
NEW YORK STATE
REGISTER

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Notice of Availability of State and Federal Funds

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

For notices published in this issue:

- the 60-day period expires on March 10, 2024
- the 45-day period expires on February 24, 2024
- the 30-day period expires on February 9, 2024

**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 Children and Family Services

EMERGENCY RULE MAKING

Expansion of Eligibility for Child Care Assistance Program

I.D. No. CFS-42-23-00002-E

Filing No. 1125

Filing Date: 2023-12-26

Effective Date: 2023-12-26

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

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

Statutory authority: Social Services Law, sections 20, 34, 410, 410-u, 410-w, 410-x; L. 2023, ch. 56

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

Specific reasons underlying the finding of necessity: This emergency rule is necessary for the preservation of the general welfare of families in New York state. Despite efforts to alleviate the child care crisis throughout New York state, many families remain unable to obtain affordable, reliable care for their children, as many child care providers are forced to close their doors. To combat this statewide child care crisis for families and providers on an immediate basis, and to comply with statutory revisions to Social Services Law 410-u, 410-w, and 410-x that take effect on October 1, 2023, revisions are being made to Title 18 NYCRR Parts 404 and 415.

This rule will expand income eligibility under the New York State Child Care Block Grant Program (NYSCCBGP) by increasing the income

threshold to 85 percent of the state median income and not considering SSI payments made to children as part of family income. Further, this rule will expand programmatic eligibility for homeless families, families with a certified or approved foster parent where care is provided to a child placed in foster care, and protective services. This rule will require all eligible families to get assistance when funds are available under the NYSCCBG, subject to federal and state priorities. Of eligible families, six categories will be considered state priorities when funds are limited, including highly vulnerable populations. Further, this rule will remove local variation by eliminating set-asides and local priorities, ranking federal priorities and establishing state priorities for the NYSCCBGP. This rule will also cap the family share at 1 percent of the family's income exceeding the federal poverty level. Additionally, this rule will allow districts to opt into presumptive eligibility during the application determination period for the NYSCCBGP. Also, this rule will provide income stability for providers by requiring reimbursement for up to 80 absences per child per provider per year and up to 20 program closures per child per provider per year. In addition, this rule will further support reducing the requirement for redundant documentation by implementing adjunctive financial eligibility. This rule will also strengthen program integrity by disallowing payments to providers if such provider is determined ineligible to receive child care assistance payment(s) after certain administrative actions. Additionally, districts may disqualify a provider from receiving payments for child care services and/or require a repayment plan to recoup the overpayment after determining that a provider submitted false claims.

This rule was first adopted on an emergency basis on October 1, 2023. The comment period for this emergency adoption ended on December 18, 2023. The rule is being readopted on an emergency basis, providing an additional 60 days to ensure all comments are fully assessed and receive appropriate responses, and providing the agency time to revise the proposed rule as necessary.

Subject: Expansion of eligibility for child care assistance program.

Purpose: To implement changes to the child care assistance program set forth in chapter 56 of the Laws of 2023.

Substance of emergency rule (Full text is posted at the following State website: <https://ocfs.ny.gov/main/legal/regulatory/er/>): To implement statutory changes to Social Services Law (SSL) required by the 2023-2024 New York State budget and to further combat the child care crisis throughout New York state, the New York State Office of Children and Family Services (OCFS) proposes to amend the child care regulations as follows:

OCFS proposes to amend regulations to implement changes to SSL 410-u(2) and SSL 410-w(1) and (3) to expand the maximum income eligibility level under the New York State Child Care Block Grant Program (NYSCCBGP) from 300 percent of the state income standard to the federal maximum of 85 percent of the state median income. OCFS also proposes to change the income eligibility level for cases under Title XX of the Social Security Act to 85 percent of the state median income. OCFS further proposes to exclude Supplemental Security Income, including state supplemental payments, received by any child(ren) in the household from monthly gross income calculations for child care assistance.

OCFS proposes to implement the provisions of SSL 410-x(2) to remove local priorities and set-asides from regulation for cases funded under both the NYSCCBG and Title XX. Families in receipt of child care assistance as of September 30, 2023 who were identified as a priority population under a local social services districts' child and family services plan shall continue to be prioritized for such assistance, provided they meet all other applicable eligibility requirements for such assistance. OCFS proposes to amend programmatic eligibility categories for families that must be served when funds are available under the NYSCCBG as well as allowable categories under Title XX. OCFS proposes to include, without regard to income or activity: 1) children placed in foster care; and 2) children with an open child protective services case or a preventive services case with a child protective services component when child care assistance is needed

to protect the child. OCFS also proposes to include families experiencing homelessness without further activity requirements. OCFS proposes to require all eligible families be provided child care assistance when funds are available under the NYSCCBG, subject to federal and state priorities. For cases funded under the NYSCCBG, OCFS also proposes to rank federal priorities as follows: 1) families experiencing homelessness; 2) families with very low income, defined as an income level up to 300 percent of the state income standard, provided the family income does not exceed 85 percent of the state median income; and 3) families with children who have special needs. OCFS also proposes to create state priorities to be prioritized in the following order after federal priorities: (1) families with income between 300 percent of the state income standard and up to 85 percent of the state median income and child care services are needed for the child's caretaker(s) to be engaged in work; (2) families in which the child in need of child care assistance has an open child protective case or a preventive services case with a child protective services component; (3) families where the child has been placed in foster care and is residing in the home with a certified or approved foster parent; (4) families with a teenage parent who is in need of child care assistance to attend high school or an equivalency program; (5) families where the child's caretaker is receiving services for victims of domestic violence or is participating in a screening or assessment to receive services for victims of domestic violence; and (6) families where the child's caretaker is participating in an approved substance abuse treatment program, or is participating in a screening or assessment to determine the need for substance abuse treatment. OCFS proposes to establish that all eligible cases that meet federal priorities must be opened first in the order prioritized in regulation, followed by state priorities, as prioritized in regulation, followed by any other eligible cases based on the date of application/length of time on the waitlist.

OCFS proposes to reduce the maximum family share percentage from 10 percent of the family's income over the federal poverty level to 1 percent of the family's income over the federal poverty level, pursuant to SSL 410-w(8) and 410-x(6).

OCFS proposes to implement presumptive eligibility in regulation pursuant to SSL 410-w(3-a). A social services district may include in its Child and Family Services Plan the option to provide child care assistance to a family who has applied for such services during the eligibility determination period. If the family is approved, the authorized child care will be reimbursed by the NYSCCBG. If the family is deemed ineligible for the NYSCCBGP, local funds must be used to provide payment for the child care services authorized during the eligibility determination period.

OCFS proposes to increase reimbursement for absences from child care to be paid up to 80 days per child per provider per year in accordance with SSL 410-x(9). OCFS also proposes to add that reimbursement for additional absences due to extenuating circumstances may be allowed on a case-by-case basis, as determined by OCFS.

OCFS proposes to require reimbursement for program closures to licensed, registered, and enrolled legally exempt group programs for up to 20 days per provider per year, as needed. OCFS also proposes to expand situations for reimbursement for program closures to include religious or cultural holidays.

OCFS proposes to implement adjunctive financial eligibility. An applicant will automatically be determined financially eligible for child care assistance, without further investigation or verification, when the child care services unit has been determined eligible for an approved program with an eligibility threshold that is equal to or less than the limit for child care assistance and the determination for such service was made within six months of the eligibility determination for child care assistance.

OCFS proposes to allow districts to disallow payments for services provided when the provider is determined ineligible to receive child care assistance payment(s) after certain administrative actions. Additionally, districts may disqualify a provider from receiving payments for child care services and/or require a repayment plan to recoup the overpayment after determining that a provider submitted false claims.

OCFS proposes to update terminology used throughout the regulations.

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. CFS-42-23-00002-EP, Issue of October 18, 2023. The emergency rule will expire February 23, 2024.

Text of rule and any required statements and analyses may be obtained from: Nicholas Steinbock-Pratt, Office of Children and Family Services, 52 Washington Street, Rensselaer, NY 12144, (518) 473-8411, email: regcomments@ocfs.ny.gov

Regulatory Impact Statement

1) Statutory Authority:

Chapter 56 of the laws of New York State of 2023 authorizes the New York State Office of Children and Family Services (OCFS) to promulgate

rules and regulations, on an emergency basis, to implement the applicable statutory provisions.

Section 20(3)(d) of the Social Services Law (SSL) authorizes OCFS to establish rules, regulations, and policies to carry out OCFS's powers and duties under the SSL.

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

Section 410(1) of the SSL authorizes a social services official of a county, city, or town to provide day care for children at public expense and authorizes OCFS to establish criteria for when such day care is to be provided.

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

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

Section 410-u(2) and 410-w(1) and (3) of the SSL set the income eligibility threshold for the NYSCCBGP at 85 percent state median income.

Section 410-w(3-a) of the SSL allows social services districts to utilize presumptive eligibility standard to provide child care assistance during the eligibility determination period under the NYSCCBGP and authorizes OCFS to issue guidance regarding the presumptive eligibility criteria to be used by districts.

Section 410-w(8) and 410-x(6) of the SSL prohibit social services districts from requiring families to contribute more than 1 percent of their income exceeding the federal poverty level as a family share under the NYSCCBGP.

Section 410-x(2) of the SSL allows OCFS to establish priorities for families that will be eligible to receive funding under the NYSCCBG.

Section 410-x(9) of the SSL requires reimbursement for payment on behalf of children who are temporarily absent from child care for up to 80 days per year under the NYSCCBGP.

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

2) Legislative Objectives:

The objective of these amendments are to combat the statewide child care crisis by assisting families to expand eligibility for child care assistance, obtain affordable, reliable care for their children, standardize the Child Care Assistance Program (CCAP) across the state, and provide more stable reimbursement for child care providers.

3) Needs and Benefits:

SSL section 410-x(6) and 410-w(8) previously capped the NYSCCBGP family share at 10 percent of the family's income exceeding the federal poverty level. These provisions were revised to cap the family share at 1 percent of the family's income exceeding the federal poverty level. SSL section 410-u(2), 410-w(1), and 410-w(3) were revised to increase eligibility levels to 85 percent of the state median income, consistent with federal requirements. SSL 410-w(3-a) was added to allow for presumptive eligibility during the NYSCCBGP application period. SSL 410-x(9) was added to require reimbursement for up to 80 absences per year. SSL 410-x(2) was revised to remove local priorities and set-asides and instead allow OCFS to establish state priorities under the NYSCCBGP. OCFS must change relevant child care regulations to achieve compliance with these revisions.

This rule is necessary to implement practices that will comply with state and federal law, and to combat the statewide child care crisis that has continued to impact New York state since the onset of the global pandemic. This rule will require districts to consistently and equitably prioritize how cases are opened for child care assistance, reimburse providers for up to 20 program closures per year and require fast-track eligibility determinations for families already in receipt of other services, as well as implement additional program integrity measures. The rule will greatly expand the number of families newly eligible for child care assistance and stabilize child care provider reimbursement.

4) Costs:

The New York State Child Care Block Grant is comprised of federal, state and local funds. A portion of the block grant is allocated to social services districts and is used by the districts to provide child care assistance to families. The 2023-24 enacted state budget increased funding to the Child Care Assistance Program (CCAP). The expansion of eligibility, the implementation of state priorities, the restructuring of eligibility categories, the increase in absences, the requirement to reimburse for program closures and capping of family share will increase spending for local districts. This increase in funding to the CCAP will allow the districts to implement these regulatory changes. Expanded eligibility is also expected to increase the number of applications received by districts, which may place additional administrative costs on the district, which can be absorbed by the districts' child care block grant allocation. The state share is limited to the districts' child care block grant allocation. Finally, presumptive eligibility is a local option and not a requirement of the NYSCCBGP, but

this district option may increase local spending in cases where the family is determined to be ineligible for child care assistance.

5) Local Government Mandates:

Social services districts must comply with increased eligibility, providing payment of up to 80 absences and 20 program closures, state priorities, adjunctive financial eligibility, removal of certain types of income from the family's included eligibility income, and reduced family share. Additionally, each social services district must update its Child and Family Services Plan (CFSP) to reflect any changes that result from these regulatory changes.

6) Paperwork:

OCFS will complete a blanket amendment which will be posted to the Child and Family Services Plan page on the OCFS website to reflect the family income eligibility level up to 85% of the SMI, the statewide family share of 1%, the requirement for reimbursement of up to 80 absences and 20 program closures, and the removal of the district option to designate families eligible for child care assistance. Districts may review their CFSP and make any additional amendments through submission of an amendment request to OCFS.

7) Duplication:

This rule does not duplicate state or federal requirements.

8) Alternatives:

There are no alternatives to the revisions that are required pursuant to federal and state law. Further amendments are being implemented to standardize practice throughout the state therefore no other alternatives were considered.

9) Federal Standards:

This rule is consistent with applicable federal requirements.

10) Compliance Schedule:

Districts were required to come into compliance on October 1, 2023.

Regulatory Flexibility Analysis

1) Effect of Rule:

There are approximately 17,000 licensed/registered child care programs (including New York City group day care centers) and 7,600 enrolled legally exempt child care programs, the majority of which are small businesses, and 58 social services districts in New York state affected by this rule.

2) Compliance Requirements:

The New York State Office of Children and Family Services (OCFS) will complete a blanket amendment which will be posted to the Child and Family Services Plan page on the OCFS website to reflect the family income eligibility level up to 85% of the SMI, the statewide family share of 1%, the requirement for reimbursement of up to 80 absences and 20 program closures, and the removal of the district option to designate families eligible for child care assistance. Districts must send appropriate notices to affected families and providers to notify them of the new family share percentage. Districts must also review and amend all provider contracts to ensure that the contracts reflect the 80 paid absences and 20 program closures. If necessary, districts must notify providers of the maximum number of allowable paid absences through written notice.

3) Professional Services:

There are no new professional services anticipated to be required because of this rule.

4) Compliance Costs:

The 2023-24 enacted state budget increased the funding for the Child Care Assistance Program. The expansion of eligibility, the implementation of state priorities, the restructuring of eligibility categories, the increase in absences, the requirement to reimburse for program closures and capping of family share will increase spending for local districts. This increase in funding to the CCAP will allow the districts to implement these regulatory changes. Expanded eligibility is also expected to increase the number of applications received by districts, which may place additional administrative costs on the district. However, while this rule will increase the number of applicants for child care assistance, the reduction of redundant documentation will reduce the administrative burden of processing cases. Additionally, systems changes are being made to assist districts with potential recordkeeping increases. To further reduce administrative burden, OCFS will complete a blanket amendment which will be posted to the Child and Family Services Plan page on the OCFS website to reflect the family income eligibility level up to 85% of the state median income (SMI), the statewide family share of 1%, the requirement for reimbursement of up to 80 absences and 20 program closures, and the removal of the district option to designate families eligible for child care assistance. There are no new professional services anticipated as a result of this rule. Neither social services districts nor child care providers should have to hire additional professional staff to implement these regulations. The OCFS Division of Child Care Services will be available to assist with questions. Finally, presumptive eligibility is a local option and not a requirement of the New York State Child Care Block Grant Program, but this district option may increase local spending in cases where the family is determined to be ineligible for child care assistance.

5) Economic and Technological Feasibility:

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

6) Minimizing Adverse Impact:

OCFS believes there will be no adverse impact on child care programs. In fact, a positive impact on programs is anticipated in that reimbursement for child care is expected to be more stable. At least 1,759 licensed and registered child care providers closed during the height of the pandemic between March 2020 and June 2021, with more closing since. OCFS believes that this rule will help combat the statewide child care crisis that has continued to impact New York state since the onset of the global pandemic. This rule will make many families newly eligible for child care assistance and stabilize child care provider reimbursement.

OCFS believes the impact on districts will be nominal, as all mandates can be claimed as part of its child care block grant allocation. There will be no additional costs associated with program integrity measures and case opening procedures.

Reimbursement for program closures is only available for children who would otherwise be present at the child care program. Reimbursement is not available for a day the program is closed if the provider ordinarily charges the caretaker on a daily or part-time basis and the child for whom reimbursement is requested is otherwise in need of and receives child care assistance from a different provider on the same day. As such, in most situations the costs associated with this would be accounted for at determination. Adjunctive financial eligibility will reduce costs by reducing workloads when determining eligibility.

Regarding expanded eligibility, cases are only required to be opened when funds are available, and are reimbursed at 100 percent for families not receiving Temporary Assistance (TA), which accounts for approximately 75 percent of all cases. For the remaining TA cases, districts are already required to meet its Maintenance of Effort (MOE) each federal fiscal year, and the 25 percent local share of TA cases is applied toward meeting that amount. This rule would thus only increase local costs to districts on TA cases when the district's local share exceeds its MOE. The average child care assistance payment per child per month for the first quarter of FFY 2023 was \$875. For TA families, the local share would equal approximately \$219 per child per month, or \$2,628 per child per year. With these approximations, only four districts are projected to meet their MOEs solely through the 25 percent local share. Of the remaining districts, 47 are projected to have the 25 percent local share total less than half of their MOE.

7) Small Business and Local Government Participation:

OCFS has conducted calls and met with stakeholders. Child care providers have expressed the need for further ongoing stabilization and support for expanded reimbursement for absences. Many social services districts have also expressed a need for change in documentation requirements at application. OCFS has met with a social services district that has piloted presumptive eligibility with positive results. OCFS will provide guidance, technical assistance, and outreach to those that are impacted by this rule. Specifically, in accordance with State Administrative Procedure Act 202-b(6), OCFS will notify social services districts through the issuance of an Administrative Directive and assist those districts that need to update their CFSP to reflect changes to eligibility. OCFS will also post this information on the OCFS website, including contact information for questions on this rule and the email address of the regulations' mailbox (regcomments@ocfs.ny.gov) to provide public comments.

Rural Area Flexibility Analysis

1) Types and Estimated Numbers of Rural Areas:

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

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

The regulations will not result in any new reporting requirements for social services districts. While this rule will increase the number of applicants for child care assistance, the reduction of redundant documentation will reduce the administrative burden of processing cases. Additionally, systems changes are being made to assist districts with potential recordkeeping increases. Districts must send appropriate notices to affected families and providers to notify them of the new family share percentage. Districts must also review and amend all provider contracts to ensure that the contracts reflect the 80 paid absences and 20 closure days. If necessary, districts must notify providers of the maximum number of allowable paid absences through written notice. To reduce administrative burden, the New York State Office of Children and Family Services (OCFS) will complete a blanket amendment which will be posted to the Child and Family Services Plan page on the OCFS website to reflect the family income eligibility level up to 85% of the state median income (SMI), the statewide family share of 1%, the requirement for reimbursement of up to 80 absences and 20 program closures, and the removal of

the district option to designate families eligible for child care assistance. Districts may review their CFSP and make any additional amendments through submission of an amendment request to OCFS. OCFS will support and assist in this process. There are no new professional services anticipated because of this rule. Neither social services districts nor child care providers should have to hire additional professional staff to implement these regulations. OCFS's Division of Child Care Services will be available to assist with questions.

3) Costs:

The 2023-24 enacted state budget increased the funding for the Child Care Assistance Program. The expansion of eligibility, the implementation of state priorities, the restructuring of eligibility categories, the increase in absences, the requirement to reimburse for program closures and capping of family share will increase spending for local districts. This increase in funding to the CCAP will allow the districts to implement these regulatory changes. Expanded eligibility is also expected to increase the number of applications received by districts, which may place additional administrative costs on the district. However, state share is limited to the districts' child care block grant allocation. Finally, presumptive eligibility is a local option and not a requirement of the New York State Child Care Block Grant Program, but this district option may increase local spending in cases where the family is determined to be ineligible for child care assistance.

4) Minimizing Adverse Impact:

OCFS believes there will be no adverse impact on child care programs, and in fact a positive impact on programs is anticipated in that reimbursement for child care will be more stable. OCFS does not anticipate any disproportionate adverse impact to local social services districts in rural counties of the state because of this rule.

5) Rural Area Participation:

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

Job Impact Statement

1. Nature of Impact:

The New York State Office of Children and Family Services (OCFS) does not anticipate that this rule will have a negative impact on employment opportunities in any region of the state. On the contrary, OCFS anticipates this rule will have a positive impact on employment opportunities across New York state as it will increase reimbursements to providers, standardize practices across the state, and decrease out of pocket costs to families.

2. Categories and Numbers Affected:

It is estimated that there are 17,000 licensed/registered child care programs (including New York City group day care centers) and 7,600 enrolled legally exempt child care programs in New York state, across 58 social services districts.

3. Regions of Adverse Impact:

This rule applies to all 58 social services districts. There are no regions where this rule will have a disproportionate adverse impact on employment opportunities.

4. Minimizing Adverse Impact:

OCFS does not anticipate an adverse impact.

State Commission of Correction

NOTICE OF ADOPTION

Use of Body Imaging Scanning Equipment

I.D. No. CMC-40-23-00003-A

Filing No. 1120

Filing Date: 2023-12-20

Effective Date: 2024-01-10

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

Action taken: Addition of Part 7640 to Title 9 NYCRR.

Statutory authority: Correction Law, section 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 or summary was published in the October 4, 2023 issue of the Register, I.D. No. CMC-40-23-00003-P.

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

Text of 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

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.

Department of Corrections and Community Supervision

NOTICE OF ADOPTION

Applicability of Title

I.D. No. CCS-41-23-00001-A

Filing No. 1124

Filing Date: 2023-12-22

Effective Date: 2024-01-10

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

Action taken: Amendment of section 1.07 of Title 7 NYCRR.

Statutory authority: Correction Law, sections 2 and 112

Subject: Applicability of Title.

Purpose: Update the agency name of the Department and remove an outdated reference to regulations of the State Commission of Correction.

Text or summary was published in the October 11, 2023 issue of the Register, I.D. No. CCS-41-23-00001-P.

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

Text of rule and any required statements and analyses may be obtained from: Cathy Y. Sheehan, Deputy Commissioner and Counsel, NYS Department of Corrections and Community Supervision, 1220 Washington Avenue, Harriman State Campus, Building 4, Albany, New York 12226, (518) 457-4951, email: Rules@dccs.ny.gov

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Definition; Individuals Designated As Officials of the Department of Corrections and Community Supervision

I.D. No. CCS-42-23-00005-A

Filing No. 1123

Filing Date: 2023-12-22

Effective Date: 2024-01-10

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

Action taken: Amendment of section 50.1 of Title 7 NYCRR.

Statutory authority: Correction Law, section 112

Subject: Definition; individuals designated as officials of the Department of Corrections and Community Supervision.

Purpose: To add the Director of Prison Rape Elimination Act Compliance and Assistant Director of the Training Academy as officials.

Text or summary was published in the October 18, 2023 issue of the Register, I.D. No. CCS-42-23-00005-P.

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

Text of rule and any required statements and analyses may be obtained from: Cathy Y. Sheehan, Deputy Commissioner and Counsel, NYS Department of Corrections and Community Supervision, 1220 Washington Avenue, Harriman State Campus, Building 4, Albany, New York 12226, (518) 457-4951, email: Rules@doccs.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 2027, 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 Environmental Conservation

PROPOSED RULE MAKING HEARING(S) SCHEDULED

Update to Part 494 Hydrofluorocarbon Standards and Reporting

I.D. No. ENV-03-24-00006-P

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

Proposed Action: Amendment of Part 494 of Title 6 NYCRR.

Statutory authority: Environmental Conservation Law, sections 1-0101, 1-0303, 3-0301, 19-0103, 19-0105, 19-0107, 19-0301, 19-0303, 19-0305, 71-2103, 71-2105, 75-0101, 75-0105, 75-0107 and 75-0109

Subject: Update to Part 494 Hydrofluorocarbon Standards and Reporting.

Purpose: Reduce greenhouse gas emissions as required by the Climate Leadership and Community Protection Act.

Public hearing(s) will be held at: 2:00 p.m. and 6:00 p.m., March 13, 2024 via Webex.

Please visit the NYS DEC public calendar at: <https://www.dec.ny.gov/calendar> for the hearing log-in information and links. The Department will give equal weight to written and oral statements, and since a cumulative record will be compiled it is not necessary for interested parties to attend each hearing. Interpreter services shall be made available to deaf persons, and translator services shall be made available to persons with limited English proficiency, at no charge for either service, upon written request. Requests should be received 10 calendar days before the meeting, but DEC will make every effort to fulfill requests received closer to the meeting date. Requests can be directed to the NYSDEC Division of Communication, Education, and Engagement, either by mail (NYSDEC, 625 Broadway, Albany, New York 12233-4500), by telephone (518-402-8044) or by e-mail (language@dec.ny.gov).

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 (Full text is posted at the following State website: <https://dec.ny.gov/regulatory/regulations/proposed-emergency-recently-adopted-regulations#public>): The Department of Environmental Conservation (Department) proposes to revise Part 494 to reinforce administrative and record-keeping requirements for manufacturers, expand enforcement provisions, and implement recommendations from the Climate Action Council Climate Change Scoping Plan needed to achieve the requirements of the Climate Leadership and Community Protection Act (Environmental Conservation Law Section 75-0109). In conjunction with the substantive changes, the Department proposes to restructure the regulation into Subparts reflecting general provisions and requirements regarding new sources (Subpart 494-1) and requirements regarding existing, commercial sources (Subpart 494-2).

Subpart 494-1 General Provisions

Section 494-1.1 Purpose

- Section 494-1.2 Applicability
- Section 494-1.3 Definitions
- Section 494-1.4 Prohibitions
- Section 494-1.5 Exemptions
- Section 494-1.6 Labeling and Disclosure Requirements
- Section 494-1.7 Requirements for Suppliers of Regulated Substances, Suppliers of Regulated Substances Contained in Pre-Charged Equipment or Products, and Reclaimers
- Section 494-1.8 Variances
- Section 494-1.9 Severability
- Section 494-1.10 Enforcement
- Section 494-1.11 Reference Material
- Subpart 494-2 Refrigerant Management and Replacement Program
- Section 494-2.1 Applicability
- Section 494-2.2 Registration and Labeling
- Section 494-2.3 Leak Detection and Monitoring
- Section 494-2.4 Leak Repair Requirements
- Section 494-2.5 Retrofit or Replacement Plans for Leaking Equipment
- Section 494-2.6 Annual Reporting Requirements
- Section 494-2.7 Record-Keeping Requirements
- Section 494-2.8 Food Chain Refrigerant Replacement Program
- Section 494-1.1 Purpose

This section expands the scope of the regulation has been expanded to include additional types of policies and additional greenhouse gases.

Section 494-1.2 Applicability

This regulation now applies to any persons who sells, imports, leases, rents, manufactures, distributes for sale, offers for sale, makes available for sale or distribution, purchases or receives for sale or distribution, or attempts to purchase or receive for sale or distribution, installs or that owns, operates, or uses for commercial purposes or otherwise enters into commerce in the State of New York, any product, equipment, material, or regulated substances.

Section 494-1.3 Definitions

This section lists the definitions to be used for this Part, which are primarily derived from EPA regulatory language and regulations in other states. This section is revised to include terminology used in new and revised sections and terms derived from the Climate Leadership and Community Protection Act, including the Global Warming Potential.

Section 494-1.4 Prohibitions

This section lists prohibitions on new and retrofitted equipment, products, and substances. The amendments backstop EPA's recent nationwide prohibitions, adopt other prohibitions including a full phase-down of regulated substances to the lowest Global Warming Potential level, as recommended in the Climate Action Council Climate Change Scoping Plan to achieve the required statewide greenhouse gas emission limits. This section is also amended to clarify applicable "sell-through" provisions, or the period over which newly manufactured products may be sold after the prohibition date.

Section 494-1.5 Exemptions

This section lists exemptions to the prohibitions listed in Section 494-1.4.

Section 494-1.6 Labeling and Disclosure Requirements

This section now mandates that manufacturers provide written disclosures to buyers and the public as well as a label or other documentation regarding the regulated substances, manufacture year, and quantity, where applicable. These requirements can be met through other State or federal requirements that meet the same standard.

Section 494-1.7 Requirements for Suppliers of Regulated Substances, Suppliers of Regulated Substances Contained in Pre-Charged Equipment or Products, and Reclaimers.

This section combines existing requirements and new requirements for manufacturers and other suppliers of substances and equipment to register, report, or maintain certain records. register with the department as well as maintain specific records. These requirements are modelled after provisions in place in other states or in existing EPA programs.

Section 494-1.8 Variances

This new section provides a process for compliance entities to apply for a variance based on impossibility, a force majeure event, or economic hardship. These requirements are modelled after provisions in place in other states.

Section 494-1.10 Enforcement

This section has been added to provide a reference to the relevant section of Environmental Conservation Law.

Section 494-1.11 Reference Material

This new section provides information on how to locate materials that have been incorporated by reference in this regulation.

Subpart 494-2 Refrigerant Management and Replacement Program

This new Subpart establishes terms related to the management of existing hydrofluorocarbon emission sources, specifically large, commercial equipment. These requirements are modelled after refrigerant management provisions in place in other states related EPA programs.

Section 494-2.2 Registration and Labeling

This new section mandates that owners and operators of certain equipment that contain regulated substances register with the department and create a label or other documentation consistent with the requirements for new equipment in section 494-1.6. of this Part.

Section 494-2.3 Leak Detection and Monitoring

This new section establishes requirements to monitor for leaks of regulated substances from equipment, with increasing frequency based on the amount of regulated substances contained in the equipment. It also requires the use of automated detection for commercial refrigeration systems as recommended in the Climate Action Council Climate Change Scoping Plan.

Section 494-2.4 Leak Repair Requirements

This new section establishes requirements to repair leaks within a certain time period.

Section 494-2.5 Retrofit or Replacement Plans for Leaking Equipment

This new section outlines a process for replacing substances or equipment if leaks cannot be repaired.

Section 494-2.6 Annual Reporting Requirements

This new section requires owners and operators of the largest equipment to report annually on their equipment, leak management, and purchases of regulated substances.

Section 494-2.7 Record-Keeping Requirements

This new section requires owners and operators subject to this program to maintain certain records.

Section 494-2.8 Food Chain Refrigerant Replacement Program

This new section mandates that retail food chains participate in a program to phasedown the emissions of greenhouse gas emissions from existing stores by replacing equipment or meeting an equivalent emission rate.

Text of proposed rule and any required statements and analyses may be obtained from: Suzanne Hagell, NYSDEC Office of Climate Change, 625 Broadway, Albany, NY 12233-3251, (518) 402-8448, email: climate.regs@dec.ny.gov

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

Public comment will be received until: March 19, 2024.

Additional matter required by statute: Pursuant to Article 8 of the Environmental Conservation Law (the State Environmental Quality Review Act), a Short Environmental Assessment Form, a Negative Declaration, and a Coastal Assessment Form have been prepared and are on file.

Summary of Regulatory Impact Statement (Full text is posted at the following State website: <https://dec.ny.gov/regulatory/regulations/proposed-emergency-recently-adopted-regulations#public>):

1. Statutory Authority

The statutory authority to promulgate this rulemaking is derived from the Department's obligation to prevent and control air pollution, including greenhouse gases (GHGs), as set out in the Environmental Conservation Law (ECL) at Sections 1-0101, 1-0303, 3-0301, 19-0103, 19-0105, 19-0107, 19-0301, 19-0303, 19-0305, 71-2103, 71-2105, 75-0101, 75-0105, 75-0107, and 75-0109. Furthermore, the proposed amendment to this regulation also addresses the Department's statutory responsibility to promulgate regulations under ECL 75-0109 and other provisions of the Climate Leadership and Community Protection Act of 2019 (Climate Act).

2. Legislative Objectives

The Climate Act directs the Department to promulgate regulations that, "reflect, in substantial part, the findings" of the Climate Action Council Scoping Plan (Scoping Plan) in order to achieve the Climate Act's statewide GHG emission limits (promulgated as 6 NYCRR Part 496) and net zero goal. The Scoping Plan included the following recommendations for the Department to address hydrofluorocarbon (HFC) emissions. The proposed amendments to the Part 494 regulation address all recommendations that are within the scope of this regulation and that do not require additional legislation. As a summary, the Scoping Plan Strategies B12 and W5 include the following recommendations specifically related to the promulgation of regulations by the Department. In other words, the Climate Act directs the Department to promulgate regulations that "substantially reflect" these recommendations.

- "DEC should expand the scope of 6 NYCRR Part 494... including through the establishment of a GWP [Global Warming Potential] threshold that decreases over time as low and ultra-low GWP options become available and addressing leakage in existing equipment during the transition. DEC should align New York policy with anticipated federal (EPA [Environmental Protection Agency]) policy measures to meet HFC reduction requirements as well as with other U.S. Climate Alliance states, to send a strong market signal to manufacturers and industry while mitigating costs of the transition." (Scoping Plan Strategy B12).

- "[Ensure] proper disposal of HFCs already in use in existing equipment" (Scoping Plan Strategy B12).

- "Require reclamation or destruction of refrigerants from appliances at

end-of-life, with verification and reporting, and require leak detection for certain commercial refrigeration equipment" (Scoping Plan Strategy B12).

- "Address leaks at end-of-life by requiring reclamation or destruction of refrigerants from appliances and institute requirements for verification and reporting" (Scoping Plan Strategy W5).

- "Ban the sale of virgin high GWP refrigerants for servicing with an exception for reclaimed refrigerants" (Scoping Plan Strategy W5).

- "Create a registry and reporting requirements (to track sales, stockpiles, and leaks) for large refrigeration and heating, ventilation, and air conditioning (HVAC) systems and refrigerant wholesalers and distributors" (Scoping Plan Strategy W5).

3. Needs and Benefits

The Department estimates that the proposed amendments to Part 494 will address the relevant recommendations from the Climate Action Council Scoping Plan and reduce emissions in line with the requirements of the Climate Act. The proposed regulation is also aligned with the international Kigali Amendment to the Montreal Protocol as envisioned in the federal American Innovation and Manufacturing (AIM) Act of 2021. These policies intend to reduce the production and trade of HFCs in the U.S. 85% by 2036. The U.S. Environmental Protection Agency (EPA) has begun implementing regulations as directed under the AIM Act. EPA's recent Technology Transitions rule will step-down the Global Warming Potential (GWP) of substances in certain products to 150-700 GWP. The Department estimates that the Technology Transitions regulation could significantly reduce emissions in the State but will fall short of what was modeled in the Scoping Plan by approximately 7 million metric tons of carbon dioxide equivalent emissions (mmt CO₂e) in 2030 and 2050. The Department expects EPA to issue additional GWP step-downs in future years in line with the Kigali timeline. However, although EPA's regulations may control the national supply of new equipment, products and HFC substances; they will not control existing supplies or directly reduce emissions in New York State.

The proposed regulation is particularly important for ensuring that the Climate Act emission reduction requirements and Scoping Plan recommendations are met. The regulation will establish a full phasedown timeline for HFCs (i.e., a 10 GWP Limit), controls on emissions from existing equipment (i.e., a Refrigerant Management Program and prohibitions on bulk HFC substances), and enable a transition away from HFCs in the largest equipment types (i.e., a Food Chain Refrigerant Replacement Program, and prohibition on all new commercial refrigeration facilities). The Department estimates that this will reduce emissions 3.5 to 24mmt CO₂e per year through 2050, compared to the current regulation.

4. Costs

To estimate potential costs, the Department considered EPA's analyses of the AIM Act Allocation Rule. The EPA Allocation Rule, finalized in 2021, encompasses the full phasedown of HFCs in the US under the Kigali Amendment. EPA estimated significant cost savings associated with the full phasedown of HFCs, and a negative abatement cost equivalent to \$9 billion in savings nationwide (up to \$540 million for New York if allocated based on population size). There are no additional costs anticipated to the Department for implementing this regulation.

The Department used the EPA Social Cost metrics and NYS Value of Carbon Guidance to estimate the societal benefits of the proposed regulation from 2025 through 2050. Based on the Department's analysis, the current rule has a present value of \$12.3-62.5 billion, with a value of \$24.8 billion at the central 2% discount rate. This significant societal value reflects the high Global Warming Potential of HFCs and the potential damages associated with their impact on global climate change.

5. Paperwork

The proposed rule will impose minimal additional paperwork on manufacturers, owners and operators of equipment, distributors and wholesalers, and reclaimers but it is not expected to be unduly burdensome as the majority of records are already subject to federal requirements.

6. Local Government Mandates

Part 494 will not create any mandates for local governments as compared to other entities.

7. Duplication

This proposal does not conflict with any other existing federal or State regulations or statutes.

8. Alternatives

The Department considers other alternatives infeasible because of the requirements of the Climate Act.

9. Federal Standards

This proposal does not result in the imposition of requirements that exceed any minimum standards of the federal government for the same or similar subject areas.

10. Compliance Schedule

Notwithstanding the following compliance schedule, pursuant to ECL Article 19, Part 494 will be effective 30 days after filing with the Department of State. This regulation will adopt a compliance schedule that

prohibits specific substances in certain new products and systems and given certain exemptions.

January 2025 or 2026: First step-down in GWP per EPA or US Climate Alliance state rules; New refrigeration facilities limited to GWP of 10

January 2027: Prohibition on virgin refrigerant in small containers of automotive refrigerant

January 2028: Use of 100% reclaim in new residential and light commercial air conditioning and heat pumps, stand-alone refrigeration equipment

January 2034: Final stepdown for air conditioning and refrigeration end-uses to a GWP of 10

The regulation also prohibits the sale of bulk regulated substances on a graduated timeline between 2025 and 2040

This regulation will also adopt a compliance schedule for registrations, reporting, record-keeping, leak management, and planning

January 2025: Initial registration of suppliers; Start of labeling requirements; and leak detection and repair requirements

June 2025: Initial registration of large commercial equipment, food chains; Installation of automatic leak detection devices

March 2026: Start of annual reporting by suppliers and large commercial equipment

June 2026: Initial registration of medium-sized commercial equipment

March 31, 2027: Start of annual reporting by medium-sized commercial equipment

June 2028: Initial registration of small-sized commercial equipment

January 2035: Final phasedown of food chain facilities without an approved Replacement Plan

Regulatory Flexibility Analysis

1. Effect of Rule:

The New York State Department of Environmental Conservation is proposing amendments to the Part 494 regulation that reflect recommendations in the Climate Action Council Scoping Plan to reduce hydrofluorocarbon (HFC) emissions. The Department is directed under the Climate Leadership and Community Protection Act to promulgate regulations that substantially reflect the recommendations in the Scoping Plan to meet the required statewide GHG emission limits. The recommendations that are being addressed in this rule include that the Department should expand the current Part 494 prohibitions on new equipment and products (primarily those using refrigerants), prohibit high Global Warming Potential substances, and develop a registration and reporting program to reduce refrigerant leakage (i.e., a Refrigerant Management Program). The recommendations also indicate that the Department should seek to align with the international Kigali Amendment to the Montreal Protocol (Kigali Agreement) to phase down HFCs as implemented under the United States 2020 American Innovation and Manufacturing Act (AIM Act). Under these policies, the US supply of HFC refrigerant will be reduced 85% by 2036. The United States Environmental Protection Agency (EPA) is implementing the AIM Act through a series of regulatory actions that were also considered in the design of this regulation. Specifically, the proposed rule adopts EPA's Technology Transitions prohibitions on new equipment and products and then additional prohibitions in later years that reflect the full timeline of the AIM Act and Kigali Agreement. Importantly, although the Kigali Agreement and EPA regulations affect the supply of newly manufactured equipment, products, and HFC substances, they do not control the HFC emissions such as from existing equipment. The proposed rule also includes a Refrigerant Management Program and Food Chain Refrigerant Replacement Program in Subpart 2 as an additional control on HFC emissions.

2. Compliance Requirements:

This is not a mandate on local governments. Local governments have no additional compliance obligations as compared to other regulated entities. The proposed regulation will affect the availability of new products and equipment for sale to all persons and entities, including air-conditioning and refrigeration equipment procured by local governments and small businesses. Local governments and small businesses may be compliance entities under the Refrigerant Management Program in Subpart 2 of the proposed rule to the extent that they own or operate equipment that contains more than 50 pounds of refrigerant. This may include equipment such as large air-conditioning equipment or ice rink chillers. Compliance entities in this program will be required to register their equipment, maintain documentation and records, report refrigerant usage, repair leaks, and replace equipment if leakage cannot be repaired. These requirements are not expected to be burdensome as there are already similar federal requirements to collect and maintain the relevant information.

3. Professional Services:

There is no specific requirement or need for entities to contract for professional services in order to comply with the proposed rule and the Department does not believe that the regulated entities would need to acquire professional services to comply with the rule.

4. Costs:

The Department considers most of the potential costs from this rule to be the result of the national and global phase down. The EPA has determined that the national phase down of HFCs will have net economic benefits, in part due to reduced refrigerant and energy costs and due to the significant societal benefit of GHG reductions. Based on the EPA analysis of the nationwide phase down of HFCs, the Department expects most of the potential costs to entities in New York State to be insignificant. The additional potential costs in New York State from this rule would be from participating in the Refrigerant Management Program and Food Chain Refrigerant Replacement Program in Subpart 2 of the proposed rule. These programs seek to reduce refrigerant leakage and to enable retail food stores to transition to refrigerants that are not subject to the international phasedown. The Refrigerant Management Program is not expected to incur costs as there are already similar federal requirements. The Food Chain Refrigerant Replacement Program may require certain businesses to replace equipment earlier than they would otherwise; but these businesses are specifically defined to exclude small businesses. Both of these programs have the potential to result in overall cost savings, particularly given the increasing costs of HFC refrigerants due to the global phase down.

EPA concluded that the full, national HFC phasedown will have a net benefit of \$265.8 or 269.9 billion, when applying a 3 or 7% discount rate. This includes a net present value of costs at -\$9 billion (3%) or -\$4.8 billion (7%), with the negative values representing overall savings, and a climate benefit of \$260.9 billion. If the costs are allocated to New York State based on population size, this would result in \$288-540 million in savings. The majority of potential cost savings are incurred from the adoption of low GWP options in commercial and industrial sectors that also provide substantial energy cost reductions, particularly in cooler climates like that in New York State. For the proposed Part 494, the majority of costs are duplicative to those assessed by EPA as the proposal a) is designed to align with the international Kigali Amendment phase-down and b) represent refrigerant management practices that save money.

5. Economic and Technological Feasibility:

Compliance with the proposed rule is technologically feasible for all entities, including small businesses and local governments. The timeline proposed for the prohibitions on new equipment and products reflects federal law in the near term or the international phase down in HFC refrigerants for later years. Where compliant alternatives are not yet available, the Department expects that the market will transition ahead of the prohibition dates proposed in this rule. However, the proposed rule also provides flexibility for compliance entities, including the ability to request a variance in the event of force majeure or impossibility. There are also mechanisms for small businesses in Disadvantaged Communities to seek variances based on economic hardship or for retail food operations to extend the replacement of equipment in such communities. In terms of economic feasibility, the Department believes the costs are reasonable and that there is an added value in transitioning to low GWP alternatives and away from HFCs.

6. Minimizing Adverse Impacts:

The Department has determined that Part 494 will not have an adverse impact on small businesses or local governments as the ability to comply is not influenced by whether an entity is a small business or local government. Almost all of the proposed amendments align with the international phase down of HFCs under the Kigali Agreement and federal AIM Act. The additional costs associated with this rule either do not apply to small businesses or local governments or reflect administrative requirements that are also federally mandated.

7. Small Business and Local Government Participation:

The Department conducted pre-proposal stakeholder outreach in three periods: May-July 2022, February-April 2023, and September-October 2023 with additional consultations throughout 2022 and 2023. The Department also sought to specifically notify small businesses through regional trade organizations and local governments through the Climate Smart Communities coordinators and held a webinar for them in March 2023. The specific amendments to the Part 494 rule also reflect recommendations in the Climate Action Council Scoping Plan, for which there was extensive outreach through 2020-2022 including a formal public comment period from December 2021 through July 2022. The Department will hold public comment hearings on the Part 494 amendments that will be accessible to all entities, including small businesses and local governments, and will notify interested parties of the proposed rulemaking. All parties will be able to comment on the proposed rule during the notice and comment period.

Rural Area Flexibility Analysis

1. Types and Estimated Numbers of Rural Areas:

The New York State Department of Environmental Conservation (DEC or the Department) proposes to amend Title 6 of the New York Codes, Rules, and Regulations (NYCRR) Part 494, "Hydrofluorocarbon Standards and Reporting" (Part 494). These amendments will further reduce

hydrofluorocarbon (HFC) emissions and support the requirements of New York's Climate Leadership and Community Protection Act, Chapter 106 of the Laws of 2019 (Climate Act) to reduce statewide greenhouse (GHG) emissions. The proposed amendments to Part 494 will apply statewide and there are no requirements in the proposed rule that would apply only to rural areas.

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

There are no specific requirements in the proposed amendments that apply exclusively to rural areas, and the compliance obligations exist regardless of whether the regulated entity is located in a rural area. The Department does not anticipate adverse impacts to entities in rural areas from participating in reporting as the data are already subject to federal record keeping requirements and may aid businesses in saving money by avoiding refrigerant leakage.

3. Costs:

The majority of costs associated with the phase-down of HFCs are related to a global agreement, as implemented by the United States Environmental Protection Agency (EPA). The EPA has determined that there is an overall net savings to US businesses from this phasedown. The unique, direct costs from this regulation are likely limited to the costs of the Refrigerant Management Program and the Food Chain Refrigerant Replacement Program in Subpart 2 of the proposed rule. These costs apply to all applicable businesses in the state are not specific to rural areas. These programs seek to reduce refrigerant leakage and enable retail food stores to transition to refrigerants that are not subject to the international phasedown, and the expected increased cost of such refrigerants. This rulemaking also seeks to reduce GHG emissions in line with the Climate Act, and to avoid the significant ongoing economic damages from climate change. Overall, the Department does not anticipate any significant costs to rural areas.

4. Minimizing Adverse Impacts:

The Department has considered the issues and determined that Part 494 will not have an adverse impact on rural areas. The Department will assess public comments regarding rural impacts received in the public comment period of the proposed amendments.

5. Rural Area Participation:

The Department conducted pre-proposal stakeholder outreach in three periods: May-July 2022, February-April 2023, and September-October 2023 with additional consultations throughout 2022 and 2023. The Department also sought to specifically notify small businesses through regional trade organizations and local governments through the Climate Smart Communities coordinators and held a webinar for them in March 2023. The Department also held focused discussion sessions and office hours for supermarket chains, some of which operate in rural areas. The specific amendments to the Part 494 rule also reflect recommendations in the Climate Action Council Scoping Plan, for which there was extensive outreach through 2020-2022 including a formal public comment period from December 2021 through July 2022. The Department will hold public comment period and hearings on the Part 494 amendments that will be accessible to all entities, including rural stakeholders, and will notify interested parties of the proposed rulemaking. All parties will be able to comment on the proposed rule during the notice and comment period.

Job Impact Statement

1. Nature of Impact:

The New York State Department of Environmental Conservation is proposing amendments to the Part 494 regulation that reflect recommendations in the Climate Action Council Scoping Plan to reduce hydrofluorocarbon (HFC) emissions. The Department is directed under the Climate Leadership and Community Protection Act to promulgate regulations that substantially reflect the recommendations in the Scoping Plan to meet the required statewide GHG emissions limits. The recommendations that are being addressed in this rule include that the Department should expand the current Part 494 prohibitions on new equipment and products, prohibit high Global Warming Potential substances, and develop a registration and reporting program to reduce refrigerant leakage (i.e., a Refrigerant Management Program). The recommendations also indicate that the Department should seek to align with the international Kigali Amendment to the Montreal Protocol (Kigali Agreement) to phase down HFCs as implemented under the United States 2020 American Innovation and Manufacturing Act (AIM Act). Under these policies, the US supply of HFC refrigerant will be reduced 85% by 2036. The United States Environmental Protection Agency (EPA) is implementing the AIM Act through a series of regulatory actions that were also considered in the design of this regulation. Specifically, the proposed rule adopts EPA's Technology Transitions prohibitions on new equipment and products and then additional prohibitions in later years that reflect the full timeline of the AIM Act and Kigali Agreement. Importantly, although the Kigali Agreement and EPA regulations affect the supply of newly manufactured equipment, products, and HFC substances, they do not control the HFC emissions

such as from existing equipment. The proposed rule also includes a Refrigerant Management Program and Food Chain Refrigerant Replacement Program in Subpart 2 as an additional control on HFC emissions. The proposed regulation applies statewide. The Department is unaware of any significant adverse impact to jobs and employment opportunities as a result of this proposed rule.

2. Categories and Number Affected:

The proposed amendments to Part 494 are not expected to impact jobs or employment in New York State as this regulation is designed to align with a transition that is already under way nationally and internationally. The global transition away from HFC refrigerants is expected to have significant effects on the workforce as it will require widespread training in new technologies. Similarly, other recommendations of the Scoping Plan are expected to affect jobs in the HVAC and Refrigeration sector, such as to increase the adoption of heat pump technologies to replace fuel combustion in the building sector. However, this increasing demand for training and workforce development is not directly related to the proposed regulation.

The proposed rule also provides flexibility for compliance entities in the event of a specific adverse impacts, including the ability to request a variance in the event of force majeure or impossibility. There are also mechanisms for small businesses in Disadvantaged Communities to seek variances based on economic hardship or for retail food operations to extend the replacement of equipment in such communities. This later mechanism is specifically intended to avoid negative impacts on jobs and food security in these communities.

3. Regions of Adverse Impact:

The proposed rulemaking applies statewide. There are no regions of the State where jobs or employment opportunities are expected to be adversely affected by this rule.

4. Minimizing Adverse Impact:

As detailed above, this rule is not expected to have a significant impact on jobs or employment. The Scoping Plan recommends workforce training to address and transitioning to low-GWP alternatives. The recommendation includes resource toolkits, programs, and incentives that make low-GWP refrigerant technologies and low-GWP alternatives available and affordable, including a focus on natural refrigerants. Specifically, the Scoping Plan states that the New York State Energy Research and Development Authority (NYSERDA) should support design professional and workforce training and education around low-GWP refrigerants and alternatives, including natural refrigerants, in building equipment and in building/construction spray foam.

PROPOSED RULE MAKING HEARING(S) SCHEDULED

Uses of Fluorinated Greenhouse Gases Including Sulfur Hexafluoride in Gas-Insulated Electrical Equipment

I.D. No. ENV-03-24-00007-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 495 to Title 6 NYCRR.

Statutory authority: Environmental Conservation Law, sections 1-0101, 1-0303, 3-0301, 19-0103, 19-0105, 19-0107, 19-0301, 19-0303, 19-0305, 71-2103, 71-2105, 75-0101, 75-0107 and 75-0109

Subject: Uses of fluorinated greenhouse gases including sulfur hexafluoride in gas-insulated electrical equipment.

Purpose: Reduce greenhouse gas emissions as required by the Climate Leadership and Community Protection Act.

Public hearing(s) will be held at: 2:00 p.m. and 6:00 p.m., March 14, 2024 via Webex.

Please visit the NYS DEC public calendar at: <https://www.dec.ny.gov/calendar> for the hearing log-in information and links. The Department will give equal weight to written and oral statements, and since a cumulative record will be compiled it is not necessary for interested parties to attend each hearing. Interpreter services shall be made available to deaf persons, and translator services shall be made available to persons with limited English proficiency, at no charge for either service, upon written request. Requests should be received 10 calendar days before the meeting, but DEC will make every effort to fulfill requests received closer to the meeting date. Requests can be directed to the NYSDEC Division of Communication, Education, and Engagement, either by mail (NYSDEC, 625 Broadway, Albany, New York 12233-4500), by telephone (518-402-8044) or by e-mail (language@dec.ny.gov).

Interpreter Service: Interpreter services will be made available to hearing impaired persons, at no charge, upon written request submitted within rea-

sonable 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 (Full text is posted at the following State website: <https://dec.ny.gov/regulatory/regulations/proposed-emergency-recently-adopted-regulations#public>): The Department of Environmental Conservation (Department) proposes to create a new regulation, 6 NYCRR Part 495, Sulfur Hexafluoride Standards and Reporting. This proposal would adopt prohibitions and other controls on the use of sulfur hexafluoride (SF6), primarily in electrical power transmission and distribution equipment, as recommended by the New York State Climate Action Council Scoping Plan and in accordance with the requirements of the Climate Leadership and Community Protection Act.

Subpart 495-1 Requirements for Users of Gas-Insulated Equipment

Section 495-1.1 Purpose

Section 495-1.2 Applicability

Section 495-1.3 Definitions

Section 495-1.4 Sulfur Hexafluoride Phase-Out

Section 495-1.5 GIE Emissions Limit

Section 495-1.6 GIE and Insulating Gas Inventories

Section 495-1.7 Calculating Annual GIE Emissions

Section 495-1.8 Reporting Requirements

Section 495-1.9 Recordkeeping

Section 495-1.10 SF6 Phase-Out Exemption and Failure Notification

Section 495-1.11 Emergency Event Reporting

Section 495-1.12 Treatment of Confidential Information

Section 495-1.13 Enforcement

Section 495-1.14 Severability

Section 495-1.15 Reference Material

Subpart 495-2 Requirements for Users and Suppliers of Regulated Substances and Products Containing Regulated Substances

Section 495-2.1 Applicability

Section 495-2.2 Definitions

Section 495-2.3 Restrictions on Use, Sale, Possession, and Release of SF6

Section 495-2.4 Acceptable Uses of SF6

Section 495-2.5 Suppliers of Regulated Substances and Products Containing Regulated Substances

Section 495-1.1 Purpose

This section provides the purpose of the rulemaking, which includes the control of greenhouse gas emissions.

Section 495-1.2 Applicability

This section lists the regulated persons as those who own, install, and/or use SF6 gas-insulating equipment (GIE) and additionally, for reporting requirements, those with a certain nameplate capacity.

Section 495-1.3 Definitions

This section lists the definitions to be used for this Subpart. "Covered Insulated Gas" is defined as an insulating gas with a 20 year Global Warming Potential (GWP20) greater than one or a substance that contributes to climate change, thus capturing both SF6 and targeted SF6 substitutes.

Section 495-1.4 Sulfur Hexafluoride Phase-Out

This section provides a use phase-out schedule for SF6 GIE except in certain identified instances.

Section 495-1.5 GIE Emissions Limit

This section imposes emission limits on GIE owners and provides the equations needed for each GIE owner to calculate their baseline system capacity, baseline CO2e capacity, and emission limit.

Section 495-1.6 GIE and Insulating Gas Inventories

This section requires GIE owners to establish and maintain an annual inventory for each GIE device that uses covered insulating gas as well as an inventory of containers that contain covered insulating gas.

Section 495-1.7 Calculating Annual GIE Emissions

This section provides the equations needed for each GIE owner to calculate their annual GIE emissions.

Section 495-1.8 Reporting Requirements

This section requires GIE owners with annual GIE emissions exceeding 7,500 metric tons CO2e to submit an annual GIE emissions report, which includes information related to their GIE inventory and emissions limit calculation requirements. Additionally, this section includes an attestation requirement for all statements and/or information submitted to the Department.

Section 495-1.9 Recordkeeping

This section requires GIE owners to maintain specific records, including records pertaining to their GIE inventory and reporting requirements.

Section 495-1.10 SF6 Phase-Out Exemption and Failure Notification

This section details an exemption request process for GIE owners who wish to acquire SF6 GIE after the applicable phase-out dates and includes

the information to be submitted to the Department and the applicable justifications. This section also makes a use allowance in the event of a failure of a GIE device in active service provided that the GIE owner records and reports of such use.

Section 495-1.11 Emergency Event Reporting

This section details the process in which—including the information to be reported—a GIE owner may request that emissions from an emergency event are exempted from the calculation of their annual GIE emissions.

Section 495-1.12 Treatment of Confidential Information

This section notes that records containing trade secrets, confidential commercial information, or critical infrastructure information will be handled pursuant to section 616.7 of this Title.

Section 495-1.13 Enforcement

This section notes that all applicable penalties or sanctions set forth in Article 71 of the Environmental Conservation Law are available to the Department.

Section 495-1.14 Severability

This section establishes that the sections of the rule are severable.

Section 495-1.15 Reference Material

This section provides information on how to locate materials that have been incorporated by reference in this regulation.

Section 495-2.1 Applicability

This section lists the regulated persons as those that use or enter (or attempt to enter) into commerce in the State, SF6 or equipment containing SF6. Additionally, regulated persons also include those that supply "regulated substances" as defined in this Subpart, or equipment and products containing such regulated substances.

Section 495-2.2 Definitions

This section lists the definitions to be used for this Subpart, in addition to those provided in Subpart 495-1. "Regulated substance" is defined as a substance that contains a fluorinated greenhouse gas and has a GWP20 greater than 10 or a substance, if the GWP20 is unknown, that may be reasonably anticipated to contribute to climate change.

Section 495-2.3 Restrictions on Use, Sale, Possession, and Release of SF6

This section imposes a general restriction on the manufacture, production, distribution, sale, purchase, or use of SF6 in the State, except for specific uses identified in the next section. Except for these identified uses, this section also prohibits the ownership or possession of SF6 in the State after one year from the Subpart's effective dates. These dates are provided and are based on the type of SF6 application.

Section 495-2.4 Acceptable Uses of SF6

This section details the 10 uses of SF6 where the requirements of the previous section do not apply, such as use as a dielectric medium or research use in a research facility.

Section 495-2.5 Suppliers of Regulated Substances and Products Containing Regulated Substances

This section imposes general registration requirements on any supplier of bulk regulated substances or products containing regulated substances intended for sale or use in the State as well as on those who reclaim regulated substances collected in the State. Manufacturers of products containing a regulated substance have an additional registration requirement. Furthermore, this section imposes annual reporting and record keeping requirements on suppliers and reclaimers.

Text of proposed rule and any required statements and analyses may be obtained from: Greg Mumby, NYSDEC Office of Climate Change, 625 Broadway, Albany, NY 12233-3251, (518) 402-8448, email: climate.regs@dec.ny.gov

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

Public comment will be received until: March 21, 2024.

Additional matter required by statute: Pursuant to Article 8 of the Environmental Conservation Law (the State Environmental Quality Review Act), a Short Environmental Assessment Form, a Negative Declaration, and a Coastal Assessment Form have been prepared and are on file.

Summary of Regulatory Impact Statement (Full text is posted at the following State website: <https://dec.ny.gov/regulatory/regulations/proposed-emergency-recently-adopted-regulations#public>):

1. Statutory Authority

The statutory authority to promulgate this rulemaking is found in the Environmental Conservation Law (ECL) at Sections 1-0101, 1-0303, 3-0301, 19-0103, 19-0105, 19-0107, 19-0301, 19-0303, 19-0305, 71-2103, 71-2105, 75-0101, 75-0105, 75-0107, and 75-0109. Furthermore, this rulemaking also addresses the Department's statutory responsibility pursuant to Section 7(2) of the Climate Act to achieve the statewide GHG emission limits outlined in ECL Section 75-0107 and 6 NYCRR Part 496. The Climate Act further requires the Department promulgate regulations to achieve the statewide GHG emission limits and align with recommendations from the Climate Action Council Scoping Plan (Scoping Plan). ECL Section 75-0109. As discussed in more detail in the Legislative Objectives

below, the proposed regulation reflects the findings and recommendations from the Scoping Plan.

2. Legislative Objectives

Fluorinated GHGs are among the most powerful forces of global climate change. The primary focus of this proposal is SF6, which is the most potent GHG currently known with a Global Warming Potential (GWP) 18,300-25,200 times that of carbon dioxide, according to the most recent Intergovernmental Panel on Climate Change Assessment Report¹. It is also one of the longest-lived GHGs, persisting in the atmosphere for 1,000 years once emitted. All fluorinated GHGs have high GWP values, and some persist for hundreds, thousands, or even tens of thousands of years. This means that even if these GHGs are emitted at low volumes, they are accumulating in the atmosphere, and they will continue to impact the climate for centuries. In the case of SF6, the abundance has increased more than 40% from 2011 to 2019². Finally, because this gas persists in the atmosphere much longer than can be modelled, the costs to society from SF6 emissions cannot be fully estimated (see Costs section).

The Climate Act directs the Department to promulgate regulations that, “reflect, in substantial part, the findings” of the Climate Action Council Scoping Plan³ (Scoping Plan) in order to achieve the Climate Act’s statewide GHG emission limits (promulgated as 6 NYCRR Part 496) and net zero goal. Recommendations regarding SF6 emissions were identified in the Scoping Plan’s “Electricity” chapter. Specifically, Strategy E7, “Invest in Transmission and Distribution Infrastructure Upgrades” states, “DEC should adopt regulations to reduce SF6 emissions and establish a timeline for phasing out new SF6 equipment. New York should also collaborate with other U.S. Climate Alliance states to align policies across the country to drive a market shift toward SF6 alternative technologies nationwide. This will help New York’s power grid remain one of the cleanest, lowest emission grids in the country.” Additionally, there are a number of recommendations regarding hydrofluorocarbons (HFCs) in the “Building” and “Waste” chapters. Some uses and supply of HFCs may be addressed in the reporting requirements proposed in this rule. Finally, the recommendation in the “Industry” chapter, Strategy I5, “Establish Greenhouse Gas Registry and Reporting System”, states, “DEC should promulgate regulations to establish new or expand the existing GHG reporting requirements, which may be a component of another regulatory program... [and] DEC should evaluate existing online reporting systems such as those established by EPA and the California Air Resources Board.”

3. Needs and Benefits

The Department estimates that the proposed regulation will address the relevant recommendations from the Scoping Plan and reduce emissions in line with the requirements of the Climate Act. Fluorinated GHGs are inconsistently covered by international, national, and state-level policies. Many but not all fluorinated GHGs are regulated under the Clean Air Act, such as hazardous substances or volatile organic compounds, and some are included in annual reporting under the EPA’s mandatory GHG reporting program (GHGRP; 40 CFR Part 98). The proposal in Subpart 495-1 to regulate GIE broadly aligns with CARB’s Regulation for Reducing Sulfur Hexafluoride Emissions, with a few exceptions. The second Subpart of the proposed regulation would adopt provisions from a California regulation⁴ related to the general use of SF6 as well as certain GHG reporting requirements in place at the federal level and in California. The Department is proposing the same requirements as have been in place in California since 2009, with the primary goal of limiting the use of SF6 as it is an extremely powerful pollutant.

The proposed regulation is intended to address the current emissions of SF6, avoid increases in SF6 emissions associated with ongoing adoption of new SF6 GIE or in non-essential uses, and to potentially avoid emissions of other fluorinated GHGs that may be used as substitutes for SF6. The reporting requirements proposed in the second Subpart of this rule are critical for the Department’s enforcement and for the assessment of annual statewide emissions under the Climate Act. The Department also expects that the collection and communication of fluorinated gas emissions will lead to voluntary emission reductions through improved leak management or through the adoption of sustainable alternatives.

Based on publicly available data, the Department has estimated SF6 emissions in the State to be 7.36 metric tons per year, or 134,799 or 185,625 metric tons of carbon dioxide equivalent emissions if using the 20 or 100-year GWP, respectively⁵. This is equivalent to the carbon dioxide emissions from combusting 6,877-9,471 gallons of gasoline per year⁶. Absent the proposed rule, these emissions are expected to increase through 2050, which would be inconsistent with the requirements of Climate Act.

4. Costs

The proposed regulation may marginally increase the costs of GIE to electric utilities or other users and to suppliers of fluorinated GHGs, but it is designed to minimize costs by providing adequate time for new alternatives to reach price parity. In the case of GIE owners, including State and municipally owned utilities, the regulation does not directly impose costs on these entities or require that they replace existing equipment. Instead,

GIE owners may incur an incremental additional cost to an otherwise planned equipment replacement or expansion and this may be passed on to ratepayers. In the extensive cost modeling conducted by CARB⁷, they found that total cost savings for non-SF6 equipment would grow to nearly match costs by the final year of the model, or 2036. Because these cost savings (or avoided costs) would then continue every year through the lifetime of the non-SF6 GIE, the transition away from SF6 will save money for the utilities and ratepayers. Notably, the avoided costs include the costs of complying with the regulation. This potential cost saving is higher in the proposed regulation as entities are not required to report if GIE emissions fall below 7,500 MTCO2e. That said, the Department expects that the costs of reporting under either Subpart of this rule are minimal, as the information is already collected and reported to EPA. There are no additional costs anticipated to the Department for implementing this regulation.

The societal benefits from the mitigation of SF6 and other fluorinated GHG emissions far outweigh those from participating in reporting programs or from the adoption of alternative technologies. These costs are also externalized; the users of SF6 do not pay these costs, they are incurred on the public. The Department recently issued an update to the State’s Value of Carbon guidance to enable State agencies to estimate the societal damages of SF6 emissions alongside the other GHGs. The total cumulative, or net present value, of emissions 2024-2050 would result in damages costing \$326.62 million to \$3.69 billion dollars, or \$889.58 million dollars at the central 2% discount rate. Avoiding these emissions in the future would represent a significant benefit.

5. Paperwork

The proposed rule will impose minimal additional paperwork on regulated entities, but it is not expected to be unduly burdensome as the majority of records are already subject to federal requirements. Stakeholders demonstrated in outreach meetings that this information is tracked and readily available.

6. Local Government Mandates

This rulemaking will not create any mandates for local governments as compared to other entities. Municipally owned electric utilities will not be affected by reporting requirements of the regulation as their emissions are below the threshold of 7,500 MTCO2e due to their relatively small SF6 capacity.

7. Duplication

This proposal does not conflict with any other existing federal or State regulations or statutes. The proposed action is designed to align with federal policy, other non-overlapping State regulations, and international treaties to ensure consistency with a global phasedown of the regulated substances as much as practicable.

8. Alternatives

The Department considers a no action alternatives infeasible because of the requirements of the Climate Act. Model regulations in other jurisdictions were provided to stakeholders as an alternative and the Department considered feedback on these alternatives in developing the proposed regulation.

9. Federal Standards

This proposal would adopt federal minimum standards where applicable such as by adopting either the exact same standards as EPA, standards that are in line with the federal law, or standards in line with other US Climate Alliance states. Additionally, information to be collected are designed to align with records that are maintained per EPA regulations and voluntary programs.

10. Compliance Schedule

Notwithstanding the following compliance schedule, pursuant to ECL Article 19, Part 495 will be effective 30 days after filing the Notice of Adoption with the Department of State. This regulation will adopt a compliance schedule under Subpart 495-1 for owners of GIE to maintain an annualized inventory of equipment and insulating gas starting in 2025, for owners with annual GHG emissions above 7,500 MTCO2e to report on this inventory starting one year later, and then for the phase-down in the availability of SF6 GIE based on certain characteristics through 2033. Furthermore, starting in 2028, GIE owners must maintain total GIE emissions below an emissions limit that will be determined by the owner’s baseline capacity. Under Subpart 495-2, the State will restrict the use of SF6 to certain essential uses and establish a registration requirement on suppliers (manufacturers, producers, and distributors) of fluorinated greenhouse gases, both starting in 2025. In 2026, these suppliers will begin reporting annually on total volumes supplied to the State.

¹ Intergovernmental Panel on Climate Change. 2021. Climate Change 2021: The Physical Science Basis. Contribution of Working Group I to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change. [MassonDelmotte, V., P. Zhai, A. Pirani, S.L. Connors, C. Péan, S. Berger, N. Caud, Y. Chen, L. Goldfarb, M.I. Gomis, M. Huang, K.

Leitzell, E. Lonnoy, J.B.R. Matthews, T.K. Maycock, T. Waterfield, O. Yelekçi, R. Yu, and B. Zhou (eds.)). In Press: Cambridge University Press.

² *ibid*

³ Available at <https://climate.ny.gov>

⁴ Regulation for Reducing Sulfur Hexafluoride Emissions, Subarticle 3, sections 95340-95346, of title 17 of the California Code of Regulations.

⁵ DEC 2022 Statewide GHG Emissions Report, converted to CO₂e using IPCC's AR6 values, op cit EPA Carbon Footprint Calculator, assuming 19.6lbsCO₂/gal <https://www3.epa.gov/carbon-footprint-calculator> (last visited October 31, 2023).

⁶ EPA Carbon Footprint Calculator, assuming 19.6lbsCO₂/gal <https://www3.epa.gov/carbon-footprint-calculator> (last visited October 31, 2023).

⁷ As summarized in CARB 2020 Final Statement of Reasons. op cit.

Regulatory Flexibility Analysis

1. Effect of Rule:

The New York State Department of Environmental Conservation (Department) is proposing to adopt prohibitions and other controls on the use of sulfur hexafluoride (SF₆) and other fluorinated greenhouse gases, as recommended by the New York State Climate Action Council Scoping Plan and in accordance with the requirements of the Climate Leadership and Community Protection Act. Specifically, Subpart 495-1 would adopt limits to the emission rate of SF₆ in existing gas-insulated equipment (GIE), a phase-out schedule for new SF₆ GIE, inventory requirements of SF₆ GIE, and record keeping and annual reporting requirements for entities above a certain SF₆ nameplate capacity. Subpart 495-2 would further limit SF₆ sale and usage to certain essential uses and impose registration, record keeping, and reporting requirements for suppliers of fluorinated greenhouse gases within the State. The proposed rulemaking applies statewide. The proposed phase-out timeline accounts for differing GIE characteristics and provides for a phase-out exemption to avoid imposing overly burdensome requirements on smaller electrical power distribution entities, such as municipally-owned electric utilities and cooperatives.

2. Compliance Requirements:

The proposed regulation does not impose obligations unique to local governments and municipalities. The 49 municipally-owned electric utilities and cooperatives spread throughout the state will not be affected by GIE reporting requirements as their emissions are below the threshold of 7,500 MTCO₂e due to their relatively small SF₆ capacity, but they will be required to comply with the SF₆ phase out, inventory, and recordkeeping requirements for GIE. Small businesses may need to comply with the registration and reporting requirements to the extent that they are suppliers of SF₆ or equipment or products containing SF₆.

3. Professional Services:

There is no specific requirement or need for entities to contract for professional services in order to comply with the proposed regulation.

4. Compliance Costs:

The proposed regulation is primarily directed at SF₆ emissions associated with the transmission and distribution of electrical power, the costs of which will be mainly borne by the electricity sector statewide. Current market prices for the relevant SF₆ alternative equipment are higher than legacy SF₆ equipment, but as novel equipment, it is anticipated that this may change over time as manufacturing is scaled up and R&D costs are recouped. Cost analysis done by the California Air Resources Board indicate a lower cost barrier for technology replacement. Furthermore, the New York State Department of Public Service has indicated that SF₆ supplies are increasingly expensive, while alternative technologies may have lower overall costs (e.g., lifetime operation and maintenance costs). Due to existing federal mandatory and voluntary SF₆ reporting programs as well as the nature of the targeted SF₆ equipment, much of the regulated community already maintains the data sought from the reporting requirements. As such, reporting costs should be relatively low. In addition, the reporting requirements fall primarily on larger entities—owners of gas-insulated equipment with emissions over 7,500 mtCO₂e and manufacturers, producers, or distributors of SF₆ and SF₆-containing equipment. This rulemaking seeks to reduce greenhouse gas emissions to avoid the significant economic impacts of societal damages caused by climate change.

5. Economic and Technological Feasibility:

Compliance with this rule is technologically feasible for all entities, including small businesses and local governments. Subpart 495-1 includes several ways to minimize impacts on all regulated entities, including municipally-owned electric utilities and cooperatives due to certain technological feasibility constraints. For instance, there is a delayed implementation date for the proposed emissions limit as well as a phase-out timeline for new GIE acquisition to provide flexibility and enable utilities to properly plan for the purchase of non-SF₆ GIE. In addition, the

proposed regulation contains numerous exemptions for use of SF₆ GIE, as well as the ability for GIE owners to purchase SF₆ equipment for certain equipment failures and emergency events, and excludes emissions from emergency events for purposes of meeting the emissions limit. In terms of economic feasibility, the costs are reasonable and there is an overall economic value added in transitioning to SF₆ alternative technologies. Reporting requirements are limited to larger GIE owners with baseline emissions in the first year equal to or greater than 7,500 metric tons of carbon dioxide equivalent.

6. Minimizing Adverse Impact:

The Department has considered the issues and determined that Part 495 will not have an adverse impact on small businesses or local governments. The ability to comply will not be influenced by whether the regulatory provisions apply to a local government or small business as compared to some other entity.

7. Small Business and Local Government Participation:

The Department initiated pre-proposal, stakeholder outreach in 2023. The Department also sought to specifically notify small businesses through regional trade organizations, as well as to directly notify municipally-owned electric utilities and cooperatives. Two public webinars were held on May 23 and 24, 2023 to discuss the likely provisions of Part 495. The May 24th webinar focused on municipally-owned electric utilities and cooperatives. A stakeholder meeting was also held on June 28, 2023, which was attended by representatives from the regulated community (primarily utilities), the industry group, Environmental Energy Alliance of New York, and the New York State Department of Public Service. The Department also put out requests for stakeholder feedback. Additionally, the proposed regulation reflects recommendations in the Climate Action Council Scoping Plan, for which there was extensive outreach from 2020 to 2022, including a formal public comment period from December 2021 through July 2022. The Department will hold public hearings on Part 495 that will be accessible to all entities, including local governments and small businesses, and will notify interested parties of the proposed rulemaking. All parties will be able to comment on the proposed rule during the notice and comment period.

Rural Area Flexibility Analysis

1. Types and Estimated Numbers of Rural Areas:

The New York State Department of Environmental Conservation's (Department) proposed regulation will apply statewide, and there are no requirements in the proposed rule that would apply only to rural areas.

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

The proposed regulation primarily establishes sulfur hexafluoride (SF₆) use limits and controls on SF₆ gas-insulated equipment used by the electricity sector and imposes reporting and record keeping obligations on certain entities. In addition, SF₆ sale and usage would be limited to certain essential uses as part of the proposed regulation. There are no specific prohibitions in the proposed regulation that apply exclusively to rural areas, and the compliance requirements apply regardless of whether the regulated entity is located in a rural area. There is also no specific requirement or need for entities, rural or otherwise, to contract for professional services to comply with the proposed regulation.

3. Costs:

The proposed regulation is primarily directed at SF₆ emissions associated with the transmission and distribution of electrical power, the costs of which will be borne by the electricity sector statewide. Due to existing federal mandatory and voluntary SF₆ reporting programs as well as the nature of the targeted SF₆ GIE, much of the regulated community already maintains the data sought from the reporting requirements. As such, reporting costs should be relatively low. In addition, the reporting requirements fall primarily on larger entities—owners of gas-insulated equipment with emissions over 7,500 MTCO₂e and manufacturers, producers, or distributors of SF₆ and SF₆-containing GIE. Therefore, utilities with less than 7,500 MTCO₂e, such as smaller municipally-owned utilities and cooperatives are not required to report. This rulemaking seeks to reduce greenhouse gas emissions to avoid the significant economic impacts of societal damages caused by climate change. Overall, the Department does not anticipate any significant costs to rural areas.

4. Minimizing Adverse Impact:

The Department has considered the issues and determined that Part 495 will not have an adverse impact on rural areas.

5. Rural Area Participation:

The Department initiated pre-proposal, stakeholder outreach in 2023. The Department also sought to specifically notify municipally owned electric utilities and cooperatives. Two public webinars were held on May 23 and 24, 2023 to discuss the likely provisions of Part 495. The May 24th webinar focused on municipally-owned electric utilities and cooperatives. A stakeholder meeting was also held on June 28, 2023, which was attended by representatives from the regulated community (primarily utilities), the industry group, Environmental Energy Alliance of New York,

and the New York State Department of Public Service. The Department also put out requests for stakeholder feedback. Additionally, the proposed regulation reflects recommendations in the Climate Action Council Scoping Plan, for which there was extensive outreach through 2020-2022, including a formal public comment period from December 2021 through July 2022. The Department will hold public hearings on Part 495 that will be accessible to all entities, including rural stakeholders, and will notify interested parties of the proposed regulation. All parties will be able to comment on the proposed rule during the notice and comment period.

Job Impact Statement

1. Nature of Impact:

The New York State Department of Environmental Conservation (Department) is proposing to adopt prohibitions and other controls on the use of sulfur hexafluoride (SF6) and other fluorinated greenhouse gases, as recommended by the New York State Climate Action Council Scoping Plan and in accordance with the requirements of the Climate Leadership and Community Protection Act. Specifically, Subpart 495-1 would adopt limits to the emission rate of SF6 in existing gas-insulated equipment (GIE), a phase-out schedule for new SF6 GIE, inventory requirements of SF6 GIE, and record keeping and annual reporting requirements for certain entities. Subpart 495-2 would further limit SF6 sale and usage to certain essential uses and impose registration, record keeping, and reporting requirements for suppliers of fluorinated greenhouse gases within the State. The proposed regulation applies statewide.

2. Categories and Numbers Affected:

Part 495 is not expected to negatively impact jobs or employment opportunities in New York State. Potential job impacts of Subpart 495-1 would be in relation to those associated with SF6 GIE manufacturing, installation, and/or maintenance that could not otherwise be supplemented by SF6 alternative technology. SF6 GIE replacement may provide new potential job opportunities. Any impacts to SF6 manufacturing would occur outside of New York State. Pursuant to Subpart 495-2, SF6 sale and usage would be limited to certain essential uses. A secondary goal is to phase SF6 usage down in areas where new alternatives are being developed and SF6 is not required, i.e., in the use of SF6 as a tracer gas in research activities. The electricity sector accounts for 99% of SF6 emissions in New York State Statewide GHG Inventory. Therefore, since SF6 emissions outside the electricity sector only account for 1%, limiting SF6 to only certain essential uses is not expected to negatively impact jobs in New York State.

3. Regions of Adverse Impact:

The proposed regulation applies statewide. There are no regions of the State where jobs or employment opportunities are expected to be adversely impacted by this rule.

4. Minimizing Adverse Impact:

As detailed above, this rule is not expected to have a significant adverse impact on jobs or employment.

Public Health Law to improve access to behavioral health services in this State. Public Health Law 4403(5)(b) requires the commissioner, in consultation with the Superintendent of Financial Services, the commissioner of the Office of Mental Health, and the commissioner of the Office of Addiction Services and Supports, to propose regulations setting forth standards for network adequacy for mental health and substance use disorder treatment services, including sub-acute care in a residential facility, assertive community treatment services, critical time intervention services, and mobile crisis intervention services, by December 31, 2023. This Subpart implements the requirements of Public Health Law 4403(5)(b), as amended by Subpart F of part II of chapter 57 of the Laws of 2023, by establishing network adequacy and access standards and other protections to improve access to behavioral health services.

Section 98-5.2 Applicability.

(a) Starting January 1, 2025, this Subpart shall apply to all MCOs offering coverage that are subject to the mental health and substance use disorder requirements under Insurance Law § 4303 and Public Health Law § 4406.

Section 98-5.3 Definitions.

As used in this Part:

(a) Appointment wait time means the time from the initial request for health care services by an enrollee to the earliest date offered for the appointment for services.

(b) Behavioral health services mean mental health services and substance use disorder treatment services.

(c) Health care professional means an appropriately licensed, registered, or certified health care professional pursuant to title 8 of the Education Law or a health care professional comparably licensed, registered, or certified by another state.

(d) Health care provider or provider means a health care professional, or a facility licensed or certified pursuant to Public Health Law articles 5, 28, 36, 44 or 47, or Mental Hygiene Law articles 19, 31 or 32, or a facility comparably licensed or certified by another state.

(e) Network means the health care providers with which a MCO has contracted to provide health care services to enrollees.

(f) Non-participating means not having a contract with a MCO to provide health care services to an enrollee.

(g) Participating means having a contract with a MCO to provide health care services to an enrollee.

(h) Telehealth has the meaning set forth in section 2999-cc of the Public Health Law and includes audio-only visits.

Section 98-5.4 Network provider type standards.

(a) An adequate network of health care providers of behavioral health services shall include residential facilities that provide sub-acute care; assertive community treatment providers; critical time intervention services providers; and mobile crisis intervention services providers.

(b) This section shall take effect on January 1, 2025, and apply to policies and contracts issued or renewed 90 days after the commissioner, in consultation with the Superintendent of Financial Services, the commissioner of the Office of Mental Health, and the commissioner of the Office of Addiction Services and Supports, has determined, for each provider type listed in subdivision (a) of this section, that there is a sufficient number of certified, licensed, or designated health care providers available in this State to meet the network adequacy standards established by Public Health Law 4403(5)(b).

Section 98-5.5 Appointment wait time standards.

(a) A MCO shall ensure that its network has adequate capacity and availability of health care providers of behavioral health services to offer enrollees appointments within:

(1) 10 business days for an initial appointment with an outpatient facility or clinic;

(2) 10 business days for an initial appointment with a health care professional who is not employed by or contracted with an outpatient facility or clinic; and

(3) seven days for an appointment following a discharge from a hospital or an emergency room visit.

(b) A MCO may meet the appointment wait times set forth in subdivision (a) of this section through the use of telehealth unless the enrollee specifically requests an in-person appointment to treat the enrollee's behavioral health condition.

Section 98-5.6 Access to participating providers for enrollees.

(a) If an enrollee is unable to schedule an appointment with a participating provider of behavioral health services within the appointment wait times set forth in section 98-5.5 of this Part, the enrollee may submit a complaint to the MCO to resolve the access issue.

(b) The MCO shall have three business days from receipt of the complaint to locate a participating provider of behavioral health services that can treat the enrollee's behavioral health condition and is able to meet the appointment wait times set forth in section 98-5.5 of this Part.

(c) If the MCO is unable to locate a participating provider of behavioral

Department of Health

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Network Adequacy and Access Standards for Behavioral Health Services

I.D. No. HLT-02-24-00008-P

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

Proposed Action: Amendment of Subpart 98-1; addition of Subpart 98-5 to Title 10 NYCRR.

Statutory authority: Public Health Law, section 4403

Subject: Network Adequacy and Access Standards for Behavioral Health Services.

Purpose: To establish network adequacy and access standards for behavioral health services.

Text of proposed rule: Subdivision (p) of section 98-1.13 is added to read as follows:

(p) A MCO shall meet standards for network adequacy for mental health and substance use disorder treatment services set forth in Subpart 98-5.

Subpart 98-5 is added to read as follows:

Section 98-5.1 Purpose

Subpart F of part II of chapter 57 of the Laws of 2023 amended the

health services that can treat the enrollee's behavioral health condition and is able to meet appointment wait times set forth in section 98-5.5 of this Part, respectively, the MCO shall permit the enrollee to receive the behavioral health services from a non-participating provider that can treat the enrollee's behavioral health condition and is able to meet the appointment wait times set forth in section 98-5.5 of this Part regardless of whether the enrollee's coverage includes out-of-network benefits.

(d) The MCO shall not impose cost-sharing on the enrollee, including a copayment, coinsurance, or deductible for the service, that is greater than the cost-sharing that the enrollee would owe if the enrollee had received services from a participating provider. The MCO shall apply the out-of-pocket maximum that would have applied had the services been received from a participating provider.

Section 98-5.7 Provider directory requirements.

(a) In addition to the provider directory requirements set forth in Public Health Law 4403(5), when listing a behavioral health provider, the provider directory shall include:

(1) Any affiliation with participating facilities certified or authorized by the Office of Mental Health and the Office of Addiction Services and Supports;

(2) information on restrictions on the availability of services from an individual behavioral health provider. Restrictions on the availability of services means an age limit on the types of patients the health care provider treats or any limits on the types of specific behavioral health conditions that the health care provider treats;

(3) level of care offered by the behavioral health provider; and

(4) the county where the behavioral health provider is located.

(b) With respect to behavioral health providers, the provider directory that is posted on the MCO's website shall be searchable and filterable by behavioral health services provided and conditions treated, level of care, languages spoken, affiliations with participating facilities certified or authorized by the Office of Mental Health or the Office of Addiction Services and Supports, and the county where the provider is located.

(c) In addition to the disclosure requirements set forth in Public Health Law 4408(1)(r), a MCO shall provide the enrollee or the enrollee's designee with a list of behavioral health providers available to treat a specific behavioral health condition upon the request of the enrollee or the enrollee's designee.

(d) A MCO shall verify the accuracy of the information in the provider directory in writing with behavioral health providers annually.

(e) A MCO shall review the claims activity of the first six months of the year by September 1 of that year and, for the second six months of the year by March 1 of the following year. If the MCO did not receive any claims from a participating provider of behavioral health services within those periods, the MCO shall verify in writing with the participating provider the accuracy of the information in the provider directory.

(f) A MCO shall have a method available on its website for enrollees and health care providers to report errors in the provider directory information. The MCO shall promptly review the errors reported and ensure that the provider directory information is accurate.

Section 98-5.8 Additional MCO responsibilities regarding network adequacy and access.

(a) A MCO shall have designated staff with sufficient knowledge to help enrollee find participating behavioral health providers that treat the enrollee's specific behavioral health condition. The MCO shall post the contact information, including a telephone number, on its website, that allows the enrollee to access this designated staff directly.

(b)(1) A MCO shall have an access plan that establishes a protocol for monitoring and ensuring access to behavioral health services, outlines how provider capacity is determined, and establishes procedures for monthly monitoring of capacity and access and for improving access and managing access in times of reduced participating provider capacity. The access plan and associated monitoring protocol shall address the following:

(i) expected utilization of behavioral health services based on anticipated member enrollment and health care needs of the member population;

(ii) the number and types of health care providers of behavioral health services required to furnish covered behavioral health services, the number and types of providers actively providing behavioral health services within the health care plan's network, and the number and types of providers accepting new patients;

(iii) the collection and monitoring of data on provider-to-enrollee ratios, travel time and distance to participating providers, percentage of participating providers accepting new patients, and appointment wait times; and

(iv) the role of telehealth in providing access to behavioral health services.

(2) A MCO shall make the access plan available to the commissioner upon the commissioner's request.

Section 98-5.9 MCO reporting on network adequacy.

(a) By December 31, 2025 and annually thereafter, each MCO shall submit to the commissioner a written certification in a form prescribed by the commissioner and signed by an officer of the MCO that confirms the following:

(1) the MCO has an access plan as required by section 5.8 of this Part and that such access plan is available upon the commissioner's request;

(2) the MCO has sufficient participating providers in each network used by the MCO to meet the appointment wait time standards as required by section 98-5.5 of this Part, or in instances where there are not sufficient participating providers to meet the appointment wait time standards as required by section 98-5.5 of this part, that the MCO allows enrollees to obtain behavioral health services from non-participating providers pursuant to section 98-5.6 of this Part; and

(3) the MCO has performed the provider directory verification required by section 98-5.7 of this Part.

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

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

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

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

Regulatory Impact Statement

Statutory Authority:

Public Health Law (PHL) section 4403(2) states the Commissioner may adopt and amend rules and regulations to effectuate the purposes and provisions of Article 44, which governs the certification and operational requirements of managed care organizations (MCOs). Public Health Law 4403(5)(b), as amended by Subpart F of part II of chapter 57 of the Laws of 2023 requires the commissioner, in consultation with the Superintendent of Financial Services, the commissioner of the Office of Mental Health, and the commissioner of the Office of Addiction Services and Supports, to propose regulations setting forth standards for network adequacy for mental health and substance use disorder treatment services, including sub-acute care in a residential facility, assertive community treatment services, critical time intervention services, and mobile crisis intervention services, by December 31, 2023.

Legislative Objectives:

To establish network adequacy requirements for mental health and substance use disorder services in order to improve access to behavioral health services.

Needs and Benefits:

The regulation implements the legislative objectives of Chapter 57 by establishing requirements for provider networks used by MCOs that issue comprehensive health insurance policies or contracts in relation to mental health and substance use disorder services. Ensuring meaningful access to mental health and substance use disorder care is vital to addressing New York's mental health and substance use disorder crisis. A key component of access is the availability of an adequate number of appropriate providers within a MCO's network. The Department of Health, ("Department") consulted with the Department of Financial Services (DFS), the Office of Mental Health (OMH), and the Office of Addiction Services and Supports (OASAS) when drafting the regulation. DFS coordinated meetings with numerous stakeholders representing providers, consumers, and health care plans. The regulation sets forth appointment wait time standards for mental health and substance use disorder services. If an enrollee cannot access mental health or substance use disorder services from an in-network provider within the appointment wait time standards, the regulation requires the MCO to provide assistance to the enrollee in finding an in-network provider. If no in-network provider can provide the appointment wait time standards, the regulation requires the MCO to allow the enrollee to access an out-of-network provider at the in-network cost-sharing, if the out-of-network provider can meet the standards. This is a more streamlined process for MCOs to assist an enrollee in obtaining an appointment with a provider who meets the appointment wait times which does not require appeals. The regulation requires MCOs to verify information in their provider directories and to include information in the directories on any restrictions concerning the conditions or ages treated by network providers. Additionally, the regulation requires MCOs to develop a method for enrollees and providers to report directory errors; develop an access plan to monitor the utilization of mental health and substance use disorder services; and submit an annual certification of compliance to the Commissioner.

Costs:

Costs for the Implementation of, and Continuing Compliance with the Regulation to the Regulated Entity:

A MCO may incur compliance costs to: develop a process to monitor and evaluate access to its network providers; recruit additional mental health and substance use providers for its networks or pay for out of network providers; and submit an annual compliance certification. Some of the compliance costs may impact premium rates charged to enrollees for the commercial line of business. However, certain costs should be minimal because MCOs should already have compliance procedures in place such as the requirement to submit quarterly network reports.

Costs to State and Local Governments:

The new regulation does not impose any compliance costs on state or local governments or health care providers.

Costs to the Department of Health:

The new regulation may impose compliance costs on the Department because the Department will need to monitor MCOs compliance with the new regulation, review annual compliance certifications and update contracts with Department for Medicaid lines of business. However, any additional costs incurred by the Department should be minimal because existing personnel are already available to monitor compliance and update contracts necessitated by the new regulation and the Department should be able to absorb the costs in its ordinary budget. In addition, there could be an impact to premiums because if no in-network provider can provide the services within the appointment wait time standards, the regulation requires the MCO to allow the enrollee to access an out-of-network provider at the in-network cost-sharing, if the out-of-network provider can meet the appointment wait time standards.

Local Government Mandates:

The new regulation does not impose any program, service, duty, or responsibility upon a county, city, town, village, school district, fire district, or other special district.

Paperwork:

MCOs may need to file new policy forms and rates with the Department of Financial Services for commercial lines of business and update contracts with the Department for Medicaid lines of business to comply with the regulation. MCOs will need to develop an access plan that: establishes a protocol for monitoring and ensuring access to behavioral health services, outlines how provider capacity is determined, establishes procedures for monthly monitoring of capacity, and establishes procedures for improving and managing access in times of reduced participating provider capacity. MCOs will also need to submit an annual certification of compliance to the Commissioner.

Duplication:

The new regulation does not duplicate, overlap, or conflict with any existing state or federal rules or other legal requirements.

Alternatives:

The Department consulted with the DFS, OMH, and OASAS when drafting the regulation. The Department and DFS considered requiring MCOs to meet appointment wait time standards of 14 to 28 days, instead of ten business days, for initial mental health and substance use disorder treatment appointments. During discussions with various behavioral health provider associations, providers repeatedly stated that there is a state-wide shortage of providers and an increasing demand for mental health and substance use disorder treatment services. Many providers, including providers who do not participate in health care plan provider networks, expressed concern that they would not be able to meet an appointment wait time standard of ten business days, and many providers indicated that appointment wait times can run up to four weeks or longer. However, other states and federally-run exchanges have a ten business-day timeframe for initial appointments, and the ten business-day timeframe is more protective of consumers than a longer timeframe.

The Public Health Law includes a mechanism for an enrollee to go out of network when there is no provider in a MCO's network who can perform the services. That process may require the enrollee to go through multiple levels of appeal. However, the Department chose to require a more streamlined process for MCOs to assist an enrollee in obtaining an appointment with a provider who meets the appointment wait times which does not necessitate appeals.

Federal Standards:

The regulation does not conflict with any minimum standards of the federal government for the same or similar subject areas.

Compliance Schedule:

MCOs will need to comply with the regulation for policies and contracts issued, renewed, modified, or amended on and after January 1, 2025, and will need to submit annual compliance certifications by December 31, 2025.

Regulatory Flexibility Analysis

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

Rural Area Flexibility Analysis

Types and Estimated Numbers of Rural Areas:

This rule applies uniformly throughout the state, including rural areas. Rural areas are defined as counties with a population less than 200,000 and counties with a population of 200,000 or greater that have towns with population densities of 150 persons or fewer per square mile. The following 44 counties have a population of less than 200,000 based upon the United States Census estimated county populations for 2020 (<https://www.census.gov/quickfacts/>). Approximately 17% of small health care facilities are located in rural areas.

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

The following counties have a population of 200,000 or greater and towns with population densities of 150 persons or fewer per square mile. Data is based upon the United States Census estimated county populations for 2020.

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

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

MCOs, including MCOs in rural areas, may be subject to additional reporting, recordkeeping, or other compliance requirements regarding their network of providers. MCOs will need to develop an access plan that: establishes a protocol for monitoring and ensuring access to behavioral health services, outlines how provider capacity is determined, establishes procedures for monthly monitoring of capacity, and establishes procedures for improving and managing access in times of reduced participating provider capacity. MCOs will also need to submit an annual certification attesting that they are meeting the requirements outlined in 10 NYCRR 98-5.

Costs:

The new regulation may impose compliance costs on MCOs, including those in a rural area, to develop a process to monitor and evaluate access to its network providers; recruit additional mental health and substance use providers for its networks; and submit an annual compliance certification. However, any costs should be minimal because MCOs should already have compliance procedures in place.

Minimizing Adverse Impact:

This rule uniformly affects MCOs that are located in both rural and non-rural areas of New York State. This rule should not have an adverse impact on rural areas.

Rural Area Participation:

The Department of Health participated in virtual meetings with trade associations representing MCOs throughout the state, including those located in rural areas, regarding the proposed regulation. The Department also met with numerous stakeholders representing providers and consumers. MCOs, including MCOs in rural areas, will have an opportunity to participate in the rule-making process by submitting comments after the proposed rule is published in the State Register and on the Department of Health's website.

Job Impact Statement

A Job Impact Statement for these amendments is not being submitted because it is apparent from the nature and purposes of the amendments

that they will not have a substantial adverse impact on jobs and/or employment opportunities.

Office of Information Technology Services

NOTICE OF ADOPTION

Updated Citations to New York State Electronic Notary Regulations

I.D. No. ITS-37-23-00004-A

Filing No. 1122

Filing Date: 2023-12-21

Effective Date: 2024-01-10

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

Action taken: Amendment of Part 540 of Title 9 NYCRR.

Statutory authority: State Technology Law, sections 103(11) and 303(2)(a)

Subject: Updated citations to New York State electronic notary regulations.

Purpose: To reflect the new electronic notary law and regulations issued by the Department of State in 19 NYCRR 182.

Text or summary was published in the September 13, 2023 issue of the Register, I.D. No. ITS-37-23-00004-P.

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

Text of rule and any required statements and analyses may be obtained from: Clinton Rickards, New York State Office of Information Technology Services, Swan Street Building, Core 4, Floor 2, Albany, NY 12223, (518) 473-5115, email: its.sm.dla@its.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

ITS received one comment in support of the proposed rule. Although the comment was received after the close of the 60 day period for comments, ITS is including the comment in this filing.

NOTICE OF ADOPTION

Access to the Records of the Office of Information Technology Services

I.D. No. ITS-37-23-00005-A

Filing No. 1121

Filing Date: 2023-12-21

Effective Date: 2024-01-10

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

Action taken: Amendment of Part 550 of Title 9 NYCRR.

Statutory authority: Public Officers Law, section 87; State Technology Law, section 103(11)

Subject: Access to the Records of the Office of Information Technology Services.

Purpose: To modernize the process for access to the records of the Office of Information Technology Services.

Text or summary was published in the September 13, 2023 issue of the Register, I.D. No. ITS-37-23-00005-P.

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

Text of rule and any required statements and analyses may be obtained from: Clinton Rickards, New York State Office of Information Technology Services, Swan Street Building, Core 4, Floor 2, Albany, NY 12223, (518) 473-5115, email: its.sm.dla@its.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.

Long Island Power Authority

NOTICE OF ADOPTION

Annual Budget and Retail Rates

I.D. No. LPA-39-23-00020-A

Filing Date: 2023-12-21

Effective Date: 2024-01-01

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

Action taken: The Long Island Power Authority adopted modifications to its Tariff for Electric Service to implement rate adjustments as determined through its annual budget process.

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

Subject: Annual Budget and Retail Rates.

Purpose: Implementation of the Authority's rate adjustments as determined through its annual budget process.

Substance of final rule: The Trustees of the Long Island Power Authority ("LIPA" or the "Authority") approved modifications to the Tariff for Electric Service effective January 1, 2004, to implement rate adjustments as determined through LIPA's annual budget process. The resulting rate adjustments will increase the annual aggregate delivery revenues of LIPA by an amount not to exceed two and one-half percent and will be effectuated through a pro rata increase to all Service Classifications.

The modified rate design of the Service Classification No. 2. – Large General and Industrial Service with Multiple Rate Periods ("2-MRP") – results in a reduction in the service charge. Foregone revenues from the reduced service charge will be collected through increased demand charges for Rate Period 2 (peak hours) and Rate Period 3 (intermediate hours). This modification will be revenue neutral to the 2-MRP service class as a whole.

The adopted modifications to the rate of design of legacy Multiple Rate Periods rate codes (188, 288, 282) eliminate the meter charge from these rate codes.

Final rule as compared with last published rule: Substantial revisions were made in sections 184-185, 190-191, 195, 196C, D, 197, 201, 212-213A, 226-227, 238, 241, 244, 245, 248 and 262-264.

Text of rule and any required statements and analyses may be obtained from: Lisa Zafonte, Long Island Power Authority, 333 Earle Ovington Blvd., Ste. 403, Uniondale, NY 11553, (516) 222-7700, email: tariffchanges@lipower.org

Revised Regulatory Impact Statement

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

Revised Regulatory Flexibility Analysis

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

Revised Rural Area Flexibility Analysis

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

Revised Job Impact Statement

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

Assessment of Public Comment

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

NOTICE OF ADOPTION

Long Island Choice Program

I.D. No. LPA-39-23-00021-A

Filing Date: 2023-12-21

Effective Date: 2024-01-01

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

Action taken: The Long Island Power Authority adopted changes to its Long Island Choice Program consistent with New York State Public Service Commission orders and rules adopted under Case 14-M-0224.

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

Subject: Long Island Choice Program.

Purpose: To implement changes to its Long Island Choice Program to be consistent with the State's Community Choice Aggregation Program.

Substance of final rule: The Board of Trustees of the Long Island Power Authority approved modifications to the Tariff for Electric Service effective January 1, 2024, to implement changes to its Long Island Choice Program consistent with similar changes made by other utilities in New York State and recent New York State Public Service Commission ("Commission") orders and rules adopted under Case 14-M-0224.

The adopted modifications remove reference to data security screens that are no longer necessary since the inception of new Data Security Agreements (DSAs), refine the types of data to be disclosed to a municipality or its designee, reference the Community Choice Aggregation Program Rules issued by the Department of Public Service, and remove all established fees associated with the release of customer data, except those cost-based fees associated with requests for historical energy data in excess of 24 months.

Final rule as compared with last published rule: Substantial revisions were made in Part 297A and B.

Text of rule and any required statements and analyses may be obtained from: Lisa Zafonte, Long Island Power Authority, 333 Earle Ovington Blvd., Ste. 403, Uniondale, NY 11553, (516) 222-7700, email: tariffchanges@lipower.org

Revised Regulatory Impact Statement

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

Revised Regulatory Flexibility Analysis

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

Revised Rural Area Flexibility Analysis

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

Revised Job Impact Statement

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

Assessment of Public Comment

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

NOTICE OF ADOPTION

Clean Energy Standard Program

I.D. No. LPA-39-23-00022-A

Filing Date: 2023-12-21

Effective Date: 2024-01-01

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

Action taken: The Long Island Power Authority approved modifications to the Tariff for Electric Service to clarify how costs associated with the financial backstop mechanism of the State's Clean Energy Standard will be recovered and amortized over a 12-month period.

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

Subject: Clean Energy Standard Program.

Purpose: To clarify how costs associated with the financial backstop mechanism of the Clean Energy Standard Program will be recovered.

Substance of final rule: The Board of Trustees of the Long Island Power Authority approved modifications to the Tariff for Electric Service effective January 1, 2024. The approved changes clarify that costs associated with the financial backstop mechanism of the Clean Energy Standard ("CES") program will be recovered through the Power Supply Charge. The backstop costs will be amortized over a 12-month period and included in each month's costs included in the Power Supply Charge. This amount will not be part of the Market Supply Charge.

The Tariff modifications are consistent with the CES Administration Order issued by the Public Service Commission ("PSC") on November 17, 2016, under Case 15-E-0302 and the financial backstop collection mechanism approved by the PSC order in the same case on June 23, 2023.

Final rule as compared with last published rule: Substantial revisions were made in Parts 166, 167 and VII. A.

Text of rule and any required statements and analyses may be obtained from: Lisa Zafonte, Long Island Power Authority, 333 Earle Ovington Blvd., Ste. 403, Uniondale, NY 11553, (516) 222-7700, email: tariffchanges@lipower.org

Revised Regulatory Impact Statement

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

Revised Regulatory Flexibility Analysis

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

Revised Rural Area Flexibility Analysis

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

Revised Job Impact Statement

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

Assessment of Public Comment

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

NOTICE OF ADOPTION

Dynamic Load Management Program

I.D. No. LPA-39-23-00023-A

Filing Date: 2023-12-21

Effective Date: 2024-01-01

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

Action taken: The Long Island Power Authority approved modification to the Tariff for Electric Service to further develop its Dynamic Load Management program to improve and expand the use of such programs in the State.

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

Subject: Dynamic Load Management Program.

Purpose: To improve and increase participation in the Dynamic Load Management program.

Substance of final rule: The Board of Trustees of the Long Island Power Authority approved modifications to the Tariff for Electric Service effective January 1, 2024, to further develop its Dynamic Load Management ("DLM") program to improve and expand the use of DLM programs in the State and to increase support for the integration of renewable energy resources into such programs.

The adopted modifications to the DLM Tariff change the calculation of the performance factor consistent with the Public Service Commission's April 21, 2023 Order Directing Dynamic Load Management Program Changes in Case 14-E-0423 to increase participation in the Demand Response Program for residential customers who install behind-the-meter battery energy storage systems.

Final rule as compared with last published rule: Substantial revisions were made in Parts 333, 337A, 344, 346, 334, 338, 345 and 349A.

Text of rule and any required statements and analyses may be obtained from: Lisa Zafonte, Long Island Power Authority, 333 Earle Ovington Blvd., Ste. 403, Uniondale, NY 11553, (516) 222-7700, email: tariffchanges@lipower.org

Revised Regulatory Impact Statement

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

Revised Regulatory Flexibility Analysis

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

Revised Rural Area Flexibility Analysis

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

Revised Job Impact Statement

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

Assessment of Public Comment

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

NOTICE OF ADOPTION

Expansion of the Eligibility Requirements for LIPA’s Low-Income Program and Clarification of Enrollment and Renewal Periods

I.D. No. LPA-39-23-00024-A

Filing Date: 2023-12-21

Effective Date: 2024-01-01

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

Action taken: The Long Island Power Authority approved modifications to the Tariff to expand the eligibility requirements for the low-income program and to clarify enrollment and renewal periods.

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

Subject: Expansion of the eligibility requirements for LIPA’s low-income program and clarification of enrollment and renewal periods.

Purpose: To expand eligibility requirements for the low-income program and to clarify enrollment and renewal periods.

Substance of final rule: The Board of Trustees of the Long Island Power Authority (“LIPA”) approved modifications to the Tariff for Electric Service effective January 1, 2024. These modifications expand the eligibility requirements for the Low-income program so that LIPA’s electric customers have the same eligibility as natural gas customers on Long Island and electric customers throughout the State and clarify that the enrollment and renewal period for the Low-income program is 14 months.

The adopted modifications are consistent with similar changes made by other utilities in New York State and recent New York State Public Service Commission (“Commission”) orders and rules adopted under Case 14-M-0565.

Customers on Long Island that can show, or for whom LIPA can confirm, enrollment in at least one of the following programs are now eligible for the low-income program discount: Low-income Home Energy Assistance Program (LIHEAP); Medicaid; Supplemental Nutrition Assistance Program (SNAP); Supplemental Security Income (SSI); Temporary Assistance for Needy Family Assistance (FA); Safety Net Assistance – Public Assistance; United States Veteran’s Disability Pension or Veteran’s Surviving Spouse Pension, Child Health Plus or Federal Lifeline Program.

Final rule as compared with last published rule: Substantial revisions were made in Leaf 38B, I.C.21, 20 and I.B

Text of rule and any required statements and analyses may be obtained from: Lisa Zafonte, Long Island Power Authority, 333 Earle Ovington Blvd., Ste. 403, Uniondale, NY 11553, (516) 222-7700, email: tariffchanges@lipower.org

Revised Regulatory Impact Statement

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

Revised Regulatory Flexibility Analysis

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

Revised Rural Area Flexibility Analysis

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

Revised Job Impact Statement

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

Assessment of Public Comment

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

Public Service Commission

NOTICE OF ADOPTION

Electric Metering Equipment

I.D. No. PSC-09-23-00023-A

Filing Date: 2023-12-21

Effective Date: 2023-12-21

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

Action taken: On 12/14/23, the PSC adopted an order approving Consolidated Edison Company of New York, Inc.’s (Con Edison) petition to use the ABB KOR-20ER extended range/high accuracy current transformer for electric metering applications in New York State.

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

Subject: Electric metering equipment.

Purpose: To approve Con Edison’s petition to use electric metering equipment in New York State.

Substance of Final Rule: The Commission, on December 14, 2023, adopted an order approving Consolidated Edison Company of New York, Inc.’s petition to use the ABB KOR-20ER extended range/high accuracy current transformer for electric metering applications in New York State, subject to the terms and conditions set forth in the order.

Text or summary was published in the March 1, 2023 issue of the Register, I.D. No. PSC-09-23-00023-P.

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

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

Assessment of Public Comment

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

(22-E-0708SA1)

NOTICE OF ADOPTION

Water Service Agreement and Waiver Request

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

Filing Date: 2023-12-21

Effective Date: 2023-12-21

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

Action taken: On 12/14/23, the PSC adopted an order approving Saratoga Water Services, Inc.’s (Saratoga Water) Agreement for the Provision of Water Service with View at 182, LLC (View at 182) and waivers of its tariff and certain provisions of 16 NYCRR Parts 501 and 502.

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

Subject: Water service agreement and waiver request.

Purpose: To approve Saratoga Water's water service agreement and waiver request.

Substance of Final Rule: The Commission, on December 14, 2023, adopted an order approving Saratoga Water Services, Inc.'s (Saratoga Water) Agreement for the Provision of Water Service with View at 182, LLC and Saratoga Water's waivers of sections XI(1) and XIII, on Leaves 44 and 45 of its tariff, P.S.C. No. 4 — Water, and Title 16 of the New York Codes, Rules and Regulations sections 501.2, 501.3, 501.4, 501.6, 501.9, 501.10 and 502.3. Saratoga Water is directed to file with the Secretary to the Commission, within 30 days of issuance by the Department of Environmental Conservation, a copy of the permit authorizing the extension of water service, subject to the terms and conditions set forth in the order.

Text or summary was published in the September 6, 2023 issue of the Register, I.D. No. PSC-36-23-00027-P.

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

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

Assessment of Public Comment

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.
(23-W-0410SA1)

NOTICE OF ADOPTION

Submetering of Electricity and Waiver Request

I.D. No. PSC-37-23-00009-A

Filing Date: 2023-12-21

Effective Date: 2023-12-21

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

Action taken: On 12/14/23, the PSC adopted an order approving Gowcan Owner LLC's (Gowcan) notice of intent to submeter electricity at 267 Bond Street, Brooklyn, New York, and waiver of the energy audit requirements of 16 NYCRR section 96.5(k)(3).

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

Subject: Submetering of electricity and waiver request.

Substance of Final Rule: The Commission, on December 14, 2023, adopted an order approving Gowcan Owner LLC's notice of intent to submeter electricity at 267 Bond Street, Brooklyn, New York, located in the service territory of Consolidated Edison Company of New York, Inc., and 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.

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

Text or summary was published in the September 13, 2023 issue of the Register, I.D. No. PSC-37-23-00009-P.

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

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

Assessment of Public Comment

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.
(23-E-0268SA1)

NOTICE OF ADOPTION

Submetering of Electricity and Waiver Request

I.D. No. PSC-39-23-00004-A

Filing Date: 2023-12-21

Effective Date: 2023-12-21

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

Action taken: On 12/14/23, the PSC adopted an order approving Gowcan Owner LLC's (Gowcan) notice of intent to submeter electricity at 498 Sackett Street, Brooklyn, New York, and waiver of the energy audit requirements of 16 NYCRR section 96.5(k)(3).

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

Subject: Submetering of electricity and waiver request.

Substance of Final Rule: The Commission, on December 14, 2023, adopted an order approving Gowcan Owner LLC's notice of intent to submeter electricity at 498 Sackett Street, Brooklyn, New York, located in the service territory of Consolidated Edison Company of New York, Inc., and 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.

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

Text or summary was published in the September 27, 2023 issue of the Register, I.D. No. PSC-39-23-00004-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-0267SA1)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Issuance of Securities and Other Forms of Indebtedness

I.D. No. PSC-02-24-00001-P

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

Proposed Action: The Commission is considering a petition filed by National Fuel Gas Distribution Corporation requesting clarification of its Order Authorizing Issuance of Securities issued November 20, 2023.

Statutory authority: Public Service Law, section 69

Subject: Issuance of securities and other forms of indebtedness.

Purpose: To provide funding for capital needs, including construction, and refinancing of maturing short debt and promissory notes.

Substance of proposed rule: The Public Service Commission is considering a petition filed by National Fuel Gas Distribution Company (the Company) on December 19, 2023, requesting expedited clarification of the Commission's Order Authorizing Issuance of Securities issued November 20, 2023 in Case 23-G-0378.

The Company seeks clarification of certain language contained in the Order regarding the accounting treatment for the costs related to the refinancing of existing debt prior to maturity.

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-0378SP2)

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

Water Metering Equipment

I.D. No. PSC-02-24-00002-P

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

Proposed Action: The Commission is considering a petition filed by Veolia Water New York, Inc. to use the Neptune Technology Group MACH 10 meter in commercial and industrial water metering applications in New York State.

Statutory authority: Public Service Law, section 89-d(1)

Subject: Water metering equipment.

Purpose: To ensure that consumer bills will be based on accurate measurements of water usage.

Substance of proposed rule: The Public Service Commission (Commission) is considering a petition filed on November 29, 2023, by Veolia Water New York, Inc. to use the Neptune Technology Group MACH 10 meter in commercial and industrial water metering applications in New York State.

The petition states that the proposed meter is a solid-state ultrasonic meter with no moving parts, which does not experience wear on its parts and does not require maintenance or calibration to maintain accuracy over time.

The Commission requires new types of water meters and metering equipment, used to measure a customer's water usage, conform to the requirements of 16 NYCRR § 500 and be approved by the Commission before being used for customer billing purposes.

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

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

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

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

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

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

(23-W-0690SP1)

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

Financing Petition

I.D. No. PSC-02-24-00003-P

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

Proposed Action: The Commission is considering a petition filed by

Consolidated Edison of New York, Inc. (Con Edison) requesting authority to issue and sell Long-Term Indebtedness and to enter into or continue multi-year credit agreements.

Statutory authority: Public Service Law, section 69

Subject: Financing petition.

Purpose: To consider Con Edison's request for authority to issue and sell Long-Term Indebtedness.

Substance of proposed rule: The Public Service Commission is considering a petition filed by Consolidated Edison Company of New York, Inc. (the Company) on December 4, 2023, seeking authority to issue and sell unsecured debt obligations having a maturity of more than one year.

The petition, if approved, would allow the Company to: 1) issue and sell up to, but not exceed, \$6.05 billion aggregate principal unsecured debt obligations having a maturity of more than one year for purposes of reimbursement of the Company's treasury for moneys expended for capital purposes through December 31, 2027; 2) enter into or continue one or more revolving credit agreements and issue and sell up to, but not to exceed, \$3.00 billion aggregate principal at any time outstanding of unsecured debt obligations having a maturity of more than one year pursuant to such agreement(s), such issuance and sale to be for the purposes of reimbursement of the Company's treasury for moneys expended for capital purposes through December 31, 2027; and 3) issue and sell not up to, but not exceed, \$2.5 billion aggregate principal of unsecured debt obligations having a maturity of more than one year for the purposes of refunding in advance of maturity outstanding debt securities of the Company through December 31, 2027.

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, modify, or reject, in whole or in part, the action proposed and may resolve related matters.

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

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-M-0694SP1)

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

Water Rates and Charges

I.D. No. PSC-02-24-00004-P

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

Proposed Action: The Commission is considering a petition filed by Great Expectations, LLC requesting to increase its escrow account surcharges by 100% to recover funds advanced by the Company during calendar years 2017-2021 in the amount of \$103,070.19.

Statutory authority: Public Service Law, sections 5(1)(f), 89-c(1) and (10)

Subject: Water rates and charges.

Purpose: To ensure customer customers are provided safe and adequate service at just and reasonable rates.

Substance of proposed rule: The Public Service Commission is considering a petition, filed on December 12, 2023, by Great Expectations, LLC (Company), requesting authorization to increase its quarterly escrow charges so that it may recover funds advanced by the Company during calendar years 2017 through 2021 in the amount of \$103,070.19.

The Company provides metered water service to 113 customers in a subdivision known as Mansion Ridge in the Town of Monroe, Orange County, New York. Currently the Company has 117 connections that

serve single family homes, villas, and the Homeowners' Association irrigation and pool; 1 connection that serves the golf course clubhouse; and 1 connection that serves the golf course halfway house.

The petition states that the Company is requesting a 100% increase in its quarterly escrow charges so that it may recover funds advanced by the Company during calendar years 2017 through 2021 in the amount of \$103,070.19. The Company states that of the annual \$21,900 that will be collected from the proposed escrow surcharges, \$12,000 will go towards the principal and the interest for the loan repayment and \$9,900 will cover extraordinary repairs and/or replacements as well as building the replenishable escrow account.

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 at www.dps.ny.gov. The Commission may adopt, reject, or modify, in whole or in part, the action proposed and may resolve related matters.

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

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

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

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

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act. (23-W-0719SP1)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Water Metering Equipment

I.D. No. PSC-02-24-00005-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 Veolia Water New York, Inc. to use the Neptune Technology Group MACH 10 meter in residential water metering applications in New York State.

Statutory authority: Public Service Law, section 89-d(1)

Subject: Water metering equipment.

Purpose: To ensure that consumer bills will be based on accurate measurements of water usage.

Substance of proposed rule: The Public Service Commission (Commission) is considering a petition filed on November 29, 2023, by Veolia Water New York, Inc. to use the Neptune Technology Group MACH 10 meter in residential water metering applications in New York State.

The petition states that the proposed meter is a solid-state ultrasonic meter with no moving parts, which does not experience wear on its parts and does not require maintenance or calibration to maintain accuracy over time.

The Commission requires new types of water meters and metering equipment, used to measure a customer's water usage, conform to the requirements of 16 NYCRR § 500 and be approved by the Commission before being used for customer billing purposes.

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

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

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

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

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

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

(23-W-0689SP1)

Department of State

EMERGENCY RULE MAKING

Appraisal Standards

I.D. No. DOS-50-23-00015-E

Filing No. 1126

Filing Date: 2023-12-26

Effective Date: 2024-01-01

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

Action taken: Amendment of section 1106.1 of Title 19 NYCRR.

Statutory authority: Executive Law, section 160-d(1)(d)

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

Specific reasons underlying the finding of necessity: On January 1, 2024, new federal standards relating to appraisal practices will go into effect. These standards are incorporated into a publication called "Uniform Standards of Professional Appraisal Practice (USPAP)" 2024 Edition published by the Appraisal Foundation, which is authorized by the United States Congress as the source of appraisal standards.

The USPAP establishes uniform national standards for appraisal practices, and appraisals prepared or relating to federally related transactions are required to conform to USPAP standards. 12 C.F.R. § 34.44. The New York State Board of Real Estate Appraisal is required to review the standards for the development and communication of real estate appraisals provided in Article 6-E of the New York State Executive Law and to adopt regulations explaining and interpreting such standards, provided that such standards must, at a minimum, conform to the uniform standards of professional appraisal as promulgated by the Appraisal Standards Board of the Appraisal Foundation. Executive Law, § 160-d(1)(d). Current regulations promulgated by the Board of Real Estate Appraisal, 19 NYCRR § 1106.1, require conformity with the 2020-2021 edition of the Uniform Standards of Professional Appraisal Practice, which will no longer be in effect on January 1, 2024. The Department of State received the new federal standards relating to appraisal practices in September 2023.

Accordingly, if this rule is not adopted on or before January 1, 2024, appraisals for real estate transactions in New York State which do not comply with USPAP may not be accepted, in part, for federally secured loans. The financial consequences resulting from not being able to submit appraisals for loans could result in, among other things, delayed or failed real estate transactions. Accordingly, to ensure the continued stability of certain financial markets and to ensure the continued ability of the public to participate in real estate transactions, adoption of the rule on an emergency basis is required, because it is necessary for the preservation of the public general welfare and compliance with the requirements associated with a notice of proposed rulemaking would be contrary to the public interest.

Subject: Appraisal Standards.

Purpose: To adopt the 2024 edition of the Uniform Standards of Professional Appraisal Practice.

Text of emergency rule: 19 NYCRR § 1106.1

(a) Every appraisal assignment shall be conducted and communicated in accordance with the [following] provisions and standards set forth in the [2020-2021] 2024 edition of the UNIFORM STANDARDS OF PROFESSIONAL APPRAISAL PRACTICE (USPAP). [:

UNIFORM STANDARDS OF PROFESSIONAL APPRAISAL PRACTICE

- (1) Foreword
- (2) Table of Contents
- (3) Preamble

- (4) Definitions
- (5) Ethics Rule
- (6) Recordkeeping Rule
- (7) Competency Rule
- (8) Scope of Work Rule
- (9) Jurisdiction Exception Rule

STANDARDS AND STANDARD RULES

- (10) Standard 1: Real Property Appraisal, Development
- (11) Standard 2: Real Property Appraisal, Reporting
- (12) Standard 3: Appraisal Review, Development
- (13) Standard 4: Appraisal Review, Reporting
- (14) Standard 5: Mass Appraisal, Development
- (15) Standard 6: Mass Appraisal, Reporting
- (16) Standard 7: Personal Property Appraisal, Development
- (17) Standard 8: Personal Property Appraisal, Reporting
- (18) Standard 9: Business Appraisal, Development
- (19) Standard 10: Business Appraisal, Reporting]

(b) The [2020-2021] 2024 edition of the UNIFORM STANDARDS OF PROFESSIONAL APPRAISAL PRACTICE (*USPAP*) is published by the Appraisal Foundation, which is authorized by the United States Congress as the source of appraisal standards. Copies may be obtained from: The Appraisal Foundation 1155 15th Street, NW, Suite 1111 Washington, D.C. 20005 tel: 202-347-7722 WWW.APPRAISALFOUNDATION.ORG.

The [2020-2021] 2024 edition of the Uniform Standards of Professional Appraisal Practice (*USPAP*) can be [viewed] *purchased* from HTTP://WWW.APPRAISALFOUNDATION.ORG.

Copies are also available for inspection and copying at the following offices of the Department of State:

Division of Licensing Services
N.Y.S. Department of State
One Commerce Plaza
99 Washington Avenue, 5th Floor
Albany, NY 12231
Tel: 518-473-2728

Division of Licensing Services
N.Y.S. Department of State
[65 Court Street] 295 Main Street
Buffalo, NY [14202] 14203
Tel: 716-847-7110

Division of Licensing Services
N.Y.S. Department of State
123 William Street
New York, NY 10038
Tel: 212-417-5747

Division of Licensing Services
N.Y.S. Department of State
250 Veterans Memorial Highway
Hauppauge, NY 11788
Tel: 631-952-6579

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. DOS-50-23-00015-P, Issue of December 13, 2023. The emergency rule will expire March 24, 2024.

Text of rule and any required statements and analyses may be obtained from: David Mossberg, Esq., Department of State, 123 William Street, 20th Floor, New York, NY 10038, (212) 417-2063, email: david.mossberg@dos.ny.gov

Regulatory Impact Statement

1. Statutory authority:

New York Executive Law section 160-d authorizes the New York State Board of Real Estate Appraisal (the "Board") to adopt regulations in aid or furtherance of Article 6-E of the Executive Law. One of the purposes of Article 6-E is to ensure, among other things, that appraisers comply with national standards for uniform appraisal practices. To meet this purpose, the Department of State (the "Department"), in conjunction with the Board, has issued rules and regulations which are found at Chapter XXXI of Title 19 of the NYCRR and is proposing this rule making.

2. Legislative objectives:

Pursuant to Executive Law, Article 6-E, the Department, in conjunction with the Board, licenses and regulates real estate appraisers and real estate appraiser assistants. To provide protections against unqualified persons, the Article requires, in part, that appraisers meet minimum national standards for appraisal practices. The proposed rule advances this legislative objective by ensuring that individuals holding a license or certification

prepare and communicate appraisals according to new federal minimum standards set to go into effect on January 1, 2024.

3. Needs and benefits:

This rule is needed to comply with State and federal standards regarding minimum appraisal standards. Failure to update the current standards would preclude certain appraisals from being approved for federally related transactions. Accordingly, updating the standards would not only satisfy State law obligations but would also ensure the continued employment of appraisers within the State and security of certain federally related financial transactions.

4. Costs:

a. Costs to regulated parties:

The Department anticipates no significant costs to licensed or certified appraisers to comply with this rule. The Uniform Standards of Professional Appraisal Practice (USPAP) will be made available to interested parties upon request and is readily available, for purchase, directly from the Appraisal Foundation. Licensed and certified appraisers have had to comply with USPAP since at least 2004.

b. Costs to the Department of State:

The Department does not anticipate any additional costs to implement the rule. The USPAP has been updated periodically without costs to the Department.

c. Costs to New York State and its local governments:

No additional costs to the State or local governments are anticipated, as the USPAP has been updated periodically without costs to these political subdivisions.

5. Local government mandates:

The rule does not impose any program, service, duty or responsibility upon any county, city, town, village, school district or other special district.

6. Paperwork:

The rule imposes no additional paperwork requirements on interested parties.

7. Duplication:

This rule does not duplicate, overlap or conflict with any other State or federal requirement.

8. Alternatives:

No other alternatives were considered as the Department is required, under the provisions of the NYS Executive Law, to ensure licensed and certified appraiser meet minimum federal standards for uniform appraisal practices.

9. Federal standards:

The Federal Appraisal Subcommittee (ASC) is granted authority by Title XI of the Financial Institutions Reform, Recovery and Enforcement Act of 1989 (Title XI), to establish the minimum qualifications for real property appraisers performing appraisals for federally related transactions. States are required to implement appraiser qualifications that are no less stringent than those issued by the ASC. This rule therefore complies with federal standards.

10. Compliance schedule:

The rule will go into effect on January 1, 2024.

Regulatory Flexibility Analysis

1. Effect of rule:

The emergency rule making amends current appraisal standards to conform to new federal minimum standards that will go into effect on January 1, 2024. The rule does not apply to local governments. There are approximately 4,000 licensed and certified appraisers that would be required to comply with the new standards.

2. Compliance requirements:

After January 1, 2024, appraisers will have to comply with new federal minimum standards for appraisal practices.

3. Professional services:

Small businesses and local governments will not need professional services to comply with this rule. As is evident by the nature of this rulemaking, this proposal conforms NYS standards to non-discretionary federal standards. Similar updates have been made since at least 2004 without reliance on professional services.

4. Compliance costs:

The Department does not anticipate significant additional costs to appraisers. The Uniform Standards of Professional Appraisal Practice (USPAP) is readily available to affected professionals.

5. Economic and technical feasibility:

It is technologically feasible for small businesses to comply with the proposed rule. As noted previously, the USPAP has been updated periodically since at least 2004 and appraisers have been able to comply with each update.

6. Minimizing adverse economic impact:

The Department did not identify any alternatives which would achieve the results of the proposed rules, and at the same time, be less restrictive and less burdensome on them in terms of compliance, as the rule is required by statute. Accordingly, the approaches suggested in subdivision

one of section 202-b of the State Administrative Procedure Act were not considered.

7. Small business and local government participation:

On November 27, 2023, the Department and the New York State Board of Real Estate Appraisal discussed at an open meeting these potential changes and voted to move forward with a proposed rule making and an emergency rule making. The public was invited to observe this meeting. No significant comments have been received with respect to the proposed rulemaking. The Notice of Proposed Rule Making was published by the Department of State in the December 13, 2023, issue of the State Register. This publication of the rule in the State Register provides notice of the rulemaking to interested parties in rural areas. Additional comments will be received and entertained.

8. Compliance:

The emergency rule will be effective on January 1, 2024, to comply with non-discretionary State and federal requirements.

9. Cure period:

The Department is not providing for a cure period prior to enforcement of these regulations, because the rule does not establish any new violations or penalties or modify any existing violations or penalties.

Rural Area Flexibility Analysis

1. Types and estimated numbers of rural areas:

The proposed rulemaking does not impose any adverse impact on rural areas. The emergency rule updates appraisal standards to the new federal standards, a non-discretionary action, which are set to go into effect on January 1, 2024.

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

The Department does not anticipate any additional reporting, recordkeeping and other compliance requirements of this rule or that professional services that are likely to be needed in rural areas to comply with the rule. All appraisers are required to comply with current Uniform Standards of Professional Appraisal Practice (USPAP) standards and so this proposal merely updates those standards to conform to mandated federal standards.

3. Costs:

The proposed rulemaking does not impose any costs on rural areas to comply with this rule that would not be applicable in other areas of the state.

4. Minimizing adverse impact:

There are no alternatives which would achieve the results of the proposed rule, and at the same time, be less restrictive and less burdensome, as the rule is required by statute. Accordingly, the approaches suggested in subdivision two of section 202-bb of the State Administrative Procedure Act were not considered.

5. Rural area participation:

On November 27, 2023, the Department and the New York State Board of Real Estate Appraisal discussed at an open meeting these potential changes and voted to move forward with a proposed rulemaking and an emergency rulemaking. The public was invited to observe this meeting. No comments have been received with respect to the proposed rulemaking. The Notice of Proposed Rule Making was published by the Department of State in the December 13, 2023, State Register. The publication of the rule in the State Register provides notice of the rulemaking to interested parties in rural areas. Additional comments will be received and entertained.

Job Impact Statement

A Job Impact Statement is not required for the proposed regulatory amendments. It is apparent from the nature and the purpose of the proposed regulatory amendments that they will not have a substantial adverse impact on jobs and employment opportunities in either the public or private sectors.

Licensed and certified real estate appraisers are currently required to follow the standards existing in the current edition of the Uniform Standards of Professional Appraisal Practice, which will be revised and updated by the 2024 edition. The changes, which are required to be adopted, are not anticipated to impact job opportunities for real estate appraisers. Accordingly, the New York State Board of Real Estate Appraisal does not believe that adoption of the 2024 edition of the Uniform Standards of Professional Appraisal Practice will have any substantial adverse impact on jobs and employment opportunities. Additionally, correcting the address of one of the Department's offices will not impact jobs.

**HEARINGS SCHEDULED
FOR PROPOSED RULE MAKINGS**

Agency I.D. No.	Subject Matter	Location—Date—Time
Environmental Conservation, Department of		
ENV-46-23-00007-P	Subpart 220-1, Portland Cement Plants; Subpart 220-3, Asphalt Pavement Manufacturing Plants	Virtual via Webex—January 17, 2024, 2:00 p.m. Virtual via Webex—January 17, 2024, 6:00 p.m.
ENV-49-23-00007-P	1,4-Dioxane Limits for Household Cleansing, Personal Care, and Cosmetic Products	Virtual via Webex—February 6, 2024, 1:00 p.m. Instructions on how to “join” the hearing webinar and provide an oral statement will be published on the department’s proposed regulations webpage for 6 NYCRR Subpart 352-1 by December 6, 2023. The proposed regulations webpage for 6 NYCRR 352-1 may be accessed at: https://www.dec.ny.gov/regulations/propregulations.html#public or https://www.dec.ny.gov/chemical/121658.html Persons who wish to receive the instructions by mail or telephone may call the department at (518) 402-8706. Please provide your first and last name, address, and telephone number and reference the 6 NYCRR Supart 352-1 public comment hearing. The department will provide interpreter services for hearing impaired persons, and language interpreter service for individuals with difficulty understanding or reading English, at no charge upon written request submitted no later than January 24, 2024. The written request must be addressed to ALJ Timothy M. MacPherson, NYS DEC Office of Hearings and Mediation Services, 625 Broadway, 1st Fl., Albany, NY 12233-1550 or emailed to ALJ Timothy M. MacPherson at ohms@dec.ny.gov
ENV-51-23-00002-P	Regulations on Submission of Fishing Data and Requirement for Electronic Tracking Devices on Federally Permitted Lobster Vessels	Virtual via Webex—February 27, 2024, 2:00 p.m.
ENV-02-24-00006-P	Update to Part 494 Hydrofluorocarbon Standards and Reporting	Virtual via Webex—March 13, 2024, 2:00 p.m. Virtual via Webex—March 13, 2024, 6:00 p.m.

Please visit the NYS DEC public calendar at: <https://www.dec.ny.gov/calendar> for the hearing log-in information and links. The Department will give equal weight to written and oral statements, and since a cumulative record will be compiled it is not necessary for interested parties to attend each hearing. Interpreter services shall be made available to deaf persons, and translator services shall be made available to persons with limited English proficiency, at no charge for either service, upon written request. Requests should be received 10 calendar days before the meeting, but DEC will make every effort to fulfill requests received closer to the meeting date. Requests can be directed to the NYSDEC Division of Communication, Education, and Engagement, either by mail (NYSDEC, 625 Broadway, Albany, New York 12233-4500), by telephone (518-402-8044) or by e-mail (language@dec.ny.gov).

Virtual via Webex—March 14, 2024, 2:00 p.m.

Virtual via Webex—March 14, 2024, 6:00 p.m.

Please visit the NYS DEC public calendar at: <https://www.dec.ny.gov/calendar> for the hearing log-in information and links. The Department will give equal weight to written and oral statements, and since a cumulative record will be compiled it is not necessary for interested parties to attend each hearing. Interpreter services shall be made available to deaf persons, and translator services shall be made available to persons with limited English proficiency, at no charge for either service, upon written request. Requests should be received 10 calendar days before the meeting, but DEC will make every effort to fulfill requests received closer to the meeting date. Requests can be directed to the NYSDEC Division of Communication, Education, and Engagement, either by mail (NYSDEC, 625 Broadway, Albany, New York 12233-4500), by telephone (518-402-8044) or by e-mail (language@dec.ny.gov).

Department of Public Service, 19th Fl. Board Rm., Three Empire State Plaza, Albany, NY—April 16, 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-0627.

Metropolitan Transportation Authority, 2 Broadway, 20th Fl., New York, NY—February 29, 2024, 6:00 p.m.

Metropolitan Transportation Authority, 2 Broadway, 20th Fl., New York, NY—March 1, 2024, 10:00 a.m.

Metropolitan Transportation Authority, 2 Broadway, 20th Fl., New York, NY—March 4, 2024, 10:00 a.m.

ENV-02-24-00007-P Uses of Fluorinated Greenhouse Gases Including Sulfur Hexafluoride in Gas-Insulated Electrical Equipment

Public Service Commission

PSC-01-24-00015-P Proposed Major Rate Increase

Triborough Bridge and Tunnel Authority

TBA-52-23-00001-P Establish a New Toll Rate Schedule for Use of the Central Business District Under the CBDTP Operated by TBTA

Metropolitan Transportation Authority, 2
Broadway, 20th Fl., New York, NY—March 4,
2024, 6:00 p.m.

ACTION PENDING INDEX

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

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

For additional information concerning any of the proposals

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

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
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AGRICULTURE AND MARKETS, DEPARTMENT OF

AAM-30-23-00007-P 07/25/24	Agriculture water standards for growing, harvesting, packing, and holding of produce for human consumption.	To incorporate by reference 21 CFR Part 112, Subpart E, containing agricultural water standards.
AAM-43-23-00001-P	..... 10/24/24	Incorporation by reference of the 2019 edition of the Grade A Pasteurized Milk Ordinance ("PMO").	To require certain producers, processors and manufacturers of milk and milk products to comply with the 2019 edition of the PMO.
AAM-44-23-00020-P	..... 10/31/24	Control of the Asian Long Horned Beetle (ALB)	To lift approximately 10 square miles of Asian long horned beetle quarantine in Nassau and Suffolk Counties
AAM-49-23-00008-P	..... 12/05/24	Frequency of Inspections and Testing of Devices	To modify and clarify certain device testing requirements

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).
ASA-40-23-00035-EP	..... 10/03/24	Credentialing of Addiction Professionals	Add new credentialing pathway for a CASAC-Provisional and modify outdated terminology.

CANNABIS MANAGEMENT, OFFICE OF

*OCM-49-22-00024-ERP	..... 03/06/24	Violations, Hearings and Enforcement	The proposed rule establishes parameters around violations, hearings, and enforcement creating requirements intended to further protect public health, safety, and welfare by preventing unlawful cannabis or unsafe practices from entering the marketplace
OCM-45-23-00005-P	..... 11/07/24	Amend Medical Cannabis Regulations.	Amend medical cannabis regulations to align with adult-use cannabis regulations and address operational concerns.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CHILDREN AND FAMILY SERVICES, OFFICE OF			
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.
CFS-41-23-00003-P	10/10/24	Casework Contacts	To clarify rules regarding casework contacts, and allow, in limited circumstances, the use of videoconferencing
CFS-42-23-00002-EP	10/17/24	Expansion of eligibility for child care assistance program	To implement changes to the child care assistance program set forth in Chapter 56 of the Laws of 2023
CIVIL SERVICE, DEPARTMENT OF			
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.
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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
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.
CVS-44-23-00001-P	10/31/24	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-44-23-00002-P	10/31/24	Jurisdictional Classification	To delete a position from and to classify a position in the exempt class.
CVS-44-23-00003-P	10/31/24	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-44-23-00004-P	10/31/24	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-44-23-00005-P	10/31/24	Jurisdictional Classification	To classify positions in the exempt class.
CVS-44-23-00006-P	10/31/24	Jurisdictional Classification	To classify a position in the exempt class.
CVS-44-23-00007-P	10/31/24	Jurisdictional Classification	To classify positions in the exempt class.
CVS-44-23-00008-P	10/31/24	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-44-23-00009-P	10/31/24	Jurisdictional Classification	To classify a position in the exempt class and to classify positions in the non-competitive class
CVS-44-23-00010-P	10/31/24	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-44-23-00011-P	10/31/24	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-44-23-00012-P	10/31/24	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-44-23-00013-P	10/31/24	Jurisdictional Classification	To classify positions in the exempt and non-competitive classes

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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-44-23-00014-P	10/31/24	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-50-23-00001-P	12/12/24	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-50-23-00002-P	12/12/24	Jurisdictional Classification	To delete a position from and to classify a position in the non-competitive class
CVS-50-23-00003-P	12/12/24	Jurisdictional Classification	To classify positions in the exempt class.
CVS-50-23-00004-P	12/12/24	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-50-23-00005-P	12/12/24	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-50-23-00006-P	12/12/24	Jurisdictional Classification	To classify positions in the exempt class.
CVS-50-23-00007-P	12/12/24	Jurisdictional Classification	To classify positions in the exempt class.
CVS-50-23-00008-P	12/12/24	Jurisdictional Classification	To classify positions in the exempt class.
CVS-50-23-00009-P	12/12/24	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-50-23-00010-P	12/12/24	Jurisdictional Classification	To classify positions in the exempt class.
CVS-50-23-00011-P	12/12/24	Jurisdictional Classification	To classify positions in the exempt class.
CVS-50-23-00012-P	12/12/24	Jurisdictional Classification	To classify a position in the exempt class.
CVS-50-23-00013-P	12/12/24	Jurisdictional Classification	To classify a position in the exempt class.
CVS-50-23-00014-P	12/12/24	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-01-24-00003-P	01/02/25	Jurisdictional Classification	To classify positions in the exempt class.
CVS-01-24-00004-P	01/02/25	Jurisdictional Classification	To classify a position in the exempt class
CVS-01-24-00005-P	01/02/25	Jurisdictional Classification	To delete positions from and to classify positions in the non-competitive class
CVS-01-24-00006-P	01/02/25	Jurisdictional Classification	To delete a position from and to classify positions in the non-competitive class
CVS-01-24-00007-P	01/02/25	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-01-24-00008-P	01/02/25	Jurisdictional Classification	To classify a position in the exempt class.
CVS-01-24-00009-P	01/02/25	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-01-24-00010-P	01/02/25	Jurisdictional Classification	To delete positions from and to classify positions in the non-competitive class

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-01-24-00011-P	01/02/25	Jurisdictional Classification	To classify positions in the exempt class.
CORRECTIONS AND COMMUNITY SUPERVISION, DEPARTMENT OF			
CCS-42-23-00003-P	10/17/24	Privileged Correspondence	Remove privileged correspondence classification from mail received from the correctional association of New York State.
CCS-49-23-00009-P	12/05/24	Green Haven Correctional Facility	To remove an obsolete reference to previously repealed section 100.22
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
EDV-42-23-00001-P	10/17/24	Empire State Film Production Tax Credit Program	To update the administrative process of this tax credit program
EDV-42-23-00004-P	10/17/24	Empire State Post Production Tax Credit Program	To update the additional administrative process of this tax credit program and conform to statute
EDUCATION DEPARTMENT			
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-RP	03/28/24	Mental health practitioners' diagnostic privilege.	To implement sections 2 and 3 of Chapter 230 of the Laws of 2022.
EDU-26-23-00015-P	06/27/24	Registration and operation of central fill pharmacies.	To establish parameters for the central fill pharmacy model.
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.

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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
EDUCATION DEPARTMENT			
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.
EDU-44-23-00016-P	10/31/24	Use of the term university.	See attached.
EDU-44-23-00017-EP	10/31/24	Requirements for clinical education and simulation experience in nursing education program.	To implement Chapter 134 of the Laws of 2023.
EDU-44-23-00018-EP	10/31/24	Optometrist's certification to use topical and oral therapeutic drugs for certain ocular diseases.	To implement Chapter 506 of the Laws of 2021.
EDU-44-23-00019-EP	10/31/24	Non-patient specific orders to administer immunizing agents against respiratory syncytial virus (RSV).	To allow the execution by registered professional nurses of non-patient specific orders to administer RSV immunizing agents.
EDU-48-23-00009-P	11/28/24	Registration of curricula and professional study in veterinary medicine.	Meet workforce challenges without sacrificing educational quality; align requirements to programmatic accreditation standards
EDU-48-23-00010-RP	11/28/24	Delegation of the Board of Regents authority regarding charter revisions.	To update delegation of authority with respect to the approval of changes to certain charter school revisions.
EDU-48-23-00011-EP	11/28/24	Licensing examinations in the profession of public accountancy.	To enable the Department to implement CPA Evolution changes, remove flexibilities concerning the 18-month retention period.
EDU-48-23-00012-P	11/28/24	CTE and Media Arts Course flexibility for the IAAP and CTE pathways to high school graduation	To provide local discretion on how to distribute credit for media arts courses within a CTE or IAAP sequence
EDU-48-23-00013-P	11/28/24	Charter school financing.	See attached.
EDU-52-23-00003-P	12/26/24	Examination for a High School Equivalency Diploma	Update section 100.7(d) to reflect 4 subject tests in the current GED; remove cumulative score requirement; repeal fee language.
EDU-52-23-00004-P	12/26/24	The profession of physical therapy assistant.	See attached.
EDU-52-23-00005-P	12/26/24	Virtual and blended instruction.	See attached.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
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EDUCATION DEPARTMENT

EDU-52-23-00006-EP	12/26/24	Execution by RNs of non-patient orders to provide certain emergency medical services and administer pregnancy tests.	To implement Chapter 193 of the Laws of 2023.
EDU-52-23-00007-EP	12/26/24	Written informational material for the authorized use of epinephrine auto-injectors.	To conform section 136.6 of the Commissioner's regulations with Chapter 422 of the Laws of 2023.

ENERGY RESEARCH AND DEVELOPMENT AUTHORITY, NEW YORK STATE

ERD-52-23-00015-P	12/26/24	Cost-Effectiveness of Energy Code Updates	To establish a life-cycle cost methodology and define societal effects for Energy Code updates
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ENVIRONMENTAL CONSERVATION, DEPARTMENT OF

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-25-23-00010-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-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
ENV-46-23-00007-P	01/16/25	Subpart 220-1, Portland Cement Plants Subpart 220-3, Asphalt Pavement Manufacturing Plants	220-1 will be updated to reflect current Federal requirements. 220-3 will established control requirements for asphalt plants.
ENV-49-23-00007-P	02/05/25	1,4-Dioxane Limits for Household Cleansing, Personal Care, and Cosmetic Products	Implement the maximum allowable concentrations of 1,4-dioxane as set forth in Article 35 and Article 37 of the ECL
ENV-51-23-00002-P	02/26/25	Regulations on submission of fishing data and requirement for electronic tracking devices on federally permitted lobster vessels	Consolidate regulations for reporting fishery data , add rules for electronic tracking of lobster vessels, and update address
ENV-02-24-00006-P	03/13/25	Update to Part 494 Hydrofluorocarbon Standards and Reporting	Reduce greenhouse gas emissions as required by the Climate Leadership and Community Protection Act
ENV-02-24-00007-P	03/14/25	Uses of fluorinated greenhouse gases including sulfur hexafluoride in gas-insulated electrical equipment	Reduce greenhouse gas emissions as required by the Climate Leadership and Community Protection Act

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

GAMING COMMISSION, NEW YORK STATE

SGC-29-23-00004-P	07/18/24	Attending veterinarian examinations in Thoroughbred racing.	To decrease the risks of injury to racehorses.
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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
GAMING COMMISSION, NEW YORK STATE			
SGC-52-23-00014-P	12/26/24	Lottery prize payments and subscriptions	To create uniformity in payment processing, limit subscriptions to individuals, and codify existing practices
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
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-RP	02/05/24	Early Intervention Program	To conform existing program regulations to federal regulations and state statute, as well as to provide additional clarification
*HLT-42-22-00002-RP	01/17/24	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-12-23-00013-RP	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-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.
HLT-43-23-00009-P	10/24/24	Nursing Home Rate Appeal Prioritization Guidelines	To amend current appeal submission and processing requirements.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
HEALTH, DEPARTMENT OF			
HLT-46-23-00001-P	11/14/24	Long Term Care Ombudsman Program	To clarify language relative to access by the long-term care ombudsmen and adding reference to section 218 of Elder Law
HLT-46-23-00002-P	11/14/24	Updated Quality Improvement Committee Requirements	To update quality improvement committee requirements of adult homes and residences for adults
HLT-46-23-00012-P	11/14/24	Hospital and Nursing Home Personal Protective Equipment (PPE) Requirements	To ensure that all general hospitals and nursing homes maintain a 60-day supply of PPE.
HLT-47-23-00004-P	11/21/24	Adult Day Health Care	To regulate adult day health care programs for registrants with medical needs in a non-residential health care facility
HLT-49-23-00001-P	12/05/24	Hospital Cybersecurity Requirements	To create cybersecurity program requirements at all Article 28 regulated facilities.
HLT-49-23-00010-P	12/05/24	Educational Requirements for Certified Emergency Medical Services Providers	To improve the overall educational & certification experience that will ease barriers to recruitment of individuals
HLT-51-23-00001-P	12/19/24	General Hospital Medical Staff Recertification	To change the medical staff recertification timeframe from every two years to every three years.
HLT-02-24-00008-P	01/09/25	Network Adequacy and Access Standards for Behavioral Health Services	To establish network adequacy and access standards for behavioral health services.
HIGHER EDUCATION SERVICES CORPORATION			
ESC-52-23-00002-EP	12/26/24	Tuition Assistance Program (TAP) awards for students enrolled in approved nondegree workforce credential programs	To provide financial aid for students enrolled in nondegree workforce credential programs, enabling them to prepare for careers
HOMELAND SECURITY AND EMERGENCY SERVICES, DIVISION OF			
HES-48-23-00001-P	11/28/24	Training stipends for volunteer firefighters	To promulgate rules and regulations necessary to implement state and locally funded training stipends for volunteer firefighters
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
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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
LAW, DEPARTMENT OF			
LAW-12-23-00009-P	03/21/24	Application of price gouging prohibition to parties within the chain of distribution.	To facilitate enforcement of the price gouging law by providing consumer and industry guidance and statutory presumptions.
LAW-12-23-00010-P	03/21/24	Application of the price gouging law to dynamic pricing.	To facilitate enforcement of the price gouging law by providing consumer and industry guidance and statutory presumptions.
LAW-12-23-00011-P	03/21/24	Presumptive cases of unfair leverage for purposes of the price gouging law.	To facilitate enforcement of the price gouging law by providing consumer and industry guidance and statutory presumptions.
LAW-12-23-00012-P	03/21/24	Costs not within the control of the defendant for purposes of the price gouging law.	To facilitate enforcement of the price gouging law by providing consumer and industry guidance and statutory presumptions.
LONG ISLAND POWER AUTHORITY			
*LPA-08-01-00003-P	exempt	Pole attachments and related matters	To approve revisions to the authority's tariff
*LPA-41-02-00005-P	exempt	Tariff for electric service	To revise the tariff for electric service
*LPA-04-06-00007-P	exempt	Tariff for electric service	To adopt provisions of a ratepayer protection plan
*LPA-03-10-00004-P	exempt	Residential late payment charges	To extend the application of late payment charges to residential customers
*LPA-15-18-00013-P	exempt	Outdoor area lighting	To add an option and pricing for efficient LED lamps to the Authority's outdoor area lighting
*LPA-37-18-00013-P	exempt	The net energy metering provisions of the Authority's Tariff for Electric Service	To implement PSC guidance increasing eligibility for value stack compensation to larger projects
*LPA-37-18-00017-P	exempt	The treatment of electric vehicle charging in the Authority's Tariff for Electric Service	To effectuate the outcome of the Public Service Commission's proceeding on electric vehicle supply equipment
*LPA-37-18-00018-P	exempt	The treatment of energy storage in the Authority's Tariff for Electric Service	To effectuate the outcome of the Public Service Commission's proceeding on the NY Energy Storage Roadmap
*LPA-09-20-00010-P	exempt	To update and implement latest requirements for ESCOs proposing to do business within the Authority's service territory	To strengthen customer protections and be consistent with Public Service Commission orders on retail energy markets
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
LONG ISLAND POWER AUTHORITY			
*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-39-23-00025-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
LPA-46-23-00011-P	..... exempt	12-month Bill Protection Guarantee	To broaden applicability of Bill Protection Guarantee to all customers that enroll in Rate Code 194 or 195 by last migration
MENTAL HEALTH, OFFICE OF			
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

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
PAS-41-23-00008-P	..... exempt	Rates for the Sale of Power and Energy	To align rates and costs
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-22-04-00010-P	..... exempt	Approval of new types of electricity meters by Powell Power Electric Company	To permit the use of the PE-1250 electronic meter
*PSC-22-04-00013-P	..... exempt	Major gas rate increase by Consolidated Edison Company of New York, Inc.	To increase annual gas revenues
*PSC-22-04-00016-P	..... exempt	Master metering of water by South Liberty Corporation	To waive the requirement for installation of separate water meters
*PSC-25-04-00012-P	..... exempt	Interconnection agreement between Frontier Communications of Ausable Valley, Inc., et al. and Sprint Communications Company, L.P.	To amend the agreement
*PSC-27-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-27-04-00009-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-28-04-00006-P	..... exempt	Approval of loans by Dunkirk & Fredonia Telephone Company and Cassadaga Telephone Corporation	To authorize participation in the parent corporation's line of credit
*PSC-31-04-00023-P	..... exempt	Distributed generation service by Consolidated Edison Company of New York, Inc.	To provide an application form
*PSC-34-04-00031-P	..... exempt	Flat rate residential service by Emerald Green Lake Louise Marie Water Company, Inc.	To set appropriate level of permanent rates
*PSC-35-04-00017-P	..... exempt	Application form for distributed generation by Orange and Rockland Utilities, Inc.	To establish a new supplementary application form for customers
*PSC-43-04-00016-P	..... exempt	Accounts recievable by Rochester Gas and Electric Corporation	To include in its tariff provisions for the purchase of ESCO accounts recievable
*PSC-46-04-00012-P	..... exempt	Service application form by Consolidated Edison Company of New York, Inc.	To revise the form and make housekeeping changes
*PSC-46-04-00013-P	..... exempt	Rules and guidelines governing installation of metering equipment	To establish uniform statewide business practices
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-25-05-00011-P	..... exempt	Metering, balancing and cashout provisions by Central Hudson Gas & Electric Corporation	To establish provisions for gas customers taking service under Service Classification Nos. 8, 9 and 11
*PSC-27-05-00018-P	..... exempt	Annual reconciliation of gas costs by New York State Electric & Gas Corporation	To consider the manner in which the gas cost incentive mechanism has been applied
*PSC-41-05-00013-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries by local distribution companies and municipalities	To consider the filings
*PSC-45-05-00011-P	..... exempt	Treatment of lost and unaccounted gas costs by Corning Natural Gas Corporation	To defer certain costs
*PSC-46-05-00015-P	..... exempt	Sale of real and personal property by the Brooklyn Union Gas Company d/b/a KeySpan Energy Delivery New York and Steel Arrow, LLC	To consider the sale
*PSC-47-05-00009-P	..... exempt	Transferral of gas supplies by Corning Natural Gas Corporation	To approve the transfer
*PSC-50-05-00008-P	..... exempt	Long-term debt by Saratoga Glen Hollow Water Supply Corp.	To obtain long-term debt
*PSC-04-06-00024-P	..... exempt	Transfer of ownership interests by Mirant NY-Gen LLC and Orange and Rockland Utilities, Inc.	To approve of the transfer
*PSC-06-06-00015-P	..... exempt	Gas curtailment policies and procedures	To examine the manner and extent to which gas curtailment policies and procedures should be modified and/or established
*PSC-07-06-00009-P	..... exempt	Modification of the current Environmental Disclosure Program	To include an attributes accounting system
*PSC-22-06-00019-P	..... exempt	Hourly pricing by National Grid	To assess the impacts
*PSC-22-06-00020-P	..... exempt	Hourly pricing by New York State Electric & Gas Corporation	To assess the impacts
*PSC-22-06-00021-P	..... exempt	Hourly pricing by Rochester Gas & Electric Corporation	To assess the impacts
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-37-06-00015-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-37-06-00017-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-43-06-00014-P	..... exempt	Electric delivery services by Strategic Power Management, Inc.	To determine the proper mechanism for the rate-recovery of costs
*PSC-04-07-00012-P	..... exempt	Petition for rehearing by Orange and Rockland Utilities, Inc.	To clarify the order
*PSC-06-07-00015-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for electric service
*PSC-06-07-00020-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for gas service
*PSC-11-07-00010-P	..... exempt	Investigation of the electric power outages by the Consolidated Edison Company of New York, Inc.	To implement the recommendations in the staff's investigation
*PSC-11-07-00011-P	..... exempt	Storm-related power outages by Consolidated Edison Company of New York, Inc.	To modify the company's response to power outages, the timing for any such changes and other related matters
*PSC-17-07-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and BridgeCom International, Inc.	To amend the agreement
*PSC-18-07-00010-P	..... exempt	Existing electric generating stations by Independent Power Producers of New York, Inc.	To repower and upgrade existing electric generating stations owned by Rochester Gas and Electric Corporation
*PSC-20-07-00016-P	..... exempt	Tariff revisions and making rates permanent by New York State Electric & Gas Corporation	To seek rehearing
*PSC-21-07-00007-P	..... exempt	Natural Gas Supply and Acquisition Plan by Corning Natural Gas Corporation	To revise the rates, charges, rules and regulations for gas service
*PSC-22-07-00015-P	..... exempt	Demand Side Management Program by Consolidated Edison Company of New York, Inc.	To recover incremental program costs and lost revenue
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-42-07-00013-P	..... exempt	Revenue decoupling by Orange and Rockland Utilities, Inc.	To consider a revenue decoupling mechanism for Orange and Rockland Utilities, Inc.
*PSC-45-07-00005-P	..... exempt	Customer incentive programs by Orange and Rockland Utilities, Inc.	To establish a tariff provision
*PSC-02-08-00006-P	..... exempt	Additional central office codes in the 315 area code region	To consider options for making additional codes
*PSC-04-08-00010-P	..... exempt	Granting of easement rights on utility property by Central Hudson Gas & Electric Corporation	To grant easement rights to Millennium Pipeline Company, L.L.C.
*PSC-04-08-00012-P	..... exempt	Marketing practices of energy service companies by the Consumer Protection Board and New York City Department of Consumer Affairs	To consider modifying the commission's regulation over marketing practices of energy service companies
*PSC-08-08-00016-P	..... exempt	Transfer of ownership by Entergy Nuclear Fitzpatrick LLC, et al.	To consider the transfer
*PSC-12-08-00019-P	..... exempt	Extend the provisions of the existing electric rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-12-08-00021-P	..... exempt	Extend the provisions of the existing gas rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-13-08-00011-P	..... exempt	Waiver of commission policy and NYSEG tariff by Turner Engineering, PC	To grant or deny Turner's petition
*PSC-13-08-00012-P	..... exempt	Voltage drops by New York State Electric & Gas Corporation	To grant or deny the petition
*PSC-23-08-00008-P	..... exempt	Petition requesting rehearing and clarification of the commission's April 25, 2008 order denying petition of public utility law project	To consider whether to grant or deny, in whole or in part, the May 7, 2008 Public Utility Law Project (PULP) petition for rehearing and clarification of the commission's April 25, 2008 order denying petition of Public Utility Law Project
*PSC-25-08-00007-P	..... exempt	Policies and procedures regarding the selection of regulatory proposals to meet reliability needs	To establish policies and procedures regarding the selection of regulatory proposals to meet reliability needs
*PSC-25-08-00008-P	..... exempt	Report on Callable Load Opportunities	Rider U report assessing callable load opportunities in New York City and Westchester County during the next 10 years
*PSC-28-08-00004-P	..... exempt	Con Edison's procedure for providing customers access to their account information	To consider Con Edison's implementation plan and timetable for providing customers access to their account information
*PSC-31-08-00025-P	..... exempt	Recovery of reasonable DRS costs from the cost mitigation reserve (CMR)	To authorize recovery of the DRS costs from the CMR
*PSC-32-08-00009-P	..... exempt	The ESCO referral program for KEDNY to be implemented by October 1, 2008	To approve, reject or modify, in whole or in part, KEDNY's recommended ESCO referral program
*PSC-33-08-00008-P	..... exempt	Noble Allegany's request for lightened regulation	To consider Noble Allegany's request for lightened regulation as an electric corporation

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-13-15-00024-P	..... exempt	Whether Leatherstocking should be permitted to recover a shortfall in earnings	To decide whether to approve Leatherstocking's request to recover a shortfall in earnings
*PSC-13-15-00026-P	..... exempt	Whether to permit the use of the Sensus Smart Point Gas AMR/AMI product	To permit the use of the Sensus Smart Point Gas AMR/AMI product
*PSC-13-15-00027-P	..... exempt	Whether to permit the use of the Measurlogic DTS 310 electric submeter	To permit the use of the Measurlogic DTS 310 submeter
*PSC-13-15-00028-P	..... exempt	Whether to permit the use of the SATEC EM920 electric meter	To permit necessary to permit the use of the SATEC EM920 electric meter
*PSC-13-15-00029-P	..... exempt	Whether to permit the use the Triacta Power Technologies 6103, 6112, 6303, and 6312 electric submeters	To permit the use of the Triacta submeters
*PSC-17-15-00007-P	..... exempt	To consider the petition of Leatherstocking Gas Company, LLC seeking authority to issue long-term debt of \$2.75 million	To consider the petition of Leatherstocking Gas Company, LLC seeking authority to issue long-term debt of \$2.75 million
*PSC-18-15-00005-P	..... exempt	Con Edison's Report on its 2014 performance under the Electric Service Reliability Performance Mechanism	Con Edison's Report on its 2014 performance under the Electric Service Reliability Performance Mechanism
*PSC-19-15-00011-P	..... exempt	Gas Safety Performance Measures and associated negative revenue adjustments	To update the performance measures applicable to KeySpan Gas East Corporation d/b/a National Grid
*PSC-22-15-00015-P	..... exempt	To consider the request for waiver of the individual residential unit meter requirements and 16 NYCRR 96.1(a)	To consider the request for waiver of the individual residential unit meter requirements and 16 NYCRR 96.1(a)
*PSC-23-15-00005-P	..... exempt	The modification of New York American Water's current rate plan	Whether to adopt the terms of the Joint Proposal submitted by NYAW and DPS Staff
*PSC-23-15-00006-P	..... exempt	The modification of New York American Water's current rate plan	Whether to adopt the terms of the Joint Proposal submitted by NYAW and DPS Staff
*PSC-25-15-00008-P	..... exempt	Notice of Intent to Submeter electricity	To consider the request of 165 E 66 Residences, LLC to submeter electricity at 165 East 66th Street, New York, New York
*PSC-29-15-00025-P	..... exempt	Joint Petition for authority to transfer real property located at 624 West 132nd Street, New York, NY	Whether to authorize the proposed transfer of real property located at 624 West 132nd Street, New York, NY
*PSC-32-15-00006-P	..... exempt	Development of a Community Solar Demonstration Project	To approve the development of a Community Solar Demonstration Project
*PSC-33-15-00009-P	..... exempt	Remote net metering of a demonstration community net metering program	To consider approval of remote net metering of a demonstration community net metering program
*PSC-33-15-00012-P	..... exempt	Remote net metering of a Community Solar Demonstration Project	To consider approval of remote net metering of a Community Solar Demonstration Project
*PSC-34-15-00021-P	..... exempt	Petition by NYCOM requesting assistance with obtaining information on CLECs and ESCOs	To consider the petition by NYCOM requesting assistance with obtaining information on CLECs and ESCOs

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-35-15-00014-P	..... exempt	Consideration of consequences against Light Power & Gas, LLC for violations of the UBP	To consider consequences against Light Power & Gas, LLC for violations of the UBP
*PSC-37-15-00007-P	..... exempt	Submetered electricity	To consider the request of 89 Murray Street Ass. LLC, for clarification of the submetering order issued December 20, 2007
*PSC-40-15-00014-P	..... exempt	Whether to permit the use of the Open Way 3.5 with cellular communications	To consider the use of the Open Way 3.5 electric meter, pursuant to 16 NYCRR Parts 92 and 93
*PSC-42-15-00006-P	..... exempt	Deferral of incremental expenses associated with NERC's new Bulk Electric System (BES) compliance requirements approved by FERC	Consideration of Central Hudson's request to defer incremental expenses associated with new BES compliance requirements
*PSC-44-15-00028-P	..... exempt	Deferral of incremental expenses associated with new compliance requirements	Consideration of Central Hudson's request to defer incremental expenses associated with new compliance requirements
*PSC-47-15-00013-P	..... exempt	Whitepaper on Implementing Lightened Ratemaking Regulation	Consider Whitepaper on Implementing Lightened Ratemaking Regulation
*PSC-48-15-00011-P	..... exempt	Proposal to retire Huntley Units 67 and 68 on March 1, 2016	Consider the proposed retirement of Huntley Units 67 and 68
*PSC-50-15-00006-P	..... exempt	The reduction of rates	To consider the reduction of rates charged by Independent Water Works, Inc.
*PSC-50-15-00009-P	..... exempt	Notice of Intent to submeter electricity	To consider the request to submeter electricity at 31-33 Lincoln Road and 510 Flatbush Avenue, Brooklyn, New York
*PSC-51-15-00010-P	..... exempt	Modification of the EDP	To consider modifying the EDP
*PSC-01-16-00005-P	..... exempt	Proposed amendment to Section 5, Attachment 1.A of the Uniform Business Practices	To consider amendment to Section 5, Attachment 1.A of the Uniform Business Practices
*PSC-04-16-00007-P	..... exempt	Whether Hamilton Municipal Utilities should be permitted to construct and operate a municipal gas distribution facility	Consideration of the petition by Hamilton Municipal Utilities to construct and operate a municipal gas distribution facility
*PSC-04-16-00012-P	..... exempt	Proposal to mothball three gas turbines located at the Astoria Gas Turbine Generating Station	Consider the proposed mothball of three gas turbines located at the Astoria Gas Turbine Generating Station
*PSC-04-16-00013-P	..... exempt	Proposal to find that three gas turbines located at the Astoria Gas Turbine Generating Station are uneconomic	Consider whether three gas turbines located at the Astoria Gas Turbine Generating Station are uneconomic
*PSC-06-16-00013-P	..... exempt	Continued deferral of approximately \$16,000,000 in site investigation and remediation costs	To consider the continued deferral of approximately \$16,000,000 in site investigation and remediation costs
*PSC-06-16-00014-P	..... exempt	MEGA's proposed demonstration CCA program	To consider MEGA's proposed demonstration CCA program
*PSC-14-16-00008-P	..... exempt	Resetting retail markets for ESCO mass market customers	To ensure consumer protections with respect to residential and small non-residential ESCO customers

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-18-16-00013-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs	To ensure consumer protection for ESCO customers
*PSC-18-16-00014-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs	To ensure consumer protection for ESCO customers
*PSC-18-16-00015-P	..... exempt	Petitions for rehearing of the Order Resetting Retail Energy Markets and Establishing Further Process	To ensure consumer protections for ESCO customers
*PSC-18-16-00016-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs	To ensure consumer protection for ESCO customers
*PSC-18-16-00018-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs	To ensure consumer protection for ESCO customers
*PSC-20-16-00008-P	..... exempt	Consideration of consequences against Global Energy Group, LLC for violations of the Uniform Business Practices (UBP)	To consider consequences against Global Energy Group, LLC for violations of the Uniform Business Practices (UBP)
*PSC-20-16-00010-P	..... exempt	Deferral and recovery of incremental expense	To consider deferring costs of conducting leak survey and repairs for subsequent recovery
*PSC-20-16-00011-P	..... exempt	Enetics LD-1120 Non-Intrusive Load Monitoring Device in the Statewide Residential Appliance Metering Study	To consider the use of the Enetics LD-1120 Non-Intrusive Load Monitoring Device
*PSC-25-16-00009-P	..... exempt	To delay Companies' third-party assessments of customer personally identifiable information until 2018	To extend the time period between the Companies' third-party assessments of customer personally identifiable information
*PSC-25-16-00025-P	..... exempt	Acquisition of all water supply assets of Woodbury Heights Estates Water Co., Inc. by the Village of Kiryas Joel	To consider acquisition of all water supply assets of Woodbury Heights Estates Water Co., Inc. by the Village of Kiryas Joel
*PSC-25-16-00026-P	..... exempt	Use of the Badger E Series Ultrasonic Cold Water Stainless Steel Meter, in residential fire service applications	To consider the use of the Badger E Series Ultrasonic Cold Water Stainless Steel Meter in fire service applications
*PSC-28-16-00017-P	..... exempt	A petition for rehearing of the Order Adopting a Ratemaking and Utility Revenue Model Policy Framework	To determine appropriate rules for and calculation of the distributed generation reliability credit
*PSC-29-16-00024-P	..... exempt	Participation of NYPA customers in surcharge-funded clean energy programs	To consider participation of NYPA customers in surcharge-funded clean energy programs
*PSC-32-16-00012-P	..... exempt	Benefit-Cost Analysis Handbooks	To evaluate proposed methodologies of benefit-cost evaluation
*PSC-33-16-00001-EP	..... exempt	Use of escrow funds for repairs	To authorize the use of escrow account funds for repairs
*PSC-33-16-00005-P	..... exempt	Exemption from certain charges for delivery of electricity to its Niagara Falls, New York facility	Application of System Benefits Charges, Renewable Portfolio Standard charges and Clean Energy Fund surcharges
*PSC-35-16-00015-P	..... exempt	NYSRC's revisions to its rules and measurements	To consider revisions to various rules and measurements of the NYSRC
*PSC-36-16-00004-P	..... exempt	Recovery of costs for installation of electric service	To consider the recovery of costs for installation of electric service

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

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-42-18-00011-P	..... exempt	Voluntary residential beneficial electrification rate design	To provide efficient rate design for beneficial technologies in New York State that is equitable for all residential customers
*PSC-42-18-00013-P	..... exempt	Petition for clarification and rehearing of the Smart Solutions Program Order	To address the increased demand for natural gas in the Con Edison's service territory and the limited pipeline capacity
*PSC-45-18-00005-P	..... exempt	Notice of intent to submeter electricity and waiver of energy audit	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place
*PSC-01-19-00013-P	..... exempt	Order of the Commission related to caller ID unblocking	To require telephone companies to unblock caller ID on calls placed to the 311 municipal call center in Suffolk County
*PSC-03-19-00002-P	..... exempt	DPS Staff White Paper for who must be trained in 16 NYCRR Part 753 requirements and how the Commission will approve trainings	To reduce damage to underground utility facilities by requiring certain training and approving training curricula
*PSC-04-19-00004-P	..... exempt	Con Edison's petition for the Gas Innovation Program and associated budget	To pursue programs that continue service reliability and meet customer energy needs while aiding greenhouse gas reduction goals
*PSC-04-19-00011-P	..... exempt	Update of revenue targets	To ensure NYAW's rates are just and reasonable and accurately reflect the needed revenues
*PSC-06-19-00005-P	..... exempt	Consideration of the Joint Utilities' proposed BDP Program	To to expand opportunities for low-income households to participate in Community Distributed Generation (CDG) projects
*PSC-07-19-00009-P	..... exempt	Whether to impose consequences on AAA for its non-compliance with Commission requirements	To insure the provision of safe and adequate energy service at just and reasonable rates
*PSC-07-19-00016-P	..... exempt	Participation in New York State Lifeline Program	To encourage enhanced services for low-income customers
*PSC-09-19-00010-P	..... exempt	Non-pipeline alternatives report recommendations	To consider the terms and conditions applicable to gas service
*PSC-13-19-00010-P	..... exempt	New Commission requirements for gas company operator qualification programs	To make pipelines safer with improved training of workers who perform construction and repairs on natural gas facilities
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-38-19-00002-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
*PSC-39-19-00018-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
*PSC-41-19-00003-P	..... exempt	A voluntary residential three-part rate that would include fixed, usage and demand charges	To provide qualifying residential customers with an optional three-part rate
*PSC-46-19-00008-P	..... exempt	Wappingers Falls Hydroelectric LLC's facility located in Wappingers Falls, New York	To promote and maintain renewable electric energy resources
*PSC-10-20-00003-P	..... exempt	The Commission's statewide low-income discount policy	To consider modifications to certain conditions regarding utility low-income discount programs
*PSC-12-20-00008-P	..... exempt	Delivery rates of Corning Natural Gas Corporation	Whether to postpone the implementation of a change in rates that would otherwise become effective on June 1, 2020
*PSC-15-20-00011-P	..... exempt	To modify the terms and conditions under which gas utilities provide service to electric generators	To provide clarity and uniformity to the provision of gas service to electric generators
*PSC-16-20-00004-P	..... exempt	Disposition of a state sales tax refund	To determine how much of a state sales tax refund should be retained by Central Hudson
*PSC-18-20-00015-P	..... exempt	Participation of Eligible Telecommunications Carriers (ETCs) in New York State Lifeline Program	Commission will consider each petition filed by an ETCs seeking approval to participate in the NYS Lifeline program
*PSC-19-20-00004-P	..... exempt	Clarification of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether energy service companies should be permitted to bank RECs to satisfy their renewable energy requirements
*PSC-19-20-00005-P	..... exempt	Cost recovery associated with Day-Ahead-DLM and Auto-DLM programs, and elimination of double compensation	To provide cost recovery for new DLM programs and prevent double compensation to participating customers
*PSC-19-20-00009-P	..... exempt	Cost recovery associated with Day-Ahead-DLM and Auto-DLM programs, and elimination of double compensation	To consider revisions to P.S.C. No. 10 - Electricity, and P.S.C. No. 12 - Electricity
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-34-20-00005-P	..... exempt	Petition to provide a renewable, carbon-free energy option to residential and small commercial full-service customers	To increase customer access to renewable energy in the Consolidated Edison Company of New York, Inc. service territory
*PSC-38-20-00004-P	..... exempt	The annual Reconciliation of Gas Expenses and Gas Cost Recoveries	To consider filings of LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-42-20-00008-P	..... exempt	Availability of gas leak information to the public safety officials.	Facilitate availability of gas leak information to public safety officials by gas corporations
*PSC-45-20-00003-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
*PSC-46-20-00005-P	..... exempt	The recommendations of the DPS Staff report to improve Hudson Valley Water’s service	To determine if approving the DPS Staff’s recommendations is in the public interest
*PSC-48-20-00005-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether Chief Energy Power, LLC should be permitted to offer green gas products to mass market customers
*PSC-48-20-00007-P	..... exempt	Tariff modifications to change National Fuel Gas Distribution Corporation’s Monthly Gas Supply Charge provisions	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
*PSC-51-20-00009-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether petitioner should be permitted to offer its “Energy Savings Program” to mass market customers
*PSC-51-20-00014-P	..... exempt	Electric system needs and compensation for distributed energy resources	To ensure safe and adequate service and just and reasonable rates, including compensation, for distributed energy resources
*PSC-01-21-00004-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether petitioner should be permitted to offer its Home Warranty product to mass market customers
*PSC-04-21-00016-P	..... exempt	Request for a waiver	To consider whether good cause exists to support a waiver of the Commission’s Test Period Policy Statement
*PSC-09-21-00005-P	..... exempt	Utility capital expenditure proposal	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
*PSC-13-21-00016-P	..... exempt	Revised distribution strategies and reallocation of remaining funding	To ensure the appropriate use of funding reserved for gas safety programs
*PSC-17-21-00005-P	..... exempt	Submetering equipment	To consider use of submetering equipment and if it is in the public interest
*PSC-17-21-00006-P	..... exempt	Community Choice Aggregation and Community Distributed Generation	To consider permitting opt-out Community Distributed Generation to be offered as the sole product in an aggregation
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-19-21-00008-P	..... exempt	Community Choice Aggregation (CCA) and Community Distributed Generation (CDG)	To consider permitting Upstate Power, LLC to serve as a CCA administrator offering an opt-out CDG focused program
*PSC-20-21-00004-P	..... exempt	Regulatory approvals in connection with a 437 MW electric generating facility	To ensure appropriate regulatory review, oversight, and action, consistent with the public interest
*PSC-21-21-00019-P	..... exempt	Utility capital expenditure proposal	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
*PSC-28-21-00013-P	..... exempt	Elimination of internal audits of wholesale performance metrics	To consider Verizon New York Inc.'s petition to eliminate requirements for certain internal audits
*PSC-29-21-00009-P	..... exempt	Proposed pilot program to use AMI to disconnect electric service to customers during gas system emergencies	To study the efficacy of using AMI to disconnect electric service during gas system emergencies
*PSC-32-21-00002-P	..... exempt	The prohibition on ESCO service to low-income customers	To consider whether Icon Energy, LLC d/b/a Source Power Company should be granted a waiver to serve low-income customers
*PSC-35-21-00009-P	..... exempt	To modify the terms and conditions under which gas utilities provide service to electric generators	To provide clarity and uniformity to the provision of gas service to electric generators in New York State
*PSC-36-21-00006-P	..... exempt	The Westchester Power Program	To consider integration of Opt-out Community Distributed Generation into the Westchester Power program
*PSC-37-21-00010-P	..... exempt	Zero emitting electric generating facilities that are not renewable energy systems	To consider modifications to the Clean Energy Standard
*PSC-37-21-00011-P	..... exempt	Green Button Connect implementation	To consider the proposed Green Button Connect User Agreement and Green Button Connect Onboarding Process document
*PSC-37-21-00012-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether Catalyst should be permitted to offer its Community Distributed Generation product to mass market customers
*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-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-47-21-00003-P	..... exempt	Utility processes for customers to consent to sharing data with third parties and how consent options will be communicated	To develop standardized consent requirements that will increase customer familiarity with appropriate data sharing and access
*PSC-47-21-00005-P	..... exempt	Utility processes for customers to consent to sharing data with third parties and how consent options will be communicated	To develop standardized consent requirements that will increase customer familiarity with appropriate data sharing and access
*PSC-48-21-00007-P	..... exempt	Verizon's Performance Assurance Plan	To consider whether to retire the Performance Assurance Plan

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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-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-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-19-22-00022-P	..... exempt	Modification of Con Edison's electric tariff	To either eliminate or waive a provision of the Standby Service Offset Tariff
*PSC-20-22-00009-P	..... exempt	Modify lease of utility property	To determine whether to authorize the extension and amendment of the lease of the Volney-Marcy transmission line
*PSC-20-22-00011-P	..... exempt	Establishment of the regulatory regime applicable to a wind electric generating facility	To ensure appropriate regulation of a new electric corporation
*PSC-21-22-00007-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether Atlantic Energy, LLC should be permitted to offer its LED Lighting product to mass market customers
*PSC-21-22-00008-P	..... exempt	Cybersecurity requirements	Modify the framework to ensure the protection of utility systems and customer data from cyber events
*PSC-21-22-00011-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether Atlantic Energy, LLC should be permitted to offer its Smart Home Program product to mass market customers
*PSC-22-22-00014-P	..... exempt	Amendments to the Standardized Interconnection Requirements	To consider changes to accommodate the interconnection of distributed energy resources by governmental entities
*PSC-24-22-00007-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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-32-22-00022-P	..... exempt	Establishment of the regulatory regime applicable to a wind electric generating facility.	To ensure appropriate regulation of a new electric corporation.
*PSC-32-22-00023-P	..... exempt	Bioenergy generation in New York.	To consider compensation for bioenergy generation.
*PSC-33-22-00006-P	..... exempt	Use of gas metering equipment.	To consider use of volume corrector and ensure that consumer bills will be based on accurate measurements of gas usage.
*PSC-33-22-00008-P	..... exempt	Gas moratorium consumer protections.	To consider protections for existing and prospective customers should a utility institutes a moratorium on new gas service.
*PSC-33-22-00009-P	..... exempt	Use of electric metering equipment.	To consider use of electric metering equipment and ensure consumer bills are based on accurate measurements of electric usage.
*PSC-34-22-00005-P	..... exempt	Transfer of a Certificate of Environmental Compatibility and Public Need.	Consideration of whether the proposed transfer is in the public interest.
*PSC-38-22-00004-P	..... exempt	Establishment of the regulatory regime applicable to a battery storage project.	To ensure appropriate regulation of an electric corporation.
*PSC-38-22-00008-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-42-22-00010-P	..... exempt	Gas system planning.	To consider screening and suitability criteria for non-pipeline alternatives.
*PSC-42-22-00011-P	..... exempt	Gas system planning.	To consider cost recovery procedures and an incentive mechanism for non-pipeline alternatives.
*PSC-42-22-00012-P	..... exempt	Gas system planning.	To consider screening and suitability criteria for non-pipeline alternatives.
*PSC-42-22-00013-P	..... exempt	Gas system planning.	To consider screening and suitability criteria for non-pipeline alternatives.
*PSC-42-22-00014-P	..... exempt	Gas system planning.	To consider screening and suitability criteria for non-pipeline alternatives.
*PSC-42-22-00015-P	..... exempt	Gas system planning.	To consider screening and suitability criteria for non-pipeline alternatives.
*PSC-42-22-00016-P	..... exempt	Gas system planning.	To consider screening and suitability criteria for non-pipeline alternatives.
*PSC-42-22-00017-P	..... exempt	Gas system planning.	To consider screening and suitability criteria for non-pipeline alternatives.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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-03-23-00004-P	..... exempt	Updated recommendations for the solicitation, procurement, and/or installation of qualified energy storage systems.	To encourage energy storage deployment and establish an updated 2030 target and deployment program.
PSC-04-23-00008-P	..... exempt	Updates to guidance for electric utility Distributed System Implementation Plans (DSIPs).	Development of updated guidance and directives for utility DSIPs for improving utility planning and operations functions.
PSC-04-23-00009-P	..... exempt	Gas metering equipment.	To consider use of volume corrector and ensure that consumer bills will be based on accurate measurements of gas usage.
PSC-05-23-00001-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects.
PSC-05-23-00002-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects.
PSC-05-23-00004-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects.
PSC-05-23-00005-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects.
PSC-05-23-00006-P	..... exempt	Thermal Energy Network Pilot Proposal	To consider authorizing utilities to construct and operate thermal energy network pilot projects.
PSC-05-23-00009-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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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-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-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-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-19-23-00022-P	..... exempt	Disposition of a New York State sales and use tax refund.	To determine the just and reasonable disposition of tax refunds.
PSC-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-21-23-00005-P	..... exempt	Proposed major increase in VWNYS's 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-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-24-23-00023-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-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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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.
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-26-23-00010-P	..... exempt	Petition to modify the SIC tariff statement.	To consider whether amending the SIC mechanism is in the public interest.
PSC-27-23-00006-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-27-23-00013-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-29-23-00007-P	..... exempt	Reconciliation mechanism.	To limit any further near-term customer bill impacts.
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-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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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-33-23-00006-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-34-23-00008-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-35-23-00010-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.
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-35-23-00020-P	..... exempt	Reconciliation mechanism	To limit any further near-term customer bill impacts
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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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-36-23-00028-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.
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-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-39-23-00005-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-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.
PSC-41-23-00004-P	..... exempt	Proposal to amend customer installation and equipment tariff provisions.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-41-23-00005-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-41-23-00006-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-41-23-00007-P	..... exempt	Gas metering equipment.	To ensure that consumer bills are based on accurate measurements of gas usage.
PSC-42-23-00006-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-42-23-00007-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-42-23-00008-P	..... exempt	Petition for waiver of the requirements of Opinion No. 76-17 and 16 NYCRR Part 96 regarding individual metering of living units.	To ensure consumer and energy efficiency protections are in place.
PSC-42-23-00009-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-42-23-00010-P	..... exempt	Request to charge customers for infrastructure maintenance and access costs.	To ensure adding infrastructure maintenance charges to the bills of customers within the Village of Owego is reasonable.
PSC-42-23-00011-P	..... exempt	Transfer of a Certificate of Environmental Compatibility and Public Need for a natural gas pipeline	To determine whether the request for the transfer is consistent with the law and in the public interest.
PSC-42-23-00012-P	..... exempt	Long-term gas system planning.	To consider and review long-term gas system planning.
PSC-42-23-00013-P	..... exempt	Proposed sale and transfer of a water system and its assets.	To consider whether the terms of the sale are in public interest.
PSC-42-23-00014-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-43-23-00002-P	..... exempt	The prohibition on service to low-income customers by energy service companies.	To consider extending New Wave Energy LLC's waiver of the prohibition

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-43-23-00003-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-43-23-00004-P	..... exempt	Petition to submeter electricity and waiver request.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-43-23-00005-P	..... exempt	Petition to submeter electricity and waiver request.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-43-23-00006-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-43-23-00007-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-43-23-00008-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-44-23-00015-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-45-23-00001-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-45-23-00002-P	..... exempt	Minor rate filing.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-45-23-00003-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-45-23-00004-P	..... exempt	Minor rate filing.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-46-23-00003-P	..... exempt	Community Distributed Generation.	To consider implementation of multiple community distributed generation savings rates.
PSC-46-23-00004-P	..... exempt	Petition to submeter electricity and waiver request.	To ensure adequate submetering equipment, consumer protections, and energy efficiency protections are in place.
PSC-46-23-00005-P	..... exempt	Petition for rehearing.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-46-23-00006-P	..... exempt	Three new Phase 1 projects.	To meet the goals of the Climate Leadership and Community Protection Act.
PSC-46-23-00008-P	..... exempt	Tariff proposal.	To update changes in the renewable energy obligations and delivery requirements.
PSC-46-23-00009-P	..... exempt	Pole attachment charges and waiver of newspaper publication.	To revise Con Edison's tariffed charges for pole attachments and to waive newspaper publication of the new rates.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-47-23-00001-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-47-23-00002-P	..... exempt	Electric metering equipment.	To consider use of an electric submeter and ensure that consumer bills will be based on accurate measurements of electric usage.
PSC-47-23-00003-P	..... exempt	The prohibition on service to low-income customers by energy service companies (ESCOs).	To consider extending the waiver of the prohibition.
PSC-48-23-00004-P	..... exempt	The applicable regulatory regime and financing authorization for the owner and operator of a solar-powered generating facility.	To determine whether a lightened regulatory regime and financing authorization for the project is consistent with the PSL.
PSC-48-23-00005-P	..... exempt	Community Distributed Generation	To consider expanding the Net Crediting program to volumetric community distributed generation projects.
PSC-48-23-00006-P	..... exempt	The Utility Energy Registry.	To consider the transition of community scale energy usage data to the Integrated Energy Data Resource.
PSC-48-23-00007-P	..... exempt	Petition to amend bill estimation procedures for AMI.	To have more accurate billing & reduce adjustments
PSC-48-23-00008-P	..... exempt	The applicable regulatory regime under the PSL for the owner and operator of a battery energy storage facility.	To determine whether a lightened regulatory regime is consistent with prior Commission orders and the PSL.
PSC-49-23-00002-P	..... exempt	The electric and gas RDM targets for rate years 2 and 3.	To address claimed errors regarding the electric and gas RDM targets.
PSC-49-23-00003-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-49-23-00004-P	..... exempt	Petition for authorization to utilize CWIP in rate base for Phase 2 Projects.	To ensure safe and adequate service at just and reasonable rates and to support the State's clean energy and climate goals.
PSC-49-23-00005-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-49-23-00006-P	..... exempt	AMI meter reading charges.	To assess a meter reading charge for non-residential customers preventing an AMI Meter installation.
PSC-50-23-00016-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-51-23-00004-P	..... exempt	Proposed revisions related to to the Integrated Energy Data Resource platform.	To ensure consistency between utility tariffs and the Commission's orders regarding the Integrated Energy Data Resource.
PSC-51-23-00005-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-51-23-00006-P	..... exempt	Banked Clean Energy Standard Tier 1 Value of Distributed Energy Resources Renewable Energy Certificates.	To consider the transfer of such renewable energy certificates among utilities.
PSC-52-23-00008-P	..... exempt	Proposed tariff revisions for the 2024 capability period to allow for modifications to the DLC and CSRPs programs.	More efficient demand response programs to gain operational efficiency and shave peak demand.
PSC-52-23-00009-P	..... exempt	Minor water rate filing to increase annual water revenues.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-52-23-00010-P	..... exempt	Proposed tariff revisions for the 2024 capability period in order to improve flexibility and customer participation.	More efficient demand response programs to gain operational efficiency and shave peak demand.
PSC-52-23-00011-P	..... exempt	Proposed tariff revisions for the 2024 capability period to allow for modifications to the Dynamic Load Management programs.	More efficient demand response programs to gain operational efficiency and shave peak demand.
PSC-52-23-00012-P	..... exempt	Proposed tariff revisions for the 2024 capability period to allow for participation of battery storage in the DLM Program.	More efficient demand response programs to gain operational efficiency and shave peak demand.
PSC-52-23-00013-P	..... exempt	Distribution-level demand response programs.	More efficient demand response programs to gain operational efficiency and shave peak demand.
PSC-01-24-00012-EP	..... 01/02/25	The transfer of water assets from Rural Atlantic Water Company, Inc. to the Town of Warwick and dissolution of the company.	To ensure the continued supply of water service to the ratepayers of the Rural Atlantic Water Company, Inc.
PSC-01-24-00013-P	..... exempt	The New York State Reliability Council's establishment of an Installed Reserve Margin.	To ensure adequate levels of Installed Capacity.
PSC-01-24-00014-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-01-24-00015-P	..... exempt	Proposed major rate increase.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-01-24-00016-P	..... exempt	Waiver of 16 NYCRR Sections 86.3(a)(2), 86.3 (b)(2), and 88.4(a)(4).	To consider waiver of certain regulations related to the content of an application for transmission line siting.
PSC-01-24-00017-P	..... exempt	Recommendations for changes to current pole attachment rules.	To determine if amending the existing pole attachment rules is necessary.
PSC-01-24-00018-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-02-24-00001-P	..... exempt	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-02-24-00002-P	..... exempt	Water metering equipment.	To ensure that consumer bills will be based on accurate measurements of water usage.
PSC-02-24-00003-P	..... exempt	Financing petition.	To consider Con Edison's request for authority to issue and sell Long-Term Indebtedness.

Action Pending Index**NYS Register/January 10, 2024**

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-02-24-00004-P	..... exempt	Water rates and charges.	To ensure customers are provided safe and adequate service at just and reasonable rates.
PSC-02-24-00005-P	..... exempt	Water metering equipment.	To ensure that consumer bills will be based on accurate measurements of water usage.
STATE, DEPARTMENT OF			
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-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.
DOS-50-23-00015-P	..... 12/12/24	Appraisal Standards	To adopt the 2024 edition of the Uniform Standards of Professional Appraisal Practice
STATE UNIVERSITY OF NEW YORK			
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-48-23-00002-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, 2024 through March 31, 2024.
TEMPORARY AND DISABILITY ASSISTANCE, OFFICE OF			
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.
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
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TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY

TBA-52-23-00001-P exempt	A proposal to establish a new toll rate schedule for use of the central business district under the CBDTP operated by TBTA.	A proposal to reduce traffic congestion in a manner that will generate revenue for future transportation improvements.
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WORKERS' COMPENSATION BOARD

WCB-51-23-00003-P 12/19/24	DME Fee Schedule	To update the DME fee schedule
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RULE REVIEW

Office of Information Technology Services

Pursuant to section 207 of the State Administrative Procedure Act (SAPA) the Office of Information Technology Services (ITS) published notice of the review of the following rules in the February 13, 2023, volume of the New York State Register.

ITS has concluded its review and has made the following determinations. All section and part references are to Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (NYCRR) unless otherwise indicated. All rules will be reviewed again in calendar year 2028.

1. 9 CRR-NY N 540 Electronic Signatures and Records Act

Action taken: ITS determined updates were needed. ITS published a notice of proposed rulemaking in the September 13, 2023, volume of the NYS Register. The final adoption will be published in the January 10, 2024 volume of the NYS Register.

Justification: ITS determined that updates were needed to the rule to incorporate new regulations issued by the New York State Department of State related to electronic notarization. One comment in support was received.

Legal basis: State Technology Law, § § 103, 303, 304, 305; Real Property Law, § 291-i.

2. 9 CRR-NY N 552 State Agency Internet Posting of Application Forms

Action taken: ITS determined no updates were needed.

Justification: ITS determined no updates were needed. The rule continues to apply to State agencies and require the posting of forms on the internet. No comments were received during the review period.

Legal basis: Executive Law, § 164-d; State Technology Law, § 103.

3. 9 CRR-NY N 550 Public Access to the Records of the Office of Information Technology Services

Action taken: ITS determined updates were needed. ITS published a notice of proposed rulemaking in the September 13, 2023, volume of the NYS Register. The final adoption will be published January 10, 2024 volume of the NYS Register.

Justification: ITS determined updates were needed to the rule to reflect use of email and electronic records in accessing records. No comments were received during the review period.

Legal basis: Public Officers Law, art. 6, State Technology Law § 103.

4. 9 CRR-NY N 551 Access to Personal Information

Action taken: ITS determined no updates were needed.

Justification: ITS determined the rule was still needed to ensure compliance with Public Officers Law, Article 6-A. No comments were received during the review period.

Legal basis: Public Officers Law, art. 6-A, § 94[2]; State Technology Law § 103.

State Commission of Correction

As required by Chapter 262 of the Laws of 1996, the following is a list of rules which were adopted by the State Commission of Correction in calendar years 1999, 2009, 2014, and 2019 which must be reviewed in calendar year 2024. Public comment on the continuation or modification of these rules is invited. Comments should be received by April 1, 2019. Comments may be directed to: Jayne Lavigna-Jesmain, Senior Attorney, A.E. Smith State Office Building, 80 S. Swan Street, 12th Floor, Albany, New York 12210-8001.

CMC-12-99-00013-A Amendment of subdivision (a) of section 7032.2 and addition of a new subdivision (c) to section 7006.9 of Title 9 NYCRR.

Analysis of the need for the rule: The rule is needed to authorize local correctional facilities to impose a disciplinary surcharge, not to exceed \$25, upon inmates found guilty of misbehavior and addition of surcharges as a non-grievable issue.

Legal basis for the rule: Correction Law sections 45(6) and 42(b)(1).

CMC-17-99-00003-A Repeal of section 7009.7, renumbering of section 7009.8 to 7009.7, amendment of section 7009.2, amendment of subdivision (a) of paragraph (1) of section 7009.5 and amendment of subdivision (a) of section 7009.6 of Title 9 NYCRR.

Analysis of the need for the rule: The rule is needed to streamline the provisions and ensure that prisoners are provided with nutritionally adequate diets.

Legal basis for the rule: Correction Law section 45(6).

CMC-44-98-00008-A Renumber Part 7400 of Title 9 NYCRR to Part 7202 of Title 9 NYCRR, Redesignated Chapters III and IV of Title 9 NYCRR to Chapters IV and V of Title 9 NYCRR, respectively, designating Parts 7400 to 7499 of Title 9 NYCRR as Chapter III and amendment of subparagraph (i) of paragraph (3) of subdivision (c) of section 7202.4, as renumbered.

Analysis of the need for the rule: The rule is needed to establish a new Chapter III of Title 9 NYCRR for Minimum Standards and Regulations for Management of Office of Children and Family Services' Secure Facilities for Juvenile Offenders.

Legal basis for the rule: Correction Law section 45(6-b).

CMC-31-09-00005-A Amendment of Part 7016 and the addition of section 7016.2 of Title 9 NYCRR.

Analysis of the need for the rule: The rule is needed to allow for automated and electronic deposits to inmate institutional fund accounts in county correctional facilities.

Legal basis for the rule: Correction Law section 45(6) and 45(15).

CMC-10-09-00001-A Addition of new Chapter III of Subtitle AA of Title 9 NYCRR.

Analysis of the need for the rule: The rule is needed to enact minimum standards and regulations for the management of secure facilities operated by Office of Children and Family Services.

Legal basis for the rule: Correction Law section 45(6-b) and 45(10).

CMC-36-14-00013-A Amendment of sections 7013.4 and 7013.6 of Title 9 NYCRR.

Analysis of the need for the rule: The rule is needed to conform Commission of Correction inmate classification regulations to the amended provision of Correction Law.

Legal basis for the rule: Correction Law sections 45(6), 45(15) and 500-(b)(6).

CMC-05-19-00004-A Addition of Part 7075, sections 7004.7, 7005.12, 7006.9(d), 7025.5, 7028.6(c), 7040.5(f)&(g), 7040.5(e)&(f) and the amendment of sections 7003.3(j)(6), 7006.7(c), 7006.9(a)(5), 7006.11(a), 7013.10(c), 7022.2(a), 7024.11, 7026.3, 7028.2(d), 7070.7(h)&(j) of Title 9 NYCRR.

Analysis of the need for the rule: The rule is needed to require local correctional facilities to record, review and report cell confinement and essential service deprivation.

Legal basis for the rule: Correction Law sections 45(6) and 45(15).

CMC-41-19-00002-A Amendment of section 7501.1(c) of Title 9 NYCRR.

Analysis of the need for the rule: The rule is needed to amend the necessary age for admission to an adult lockup.

Legal basis for the rule: Correction Law sections 45(6) and 45(15).

ADVERTISEMENTS FOR BIDDERS/CONTRACTORS

SEALED BIDS

PROVIDE EIGHT BAY MAINTENANCE SUBHEADQUARTERS Department of Transportation Region 9 Vestal, Broome County

Sealed bids for Project Nos. 46063-C, 46063-H, 46063-P, and 46063-E, comprising separate contracts for Construction Work, HVAC Work, Plumbing Work, and Electrical Work, Provide 8 Bay Maintenance Subheadquarters, DOT Region 9, Broome County, Route 26, Vestal (Broome 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 Transportation, until 2:00 p.m. on Wednesday, January 24, 2024 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 \$175,500 for C, \$37,700 for H, \$23,900 for P, and \$39,400 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 \$7,000,000 and \$8,000,000 for C, between \$500,000 and \$1,000,000 for H, between \$500,000 and \$1,000,000 for P, and between \$500,000 and \$1,000,000 for E.

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

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

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

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

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

The substantial completion date for this project is 619 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 10:30 a.m. on January 11, 2024, DOT Vestal Maintenance Subheadquarters, 810 Route 26, Vestal, 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 Luanne Vaughn, (607-721-8716) a minimum of 48 hours in advance of the date to provide the names of those who will attend the pre-bid site visit. Only contractors that schedule a visit at least 48 hours in advance will be allowed to participate in the pre-bid site visit.

Pursuant to New York State Executive Law Article 15-A and the rules and regulations promulgated thereunder, OGS is required to promote opportunities for the maximum feasible participation of New York State-certified Minority and Women-owned Business Enterprises ("MWBEs") and the employment of minority group members and women in the performance of OGS contracts. All bidders are expected to cooperate in implementing this policy. OGS hereby establishes an overall goal of 30% for MWBE participation, 15% for Minority-Owned Business Enterprises ("MBE") participation and 15% for Women-Owned Business Enterprises ("WBE") participation (based on the current availability of qualified MBEs and WBEs) for the Construction Trade, HVAC Trade and Plumbing Trade, and an overall goal of 20% for MWBE participation, 10% for Minority-Owned Business Enterprises ("MBE") participation and 10% for Women-Owned Business Enterprises ("WBE") participation (based on the current availability of MBEs and WBEs) for the Electrical Trade. The total contract goal can be obtained by utilizing any combination of MBE and/or WBE participation for subcontracting and supplies acquired under this Contract. Trades with 0% goals are encouraged to make "good faith efforts" to promote and assist in the participation of MWBEs on the Contract for the provision of services and materials.

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

contractor, based on the current availability of qualified SDVOBs. Trades with 0% goals are encouraged to make “good faith efforts” to promote and assist in the participation of SDVOBs on the Contract for the provision of services and materials.

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

The Bidding and Contract Documents for this Project are available for viewing, 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

**UPGRADE
HEATING SYSTEM**
Department of Transportation Region 1
Cairo, Greene County

Sealed bids for Project Nos. 47360-H, and 47360-E, comprising of separate contracts for HVAC Work, and Electrical Work, Upgrade Heating System, DOT Region 1, Greene County, Route 23 and Bross Street, Cairo (Greene 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 Transportation, until 2:00 p.m. on Wednesday, January 17, 2024, 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 \$30,900 for H, and \$21,400 for E).

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

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

Pursuant to Public Buildings Law § 8(6), effective January 11,

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

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

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

The substantial completion date for this project is 273 days after the Agreement is approved by the Comptroller.

As a condition of award, within five (5) days of receipt of the proposed Contract Agreement from the State, the apparent low bidder shall return the Contract Agreement to the State, properly executed, along with the Bonds if required by said Agreement. Low bidders who cannot meet these provisions may be subject to disqualification and forfeiture of the bid security.

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 1:00 p.m. on January 5, 2024, DOT Region 1, Greene County, Route 23 and Bross Street, Cairo, 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 Daniel MacCormack, (518-822-1931) a minimum of 48 hours in advance of the date to provide the names of those who will attend the pre-bid site visit. Only contractors that schedule a visit at least 48 hours in advance will be allowed to participate in the pre-bid site visit.

Pursuant to New York State Executive Law Article 15-A and the rules and regulations promulgated thereunder, OGS is required to promote opportunities for the maximum feasible participation of New York State-certified Minority and Women-owned Business Enterprises (“MWBEs”) and the employment of minority group members and women in the performance of OGS contracts. All bidders are expected to cooperate in implementing this policy. OGS hereby establishes an overall goal of 30% for MWBE participation, 15% for Minority-Owned Business Enterprises (“MBE”) participation and 15% for Women-Owned Business Enterprises (“WBE”) participation (based on the current availability of qualified MBEs and WBEs) for the HVAC Trade, and an overall goal of 10% for MWBE participation, 5% for Minority-Owned Business Enterprises (“MBE”) participation and 5% for Women-Owned Business Enterprises (“WBE”) participation (based on the current availability of qualified MBEs and WBEs) for the Electrical Trade. 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: 3% for the E trade contractor, and 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

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 State
F-2023-0789

Date of Issuance – January 10, 2024

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-2023-0789, The Town of Kendall is proposing the installation of a sanitary sewer installation through the Town of Kendall, Orleans County and Town of Hamlin, Monroe County. The Project will require the installation of approximately 15 miles of force main via horizontal directional drilling (HDD), 3,431 feet of gravity sewer via open trenching, and approximately 5 miles of sewer laterals to private residences via open trenching. The wastewater would be conveyed to the Northwest Quadrant Water Resource Recovery Facility located in Town of Greece, Monroe County. The proposed work would be located along largely in the road rights-of-way of Thompson Drive, Frontage Road, Knapp Shore, Edrose Shore, Lomond Shore West, Banner Beach Road, Lakeland Beach Road, Bald Eagle Drive, Norway Heights, Norway Road, and the Cottages at Troutburg in the Town of Kendall and Beachwood Park Road in the Town of Hamlin.

The stated purpose of the proposed action is to replace inadequate or failing septic systems with a state-of-the-art sanitary sewer system to improve water quality and to address public health concerns. Inadequate or failing private wastewater systems have resulted in untreated or partially treated sewage reaching the ground surface, and groundwater or surface water bodies, including Lake Ontario.

This proposal is part of the New York State Lake Ontario Resiliency & Economic Development Initiative (REDI). REDI is a program created to increase the resilience of shoreline communities and bolster

economic development throughout the Lake Ontario and St. Lawrence River regions of New York State. Additional information about the REDI program including project profiles can be found at: <https://www.governor.ny.gov/programs/lake-ontario-resiliency-and-economic-development-initiative-redi>

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2024/01/f-2023-0789.pdf> and project plans are available at <https://dos.ny.gov/system/files/documents/2024/01/f-2023-0789plans.pdf> or at <https://dos.ny.gov/public-notices>

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

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 15 days from the date of publication of this notice, or January 25, 2024.

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-2023-0844

Date of Issuance – January 10, 2024

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-2023-0844, Daniel and Justine Sweeney; proposes to construct an "L"-shaped fixed timber dock with a 4' x 89' catwalk with open-grate decking and untreated wood, and a 4' x 16' platform with two ladders. The proposed project would be located at 647 Pine Neck Road, on Jockey Creek, Town of Southold, Suffolk County.

The stated purpose of the proposed action is "safe private boat dockage".

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2024/01/f-2023-0844.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 February 9, 2024.

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-2023-0857

Date of Issuance – January 10, 2024

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-2023-0857, the applicant, Alvi and Brenda Abuaf, are proposing to install a 4' x 110' woodchip path in Right of Way leading to a 4' x 160' open grate catwalk supported by 4" x 4" posts and elevated 4' over grade, a 4' x 58' open grate catwalk supported by (14) 8" diameter piles elevated 4' over grade, and a 3' x 15' seasonal ramp leading to a 6' x 20' seasonal float supported by (4) 12" piles, chocked off 24" above grade. This project is located at 16 Fanning Drive, Village of Westhampton Beach, Suffolk County, Moneybogue Bay.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2024/01/f-2023-0857.pdf> or at <https://dos.ny.gov/public-notices>

The proposed activity would be located within or has the potential to affect the following Special Management or Regulated Area(s):

- Moriches Bay Significant Coastal Fish and Wildlife Habitat:

https://dos.ny.gov/system/files/documents/2020/03/moriches_bay.pdf

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 February 9, 2024.

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-2023-0893

Date of Issuance – January 10, 2024

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-2023-0893, the applicant, Suffolk County Department of Pub-

lic Works c/o Nicholas Gibbons, is proposing to restore a portion of the western bank of the creek by removing invasive vegetation and removing ±1,287 CY of material within the project site to create an intertidal wetland system by the creation of channels and a shallow tidal pool to exhibit more natural wetland conditions. Dredged material will be placed around the banks of the upland areas of the project site and the area will be replaced with cordgrass and salt hay. This project is located within Beaver Dam Creek, Town of Brookhaven, Suffolk County.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2024/01/f-2023-0893.pdf> or at <https://dos.ny.gov/public-notices>

The proposed activity would be located within or has the potential to affect the following Special Management or Regulated Area(s):

- Beaver Dam Creek Significant Coastal Fish and Wildlife Habitat:

https://dos.ny.gov/system/files/documents/2020/03/beaverdam_creek.pdf

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 February 9, 2024.

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
Uniform Code Variance/Appeal Petitions

Pursuant to 19 NYCRR Part 1205.5, 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.

2023-0566, in the Matter of Maria Isabel Acevedo, property located at 989 Spur Drive, Bay Shore, NY 11706, for a variance concerning safety requirements, including under a projection height in the basement. Involved is an existing dwelling, County of Suffolk, State of New York.

2023-0587, in the Matter of Danielle Poore, property located at 10 Rose Street, Sayville, NY 11782, for a variance concerning safety requirements, including under a projection height in the basement. Involved is an existing dwelling, County of Suffolk, State of New York.

2023-0584, in the Matter of Ralston A. Proffitt, property located at Six Ridge Road, Coram, NY 11727, for a variance concerning safety requirements, including ceiling and under a projection height in the basement. Involved is an existing dwelling, County of Suffolk, State of New York.

2023-0578, in the Matter of Lilian Borja, property located at 55 Camille, East Patchogue, NY 11772, for a variance concerning safety requirements, including under a projection height in the basement. Involved is an existing dwelling, County of Suffolk, State of New York.

2023-0577, in the Matter of Lizardo Guaraca, property located at 991 North Ocean Avenue, Medford, NY 11763, for a variance concern-

ing safety requirements, including under a projection height in the basement. Involved is an existing dwelling, County of Suffolk, State of New York.

2023-0598, in the Matter of Larry Wray, property located at 63 Swezey Lane, Middle Island, NY 11953, for a variance concerning safety requirements, including ceiling and under a projection height in the basement. Involved is an existing dwelling, County of Suffolk, State of New York.

2023-0493, in the Matter of Walter Rook, property located at 137 Fountain Avenue, Selden, NY 11784, for a variance concerning safety requirements, including under a projection height and landing width for stairway in the basement. Involved is an existing dwelling, County of Suffolk, State of New York.

2023-0296, in the Matter of Mohammed Omer Faruque, property located at 180 Hallock Street, Riverhead, NY 11901, for a variance concerning safety requirements, including under a projection height in the basement. Involved is an existing dwelling, County of Suffolk, State of New York.

2023-0608, in the Matter of Justin Quaranta, property located at Eight Ramblewood Road, Ridge, NY 11961, for a variance concerning safety requirements, including under a projection height in the basement. Involved is an existing dwelling, County of Suffolk, State of New York.

2023-0610, in the Matter of Bridget and Mark Vales, property located at Five Orange Court, Mount Sinai, NY 11766, for a variance concerning safety requirements, including ceiling and under a projection height in the basement. Involved is an existing dwelling, County of Suffolk, State of New York.

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2023-0643 Matter of Garten Associates, Christopher Garten, 680 Larkfield Road, East Northport, NY 11731, for a variance concerning basement ceiling height requirements. Involved is an existing dwelling located at Four Patriot Court, Town of Huntington, County of Suffolk, State of New York.

2023-0645 Matter of John R. Bracco Architect P.C., John R. Bracco, 111 Railroad Avenue, Sayville, NY 11782, for a variance concerning separation requirements. Involved is an existing dwelling located at 36 Smith Street, Town of Brookhaven, County of Suffolk, State of New York.

2023-0646 Matter of Joshua Bogaty, Six Wedgewood Drive, Dix Hills, NY 11746, for a variance concerning basement ceiling height requirements. Involved is an existing dwelling located at Six Wedgewood Drive, Town of Huntington, County of Suffolk, State of New York.

2023-0648 Matter of James J. Stout, Two Greg Lane, East Northport, NY 11731, for a variance concerning safety requirements, including basement ceiling height requirements. Involved is an existing dwelling located at 71 Haven Avenue, Town of North Hempstead, County of Nassau, State of New York.

2023-0520 Matter of Mark Anthony Architects, Mark Anthony Munisteri, 1563 Bellmore Avenue, Bellmore, NY 11710, for a variance concerning safety requirements, including separation distance requirements. Involved is the addition to an existing dwelling located at 55 Park Avenue, Village of Malverne, County of Nassau, State of New York.

PUBLIC NOTICE

Department of State
Uniform Code Variance/Appeal Petitions

Pursuant to 19 NYCRR Part 1205.5, 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.

2023-0647 in the Matter of H2M Architects and Engineers, Eric Neiler, 2700 Westchester Avenue, Purchase, NY 10577, for a variance concerning safety requirements, including interior stair width. Involved is an educational building located at 555 Knollwood Road, Town of Greenburgh, NY 10603, County of Westchester, State of New York.

2023-0649 in the Matter of Building Permit Services, John Matthews, 45 Sunset Drive, Croton On Hudson, NY 10520, for a variance concerning safety requirements, including ceiling height. Involved is a one family dwelling located at Nine Waller Avenue, Village Ossining, NY 10562, County of Westchester, State of New York.

2023-0650 in the Matter of Stillman Management Realty Corp., Sheronda Robinson, 440 Mamaroneck Avenue, S-512, Harrison, NY 10528, for a variance concerning safety requirements, including waste connection. Involved is a co-op apartment located at 81 Beacon Hill Drive, #B-27, Village of Dobbs Ferry, NY 10522, County of Westchester, State of New York.

2023-0651 in the Matter of Stillman Management Realty Corp., Sheronda Robinson, 440 Mamaroneck Avenue, S-512, Harrison, NY 10528, for a variance concerning safety requirements, including waste connection. Involved is a co-op apartment located at 14 Manor House Drive, #G-28, Village of Dobbs Ferry, NY 10522, County of Westchester, State of New York.

2023-0652 in the Matter of Liro Architects & Planners, Joseph M Spina, One State Street Plaza, New York, NY 10004, for a variance concerning safety requirements, including plumbing fixtures. Involved is an amusement park located at One Playland Parkway, Rye, NY 10580, County of Westchester, State of New York.

2023-0653 in the Matter of Liro Architects & Planners, Joseph M Spina, One State Street Plaza, New York, NY 10004, for a variance concerning safety requirements, including toilet facilities. Involved is an amusement park located at One Playland Parkway, Rye, NY 10580, County of Westchester, State of New York.

PUBLIC NOTICE

Department of State
Uniform Code Variance/Appeal Petitions

Pursuant to 19 NYCRR Part 1205.5, 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.

2023-0654 In the matter of Ann Bowlsby of Iacovelli Properties, 602 West Seneca Street, Suite B2, Ithaca, NY, for a variance concerning handrail and guardrail requirements located at 524 Linn Street, 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 other-

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

2023-0524: Matter of William Baltis, 106 Dominski Lane, Delmar, NY, 12054, for a variance concerning safety requirements, including fire rated cellar ceilings and inside cellar stairs. Involved is an existing multiple family dwelling located at 1369 Union Street, City of Schenectady, County of Schenectady, State of New York.

2023-0570: Matter of SEI Design Group, 224 Mill Street, Rochester, NY, 14614, for a variance concerning safety requirements, including fire separation and area limitations. Involved is an existing building known as the Brighton High School, located at 1150 Winton Road South, Town of Brighton, County of Monroe, State of New York.

2023-0583: Matter of ARCO/Murray National Construction Company, 113 North May Street, Chicago, IL, 60607, for a variance concerning safety requirements, including guards. Involved is a new building, located at SEC Westfall Road and Lola Circle, Town of Brighton, County of Monroe, State of New York.

2023-0614: Matter of the Metropolitan Transportation Authority, 525 N. Broadway, White Plains, NY, 10603, for a variance concerning safety requirements, including security access doors. Involved is an existing transit station known as the Astoria Blvd. Transit Station, located at Astoria Blvd. and 31st Street, Borough of Queens, City of New York, State of New York.

2023-0616: Matter of the Metropolitan Transportation Authority, 525 N. Broadway, White Plains, NY, 10603, for a variance concerning safety requirements, including security access doors. Involved is an existing transit station known as Penn Station, located at 8th Avenue and 34th Street, Borough of Manhattan, City of New York, State of New York.

2023-0638: Matter of Cobble Court Engineering, PLLC, 511 Walnut Drive, Clifton Park, NY 12065, for a variance concerning safety requirements, including sprinkler requirements. Involved is a new building located at 204 Barnes Road, Town of West Sand Lake, County of Rensselaer, State of New York.