes are consistent with the above statutory authority and the Legislature has granted the Commissioner of Transportation broad oversight powers over New York's special parkways. Transportation Law section 10 states that "It is hereby declared to be the policy of the state of New York that adequate, safe and efficient transportation facilities and services at reasonable cost to the people are essential to the economic growth of the state and the well-being of its people and that the planning and development of such facilities and services shall be coordinated by a state department of transportation with overall responsibility for balanced transportation policy and planning."

3. Needs and benefits

The current regulations governing parkway towing require NYSDOT to enter into contracts with private entities via the procurement process. This process limits public access to roadside assistance and artificially constrains market competition. The proposed changes to the regulations would ensure the State can enforce its standards and restrictions on commercial vehicles operating on parkways while expanding the opportunity to perform roadside assistance on state parkways to a greater number of

towing entities. Changes to the regulations would also benefit motorists by increasing the pool of companies available to provide roadside assistance on parkways. Currently, this pool is exclusively limited to entities contracted with NYSDOT. Motorists who subscribe to roadside assistance coverage through their vehicle manufacturer, automobile insurance company, or a member automobile service organization are prevented from using a provider of their choice due to the constraints imposed by the existing regulations. The proposed changes to the regulations would also reduce administrative burdens upon NYSDOT and expand opportunity to small businesses by streamlining the process for private entities to be permitted to provide roadside assistance on parkways.

4. Costs

a. Costs to State government: The amendments do not impose any costs on State government.

b. Costs to local government: The amendments do not impose any costs on local government.

c. Costs to private regulated parties: The amendments do not impose any costs on private regulated parties.

d. Costs to regulating agency for implementation and continued administration: there are no additional costs to NYSDOT.

5. Local government mandates

The proposed changes do not impose any program service, duty, responsibility, or other mandate upon local governments.

6. Paperwork

The proposed changes to the regulations impose no new reporting or other paperwork required beyond those already imposed by statute.

7. Duplication

There is no duplication, overlap, or conflict associated with the rule.

8. Alternatives

After careful consideration, there were no significant alternatives identified that would achieve the objectives of this proposed regulatory change.

9. Federal standards

There are no applicable federal standards directly related to these proposed regulatory changes.

10. Compliance schedule

Compliance will be after final adoption of the regulatory changes.

Regulatory Flexibility Analysis

A Regulatory Flexibility Analysis is not required for the proposed repeal/amendment of these regulations because the proposed regulatory changes would neither have an adverse impact upon, nor impose reporting, recordkeeping, or other compliance requirements upon small businesses or local governments. The purpose of the proposed regulatory changes is merely to repeal contractual requirements and restrictions imposed on towing companies that wish to operate on New York's special parkways. As it was evident from the proposed regulatory changes that they would not have an adverse impact or impose reporting, recordkeeping, or other compliance requirements, no further measures were needed to ascertain those facts and, consequently, none were taken.

Rural Area Flexibility Analysis

A Rural Area Flexibility Analysis is not required for the proposed regulatory repeal/amendments because the proposed regulatory amendments would neither have an adverse impact upon, nor impose reporting, recordkeeping or other compliance requirements upon public or private entities in rural areas. The purpose of the proposed regulatory amendments is merely to repeal contractual requirements and restrictions imposed on towing companies that wish to operate on special parkways. As it was evident from the proposed regulatory amendments that they would not have an adverse impact upon or impose reporting, recordkeeping, or other compliance requirements upon public or private entities in rural areas, no further measures were needed to ascertain those facts and, consequently, none were taken.

Job Impact Statement

The Department has determined that a Job Impact Statement is not required for the proposed regulatory amendments because the proposed regulatory amendments would not have a substantial adverse impact on jobs and employment opportunities in the public or private sectors of the State and would not impose any new annual costs or administrative burdens upon employers. The purpose of the proposed regulatory amendments is merely to repeal regulations that limit which companies may operate towing operations on the State's special parkways. Accordingly, a full job impact statement is not required pursuant to State Administrative Procedure Action Section 201-(a)(2)(a).

**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
Long Island Power Authority		
LPA-39-23-00020-P	Annual Budget and Retail Rates	H. Lee Dennison Bldg., 100 Veterans Memorial Hwy., Hauppauge, NY—November 27, 2023, 10:00 a.m. Long Island Power Authority, 333 Earle Ovington Blvd., Suite 403, Uniondale, NY—November 27, 2023, 6:00 p.m.
LPA-39-23-00021-P	Long Island Choice Program	H. Lee Dennison Bldg., 100 Veterans Memorial Hwy., Hauppauge, NY—November 27, 2023, 10:00 a.m. Long Island Power Authority, 333 Earle Ovington Blvd., Suite 403, Uniondale, NY—November 27, 2023, 6:00 p.m.
LPA-39-23-00022-P	Clean Energy Standard Program	H. Lee Dennison Bldg., 100 Veterans Memorial Hwy., Hauppauge, NY—November 27, 2023, 10:00 a.m. Long Island Power Authority, 333 Earle Ovington Blvd., Suite 403, Uniondale, NY—November 27, 2023, 6:00 p.m.
LPA-39-23-00023-P	Dynamic Load Management Program	H. Lee Dennison Bldg., 100 Veterans Memorial Hwy., Hauppauge, NY—November 27, 2023, 10:00 a.m. Long Island Power Authority, 333 Earle Ovington Blvd., Suite 403, Uniondale, NY—November 27, 2023, 6:00 p.m.
LPA-39-23-00024-P	To Expand the Eligibility Requirements for LIPA’s Low-Income Program	H. Lee Dennison Bldg., 100 Veterans Memorial Hwy., Hauppauge, NY—November 27, 2023, 10:00 a.m. Long Island Power Authority, 333 Earle Ovington Blvd., Suite 403, Uniondale, NY—November 27, 2023, 6:00 p.m.
LPA-39-23-00025-P	Small Generator Interconnection Procedures in the Authority’s Tariff for Electric Service	H. Lee Dennison Bldg., 100 Veterans Memorial Hwy., Hauppauge, NY—November 27, 2023, 10:00 a.m. Long Island Power Authority, 333 Earle Ovington Blvd., Suite 403, Uniondale, NY—November 27, 2023, 6:00 p.m.
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.

PSC-40-23-00030-P Proposed Major Rate Increase in Electric Delivery Revenues

Department of Public Service, 19th Fl. Board Rm., Three Empire State Plaza, Albany, NY—January 9, 2024, 10:30 a.m. and continuing daily as needed (Evidentiary Hearing)*

*On occasion, the evidentiary hearing date may be rescheduled or postponed. In that event, notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Case 23-E-0418.

PSC-40-23-00034-P Proposed Major Rate Increase in Gas Delivery Revenues

Department of Public Service, 19th Fl. Board Rm., Three Empire State Plaza, Albany, NY—January 9, 2024, 10:30 a.m. and continuing daily as needed (Evidentiary Hearing)*

*On occasion, the evidentiary hearing date may be rescheduled or postponed. In that event, notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Case 23-G-0419.

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
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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
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AGRICULTURE AND MARKETS, DEPARTMENT OF

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.
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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.
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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
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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).
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ASA-40-23-00035-EP 10/03/24	Credentialing of Addiction Professionals	Add new credentialing pathway for a CASAC-Provisional and modify outdated terminology.
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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
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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
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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
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
CFS-39-23-00002-P	09/26/24	Workload Reduction	To update various rules regarding the certification or approval of foster family boarding homes.
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.
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
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.
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

Action Pending Index

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
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
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
CVS-40-23-00002-P	10/03/24	M/C Sick Leave	To increase the maximum sick leave days that may be accumulated by employees designated M/C from 200 to 225
CVS-40-23-00005-P	10/03/24	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-40-23-00006-P	10/03/24	Jurisdictional Classification	To delete a position from and to classify a position in the non-competitive class
CVS-40-23-00007-P	10/03/24	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-40-23-00008-P	10/03/24	Jurisdictional Classification	To classify positions in the exempt class.
CVS-40-23-00009-P	10/03/24	Jurisdictional Classification	To classify positions in the exempt class.
CVS-40-23-00010-P	10/03/24	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-40-23-00011-P	10/03/24	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-40-23-00012-P	10/03/24	Jurisdictional Classification	To delete a position from and to classify a position in the non-competitive class
CVS-40-23-00013-P	10/03/24	Jurisdictional Classification	To delete a position from and to classify a position in the non-competitive class
CVS-40-23-00014-P	10/03/24	Jurisdictional Classification	To delete positions from and to classify positions in the non-competitive class
CVS-40-23-00015-P	10/03/24	Jurisdictional Classification	To classify a position in the exempt class.
CVS-40-23-00016-P	10/03/24	Jurisdictional Classification	To classify positions in the exempt class.
CVS-40-23-00017-P	10/03/24	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-40-23-00018-P	10/03/24	Jurisdictional Classification	To classify a position in the exempt class.
CVS-40-23-00019-P	10/03/24	Jurisdictional Classification	To classify positions in the exempt class.
CVS-40-23-00020-P	10/03/24	Jurisdictional Classification	To classify a position in the exempt class and to classify positions from the non-competitive class
CVS-40-23-00021-P	10/03/24	Jurisdictional Classification	To classify a position in the exempt class.
CVS-40-23-00022-P	10/03/24	Jurisdictional Classification	To delete positions from and to classify positions in the exempt class.
CVS-40-23-00023-P	10/03/24	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-40-23-00024-P	10/03/24	Jurisdictional Classification	To delete a position from and to classify a position in the exempt class.
CVS-40-23-00025-P	10/03/24	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-40-23-00026-P	10/03/24	Jurisdictional Classification	To classify a position in the exempt class.
CVS-40-23-00027-P	10/03/24	Jurisdictional Classification	To classify positions in the exempt 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.
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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CORRECTION, STATE COMMISSION OF			
CMC-40-23-00003-P	10/03/24	Use of body imaging scanning equipment.	To establish regulations for the use of body imaging scanning equipment to screen visitors and incarcerated individuals.
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
CCS-37-23-00001-P	09/12/24	Work Release Participation Fees	To repeal the regulation requiring payment of work release participation fees
CCS-38-23-00006-P	09/19/24	Body Imaging Scanning Equipment	To establish regulations for the use of body imaging scanning equipment to screen employees.
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
ECONOMIC DEVELOPMENT, DEPARTMENT OF			
EDV-40-23-00028-P	10/03/24	NYC Musical and Theatrical Production Tax Credit Program	To update the additional administrative process of this tax credit program and conform to statute
EDUCATION DEPARTMENT			
EDU-09-23-00029-ERP	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-26-23-00011-EP	06/27/24	Temporary practice by certain U.S. servicemembers and servicemembers' 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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
EDUCATION DEPARTMENT			
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.
EDU-39-23-00010-P	09/26/24	Regents accreditation.	See attached.
EDU-39-23-00011-P	09/26/24	Computer science tenure area.	See attached.
EDU-39-23-00012-P	09/26/24	Fees for certificates of existence and copies of charter actions and consent to incorporation.	See attached.
EDU-39-23-00013-EP	09/26/24	Requirements for restricted licenses for clinical laboratory technologists in molecular testing.	To implement Chapter 186 of the Laws of 2023.
EDU-39-23-00014-EP	09/26/24	Timeline for initial enrollment or reentry identification and parent notification, orientation, and placement of ELLs.	See attached.
EDU-39-23-00015-EP	09/26/24	Rebuilding the Every Student Succeeds Act (ESSA) accountability system using 2022–2023 and 2023–2024 school year results.	See attached.
EDU-39-23-00016-EP	09/26/24	Supplementary certificate and Supplementary Bilingual Education extension requirements.	See attached.
EDU-39-23-00017-P	09/26/24	Appeals to the Commissioner of Education under Education Law § 310.	To ensure that the appeals process serves as an expeditious and simple method to address questions re: school administration.
EDU-39-23-00018-EP	09/26/24	Certification as a school counselor through individual evaluation.	See attached.
EDU-39-23-00019-EP	09/26/24	Contracts for excellence and class size reduction in the City School District of the City of New York.	To implement Chapter 556 of the Laws of 2022, as amended by Chapter 86 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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
ELECTIONS, STATE BOARD OF			
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-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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
FINANCIAL SERVICES, DEPARTMENT OF			
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
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-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).

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
HEALTH, DEPARTMENT OF			
HLT-42-22-00002-P	10/19/23	Medical Respite Program (MRP)	Establish procedures for review & approval of applications from a not-for-profit corporation to be certified as an MRP operator.
HLT-48-22-00001-P	11/30/23	Adult Day Health Care	To regulate adult day health care programs for registrants with medical needs in a non-residential health care facility
HLT-51-22-00006-P	12/21/23	Adult Care Facilities	To ensure consistency with various policy interpretations & compliance with the federal home&community based settings final rule
HLT-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-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-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.
HLT-37-23-00002-P	09/12/24	Lead Testing in School Drinking Water	Lower action level for lead in school drinking water from 15 parts per billion (ppb) to 5 ppb & revise reporting requirements
HLT-37-23-00010-P	09/12/24	Communicable Diseases Reporting and Control - Adding Respiratory Syncytial Virus (RSV) and Varicella	To add Respiratory Syncytial Virus (RSV) and Varicella to the list of diseases
HLT-39-23-00026-EP	09/26/24	Trauma Centers - Resources for Optimal Care of the Injured Patient	To update the edition of Resources for Optimal Care of the Injured Patient from 2014 to 2022.
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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
HOUSING AND COMMUNITY RENEWAL, DIVISION OF			
*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.
INFORMATION TECHNOLOGY SERVICES, OFFICE OF			
ITS-37-23-00004-P	09/12/24	Updated citations to New York State electronic notary regulations	To reflect the new electronic notary law and regulations issued by the Department of State in 19 NYCRR 182
ITS-37-23-00005-P	09/12/24	Access to the Records of the Office of Information Technology Services	To modernize the process for access to the records of the Office of Information Technology Services
LABOR, DEPARTMENT OF			
LAB-37-23-00003-P	09/12/24	Pay Transparency in Job Advertisements	To increase pay transparency in job advertisements pursuant to Labor Law § 194-b
LAB-39-23-00001-P	09/26/24	Public employee occupational safety and health standard correction.	To amend the permissible exposure limit for nitrogen dioxide, which will reduce the risks to the safety and health of workers.
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
LONG ISLAND POWER AUTHORITY			
*LPA-41-02-00005-P	..... exempt	Tariff for electric service	To revise the tariff for electric service
*LPA-04-06-00007-P	..... exempt	Tariff for electric service	To adopt provisions of a ratepayer protection plan
*LPA-03-10-00004-P	..... exempt	Residential late payment charges	To extend the application of late payment charges to residential customers
*LPA-15-18-00013-P	..... exempt	Outdoor area lighting	To add an option and pricing for efficient LED lamps to the Authority's outdoor area lighting
*LPA-37-18-00013-P	..... exempt	The net energy metering provisions of the Authority's Tariff for Electric Service	To implement PSC guidance increasing eligibility for value stack compensation to larger projects
*LPA-37-18-00017-P	..... exempt	The treatment of electric vehicle charging in the Authority's Tariff for Electric Service	To effectuate the outcome of the Public Service Commission's proceeding on electric vehicle supply equipment
*LPA-37-18-00018-P	..... exempt	The treatment of energy storage in the Authority's Tariff for Electric Service	To effectuate the outcome of the Public Service Commission's proceeding on the NY Energy Storage Roadmap
*LPA-09-20-00010-P	..... exempt	To update and implement latest requirements for ESCOs proposing to do business within the Authority's service territory	To strengthen customer protections and be consistent with Public Service Commission orders on retail energy markets
*LPA-28-20-00033-EP	..... exempt	LIPA's late payment charges, reconnection charges, and low-income customer discount enrollment	To allow waiver of late payment and reconnection charges and extend the grace period for re-enrolling in customer bill discounts
*LPA-37-20-00013-EP	..... exempt	The terms of deferred payment agreements available to LIPA's commercial customers	To expand eligibility for and ease the terms of deferred payment agreements for LIPA's commercial customers
*LPA-12-21-00011-P	..... exempt	LIPA's Long Island Choice (retail choice) tariff	To simplify and improve Long Island Choice based on stakeholder collaborative input
*LPA-17-22-00012-P	..... exempt	COVID-19 arrears forgiveness and low-income customer discount eligibility	To implement an arrears forgiveness program and expand low-income customer discount eligibility
*LPA-17-22-00014-P	..... exempt	LIPA's delivery service adjustment cost recovery rider	To ensure recovery of T&D property tax expenses consistent with the LIPA Reform Act, at the lowest cost to LIPA customers
LPA-39-23-00020-P	..... exempt	Annual Budget and Retail Rates	To implement rate adjustments as determined through LIPA's annual budget process.
LPA-39-23-00021-P	..... exempt	Long Island Choice Program.	To update LIPA's Long Island Choice Program.
LPA-39-23-00022-P	..... exempt	Clean Energy Standard Program	To clarify how costs associated with LIPA's participation in the Clean Energy Standard program will be recovered.
LPA-39-23-00023-P	..... exempt	Dynamic Load Management Program.	To increase participation in the Dynamic Load Management program.
LPA-39-23-00024-P	..... exempt	To expand the eligibility requirements for LIPA's low-income program.	To provide discounts that lower the energy burden on LIPA's low-income customers.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
LONG ISLAND POWER AUTHORITY			
LPA-39-23-00025-P	..... exempt	The Small Generator Interconnection Procedures in the Authority's Tariff fo	To update the small generator interconnection procedures consistent with Public Service Commission guidance
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
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
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
*PSC-10-04-00005-P	..... exempt	Temporary protective order	To consider adopting a protective order
*PSC-10-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and VIC-RMTS-DC, L.L.C. d/b/a Verizon Avenue	To amend the agreement
*PSC-14-04-00008-P	..... exempt	Submetering of natural gas service to industrial and commercial customers by Hamburg Fairgrounds	To submeter gas service to commercial customers located at the Buffalo Speedway
*PSC-15-04-00022-P	..... exempt	Submetering of electricity by Glenn Gardens Associates, L.P.	To permit submetering at 175 W. 87th St., New York, NY
*PSC-21-04-00013-P	..... exempt	Verizon performance assurance plan by Metropolitan Telecommunications	To clarify the appropriate performance level
*PSC-22-04-00010-P	..... exempt	Approval of new types of electricity meters by Powell Power Electric Company	To permit the use of the PE-1250 electronic meter

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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
*PSC-02-05-00006-P	..... exempt	Violation of the July 22, 2004 order by Dutchess Estates Water Company, Inc.	To consider imposing remedial actions against the company and its owners, officers and directors
*PSC-09-05-00009-P	..... exempt	Submetering of natural gas service by Hamlet on Olde Oyster Bay	To consider submetering of natural gas to a commercial customer
*PSC-14-05-00006-P	..... exempt	Request for deferred accounting authorization by Freeport Electric Inc.	To defer expenses beyond the end of the fiscal year
*PSC-18-05-00009-P	..... exempt	Marketer Assignment Program by Consolidated Edison Company of New York, Inc.	To implement the program
*PSC-20-05-00028-P	..... exempt	Delivery point aggregation fee by Allied Frozen Storage, Inc.	To review the calculation of the fee
*PSC-25-05-00011-P	..... exempt	Metering, balancing and cashout provisions by Central Hudson Gas & Electric Corporation	To establish provisions for gas customers taking service under Service Classification Nos. 8, 9 and 11

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

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PUBLIC SERVICE COMMISSION			
*PSC-37-06-00017-P exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-43-06-00014-P	..... exempt	Electric delivery services by Strategic Power Management, Inc.	To determine the proper mechanism for the rate-recovery of costs
*PSC-04-07-00012-P	..... exempt	Petition for rehearing by Orange and Rockland Utilities, Inc.	To clarify the order
*PSC-06-07-00015-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for electric service
*PSC-06-07-00020-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for gas service
*PSC-11-07-00010-P	..... exempt	Investigation of the electric power outages by the Consolidated Edison Company of New York, Inc.	To implement the recommendations in the staff's investigation
*PSC-11-07-00011-P	..... exempt	Storm-related power outages by Consolidated Edison Company of New York, Inc.	To modify the company's response to power outages, the timing for any such changes and other related matters
*PSC-17-07-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and BridgeCom International, Inc.	To amend the agreement
*PSC-18-07-00010-P	..... exempt	Existing electric generating stations by Independent Power Producers of New York, Inc.	To repower and upgrade existing electric generating stations owned by Rochester Gas and Electric Corporation
*PSC-20-07-00016-P	..... exempt	Tariff revisions and making rates permanent by New York State Electric & Gas Corporation	To seek rehearing
*PSC-21-07-00007-P	..... exempt	Natural Gas Supply and Acquisition Plan by Corning Natural Gas Corporation	To revise the rates, charges, rules and regulations for gas service
*PSC-22-07-00015-P	..... exempt	Demand Side Management Program by Consolidated Edison Company of New York, Inc.	To recover incremental program costs and lost revenue
*PSC-23-07-00022-P	..... exempt	Supplier, transportation, balancing and aggregation service by National Fuel Gas Distribution Corporation	To explicitly state in the company's tariff that the threshold level of elective upstream transmission capacity is a maximum of 112,600 Dth/day of marketer-provided upstream capacity
*PSC-24-07-00012-P	..... exempt	Gas Efficiency Program by the City of New York	To consider rehearing a decision establishing a Gas Efficiency Program
*PSC-39-07-00017-P	..... exempt	Gas bill issuance charge by New York State Electric & Gas Corporation	To create a gas bill issuance charge unbundled from delivery rates
*PSC-41-07-00009-P	..... exempt	Submetering of electricity rehearing	To seek reversal
*PSC-42-07-00012-P	..... exempt	Energy efficiency program by Orange and Rockland Utilities, Inc.	To consider any energy efficiency program for Orange and Rockland Utilities, Inc.'s electric service
*PSC-42-07-00013-P	..... exempt	Revenue decoupling by Orange and Rockland Utilities, Inc.	To consider a revenue decoupling mechanism for Orange and Rockland Utilities, Inc.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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
*PSC-25-08-00008-P	..... exempt	Report on Callable Load Opportunities	Rider U report assessing callable load opportunities in New York City and Westchester County during the next 10 years
*PSC-28-08-00004-P	..... exempt	Con Edison's procedure for providing customers access to their account information	To consider Con Edison's implementation plan and timetable for providing customers access to their account information
*PSC-31-08-00025-P	..... exempt	Recovery of reasonable DRS costs from the cost mitigation reserve (CMR)	To authorize recovery of the DRS costs from the CMR
*PSC-32-08-00009-P	..... exempt	The ESCO referral program for KEDNY to be implemented by October 1, 2008	To approve, reject or modify, in whole or in part, KEDNY's recommended ESCO referral program
*PSC-33-08-00008-P	..... exempt	Noble Allegany's request for lightened regulation	To consider Noble Allegany's request for lightened regulation as an electric corporation
*PSC-36-08-00019-P	..... exempt	Land Transfer in the Borough of Manhattan, New York	To consider petition for transfer of real property to NYPH

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-39-08-00010-P	..... exempt	RG&E's economic development plan and tariffs	Consideration of the approval of RG&E's economic development plan and tariffs
*PSC-40-08-00010-P	..... exempt	Loans from regulated company to its parent	To determine if the cash management program resulting in loans to the parent should be approved
*PSC-41-08-00009-P	..... exempt	Transfer of control of cable TV franchise	To determine if the transfer of control of Margaretville's cable TV subsidiary should be approved
*PSC-43-08-00014-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-46-08-00008-P	..... exempt	Property transfer in the Village of Avon, New York	To consider a petition for the transfer of street lighting and attached equipment to the Village of Avon, New York
*PSC-46-08-00010-P	..... exempt	A transfer of indirect ownership interests in nuclear generation facilities	Consideration of approval of a transfer of indirect ownership interests in nuclear generation facilities
*PSC-46-08-00014-P	..... exempt	The attachment of cellular antennae to an electric transmission tower	To approve, reject or modify the request for permission to attach cellular antennae to an electric transmission tower
*PSC-48-08-00005-P	..... exempt	A National Grid high efficiency gas heating equipment rebate program	To expand eligibility to customers converting from oil to natural gas
*PSC-48-08-00008-P	..... exempt	Petition for the master metering and submetering of electricity	To consider the request of Bay City Metering, to master meter & submeter electricity at 345 E. 81st St., New York, New York
*PSC-48-08-00009-P	..... exempt	Petition for the submetering of electricity	To consider the request of PCV/ST to submeter electricity at Peter Cooper Village & Stuyvesant Town, New York, New York
*PSC-50-08-00018-P	..... exempt	Market Supply Charge	A study on the implementation of a revised Market Supply Charge
*PSC-51-08-00006-P	..... exempt	Commission's October 27, 2008 Order on Future of Retail Access Programs in Case 07-M-0458	To consider a Petition for rehearing of the Commission's October 27, 2008 Order in Case 07-M-0458
*PSC-51-08-00007-P	..... exempt	Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078	To consider Petitions for rehearing of the Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078
*PSC-53-08-00011-P	..... exempt	Use of deferred Rural Telephone Bank funds	To determine if the purchase of a softswitch by Hancock is an appropriate use of deferred Rural Telephone Bank funds
*PSC-53-08-00012-P	..... exempt	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY
*PSC-53-08-00013-P	..... exempt	To transfer common stock and ownership	To consider transfer of common stock and ownership
*PSC-01-09-00015-P	..... exempt	FCC decision to redefine service area of Citizens/Frontier	Review and consider FCC proposed redefinition of Citizens/Frontier service area

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-02-09-00010-P	..... exempt	Competitive classification of independent local exchange company, and regulatory relief appropriate thereto	To determine if Chazy & Westport Telephone Corporation more appropriately belongs in scenario 1 rather than scenario 2
*PSC-05-09-00008-P	..... exempt	Revenue allocation, rate design, performance metrics, and other non-revenue requirement issues	To consider any remaining non-revenue requirement issues related to the Company's May 9, 2008 tariff filing
*PSC-05-09-00009-P	..... exempt	Numerous decisions involving the steam system including cost allocation, energy efficiency and capital projects	To consider the long term impacts on steam rates and on public policy of various options concerning the steam system
*PSC-06-09-00007-P	..... exempt	Interconnection of the networks between Frontier Comm. and WVT Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier Comm. and WVT Comm.
*PSC-07-09-00015-P	..... exempt	Transfer certain utility assets located in the Town of Montgomery from plant held for future use to non-utility property	To consider the request to transfer certain utility assets located in the Town of Montgomery to non-utility assets
*PSC-07-09-00017-P	..... exempt	Request for authorization to defer the incremental costs incurred in the restoration work resulting from the ice storm	To allow the company to defer the incremental costs incurred in the restoration work resulting from the ice storm
*PSC-07-09-00018-P	..... exempt	Whether to permit the submetering of natural gas service to an industrial and commercial customer at Cooper Union, New York, NY	To consider the request of Cooper Union, to submeter natural gas at 41 Cooper Square, New York, New York
*PSC-12-09-00010-P	..... exempt	Charges for commodity	To charge customers for commodity costs
*PSC-12-09-00012-P	..... exempt	Charges for commodity	To charge customers for commodity costs
*PSC-13-09-00008-P	..... exempt	Options for making additional central office codes available in the 718/347 numbering plan area	To consider options for making additional central office codes available in the 718/347 numbering plan area
*PSC-14-09-00014-P	..... exempt	The regulation of revenue requirements for municipal utilities by the Public Service Commission	To determine whether the regulation of revenue requirements for municipal utilities should be modified
*PSC-16-09-00010-P	..... exempt	Petition for the submetering of electricity	To consider the request of AMPS on behalf of Park Imperial to submeter electricity at 230 W. 56th Street, in New York, New York
*PSC-16-09-00020-P	..... exempt	Whether SUNY's core accounts should be exempt from the mandatory assignment of local distribution company (LDC) capacity	Whether SUNY's core accounts should be exempt from the mandatory assignment of local distribution company (LDC) capacity
*PSC-17-09-00010-P	..... exempt	Whether to permit the use of Elster REX2 solid state electric meter for use in residential and commercial accounts	To permit electric utilities in New York State to use the Elster REX2
*PSC-17-09-00011-P	..... exempt	Whether Brooklyn Navy Yard Cogeneration Partners, L.P. should be reimbursed by Con Edison for past and future use taxes	Whether Brooklyn Navy Yard Cogeneration Partners, L.P. should be reimbursed by Con Edison for past and future use taxes
*PSC-17-09-00012-P	..... exempt	Petition for the submetering of gas at commercial property	To consider the request of Turner Construction, to submeter natural gas at 550 Short Ave., & 10 South St., Governors Island, NY

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-17-09-00014-P	..... exempt	Benefit-cost framework for evaluating AMI programs prepared by the DPS Staff	To consider a benefit-cost framework for evaluating AMI programs prepared by the DPS Staff
*PSC-17-09-00015-P	..... exempt	The construction of a tower for wireless antennas on land owned by National Grid	To approve, reject or modify the petition to build a tower for wireless antennas in the Town of Onondaga
*PSC-18-09-00012-P	..... exempt	Petition for rehearing of Order approving the submetering of electricity	To consider the request of Frank Signore to rehear petition to submeter electricity at One City Place in White Plains, New York
*PSC-18-09-00013-P	..... exempt	Petition for the submetering of electricity	To consider the request of Living Opportunities of DePaul to submeter electricity at E. Main St. located in Batavia, New York
*PSC-18-09-00017-P	..... exempt	Approval of an arrangement for attachment of wireless antennas to the utility's transmission facilities in the City of Yonkers	To approve, reject or modify the petition for the existing wireless antenna attachment to the utility's transmission tower
*PSC-20-09-00016-P	..... exempt	The recovery of, and accounting for, costs associated with the Companies' advanced metering infrastructure (AMI) pilots etc	To consider a filing of the Companies as to the recovery of, and accounting for, costs associated with it's AMI pilots etc
*PSC-20-09-00017-P	..... exempt	The recovery of, and accounting for, costs associated with CHG&E's AMI pilot program	To consider a filing of CHG&E as to the recovery of, and accounting for, costs associated with it's AMI pilot program
*PSC-22-09-00011-P	..... exempt	Cost allocation for Consolidated Edison's East River Repowering Project	To determine whether any changes are warranted in the cost allocation of Consolidated Edison's East River Repowering Project
*PSC-25-09-00005-P	..... exempt	Whether to grant, deny, or modify, in whole or in part, the petition	Whether to grant, deny, or modify, in whole or in part, the petition
*PSC-25-09-00006-P	..... exempt	Electric utility implementation plans for proposed web based SIR application process and project status database	To determine if the proposed web based SIR systems are adequate and meet requirements needed for implementation
*PSC-25-09-00007-P	..... exempt	Electric rates for Consolidated Edison Company of New York, Inc	Consider a Petition for Rehearing filed by Consolidated Edison Company of New York, Inc
*PSC-27-09-00011-P	..... exempt	Interconnection of the networks between Vernon and tw telecom of new york l.p. for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Vernon and TW Telecom of New York L.P.
*PSC-27-09-00014-P	..... exempt	Billing and payment for energy efficiency measures through utility bill	To promote energy conservation
*PSC-27-09-00015-P	..... exempt	Interconnection of the networks between Oriskany and tw telecom of new york l.p. for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Oriskany and TW Telecom of New York L.P.
*PSC-29-09-00011-P	..... exempt	Consideration of utility compliance filings	Consideration of utility compliance filings
*PSC-32-09-00009-P	..... exempt	Cost allocation for Consolidated Edison's East River Repowering Project	To determine whether any changes are warranted in the cost allocation of Consolidated Edison's East River Repowering Project

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-34-09-00016-P	..... exempt	Recommendations made in the Management Audit Final Report	To consider whether to take action or recommendations contained in the Management Audit Final Report
*PSC-34-09-00017-P	..... exempt	To consider the transfer of control of Plattsburgh Cablevision, Inc. d/b/a Charter Communications to CH Communications, LLC	To allow the Plattsburgh Cablevision, Inc. to distribute its equity interest in CH Communications, LLC
*PSC-36-09-00008-P	..... exempt	The increase in the non-bypassable charge implemented by RG&E on June 1, 2009	Considering exemptions from the increase in the non-bypassable charge implemented by RG&E on June 1, 2009
*PSC-37-09-00015-P	..... exempt	Sale of customer-generated steam to the Con Edison steam system	To establish a mechanism for sale of customer-generated steam to the Con Edison steam system
*PSC-37-09-00016-P	..... exempt	Applicability of electronic signatures to Deferred Payment Agreements	To determine whether electronic signatures can be accepted for Deferred Payment Agreements
*PSC-39-09-00015-P	..... exempt	Modifications to the \$5 Bill Credit Program	Consideration of petition of National Grid to modify the Low Income \$5 Bill Credit Program
*PSC-39-09-00018-P	..... exempt	The offset of deferral balances with Positive Benefit Adjustments	To consider a petition to offset deferral balances with Positive Benefit Adjustments
*PSC-40-09-00013-P	..... exempt	Uniform System of Accounts - request for deferral and amortization of costs	To consider a petition to defer and amortize costs
*PSC-51-09-00029-P	..... exempt	Rules and guidelines for the exchange of retail access data between jurisdictional utilities and eligible ESCOs	To revise the uniform Electronic Data Interchange Standards and business practices to incorporate a contest period
*PSC-51-09-00030-P	..... exempt	Waiver or modification of Capital Expenditure condition of merger	To allow the companies to expend less funds for capital improvement than required by the merger
*PSC-52-09-00006-P	..... exempt	ACE's petition for rehearing for an order regarding generator-specific energy deliverability study methodology	To consider whether to change the Order Prescribing Study Methodology
*PSC-52-09-00008-P	..... exempt	Approval for the New York Independent System Operator, Inc. to incur indebtedness and borrow up to \$50,000,000	To finance the renovation and construction of the New York Independent System Operator, Inc.'s power control center facilities
*PSC-05-10-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of University Residences - Rochester, LLC to submeter electricity at 220 John Street, Henrietta, NY
*PSC-05-10-00015-P	..... exempt	Petition for the submetering of electricity	To consider the request of 243 West End Avenue Owners Corp. to submeter electricity at 243 West End Avenue, New York, NY
*PSC-06-10-00022-P	..... exempt	The Commission's Order of December 17, 2009 related to redevelopment of Consolidated Edison's Hudson Avenue generating facility	To reconsider the Commission's Order of December 17, 2009 related to redevelopment of the Hudson Avenue generating facility
*PSC-07-10-00009-P	..... exempt	Petition to revise the Uniform Business Practices	To consider the RESA petition to allow rescission of a customer request to return to full utility service

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-08-10-00007-P	..... exempt	Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847	Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847
*PSC-08-10-00009-P	..... exempt	Consolidated Edison of New York, Inc. energy efficiency programs	To modify approved energy efficiency programs
*PSC-12-10-00015-P	..... exempt	Recommendations made by Staff intended to enhance the safety of Con Edison's gas operations	To require that Con Edison implement the Staff recommendations intended to enhance the safety of Con Edison's gas operations
*PSC-14-10-00010-P	..... exempt	Petition for the submetering of electricity	To consider the request of 61 Jane Street Owners Corporation to submeter Electricity at 61 Jane Street, Manhattan, NY
*PSC-16-10-00005-P	..... exempt	To consider adopting and expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-16-10-00007-P	..... exempt	Interconnection of the networks between TDS Telecom and PAETEC Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between TDS Telecom and PAETEC Communications
*PSC-16-10-00015-P	..... exempt	Interconnection of the networks between Frontier and Choice One Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier and Choice One Communications
*PSC-18-10-00009-P	..... exempt	Electric utility transmission right-of-way management practices	To consider electric utility transmission right-of-way management practices
*PSC-19-10-00022-P	..... exempt	Whether National Grid should be permitted to transfer a parcel of property located at 1 Eddy Street, Fort Edward, New York	To decide whether to approve National Grid's request to transfer a parcel of vacant property in Fort Edward, New York
*PSC-22-10-00006-P	..... exempt	Requirement that Noble demonstrate that its affiliated electric corporations operating in New York are providing safe service	Consider requiring that Noble demonstrate that its affiliated electric corporations in New York are providing safe service
*PSC-22-10-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of 48-52 Franklin Street to submeter electricity at 50 Franklin Street, New York, New York
*PSC-24-10-00009-P	..... exempt	Verizon New York Inc. tariff regulations relating to voice messaging service	To remove tariff regulations relating to retail voice messaging service from Verizon New York Inc.'s tariff
*PSC-25-10-00012-P	..... exempt	Reassignment of the 2-1-1 abbreviated dialing code	Consideration of petition to reassign the 2-1-1 abbreviated dialing code
*PSC-27-10-00016-P	..... exempt	Petition for the submetering of electricity	To consider the request of 9271 Group, LLC to submeter electricity at 960 Busti Avenue, Buffalo, New York
*PSC-34-10-00003-P	..... exempt	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program
*PSC-34-10-00005-P	..... exempt	Approval of a contract for \$250,000 in tank repairs that may be a financing	To decide whether to approve a contract between the parties that may be a financing of \$250,000 for tank repairs

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-34-10-00006-P	..... exempt	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program
*PSC-36-10-00010-P	..... exempt	Central Hudson's procedures, terms and conditions for an economic development plan	Consideration of Central Hudson's procedures, terms and conditions for an economic development plan
*PSC-40-10-00014-P	..... exempt	Disposition of a state sales tax refund	To determine how much of a state sales tax refund should be retained by National Grid
*PSC-40-10-00021-P	..... exempt	Whether to permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall	To permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall
*PSC-41-10-00018-P	..... exempt	Amount of hourly interval data provided to Hourly Pricing customers who have not installed a phone line to read meter	Allow Central Hudson to provide less than a years worth of interval data and charge for manual meter reading for some customers
*PSC-41-10-00022-P	..... exempt	Request for waiver of the individual living unit metering requirements at 5742 Route 5, Vernon, NY	Request for waiver of the individual living unit metering requirements at 5742 Route 5, Vernon, NY
*PSC-42-10-00011-P	..... exempt	Petition for the submetering of electricity	To consider the request of 4858 Group, LLC to submeter electricity at 456 Main Street, Buffalo, New York
*PSC-43-10-00016-P	..... exempt	Utility Access to Ducts, Conduit Facilities and Utility Poles	To review the complaint from Optical Communications Group
*PSC-44-10-00003-P	..... exempt	Third and fourth stage gas rate increase by Corning Natural Gas Corporation	To consider Corning Natural Gas Corporation's request for a third and fourth stage gas rate increase
*PSC-51-10-00018-P	..... exempt	Commission proceeding concerning three-phase electric service by all major electric utilities	Investigate the consistency of the tariff provisions for three-phase electric service for all major electric utilities
*PSC-11-11-00003-P	..... exempt	The proposed transfer of 55.42 acres of land and \$1.4 million of revenues derived from the rendition of public service	The proposed transfer of 55.42 acres of land and \$1.4 million of revenues derived from the rendition of public service
*PSC-13-11-00005-P	..... exempt	Exclude the minimum monthly bill component from the earnings test calculation	Exclude the minimum monthly bill component from the earnings test calculation
*PSC-14-11-00009-P	..... exempt	Petition for the submetering of electricity	To consider the request of 83-30 118th Street to submeter electricity at 83-30 118th Street, Kew Gardens, New York
*PSC-19-11-00007-P	..... exempt	Utility price reporting requirements related to the Commission's "Power to Choose" website	Modify the Commission's utility electric commodity price reporting requirements related to the "Power to Choose" website
*PSC-20-11-00012-P	..... exempt	Petition for the submetering of electricity	To consider the request of KMW Group LLC to submeter electricity at 122 West Street, Brooklyn, New York
*PSC-20-11-00013-P	..... exempt	Determining the reasonableness of Niagara Mohawk Power Corporation d/b/a National Grid 's make ready charges	To determine if the make ready charges of Niagara Mohawk Power Corporation d/b/a National Grid are reasonable

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-22-11-00004-P	..... exempt	Whether to permit the use of the Sensus accWAVE for use in residential gas meter applications	To permit gas utilities in New York State to use the Sensus accWAVE diaphragm gas meter
*PSC-26-11-00007-P	..... exempt	Water rates and charges	To approve an increase in annual revenues by about \$25,266 or 50%
*PSC-26-11-00009-P	..... exempt	Petition for the submetering of electricity at commercial property	To consider the request of by Hoosick River Hardwoods, LLC to submeter electricity at 28 Taylor Avenue, in Berlin, New York
*PSC-26-11-00012-P	..... exempt	Waiver of generation retirement notice requirements	Consideration of waiver of generation retirement notice requirements
*PSC-29-11-00011-P	..... exempt	Petition requesting the Commission reconsider its May 19, 2011 Order and conduct a hearing, and petition to stay said Order	To consider whether to grant or deny, in whole or in part, Windstream New York's Petition For Reconsideration and Rehearing
*PSC-35-11-00011-P	..... exempt	Whether to permit Consolidated Edison a waiver to commission regulations Part 226.8	Permit Consolidated Edison to conduct a inspection program in lieu of testing the accuracy of Category C meters
*PSC-36-11-00006-P	..... exempt	To consider expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-38-11-00002-P	..... exempt	Operation and maintenance procedures pertaining to steam trap caps	Adopt modified steam operation and maintenance procedures
*PSC-38-11-00003-P	..... exempt	Waiver of certain provisions of the electric service tariffs of Con Edison	Consideration of waiver of certain provisions of the electric service tariffs of Con Edison
*PSC-40-11-00010-P	..... exempt	Participation of regulated local exchange carriers in the New York Data Exchange, Inc. (NYDE)	Whether to partially modify its order requiring regulated local exchange carriers' participation NYDE
*PSC-40-11-00012-P	..... exempt	Granting of transfer of plant in-service to a regulatory asset	To approve transfer and recovery of unamortized plant investment
*PSC-42-11-00018-P	..... exempt	Availability of telecommunications services in New York State at just and reasonable rates	Providing funding support to help ensure availability of affordable telecommunications service throughout New York
*PSC-43-11-00012-P	..... exempt	Transfer of outstanding shares of stock	Transfer the issued outstanding shares of stock of The Meadows at Hyde Park Water-Works Corporation to HPWS, LLC
*PSC-47-11-00007-P	..... exempt	Remedying miscalculations of delivered gas as between two customer classes	Consideration of Con Edison's proposal to address inter-class delivery imbalances resulting from past Company miscalculations
*PSC-48-11-00007-P	..... exempt	Transfer of controlling interests in generation facilities from Dynegy to PSEG	Consideration of the transfer of controlling interests in electric generation facilities from Dynegy to PSEG
*PSC-48-11-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of To Better Days, LLC to submeter electricity at 37 East 4th Street, New York, New York
*PSC-01-12-00007-P	..... exempt	The New York State Reliability Council's revisions to its rules and measurements	To adopt revisions to various rules and measurements of the New York State Reliability Council

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-01-12-00008-P	..... exempt	Transfer of real property and easements from NMPNS to NMP3	Consideration of the transfer of real property and easements from NMPNS to NMP3
*PSC-01-12-00009-P	..... exempt	Recovery of expenses related to the expansion of Con Edison's ESCO referral program, PowerMove	To determine how and to what extent expenses related to the Expansion of Con Edison's ESCO referral program should be recovered
*PSC-11-12-00002-P	..... exempt	Whether to grant, deny or modify, in whole or part, Hegeman's petition for a waiver of Commission policy and Con Edison tariff	Whether to grant, deny or modify, in whole or part, Hegeman's petition for a waiver of Commission policy and Con Edison tariff
*PSC-11-12-00005-P	..... exempt	Transfer of land and water supply assets	Transfer the land and associated water supply assets of Groman Shores, LLC to Robert Groman
*PSC-13-12-00005-P	..... exempt	Authorization to transfer certain real property	To decide whether to approve the transfer of certain real property
*PSC-19-12-00023-P	..... exempt	Petition for approval pursuant to Section 70 for the sale of goods with an original cost of less than \$100,000	To consider whether to grant, deny or modify, in whole or in part, the petition filed by Orange and Rockland Utilities, Inc.
*PSC-21-12-00006-P	..... exempt	Tariff filing requirements and refunds	To determine if certain agreements should be filed pursuant to the Public Service Law and if refunds are warranted
*PSC-21-12-00011-P	..... exempt	Whether to grant, deny or modify, in whole or part, the petition for waiver of tariff Rules 8.6 and 47	Whether to grant, deny or modify, in whole or part, the petition for waiver of tariff Rules 8.6 and 47
*PSC-23-12-00007-P	..... exempt	The approval of a financing upon a transfer to Alliance of upstream ownership interests in a generation facility	To consider the approval of a financing upon a transfer to Alliance of upstream ownership interests in a generation facility
*PSC-23-12-00009-P	..... exempt	Over earnings sharing between rate payers and shareholders	To establish an Earnings Sharing Mechanism to be applied following the conclusion of Corning's rate plan
*PSC-27-12-00012-P	..... exempt	Implementation of recommendations made in a Management Audit Report	To consider implementation of recommendations made in a Management Audit Report
*PSC-28-12-00013-P	..... exempt	Exemption of reliability reporting statistics for the purpose of the 2012 Reliability Performance Mechanism	Consideration of Orange and Rockland Utilities request for exemption of the 2012 reliability reporting statistics
*PSC-29-12-00019-P	..... exempt	Waiver of 16 NYCRR 894.1 through 894.4	To allow the Town of Hamden to waive certain preliminary franchising procedures to expedite the franchising process
*PSC-30-12-00010-P	..... exempt	Waiver of 16 NYCRR 894.1 through 894.4	To allow the Town of Andes to waive certain preliminary franchising procedures to expedite the franchising process
*PSC-33-12-00009-P	..... exempt	Telecommunications companies ability to attach to utility company poles	Consideration of Tech Valley's ability to attach to Central Hudson poles
*PSC-37-12-00009-P	..... exempt	Proposed modification by Con Edison of its procedures to calculate estimated bills to its customers	Proposed modification by Con Edison of its procedures to calculate estimated bills to its customers

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-22-13-00009-P	..... exempt	On remand from New York State court litigation, determine the recovery of certain deferred amounts owed NFG by ratepayers	On remand, to determine the recovery of certain deferral amounts owed NFG from ratepayers
*PSC-23-13-00005-P	..... exempt	Waiver of partial payment, directory database distribution, service quality reporting, and service termination regulations	Equalize regulatory treatment based on level of competition and practical considerations
*PSC-25-13-00008-P	..... exempt	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request
*PSC-25-13-00009-P	..... exempt	Provision by utilities of natural gas main and service lines	To help ensure efficient and economic expansion of the natural gas system as appropriate
*PSC-25-13-00012-P	..... exempt	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request
*PSC-27-13-00014-P	..... exempt	Columbia Gas Transmission Corporation Cost Refund	For approval for temporary waiver of tariff provisions regarding its Columbia Gas Transmission Corporation cost refund
*PSC-28-13-00014-P	..... exempt	Provision for the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces	To consider the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces
*PSC-28-13-00016-P	..... exempt	The request of NGT for lightened regulation as a gas corporation	To consider whether to approve, reject, or modify the request of Niagara gas transport of Lockport, NY LLC
*PSC-28-13-00017-P	..... exempt	The request by TE for waiver of regulations requiring that natural gas be odorized in certain gathering line segments	Consider the request by TE for waiver of regulations that gas be odorized in certain lines
*PSC-32-13-00009-P	..... exempt	To consider the definition of "misleading or deceptive conduct" in the Commission's Uniform Business Practices	To consider the definition of "misleading or deceptive conduct" in the Commission's Uniform Business Practices
*PSC-32-13-00012-P	..... exempt	To consider whether NYSEG should be required to undertake actions to protect its name and to minimize customer confusion	To consider whether NYSEG should be required to undertake actions to protect its name and to minimize customer confusion
*PSC-33-13-00027-P	..... exempt	Waive underground facility requirements for new construction in residential subdivisions to allow for overhead electric lines	Determine whether Chapin Lumberland, LLC subdivision will be allowed overhead electric distribution and service lines
*PSC-33-13-00029-P	..... exempt	Deferral of incremental costs associated with the restoration of steam service following Superstorm Sandy	To consider a petition by Con Edison to defer certain incremental steam system restoration costs relating to Superstorm Sandy
*PSC-34-13-00004-P	..... exempt	Escrow account and surcharge to fund extraordinary repairs	To approve the establishment of an escrow account and surcharge
*PSC-42-13-00013-P	..... exempt	Failure to Provide Escrow Information	The closure of the Escrow Account
*PSC-42-13-00015-P	..... exempt	Failure to Provide Escrow Information	The closure of the Escrow Account
*PSC-43-13-00015-P	..... exempt	Petition for submetering of electricity	To consider the request of 2701 Kingsbridge Terrace L.P. to submeter electricity at 2701 Kingsbridge Terrace, Bronx, N.Y.

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-08-14-00015-P	..... exempt	Verizon New York Inc.'s service quality and Customer Trouble Report Rate (CTRR) levels at certain central office entities	To improve Verizon New York Inc.'s service quality and the Customer Trouble Report Rate levels at certain central office entities
*PSC-10-14-00006-P	..... exempt	Actions to facilitate the availability of ESCO value-added offerings, ESCO eligibility and ESCO compliance	To facilitate ESCO value-added offerings and to make changes to ESCO eligibility and to ensure ESCO compliance
*PSC-11-14-00003-P	..... exempt	Provision for the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces	To consider the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces
*PSC-16-14-00014-P	..... exempt	Whether to order NYSEG to provide gas service to customers when an expanded CPCN is approved and impose PSL 25-a penalties	To order gas service to customers in the Town of Plattsburgh after approval of a town wide CPCN and to impose penalties
*PSC-16-14-00015-P	..... exempt	Whether Central Hudson should be permitted to defer obligations of the Order issued on October 18, 2013 in Case 13-G-0336	Consideration of the petition by Central Hudson to defer reporting obligations of the October 18, 2013 Order in Case 13-G-0336
*PSC-17-14-00003-P	..... exempt	Con Edison's Report on its 2013 performance under the Electric Service Reliability Performance Mechanism	Con Edison's Report on its 2013 performance under the Electric Service Reliability Performance Mechanism
*PSC-17-14-00004-P	..... exempt	To consider certain portions of petitions for rehearing, reconsideration and/or clarification	To consider certain portions of petitions for rehearing, reconsideration and/or clarification
*PSC-17-14-00007-P	..... exempt	To consider petitions for rehearing, reconsideration and/or clarification	To consider petitions for rehearing, reconsideration and/or clarification
*PSC-17-14-00008-P	..... exempt	To consider certain portions of petitions for rehearing, reconsideration and/or clarification	To consider certain portions of petitions for rehearing, reconsideration and/or clarification
*PSC-19-14-00014-P	..... exempt	Market Supply Charge	To make tariff revisions to the Market Supply Charge for capacity related costs
*PSC-19-14-00015-P	..... exempt	Whether to permit the use of the Sensus accuWAVE for use in residential and commercial gas meter applications	To permit gas utilities in New York State to use the Sensus accuWAVE 415TC gas meter
*PSC-22-14-00013-P	..... exempt	Petition to transfer and merge systems, franchises and assets	To consider the Comcast and Time Warner Cable merger and transfer of systems, franchises and assets
*PSC-23-14-00010-P	..... exempt	Whether to permit the use of the GE Dresser Series B3-HPC 11M-1480 rotary gas meter for use in industrial gas meter applications	To permit gas utilities in New York State to use the GE Dresser Series B3-HPC 11M-1480 rotary gas meter
*PSC-23-14-00014-P	..... exempt	Waiver of the negative revenue adjustment associated with KEDLI's 2013 Customer Satisfaction Performance Metric	Consideration of KEDLI's waiver request pertaining to its 2013 performance under its Customer Satisfaction Metric
*PSC-24-14-00005-P	..... exempt	To examine LDC's performance and performance measures	To improve gas safety performance
*PSC-26-14-00013-P	..... exempt	Waiver of RG&E's tariffed definition of emergency generator	To consider waiver of RG&E's tariffed definition of emergency generator
*PSC-26-14-00020-P	..... exempt	New electric utility backup service tariffs and standards for interconnection may be adopted	To encourage development of microgrids that enhance the efficiency, safety, reliability and resiliency of the electric grid

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-13-15-00027-P	..... exempt	Whether to permit the use of the Measurlogic DTS 310 electric submeter	To permit the use of the Measurlogic DTS 310 submeter
*PSC-13-15-00028-P	..... exempt	Whether to permit the use of the SATEC EM920 electric meter	To permit necessary to permit the use of the SATEC EM920 electric meter
*PSC-13-15-00029-P	..... exempt	Whether to permit the use the Triacta Power Technologies 6103, 6112, 6303, and 6312 electric submeters	To permit the use of the Triacta submeters
*PSC-17-15-00007-P	..... exempt	To consider the petition of Leatherstocking Gas Company, LLC seeking authority to issue long-term debt of \$2.75 million	To consider the petition of Leatherstocking Gas Company, LLC seeking authority to issue long-term debt of \$2.75 million
*PSC-18-15-00005-P	..... exempt	Con Edison's Report on its 2014 performance under the Electric Service Reliability Performance Mechanism	Con Edison's Report on its 2014 performance under the Electric Service Reliability Performance Mechanism
*PSC-19-15-00011-P	..... exempt	Gas Safety Performance Measures and associated negative revenue adjustments	To update the performance measures applicable to KeySpan Gas East Corporation d/b/a National Grid
*PSC-22-15-00015-P	..... exempt	To consider the request for waiver of the individual residential unit meter requirements and 16 NYCRR 96.1(a)	To consider the request for waiver of the individual residential unit meter requirements and 16 NYCRR 96.1(a)
*PSC-23-15-00005-P	..... exempt	The modification of New York American Water's current rate plan	Whether to adopt the terms of the Joint Proposal submitted by NYAW and DPS Staff
*PSC-23-15-00006-P	..... exempt	The modification of New York American Water's current rate plan	Whether to adopt the terms of the Joint Proposal submitted by NYAW and DPS Staff
*PSC-25-15-00008-P	..... exempt	Notice of Intent to Submeter electricity	To consider the request of 165 E 66 Residences, LLC to submeter electricity at 165 East 66th Street, New York, New York
*PSC-29-15-00025-P	..... exempt	Joint Petition for authority to transfer real property located at 624 West 132nd Street, New York, NY	Whether to authorize the proposed transfer of real property located at 624 West 132nd Street, New York, NY
*PSC-32-15-00006-P	..... exempt	Development of a Community Solar Demonstration Project	To approve the development of a Community Solar Demonstration Project
*PSC-33-15-00009-P	..... exempt	Remote net metering of a demonstration community net metering program	To consider approval of remote net metering of a demonstration community net metering program
*PSC-33-15-00012-P	..... exempt	Remote net metering of a Community Solar Demonstration Project	To consider approval of remote net metering of a Community Solar Demonstration Project
*PSC-34-15-00021-P	..... exempt	Petition by NYCOM requesting assistance with obtaining information on CLECs and ESCOs	To consider the petition by NYCOM requesting assistance with obtaining information on CLECs and ESCOs
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-40-15-00014-P	..... exempt	Whether to permit the use of the Open Way 3.5 with cellular communications	To consider the use of the Open Way 3.5 electric meter, pursuant to 16 NYCRR Parts 92 and 93
*PSC-42-15-00006-P	..... exempt	Deferral of incremental expenses associated with NERC's new Bulk Electric System (BES) compliance requirements approved by FERC	Consideration of Central Hudson's request to defer incremental expenses associated with new BES compliance requirements
*PSC-44-15-00028-P	..... exempt	Deferral of incremental expenses associated with new compliance requirements	Consideration of Central Hudson's request to defer incremental expenses associated with new compliance requirements
*PSC-47-15-00013-P	..... exempt	Whitepaper on Implementing Lightened Ratemaking Regulation	Consider Whitepaper on Implementing Lightened Ratemaking Regulation
*PSC-48-15-00011-P	..... exempt	Proposal to retire Huntley Units 67 and 68 on March 1, 2016	Consider the proposed retirement of Huntley Units 67 and 68
*PSC-50-15-00006-P	..... exempt	The reduction of rates	To consider the reduction of rates charged by Independent Water Works, Inc.
*PSC-50-15-00009-P	..... exempt	Notice of Intent to submeter electricity	To consider the request to submeter electricity at 31-33 Lincoln Road and 510 Flatbush Avenue, Brooklyn, New York
*PSC-51-15-00010-P	..... exempt	Modification of the EDP	To consider modifying the EDP
*PSC-01-16-00005-P	..... exempt	Proposed amendment to Section 5, Attachment 1.A of the Uniform Business Practices	To consider amendment to Section 5, Attachment 1.A of the Uniform Business Practices
*PSC-04-16-00007-P	..... exempt	Whether Hamilton Municipal Utilities should be permitted to construct and operate a municipal gas distribution facility	Consideration of the petition by Hamilton Municipal Utilities to construct and operate a municipal gas distribution facility
*PSC-04-16-00012-P	..... exempt	Proposal to mothball three gas turbines located at the Astoria Gas Turbine Generating Station	Consider the proposed mothball of three gas turbines located at the Astoria Gas Turbine Generating Station
*PSC-04-16-00013-P	..... exempt	Proposal to find that three gas turbines located at the Astoria Gas Turbine Generating Station are uneconomic	Consider whether three gas turbines located at the Astoria Gas Turbine Generating Station are uneconomic
*PSC-06-16-00013-P	..... exempt	Continued deferral of approximately \$16,000,000 in site investigation and remediation costs	To consider the continued deferral of approximately \$16,000,000 in site investigation and remediation costs
*PSC-06-16-00014-P	..... exempt	MEGA's proposed demonstration CCA program	To consider MEGA's proposed demonstration CCA program
*PSC-14-16-00008-P	..... exempt	Resetting retail markets for ESCO mass market customers	To ensure consumer protections with respect to residential and small non-residential ESCO customers
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-18-16-00015-P	..... exempt	Petitions for rehearing of the Order Resetting Retail Energy Markets and Establishing Further Process	To ensure consumer protections for ESCO customers
*PSC-18-16-00016-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs	To ensure consumer protection for ESCO customers
*PSC-18-16-00018-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs	To ensure consumer protection for ESCO customers
*PSC-20-16-00008-P	..... exempt	Consideration of consequences against Global Energy Group, LLC for violations of the Uniform Business Practices (UBP)	To consider consequences against Global Energy Group, LLC for violations of the Uniform Business Practices (UBP)
*PSC-20-16-00010-P	..... exempt	Deferral and recovery of incremental expense	To consider deferring costs of conducting leak survey and repairs for subsequent recovery
*PSC-20-16-00011-P	..... exempt	Enetics LD-1120 Non-Intrusive Load Monitoring Device in the Statewide Residential Appliance Metering Study	To consider the use of the Enetics LD-1120 Non-Intrusive Load Monitoring Device
*PSC-25-16-00009-P	..... exempt	To delay Companies' third-party assessments of customer personally identifiable information until 2018	To extend the time period between the Companies' third-party assessments of customer personally identifiable information
*PSC-25-16-00025-P	..... exempt	Acquisition of all water supply assets of Woodbury Heights Estates Water Co., Inc. by the Village of Kiryas Joel	To consider acquisition of all water supply assets of Woodbury Heights Estates Water Co., Inc. by the Village of Kiryas Joel
*PSC-25-16-00026-P	..... exempt	Use of the Badger E Series Ultrasonic Cold Water Stainless Steel Meter, in residential fire service applications	To consider the use of the Badger E Series Ultrasonic Cold Water Stainless Steel Meter in fire service applications
*PSC-28-16-00017-P	..... exempt	A petition for rehearing of the Order Adopting a Ratemaking and Utility Revenue Model Policy Framework	To determine appropriate rules for and calculation of the distributed generation reliability credit
*PSC-29-16-00024-P	..... exempt	Participation of NYPA customers in surcharge-funded clean energy programs	To consider participation of NYPA customers in surcharge-funded clean energy programs
*PSC-32-16-00012-P	..... exempt	Benefit-Cost Analysis Handbooks	To evaluate proposed methodologies of benefit-cost evaluation
*PSC-33-16-00001-EP	..... exempt	Use of escrow funds for repairs	To authorize the use of escrow account funds for repairs
*PSC-33-16-00005-P	..... exempt	Exemption from certain charges for delivery of electricity to its Niagara Falls, New York facility	Application of System Benefits Charges, Renewable Portfolio Standard charges and Clean Energy Fund surcharges
*PSC-35-16-00015-P	..... exempt	NYSRC's revisions to its rules and measurements	To consider revisions to various rules and measurements of the NYSRC
*PSC-36-16-00004-P	..... exempt	Recovery of costs for installation of electric service	To consider the recovery of costs for installation of electric service
*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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-37-17-00005-P	..... exempt	Financial incentives to create customer savings and develop market-enabling tools, with a focus on outcomes and incentives	To consider the revised Interconnection Survey Process and Earnings Adjustment Mechanisms
*PSC-39-17-00011-P	..... exempt	Whether to direct New York State Electric & Gas to complete electric facility upgrades at no charge to Hanehan	To determine financial responsibility between NYSEG and Hanehan for the electric service upgrades to Hanehan
*PSC-42-17-00010-P	..... exempt	Petition for rehearing of negative revenue adjustment and contents of annual Performance Report	To consider NFGD's petition for rehearing
*PSC-48-17-00015-P	..... exempt	Low Income customer options for affordable water bills	To consider the Low Income Bill Discount and/or Energy Efficiency Rebate Programs
*PSC-50-17-00017-P	..... exempt	New Wave Energy Corp.'s petition for rehearing	To consider the petition for rehearing filed by New Wave Energy Corp.
*PSC-50-17-00018-P	..... exempt	Application of the Public Service Law to DER suppliers	To determine the appropriate regulatory framework for DER suppliers
*PSC-50-17-00019-P	..... exempt	Transfer of utility property	To consider the transfer of utility property
*PSC-50-17-00021-P	..... exempt	Disposition of tax refunds and other related matters	To consider the disposition of tax refunds and other related matters
*PSC-51-17-00011-P	..... exempt	Petition for recovery of certain costs related to the implementation of a Non-Wires Alternative Project	To consider Con Edison's petition for the recovery of costs for implementing the JFK Project
*PSC-04-18-00005-P	..... exempt	Notice of intent to submeter electricity	To consider the notice of intent of Montante/Morgan Gates Circle LLC to submeter electricity
*PSC-05-18-00004-P	..... exempt	Lexington Power's ZEC compliance obligation	To promote and maintain renewable and zero-emission electric energy resources
*PSC-06-18-00012-P	..... exempt	To consider further proposed amendments to the original criteria to grandfathering established in the Transition Plan	To modify grandfathering criteria
*PSC-06-18-00017-P	..... exempt	Merger of NYAW and Whitlock Farms Water Corp.	To consider the merger of NYAW and Whitlock Farms Water Company into a single corporate entity
*PSC-07-18-00015-P	..... exempt	The accuracy and reasonableness of National Grid's billing for certain interconnection upgrades	To consider AEC's petition requesting resolution of their billing dispute with National Grid
*PSC-11-18-00004-P	..... exempt	New York State Lifeline Program	To consider TracFone's petition seeking approval to participate in Lifeline
*PSC-13-18-00015-P	..... exempt	Eligibility of an ESCO to market to and enroll residential customers	To consider whether Astral should be allowed to market to and enroll residential customers following a suspension
*PSC-13-18-00023-P	..... exempt	Reconciliation of property taxes	To consider NYAW's request to reconcile property taxes
*PSC-14-18-00006-P	..... exempt	Petition for abandonment	To consider the abandonment of Willsboro Bay Water Company's water system

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

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-38-20-00004-P	..... exempt	The annual Reconciliation of Gas Expenses and Gas Cost Recoveries	To consider filings of LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-42-20-00008-P	..... exempt	Availability of gas leak information to the public safety officials.	Facilitate availability of gas leak information to public safety officials by gas corporations
*PSC-45-20-00003-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
*PSC-46-20-00005-P	..... exempt	The recommendations of the DPS Staff report to improve Hudson Valley Water’s service	To determine if approving the DPS Staff’s recommendations is in the public interest
*PSC-48-20-00005-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether Chief Energy Power, LLC should be permitted to offer green gas products to mass market customers
*PSC-48-20-00007-P	..... exempt	Tariff modifications to change National Fuel Gas Distribution Corporation’s Monthly Gas Supply Charge provisions	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
*PSC-51-20-00009-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether petitioner should be permitted to offer its “Energy Savings Program” to mass market customers
*PSC-51-20-00014-P	..... exempt	Electric system needs and compensation for distributed energy resources	To ensure safe and adequate service and just and reasonable rates, including compensation, for distributed energy resources
*PSC-01-21-00004-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether petitioner should be permitted to offer its Home Warranty product to mass market customers
*PSC-04-21-00016-P	..... exempt	Request for a waiver	To consider whether good cause exists to support a waiver of the Commission’s Test Period Policy Statement
*PSC-09-21-00005-P	..... exempt	Utility capital expenditure proposal	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
*PSC-13-21-00016-P	..... exempt	Revised distribution strategies and reallocation of remaining funding	To ensure the appropriate use of funding reserved for gas safety programs
*PSC-17-21-00005-P	..... exempt	Submetering equipment	To consider use of submetering equipment and if it is in the public interest
*PSC-17-21-00006-P	..... exempt	Community Choice Aggregation and Community Distributed Generation	To consider permitting opt-out Community Distributed Generation to be offered as the sole product in an aggregation
*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

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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.
*PSC-31-22-00009-P	..... exempt	Proposed major rate increase in RG&E's electric delivery revenues of approximately \$93.8 million (or 11.3% in total revenues).	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
*PSC-32-22-00022-P	..... exempt	Establishment of the regulatory regime applicable to a wind electric generating facility.	To ensure appropriate regulation of a new electric corporation.
*PSC-32-22-00023-P	..... exempt	Bioenergy generation in New York.	To consider compensation for bioenergy generation.
*PSC-33-22-00006-P	..... exempt	Use of gas metering equipment.	To consider use of volume corrector and ensure that consumer bills will be based on accurate measurements of gas usage.
*PSC-33-22-00008-P	..... exempt	Gas moratorium consumer protections.	To consider protections for existing and prospective customers should a utility institutes a moratorium on new gas service.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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.
PSC-42-22-00011-P	..... exempt	Gas system planning.	To consider cost recovery procedures and an incentive mechanism for non-pipeline alternatives.
PSC-42-22-00012-P	..... exempt	Gas system planning.	To consider screening and suitability criteria for non-pipeline alternatives.
PSC-42-22-00013-P	..... exempt	Gas system planning.	To consider screening and suitability criteria for non-pipeline alternatives.
PSC-42-22-00014-P	..... exempt	Gas system planning.	To consider screening and suitability criteria for non-pipeline alternatives.
PSC-42-22-00015-P	..... exempt	Gas system planning.	To consider screening and suitability criteria for non-pipeline alternatives.
PSC-42-22-00016-P	..... exempt	Gas system planning.	To consider screening and suitability criteria for non-pipeline alternatives.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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-52-22-00011-P	..... exempt	The Integrated Energy Data Resource platform.	To consider customer consent and utility liability issues related to the Integrated Energy Data Resource.
PSC-52-22-00014-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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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-05-23-00009-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.
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.

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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 VWNYS annual base rate revenues.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
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-23-23-00003-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-24-23-00022-P	..... exempt	Transfer of street lighting facilities.	To determine whether to authorize the transfer of street 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-25-23-00005-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-26-23-00010-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.
PSC-27-23-00011-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment, and consumer protections are in place.

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

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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.
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.
PSC-37-23-00006-P	exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-37-23-00007-P	..... exempt	Transfer of street lighting facilities.	To determine whether to authorize the transfer of street lighting facilities and the proper accounting for the transaction.
PSC-37-23-00008-P	..... exempt	Subscriber notices of cable television programming.	To provide cable subscribers with notice of programming changes.
PSC-37-23-00009-P	..... exempt	Notice of intent to submeter electricity and request for waiver.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-38-23-00001-P	..... exempt	Reliable Clean City - Idlewild Project.	To consider the Reliable Clean City - Idlewild Project and to determine recovery of its costs.
PSC-38-23-00002-P	..... exempt	Program-wide adjustments to renewable energy certificate contracts.	To consider modification to existing renewable energy certificate contracts in light of increased project costs.
PSC-38-23-00003-P	..... exempt	Minor rate filing to increase annual water revenues and replenishable escrow account.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-38-23-00004-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-38-23-00005-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-39-23-00004-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-39-23-00005-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-39-23-00006-P	..... exempt	Exemption from the Commission's rate setting authority and conversion to an electronic format.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-39-23-00007-P	..... exempt	Electric metering equipment.	To ensure that consumer bills will be based on accurate measurements of electric usage.
PSC-39-23-00008-P	..... exempt	Auto- and Term- DLM program procurement modification.	To allow for flexibility in procurement methodologies to increase engagement in program.
PSC-39-23-00009-P	..... exempt	Transfer of certain electric transmission facilities.	To determine whether the transfer of the electric transmission facilities is in the public interest.
PSC-40-23-00029-P	..... exempt	The applicable regulatory regime for the owner/operator of an approximately 200 megawatt solar electric generating facility.	Consideration of whether a requested lightened regulatory regime is in accordance with the Public Service Law and precedent.
PSC-40-23-00030-P	..... exempt	Proposed major rate increase in electric delivery revenues.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-40-23-00031-P	..... exempt	Compensation of and incentives for distributed energy resources.	To encourage the development of and ensure just and reasonable rates for distributed energy resources.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-40-23-00032-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-40-23-00033-P	..... exempt	A debt financing arrangement with respect to natural gas pipelines and related facilities providing wholesale services.	To consider the requested financing arrangement and what regulatory conditions should apply.
PSC-40-23-00034-P	..... exempt	Proposed major rate increase in gas delivery revenues.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
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.
SUN-40-23-00004-EP	..... 10/03/24	Appointment of Employees and Leave of Absence for Employees in the Professional Service.	Revise to comport with provisions of the collective bargaining agreement between the State and United University Professions.
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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
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)
TDA-39-23-00003-EP	..... 09/26/24	Standard Utility Allowances (SUAs) for the Supplemental Nutrition Assistance Program (SNAP)	These regulatory amendments set forth the federally-approved SUAs as of 10/01/2023.
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-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.
TRN-40-23-00001-P	..... 10/03/24	Towing contracts on special parkways	To repeal regulations requiring competitively bid roadside assistance contracts on the State's special parkways
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.

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SEALED BIDS

PROVIDE CCTV/CIVILIAN PERSONAL ALARM SYSTEM Taconic Correctional Facility Bedford Hills, Westchester County

Sealed bids for Project Nos. 46191-C, 46191-H and 46191-E comprising separate contracts for Construction Work, HVAC Work, and Electrical Work, Provide CCTV & Civilian Personal Alarm System, Taconic Correctional Facility, 250 Harris Road, Bedford Hills (Westchester County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Department of Corrections and Community Supervision, until 2:00 p.m. on Wednesday, October 18, 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 \$20,400 for C, \$23,200 for H, and \$328,100 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 \$500,000 and \$1,000,000 for H, and between \$10,000,000 and \$15,000,000 for E.

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

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

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

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

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

The substantial completion date for this project is 1088 days after the Agreement is approved by the Comptroller.

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 9:00 a.m. on October 5, 2023, at OGS Office Trailer, 247 Harris Road, Bedford Hills, NY 10507. Prospective bidders are urged, but not mandated, to visit the site at this time. Prospective bidders or their representatives attending the pre-bid site visit will not be admitted on facility grounds without proper photo identification. Note that parking restrictions and security provisions will apply, and all vehicles will be subject to search. Refer to Document 002218 for any additional requirements for attendance at the pre-bid site visit.

Phone the office of Matt Vondras (914-666-0889) a minimum of 72 hours in advance of the date to provide the names of those who will attend the pre-bid site visit. Only contractors that schedule a visit at least 72 hours in advance will be allowed to participate in the pre-bid site visit.

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

Article 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, 6% for the E trade contractor, 3% for the H 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

REPLACE
WALK-IN COOLERS/FREEZER
Sagamore Children's Psychiatric Center
Dix Hills, Suffolk County

Sealed bids for Project No. 47425-C, comprising a contract for Construction Work, Replace Walk-In Coolers & Freezer, Building 80, Sagamore Children's Psychiatric Center, 197 Half Hollow Road, Dix Hills (Suffolk County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Office of Mental Health, until 2:00 p.m. on Wednesday, October 18, 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 \$28,000 for C).

Further, Wicks Exempt Projects require a completed form BDC 59 (Wicks Exempt List of Contractors) be filled out and submitted in accordance with Document 002220, Supplemental Instructions to Bidders – Wicks Exempt. 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 \$500,000 and \$1,000,000 for C.

Pursuant to State Finance Law §§ 139-j and 139-k, this solicitation includes and imposes certain restrictions on communications between OGS D&C and a bidder during the procurement process. A bidder is restricted from making contacts from the earliest posting, on the OGS website, in a newspaper of general circulation, or in the Contract Reporter of written notice, advertisement or solicitation of offers through final award and approval of the contract by OGS D&C and the Office of the State Comptroller ("Restricted Period") to other than designated staff unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a). Designated staff are Jessica Cook, Jessica Hoffman, and Pierre Alric in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and 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 date for this project is 482 days after the Agreement is approved by the Comptroller.

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 1:00 p.m. on October 5, 2023, Sagamore Children's Psychiatric Center, 197 Half Hollow Road, Dix Hill, 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 Thomas Petrasek, (917-639-7009) 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 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

NOTICE OF AVAILABILITY OF STATE AND FEDERAL FUNDS

Division of Homeland Security and Emergency Services

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

UNITS OF LOCAL GOVERNMENT WITHIN TARGETED COUNTIES

Fiscal Year 2021 Critical Infrastructure Grant Program (CIGP)

Fiscal Year 2021 Critical Infrastructure Grant Program (CIGP) seeks applications for up to \$50,000 from federal State Homeland Security Program (SHSP) funding made available by the NYS Division of Homeland Security and Emergency Services (DHSES) for critical infrastructure protection. The FY2021 Critical Infrastructure Grant Program (CIGP) advances a common understanding of risk management. Applicants select a government-owned critical infrastructure or mass gathering/special event site and complete a risk assessment. First responders assess their capability to prevent and protect against attacks on the site. Grant funding is then applied to mitigate vulnerabilities identified in the risk assessment or enhance first responders' capabilities.

The priority focus for the FY2021 CIGP is government-owned critical infrastructure or mass gathering/special event sites. Examples of critical infrastructure sites include, but are not limited to, government office buildings (city/town halls), emergency services (emergency operations centers, 911 centers, police or fire stations), water systems (water treatment facilities, water distribution, wastewater treatments) or government-owned stadiums. Examples of mass gathering/special event sites include government property, where events such as, but not limited to, major community festivals, races, concerts or games are held. These events must be reoccurring (but not necessarily the same event) and located or held on government-owned or leased property that has definable geographic boundaries. The event or location must pose special security concerns, such a population surges and other factors that require additional law enforcement or emergency resources.

Only units of local government within targeted counties are eligible to apply for the FY2021 CIGP. Units of local governments include counties, cities, towns, and/or villages. Applicants must be located in New York City or one of the following targeted counties: Albany, Broome, Dutchess, Erie, Herkimer, Livingston, Madison, Monroe, Nassau, Niagara, Oneida, Onondaga, Ontario, Orange, Orleans, Oswego, Putnam, Rensselaer, Rockland, Saratoga, Schenectady, Schoharie, Suffolk, Tioga, Wayne, Westchester, and Yates. The application must be coordinated with at least two (2) agencies with prevention and/or protection responsibilities at the selected site. These must be law enforcement, fire department, emergency management, or public works agencies.

Applications will be accepted until November 1, 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 <https://www.dhSES.ny.gov/targeted-grants> or contact the DHSES Grants Hotline at (866) 837-9133.

Division of Homeland Security and Emergency Services

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

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

Fiscal Year 2021 Cybersecurity Grant Program

Fiscal Year 2021 Cybersecurity Grant Program seeks applications for up to \$50,000 from federal State Homeland Security Program (SHSP) funding made available by the NYS Division of Homeland Security and Emergency Services (DHSES). The purpose of this grant opportunity is to aid New York State's local jurisdictions in enhancing their ability to identify, protect, detect, respond to and recover from cyber incidents through funding of eligible planning, equipment, training and exercise costs.

All New York State counties as well as units of local government to include cities, towns, and/or villages that are registered members of the Multi-State Information Sharing and Analysis Center (MS-ISAC) are eligible to apply for the FY2021 Cybersecurity Grant Program. The five objectives of this grant are to: 1) To provide New York State local jurisdictions with the resources and equipment necessary to prevent disruption of the confidentiality, integrity and availability of their information systems; 2) To assess cyber security risks, identify vulnerabilities and determine capability gaps with the focus of allocating resources to address the most critical needs; 3) To ensure that local jurisdictions are equipped with the knowledge and resources necessary for providing cyber security awareness training to their staff in support of good cyber hygiene at the user level; 4) To develop actionable cyber security plans that focus on response and immediate remediation to a cyber incident, and; 5) To encourage the participation in established cyber security support networks and utilization of the vast amount of resources available to local governments.

Applications will be accepted until November 1, 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 <https://www.dhSES.ny.gov/targeted-grants> or contact DHSES's Grants Hotline at (866) 837-9133.

Division of Homeland Security and Emergency Services

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

LOCAL, COUNTY AND TRIBAL LAW ENFORCEMENT AGENCIES WITH AN ACTIVE ROAD PATROL COMPONENT OF THEIR LAW ENFORCEMENT OPERATIONS AND WHO CURRENTLY AND/OR PREVIOUSLY MANAGED A DCJS OR NYSP-

CERTIFIED EXPLOSIVE DETECTION CANINE TEAM WITHIN THE LAST FIVE YEARS

Fiscal Year 2021 Explosive Detection Canine Team Grant Program

Fiscal Year 2021 Explosive Detection Canine Team Grant Program seeks applications for up to \$60,000 from federal State Homeland Security Program funding made available by the NYS Division of Homeland Security and Emergency Services (DHSES) for programs to develop and support explosive detection canine team capabilities.

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

Applications will be accepted until November 1, 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 <https://www.dhSES.ny.gov/targeted-grants> or contact DHSES's Grants Hotline at (866) 837-9133.

Division of Homeland Security and Emergency Services

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

LOCAL, COUNTY, AND TRIBAL LAW ENFORCEMENT AGENCIES WITH AN ACTIVE TACTICAL TEAM AS PART OF THEIR LAW ENFORCEMENT OPERATIONS THAT RESPOND TO CALLS FOR SERVICE OUTSIDE OF A CORRECTIONAL SETTING AND HAVE BEEN CERTIFIED BY DCJS OR HAVE A PENDING APPLICATION FOR CERTIFICATION WITH DCJS

Fiscal Year 2021 Tactical Team Grant Program

Fiscal Year 2021 Tactical Team Grant Program seeks applications for up to \$75,000 from federal State Homeland Security Program funding made available by the NYS Division of Homeland Security and Emergency Services (DHSES). The primary focus of this grant opportunity is to improve a tactical team's response capabilities through the attainment and sustainment of the SWAT Team Standards that were developed and approved by the New York State Division of Criminal Justice Services (DCJS) through the Municipal Police Training Council (MPTC).

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

Applications will be accepted until November 1, 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 <https://www.dhSES.ny.gov/targeted-grants> or contact DHSES's Grant Hotline at (866) 837-9133.

Division of Homeland Security and Emergency Services

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

ALL NEW YORK STATE COUNTIES

Fiscal Year 2021 Technical Rescue/Urban Search and Rescue (USAR) Team Grant Program

Fiscal Year 2021 Technical Rescue & Urban Search and Rescue (USAR) Team Grant Program seeks applications for up to \$225,000 from federal State Homeland Security Program funding made available by the NYS Division of Homeland Security and Emergency Services (DHSES). The focus of this grant opportunity is to develop and support Technical Rescue & USAR team capabilities.

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

All New York State counties are eligible to apply for up to \$75,000 if applying as a single county or up to \$225,000 (\$75,000 per county to a maximum of \$225,000) if three or more counties apply jointly to develop a regional response partnership.

Applications will be accepted until November 1, 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 <https://www.dhSES.ny.gov/targeted-grants> 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 Department of Health

The New York State Department of Health (DOH) is required by the provisions of the federal Beaches Environmental Assessment and Coastal Health (BEACH) Act to provide for public review and comment on the Department's beach monitoring and notification plan. The BEACH Act (Section 406(b) of the Clean Water Act) enacted a federal Environmental Protection Agency grant program available to states, such as New York, with coastal recreational waters. Coastal recreational waters include the Great Lakes and marine coastal waters that are designated for swimming, bathing, surfing, or similar water contact activities. The Act is not applicable to inland waters or waters upstream of the mouth of a river or stream having an unimpaired natural connection with the open sea.

The beach monitoring and public notification plan also includes information on the beach evaluation and classification process, including a list of waters to be monitored and beach ranking. Also included in this plan, is the sampling design and monitoring plan, including sampling location and sampling frequency. Lastly, the plan contains information on procedures for public notification and risk communication, including methods to notify the public of a swimming advisory or beach closure.

Any interested parties and/or agencies desiring to review and/or comment on the beach monitoring and notification plan for coastal recreational waters may do so by writing to: Timothy M. Shay, Assistant Director, Bureau of Community Environmental Health and Food Protection Center for Environmental Health, Department of Health, Empire State Plaza, Corning Tower Bldg., Rm. 1395, Albany, NY 12237

PUBLIC NOTICE Homes and Community Renewal Draft 2024 Annual Action Plan Public Comment Period Announcement

To participate in certain federal community development and housing programs, the State of New York an annual Action Plan and

provide opportunities for citizens to participate in its development. As part of this process, New York State invites interested persons to review and comment on the Annual Action Plan for 2024 during an upcoming public comment period.

The Annual Action Plan focuses principally on five federal programs: the New York State Community Development Block Grant Program (CDBG); the HOME Investment Partnerships Program (HOME); Housing Trust Fund (HTF); the Housing Opportunities for Persons with AIDS Program (HOPWA); and the Emergency Shelter Grants Program (ESGP).

The Annual Action Plan will describe the State's planned use of federal Fiscal Year 2024 CDBG, HOME, HTF, HOPWA and ESGP funds it administers to address the needs identified by its five-year Consolidated Plan and further the Consolidated Plan's objectives and will also describe the State's methods for distributing these funds.

The 30-day public comment period will begin on Monday, October 16, 2023, and extend through close of business Thursday, November 16, 2023. Beginning on October 16, 2023, New York State's draft Annual Action Plan for 2023 may be viewed on and downloaded from the New York State Housing and Community Renewal (HCR) website at hcr.ny.gov/pressroom. In addition, copies can be requested by email HCRConPln@hcr.ny.gov or by calling (518) 486-3452.

Comments should be emailed to: HCRConPln@hcr.ny.gov or mailed to New York State Homes and Community Renewal, Rachel Yerdon, 38-40 State St., Albany, NY 12207

Comments must be received by close of business November 16, 2023.

PUBLIC NOTICE

Department of State
Notice of Review of Request for
Brownfield Opportunity Area
Conformance Determination

Project: Construction of Warehouse Facility
Location: City of Lackawanna First Ward
Brownfield Opportunity Area in City of Lackawanna

In accordance with General Municipal Law, Article 18 - C, Section 970-r, the Secretary of State designated the City of Lackawanna First Ward Brownfield Opportunity Area, in the City of Lackawanna, on July 25, 2019. The designation of the City of Lackawanna First Ward Brownfield Opportunity Area was supported by a Nomination or a comprehensive planning tool that identifies strategies to revitalize the area which is affected by one or more known or suspected brownfield sites.

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

On May 8, 2023, Renaissance 8, LLC submitted a request for the Secretary of State to determine whether the Construction of Warehouse Facility project, which will be located within the designated City of

Lackawanna First Ward Brownfield Opportunity Area, conforms to the goals and priorities identified in the Nomination that was prepared for the designated City of Lackawanna First Ward Brownfield Opportunity Area.

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

Comments must be submitted no later than November 3, 2023, either by mail to: Benjamin Bidell, Department of State, Office of Planning and Development, 295 Main St., Suite 821, Buffalo, NY 14203, or by email to: Benjamin.Bidell@dos.ny.gov

PUBLIC NOTICE

Department of State
F-2023-0347

Date of Issuance – October 4, 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, Albany, New York.

In F-2023-0347, The Trust for Governors Island is proposing the relocation of the barge at Yankee Pier to Pier 101, and re-attach to existing steel pipe anchor piles. The existing gangway will also be moved. Also, the proposed installation of a new 35' x 90' barge at Yankee Pier with a 8' x 48' gangway and four 36" steel piles at the Yankee Pier. The site is located on Buttermilk Channel, Governors Island, New York, NY, 10004.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2023/10/f-2023-0347pier101.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 November 3, 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-2023-0482

Date of Issuance – October 4, 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-2023-0482, Town of Southampton is proposing excavations from offshore borrow areas by ocean-certified hopper and/or cutterhead suction dredge, and placement of up to 1,190,000 cy on 14,125

linear feet of beach of Sagaponack Ocean Beach from Shoreline Road to Sagaponack Pond, Town of Southampton, Suffolk County, Atlantic Basin.

The stated purpose of the proposed action is to replenish the volume of sand lost due to erosion since the initial beach replenishment project completed in 2014.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2023/09/f-2023-0482.pdf> or at <https://dos.ny.gov/public-notices>

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

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice, or November 3, 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-2023-0483

Date of Issuance – October 4, 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-2023-0483, Town of Southampton is proposing excavations from offshore borrow areas by ocean-certified hopper and/or cutterhead suction dredge, and placement of up to 1,120,000 cubic yards on 15,626 linear feet of beach in reaches 3 and 4 of Sagg Main Street, Town of Southampton, Suffolk County, Atlantic Basin.

The stated purpose of the proposed action is to replenish the volume of sand lost due to erosion since the initial beach replenishment project completed in 2014.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2023/09/f-2023-0483.pdf> or at <https://dos.ny.gov/public-notices>

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

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice, or November 3, 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-2023-0645

Date of Issuance – October 4, 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-2023-0645, John Erdmann is proposing to perform maintenance dredging of an area 8,000 s.f. to -5.5' Mean Low Water with a maximum 1' overdredge. Approximately 1,250 cubic yards of silt and sand will be dredged by clamshell bucket or determined alternative method and disposed of at the Western Long Island Sound disposal site (WLDS). The proposed project would be located on Long Island Sound, at 2 Nathan Hale Drive, Norwalk, CT.

The WLDS is located in Long Island Sound and is an approximately 1.5 nautical mile (nmi) x 1.5 nmi area located at a center point of 40.99167N; -73.4825W. More information regarding this site can be found at: <https://www.nae.usace.army.mil/Missions/Disposal-Area-Monitoring-System-DAMOS/Disposal-Sites/> or at <https://www.epa.gov/ocean-dumping/dredged-material-management-long-island-sound>

The stated purpose of the proposed action is maintenance dredging.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2023/10/f-2023-0645.pdf> or at <https://dos.ny.gov/public-notices>

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

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice, or November 3, 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-2023-0655 (DA)

Date of Issuance – October 4, 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 National Park Service has determined that the proposed activity will be undertaken in a manner consistent to the maximum extent practicable with the enforceable policies of the New York State Coastal Management Program. The applicant's consistency determination and accompanying 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-2023-0655 (DA), National Park Service is proposing the demolition of two obsolete lift stations (60 and 154) at Floyd Bennett Field at Gateway National Recreation Area (GATE), Jamaica Bay, Aviation Road, Kings County, New York. The concrete basins for LS

60, the WWTP foundation and the adjacent building would be demolished to 2 feet below grade and filled to return the area to meet adjacent grade. Additionally, the high voltage cabinets, bollards, concrete basins, asphalt walk, and non-native trees would be removed. The entire area would be loamed and seeded to return the area to a grassy, pre-construction condition.

The applicant's consistency determination and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2023/10/f-2023-0655da.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 November 3, 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.

2023-0460 In the matter of Mark W. Haag Ii of Haag Properties LLC, 440 East Buffalo Street, Ithaca, NY, 14850 for a variance concerning handrail and guardrail requirements for a student boarding house, 3 stories in height, located in the East Hill Historical District at 113 Oak Avenue, City of Ithaca, County of Tompkins, 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.

2023-0465 Matter of Luigi Gileno Architect PC, Luigi Gileno, 485 Underhill Blvd., Ste 304, Syosset, NY 11791, for a variance concerning safety requirements, including height under projections. Involved is an existing dwelling located at Three Steamboat Drive, Village of Port Washington North, NY, County of Nassau, State of New York.

2023-0466 Matter of Erwin Coronado, 71 Anderson Avenue, North Babylon, NY 11703, for a variance concerning safety requirements, including ceiling height and height under projections. Involved is an existing dwelling located at 71 Anderson Avenue, North Babylon, NY, County of Suffolk, State of New York.

2023-0473 Matter of Steven Rollino, 22 Litchfield Road, Port Washington, NY 11050, for a variance concerning safety requirements, including height under projections. Involved is an existing dwelling located at 22 Litchfield Road, Port Washington, NY, County of Nassau, State of New York.

PUBLIC NOTICEDepartment of State
Uniform Code Variance/Appeal Petitions

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2023-0467 in the Matter of Daisy Lee, 43 Linden Lane, Bedford Corners, NY 10549, for a variance concerning safety requirements, including stair risers. Involved is a one family dwelling located in the Town of Bedford, County of Westchester, State of New York.

2023-0468 in the Matter of Leonel and Anna Fontoura, 122 Morsemere Avenue, Yonkers, NY 10703, for a variance concerning safety requirements, including ceiling height. Involved is a one family dwelling located in the City of Yonkers, County of Westchester, State of New York.

2023-0469 in the Matter of Taco District & Co, Hever Palacios, 20 North Division, Peekskill, NY 10566, for a variance concerning safety requirements, including stair tread depth. Involved is a two story building located in the City of Peekskill, County of Westchester, State of New York.

2023-0470 in the Matter of Anthony Giardina, PO Box 158, Mount Kisco, NY 10549, for a variance concerning safety requirements, including stairway landing. Involved is a one family dwelling located at 79 North Moger Avenue, Village of Mount Kisco, NY 10549, County of Westchester, State of New York.

PUBLIC NOTICEDepartment of State
Uniform Code Variance/Appeal Petitions

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2023-0472 "Fig Hallow Barn" located at 856 Yellow Mills Road, Town of Palmyra (County of Wayne) NY, for a variance concerning sprinkler system requirements. (Board Variance)

COURT NOTICES

AMENDMENT OF RULE Court of Appeals

At a session of the Court, held at Court
of Appeals Hall in the City of Albany, on
the 15th day of September, 2023.

Present, HON. ROWAN D. WILSON, Chief Judge, presiding

In the Matter

of

The Amendment of the Rules of the Court of Appeals
for the Admission of Attorneys and Counselors
at Law (22 NYCRR Part 520).

Pursuant to section 53 of the Judiciary Law, it is hereby

ORDERED that Part 520 of the Rules of the Court of Appeals for the
Admission of Attorneys and Counselors at Law (22 NYCRR Part 520)
is amended, effective October 4, 2023, or as soon thereafter as section
52 of the Judiciary Law is complied with, by adding the underlined
material to section 520.17(d), to read as follows:

§ 520.17 Pro Bono Scholars Program

(d) Law school credit. A student who completes the Pro Bono
Scholars Program must receive at least 12 academic credits for
participation in the program. *Up to 42.5 hours of the program may be
completed during the fall semester immediately preceding the program
participant's final semester of law school study. Credit for such work
may not be awarded until the entire program is completed.*

