
NEW YORK STATE
REGISTER

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- Supplementary Uninsured/Underinsured Motorist Coverage
- Network Adequacy and Access Standards
- General Hospital Emergency Services Behavioral Health

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 April 21, 2024
- the 45-day period expires on April 6, 2024
- the 30-day period expires on March 22, 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

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

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

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

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

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

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RULE MAKING ACTIVITIES

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

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

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

Central New York Regional Transportation Authority

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Rules Governing the Conduct and Safety of the Public in the Use and Operations of Transit Services

I.D. No. RTA-08-24-00005-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 1980 to Title 21 NYCRR. This rule is proposed pursuant to SAPA section 207(3), 5-Year Review of Existing Rules.

Statutory authority: Public Authorities Law, section 1332(4)

Subject: Rules governing the conduct and safety of the public in the use and operations of transit services.

Purpose: To protect transit facilities, vehicles and passengers and promote public safety.

Substance of proposed rule (Full text is posted at the following State website: www.centro.org/about-Centro/document-and-forms): Central New York Regional Transportation Authority (“CNYRTA”) is a public benefit corporation created pursuant to Public Authorities Law, section 1328. As such CNYRTA is empowered by the New York State Public Authorities Law, section 1332(4) to make rules and regulations governing the conduct and safety of the public in the use and operation of its transportation facilities, buses and other conveyances.

These rules are established by CNYRTA to promote safety, to facilitate the proper use of the CNYRTA facilities, and to protect its transportation facilities, its customers, its employees, and the public.

Text of proposed rule and any required statements and analyses may be obtained from: Suzanna Levesque, CPA - Director of Internal Control, Central New York Regional Transportation Authority, 200 Cortland Ave., Syracuse, NY 13205, (315) 442-3306, email: slevesque@centro.org

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

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

Regulatory Impact Statement

1. Statutory authority: Public Authorities Law section 1332(4) authorizes the Central New York Regional Transportation Authority (CNYRTA) to “make rules governing the conduct and safety of the public in the use and operation of the transit facilities.”

2. Legislative objectives: CNYRTA has been given statutory authority to adopt rules as deemed necessary, convenient, or desirable for the use and operation of its transit system, including rules relating to the conduct and safety of the public. The effective use of transit facilities operated by CNYRTA requires that transit customers observe rules promoting the safety and welfare of all customers. Adopting Rules of Conduct will provide a mechanism for law enforcement, as well as a means by which customers in violation of the rules of conduct may be denied transportation.

3. Needs and benefits: Presently, there are no rules or regulations for the CNYRTA. In accordance with the statutory authority and the legislative objective, the proposed rules are aimed at developing and implementing a unified Code of Conduct for the public in the use of CNYRTA’s transit facilities. The proposed rules set the standard for appropriate conduct and promote safety on CNYRTA’s facilities and buses, and are necessary to protect CNYRTA’s facilities, buses, customers, employees, and the public at large.

4. Costs: The rules have no projected costs since its focus is the conduct of members of the public in their use of the transit system and facilities.

5. Local government mandates: No program, service, duty, or responsibility is imposed by the rules upon any county, city, town, village, school district, fire district or other special district.

6. Paperwork: The rules impose no reporting requirements.

7. Duplication: The rules create no conflict or overlap with or duplication of any other legal mandate.

8. Alternatives: These Rules of Conduct are patterned after similar Rules of Conduct for the Metropolitan Transportation Authority (21 NYCRR 1040.1 et seq). Consideration has been given to the various alternatives for regulating the behavior of transit customers, and promoting the safety and welfare of the public, but there are no written rules governing this behavior and conduct as it relates to the use of CNYRTA transit facilities, including buses. It was therefore deemed appropriate to adopt a set of rules that can provide a basis for denying transportation, or triggering law enforcement activity. The desire is that anyone seeking to engage in the restricted activities should not use CNYRTA service.

9. Federal standards: The rules do not exceed any minimum standards of the Federal Government.

10. Compliance schedule: The dissemination of information to the transit-riding public generally occurs through communication from the bus operators, or notice posted at transit facilities. Many of the proposed Rules of Conduct follow standard conventions, while others are already posted on CNYRTA buses and facilities. Communication of any rule violation will be handled by CNYRTA bus operators and facility staff, who will be educated on the rules that are adopted. As such, a compliance schedule is unnecessary.

Regulatory Flexibility Analysis

Inasmuch as these Rules of Conduct address only the conduct of members of the public in their use of transit facilities, it will not impose any adverse economic impact or reporting, recordkeeping or other compliance requirements on small businesses or local government. Therefore, no regulatory flexibility analysis is required pursuant to section 202-b(3)(a) of the State Administrative Procedure Act.

Rural Area Flexibility Analysis

The proposed rules will not have an adverse impact or impose significant reporting, record keeping or other compliance requirements on public or private entities in rural areas. There are no professional services, capital, or other compliance costs imposed on public or private entities in rural areas as a result of the proposed amendments. Therefore, pursuant to SAPA 202-bb(4)(a), CNYRTA is exempt from the Rural Area Flexibility Analysis.

Job Impact Statement

Inasmuch as these Rules of Conduct address only the conduct of members of the public in their use of transit facilities, it will not have an impact on jobs or employment opportunities. Therefore, a Job Impact Analysis is not required for this proposal.

Department of Civil Service

NOTICE OF ADOPTION**M/C Sick Leave****I.D. No.** CVS-40-23-00002-A**Filing No.** 90**Filing Date:** 2024-02-05**Effective Date:** 2024-02-21

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

Action taken: Addition of section 28-1.3(b) to Title 4 NYCRR.**Statutory authority:** Civil Service Law, section 6(1)**Subject:** M/C Sick Leave.**Purpose:** To increase the maximum sick leave days that may be accumulated by employees designated M/C from 200 to 225.**Text or summary was published** in the October 4, 2023 issue of the Register, I.D. No. CVS-40-23-00002-P.**Final rule as compared with last published rule:** No changes.**Text of rule and any required statements and analyses may be obtained from:** Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: commops@cs.ny.gov**Assessment of Public Comment**

The agency received no public comment.

NOTICE OF ADOPTION**Jurisdictional Classification****I.D. No.** CVS-40-23-00005-A**Filing No.** 103**Filing Date:** 2024-02-05**Effective Date:** 2024-02-21

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

Action taken: Amendment of Appendix 2 of Title 4 NYCRR.**Statutory authority:** Civil Service Law, section 6(1)**Subject:** Jurisdictional Classification.**Purpose:** To classify a position in the non-competitive class.**Text or summary was published** in the October 4, 2023 issue of the Register, I.D. No. CVS-40-23-00005-P.**Final rule as compared with last published rule:** No changes.**Text of rule and any required statements and analyses may be obtained from:** Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: commops@cs.ny.gov**Assessment of Public Comment**

The agency received no public comment.

NOTICE OF ADOPTION**Jurisdictional Classification****I.D. No.** CVS-40-23-00006-A**Filing No.** 122**Filing Date:** 2024-02-05**Effective Date:** 2024-02-21

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

Action taken: Amendment of Appendix 2 of Title 4 NYCRR.**Statutory authority:** Civil Service Law, section 6(1)**Subject:** Jurisdictional Classification.**Purpose:** To delete a position from and to classify a position in the non-competitive class.**Text or summary was published** in the October 4, 2023 issue of the Register, I.D. No. CVS-40-23-00006-P.**Final rule as compared with last published rule:** No changes.**Text of rule and any required statements and analyses may be obtained from:** Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: commops@cs.ny.gov**Assessment of Public Comment**

The agency received no public comment.

NOTICE OF ADOPTION**Jurisdictional Classification****I.D. No.** CVS-40-23-00007-A**Filing No.** 118**Filing Date:** 2024-02-05**Effective Date:** 2024-02-21

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

Action taken: Amendment of Appendix 1 of Title 4 NYCRR.**Statutory authority:** Civil Service Law, section 6(1)**Subject:** Jurisdictional Classification.**Purpose:** To classify a position in the exempt class.**Text or summary was published** in the October 4, 2023 issue of the Register, I.D. No. CVS-40-23-00007-P.**Final rule as compared with last published rule:** No changes.**Text of rule and any required statements and analyses may be obtained from:** Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: commops@cs.ny.gov**Assessment of Public Comment**

The agency received no public comment.

NOTICE OF ADOPTION**Jurisdictional Classification****I.D. No.** CVS-40-23-00008-A**Filing No.** 108**Filing Date:** 2024-02-05**Effective Date:** 2024-02-21

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

Action taken: Amendment of Appendix 1 of Title 4 NYCRR.**Statutory authority:** Civil Service Law, section 6(1)**Subject:** Jurisdictional Classification.**Purpose:** To classify positions in the exempt class.**Text or summary was published** in the October 4, 2023 issue of the Register, I.D. No. CVS-40-23-00008-P.**Final rule as compared with last published rule:** No changes.**Text of rule and any required statements and analyses may be obtained from:** Jennifer Paul, NYS Department of Civil Service, Empire State Plaza, Agency Building 1, Albany, NY 12239, (518) 473-6598, email: commops@cs.ny.gov

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Jurisdictional Classification

I.D. No. CVS-40-23-00009-A

Filing No. 88

Filing Date: 2024-02-05

Effective Date: 2024-02-21

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

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

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

Subject: Jurisdictional Classification.

Purpose: To classify positions in the exempt class.

Text or summary was published in the October 4, 2023 issue of the Register, I.D. No. CVS-40-23-00009-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Jurisdictional Classification

I.D. No. CVS-40-23-00010-A

Filing No. 91

Filing Date: 2024-02-05

Effective Date: 2024-02-21

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

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

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

Subject: Jurisdictional Classification.

Purpose: To classify positions in the non-competitive class.

Text or summary was published in the October 4, 2023 issue of the Register, I.D. No. CVS-40-23-00010-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Jurisdictional Classification

I.D. No. CVS-40-23-00011-A

Filing No. 116

Filing Date: 2024-02-05

Effective Date: 2024-02-21

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

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

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

Subject: Jurisdictional Classification.

Purpose: To classify positions in the non-competitive class.

Text or summary was published in the October 4, 2023 issue of the Register, I.D. No. CVS-40-23-00011-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Jurisdictional Classification

I.D. No. CVS-40-23-00012-A

Filing No. 112

Filing Date: 2024-02-05

Effective Date: 2024-02-21

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

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

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

Subject: Jurisdictional Classification.

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

Text or summary was published in the October 4, 2023 issue of the Register, I.D. No. CVS-40-23-00012-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Jurisdictional Classification

I.D. No. CVS-40-23-00013-A

Filing No. 115

Filing Date: 2024-02-05

Effective Date: 2024-02-21

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

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

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

Subject: Jurisdictional Classification.

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

Text or summary was published in the October 4, 2023 issue of the Register, I.D. No. CVS-40-23-00013-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Jurisdictional Classification

I.D. No. CVS-40-23-00014-A

Filing No. 110

Filing Date: 2024-02-05

Effective Date: 2024-02-21

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

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

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

Subject: Jurisdictional Classification.

Purpose: To delete positions from and to classify positions in the non-competitive class.

Text or summary was published in the October 4, 2023 issue of the Register, I.D. No. CVS-40-23-00014-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Jurisdictional Classification

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

Filing No. 120

Filing Date: 2024-02-05

Effective Date: 2024-02-21

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

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

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

Subject: Jurisdictional Classification.

Purpose: To classify a position in the exempt class.

Text or summary was published in the October 4, 2023 issue of the Register, I.D. No. CVS-40-23-00015-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Jurisdictional Classification

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

Filing No. 107

Filing Date: 2024-02-05

Effective Date: 2024-02-21

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

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

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

Subject: Jurisdictional Classification.

Purpose: To classify positions in the exempt class.

Text or summary was published in the October 4, 2023 issue of the Register, I.D. No. CVS-40-23-00016-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Jurisdictional Classification

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

Filing No. 97

Filing Date: 2024-02-05

Effective Date: 2024-02-21

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

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

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

Subject: Jurisdictional Classification.

Purpose: To classify positions in the non-competitive class.

Text or summary was published in the October 4, 2023 issue of the Register, I.D. No. CVS-40-23-00017-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Jurisdictional Classification

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

Filing No. 100

Filing Date: 2024-02-05

Effective Date: 2024-02-21

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

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

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

Subject: Jurisdictional Classification.

Purpose: To classify a position in the exempt class.

Text or summary was published in the October 4, 2023 issue of the Register, I.D. No. CVS-40-23-00018-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Jurisdictional Classification

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

Filing No. 98

Filing Date: 2024-02-05

Effective Date: 2024-02-21

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

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

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

Subject: Jurisdictional Classification.

Purpose: To classify positions in the exempt class.

Text or summary was published in the October 4, 2023 issue of the Register, I.D. No. CVS-40-23-00019-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Jurisdictional Classification

I.D. No. CVS-40-23-00020-A
Filing No. 89
Filing Date: 2024-02-05
Effective Date: 2024-02-21

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

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

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

Subject: Jurisdictional Classification.

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

Text or summary was published in the October 4, 2023 issue of the Register, I.D. No. CVS-40-23-00020-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Jurisdictional Classification

I.D. No. CVS-40-23-00021-A
Filing No. 119
Filing Date: 2024-02-05
Effective Date: 2024-02-21

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

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

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

Subject: Jurisdictional Classification.

Purpose: To classify a position in the exempt class.

Text or summary was published in the October 4, 2023 issue of the Register, I.D. No. CVS-40-23-00021-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Jurisdictional Classification

I.D. No. CVS-40-23-00022-A
Filing No. 104
Filing Date: 2024-02-05
Effective Date: 2024-02-21

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

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

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

Subject: Jurisdictional Classification.

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

Text or summary was published in the October 4, 2023 issue of the Register, I.D. No. CVS-40-23-00022-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Jurisdictional Classification

I.D. No. CVS-40-23-00023-A
Filing No. 93
Filing Date: 2024-02-05
Effective Date: 2024-02-21

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

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

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

Subject: Jurisdictional Classification.

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

Text or summary was published in the October 4, 2023 issue of the Register, I.D. No. CVS-40-23-00023-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Jurisdictional Classification

I.D. No. CVS-40-23-00024-A
Filing No. 92
Filing Date: 2024-02-05
Effective Date: 2024-02-21

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

Action taken: Amendment of Appendix 1 of Title 4 NYCRR

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

Subject: Jurisdictional Classification.

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

Text or summary was published in the October 4, 2023 issue of the Register, I.D. No. CVS-40-23-00024-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Jurisdictional Classification

I.D. No. CVS-40-23-00025-A
Filing No. 87
Filing Date: 2024-02-05
Effective Date: 2024-02-21

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

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

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

Subject: Jurisdictional Classification.

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

Text or summary was published in the October 4, 2023 issue of the Register, I.D. No. CVS-40-23-00025-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Jurisdictional Classification

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

Filing No. 106

Filing Date: 2024-02-05

Effective Date: 2024-02-21

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

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

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

Subject: Jurisdictional Classification.

Purpose: To classify a position in the exempt class.

Text or summary was published in the October 4, 2023 issue of the Register, I.D. No. CVS-40-23-00026-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Jurisdictional Classification

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

Filing No. 124

Filing Date: 2024-02-05

Effective Date: 2024-02-21

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

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

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

Subject: Jurisdictional Classification.

Purpose: To classify positions in the exempt class.

Text or summary was published in the October 4, 2023 issue of the Register, I.D. No. CVS-40-23-00027-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Jurisdictional Classification

I.D. No. CVS-44-23-00001-A

Filing No. 96

Filing Date: 2024-02-05

Effective Date: 2024-02-21

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

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

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

Subject: Jurisdictional Classification.

Purpose: To classify positions in the non-competitive class.

Text or summary was published in the November 1, 2023 issue of the Register, I.D. No. CVS-44-23-00001-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Jurisdictional Classification

I.D. No. CVS-44-23-00002-A

Filing No. 123

Filing Date: 2024-02-05

Effective Date: 2024-02-21

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

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

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

Subject: Jurisdictional Classification.

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

Text or summary was published in the November 1, 2023 issue of the Register, I.D. No. CVS-44-23-00002-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Jurisdictional Classification

I.D. No. CVS-44-23-00003-A

Filing No. 114

Filing Date: 2024-02-05

Effective Date: 2024-02-21

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

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

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

Subject: Jurisdictional Classification.

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

Text or summary was published in the November 1, 2023 issue of the Register, I.D. No. CVS-44-23-00003-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Jurisdictional Classification

I.D. No. CVS-44-23-00004-A

Filing No. 99

Filing Date: 2024-02-05

Effective Date: 2024-02-21

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

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

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

Subject: Jurisdictional Classification.

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

Text or summary was published in the November 1, 2023 issue of the Register, I.D. No. CVS-44-23-00004-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Jurisdictional Classification

I.D. No. CVS-44-23-00005-A

Filing No. 111

Filing Date: 2024-02-05

Effective Date: 2024-02-21

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

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

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

Subject: Jurisdictional Classification.

Purpose: To classify positions in the exempt class.

Text or summary was published in the November 1, 2023 issue of the Register, I.D. No. CVS-44-23-00005-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Jurisdictional Classification

I.D. No. CVS-44-23-00006-A

Filing No. 105

Filing Date: 2024-02-05

Effective Date: 2024-02-21

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

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

Statutory authority: Section 6(1) of the Civil Service Law

Subject: Jurisdictional Classification

Purpose: To classify a position in the exempt class.

Text or summary was published in the November 1, 2023 issue of the Register, I.D. No. CVS-44-23-00006-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Jurisdictional Classification

I.D. No. CVS-44-23-00007-A

Filing No. 102

Filing Date: 2024-02-05

Effective Date: 2024-02-21

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

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

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

Subject: Jurisdictional Classification.

Purpose: To classify positions in the exempt class.

Text or summary was published in the November 1, 2023 issue of the Register, I.D. No. CVS-44-23-00007-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Jurisdictional Classification

I.D. No. CVS-44-23-00008-A

Filing No. 121

Filing Date: 2024-02-05

Effective Date: 2024-02-21

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

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

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

Subject: Jurisdictional Classification.

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

Text or summary was published in the November 1, 2023 issue of the Register, I.D. No. CVS-44-23-00008-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION

Jurisdictional Classification

I.D. No. CVS-44-23-00009-A

Filing No. 113

Filing Date: 2024-02-05

Effective Date: 2024-02-21

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

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

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

Subject: Jurisdictional Classification.

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

Text or summary was published in the November 1, 2023 issue of the Register, I.D. No. CVS-44-23-00009-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION**Jurisdictional Classification**

I.D. No. CVS-44-23-00010-A

Filing No. 117

Filing Date: 2024-02-05

Effective Date: 2024-02-21

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

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

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

Subject: Jurisdictional Classification.

Purpose: To classify positions in the non-competitive class.

Text or summary was published in the November 1, 2023 issue of the Register, I.D. No. CVS-44-23-00010-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION**Jurisdictional Classification**

I.D. No. CVS-44-23-00011-A

Filing No. 95

Filing Date: 2024-02-05

Effective Date: 2024-02-21

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

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

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

Subject: Jurisdictional Classification.

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

Text or summary was published in the November 1, 2023 issue of the Register, I.D. No. CVS-44-23-00011-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION**Jurisdictional Classification**

I.D. No. CVS-44-23-00012-A

Filing No. 94

Filing Date: 2024-02-05

Effective Date: 2024-02-21

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

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

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

Subject: Jurisdictional Classification.

Purpose: To classify positions in the non-competitive class.

Text or summary was published in the November 1, 2023 issue of the Register, I.D. No. CVS-44-23-00012-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION**Jurisdictional Classification**

I.D. No. CVS-44-23-00013-A

Filing No. 101

Filing Date: 2024-02-05

Effective Date: 2024-02-21

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

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

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

Subject: Jurisdictional Classification.

Purpose: To classify positions in the exempt class and to classify positions in the non-competitive class

Text or summary was published in the November 1, 2023 issue of the Register, I.D. No. CVS-44-23-00013-P.

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

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

Assessment of Public Comment

The agency received no public comment.

NOTICE OF ADOPTION**Jurisdictional Classification**

I.D. No. CVS-44-23-00014-A

Filing No. 109

Filing Date: 2024-02-05

Effective Date: 2024-02-21

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

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

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

Subject: Jurisdictional Classification.

Purpose: To classify positions in the non-competitive class.

Text or summary was published in the November 1, 2023 issue of the Register, I.D. No. CVS-44-23-00014-P.

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

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

Assessment of Public Comment

The agency received no public comment.

Department of Environmental Conservation

PROPOSED RULE MAKING HEARING(S) SCHEDULED

Science-Based State Sea Level Rise Projections

I.D. No. ENV-08-24-00011-P

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

Proposed Action: Amendment of Part 490 of Title 6 NYCRR.
Statutory authority: Environmental Conservation Law, section 3-0319
Subject: Science-based State sea level rise projections.
Purpose: To establish a common source of sea-level rise projections for consideration in relevant programs and decision-making.
Public hearing(s) will be held at: 2:00 p.m., April 22, 2024 at Virtual.

Notice is hereby given that the New York State Department of Environmental Conservation (NYS DEC) filed a Notice of Proposed Rulemaking with the New York State Department of State to proposed amendments to 6 NYCRR Part 490, Projected Sea Level Rise. The goal of the proposed amendments is to provide up-to-date science-based projections of future sea level rise. Part 490 does not create a mandate on local governments.

Written comments on the proposed rule may be submitted until 5 p.m. on April 29, 2024. Comments and requests for further information can be sent by mail to Mark Lowery, NYS DEC Office of Climate Change, 625 Broadway, Albany, NY 12233-1030 or emailed to climate.regs@dec.ny.gov. Include "Comments on Part 490" in the subject line of the email.

A public comment hearing for the proposed revisions to the existing rule described above will be held via electronic webinar on April 22, 2024 at 2:00 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 the 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 NYS DEC will make every effort to fulfill requests received closer to the meeting date. Requests can be directed to the NYS DEC 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.

Text of proposed rule: Part 490, Projected [Sea-level Rise] *Sea Level Rise* [(Statutory authority: Environmental Conservation Law, § 3-0319)] Part 490.1 - 490.3 is amended to read as follows.

490.1 Purpose
 This Part establishes science-based projections of [sea-level rise] *sea level rise* for New York State's tidal coast, including the marine coasts of Nassau, Suffolk and Westchester counties and the five boroughs of New York City, and the main stem of the Hudson River, north from New York City to the federal dam at Troy.

490.2 Applicability
 This Part applies to consideration of [sea-level rise] *sea level rise* by the Department, other State agencies, and applicants for relevant permits, approvals, and funding in the context of programs specified in the Community Risk and Resiliency Act.

490.3 Definitions
 For the purposes of this Part, the following definitions apply:
 (a) ['2020s'. The years 2020 through 2029.] '2030s'. *The years 2030 through 2039.*

(b) '2050s'. The years 2050 through 2059.
 (c) '2080s'. The years 2080 through 2089.
 (d) 'Baseline level'. The average level of the surface of marine or tidal water over the years [2000 through 2004] *1995 through 2014.*

(e) 'ClimAID model outputs'. Projections based on the outputs of global climate models, downscaled to New York, and additional information, including information to account for anticipated changes in the rates of ice melt that cannot yet be more rigorously included in quantitative models.]

(f) 'Community Risk and Resiliency Act'. Chapter 355 of the Laws of 2014.

(g) 'Department'. The New York State Department of Environmental Conservation.

(h) 'High-medium projection'. The amount of [sea-level rise] *sea level rise* that is unlikely (the 75th percentile of [ClimAID model outputs] *New York State Climate Impacts Assessment projections*) to be exceeded by the specified time interval.

(i) 'High projection'. The amount of [sea-level rise] *sea level rise* that is associated with high rates of melt of land-based ice and is very unlikely (the 90th percentile of [ClimAID model outputs] *New York State*

Climate Impacts Assessment projections) to be exceeded by the specified time interval.

(j) 'Long Island Region'. The marine coast of Nassau and Suffolk counties.

(k) 'Lower Hudson-New York City Region'. The main stem of the Hudson River, south from the mouth of Rondout Creek at Kingston, New York, and the marine coast of the five boroughs of New York City and the Long Island Sound in Westchester County.

(l) 'Low-medium projection'. The amount of [sea-level rise] *sea level rise* that is likely (the 25th percentile of [ClimAID model outputs] *New York State Climate Impacts Assessment projections*) to be exceeded by the specified time interval.

(m) 'Low projection'. The amount of [sea-level rise] *sea level rise* that is very likely (the 10th percentile of [ClimAID model outputs] *New York State Climate Impacts Assessment projections*) to be exceeded by the specified time interval.

(n) 'Medium projection'. The amount of [sea-level rise] *sea level rise* that is about as likely as not ([the mean of the 25th and 75th percentiles of ClimAID model outputs] *the mean of the 25th- and 75th- percentile New York State Climate Impacts Assessment projections*) to be exceeded by the specified time interval.

(o) 'Mid-Hudson Region'. The main stem of the Hudson River, from the federal dam at Troy to the mouth of Rondout Creek at Kingston, New York.

(p) '*New York State Climate Impacts Assessment projections*'. *Projections based on the outputs of global climate models, downscaled to New York, and additional information, including information to account for anticipated changes in the rates of ice melt that cannot yet be more rigorously included in quantitative models.*

(q) '*Rapid Ice Melt Projection*'. *The amount of sea level rise that is plausible in a scenario characterized by rapid melt of land-based ice, and instability of ice shelves and marine ice cliffs.*

(r) 'Sea[-] level rise'. The increase in the average level of the surface of marine or tidal water for the specified geographic region.

Section 490.4 is repealed, and a new Section 490.4 is adopted to read as follows.

490.4 Projections
The tables in subdivisions (a), (b), and (c) of this section establish projected sea level rise for the specified geographic region relative to the baseline level.

(a) Mid-Hudson Region

Time Interval	Low Projection	Low-Medium Projection	Medium Projection	High-Medium Projection	High Projection	Rapid Ice Melt Projection
2030s	5 inches	7 inches	8 inches	10 inches	12 inches	NA
2050s	11 inches	12 inches	14 inches	17 inches	21 inches	NA
2080s	18 inches	21 inches	26 inches	35 inches	41 inches	83 inches
2100	21 inches	25 inches	32 inches	46 inches	60 inches	114 inches
2150	32 inches	41 inches	52 inches	82 inches	171 inches	NA

(b) Lower Hudson-New York City Region

Time Interval	Low Projection	Low-Medium Projection	Medium Projection	High-Medium Projection	High Projection	Rapid Ice Melt Projection
2030s	6 inches	7 inches	9 inches	11 inches	13 inches	NA
2050s	12 inches	14 inches	16 inches	19 inches	23 inches	NA
2080s	21 inches	25 inches	30 inches	39 inches	45 inches	83 inches
2100	25 inches	30 inches	36 inches	50 inches	65 inches	114 inches
2150	38 inches	47 inches	59 inches	89 inches	177 inches	NA

Time Interval	Low Projection	Low-Medium Projection	Medium Projection	High-Medium Projection	High Projection	Rapid Ice Melt Projection
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(c) Long Island Region

Time Interval	Low Projection	Low-Medium Projection	Medium Projection	High-Medium Projection	High Projection	Rapid Ice Melt Projection
2030s	7 inches	8 inches	10 inches	12 inches	14 inches	NA
2050s	13 inches	15 inches	18 inches	21 inches	25 inches	NA
2080s	23 inches	26 inches	32 inches	41 inches	48 inches	83 inches
2100	27 inches	32 inches	39 inches	54 inches	69 inches	114 inches
2150	42 inches	50 inches	63 inches	94 inches	185 inches	NA

Text of proposed rule and any required statements and analyses may be obtained from: Mark Lowery, Department of Environmental Conservation, 625 Broadway, Albany, NY 12233-3251, (518) 402-8448

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

Public comment will be received until: April 29, 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/climate-change/>):

1. Statutory Authority

The statutory authority to promulgate this rulemaking is derived from the Department of Environmental Conservation’s (Department’s) obligations set out in the Environmental Conservation Law (ECL) at Section 3-0319.

2. Legislative Objectives

The Community Risk and Resiliency Act (CRRA) was enacted with the purpose of ensuring that decisions regarding certain State permits, regulations, and expenditures include consideration of the future physical risks associated with climate change. Part 490 implements one component of this objective by providing a common source of sea level rise projections for consideration within the programs specified by CRRA.

3. Needs and Benefits

CRRA requires the Department and other relevant State agencies, as well as applicants to all permit programs regulated by the Uniform Procedures Act and several enumerated funding programs, to consider future climate risk, including sea level rise. CRRA also amends the State Smart Growth Public Infrastructure Policy Act, ECL Article 6, to add an additional smart growth criterion regarding mitigation of future climate physical risk due to sea level rise, storm surge or flooding.

In its 2017 Part 490, the Department adopted projections prepared for the New York State Energy Research and Development Authority’s “ClimAID” report.¹ CRRA requires the Department to update these regulations. These proposed updates will help to ensure the most up-to-date science-based sea level rise projections.

The methods used by Horton et al. (2014) to develop the 2014 ClimAID projections are identical to those used to generate sea level rise projections for the New York City Panel on Climate Change (NPCC) and are described in more detail in Horton et al. (2015²) and NPCC (2015³). The Department based its low, low-medium, high-medium and high projections for the three regions of the state on the 10th-, 25th-, 75th- and 90th-percentiles of ClimAID projection outputs, respectively. ClimAID assumed outputs were normally distributed, and the Department, in adopting the 2017 Part 490 medium projection as the 50th percentile of ClimAID’s outputs, calculated the 50th percentile as the average of the 25th- and 75th-percentile outputs.

As adopted in 2017, Part 490 provided five sea level rise projections for each of three regions of the state: Long Island (Nassau and Suffolk counties), New York City and the Lower Hudson River upstream to Kingston, and the Mid-Hudson River from Kingston upstream to the federal dam at Troy.

In this Part 490 update, to ensure consistency in its regulatory and other programs, the Department intends to maintain the projection format used in the original Part 490 regulation. However, the 2020s projections will be replaced by projections for the 2030s. Projections for the 2050s, 2080s and 2100 will be included, as in the original regulation, with updates. The Department proposes to include new projections for the year 2150 in the updated regulation and to include a new projection that reflects a potential low-confidence, high-consequence rapid ice melt (RIM) scenario.

The current work to update sea level rise projections is being undertaken as part of the New York State Climate Impacts Assessment, funded by the New York State Energy Research and Development Authority (NYSERDA), which is the successive assessment to ClimAID.⁴ All references to ClimAID in the original 2017 regulation have been updated to reflect the new assessment in the proposed regulation. Advances in the IPCC approach to projecting sea level rise allow NYSERDA and the Department to more fully ground the New York State projections on those provided by the IPCC in its 6th Assessment Report (AR6).⁵

AR6 provides updated projections of global mean and regional sea level rise up to the year 2150. These projections were developed by assessing the individual contributions of the drivers of projected sea level change and combining them to project total change. See Fox-Kemper et al. (2021) for a full discussion of the methods used to generate the sea level rise projections provided by AR6.⁶

AR6 provides projections of global sea level rise for five shared socio-economic pathways (SSP) scenarios. Projections for these five scenarios include only processes for which there is medium confidence, including projections from ice-sheet models. AR6 also provides low-confidence projections for SSP1-2.6 and SSP5-8.5. These low-confidence projections integrate potential, but uncertain, ice sheet processes and marine ice cliff instability, about which a low level of agreement exists. The low-confidence projections have not been assessed as likely but are included in AR6 due to their potential high consequence. (See Bamber et al., 2019⁷, DeConto et al., 2021⁸.) In addition to the provided projections of global sea level rise, AR6 provides regional projections on a regular global grid and for individual tide gauge stations. Projections are based on a 1995 to 2014 baseline. These projections are described as medium confidence, and the 17th to 83rd percentile range is described as likely.⁹

The National Aeronautics and Space Administration (NASA) has made the AR6 projections available for visualization and download through its Sea Level Projection Tool. The NASA tool provides the 5th-, 17th-, 50th-, 83rd- and 95th-quantile projections, in decadal increments, from 2020 through 2150, for each of seven sea level rise scenarios. The NASA tool provides median gridded regional projections and projections at locations of individual tide gauges for the seven sea level rise scenarios, including for a region that includes eastern Long Island (latitude 41°, longitude -73°) and for the tide gauge at the Battery, New York City.¹⁰

To provide for consideration of a range of possible futures, including potential for low-confidence, high-consequence sea level rise scenarios associated with rapid melt of land-based ice, the Department proposes adoption of projections based on a blending of projections associated with three illustrative scenarios: SSP2-4.5, SSP5-8.5 medium-confidence and SSP5-8.5 low-confidence.

To generate New York State projections, researchers with the New York State Climate Impacts Assessment obtained the full distribution of IPCC projections, i.e., the 1st- to 99th-percentile projection, for three selected sea level rise scenarios for 2030, 2050, 2080, 2100, and 2150, for the Battery and the region that includes eastern Long Island. Researchers combined the 1st- to 99th-percentile model outputs, for the three scenarios, generating 297 values for each of the specified years, for New York City and eastern Long Island. They then used the resultant distributions to determine the 10th-, 25th-, 50th-, 75th- and 90th-percentile projections and adjusted them to solve for the decadal “middle” years, e.g., 2035, for consistency with the ten-year averaging used in the Part 490 projections.

As the IPCC did not develop projections for the Mid-Hudson region, from Troy to Kingston, the Mid-Hudson projections are based on the New York City projections, with an adjustment to account for glacial isostatic rebound north from Kingston.

Confidence is low that ice-sheet processes will influence global mean sea level rise through 2100 under low-emission scenarios. However, ice-sheet processes in which confidence is low could lead to total global mean sea level rise substantially greater than considered likely by AR6.¹¹ Gornitz et al. (2020) argue that acceleration of ice mass losses and potential ice sheet instability may result in sea levels by the latter part of the 21st century that are higher than previously anticipated.¹² These authors provide an Antarctic RIM scenario for New York City for the 2080s and the year 2100. No projections reflecting a RIM scenario are available for the Long Island or Mid-Hudson regions or for beyond 2100. Due to the high degree of uncertainty of any RIM projection relative to the small differences among the three tidal regions described in Part 490, the Department proposes to apply the New York City RIM projection of Gornitz et al. (2019) to the Long Island and Mid-Hudson regions.¹³

Abstracts

Following are abstracts of reports used as the sources of projections of sea level rise for this rulemaking:

Gornitz, V., Oppenheimer, M., Kopp, R., Orton, P., Buchanan, M., Lin, N., Horton, R., and Bader, D., 2019. New York City Panel on Climate Change 2019 Report. Chapter 3. Sea level rise, in: *Advancing Tools and Methods for Flexible Adaptation Pathways and Science Policy Integration*. Rosenzweig C, Solecki W (eds). Ann. New York Acad. Sci. 1439, 71-94.

Observations and modeling of global mean sea level rise suggest the possibility that rise in the latter part of the 21st century may be greater than previously anticipated. This potential high rate of rise could result in the event of ice sheet destabilization and rapid ice melt in the Antarctic under high greenhouse gas (GHG) emissions scenarios but is implausible under the lowest emission scenarios. This low-probability, upper-end scenario is highly uncertain due to incomplete knowledge about processes related to ice loss, including the speed with which these processes may proceed. Based on modeling of ice sheet-ocean behavior, this paper includes sea level rise projections for an Antarctic Rapid Ice Melt scenario of 6.75 ft. in the 2080s and 9.5 ft. for the Battery, New York City. The authors note that these projections provide insight into the magnitude of sea level rise that could occur after 2100.

New York State Climate Impacts Assessment.

With the exception of the Rapid Ice Melt scenario projections, the sea level rise projections used in the Part 490 update are taken from projections developed for the New York State Climate Impacts Assessment. The projections are included in the report,¹⁴ while the models, scenarios and calculation approaches are reported in Bader and Horton (2023).¹⁵ As described in this report, investigators based their updated projections on those developed for the IPCC 6th Assessment Report, which were based on CMIP6 models. Researchers selected three scenarios used by the IPCC: SSP2-4.5-medium confidence, SSP5-8.5-medium confidence, and SSP5-8.5-low confidence, which include a wide range of outcomes. IPCC projections were adjusted to match the format used in previous reports, including, 6 NYCRR Part 490.

4. Costs

Part 490 will not impose any costs on any entity because the regulation consists only of sea level rise projections and does not impose any standards or compliance obligations.

5. Paperwork

No additional record keeping, reporting, or other requirements will be imposed under this rulemaking.

6. Local Government Mandates

Part 490 will not create any mandates for local governments, including any additional recordkeeping, reporting, or other requirements.

7. Duplication

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

8. Alternatives

Alternatives to this proposal include (1) No action, or not updating Part 490, (2) basing the projections in Part 490 on alternative analyses and scientific reports, (3) using an alternative projection format, and (4) including different scenarios in the analysis.

1) No Action – Not establishing Part 490 is not an available alternative because ECL § 3-0319 requires the Department to adopt a regulation establishing science-based State sea level rise projections.

2) Other Reports – No other available reports include projections specific to New York State.

3) Other Formats –To maintain regulatory consistency, the Department proposes to substantially maintain the format currently used in Part 490.

4) The Department’s proposed projections are based on a combination of a scenario based on committed GHG emission reductions and scenarios based on continued heavy use of fossil fuels. Alternatives include reliance on scenarios in which emission reductions are significantly greater than current commitments, scenarios in which emission reductions are significantly less than current commitments, or simple extrapolation of historical sea level rise. Assuming emissions will be significantly greater than current commitments could potentially lead to over-investment in coastal protective strategies. Assuming emissions will be significantly lower than current commitments would fail to recognize that most nations are not complying with current commitments and, as discussed, would ignore indications of previously unanticipated sensitivity of land-based ice and ice cliffs to higher sea temperatures. Simple linear extrapolation of the long-term historical trend would mask the effects of increasing global temperatures and resultant higher rates of rise over the past several decades.

9. Federal Standards

No federal rules or other legal requirements are relevant to Part 490.

10. Compliance Schedule

There is no compliance schedule required by the establishment of Part 490 because the rule does not impose any compliance obligations on any entity.

¹ Horton, R., D. Bader, C. Rosenzweig, A. DeGaetano, and W. Solecki. 2014. Climate Change in New York State: Updating the 2011 ClimAID Climate Risk Information. New York State Energy Research and Development Authority (NYSERDA), Albany, New York. <https://www.nyserdera.ny.gov/climaid>

² Horton, R., C. Little, V. Gornitz, D. Bader and M. Oppenheimer. 2015. New York City Panel on Climate Change 2015 Report: Sea level rise and coastal storms. Ann. New York Acad. Sci. 1336:36-44. doi:10.1111/nyas.12593.

³ NPCC. 2015. Appendix IIB. Sea level observations and projections: Methods and Analyses. Ann. N.Y. Acad. Sci. 1336(1):116-150. doi:10.1111/nyas.12593.

⁴ New York State Climate Impacts Assessment. <https://nysclimateimpacts.org/>

⁵ Fox-Kemper, B., H. T. Hewitt, C. Xiao, G. Aðalgeirsdóttir, S. S. Drijfhout, T. L. Edwards, N. R. Golledge, M. Hemer, R. E. Kopp, G. Krinner, A. Mix, D. Notz, S. Nowicki, I. S. Nurhati, L. Ruiz, J-B. Sallée, A. B. A. Slangen, and Y. Yu. 2021. Ocean, Cryosphere and Sea Level Change. In: Climate Change 2021: The Physical Science Basis. Contribution of Working Group I to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change [Masson-Delmotte, 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.)]. Cambridge University Press.

⁶ op cit. Fox-Kemper et al. 2021.

⁷ Bamber, J.L., M. Oppenheimer, R.E. Kopp, and R.M. Cooke. 2019. Ice sheet contributions to future sea-level rise from structured expert judgment. Proc. Natl., Acad. Sci. U.S.A. 116 (23) 11195-11200. <https://doi.org/10.1073/pnas.1817205116>.

⁸ DeConto, R.M., D. Pollard, R.B. Alley, I. Velicogna, E. Gasson, N. Gomez, S. Sadai, A. Condron, D. M. Gilford, E. L. Ashe, R. E. Kopp, D. Li, and A. Dutton. 2021. The Paris Climate Agreement and future sea-level rise from Antarctica. Nature 593, 83–89 2021.

⁹ op cit. Fox-Kemper et al. 2021.

¹⁰ https://sealevel.nasa.gov/data_tools/17, accessed March 12, 2023.

¹¹ op cit. Fox-Kemper et al. 2021.

¹² Gornitz, V., Oppenheimer, M., Kopp, R., Horton, R., Orton, P., Rosenzweig, C., Solecki, W., Patrick, L., 2020. Enhancing New York City’s resilience to sea level rise and coastal flooding. Urban Climate. 33: <https://doi.org/10.1016/j.uclim.2020.100654>.

¹³ Gornitz, V., Oppenheimer, M., Kopp, R., Orton, P., Buchanan, M., Lin, N., Horton, R., and Bader, D., 2019. New York City Panel on Climate Change 2019 Report. Chapter 3. Sea level rise, in: *Advancing Tools and Methods for Flexible Adaptation Pathways and Science Policy Integration*. Rosenzweig C, Solecki W (eds). Ann. New York Acad. Sci. 1439, 71-94.

¹⁴ <https://nysclimateimpacts.org/>

¹⁵ Bader, D., and Horton, R., 2023. New York State Climate Change Projections Methodology Report, accessed on October 12, 2023 at <https://nysclimateimpacts.org/wp-content/uploads/2023/09/Climate-Methodology-Report-09-21-23-final.pdf>

Regulatory Flexibility Analysis

1. Effect of Rule:

The New York State Department of Environmental Conservation (“Department”) is proposing to amend 6 NYCRR Part 490, Projected Sea Level Rise (“Part 490”), by updating the existing projections of future sea level rise with projections based on more recent analysis by international scientific bodies. In and of itself, this rule imposes no compliance obligations; rather, it provides science-based projections of future sea level rise that the Department and other entities may choose to use in permitting, planning and other decision making. As these projections provide meaningful information about future conditions to decision makers, the net effect of this rule is to reduce risks associated with sea level rise to residents, communities, infrastructure and natural systems.

2. Compliance Requirements:

Neither the existing Part 490 nor the proposed amendments impose and compliance obligations; rather, they provide science-based projections of future sea level rise that the Department and other entities may choose to use in permitting, planning and other decision making. For example, the Department does apply the sea level rise projections in its review of permits regulated by the Uniform Procedures Act, as required by the Community Risk and Resiliency Act. Similarly, other agencies responsible for funding programs covered by the Community Risk and Resiliency Act may choose to incorporate these projections into their review of

applications. The Part 490 medium projections are most typically applied by the Department in its permit decisions where sea level rise must be considered. The proposed amendments include only very small increases in the projected medium projections over those in the current regulation. The proposed amendments include substantially lower high projections than those in the current regulation, resulting in a potentially reduced compliance burden for entities seeking permits or funding for critical infrastructure, compared to any compliance burden created by the current projections.

3. Professional Services:

Compliance with either the existing or updated regulation includes no specific requirement or need for entities to contract for professional services. Professional services may be required for analysis of sea level rise risk in applications for major projects in Department permit programs regulated by the Uniform Procedures Act, or in planning or funding programs managed by the Department or other entities. However, costs for such services are generally small relative to other project development costs. Moreover, the proposed amendments to the sea level rise projections would have no effect on whether such services would be required.

4. Compliance Costs:

Neither the existing Part 490 nor the proposed amendments impose any compliance obligation on any entity. The Department and other entities weigh compliance costs and benefits of requirements based on the Part 490 projections during their decision-making processes. As described above, the proposed amendments to the Part 490 medium projections will have no significant effect on costs associated with compliance for the vast majority of permits issued by the Department. The proposed reduction in the high projections could result in reduced compliance costs for sponsors of critical infrastructure and other project types where consideration of the high projections is required.

5. Economic and Technological Feasibility:

The proposed revisions to Part 490 do not impose any compliance obligation on any entity as they are limited to updating existing projections of sea level rise. The availability of sea level rise viewers and other information sources, as well as support from Department staff, make incorporation of the Part 490 projections into decision making technologically feasible for all entities, including small businesses and local governments.

6. Minimizing Adverse Impact:

The Department has considered the scientific basis of the proposed updates to the Part 490 projections, the risks sea level rise presents to proposed projects, businesses, community infrastructure, disadvantaged communities, natural systems, and human health and safety, as well as the availability of information necessary to incorporate projections of sea level rise into local and other decision making. The Department has determined that the proposed amendments Part 490 will not have an adverse impact on small businesses or local governments and will, in some cases, result in reduced costs of compliance with permits that incorporate consideration of sea level rise. 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. Moreover, incorporation of science-based projections of future conditions will result in substantially reduced risks of flooding and other hazards associated with sea level rise and their associated costs for businesses and local governments, while reducing risks of maladaptive regulations and activity.

7. Small Business and Local Government Participation:

The Department conducted pre-proposal, stakeholder outreach in the form of a request for pre-proposal comments, followed by a 30-day public comment period, and a pre-proposal informational webinar on May 3, 2023. This webinar was recorded and made available on the Department's website.

Rural Area Flexibility Analysis

1. Types and Estimated Numbers of Rural Areas:

The New York State Department of Environmental Conservation (Department) is proposing to amend 6 NYCRR Part 490, Projected Sea Level Rise (Part 490), by updating the existing projections of future sea level rise with projections based on more recent analysis by international scientific bodies. The proposed rulemaking will apply statewide, and nothing in the proposed rule would apply only to rural areas.

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

Neither the existing Part 490 nor the proposed amendments impose any compliance obligation on any entity; rather, they provide science-based projections of future sea level rise that the Department and other entities may choose to use in permitting, planning and other decision making. For example, the Department does apply the sea level rise projections in its review of permits regulated by the Uniform Procedures Act, as required by the Community Risk and Resiliency Act. Similarly, other agencies responsible for funding programs covered by the Community Risk and Resiliency Act may choose to incorporate these projections into their

review of applications. The Part 490 medium projections are most typically applied by the Department in its permit decisions where sea level rise must be considered. The proposed amendments include only very small increases in the projected medium projections over those in the current regulation. The proposed amendments include substantially lower high projections than those in the current regulation, resulting in a potentially reduced compliance burden for entities seeking permits or funding for critical infrastructure, compared to any compliance burden created by the current projections.

Compliance with either the existing or updated rule includes no specific requirement or need for entities to contract for professional services. Professional services may be required for analysis of sea level rise risk in applications for major projects in Department permit programs regulated by the Uniform Procedures Act, or in planning or funding programs managed by the Department or other entities. However, costs for such services are generally small relative to other project development costs. Moreover, the proposed amendments to the sea level rise projection would have no effect on whether such services would be required.

Neither the existing rule nor the proposed updates create any reporting or record keeping requirements to apply to any entity.

3. Costs:

Part 490 does not impose any compliance obligation on any entity. The Department and other entities weigh compliance costs and benefits of requirements based on the Part 490 projections during their decision-making processes. As described above, the proposed amendments to the Part 490 medium projections will have no significant effect on costs associated with compliance for the vast majority of permits issued by the Department. The proposed reduction in the high projections could result in reduced compliance costs for sponsors of critical infrastructure and other project types where consideration of the high projections is required.

4. Minimizing Adverse Impact:

The Department has considered the scientific basis of the proposed updates to the Part 490 projections, the risks sea level rise presents to proposed projects, businesses, community infrastructure, natural systems, and human health and safety, as well as the availability of information necessary to incorporate projections of sea level rise into local and other decision making. The Department has determined that the proposed amendments Part 490 will not have an adverse impact on small businesses or local governments and will, in some cases, result in reduced costs of compliance with permits that incorporate consideration of sea level rise. 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. Moreover, incorporation of science-based projections of future conditions will result in substantially reduced risks of flooding and other hazards associated with sea level rise and their associated costs for businesses and local governments, while reducing risks of maladaptive regulations and activity.

5. Rural Area Participation:

The Department conducted pre-proposal, stakeholder outreach in the form of a request for pre-proposal comments, followed by a 30-day public comment period, and a pre-proposal informational webinar on May 3, 2023. This webinar was recorded and made available on the Department's website.

Job Impact Statement

1. Nature of Impact:

The New York State Department of Environmental Conservation ("Department") is proposing to amend 6 NYCRR Part 490, Projected Sea Level Rise ("Part 490"), by updating the existing projections of future sea level rise with projections based on more recent analysis by international scientific bodies. In and of itself, this rule imposes no compliance obligations; rather, it provides science-based projections of future sea level rise that the Department and other entities may choose to use in permitting, planning and other decision making. As these projections provide meaningful information about future conditions to decision makers, the net effect of this rule is to reduce risks associated with sea level rise to residents, communities, infrastructure and natural systems.

2. Categories and Numbers Affected:

Neither the existing Part 490 nor the proposed amendments impose any compliance obligations; rather, they provide science-based projections of future sea level rise that the Department and other entities may choose to use in permitting, planning and other decision making. The Department does not anticipate any potential impacts on jobs and employment opportunities as a result of this proposal.

3. Regions of Adverse Impact:

The proposed rulemaking applies statewide. The Department does not expect jobs or employment opportunities anywhere in the State to be adversely impacted by this rule.

4. Minimizing Adverse Impact:

As detailed above, this rule is not expected to have an adverse impact on jobs and employment.

Department of Financial Services

EMERGENCY RULE MAKING

Supplementary Uninsured/Underinsured Motorist Coverage

I.D. No. DFS-08-24-00003-E

Filing No. 86

Filing Date: 2024-02-01

Effective Date: 2024-02-01

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

Action taken: Amendment of Subpart 60-2 of Title 11 NYCRR.

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

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

Specific reasons underlying the finding of necessity: Chapter 751 of the Laws of 2023 (“Chapter 751”) amended Insurance Law section 3420(f) to require supplementary uninsured/underinsured motorist (“SUM”) insurance to provide coverage for police agencies and their employees in response to a decision in *State Farm Mut. Auto Ins. Co. v. Fitzgerald*, 25 N.Y.3d 799 (2015). Chapter 751 took effect on December 22, 2023, and applies to policies issued, renewed, modified, altered, or amended on or after December 22, 2023. This amendment updates the definition of “insured” in the New York SUM endorsement to conform to the change in the law.

Since insurers are issuing, renewing, modifying, altering, and amending insurance policies currently, it is imperative that this rule be promulgated on an emergency basis for the public’s general welfare.

Subject: Supplementary Uninsured/Underinsured Motorist Coverage.

Purpose: To comport with changes made to Insurance Law section 3420(f) by chapter 751 of the Laws of 2023.

Text of emergency rule: Definitions: For purposes of this SUM endorsement, the following terms have the following meanings:

(a) Insured. The unqualified term “insured” means:

(1) you, as the named insured and, while residents of the same household, your spouse and the relatives of either you or your spouse;

(2) any person while acting in the scope of that person’s duties for you, except with respect to the use and operation by such person of a motor vehicle not covered under this policy, where such person is:¹

(i) your employee and you are a fire department;

(ii) your member and you are a fire company, as defined in General Municipal Law section 100;

(iii) your employee and you are an ambulance service, as defined in Public Health Law section 3001; [or]

(iv) your member and you are a voluntary ambulance service, as defined in Public Health Law section 3001; or

(v) your employee and you are a police agency, as defined in Executive Law section 835;²

(3) any other person while occupying:

(i) a motor vehicle insured for SUM under this policy; or

(ii) any other motor vehicle while being operated by you or your spouse; and

(4) any person, with respect to damages such person is entitled to recover, because of bodily injury to which this coverage applies sustained by an insured under paragraph (1), (2) or (3) above.

¹ Language in paragraph (2) of the definition of “insured” may be deleted for covered policies as defined in Insurance Law section 3425(a)(1).

² Language in subparagraph (v) applies to policies issued, renewed, modified, altered, or amended on or after December 22, 2023.

This notice is intended to serve only as a notice of emergency adoption. This agency intends to adopt this emergency rule as a permanent rule and will publish a notice of proposed rule making in the *State Register* at some future date. The emergency rule will expire April 30, 2024.

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

Regulatory Impact Statement

1. Statutory authority: The authority of the Superintendent of Financial Services (“Superintendent”) to promulgate this amendment derives from

Financial Services Law sections 202 and 302 and Insurance Law sections 301 and 3420(f).

Financial Services Law section 202 establishes the office of the Superintendent and designates the Superintendent as the head of the Department of Financial Services (“Department”).

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

Insurance Law section 3420 establishes the minimum provisions for liability insurance policies issued or delivered in New York. Insurance Law section 3420(f) requires a motor vehicle liability policy issued or delivered in New York to provide supplementary uninsured/underinsured motorist (“SUM”) coverage.

2. Legislative objective: To require SUM insurance to provide coverage for police agencies and their employees.

3. Needs and benefits: Chapter 751 of the Laws of 2023 (“Chapter 751”) amended Insurance Law section 3420(f) to require SUM insurance to provide coverage for police agencies and their employees in response to a decision in *State Farm Mut. Auto Ins. Co. v. Fitzgerald*, 25 N.Y.3d 799 (2015). Chapter 751 took effect on December 22, 2023, and applies to policies issued, renewed, modified, altered, or amended on or after December 22, 2023. This amendment updates the definition of “insured” in the New York SUM endorsement to conform to the change in the law.

4. Costs: Insurers may incur costs because they will need to file new policy forms and may need to file new rates with the Department. However, any additional costs are the result of Chapter 751 and not this amendment. While the Department also may incur costs to review the revised policy forms and rates, any additional costs incurred should be minimal and the Department should be able to absorb the costs in its ordinary budget.

This rule does not impose costs on any local government.

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

6. Paperwork: Insurers may need to complete additional paperwork because they will need to submit new forms and may need to submit new rates to the Department. However, this is a consequence of Chapter 751 and not the amendment.

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

8. Alternatives: The Department considered not amending the New York SUM endorsement. However, the Department must amend the endorsement to conform to Chapter 751.

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

10. Compliance schedule: Insurers must comply with this amendment immediately upon the filing of the Notice of Emergency Adoption with the Secretary of State.

Regulatory Flexibility Analysis

This amendment merely conforms the New York supplementary uninsured/underinsured motorist (“SUM”) endorsement to Chapter 751 of the Laws of 2023, which amended Insurance Law section 3420(f) to require SUM insurance to provide coverage for police agencies and their employees. Therefore, the rule will not impose any reporting, recordkeeping, or other compliance requirements, or have any impact, including any adverse impact, on any small business or local government.

Rural Area Flexibility Analysis

The Department of Financial Services finds that this amendment will not have any adverse economic impact or impose compliance requirements on rural areas. The amendment merely conforms the New York supplementary uninsured/underinsured motorist (“SUM”) endorsement to Chapter 751 of the Laws of 2023, which amended Insurance Law section 3420(f) to require SUM insurance to provide coverage for police agencies and their employees.

Job Impact Statement

This amendment should not adversely impact jobs or employment opportunities in New York State. The amendment merely conforms the New York supplementary uninsured/underinsured motorist (“SUM”) endorsement to Chapter 751 of the Laws of 2023, which amended Insurance Law section 3420(f) to require SUM insurance to provide coverage for police agencies and their employees.

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

Network Adequacy and Access Standards

I.D. No. DFS-08-24-00001-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 38 (Regulation 230) to Title 11 NYCRR.

Statutory authority: Financial Services Law, sections 202, 301, 302; Insurance Law, sections 301, 3217-a, 3241, 4324; L. 2023, ch. 57, part II

Subject: Network Adequacy and Access Standards.

Purpose: To establish network adequacy and access standards and other protections to improve access to behavioral health services.

Text of proposed rule: A new Part 38 is added to Subchapter A, Life, Accident and Health Insurance, of Chapter III, Policy and Certificate Provisions, to read as follows:

Section 38.0 Preamble.

Part II of chapter 57 of the Laws of 2023 amended the Insurance Law, including Insurance Law section 3241, to improve access to behavioral health services in this State. Insurance Law section 3241(a)(2), as added by Subpart F of Part II, requires the superintendent, in consultation with the commissioner of health, 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 Part implements the requirements of Insurance Law section 3241, as amended by 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 38.1 Applicability.

(a) Starting January 1, 2025, this Part shall apply to a health care plan that delivers or issues for delivery in this State a comprehensive health insurance policy or contract that uses a network of health care providers to deliver behavioral health services.

Section 38.2 Definitions.

As used in this Part:

(a) Appointment wait time means the time from the initial request for health care services by an insured 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 plan means an insurer licensed to write accident and health insurance pursuant to Insurance Law articles 41 and 42; a corporation organized pursuant to Insurance Law article 43; a municipal cooperative health benefit plan certified pursuant to Insurance Law article 47; or a student health plan established or maintained pursuant to Insurance Law section 1124.

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

(e) 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.

(f) Network means the health care providers with which a health care plan has contracted to provide health care services to insureds.

(g) Non-participating means not having a contract with a health care plan to provide health care services to an insured.

(h) Participating means having a contract with a health care plan to provide health care services to an insured.

(i) Telehealth has the meaning set forth in Insurance Law sections 3217-h and 4306-g and includes audio-only visits.

Section 38.3 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 superintendent, in consultation with the commissioner of health, the commissioner of mental health, and the commissioner 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 Insurance Law section 3241(a).

Section 38.4 Appointment wait time standards.

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

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

(2) ten 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 health care plan may meet the appointment wait times set forth in subdivision (a) of this section through the use of telehealth unless the insured specifically requests an in-person appointment to treat the insured's behavioral health condition.

Section 38.5 Access to participating providers for insureds.

(a) If an insured is unable to schedule an appointment with a participating provider of behavioral health services within the appointment wait times set forth in section 38.4 of this Part, the insured may submit a complaint to the health care plan to resolve the access issue.

(b) The health care plan shall have three business days from receipt of the complaint to locate a participating provider of behavioral health services that can treat the insured's behavioral health condition and is able to meet the appointment wait times set forth in section 38.4 of this Part.

(c) If the health care plan is unable to locate a participating provider of behavioral health services that can treat the insured's behavioral health condition and is able to meet the appointment wait times set forth in section 38.4 of this Part, the health care plan shall permit the insured to receive the behavioral health services from a non-participating provider that can treat the insured's behavioral health condition and is able to meet the appointment wait times set forth in section 38.4 of this Part regardless of whether the insured's coverage includes out-of-network benefits.

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

Section 38.6 Provider directory requirements.

(a) In addition to the provider directory requirements set forth in Insurance Law sections 3217-a and 4324, 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 health care plan'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 Insurance Law sections 3217-a and 4324, a health care plan shall provide the insured or the insured's designee with a list of behavioral health providers available to treat a specific behavioral health condition upon the request of the insured or the insured's designee.

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

(e) A health care plan 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 health care plan did not receive any claims from a participating provider of behavioral health services within those periods, the health care plan shall verify in writing with the participating provider the accuracy of the information in the provider directory.

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

Section 38.7 Additional health care plan responsibilities regarding network adequacy and access.

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

(b)(1) A health care plan 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 health care plan shall make the access plan available to the superintendent upon the superintendent's request.

Section 38.8 Health care plan reporting on network adequacy.

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

(1) the health care plan has an access plan as required by section 38.7 of this Part and that such access plan is available upon the superintendent's request;

(2) the health care plan has sufficient participating providers in each network used by the health care plan to meet the appointment wait time standards as required by section 38.4 of this Part, or in instances where there are not sufficient participating providers, the health care plan allows insureds to obtain behavioral health services from non-participating providers pursuant to section 38.5 of this Part; and

(3) the health care plan has performed the provider directory verification required by section 38.6 of this Part.

Text of proposed rule and any required statements and analyses may be obtained from: Stephani Schendlinger, Department of Financial Services, One Commerce Plaza, Albany, NY 12257, (518) 473-0273, email: HealthRegComments@dfs.ny.gov

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

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

Regulatory Impact Statement

1. Statutory authority: Financial Services Law ("FSL") sections 202, 301, and 302 and Insurance Law ("IL") sections 301, 3217-a, 3241, and 4324.

FSL section 202 establishes the office of the Superintendent of Financial Services ("Superintendent").

FSL sections 301 and 302 and section 301, in pertinent part, authorize the Superintendent to prescribe regulations interpreting the IL and to effectuate any power granted to the Superintendent in the IL, FSL, or any other law.

IL section 3217-a sets forth disclosure requirements for all comprehensive, expense-reimbursed health insurance contracts, managed care health insurance contracts, and any other health insurance contract for which the Superintendent deems such disclosure appropriate.

IL section 3241 requires an insurer, a corporation organized pursuant to IL Article 43, a municipal cooperative health benefit plan certified pursuant to IL Article 47, and a student health plan established or maintained pursuant to IL section 1124 (collectively, "health care plans"), that issues a health insurance policy or contract with a network of health care providers to ensure that the network is adequate to meet the health care needs of insureds and provide for an appropriate choice of providers sufficient to render the services covered under the policy or contract.

IL section 4324 sets forth disclosure requirements for all comprehensive, expense-reimbursed health insurance contracts, managed care health products, and any other contract or product for which the Superintendent deems such disclosure appropriate.

2. Legislative objectives: To effectuate the statutory intent of Part II of Chapter 57 of the Laws of 2023 ("Chapter 57") to increase access to mental

health and substance use disorder services in this State by establishing provider network standards. The regulation strengthens network adequacy requirements for mental health and substance use disorder services, requires health plans to establish internal protocols for monitoring access and utilization of these services, assist insureds in finding timely access to providers, and take certain actions to ensure the accuracy of provider directories. Together, these requirements will make it easier and faster for consumers to access mental health and substance use disorder services.

3. Needs and benefits: The regulation implements Chapter 57 which requires the Department to establish requirements for provider networks used by health care plans 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 health care plan's network. The regulation sets forth appointment wait time standards for mental health and substance use disorder services. If an insured cannot access mental health or substance use disorder services from an in-network provider within the appointment wait time standards, the regulation requires the health care plan to provide assistance to the insured in finding an in-network provider. If no in-network provider can provide the services within the appointment wait time standards, the regulation requires the health care plan to allow the insured 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. The regulation requires health care plans 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 health care plans to develop a method for insureds 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 Superintendent.

4. Costs: A health care plan may incur compliance costs to: file new insurance policy and contract forms and premium rates with the Department; 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. Some of the compliance costs may impact premium rates charged to insureds; however, certain costs should be minimal because health care plans submit insurance policy or contract form and premium rate filings as a part of the normal course of business and should already have compliance procedures in place.

The new regulation may impose compliance costs on the Department because the Department will need to review amended insurance policy and contract forms and premium rates, and review annual compliance certifications. However, any additional costs incurred by the Department should be minimal because existing personnel are already available to review any filings necessitated by the new regulation and the Department should be able to absorb the costs in its ordinary budget.

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

5. 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.

6. Paperwork: Health care plans may need to file new insurance policy forms and premium rates with the Department to comply with the regulation. These include the health insurance contracts and certificates that describe the covered benefits that are reviewed and approved by the Department and then issued to covered individuals. Health care plans will also need to submit an annual certification of compliance to the Superintendent. The health care plans will be required to annually certify that they have an access plan that includes protocols for monitoring and ensuring access to behavioral health services, such as monitoring utilization of those services, numbers and types of providers who are actively providing services, and collecting data on provider-to-enrollee ratios and appointment wait times. The access plan must be available to the Department upon request. Health care plans must also certify that they have sufficient providers to meet the appointment wait time standards or otherwise permit insureds to go out-of-network at no additional cost to the insureds; and that they performed the provider directory verification as required by the regulation.

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

8. Alternatives: The Department of Financial Services ("Department") consulted with the Department of Health, the Office of Mental Health, and the Office of Addiction Services and Supports when drafting the regulation. The Department also met with numerous stakeholders representing providers, consumers, and health care plans. 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. The Department considered requiring health care plans to meet longer appointment wait time standards of 14 to 28 days, instead of ten business days, for initial mental health and substance use disorder treatment appointments. 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 IL includes a mechanism for an insured to go out of network when there is no provider in a health care plan's network who can perform the services. That process requires the insured to file an internal appeal with a health care plan and an external appeal with independent medical experts. The Department considered the use of that process to assist insureds in finding timely and proximate access to behavioral health services. However, the Department chose to require a more streamlined process for health care plans to assist an insured in obtaining an appointment with a provider who meets the appointment wait times which does not necessitate an appeal with independent medical experts.

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

10. Compliance schedule: Health care plans 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

1. Effect of rule: The new regulation applies to insurers licensed to write accident and health insurance pursuant to Insurance Law Articles 41 and 42; corporations organized pursuant to Insurance Law Article 43; municipal cooperative health benefit plans certified pursuant to Insurance Law Article 47; and student health plans established or maintained pursuant to Insurance Law section 1124 (collectively, "health care plans"). Although most health care plans do not come within the definition of "small business" as defined in State Administrative Procedure Act ("SAPA") section 102(8) because they generally are not both independently owned and have fewer than 100 employees, industry has previously asserted that certain health care plans, in particular mutual insurers, subject to the regulation are small businesses but has not provided the Department of Financial Services ("Department") with either the names of specific health care plans or the number of such entities. The new regulation does not apply to local governments.

2. Compliance requirements: Any health care plan that is a small business affected by the new regulation may need to file new policy and contract forms and rates with the Department to comply with the new regulation. In addition, any health care plan that may be a small business will need to submit an annual compliance certification to the Department and develop an access plan as part of provider network adequacy requirements.

No local government will have to undertake any reporting, recordkeeping, or other affirmative acts to comply with the new regulation.

3. Professional services: A health care plan that is a small business affected by the new regulation will not need to retain professional services, such as lawyers or auditors, to comply with the new regulation. No local government will have to undertake any reporting, recordkeeping, or other affirmative acts to comply with the new regulation because it does not apply to any local government.

4. Compliance costs: No local government will incur any costs to comply with the new regulation because the new regulation does not apply to any local government.

A health care plan that is a small business may incur compliance costs to file new policy and contract forms and rates with the Department; 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 health care plans submit policy or contract form and rate filings as a part of the normal course of business and should already have compliance procedures in place.

5. Economic and technological feasibility: No health care plan that is a small business affected by the new regulation should experience any economic or technological impact because of the new regulation. No local government will experience any economic or technological impact because of the new regulation because it does not apply to any local government.

6. Minimizing adverse impact: There will not be an adverse impact on any local government because the new regulation does not apply to any local government. The new regulation should not have an adverse impact on

a health care plan that is a small business because the new regulation uniformly affects all health care plans. Small businesses should not face additional challenges when compared to larger entities when complying with the proposed regulatory requirements.

7. Small business and local government participation: The Department complied with SAPA Section 202-b(6) by notifying representatives of health care plans that may be small businesses that the Department intends to promulgate the new regulation. The Department posted the regulation on its website on January 9, 2023 for comment by interested parties, such as health care plans that are small businesses, if any, and the public. Health care plans that are small businesses will also have an opportunity to participate in the rulemaking process when the new regulation is published in the State Register and posted on the Department's website.

Rural Area Flexibility Analysis

1. Types and estimated numbers of rural areas: Health care plans affected by the new regulation operate in every county in New York State, including rural areas as defined by State Administrative Procedure Act section 102(10).

2. Reporting, recordkeeping, and other compliance requirements; and professional services: Health care plans, including those located in a rural area, may need to file new insurance policy and contract forms and premium rates with the Department of Financial Services ("Department") in order to comply with the new regulation. In addition, health care plans, including those located in a rural area, will be required to annually certify that they have an access plan that includes protocols for monitoring and ensuring access to behavioral health services, such as monitoring utilization of those services, numbers and types of providers who are actively providing services, and collecting data on provider-to-enrollee ratios and appointment wait times. The access plan must be available to the Department upon request. Health care plans must also certify that they have sufficient providers to meet the appointment wait time standards or otherwise permit insureds to go out-of-network at no additional cost to the insureds; and that they performed the provider directory verification as required by the regulation.

Health care plans, including those in a rural area, should not need to retain professional services, such as lawyers or auditors, to comply with this regulation.

3. Costs: The new regulation may impose compliance costs on health care plans, including those in a rural area, to make new policy and contract form and rate filings to comply with the new regulation; 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 health care plans submit policy or contract form and rate filings as a part of the normal course of business on a regular basis and should already have compliance procedures in place.

4. Minimizing adverse impact: The new regulation uniformly affects health care plans located both in rural and in non-rural areas of New York State. The new regulation should not have an adverse impact on rural areas.

5. Rural area participation: The Department notified trade associations representing health care plans throughout the state, including those located in rural areas, that it intended to promulgate the new regulation. The Department also met with numerous stakeholders representing providers and consumers. Health care plans, including those located in rural areas, will have an opportunity to participate in the rulemaking process when the new regulation is published in the State Register and posted on the Department's website.

Job Impact Statement

The addition of new 11 NYCRR 38 (Insurance Regulation 230) is not expected to adversely impact jobs or employment opportunities in this State. The new regulation establishes provider network adequacy requirements for mental health and substance use disorder services as required by part II of chapter 57 of the Laws of 2023.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Supplementary Uninsured/Underinsured Motorist Coverage

I.D. No. DFS-08-24-00002-P

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

Proposed Action: This is a consensus rule making to amend Subpart 60-2 of Title 11 NYCRR.

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

Subject: Supplementary Uninsured/Underinsured Motorist Coverage.
Purpose: To comport with changes made to Insurance Law section 3420(f) by chapter 751 of the Laws of 2023.
Text of proposed rule: Definitions: For purposes of this SUM endorsement, the following terms have the following meanings:
 (a) Insured. The unqualified term “insured” means:
 (1) you, as the named insured and, while residents of the same household, your spouse and the relatives of either you or your spouse;
 (2) any person while acting in the scope of that person’s duties for you, except with respect to the use and operation by such person of a motor vehicle not covered under this policy, where such person is:¹
 (i) your employee and you are a fire department;
 (ii) your member and you are a fire company, as defined in General Municipal Law section 100;
 (iii) your employee and you are an ambulance service, as defined in Public Health Law section 3001; [or]
 (iv) your member and you are a voluntary ambulance service, as defined in Public Health Law section 3001; or
 (v) your employee and you are a police agency, as defined in Executive Law section 835;²
 (3) any other person while occupying:
 (i) a motor vehicle insured for SUM under this policy; or
 (ii) any other motor vehicle while being operated by you or your spouse; and
 (4) any person, with respect to damages such person is entitled to recover, because of bodily injury to which this coverage applies sustained by an insured under paragraph (1), (2) or (3) above.

¹ Language in paragraph (2) of the definition of “insured” may be deleted for covered policies as defined in Insurance Law section 3425(a)(1).

² Language in subparagraph (v) applies to policies issued, renewed, modified, altered, or amended on or after December 22, 2023.

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

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

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

Consensus Rule Making Determination

No person is likely to object to the amendment of the rule because it merely conforms the New York supplementary uninsured/underinsured motorist (“SUM”) endorsement to chapter 751 of the Laws of 2023, which amended Insurance Law section 3420(f) to require SUM insurance to provide coverage for police agencies and their employees.

This amendment is necessary for the Department of Financial Services (“Department”) to carry out its statutory regulatory obligations.

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

Job Impact Statement

This amendment should not adversely impact jobs or employment opportunities in New York State. The amendment merely conforms the New York supplementary uninsured/underinsured motorist (“SUM”) endorsement to chapter 751 of the Laws of 2023, which amended Insurance Law section 3420(f) to require SUM insurance to provide coverage for police agencies and their employees.

Department of Health

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

General Hospital Emergency Services Behavioral Health

I.D. No. HLT-08-24-00004-P

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

Proposed Action: Amendment of section 405.19 of Title 10 NYCRR.

Statutory authority: Public Health Law, section 2803

Subject: General Hospital Emergency Services Behavioral Health.

Purpose: Hospital emergency departments to establish policies and procedures to identify, assess, refer patients with behavioral health presentations.

Text of proposed rule: Paragraph (5) of subdivision (c) of section 405.19 is amended to read as follows:

(5)(i) The emergency service shall provide for the identification, assessment and referral of individuals with documented substance use disorders or who appear to have or be at risk for substance use disorders, as that term is defined in section 1.03 of the Mental Hygiene Law, as described in subdivision (f) of section 405.9 of this Part.

(ii) The emergency service shall develop and implement policies and procedures for the identification, assessment and referral of patients with behavioral health presentations, including:

(a) The review of records, if any, in any available information network databases, including the Psychiatric Services and Clinical Knowledge Enhancement System (PSYCKES), the Statewide Health Information Network for New York (SHIN NY), and the Prescription Monitoring Program (PMP).

(b) With the patient’s consent, identifying and contacting the individual’s family members or close friends who interact with the patient to obtain collateral information, including any psychiatric advance directive.

(c) Screening for suicide risk, which shall require positive screens be followed by a suicide risk assessment by a licensed professional trained in assessing suicide risk.

(d) Screening for violence risk, which shall include a process for subsequent assessment and intervention in the case of a positive screen. As part of the screening, all patients must be asked about access to firearms or other weapons.

(e) Screening to determine whether an individual has complex needs. Social determinants must be considered in such discharge planning. For purposes of this paragraph, “individual with complex needs” shall have the meaning as determined by the Commissioner of Mental Health in Title 14 of the NYCRR.

(iii) In general hospitals with inpatient psychiatric units under 14 NYCRR Part 580, to accomplish adequate discharge planning for individuals with complex needs in need of post emergency treatment or services, the emergency service shall develop and implement policies and procedures for the discharge of an individual with complex needs, including:

(a) With the patient’s consent, sending a discharge summary detailing the presenting mental health history, hospital course, and other relevant information to outpatient, residential, or long-term care treatment programs.

(b) Referring patients to care management programs or coordinating discharge planning with care managers in such programs.

(c) Confirming an appointment for psychiatric aftercare with an identified provider within seven calendar days following discharge. If, after making diligent efforts, a hospital cannot identify an aftercare provider with an available appointment within seven calendar days, the hospital shall document its efforts and schedule the appointment for as soon as possible thereafter. Individuals who are leaving the hospital against medical advice, or who state they do not wish to receive aftercare services, must be offered information about available treatment options.

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) § 2803 authorizes the Public Health and Health Planning Council (PHHPC) to adopt and amend rules and regulations, subject to the approval of the Commissioner, to implement the purposes and provisions of PHL Article 28, and to establish minimum standards governing the operation of health care facilities.

Legislative Objectives:

The legislative objectives of PHL Article 28 include the protection of the health of the residents of the State by promoting the efficient provision and proper utilization of high-quality health services at a reasonable cost.

Requirements:

General hospital emergency services are required by 10 NYCRR § 405.19(c)(7), in conjunction with the discharge planning program of the

hospital, to develop policies and procedures that specify the actions to be taken, and the appropriate contact agencies and individuals to accomplish adequate discharge planning for persons in need of post emergency treatment or services, but not in need of inpatient hospital care. A general hospital emergency department must refer emergency department patients for appropriate follow-up care after discharge from the hospital, including individuals with documented substance use disorders or who appear to have or be at risk for substance use disorders. However, the current regulations do not specifically reference discharges of patients with other behavioral health presentations and complex needs from the emergency department.

Needs and Benefits:

The proposed rule will require general hospital emergency services to develop policies and procedures for intake and discharge of patients with behavioral health presentations. The proposed rule will also add new screening requirements for risk of suicide and violence.

In addition, emergency departments in hospitals with inpatient psychiatric units must follow a more person-centered discharge plan for patients with complex needs. To accomplish adequate discharge planning for these individuals, general hospitals with inpatient psychiatric units must create and implement a discharge plan that addresses the patient's complex needs. These changes ensure that discharge plans will address the post-emergency needs of the patient, including confirmation of appointments for psychiatric follow-up after a hospital visit, moving clinicians away from treating only the medical emergency.

These new requirements for emergency departments will help improve patient outcomes, reduce the risk of post-discharge self-harm and violence, and reduce the risk of readmission and disconnection from care.

Costs:

Costs to Private Regulated Parties:

The new screening requirements will increase staffing needs to accomplish this screening. Hospitals may need to hire more social workers, discharge planners, and administrative support staff to implement discharge plans that address the patient's complex needs. Cost to the regulated parties will be dependent upon the number of staff hired and the prevalent wages in the community where the regulated party is located. It is estimated that these costs will range from \$500k per year for a small hospital, to up to \$2.5M a year for a large hospital. The Department will provide guidance to hospitals and will work with hospitals and hospital associations on the development of policies and procedures to implement the requirements of this regulation.

Costs to Local Government:

There are 13 hospitals owned by counties and municipalities which will be affected by this regulation and the costs associated with it. If the regulated party is owned by a local government, the costs will be comparable to the costs to private regulated parties.

Costs to the Department of Health:

It is estimated that at least 100 new complaints per year will be received after the implementation of this regulation. These complaints will result in approximately 75 onsite investigations at a cost of approximately \$2.1M per year to the Department. This cost considers the number of hours that will be incurred by the surveillance team to investigate the complaint, collaborate with the Office of Mental Health (OMH) if needed, write up the statement of deficiency and review the plans of correction.

Costs to Other State Agencies:

OMH will also incur costs if they perform investigations into complaints and issues alleged or identified.

Local Government Mandates:

Hospitals owned by counties and municipalities are required to comply with the requirements of this regulation.

Paperwork:

General hospitals are already required to establish written policies and procedures related to various operational requirements, train staff in such policies and procedures, and refer patients to appropriate follow-up care. Therefore, the proposed regulations increase their paperwork to the extent that existing policies and procedures need to be updated to conform to these regulations.

Duplication:

While existing regulations require hospitals to make appropriate referrals, those regulations do not specifically reference patients with behavioral health presentations and complex needs. There otherwise are no relevant State regulations which duplicate, overlap, or conflict with the proposed regulations.

Alternatives:

The Office of Mental Health and the Department on Health, on October 20, 2023, issued joint guidance regarding evaluation and discharge practices for individuals who present with behavioral health conditions within psychiatric inpatient programs, emergency departments, and Comprehensive Psychiatric Emergency Programs (CPEPs). The Department opted to codify the guidance through these regulations, in part, for general hospitals

with psychiatric inpatient programs to further strengthen evaluation and discharge requirements and to help improve patient outcomes, reduce the risk of post-discharge self-harm and violence, and reduce the risk of readmission and disconnection from care. This regulation is necessary to turn provisions in the guidance into rules that general hospitals must follow.

Federal Standards:

The proposed regulations do not duplicate or conflict with any federal regulations.

Compliance Schedule:

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

Regulatory Flexibility Analysis

Effect of Rule:

The proposed regulatory provisions related to discharges from hospital emergency departments will apply to all general hospitals in New York State. This proposal will not impact local governments unless they operate one of the 13 general hospitals owned by counties and municipalities. Such local governments will be affected by this regulation and the costs associated with it. The general hospitals with emergency departments required to comply with these regulations are not small businesses.

Compliance Requirements:

These regulations will require general hospitals to develop new policies and procedures for intake and discharge of patients with behavioral health presentations and complex needs from emergency departments. Hospitals will be required to train their licensed and certified clinical staff members in such policies and procedures.

Professional Services:

While the current regulations do not specifically refer to intake and discharge of patients with behavioral health presentations or complex needs from hospital emergency departments, hospitals are already required to establish written policies and procedures related to various operational requirements, train staff in such policies and procedures, and refer patients to appropriate follow-up care. Hospitals are not likely to need outside professional services to comply with the requirements of this regulation.

Compliance Costs:

While the current regulations do not specifically refer to intake or discharge of patients with behavioral health presentations or complex needs from emergency departments, hospitals are already required to establish written policies and procedures related to various operational requirements, train staff in such policies and procedures, and refer patients to appropriate follow-up care. The proposed regulations do require additional effort to ensure that the policies and training encompass the policies and procedures for patients who have behavioral health presentations or complex needs. However, these efforts are expected to assist individuals in obtaining treatment that will help them avoid future emergency room visits and hospital admissions. Costs to regulated parties will be dependent upon the number of staff hired and the prevalent wages in the community where the regulated party is located. It is estimated that these costs will range from \$500k per year for a small hospital, to up to \$2.5M a year for a large hospital. The Department will provide guidance to hospitals and will work with hospitals and hospital associations on the development of policies and procedures to implement the requirements of this regulation.

Economic and Technological Feasibility:

This proposal is economically and technically feasible. While existing regulations do not specifically refer to intake or discharge of patients with behavioral health presentations or complex needs from emergency departments, hospitals are already required to establish written policies and procedures related to various operational requirements, train staff in such policies and procedures, and refer patients to appropriate follow-up care.

Minimizing Adverse Impact:

The regulations afford general hospitals flexibility to develop and implement their own policies and procedures that meet the minimum requirements of the regulations, which is expected to minimize the costs of compliance. In addition, if after making diligent efforts, a hospital cannot identify an aftercare provider with an available appointment within seven calendar days, the regulations provide flexibility to allow a hospital to document its efforts and schedule the appointment for as soon as possible thereafter.

Small Business and Local Government Participation:

Development of these regulations included input from organizations including those whose members include general hospitals that are operated by local governments or that constitute small businesses. The essential requirements of this regulation were announced in the Governor's State of the State address on January 9, 2024. This regulation was on the agenda of the meeting of the Public Health and Health Planning Council (PHHPC) that took place on February 8, 2024, in accordance with the Open Meetings Law. At that meeting, the regulation was reviewed and discussed by PHHPC members. In addition, the public, including the af-

affected parties to this regulation, were afforded an opportunity to ask questions and provide comments.

In addition, there were conference calls made to associations representing the hospital industry to inform them of the regulation and to provide an opportunity to ask questions.

The regulation must be presented a second time at an open meeting of PHHPC, with another opportunity for public comment, and the regulation cannot be established unless and until PHHPC approves adoption of the regulation.

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/>). There are 55 general hospitals 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:

The proposed regulation is applicable to those general hospitals located in rural areas and is expected to impose only minimal costs upon hospitals, which are already required to establish written policies and procedures related to various operational requirements, train staff in such policies and procedures, and refer patients to appropriate follow-up care. However, the proposed regulatory requirements can be incorporated into existing processes, which should help to minimize the administrative burden on these entities.

Costs:

While the current regulations do not specifically refer to discharges of patients with behavioral health presentations or complex needs from hospitals emergency departments, hospitals are already required to establish written policies and procedures related to various operational requirements, train staff in such policies and procedures, and refer patients to appropriate follow-up care. The proposed regulations do require additional effort to ensure that the policies and training encompasses the policies and procedures for patients with behavioral health presentations or complex needs discharged from emergency departments. However, these efforts are expected to assist individuals in obtaining treatment that will help them avoid future emergency room visits and hospital admissions. Costs to regulated parties will be dependent upon the number of staff hired and the prevalent wages in the community where the regulated party is located. It is estimated that these costs will range from \$500k per year for a small hospital, to up to \$2.5M a year for a large hospital. The Department will provide guidance to hospitals and will work with hospitals and hospital associations on the development of policies and procedures to implement the requirements of this regulation.

Minimizing Adverse Impact:

The regulations afford general hospitals flexibility to develop and implement their own policies and procedures that meet the minimum requirements of the regulations, which is expected to minimize the costs of compliance. In addition, if after making diligent efforts, a hospital cannot identify an aftercare provider with an available appointment within seven calendar days, the regulations provide flexibility to allow a hospital to document its efforts and schedule the appointment for as soon as possible thereafter.

Rural Area Participation:

Development of these regulations included input from organizations including those that include as members general hospitals located in rural areas.

The essential requirements of this regulation were announced in the Governor’s State address on January 9, 2024. This regulation was on the agenda of the meeting of the Public Health and Health Planning Council (PHHPC) that took place on February 8, 2024, in accordance with the Open Meetings Law. At that meeting, the regulation was reviewed and discussed by PHHPC members. In addition, the public, including the affected parties to this regulation, were afforded an opportunity to ask questions and provide comments.

In addition, there were conference calls made to associations representing the hospital industry to inform them of the regulation and to provide an opportunity to ask questions.

The regulation must be presented a second time at an open meeting of PHHPC, with another opportunity for public comment, and the regulation cannot be established unless and until PHHPC approves adoption of the regulation.

Job Impact Statement

No job impact statement is required pursuant to section 201-a(2)(a) of the State Administrative Procedure Act. No adverse impact on jobs and employment opportunities is expected as a result of these proposed regulations.

Higher Education Services Corporation

REGULATORY IMPACT STATEMENT, REGULATORY FLEXIBILITY ANALYSIS, RURAL AREA FLEXIBILITY ANALYSIS AND/OR JOB IMPACT STATEMENT

Tuition Assistance Program (TAP) Awards for Students Enrolled in Approved Nondegree Workforce Credential Programs

I.D. No. ESC-52-23-00002-EP

This regulatory impact statement, regulatory flexibility analysis, rural area flexibility analysis and/or job impact statement pertain(s) to a notice of Emergency rule making, I.D. No. ESC-52-23-00002-EP, printed in the *State Register* on December 27, 2023.

Regulatory Impact Statement

Statutory authority:

The New York State Higher Education Services Corporation’s (“HESC”) statutory authority to promulgate regulations is codified within Article 14 of the Education Law. In particular, Chapter 56 of the Laws of 2022, which expanded the Part-Time Tuition Assistance Program (PT-TAP) to cover certain nondegree programs, specifically authorized HESC to promulgate regulations to implement its provisions.

Pursuant to Education Law § 652(2), HESC was established for the purpose of improving the post-secondary educational opportunities of eligible students through the centralized administration of New York State financial aid programs and coordinating the State’s administrative effort in student financial aid programs with those of other levels of government.

In addition, Education Law § 653(9) empowers HESC's Board of Trustees to perform such other acts as may be necessary or appropriate to carry out the objectives and purposes of the corporation including the promulgation of rules and regulations.

HESC's President is authorized, under Education Law § 655(4), to propose rules and regulations, subject to approval by the Board of Trustees, governing, among other things, the application for and the granting and administration of student aid and loan programs, the repayment of loans or the guarantee of loans made by HESC; and administrative functions in support of state student aid programs. Also, consistent with Education Law § 655(9), HESC's President is authorized to receive assistance from any Division, Department, or Agency of the State in order to properly carry out their powers, duties and functions. Finally, Education Law § 655(12) provides HESC's President with the authority to perform such other acts as may be necessary or appropriate to carry out effectively the general objects and purposes of HESC.

Legislative objectives:

Education Law § 667-c was amended in 2022 and further amended in 2023 to expand PT-TAP to students enrolled in non-degree workforce development programs at community colleges and agricultural and technical colleges.

Needs and benefits:

Non-degree workforce development programs allow students to learn skills aligned with current and emerging market needs and become workforce-ready in a shorter period of time than that required to earn a two- or four-year degree. The NYS Department of Labor (DOL) has identified a number of high-priority significant industries, many of which have above-average job growth and annual wages. However, most of these careers require specialized training. In order to be eligible for PT-TAP, non-degree workforce programs need to prepare students for a career path aligned with one of the significant industries identified by DOL on any of its three most recent statewide significant industries reports. Without tuition assistance, many students would not be able to afford to enroll in courses that provide this type of specialized training. The expansion of PT-TAP will both support new economic opportunities for underemployed New Yorkers while simultaneously meeting the needs of businesses in significant industry sectors throughout the state.

Costs:

a. There are no application fees, processing fees, or other costs to the applicants of this Program.

b. The estimated cost to the agency for the implementation of, or continuing compliance with, this rule is: \$0 for Spring 2024; \$19,000 one-time implementation cost plus \$18 per application for Fall 2024; \$18 per application thereafter. It is anticipated that there will be no costs to Local Governments for the implementation of, or continuing compliance with, this rule.

c. The estimated costs to the agency for implementation of and compliance with this rule are based on information provided by one of HESC's current software vendors.

d. The statutory change allowing PT-TAP awards for students enrolled in non-degree workforce development programs was part of a larger expansion of PT-TAP in 2022, which also changed the program's eligibility criteria to make many students enrolled in degree programs newly eligible for aid. In 2022, the total estimated cost of the entire PT-TAP expansion for both non-degree and matriculated students was \$150M. However, the estimated cost to the state of the additional PT-TAP awards specifically for students enrolled in non-degree workforce development programs is unknown at this time. For the Spring 2024 semester, a total of 300 approved non-degree programs are being offered across 32 State University of New York (SUNY) campuses and two City University of New York (CUNY) campuses. Tuition and fees for most of these programs ranges from approximately \$1,000 to approximately \$2,500 per semester. However, it is unknown at this time: (1) how many students will enroll in the approved non-degree programs; (2) how many of the students who enroll will apply for financial aid; (3) how many students who apply for financial aid will qualify for PT-TAP based on their income; and (4) how much the actual award will be for each student who does qualify

for PT-TAP. The maximum income limitation to qualify for PT-TAP is different for independent students than for dependent students. Additionally, the amount of each PT-TAP award is based on both the student's income and their dependent or independent status. Because HESC anticipates that the students enrolled in nondegree programs will differ demographically from students matriculated in degree programs, it does not believe that extrapolating based on the current population of TAP recipients at SUNY and CUNY would produce an accurate estimate. Furthermore, HESC does not yet know how many non-degree courses will be offered by SUNY and CUNY in future semesters.

Local government mandates:

No program, service, duty or responsibility will be imposed by this rule upon any county, city, town, village, school district, fire district or other special district.

Paperwork:

This proposal will require applicants to file an electronic application for eligibility and may be required to submit supporting documentation.

Duplication:

No relevant rules or other relevant requirements duplicating, overlapping, or conflicting with this rule were identified.

Alternatives:

The proposed regulation conforms to the statutory provisions. Given the statutory language, a "no action" alternative was not an option.

Federal standards:

This proposal does not exceed any minimum standards of the Federal government.

Compliance schedule:

The agency will be able to comply with the regulation immediately upon its adoption.

Power Authority of the State of New York

NOTICE OF ADOPTION

Rates for the Sale of Power and Energy

I.D. No. PAS-41-23-00008-A

Filing Date: 2024-02-06

Effective Date: 2024-02-06

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

Action taken: Adjustment to Cost of Service and Production Rates.

Statutory authority: Public Authorities Law, section 1005(3) and (6)

Subject: Rates for the Sale of Power and Energy.

Purpose: To align rates and costs.

Text or summary was published in the October 11, 2023 issue of the Register, I.D. No. PAS-41-23-00008-P.

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

Text of rule and any required statements and analyses may be obtained from: Karen Delince, Power Authority of the State of New York, 123 Main Street, White Plains, New York 10601, (914) 390-8085, email: secretarys.office@nypa.gov

Revised Regulatory Impact Statement

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

Revised Regulatory Flexibility Analysis

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

Revised Rural Area Flexibility Analysis

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

Revised Job Impact Statement

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

Assessment of Public Comment

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

Public Service Commission

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Petition for Termination of Temporary Operator Role and Cost Recovery

I.D. No. PSC-08-24-00006-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 of Liberty Utilities (New York Water) Corp. requesting termination of its status as the temporary operator of Battisti Water Supply Corporation and for recovery of costs incurred while the temporary operator.

Statutory authority: Public Service Law, sections 4(1), 5(1), 89-b, 89-c(3), (10)(a), (10)(b) and 112-a

Subject: Petition for termination of temporary operator role and cost recovery.

Purpose: To determine if termination of a temporary operator and recovery of costs is in the public interest.

Substance of proposed rule: The Public Service Commission is considering a petition, filed by Liberty Utilities (New York Water) Corp. (Liberty), on January 26, 2024, requesting the termination of Liberty's role as the temporary operator of Battisti Water Supply Corporation (Battisti). The petition also requests that the commission authorize the recovery of certain costs incurred by Liberty while appointed as the temporary operator.

Battisti formerly served approximately 53 customers in the Town of Schodack (the Town) in Rensselaer County. The petition states that, as of November 2023, the Town, through the municipal Battisti Water District No. 10, had subsumed the provision of water service to all the former customers of Battisti. As a result, Battisti no longer has any customers taking water utility service and its infrastructure is no longer in use. Liberty, therefore, requests that the Commission terminate Liberty's appointment as the temporary operator of Battisti. Further, Liberty states that it incurred net operating expenses of \$323,462 associated with the provision of service to Battisti related to labor, engineering services, and other operating expenses. Liberty states it first exhausted those revenues earned by Battisti through its effective rates, and then tracked and deferred those expenses above and beyond the revenues earned, as directed by the Commission. Liberty, therefore, requests the recovery of these expenses, associated carrying costs, and those legal costs associated with petition in a manner determined by the Commission.

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.

(19-W-0546SP2)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Notice of Intent to Submeter Electricity

I.D. No. PSC-08-24-00007-P

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

Proposed Action: The Commission is considering the notice of intent of Fulton Property Owner LLC to submeter electricity at 1215 Fulton Street, Brooklyn, New York.

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

Subject: Notice of intent to submeter electricity.

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

Substance of proposed rule: The Commission is considering the notice of intent filed by Fulton Property Owner LLC (Owner) on November 13, 2023, seeking authority to submeter electricity at a new rental building with market rate and income eligible units located at 1215 Fulton Street, Brooklyn, New York, in the service territory of Consolidated Edison Company of New York Inc. (Con Edison).

In the notice of intent, the Owner requests authorization to take electric service from Con Edison and then distribute and meter that electricity to its tenants. Once approved by the Commission, submetering of electricity to residential tenants is allowed so long as it complies with the protections and requirements of the Commission's regulations in 16 NYCRR Part 96.

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

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

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

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

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

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

(23-E-0673SP1)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Audit Implementation Plan and Audit Recommendations

I.D. No. PSC-08-24-00008-P

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

Proposed Action: The Commission is considering the Audit Implementation Plan filed by New York State Electric & Gas Corporation and Rochester Gas and Electric Corporation and whether to order the implementation of audit recommendations.

Statutory authority: Public Service Law, section 66(19)

Subject: Audit Implementation Plan and audit recommendations.

Purpose: To ensure that recommendations issued in a management and operations audit are appropriately addressed and implemented.

Substance of proposed rule: The Commission is considering the Audit Implementation Plan filed on January 21, 2024 by New York State Electric & Gas Corporation (NYSEG) and Rochester Gas and Electric Corporation (RG&E).

Public Service Law § 66(19)(a) authorizes the Commission to conduct management and operations audits of each electric and gas utility under its jurisdiction, to select an independent auditor to conduct the audit, and direct the audited utility company to implement the recommendations resulting from the audit. At issue is the Audit Implementation Plan filed by NYSEG and RG&E for the purpose of addressing the 13 actionable recommendations contained in the final version of the audit report entitled "Consulting Services To Investigate the Income Tax Accounting of New York State Electric & Gas Corporation and Rochester Gas and Electric Corporation" prepared by Schumaker and Company, Inc. and filed in Case 18-M-0013 on November 21, 2023.

The full text of the Audit Implementation Plan 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.

(18-M-0013SP1)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

To Modify the Terms and Conditions Under Which Gas Utilities Provide Service to Electric Generators

I.D. No. PSC-08-24-00009-P

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

Proposed Action: The Commission is considering the Department of Public Service Staff Revised Proposal on Electric Generator Rate Design.

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

Subject: To modify the terms and conditions under which gas utilities provide service to electric generators.

Purpose: To provide clarity and uniformity to the provision of gas service to electric generators in New York State.

Substance of proposed rule: The Commission is considering the Department of Public Service Staff Revised Proposal on Electric Generator Rate Design (Revised Proposal), filed on February 6, 2024.

Staff of the Department of Public Service (Staff) filed an Initial Staff Proposal on Electric Generator Rate Design (Initial Proposal) on March 30, 2020. Staff subsequently updated and corrected discrete portions of the Initial Proposal and filed a Staff Supplemental Proposal on Electric Generator Rate Design (Supplemental Proposal) on August 17, 2021. Most recently, on February 6, 2024, Staff filed the Revised Proposal. The Commission is considering the Initial and Supplemental Proposals, as updated and modified by the Revised Proposal (together Proposals), to modify the terms and conditions applicable to gas utility service to electric generators that use gas as a fuel.

The Proposals intend to ensure that gas rates charged to electric generators are cost based, do not distort electric prices, and that the rates charged, as well as the other terms and conditions applicable to this gas service, protect the reliability of the gas utilities' systems. Specifically, Staff proposes to eliminate the fixed contribution to system cost, marginal system cost, value added charge, minimum bill obligation, and the existing requirement that gas used by a generator for purposes other than electric generation be priced separately. In their place, Staff proposes to create a demand charge, a fixed minimum access charge, and a volumetric delivery charge. Staff proposes that these charges apply to generators with a nameplate capacity of five megawatts or greater. Further, Staff proposes to retain the existing volumetric balancing requirements and charge structure; continue to recover the cost of lost and unaccounted for gas from electric generators, and recommends requirements for negotiated contracts between a gas utility and an electric generator. Finally, the Staff Proposal, recommends implementing a transition charge, where necessary, to mitigate the impacts of the changes in rate design to generators and other gas ratepayers.

The full text of the Proposals 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.

(17-G-0011SP3)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Economic Development Programs

I.D. No. PSC-08-24-00010-P

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

Proposed Action: The Public Service Commission is considering the petition filed by Niagara Mohawk Power Corporation d/b/a/ National Grid to utilize up to \$2.84 million in deferred credits to support economic development grant programs through the end of its current rate plan.

Statutory authority: Public Service Law, sections 4, 5 and 66

Subject: Economic development programs.

Purpose: To consider whether it is in the public interest for National Grid to use deferred credits for economic development programs.

Substance of proposed rule: The Public Service Commission is considering a petition filed by Niagara Mohawk Power Corporation d/b/a/ National Grid (the Company) on December 21, 2023, requesting to utilize \$2,843,183 in prior deferral credit balances to fund the Company's existing portfolio of electric Economic Development grant programs during the remaining term of the current rate plan.

The petition states that the level of program activity has been high during the current rate plan, and that the Company anticipates it will fully utilize, and possibly exceed, program budgets of \$11 million per year over the term of the rate agreement. The deferral balances, totaling approximately \$2.84 million, resulted from under-expenditures on economic development programs during the Company's two previous rate plans, which the Commission adopted in Cases 17-E-0238 and 12-E-0201.

The rate plans the Commission adopted in Cases 20-E-0380, 17-E-

0238, and 12-E-0201 provide that, in the event of any anticipated over-expenditures, the Company may petition the Commission for deferral of such over-expenditures and shall have no obligation to make any such additional expenditure unless, and until the Commission authorizes the Company to defer amounts in excess of the rate allowance for future recovery. Those three rate plans also provide that under-expenditures during the term of the rate plan will be deferred for future use in the Company's Economic Development grant programs.

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. (20-E-0380SP6)

State University of New York

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

Appointment of Employees and Leave of Absence for Employees in the Professional Service

I.D. No. SUN-08-24-00012-EP

Filing No. 125

Filing Date: 2024-02-06

Effective Date: 2024-02-06

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

Proposed Action: Amendment of sections 335.11, 335.17, Part 337 and Appendix B-1 of Title 8 NYCRR.

Statutory authority: Education Law, sections 353 and 355

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

Specific reasons underlying the finding of necessity: Amendment of these regulations needs to proceed on an emergency basis because United University Professions ratified the July 2, 2022 through July 1, 2026 collective bargaining agreement on August 24, 2023 and the changes need to be implemented as soon as possible.

Subject: Appointment of Employees and Leave of Absence for Employees in the Professional Service.

Purpose: Revise to comport with provisions of the collective bargaining agreement between the State and United University Professions.

Substance of emergency/proposed rule (Full text is posted at the following State website: <https://system.suny.edu/proposed-regulations>): The State of New York and the United University Professions have reached a collective bargaining agreement for 2023-2026 for members of the professional services negotiating unit. Revision of certain provisions of Title 8 of the Official Compilation of Codes, Rules and Regulations of the State of New York must be affected to comport with provisions of the collective bargaining agreement.

8 NYCRR 335.11 - SUMMARY

The regulations regarding part-time service have been amended to provide term appointments of not less than one year to those part-time em-

ployees who have been employed six consecutive semesters or three years; and, three year term appointments for full-time employees at certain campuses who have been employed for seven consecutive years.

8 NYCRR 335.17 - SUMMARY

The regulations regarding definition of probationary appointment have been amended to provide 3-month appointments for any full-time professional in a teaching hospital position at a SUNY Article 28 facility whose professional obligation will include patient-facing duties (in-person patient care or service).

8 NYCRR 337.2 - SUMMARY

The regulations regarding accrual of vacation leaves for employees in the professional service have been amended to address newly negotiated accrual rates for part-time employees.

8 NYCRR 337.7 - SUMMARY

The regulations regarding sick leave accrual for employees in the professional service have been amended to address newly negotiated accrual rates for part-time employees.

8 NYCRR 337.9 - SUMMARY

The regulations regarding maximum accumulation of sick leave credits have been amended to allow for 225 days.

8 NYCRR 337.13 - SUMMARY

The regulations regarding holiday leave have been amended clarify time off when a holiday falls on a Saturday, or a pass day; and, provide additional compensation in lieu of compensatory time for employees assigned to work in SUNY hospitals or the Long Island State Veteran's Home on holidays.

APPENDIX B-1 – PROFESSIONAL TITLES - SUMMARY

The list of professional titles has been updated to reflect current titles.

This notice is intended: to serve as both a notice of emergency adoption and a notice of proposed rule making. The emergency rule will expire May 5, 2024.

Text of rule and any required statements and analyses may be obtained from: Lisa S. Campo, State University of New York, H. Carl McCall SUNY Building, Albany, NY 12246, (518) 320-1400, email: Lisa.Campo@SUNY.edu

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

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

Regulatory Impact Statement

1. Statutory authority: Education Law §§ 353 and 355 authorizes the State University Trustees to make rules and regulations relating to appointment of employees and leave of absence for employees in the professional service.

2. Legislative objectives: The present measure makes amendments to the State University of New York regulations regarding appointment of employees and leave of absence of employees in the professional service.

3. Needs and benefits: The amendments are necessary to revise provisions of the University's regulations to comport with provisions of the collective bargaining agreement between the State and United University Professions members of the professional services negotiating unit.

4. Costs: None.

5. Local government mandates: None.

6. Paperwork: None.

7. Duplication: None.

8. Alternatives: There are no viable alternatives.

9. Federal standards: There are no related Federal standards.

10. Compliance schedule: Compliance should be immediate.

Regulatory Flexibility Analysis

No regulatory flexibility analysis is submitted with this notice because this proposal does not impose any requirements on small businesses and local governments. This proposed rule making will not impose any adverse economic impact on small businesses and local governments or impose any reporting, recordkeeping or other compliance requirements on small businesses and local governments. The proposal addresses appointment of employees and leave of absence of employees in the professional service at the State University of New York.

Rural Area Flexibility Analysis

No rural area flexibility analysis is submitted with this notice because this proposal will not impose any adverse economic impact on rural areas or impose any reporting, recordkeeping or other compliance requirements on public or private entities in rural areas. The proposal addresses appointment of employees and leave of absence of employees in the professional service at the State University of New York.

Job Impact Statement

No job impact statement is submitted with this notice because this proposal does not impose any adverse economic impact on existing jobs or employment opportunities. The proposal addresses appointment of em-

employees and leave of absence of employees in the professional service at the State University of New York.

NOTICE OF WITHDRAWAL

State University of New York Tuition and Fee Schedule

I.D. No. SUN-35-23-00006-W

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

Action taken: Notice of proposed rule making, I.D. No. SUN-35-23-00006-EP, has been withdrawn from consideration. The notice of proposed rule making was published in the *State Register* on August 30, 2023.

Subject: State University of New York Tuition and Fee Schedule.

Reason(s) for withdrawal of the proposed rule: A new Notice of Proposed was filed.

**HEARINGS SCHEDULED
FOR PROPOSED RULE MAKINGS**

Agency I.D. No.	Subject Matter	Location—Date—Time
Environmental Conservation, Department of		
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).
ENV-02-24-00007-P	Uses of Fluorinated Greenhouse Gases Including Sulfur Hexafluoride in Gas-Insulated Electrical Equipment	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).
ENV-04-24-00001-P	Regulations Governing Recreational Fishing for Atlantic Cod	Virtual via Webex—April 4, 2024, 2:00 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).

ENV-07-24-00016-P Environmental Remediation Programs – State Superfund Program, Brownfield Cleanup Program and Environmental Restoration Program

Virtual via Webex—May 15, 2024, 1:00 p.m.

Virtual via Webex—May 15, 2024, 5:30 p.m.

Instructions on how to join the hearing webinar and provide an oral statement will be published on the Department’s proposed regulations webpage for 6 NYCRR Part 375 by February 15, 2024. The proposed regulations webpage for 6 NYCRR Part 375 may be accessed at: <https://dec.ny.gov/regulatory/regulations/proposed-emergency-recently-adopted-regulations>.

Persons who wish to receive the instructions by mail or telephone may call the Department’s Office of Hearings and Mediation Services at (518) 402-9003. Please provide your first and last name, address, and telephone number and reference the Part 375 public comment hearing.

Interpreter services shall be made available to deaf persons, and translator services shall be made available to persons with limited English proficiency, at no charge for either service, upon written request. Requests should be received no later than May 1, 2024, but DEC will make every effort to fulfill requests received closer to the hearing date. Requests can be directed to the NYSDEC Division of Communication, Education, and Engagement, either by mail (address: NYSDEC, 625 Broadway, Albany, New York 12233-4500), by telephone (518-402-8044) or by e-mail (language@dec.ny.gov).

The public comment period for Part 375 is open until 8:00 p.m., May 21, 2024. Comments may be entered during the hearing, e-mailed to derweb@dec.ny.gov, or mailed to NYS DEC, Division of Environmental Remediation, 625 Broadway, Albany, NY 12233, Attn: Jenn Dawson. Please include “Part 375 Comments” in the subject or memo line of the correspondence.

ENV-08-24-00011-P Science-Based State Sea Level Rise Projections

Virtual—April 22, 2024, 2:00 p.m.

Notice is hereby given that the New York State Department of Environmental Conservation (NYS DEC) filed a Notice of Proposed Rulemaking with the New York State Department of State to proposed amendments to 6 NYCRR Part 490, Projected Sea Level Rise. The goal of the proposed amendments is to provide up-to-date science-based projections of future sea level rise. Part 490 does not create a mandate on local governments.

Written comments on the proposed rule may be submitted until 5 p.m. on April 29, 2024. Comments and requests for further information can be sent by mail to Mark Lowery, NYS DEC Office of Climate Change, 625 Broadway, Albany, NY 12233-1030 or emailed to climate.regs@dec.ny.gov. Include “Comments on Part 490” in the subject line of the email.

A public comment hearing for the proposed revisions to the existing rule described above will be held via electronic webinar on April 22, 2024 at 2:00 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 the 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 NYS DEC will make every effort to fulfill requests received closer to the meeting date. Requests can be directed to the NYS DEC 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.

Virtual via Webex—April 17, 2024, 6:00 p.m. (meeting details via Webex will be publicly noticed separately)

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.

Public Service Commission

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

PSC-06-24-00007-P LED Streetlights in the Village of Cambridge

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, 10:00 a.m.

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-49-23-00008-P 12/05/24	Frequency of Inspections and Testing of Devices	To modify and clarify certain device testing requirements
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ALCOHOLISM AND SUBSTANCE ABUSE SERVICES, OFFICE OF

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

RTA-08-24-00005-P 02/20/25	Rules governing the conduct and safety of the public in the use and operations of transit services.	To protect transit facilities, vehicles and passengers and promote public safety.
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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
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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
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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CHILDREN AND FAMILY SERVICES, OFFICE OF			
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-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-01-24-00010-P	01/02/25	Jurisdictional Classification	To delete positions from and to classify positions in the non-competitive class
CVS-01-24-00011-P	01/02/25	Jurisdictional Classification	To classify positions in the exempt class.
CVS-07-24-00001-P	02/13/25	Jurisdictional Classification	To classify a position in the exempt class and to classify positions in the non-competitive class
CVS-07-24-00002-P	02/13/25	Promotion examinations	To permit employees appointed under the "HELP" Program to take promotion examinations.
CVS-07-24-00003-P	02/13/25	Jurisdictional Classification	To classify a position in the exempt class.
CVS-07-24-00004-P	02/13/25	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-07-24-00005-P	02/13/25	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-07-24-00006-P	02/13/25	Jurisdictional Classification	To classify a position in the exempt class and to classify a position in the non-competitive class
CVS-07-24-00007-P	02/13/25	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-07-24-00008-P	02/13/25	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-07-24-00009-P	02/13/25	Jurisdictional Classification	To classify a position in the exempt class.
CVS-07-24-00010-P	02/13/25	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-07-24-00011-P	02/13/25	Jurisdictional Classification	To classify positions in the exempt class.
CVS-07-24-00012-P	02/13/25	Jurisdictional Classification	To classify positions in the exempt class and to classify positions in the non-competitive class
CVS-07-24-00013-P	02/13/25	Jurisdictional Classification	To delete positions from and to classify positions in the non-competitive class
CVS-07-24-00014-P	02/13/25	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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
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
CJS-03-24-00010-P	01/16/25	Part 356 Probation Services for Article 3 Juvenile Delinquency	Update existing rule to reflect statutory changes and to effectuate best practices in preliminary probation procedures
ECONOMIC DEVELOPMENT, DEPARTMENT OF			
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-39-23-00012-RP	09/26/24	Fees for certificates of existence and copies of charter actions and consent to incorporation.	See attached.
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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
EDUCATION DEPARTMENT			
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.
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.
EDU-04-24-00009-P	01/23/25	See attached.	See attached.
EDU-04-24-00010-P	01/23/25	Provisions for mergers, consolidation, and membership with highly qualified out-of-state institutions of higher education (IHE).	See attached.
EDU-04-24-00011-EP	01/23/25	General misconduct provisions for the health professions and requirements for histotechnologist licensure.	To implement section 10 of Chapter 446 of the Laws of 2022.

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-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

Action Pending Index

NYS Register/February 21, 2024

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
ENVIRONMENTAL CONSERVATION, DEPARTMENT OF			
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
ENV-04-24-00001-P	04/04/25	Regulations governing recreational fishing for Atlantic Cod	To reduce the recreational harvest of Atlantic Cod and maintain consistency with federal rules
ENV-06-24-00001-EP	02/06/25	Adirondack Rail Trail	To regulate speed on the Adirondack Rail Trail to ensure public safety
ENV-07-24-00016-P	05/15/25	Environmental Remediation Programs - State Superfund Program, Brownfield Cleanup Program, and Environmental Restoration Program	To amend the Environmental Remediation Program regulations, 6 NYCRR Part 375
ENV-08-24-00011-P	04/22/25	Science-based State sea level rise projections.	To establish a common source of sea-level rise projections for consideration in relevant programs and decision-making.
FINANCIAL SERVICES, DEPARTMENT OF			
*DFS-17-16-00003-P	exempt	Plan of Conversion by Commercial Travelers Mutual Insurance Company	To convert a mutual accident and health insurance company to a stock accident and health insurance company
*DFS-25-18-00006-P	exempt	Plan of Conversion by Medical Liability Mutual Insurance Company	To convert a mutual property and casualty insurance company to a stock property and casualty insurance company
DFS-05-24-00001-P	01/30/25	Minimum Standards for Form, Content, and Sale of Health Insurance, Including Standards for Full and Fair Disclosure, et al.	To ensure that accident, hospital indemnity, and travel insurance are not misleading and provide substantial economic value.
DFS-08-24-00001-P	02/20/25	Network Adequacy and Access Standards	To establish network adequacy and access standards and other protections to improve access to behavioral health services.
DFS-08-24-00002-P	02/20/25	Supplementary Uninsured/Underinsured Motorist Coverage	To comport with changes made to Insurance Law section 3420(f) by Chapter 751 of the Laws of 2023.
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.
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
SGC-06-24-00002-P	02/06/25	Pick-four wagers for Thoroughbred and harness racing.	To improve the pick-four wagers in Thoroughbred and harness racing.
SGC-06-24-00003-P	02/06/25	Pick-five wager for Thoroughbred racing.	To improve the pick-five wager in Thoroughbred racing.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
GAMING COMMISSION, NEW YORK STATE			
SGC-06-24-00004-P	02/06/25	Claiming rules revisions in Thoroughbred racing	To improve the claiming process in Thoroughbred racing
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-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.
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) RRequirements	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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
HEALTH, DEPARTMENT OF			
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 recertifying 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.
HLT-07-24-00015-P	02/13/25	Statewide Health Information Network for New York (SHIN-NY)	To establish the State Designated Entity and Enhancing SHIN-NY Efficiency and Flexibility
HLT-08-24-00004-P	02/20/25	General Hospital Emergency Services Behavioral Health	Hospital emergency depts to establish policies&procedures to ident., assess, refer patients with behavioral health presentations
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.
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.

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
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
OMH-04-24-00006-P	01/23/25	Admission and Discharge Criteria for Psychiatric Inpatient Units of General Hospitals.	To standardize admissions and discharges.
OMH-04-24-00007-P	01/23/25	Admission and Discharge Criteria for Comprehensive Psychiatric Emergency Programs.	To standardize admissions and discharges.
OMH-04-24-00008-P	01/23/25	Admission and Discharge Criteria for Hospitals for Persons with Mental Illness.	To standardize admissions and discharges.
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
MTV-03-24-00001-P	01/16/25	Insurance Identification Cards & Motor Vehicle Liability Insurance Reporting	To expand the definition of insurance company to include certain risk retention groups
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
PUBLIC SERVICE COMMISSION			
*PSC-09-99-00012-P	..... exempt	Transfer of books and records by Citizens Utilities Company	To relocate Ogden Telephone Company's books and records out-of-state
*PSC-15-99-00011-P	..... exempt	Electronic tariff by Woodcliff Park Corp.	To replace the company's current tariff with an electronic tariff
*PSC-12-00-00001-P	..... exempt	Winter bundled sales service election date by Central Hudson Gas & Electric Corporation	To revise the date
*PSC-44-01-00005-P	..... exempt	Annual reconciliation of gas costs by Corning Natural Gas Corporation	To authorize the company to include certain gas costs
*PSC-07-02-00032-P	..... exempt	Uniform business practices	To consider modification
*PSC-36-03-00010-P	..... exempt	Performance assurance plan by Verizon New York	To consider changes
*PSC-40-03-00015-P	..... exempt	Receipt of payment of bills by St. Lawrence Gas Company	To revise the process
*PSC-41-03-00010-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-41-03-00011-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-44-03-00009-P	..... exempt	Retail access data between jurisdictional utilities	To accommodate changes in retail access market structure or commission mandates
*PSC-02-04-00008-P	..... exempt	Delivery rates for Con Edison's customers in New York City and Westchester County by the City of New York	To rehear the Nov. 25, 2003 order
*PSC-06-04-00009-P	..... exempt	Transfer of ownership interest by SCS Energy LLC and AE Investors LLC	To transfer interest in Steinway Creek Electric Generating Company LLC to AE Investors LLC
*PSC-10-04-00005-P	..... exempt	Temporary protective order	To consider adopting a protective order
*PSC-10-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and VIC-RMTS-DC, L.L.C. d/b/a Verizon Avenue	To amend the agreement
*PSC-14-04-00008-P	..... exempt	Submetering of natural gas service to industrial and commercial customers by Hamburg Fairgrounds	To submeter gas service to commercial customers located at the Buffalo Speedway
*PSC-15-04-00022-P	..... exempt	Submetering of electricity by Glenn Gardens Associates, L.P.	To permit submetering at 175 W. 87th St., New York, NY
*PSC-21-04-00013-P	..... exempt	Verizon performance assurance plan by Metropolitan Telecommunications	To clarify the appropriate performance level
*PSC-22-04-00010-P exempt	Approval of new types of electricity meters by Powell Power Electric Company	To permit the use of the PE-1250 electronic meter

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PUBLIC SERVICE COMMISSION			
*PSC-22-04-00013-P exempt	Major gas rate increase by Consolidated Edison Company of New York, Inc.	To increase annual gas revenues
*PSC-22-04-00016-P	..... exempt	Master metering of water by South Liberty Corporation	To waive the requirement for installation of separate water meters
*PSC-25-04-00012-P	..... exempt	Interconnection agreement between Frontier Communications of Ausable Valley, Inc., et al. and Sprint Communications Company, L.P.	To amend the agreement
*PSC-27-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-27-04-00009-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-28-04-00006-P	..... exempt	Approval of loans by Dunkirk & Fredonia Telephone Company and Cassadaga Telephone Corporation	To authorize participation in the parent corporation's line of credit
*PSC-31-04-00023-P	..... exempt	Distributed generation service by Consolidated Edison Company of New York, Inc.	To provide an application form
*PSC-34-04-00031-P	..... exempt	Flat rate residential service by Emerald Green Lake Louise Marie Water Company, Inc.	To set appropriate level of permanent rates
*PSC-35-04-00017-P	..... exempt	Application form for distributed generation by Orange and Rockland Utilities, Inc.	To establish a new supplementary application form for customers
*PSC-43-04-00016-P	..... exempt	Accounts recievable by Rochester Gas and Electric Corporation	To include in its tariff provisions for the purchase of ESCO accounts recievable
*PSC-46-04-00012-P	..... exempt	Service application form by Consolidated Edison Company of New York, Inc.	To revise the form and make housekeeping changes
*PSC-46-04-00013-P	..... exempt	Rules and guidelines governing installation of metering equipment	To establish uniform statewide business practices
*PSC-02-05-00006-P	..... exempt	Violation of the July 22, 2004 order by Dutchess Estates Water Company, Inc.	To consider imposing remedial actions against the company and its owners, officers and directors
*PSC-09-05-00009-P	..... exempt	Submetering of natural gas service by Hamlet on Olde Oyster Bay	To consider submetering of natural gas to a commercial customer
*PSC-14-05-00006-P	..... exempt	Request for deferred accounting authorization by Freeport Electric Inc.	To defer expenses beyond the end of the fiscal year
*PSC-18-05-00009-P	..... exempt	Marketer Assignment Program by Consolidated Edison Company of New York, Inc.	To implement the program
*PSC-20-05-00028-P	..... exempt	Delivery point aggregation fee by Allied Frozen Storage, Inc.	To review the calculation of the fee
*PSC-25-05-00011-P	..... exempt	Metering, balancing and cashout provisions by Central Hudson Gas & Electric Corporation	To establish provisions for gas customers taking service under Service Classification Nos. 8, 9 and 11

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

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

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PUBLIC SERVICE COMMISSION			
*PSC-45-07-00005-P exempt	Customer incentive programs by Orange and Rockland Utilities, Inc.	To establish a tariff provision
*PSC-02-08-00006-P	..... exempt	Additional central office codes in the 315 area code region	To consider options for making additional codes
*PSC-04-08-00010-P	..... exempt	Granting of easement rights on utility property by Central Hudson Gas & Electric Corporation	To grant easement rights to Millennium Pipeline Company, L.L.C.
*PSC-04-08-00012-P	..... exempt	Marketing practices of energy service companies by the Consumer Protection Board and New York City Department of Consumer Affairs	To consider modifying the commission's regulation over marketing practices of energy service companies
*PSC-08-08-00016-P	..... exempt	Transfer of ownership by Entergy Nuclear Fitzpatrick LLC, et al.	To consider the transfer
*PSC-12-08-00019-P	..... exempt	Extend the provisions of the existing electric rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-12-08-00021-P	..... exempt	Extend the provisions of the existing gas rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-13-08-00011-P	..... exempt	Waiver of commission policy and NYSEG tariff by Turner Engineering, PC	To grant or deny Turner's petition
*PSC-13-08-00012-P	..... exempt	Voltage drops by New York State Electric & Gas Corporation	To grant or deny the petition
*PSC-23-08-00008-P	..... exempt	Petition requesting rehearing and clarification of the commission's April 25, 2008 order denying petition of public utility law project	To consider whether to grant or deny, in whole or in part, the May 7, 2008 Public Utility Law Project (PULP) petition for rehearing and clarification of the commission's April 25, 2008 order denying petition of Public Utility Law Project
*PSC-25-08-00007-P	..... exempt	Policies and procedures regarding the selection of regulatory proposals to meet reliability needs	To establish policies and procedures regarding the selection of regulatory proposals to meet reliability needs
*PSC-25-08-00008-P	..... exempt	Report on Callable Load Opportunities	Rider U report assessing callable load opportunities in New York City and Westchester County during the next 10 years
*PSC-28-08-00004-P	..... exempt	Con Edison's procedure for providing customers access to their account information	To consider Con Edison's implementation plan and timetable for providing customers access to their account information
*PSC-31-08-00025-P	..... exempt	Recovery of reasonable DRS costs from the cost mitigation reserve (CMR)	To authorize recovery of the DRS costs from the CMR
*PSC-32-08-00009-P	..... exempt	The ESCO referral program for KEDNY to be implemented by October 1, 2008	To approve, reject or modify, in whole or in part, KEDNY's recommended ESCO referral program
*PSC-33-08-00008-P	..... exempt	Noble Allegany's request for lightened regulation	To consider Noble Allegany's request for lightened regulation as an electric corporation
*PSC-36-08-00019-P exempt	Land Transfer in the Borough of Manhattan, New York	To consider petition for transfer of real property to NYPH

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PUBLIC SERVICE COMMISSION			
*PSC-39-08-00010-P exempt	RG&E's economic development plan and tariffs	Consideration of the approval of RG&E's economic development plan and tariffs
*PSC-40-08-00010-P	..... exempt	Loans from regulated company to its parent	To determine if the cash management program resulting in loans to the parent should be approved
*PSC-41-08-00009-P	..... exempt	Transfer of control of cable TV franchise	To determine if the transfer of control of Margaretville's cable TV subsidiary should be approved
*PSC-43-08-00014-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-46-08-00008-P	..... exempt	Property transfer in the Village of Avon, New York	To consider a petition for the transfer of street lighting and attached equipment to the Village of Avon, New York
*PSC-46-08-00010-P	..... exempt	A transfer of indirect ownership interests in nuclear generation facilities	Consideration of approval of a transfer of indirect ownership interests in nuclear generation facilities
*PSC-46-08-00014-P	..... exempt	The attachment of cellular antennae to an electric transmission tower	To approve, reject or modify the request for permission to attach cellular antennae to an electric transmission tower
*PSC-48-08-00005-P	..... exempt	A National Grid high efficiency gas heating equipment rebate program	To expand eligibility to customers converting from oil to natural gas
*PSC-48-08-00008-P	..... exempt	Petition for the master metering and submetering of electricity	To consider the request of Bay City Metering, to master meter & submeter electricity at 345 E. 81st St., New York, New York
*PSC-48-08-00009-P	..... exempt	Petition for the submetering of electricity	To consider the request of PCV/ST to submeter electricity at Peter Cooper Village & Stuyvesant Town, New York, New York
*PSC-50-08-00018-P	..... exempt	Market Supply Charge	A study on the implementation of a revised Market Supply Charge
*PSC-51-08-00006-P	..... exempt	Commission's October 27, 2008 Order on Future of Retail Access Programs in Case 07-M-0458	To consider a Petition for rehearing of the Commission's October 27, 2008 Order in Case 07-M-0458
*PSC-51-08-00007-P	..... exempt	Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078	To consider Petitions for rehearing of the Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078
*PSC-53-08-00011-P	..... exempt	Use of deferred Rural Telephone Bank funds	To determine if the purchase of a softswitch by Hancock is an appropriate use of deferred Rural Telephone Bank funds
*PSC-53-08-00012-P	..... exempt	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY
*PSC-53-08-00013-P	..... exempt	To transfer common stock and ownership	To consider transfer of common stock and ownership
*PSC-01-09-00015-P	..... exempt	FCC decision to redefine service area of Citizens/Frontier	Review and consider FCC proposed redefinition of Citizens/Frontier service area

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-02-09-00010-P	..... exempt	Competitive classification of independent local exchange company, and regulatory relief appropriate thereto	To determine if Chazy & Westport Telephone Corporation more appropriately belongs in scenario 1 rather than scenario 2
*PSC-05-09-00008-P	..... exempt	Revenue allocation, rate design, performance metrics, and other non-revenue requirement issues	To consider any remaining non-revenue requirement issues related to the Company's May 9, 2008 tariff filing
*PSC-05-09-00009-P	..... exempt	Numerous decisions involving the steam system including cost allocation, energy efficiency and capital projects	To consider the long term impacts on steam rates and on public policy of various options concerning the steam system
*PSC-06-09-00007-P	..... exempt	Interconnection of the networks between Frontier Comm. and WVT Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier Comm. and WVT Comm.
*PSC-07-09-00015-P	..... exempt	Transfer certain utility assets located in the Town of Montgomery from plant held for future use to non-utility property	To consider the request to transfer certain utility assets located in the Town of Montgomery to non-utility assets
*PSC-07-09-00017-P	..... exempt	Request for authorization to defer the incremental costs incurred in the restoration work resulting from the ice storm	To allow the company to defer the incremental costs incurred in the restoration work resulting from the ice storm
*PSC-07-09-00018-P	..... exempt	Whether to permit the submetering of natural gas service to an industrial and commercial customer at Cooper Union, New York, NY	To consider the request of Cooper Union, to submeter natural gas at 41 Cooper Square, New York, New York
*PSC-12-09-00010-P	..... exempt	Charges for commodity	To charge customers for commodity costs
*PSC-12-09-00012-P	..... exempt	Charges for commodity	To charge customers for commodity costs
*PSC-13-09-00008-P	..... exempt	Options for making additional central office codes available in the 718/347 numbering plan area	To consider options for making additional central office codes available in the 718/347 numbering plan area
*PSC-14-09-00014-P	..... exempt	The regulation of revenue requirements for municipal utilities by the Public Service Commission	To determine whether the regulation of revenue requirements for municipal utilities should be modified
*PSC-16-09-00010-P	..... exempt	Petition for the submetering of electricity	To consider the request of AMPS on behalf of Park Imperial to submeter electricity at 230 W. 56th Street, in New York, New York
*PSC-16-09-00020-P	..... exempt	Whether SUNY's core accounts should be exempt from the mandatory assignment of local distribution company (LDC) capacity	Whether SUNY's core accounts should be exempt from the mandatory assignment of local distribution company (LDC) capacity
*PSC-17-09-00010-P	..... exempt	Whether to permit the use of Elster REX2 solid state electric meter for use in residential and commercial accounts	To permit electric utilities in New York State to use the Elster REX2
*PSC-17-09-00011-P	..... exempt	Whether Brooklyn Navy Yard Cogeneration Partners, L.P. should be reimbursed by Con Edison for past and future use taxes	Whether Brooklyn Navy Yard Cogeneration Partners, L.P. should be reimbursed by Con Edison for past and future use taxes
*PSC-17-09-00012-P	..... exempt	Petition for the submetering of gas at commercial property	To consider the request of Turner Construction, to submeter natural gas at 550 Short Ave., & 10 South St., Governors Island, NY

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-17-09-00014-P	..... exempt	Benefit-cost framework for evaluating AMI programs prepared by the DPS Staff	To consider a benefit-cost framework for evaluating AMI programs prepared by the DPS Staff
*PSC-17-09-00015-P	..... exempt	The construction of a tower for wireless antennas on land owned by National Grid	To approve, reject or modify the petition to build a tower for wireless antennas in the Town of Onondaga
*PSC-18-09-00012-P	..... exempt	Petition for rehearing of Order approving the submetering of electricity	To consider the request of Frank Signore to rehear petition to submeter electricity at One City Place in White Plains, New York
*PSC-18-09-00013-P	..... exempt	Petition for the submetering of electricity	To consider the request of Living Opportunities of DePaul to submeter electricity at E. Main St. located in Batavia, New York
*PSC-18-09-00017-P	..... exempt	Approval of an arrangement for attachment of wireless antennas to the utility's transmission facilities in the City of Yonkers	To approve, reject or modify the petition for the existing wireless antenna attachment to the utility's transmission tower
*PSC-20-09-00016-P	..... exempt	The recovery of, and accounting for, costs associated with the Companies' advanced metering infrastructure (AMI) pilots etc	To consider a filing of the Companies as to the recovery of, and accounting for, costs associated with it's AMI pilots etc
*PSC-20-09-00017-P	..... exempt	The recovery of, and accounting for, costs associated with CHG&E's AMI pilot program	To consider a filing of CHG&E as to the recovery of, and accounting for, costs associated with it's AMI pilot program
*PSC-22-09-00011-P	..... exempt	Cost allocation for Consolidated Edison's East River Repowering Project	To determine whether any changes are warranted in the cost allocation of Consolidated Edison's East River Repowering Project
*PSC-25-09-00005-P	..... exempt	Whether to grant, deny, or modify, in whole or in part, the petition	Whether to grant, deny, or modify, in whole or in part, the petition
*PSC-25-09-00006-P	..... exempt	Electric utility implementation plans for proposed web based SIR application process and project status database	To determine if the proposed web based SIR systems are adequate and meet requirements needed for implementation
*PSC-25-09-00007-P	..... exempt	Electric rates for Consolidated Edison Company of New York, Inc	Consider a Petition for Rehearing filed by Consolidated Edison Company of New York, Inc
*PSC-27-09-00011-P	..... exempt	Interconnection of the networks between Vernon and tw telecom of new york l.p. for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Vernon and TW Telecom of New York L.P.
*PSC-27-09-00014-P	..... exempt	Billing and payment for energy efficiency measures through utility bill	To promote energy conservation
*PSC-27-09-00015-P	..... exempt	Interconnection of the networks between Oriskany and tw telecom of new york l.p. for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Oriskany and TW Telecom of New York L.P.
*PSC-29-09-00011-P	..... exempt	Consideration of utility compliance filings	Consideration of utility compliance filings
*PSC-32-09-00009-P	..... exempt	Cost allocation for Consolidated Edison's East River Repowering Project	To determine whether any changes are warranted in the cost allocation of Consolidated Edison's East River Repowering Project

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-34-09-00016-P	..... exempt	Recommendations made in the Management Audit Final Report	To consider whether to take action or recommendations contained in the Management Audit Final Report
*PSC-34-09-00017-P	..... exempt	To consider the transfer of control of Plattsburgh Cablevision, Inc. d/b/a Charter Communications to CH Communications, LLC	To allow the Plattsburgh Cablevision, Inc. to distribute its equity interest in CH Communications, LLC
*PSC-36-09-00008-P	..... exempt	The increase in the non-bypassable charge implemented by RG&E on June 1, 2009	Considering exemptions from the increase in the non-bypassable charge implemented by RG&E on June 1, 2009
*PSC-37-09-00015-P	..... exempt	Sale of customer-generated steam to the Con Edison steam system	To establish a mechanism for sale of customer-generated steam to the Con Edison steam system
*PSC-37-09-00016-P	..... exempt	Applicability of electronic signatures to Deferred Payment Agreements	To determine whether electronic signatures can be accepted for Deferred Payment Agreements
*PSC-39-09-00015-P	..... exempt	Modifications to the \$5 Bill Credit Program	Consideration of petition of National Grid to modify the Low Income \$5 Bill Credit Program
*PSC-39-09-00018-P	..... exempt	The offset of deferral balances with Positive Benefit Adjustments	To consider a petition to offset deferral balances with Positive Benefit Adjustments
*PSC-40-09-00013-P	..... exempt	Uniform System of Accounts - request for deferral and amortization of costs	To consider a petition to defer and amortize costs
*PSC-51-09-00029-P	..... exempt	Rules and guidelines for the exchange of retail access data between jurisdictional utilities and eligible ESCOs	To revise the uniform Electronic Data Interchange Standards and business practices to incorporate a contest period
*PSC-51-09-00030-P	..... exempt	Waiver or modification of Capital Expenditure condition of merger	To allow the companies to expend less funds for capital improvement than required by the merger
*PSC-52-09-00006-P	..... exempt	ACE's petition for rehearing for an order regarding generator-specific energy deliverability study methodology	To consider whether to change the Order Prescribing Study Methodology
*PSC-52-09-00008-P	..... exempt	Approval for the New York Independent System Operator, Inc. to incur indebtedness and borrow up to \$50,000,000	To finance the renovation and construction of the New York Independent System Operator, Inc.'s power control center facilities
*PSC-05-10-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of University Residences - Rochester, LLC to submeter electricity at 220 John Street, Henrietta, NY
*PSC-05-10-00015-P	..... exempt	Petition for the submetering of electricity	To consider the request of 243 West End Avenue Owners Corp. to submeter electricity at 243 West End Avenue, New York, NY
*PSC-06-10-00022-P	..... exempt	The Commission's Order of December 17, 2009 related to redevelopment of Consolidated Edison's Hudson Avenue generating facility	To reconsider the Commission's Order of December 17, 2009 related to redevelopment of the Hudson Avenue generating facility
*PSC-07-10-00009-P	..... exempt	Petition to revise the Uniform Business Practices	To consider the RESA petition to allow rescission of a customer request to return to full utility service

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-08-10-00007-P	..... exempt	Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847	Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847
*PSC-08-10-00009-P	..... exempt	Consolidated Edison of New York, Inc. energy efficiency programs	To modify approved energy efficiency programs
*PSC-12-10-00015-P	..... exempt	Recommendations made by Staff intended to enhance the safety of Con Edison's gas operations	To require that Con Edison implement the Staff recommendations intended to enhance the safety of Con Edison's gas operations
*PSC-14-10-00010-P	..... exempt	Petition for the submetering of electricity	To consider the request of 61 Jane Street Owners Corporation to submeter Electricity at 61 Jane Street, Manhattan, NY
*PSC-16-10-00005-P	..... exempt	To consider adopting and expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-16-10-00007-P	..... exempt	Interconnection of the networks between TDS Telecom and PAETEC Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between TDS Telecom and PAETEC Communications
*PSC-16-10-00015-P	..... exempt	Interconnection of the networks between Frontier and Choice One Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier and Choice One Communications
*PSC-18-10-00009-P	..... exempt	Electric utility transmission right-of-way management practices	To consider electric utility transmission right-of-way management practices
*PSC-19-10-00022-P	..... exempt	Whether National Grid should be permitted to transfer a parcel of property located at 1 Eddy Street, Fort Edward, New York	To decide whether to approve National Grid's request to transfer a parcel of vacant property in Fort Edward, New York
*PSC-22-10-00006-P	..... exempt	Requirement that Noble demonstrate that its affiliated electric corporations operating in New York are providing safe service	Consider requiring that Noble demonstrate that its affiliated electric corporations in New York are providing safe service
*PSC-22-10-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of 48-52 Franklin Street to submeter electricity at 50 Franklin Street, New York, New York
*PSC-24-10-00009-P	..... exempt	Verizon New York Inc. tariff regulations relating to voice messaging service	To remove tariff regulations relating to retail voice messaging service from Verizon New York Inc.'s tariff
*PSC-25-10-00012-P	..... exempt	Reassignment of the 2-1-1 abbreviated dialing code	Consideration of petition to reassign the 2-1-1 abbreviated dialing code
*PSC-27-10-00016-P	..... exempt	Petition for the submetering of electricity	To consider the request of 9271 Group, LLC to submeter electricity at 960 Busti Avenue, Buffalo, New York
*PSC-34-10-00003-P	..... exempt	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program
*PSC-34-10-00005-P	..... exempt	Approval of a contract for \$250,000 in tank repairs that may be a financing	To decide whether to approve a contract between the parties that may be a financing of \$250,000 for tank repairs

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-34-10-00006-P	..... exempt	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program
*PSC-36-10-00010-P	..... exempt	Central Hudson's procedures, terms and conditions for an economic development plan	Consideration of Central Hudson's procedures, terms and conditions for an economic development plan
*PSC-40-10-00014-P	..... exempt	Disposition of a state sales tax refund	To determine how much of a state sales tax refund should be retained by National Grid
*PSC-40-10-00021-P	..... exempt	Whether to permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall	To permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall
*PSC-41-10-00018-P	..... exempt	Amount of hourly interval data provided to Hourly Pricing customers who have not installed a phone line to read meter	Allow Central Hudson to provide less than a years worth of interval data and charge for manual meter reading for some customers
*PSC-41-10-00022-P	..... exempt	Request for waiver of the individual living unit metering requirements at 5742 Route 5, Vernon, NY	Request for waiver of the individual living unit metering requirements at 5742 Route 5, Vernon, NY
*PSC-42-10-00011-P	..... exempt	Petition for the submetering of electricity	To consider the request of 4858 Group, LLC to submeter electricity at 456 Main Street, Buffalo, New York
*PSC-43-10-00016-P	..... exempt	Utility Access to Ducts, Conduit Facilities and Utility Poles	To review the complaint from Optical Communications Group
*PSC-44-10-00003-P	..... exempt	Third and fourth stage gas rate increase by Corning Natural Gas Corporation	To consider Corning Natural Gas Corporation's request for a third and fourth stage gas rate increase
*PSC-51-10-00018-P	..... exempt	Commission proceeding concerning three-phase electric service by all major electric utilities	Investigate the consistency of the tariff provisions for three-phase electric service for all major electric utilities
*PSC-11-11-00003-P	..... exempt	The proposed transfer of 55.42 acres of land and \$1.4 million of revenues derived from the rendition of public service	The proposed transfer of 55.42 acres of land and \$1.4 million of revenues derived from the rendition of public service
*PSC-13-11-00005-P	..... exempt	Exclude the minimum monthly bill component from the earnings test calculation	Exclude the minimum monthly bill component from the earnings test calculation
*PSC-14-11-00009-P	..... exempt	Petition for the submetering of electricity	To consider the request of 83-30 118th Street to submeter electricity at 83-30 118th Street, Kew Gardens, New York
*PSC-19-11-00007-P	..... exempt	Utility price reporting requirements related to the Commission's "Power to Choose" website	Modify the Commission's utility electric commodity price reporting requirements related to the "Power to Choose" website
*PSC-20-11-00012-P	..... exempt	Petition for the submetering of electricity	To consider the request of KMW Group LLC to submeter electricity at 122 West Street, Brooklyn, New York
*PSC-20-11-00013-P	..... exempt	Determining the reasonableness of Niagara Mohawk Power Corporation d/b/a National Grid 's make ready charges	To determine if the make ready charges of Niagara Mohawk Power Corporation d/b/a National Grid are reasonable

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-22-11-00004-P	..... exempt	Whether to permit the use of the Sensus accWAVE for use in residential gas meter applications	To permit gas utilities in New York State to use the Sensus accWAVE diaphragm gas meter
*PSC-26-11-00007-P	..... exempt	Water rates and charges	To approve an increase in annual revenues by about \$25,266 or 50%
*PSC-26-11-00009-P	..... exempt	Petition for the submetering of electricity at commercial property	To consider the request of by Hoosick River Hardwoods, LLC to submeter electricity at 28 Taylor Avenue, in Berlin, New York
*PSC-26-11-00012-P	..... exempt	Waiver of generation retirement notice requirements	Consideration of waiver of generation retirement notice requirements
*PSC-29-11-00011-P	..... exempt	Petition requesting the Commission reconsider its May 19, 2011 Order and conduct a hearing, and petition to stay said Order	To consider whether to grant or deny, in whole or in part, Windstream New York's Petition For Reconsideration and Rehearing
*PSC-35-11-00011-P	..... exempt	Whether to permit Consolidated Edison a waiver to commission regulations Part 226.8	Permit Consolidated Edison to conduct a inspection program in lieu of testing the accuracy of Category C meters
*PSC-36-11-00006-P	..... exempt	To consider expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-38-11-00002-P	..... exempt	Operation and maintenance procedures pertaining to steam trap caps	Adopt modified steam operation and maintenance procedures
*PSC-38-11-00003-P	..... exempt	Waiver of certain provisions of the electric service tariffs of Con Edison	Consideration of waiver of certain provisions of the electric service tariffs of Con Edison
*PSC-40-11-00010-P	..... exempt	Participation of regulated local exchange carriers in the New York Data Exchange, Inc. (NYDE)	Whether to partially modify its order requiring regulated local exchange carriers' participation NYDE
*PSC-40-11-00012-P	..... exempt	Granting of transfer of plant in-service to a regulatory asset	To approve transfer and recovery of unamortized plant investment
*PSC-42-11-00018-P	..... exempt	Availability of telecommunications services in New York State at just and reasonable rates	Providing funding support to help ensure availability of affordable telecommunications service throughout New York
*PSC-43-11-00012-P	..... exempt	Transfer of outstanding shares of stock	Transfer the issued outstanding shares of stock of The Meadows at Hyde Park Water-Works Corporation to HPWS, LLC
*PSC-47-11-00007-P	..... exempt	Remedying miscalculations of delivered gas as between two customer classes	Consideration of Con Edison's proposal to address inter-class delivery imbalances resulting from past Company miscalculations
*PSC-48-11-00007-P	..... exempt	Transfer of controlling interests in generation facilities from Dynegy to PSEG	Consideration of the transfer of controlling interests in electric generation facilities from Dynegy to PSEG
*PSC-48-11-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of To Better Days, LLC to submeter electricity at 37 East 4th Street, New York, New York
*PSC-01-12-00007-P	..... exempt	The New York State Reliability Council's revisions to its rules and measurements	To adopt revisions to various rules and measurements of the New York State Reliability Council

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-01-12-00008-P	..... exempt	Transfer of real property and easements from NMPNS to NMP3	Consideration of the transfer of real property and easements from NMPNS to NMP3
*PSC-01-12-00009-P	..... exempt	Recovery of expenses related to the expansion of Con Edison's ESCO referral program, PowerMove	To determine how and to what extent expenses related to the Expansion of Con Edison's ESCO referral program should be recovered
*PSC-11-12-00002-P	..... exempt	Whether to grant, deny or modify, in whole or part, Hegeman's petition for a waiver of Commission policy and Con Edison tariff	Whether to grant, deny or modify, in whole or part, Hegeman's petition for a waiver of Commission policy and Con Edison tariff
*PSC-11-12-00005-P	..... exempt	Transfer of land and water supply assets	Transfer the land and associated water supply assets of Groman Shores, LLC to Robert Groman
*PSC-13-12-00005-P	..... exempt	Authorization to transfer certain real property	To decide whether to approve the transfer of certain real property
*PSC-19-12-00023-P	..... exempt	Petition for approval pursuant to Section 70 for the sale of goods with an original cost of less than \$100,000	To consider whether to grant, deny or modify, in whole or in part, the petition filed by Orange and Rockland Utilities, Inc.
*PSC-21-12-00006-P	..... exempt	Tariff filing requirements and refunds	To determine if certain agreements should be filed pursuant to the Public Service Law and if refunds are warranted
*PSC-21-12-00011-P	..... exempt	Whether to grant, deny or modify, in whole or part, the petition for waiver of tariff Rules 8.6 and 47	Whether to grant, deny or modify, in whole or part, the petition for waiver of tariff Rules 8.6 and 47
*PSC-23-12-00007-P	..... exempt	The approval of a financing upon a transfer to Alliance of upstream ownership interests in a generation facility	To consider the approval of a financing upon a transfer to Alliance of upstream ownership interests in a generation facility
*PSC-23-12-00009-P	..... exempt	Over earnings sharing between rate payers and shareholders	To establish an Earnings Sharing Mechanism to be applied following the conclusion of Corning's rate plan
*PSC-27-12-00012-P	..... exempt	Implementation of recommendations made in a Management Audit Report	To consider implementation of recommendations made in a Management Audit Report
*PSC-28-12-00013-P	..... exempt	Exemption of reliability reporting statistics for the purpose of the 2012 Reliability Performance Mechanism	Consideration of Orange and Rockland Utilities request for exemption of the 2012 reliability reporting statistics
*PSC-29-12-00019-P	..... exempt	Waiver of 16 NYCRR 894.1 through 894.4	To allow the Town of Hamden to waive certain preliminary franchising procedures to expedite the franchising process
*PSC-30-12-00010-P	..... exempt	Waiver of 16 NYCRR 894.1 through 894.4	To allow the Town of Andes to waive certain preliminary franchising procedures to expedite the franchising process
*PSC-33-12-00009-P	..... exempt	Telecommunications companies ability to attach to utility company poles	Consideration of Tech Valley's ability to attach to Central Hudson poles
*PSC-37-12-00009-P	..... exempt	Proposed modification by Con Edison of its procedures to calculate estimated bills to its customers	Proposed modification by Con Edison of its procedures to calculate estimated bills to its customers

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-22-13-00009-P	..... exempt	On remand from New York State court litigation, determine the recovery of certain deferred amounts owed NFG by ratepayers	On remand, to determine the recovery of certain deferral amounts owed NFG from ratepayers
*PSC-23-13-00005-P	..... exempt	Waiver of partial payment, directory database distribution, service quality reporting, and service termination regulations	Equalize regulatory treatment based on level of competition and practical considerations
*PSC-25-13-00008-P	..... exempt	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request
*PSC-25-13-00009-P	..... exempt	Provision by utilities of natural gas main and service lines	To help ensure efficient and economic expansion of the natural gas system as appropriate
*PSC-25-13-00012-P	..... exempt	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request
*PSC-27-13-00014-P	..... exempt	Columbia Gas Transmission Corporation Cost Refund	For approval for temporary waiver of tariff provisions regarding its Columbia Gas Transmission Corporation cost refund
*PSC-28-13-00014-P	..... exempt	Provision for the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces	To consider the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces
*PSC-28-13-00016-P	..... exempt	The request of NGT for lightened regulation as a gas corporation	To consider whether to approve, reject, or modify the request of Niagara gas transport of Lockport, NY LLC
*PSC-28-13-00017-P	..... exempt	The request by TE for waiver of regulations requiring that natural gas be odorized in certain gathering line segments	Consider the request by TE for waiver of regulations that gas be odorized in certain lines
*PSC-32-13-00009-P	..... exempt	To consider the definition of "misleading or deceptive conduct" in the Commission's Uniform Business Practices	To consider the definition of "misleading or deceptive conduct" in the Commission's Uniform Business Practices
*PSC-32-13-00012-P	..... exempt	To consider whether NYSEG should be required to undertake actions to protect its name and to minimize customer confusion	To consider whether NYSEG should be required to undertake actions to protect its name and to minimize customer confusion
*PSC-33-13-00027-P	..... exempt	Waive underground facility requirements for new construction in residential subdivisions to allow for overhead electric lines	Determine whether Chapin Lumberland, LLC subdivision will be allowed overhead electric distribution and service lines
*PSC-33-13-00029-P	..... exempt	Deferral of incremental costs associated with the restoration of steam service following Superstorm Sandy	To consider a petition by Con Edison to defer certain incremental steam system restoration costs relating to Superstorm Sandy
*PSC-34-13-00004-P	..... exempt	Escrow account and surcharge to fund extraordinary repairs	To approve the establishment of an escrow account and surcharge
*PSC-42-13-00013-P	..... exempt	Failure to Provide Escrow Information	The closure of the Escrow Account
*PSC-42-13-00015-P	..... exempt	Failure to Provide Escrow Information	The closure of the Escrow Account
*PSC-43-13-00015-P	..... exempt	Petition for submetering of electricity	To consider the request of 2701 Kingsbridge Terrace L.P. to submeter electricity at 2701 Kingsbridge Terrace, Bronx, N.Y.

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-08-14-00015-P	..... exempt	Verizon New York Inc.'s service quality and Customer Trouble Report Rate (CTRR) levels at certain central office entities	To improve Verizon New York Inc.'s service quality and the Customer Trouble Report Rate levels at certain central office entities
*PSC-10-14-00006-P	..... exempt	Actions to facilitate the availability of ESCO value-added offerings, ESCO eligibility and ESCO compliance	To facilitate ESCO value-added offerings and to make changes to ESCO eligibility and to ensure ESCO compliance
*PSC-11-14-00003-P	..... exempt	Provision for the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces	To consider the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces
*PSC-16-14-00014-P	..... exempt	Whether to order NYSEG to provide gas service to customers when an expanded CPCN is approved and impose PSL 25-a penalties	To order gas service to customers in the Town of Plattsburgh after approval of a town wide CPCN and to impose penalties
*PSC-16-14-00015-P	..... exempt	Whether Central Hudson should be permitted to defer obligations of the Order issued on October 18, 2013 in Case 13-G-0336	Consideration of the petition by Central Hudson to defer reporting obligations of the October 18, 2013 Order in Case 13-G-0336
*PSC-17-14-00003-P	..... exempt	Con Edison's Report on its 2013 performance under the Electric Service Reliability Performance Mechanism	Con Edison's Report on its 2013 performance under the Electric Service Reliability Performance Mechanism
*PSC-17-14-00004-P	..... exempt	To consider certain portions of petitions for rehearing, reconsideration and/or clarification	To consider certain portions of petitions for rehearing, reconsideration and/or clarification
*PSC-17-14-00007-P	..... exempt	To consider petitions for rehearing, reconsideration and/or clarification	To consider petitions for rehearing, reconsideration and/or clarification
*PSC-17-14-00008-P	..... exempt	To consider certain portions of petitions for rehearing, reconsideration and/or clarification	To consider certain portions of petitions for rehearing, reconsideration and/or clarification
*PSC-19-14-00014-P	..... exempt	Market Supply Charge	To make tariff revisions to the Market Supply Charge for capacity related costs
*PSC-19-14-00015-P	..... exempt	Whether to permit the use of the Sensus accuWAVE for use in residential and commercial gas meter applications	To permit gas utilities in New York State to use the Sensus accuWAVE 415TC gas meter
*PSC-22-14-00013-P	..... exempt	Petition to transfer and merge systems, franchises and assets	To consider the Comcast and Time Warner Cable merger and transfer of systems, franchises and assets
*PSC-23-14-00010-P	..... exempt	Whether to permit the use of the GE Dresser Series B3-HPC 11M-1480 rotary gas meter for use in industrial gas meter applications	To permit gas utilities in New York State to use the GE Dresser Series B3-HPC 11M-1480 rotary gas meter
*PSC-23-14-00014-P	..... exempt	Waiver of the negative revenue adjustment associated with KEDLI's 2013 Customer Satisfaction Performance Metric	Consideration of KEDLI's waiver request pertaining to its 2013 performance under its Customer Satisfaction Metric
*PSC-24-14-00005-P	..... exempt	To examine LDC's performance and performance measures	To improve gas safety performance
*PSC-26-14-00013-P	..... exempt	Waiver of RG&E's tariffed definition of emergency generator	To consider waiver of RG&E's tariffed definition of emergency generator
*PSC-26-14-00020-P	..... exempt	New electric utility backup service tariffs and standards for interconnection may be adopted	To encourage development of microgrids that enhance the efficiency, safety, reliability and resiliency of the electric grid

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-26-14-00021-P	..... exempt	Consumer protections, standards and protocols pertaining to access to customer data may be established	To balance the need for the information necessary to support a robust market with customer privacy concerns
*PSC-28-14-00014-P	..... exempt	Petition to transfer systems, franchises and assets	To consider the Comcast and Charter transfer of systems, franchise and assets
*PSC-30-14-00023-P	..... exempt	Whether to permit the use of the Sensus iPERL Fire Flow Meter	Pursuant to 16 NYCRR Part 500.3 , it is necessary to permit the use of the Sensus iPERL Fire Flow Meter
*PSC-30-14-00026-P	..... exempt	Petition for a waiver to master meter electricity	Considering the request of Renaissance Corporation of to master meter electricity at 100 Union Drive, Albany, NY
*PSC-31-14-00004-P	..... exempt	To transfer 100% of the issued and outstanding stock from Vincent Cross to Bonnie and Michael Cross	To transfer 100% of the issued and outstanding stock from Vincent Cross to Bonnie and Michael Cross
*PSC-32-14-00012-P	..... exempt	Whether to grant or deny, in whole or in part, the Connect New York Coalition’s petition	To consider the Connect New York Coalition’s petition seeking a formal investigation and hearings
*PSC-35-14-00004-P	..... exempt	Regulation of a proposed electricity generation facility located in the Town of Brookhaven, NY	To consider regulation of a proposed electricity generation facility located in the Town of Brookhaven, NY
*PSC-36-14-00009-P	..... exempt	Modification to the Commission’s Electric Safety Standards	To consider revisions to the Commission’s Electric Safety Standards
*PSC-38-14-00003-P	..... exempt	Whether to approve, reject or modify, in whole or in part a time-sensitive rate pilot program	Whether to approve, reject or modify, in whole or in part a time-sensitive rate pilot program
*PSC-38-14-00004-P	..... exempt	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn
*PSC-38-14-00005-P	..... exempt	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2
*PSC-38-14-00007-P	..... exempt	Whether to expand Con Edison’s low income program to include Medicaid recipients	Whether to expand Con Edison’s low income program to include Medicaid recipients
*PSC-38-14-00008-P	..... exempt	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn
*PSC-38-14-00010-P	..... exempt	Inter-carrier telephone service quality standard and metrics and administrative changes	To review recommendations from the Carrier Working Group and incorporate appropriate modifications to the existing Guidelines
*PSC-38-14-00012-P	..... exempt	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2
*PSC-39-14-00020-P	..... exempt	Whether to permit the use of the Mueller Systems 400 Series and 500 Series of water meters	Pursuant to 16 NYCRR section 500.3, whether to permit the use of the Mueller Systems 400, and 500 Series of water meters

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-40-14-00008-P	..... exempt	To consider granting authorization for Buy Energy Direct to resume marketing to residential customers	To consider granting authorization for Buy Energy Direct to resume marketing to residential customers
*PSC-40-14-00009-P	..... exempt	Whether to permit the use of the Itron Open Way Centron Meter with Hardware 3.1 for AMR and AMI functionality	Pursuant to 16 NYCRR Parts 93, is necessary to permit the use of the Itron Open Way Centron Meter with Hardware 3.1
*PSC-40-14-00011-P	..... exempt	Late Payment Charge	To modify Section 7.6 - Late Payment Charge to designate a specific time for when a late payment charge is due
*PSC-40-14-00013-P	..... exempt	Regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY	To consider regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY
*PSC-40-14-00014-P	..... exempt	Waiver of 16 NYCRR Sections 894.1 through 894.4(b)(2)	To allow the Town of Goshen, NY, to waive certain preliminary franchising procedures to expedite the franchising process
*PSC-40-14-00015-P	..... exempt	Late Payment Charge	To modify Section 6.6 - Late Payment Charge to designate a specific time for when a late payment charge is due
*PSC-42-14-00003-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-42-14-00004-P	..... exempt	Winter Bundled Sales Service Option	To modify SC-11 to remove language relating to fixed storage charges in the determination of the Winter Bundled Sales charge
*PSC-48-14-00014-P	..... exempt	Considering the recommendations contained in Staff's electric outage investigation report for MNRR, New Haven Line	To consider the recommendations contained in Staff's electric outage investigation report for MNRR, New Haven Line
*PSC-52-14-00019-P	..... exempt	Petition for a waiver to master meter electricity	Considering the request of 614 South Crouse Avenue, LLC to master meter electricity at 614 South Crouse Avenue, Syracuse, NY
*PSC-01-15-00014-P	..... exempt	State Universal Service Fund Disbursements	To consider Edwards Telephone Company's request for State Universal Service Fund disbursements
*PSC-08-15-00010-P	..... exempt	Request pertaining to the lawfulness of National Grid USA continuing its summary billing program	To grant, deny, or modify URAC Rate Consultants' request that National Grid cease its summary billing program
*PSC-10-15-00007-P	..... exempt	Notification concerning tax refunds	To consider Verizon New York Inc.'s partial rehearing or reconsideration request regarding retention of property tax refunds
*PSC-10-15-00008-P	..... exempt	Whether to waive Policy on Test Periods in Major Rate Proceedings and provide authority to file tariff changes	Whether to waive Policy on Test Periods in Major Rate Proceedings and provide authority to file tariff changes
*PSC-13-15-00024-P	..... exempt	Whether Leatherstocking should be permitted to recover a shortfall in earnings	To decide whether to approve Leatherstocking's request to recover a shortfall in earnings
*PSC-13-15-00026-P	..... exempt	Whether to permit the use of the Sensus Smart Point Gas AMR/AMI product	To permit the use of the Sensus Smart Point Gas AMR/AMI product

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-13-15-00027-P	..... exempt	Whether to permit the use of the Measurlogic DTS 310 electric submeter	To permit the use of the Measurlogic DTS 310 submeter
*PSC-13-15-00028-P	..... exempt	Whether to permit the use of the SATEC EM920 electric meter	To permit necessary to permit the use of the SATEC EM920 electric meter
*PSC-13-15-00029-P	..... exempt	Whether to permit the use the Triacta Power Technologies 6103, 6112, 6303, and 6312 electric submeters	To permit the use of the Triacta submeters
*PSC-17-15-00007-P	..... exempt	To consider the petition of Leatherstocking Gas Company, LLC seeking authority to issue long-term debt of \$2.75 million	To consider the petition of Leatherstocking Gas Company, LLC seeking authority to issue long-term debt of \$2.75 million
*PSC-18-15-00005-P	..... exempt	Con Edison's Report on its 2014 performance under the Electric Service Reliability Performance Mechanism	Con Edison's Report on its 2014 performance under the Electric Service Reliability Performance Mechanism
*PSC-19-15-00011-P	..... exempt	Gas Safety Performance Measures and associated negative revenue adjustments	To update the performance measures applicable to KeySpan Gas East Corporation d/b/a National Grid
*PSC-22-15-00015-P	..... exempt	To consider the request for waiver of the individual residential unit meter requirements and 16 NYCRR 96.1(a)	To consider the request for waiver of the individual residential unit meter requirements and 16 NYCRR 96.1(a)
*PSC-23-15-00005-P	..... exempt	The modification of New York American Water's current rate plan	Whether to adopt the terms of the Joint Proposal submitted by NYAW and DPS Staff
*PSC-23-15-00006-P	..... exempt	The modification of New York American Water's current rate plan	Whether to adopt the terms of the Joint Proposal submitted by NYAW and DPS Staff
*PSC-25-15-00008-P	..... exempt	Notice of Intent to Submeter electricity	To consider the request of 165 E 66 Residences, LLC to submeter electricity at 165 East 66th Street, New York, New York
*PSC-29-15-00025-P	..... exempt	Joint Petition for authority to transfer real property located at 624 West 132nd Street, New York, NY	Whether to authorize the proposed transfer of real property located at 624 West 132nd Street, New York, NY
*PSC-32-15-00006-P	..... exempt	Development of a Community Solar Demonstration Project	To approve the development of a Community Solar Demonstration Project
*PSC-33-15-00009-P	..... exempt	Remote net metering of a demonstration community net metering program	To consider approval of remote net metering of a demonstration community net metering program
*PSC-33-15-00012-P	..... exempt	Remote net metering of a Community Solar Demonstration Project	To consider approval of remote net metering of a Community Solar Demonstration Project
*PSC-34-15-00021-P	..... exempt	Petition by NYCOM requesting assistance with obtaining information on CLECs and ESCOs	To consider the petition by NYCOM requesting assistance with obtaining information on CLECs and ESCOs
*PSC-35-15-00014-P	..... exempt	Consideration of consequences against Light Power & Gas, LLC for violations of the UBP	To consider consequences against Light Power & Gas, LLC for violations of the UBP
*PSC-37-15-00007-P	..... exempt	Submetered electricity	To consider the request of 89 Murray Street Ass. LLC, for clarification of the submetering order issued December 20, 2007

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-40-15-00014-P	..... exempt	Whether to permit the use of the Open Way 3.5 with cellular communications	To consider the use of the Open Way 3.5 electric meter, pursuant to 16 NYCRR Parts 92 and 93
*PSC-42-15-00006-P	..... exempt	Deferral of incremental expenses associated with NERC's new Bulk Electric System (BES) compliance requirements approved by FERC	Consideration of Central Hudson's request to defer incremental expenses associated with new BES compliance requirements
*PSC-44-15-00028-P	..... exempt	Deferral of incremental expenses associated with new compliance requirements	Consideration of Central Hudson's request to defer incremental expenses associated with new compliance requirements
*PSC-47-15-00013-P	..... exempt	Whitepaper on Implementing Lightened Ratemaking Regulation	Consider Whitepaper on Implementing Lightened Ratemaking Regulation
*PSC-48-15-00011-P	..... exempt	Proposal to retire Huntley Units 67 and 68 on March 1, 2016	Consider the proposed retirement of Huntley Units 67 and 68
*PSC-50-15-00006-P	..... exempt	The reduction of rates	To consider the reduction of rates charged by Independent Water Works, Inc.
*PSC-50-15-00009-P	..... exempt	Notice of Intent to submeter electricity	To consider the request to submeter electricity at 31-33 Lincoln Road and 510 Flatbush Avenue, Brooklyn, New York
*PSC-51-15-00010-P	..... exempt	Modification of the EDP	To consider modifying the EDP
*PSC-01-16-00005-P	..... exempt	Proposed amendment to Section 5, Attachment 1.A of the Uniform Business Practices	To consider amendment to Section 5, Attachment 1.A of the Uniform Business Practices
*PSC-04-16-00007-P	..... exempt	Whether Hamilton Municipal Utilities should be permitted to construct and operate a municipal gas distribution facility	Consideration of the petition by Hamilton Municipal Utilities to construct and operate a municipal gas distribution facility
*PSC-04-16-00012-P	..... exempt	Proposal to mothball three gas turbines located at the Astoria Gas Turbine Generating Station	Consider the proposed mothball of three gas turbines located at the Astoria Gas Turbine Generating Station
*PSC-04-16-00013-P	..... exempt	Proposal to find that three gas turbines located at the Astoria Gas Turbine Generating Station are uneconomic	Consider whether three gas turbines located at the Astoria Gas Turbine Generating Station are uneconomic
*PSC-06-16-00013-P	..... exempt	Continued deferral of approximately \$16,000,000 in site investigation and remediation costs	To consider the continued deferral of approximately \$16,000,000 in site investigation and remediation costs
*PSC-06-16-00014-P	..... exempt	MEGA's proposed demonstration CCA program	To consider MEGA's proposed demonstration CCA program
*PSC-14-16-00008-P	..... exempt	Resetting retail markets for ESCO mass market customers	To ensure consumer protections with respect to residential and small non-residential ESCO customers
*PSC-18-16-00013-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs	To ensure consumer protection for ESCO customers
*PSC-18-16-00014-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs	To ensure consumer protection for ESCO customers

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-18-16-00015-P	..... exempt	Petitions for rehearing of the Order Resetting Retail Energy Markets and Establishing Further Process	To ensure consumer protections for ESCO customers
*PSC-18-16-00016-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs	To ensure consumer protection for ESCO customers
*PSC-18-16-00018-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs	To ensure consumer protection for ESCO customers
*PSC-20-16-00008-P	..... exempt	Consideration of consequences against Global Energy Group, LLC for violations of the Uniform Business Practices (UBP)	To consider consequences against Global Energy Group, LLC for violations of the Uniform Business Practices (UBP)
*PSC-20-16-00010-P	..... exempt	Deferral and recovery of incremental expense	To consider deferring costs of conducting leak survey and repairs for subsequent recovery
*PSC-20-16-00011-P	..... exempt	Enetics LD-1120 Non-Intrusive Load Monitoring Device in the Statewide Residential Appliance Metering Study	To consider the use of the Enetics LD-1120 Non-Intrusive Load Monitoring Device
*PSC-25-16-00009-P	..... exempt	To delay Companies' third-party assessments of customer personally identifiable information until 2018	To extend the time period between the Companies' third-party assessments of customer personally identifiable information
*PSC-25-16-00025-P	..... exempt	Acquisition of all water supply assets of Woodbury Heights Estates Water Co., Inc. by the Village of Kiryas Joel	To consider acquisition of all water supply assets of Woodbury Heights Estates Water Co., Inc. by the Village of Kiryas Joel
*PSC-25-16-00026-P	..... exempt	Use of the Badger E Series Ultrasonic Cold Water Stainless Steel Meter, in residential fire service applications	To consider the use of the Badger E Series Ultrasonic Cold Water Stainless Steel Meter in fire service applications
*PSC-28-16-00017-P	..... exempt	A petition for rehearing of the Order Adopting a Ratemaking and Utility Revenue Model Policy Framework	To determine appropriate rules for and calculation of the distributed generation reliability credit
*PSC-29-16-00024-P	..... exempt	Participation of NYPA customers in surcharge-funded clean energy programs	To consider participation of NYPA customers in surcharge-funded clean energy programs
*PSC-32-16-00012-P	..... exempt	Benefit-Cost Analysis Handbooks	To evaluate proposed methodologies of benefit-cost evaluation
*PSC-33-16-00001-EP	..... exempt	Use of escrow funds for repairs	To authorize the use of escrow account funds for repairs
*PSC-33-16-00005-P	..... exempt	Exemption from certain charges for delivery of electricity to its Niagara Falls, New York facility	Application of System Benefits Charges, Renewable Portfolio Standard charges and Clean Energy Fund surcharges
*PSC-35-16-00015-P	..... exempt	NYSRC's revisions to its rules and measurements	To consider revisions to various rules and measurements of the NYSRC
*PSC-36-16-00004-P	..... exempt	Recovery of costs for installation of electric service	To consider the recovery of costs for installation of electric service
*PSC-40-16-00025-P	..... exempt	Consequences pursuant to the Commission's Uniform Business Practices (UBP)	To consider whether to impose consequences on Smart One for its apparent non-compliance with Commission requirements

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-47-16-00009-P	..... exempt	Petition to use commercial electric meters	To consider the petition of Itron, Inc. to use the Itron CP2SO and CP2SOA in commercial electric meter applications
*PSC-47-16-00010-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00013-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00014-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00016-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-02-17-00010-P	..... exempt	Implementation of the four EAMs	To consider the implementation of EAMs for RG&E
*PSC-02-17-00012-P	..... exempt	Implementation of the four EAMs	To consider the implementation of EAMs for NYSEG
*PSC-18-17-00024-P	..... exempt	A petition for rehearing or reconsideration of the Order Addressing Public Policy Transmission Need for AC Transmission Upgrades	To determine whether Public Policy Transmission Need/Public Policy Requirements continue to exist
*PSC-18-17-00026-P	..... exempt	Revisions to the Dynamic Load Management surcharge	To consider revisions to the Dynamic Load Management surcharge
*PSC-20-17-00008-P	..... exempt	Compressed natural gas as a motor fuel for diesel fueled vehicles	To consider a report filed by National Grid NY regarding the potential for adoption of compressed natural gas as a motor fuel
*PSC-20-17-00010-P	..... exempt	Compressed natural gas as a motor fuel for diesel fueled vehicles	To consider a report filed by National Grid regarding the potential for adoption of compressed natural gas as a motor fuel
*PSC-21-17-00013-P	..... exempt	The establishment and implementation of Earnings Adjustment Mechanisms	To consider the establishment and implementation of Earnings Adjustment Mechanisms
*PSC-21-17-00018-P	..... exempt	Proposed agreement for the provision of water service by Saratoga Water Services, Inc.	To consider a waiver and approval of terms of a service agreement
*PSC-22-17-00004-P	..... exempt	Financial incentives to create customer savings and develop market-enabling tools, with a focus on outcomes and incentives	To consider the proposed Interconnection Survey Process and Earnings Adjustment Mechanisms
*PSC-24-17-00006-P	..... exempt	Development of the Utility Energy Registry	Improved data access
*PSC-26-17-00005-P	..... exempt	Notice of Intent to submeter electricity	To consider the Notice of Intent to submeter electricity at 125 Waverly Street, Yonkers, New York
*PSC-34-17-00011-P	..... exempt	Waiver to permit Energy Cooperative of America to serve low-income customers	To consider the petition for a waiver

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-37-17-00005-P	..... exempt	Financial incentives to create customer savings and develop market-enabling tools, with a focus on outcomes and incentives	To consider the revised Interconnection Survey Process and Earnings Adjustment Mechanisms
*PSC-39-17-00011-P	..... exempt	Whether to direct New York State Electric & Gas to complete electric facility upgrades at no charge to Hanehan	To determine financial responsibility between NYSEG and Hanehan for the electric service upgrades to Hanehan
*PSC-42-17-00010-P	..... exempt	Petition for rehearing of negative revenue adjustment and contents of annual Performance Report	To consider NFGD's petition for rehearing
*PSC-48-17-00015-P	..... exempt	Low Income customer options for affordable water bills	To consider the Low Income Bill Discount and/or Energy Efficiency Rebate Programs
*PSC-50-17-00017-P	..... exempt	New Wave Energy Corp.'s petition for rehearing	To consider the petition for rehearing filed by New Wave Energy Corp.
*PSC-50-17-00018-P	..... exempt	Application of the Public Service Law to DER suppliers	To determine the appropriate regulatory framework for DER suppliers
*PSC-50-17-00019-P	..... exempt	Transfer of utility property	To consider the transfer of utility property
*PSC-50-17-00021-P	..... exempt	Disposition of tax refunds and other related matters	To consider the disposition of tax refunds and other related matters
*PSC-51-17-00011-P	..... exempt	Petition for recovery of certain costs related to the implementation of a Non-Wires Alternative Project	To consider Con Edison's petition for the recovery of costs for implementing the JFK Project
*PSC-04-18-00005-P	..... exempt	Notice of intent to submeter electricity	To consider the notice of intent of Montante/Morgan Gates Circle LLC to submeter electricity
*PSC-05-18-00004-P	..... exempt	Lexington Power's ZEC compliance obligation	To promote and maintain renewable and zero-emission electric energy resources
*PSC-06-18-00012-P	..... exempt	To consider further proposed amendments to the original criteria to grandfathering established in the Transition Plan	To modify grandfathering criteria
*PSC-06-18-00017-P	..... exempt	Merger of NYAW and Whitlock Farms Water Corp.	To consider the merger of NYAW and Whitlock Farms Water Company into a single corporate entity
*PSC-07-18-00015-P	..... exempt	The accuracy and reasonableness of National Grid's billing for certain interconnection upgrades	To consider AEC's petition requesting resolution of their billing dispute with National Grid
*PSC-11-18-00004-P	..... exempt	New York State Lifeline Program	To consider TracFone's petition seeking approval to participate in Lifeline
*PSC-13-18-00015-P	..... exempt	Eligibility of an ESCO to market to and enroll residential customers	To consider whether Astral should be allowed to market to and enroll residential customers following a suspension
*PSC-13-18-00023-P	..... exempt	Reconciliation of property taxes	To consider NYAW's request to reconcile property taxes
*PSC-14-18-00006-P	..... exempt	Petition for abandonment	To consider the abandonment of Willsboro Bay Water Company's water system

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-17-18-00010-P	..... exempt	Petition for use of gas metering equipment	To ensure that consumer bills are based on accurate measurements of gas usage
*PSC-18-18-00009-P	..... exempt	Transfer of control of Keene Valley Video Inc.	To ensure performance in accordance with applicable cable laws, regulations and standards and the public interest
*PSC-23-18-00006-P	..... exempt	Whether to impose consequences on Aspiry for its non-compliance with Commission requirements	To ensure the provision of safe and adequate energy service at just and reasonable rates
*PSC-24-18-00013-P	..... exempt	Implementation of program rules for Renewable Energy Standard and ZEC requirements	To promote and maintain renewable and zero-emission electric energy resources
*PSC-28-18-00011-P	..... exempt	Storm Hardening Collaborative Report	To ensure safe and adequate gas service
*PSC-29-18-00008-P	..... exempt	Participation in Targeted Accessibility Fund	To encourage enhanced services for low-income consumers
*PSC-29-18-00009-P	..... exempt	Overvaluing real property tax expense recovery in water rates	To prevent unjust and unreasonable water rates
*PSC-34-18-00015-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and energy efficiency protections are in place
*PSC-34-18-00016-P	..... exempt	Deferral of pre-staging and mobilization storm costs	To ensure just and reasonable rates for ratepayers and utility recovery of unexpected, prudently incurred costs
*PSC-35-18-00003-P	..... exempt	Con Edison's 2018 DSIP and BCA Handbook Update	To continue Con Edison's transition to a modern utility serving as a Distributed System Platform Provider
*PSC-35-18-00005-P	..... exempt	NYSEG and RG&E's 2018 DSIP and BCA Handbook Update	To continue NYSEG and RG&E's transition to modern utilities acting as Distributed System Platform Providers
*PSC-35-18-00006-P	..... exempt	National Grid's 2018 DSIP and BCA Handbook Update	To continue National Grid's transition to a modern utility serving as a Distributed System Platform Provider
*PSC-35-18-00008-P	..... exempt	Central Hudson's 2018 DSIP and BCA Handbook Update	To continue Central Hudson's transition to a modern utility serving as a Distributed System Platform Provider
*PSC-35-18-00010-P	..... exempt	O&R's 2018 DSIP and BCA Handbook Update	To continue O&R's transition to a modern utility acting as a Distributed System Platform Provider
*PSC-39-18-00005-P	..... exempt	Participation in New York State Lifeline Program	To encourage enhanced services for low-income customers
*PSC-40-18-00014-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	To review the gas utilities' reconciliation of Gas Expenses and Gas Cost Recoveries for 2018
*PSC-42-18-00011-P	..... exempt	Voluntary residential beneficial electrification rate design	To provide efficient rate design for beneficial technologies in New York State that is equitable for all residential customers

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-42-18-00013-P	..... exempt	Petition for clarification and rehearing of the Smart Solutions Program Order	To address the increased demand for natural gas in the Con Edison's service territory and the limited pipeline capacity
*PSC-45-18-00005-P	..... exempt	Notice of intent to submeter electricity and waiver of energy audit	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place
*PSC-01-19-00013-P	..... exempt	Order of the Commission related to caller ID unblocking	To require telephone companies to unblock caller ID on calls placed to the 311 municipal call center in Suffolk County
*PSC-03-19-00002-P	..... exempt	DPS Staff White Paper for who must be trained in 16 NYCRR Part 753 requirements and how the Commission will approve trainings	To reduce damage to underground utility facilities by requiring certain training and approving training curricula
*PSC-04-19-00004-P	..... exempt	Con Edison's petition for the Gas Innovation Program and associated budget	To pursue programs that continue service reliability and meet customer energy needs while aiding greenhouse gas reduction goals
*PSC-04-19-00011-P	..... exempt	Update of revenue targets	To ensure NYAW's rates are just and reasonable and accurately reflect the needed revenues
*PSC-06-19-00005-P	..... exempt	Consideration of the Joint Utilities' proposed BDP Program	To to expand opportunities for low-income households to participate in Community Distributed Generation (CDG) projects
*PSC-07-19-00009-P	..... exempt	Whether to impose consequences on AAA for its non-compliance with Commission requirements	To insure the provision of safe and adequate energy service at just and reasonable rates
*PSC-07-19-00016-P	..... exempt	Participation in New York State Lifeline Program	To encourage enhanced services for low-income customers
*PSC-09-19-00010-P	..... exempt	Non-pipeline alternatives report recommendations	To consider the terms and conditions applicable to gas service
*PSC-13-19-00010-P	..... exempt	New Commission requirements for gas company operator qualification programs	To make pipelines safer with improved training of workers who perform construction and repairs on natural gas facilities
*PSC-19-19-00013-P	..... exempt	Proposed merger of three water utilities into one corporation	To determine if the proposed merger is in the public interest
*PSC-20-19-00008-P	..... exempt	Reporting on energy sources	To ensure accurate reporting and encourage clean energy purchases
*PSC-20-19-00010-P	..... exempt	Compensation policies for certain CHP projects	To consider appropriate rules for compensation of certain CHP resources
*PSC-31-19-00013-P	..... exempt	Implementation of Statewide Energy Benchmarking	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
*PSC-32-19-00012-P	..... exempt	Standby Service Rates and Buyback Service Rates	To ensure just and reasonable rates, including compensation, for distributed energy resources
*PSC-38-19-00002-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-39-19-00018-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
*PSC-41-19-00003-P	..... exempt	A voluntary residential three-part rate that would include fixed, usage and demand charges	To provide qualifying residential customers with an optional three-part rate
*PSC-46-19-00008-P	..... exempt	Wappingers Falls Hydroelectric LLC's facility located in Wappingers Falls, New York	To promote and maintain renewable electric energy resources
*PSC-10-20-00003-P	..... exempt	The Commission's statewide low-income discount policy	To consider modifications to certain conditions regarding utility low-income discount programs
*PSC-12-20-00008-P	..... exempt	Delivery rates of Corning Natural Gas Corporation	Whether to postpone the implementation of a change in rates that would otherwise become effective on June 1, 2020
*PSC-15-20-00011-P	..... exempt	To modify the terms and conditions under which gas utilities provide service to electric generators	To provide clarity and uniformity to the provision of gas service to electric generators
*PSC-16-20-00004-P	..... exempt	Disposition of a state sales tax refund	To determine how much of a state sales tax refund should be retained by Central Hudson
*PSC-18-20-00015-P	..... exempt	Participation of Eligible Telecommunications Carriers (ETCs) in New York State Lifeline Program	Commission will consider each petition filed by an ETCs seeking approval to participate in the NYS Lifeline program
*PSC-19-20-00004-P	..... exempt	Clarification of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether energy service companies should be permitted to bank RECs to satisfy their renewable energy requirements
*PSC-19-20-00005-P	..... exempt	Cost recovery associated with Day-Ahead-DLM and Auto-DLM programs, and elimination of double compensation	To provide cost recovery for new DLM programs and prevent double compensation to participating customers
*PSC-19-20-00009-P	..... exempt	Cost recovery associated with Day-Ahead-DLM and Auto-DLM programs, and elimination of double compensation	To consider revisions to P.S.C. No. 10 - Electricity, and P.S.C. No. 12 - Electricity
*PSC-25-20-00010-P	..... exempt	Whitepaper regarding energy service company financial assurance requirements	To consider the form and amount of financial assurances to be included in the eligibility criteria for energy service companies
*PSC-25-20-00016-P	..... exempt	Modifications to the Low-Income Affordability program	To address the economic impacts of the COVID-19 pandemic
*PSC-27-20-00003-P	..... exempt	To make the uniform statewide customer satisfaction survey permanent	To encourage consumer protections and safe and adequate service
*PSC-28-20-00022-P	..... exempt	Compensation of distributed energy resources	To ensure just and reasonable rates, including compensation, for distributed energy resources
*PSC-28-20-00034-P	..... exempt	Petition to implement Section 7(5) of the Accelerated Renewable Energy Growth and Community Benefit Act	To develop the bulk transmission investments necessary to achieve the Climate Leadership and Community Protection Act goals
*PSC-34-20-00005-P	..... exempt	Petition to provide a renewable, carbon-free energy option to residential and small commercial full-service customers	To increase customer access to renewable energy in the Consolidated Edison Company of New York, Inc. service territory

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-38-20-00004-P	..... exempt	The annual Reconciliation of Gas Expenses and Gas Cost Recoveries	To consider filings of LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-42-20-00008-P	..... exempt	Availability of gas leak information to the public safety officials.	Facilitate availability of gas leak information to public safety officials by gas corporations
*PSC-45-20-00003-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
*PSC-46-20-00005-P	..... exempt	The recommendations of the DPS Staff report to improve Hudson Valley Water’s service	To determine if approving the DPS Staff’s recommendations is in the public interest
*PSC-48-20-00005-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether Chief Energy Power, LLC should be permitted to offer green gas products to mass market customers
*PSC-48-20-00007-P	..... exempt	Tariff modifications to change National Fuel Gas Distribution Corporation’s Monthly Gas Supply Charge provisions	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
*PSC-51-20-00009-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether petitioner should be permitted to offer its “Energy Savings Program” to mass market customers
*PSC-51-20-00014-P	..... exempt	Electric system needs and compensation for distributed energy resources	To ensure safe and adequate service and just and reasonable rates, including compensation, for distributed energy resources
*PSC-01-21-00004-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether petitioner should be permitted to offer its Home Warranty product to mass market customers
*PSC-04-21-00016-P	..... exempt	Request for a waiver	To consider whether good cause exists to support a waiver of the Commission’s Test Period Policy Statement
*PSC-09-21-00005-P	..... exempt	Utility capital expenditure proposal	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
*PSC-13-21-00016-P	..... exempt	Revised distribution strategies and reallocation of remaining funding	To ensure the appropriate use of funding reserved for gas safety programs
*PSC-17-21-00005-P	..... exempt	Submetering equipment	To consider use of submetering equipment and if it is in the public interest
*PSC-17-21-00006-P	..... exempt	Community Choice Aggregation and Community Distributed Generation	To consider permitting opt-out Community Distributed Generation to be offered as the sole product in an aggregation
*PSC-17-21-00007-P	..... exempt	Utility studies of climate change vulnerabilities	To assess the need for utilities to conduct distinct studies of their climate change vulnerabilities
*PSC-18-21-00006-P	..... exempt	Community Choice Aggregation renewable products	To consider waiving the locational and delivery requirements for RECs purchased to support renewable CCA products
*PSC-19-21-00008-P	..... exempt	Community Choice Aggregation (CCA) and Community Distributed Generation (CDG)	To consider permitting Upstate Power, LLC to serve as a CCA administrator offering an opt-out CDG focused program

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-20-21-00004-P	..... exempt	Regulatory approvals in connection with a 437 MW electric generating facility	To ensure appropriate regulatory review, oversight, and action, consistent with the public interest
*PSC-21-21-00019-P	..... exempt	Utility capital expenditure proposal	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
*PSC-28-21-00013-P	..... exempt	Elimination of internal audits of wholesale performance metrics	To consider Verizon New York Inc.'s petition to eliminate requirements for certain internal audits
*PSC-29-21-00009-P	..... exempt	Proposed pilot program to use AMI to disconnect electric service to customers during gas system emergencies	To study the efficacy of using AMI to disconnect electric service during gas system emergencies
*PSC-32-21-00002-P	..... exempt	The prohibition on ESCO service to low-income customers	To consider whether Icon Energy, LLC d/b/a Source Power Company should be granted a waiver to serve low-income customers
*PSC-35-21-00009-P	..... exempt	To modify the terms and conditions under which gas utilities provide service to electric generators	To provide clarity and uniformity to the provision of gas service to electric generators in New York State
*PSC-36-21-00006-P	..... exempt	The Westchester Power Program	To consider integration of Opt-out Community Distributed Generation into the Westchester Power program
*PSC-37-21-00010-P	..... exempt	Zero emitting electric generating facilities that are not renewable energy systems	To consider modifications to the Clean Energy Standard
*PSC-37-21-00011-P	..... exempt	Green Button Connect implementation	To consider the proposed Green Button Connect User Agreement and Green Button Connect Onboarding Process document
*PSC-37-21-00012-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether Catalyst should be permitted to offer its Community Distributed Generation product to mass market customers
*PSC-38-21-00006-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	To consider filings of LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-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
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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-24-22-00007-P	..... exempt	St. Lawrence Gas' petition for a waiver of its 2021 service quality performance	To determine if St. Lawrence Gas' petition for waiver is in the public interest
*PSC-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.

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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-18-23-00001-P	..... exempt	A request for waiver of negative revenue adjustments.	Whether it is in the public interest to waive the negative revenue adjustments for NYSEG and RGE.
PSC-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.
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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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-33-23-00006-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-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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-35-23-00012-P	08/29/24	EV Phase-In Rate.	To consider if the EV Phase-In Rate is a near-term solution in the O&R service territory.
PSC-35-23-00013-P	08/29/24	EV Phase-In Rate.	To consider if the EV Phase-In Rate is a near-term solution in the National Grid service territory.
PSC-35-23-00014-P	08/29/24	EV Phase-In Rate.	To consider if the EV Phase-In Rate is a near-term solution in the Central Hudson service territory.
PSC-35-23-00015-P	08/29/24	EV Commercial Managed Charging Program Implementation Plan.	To consider the deployment of an EV CMCP Implementation Plan in the NYSEG/RG&E service territories.
PSC-35-23-00016-P	exempt	The Commission's statewide low-income affordability policy	To disburse the funds appropriated in the 2023-2024 New York State budget
PSC-35-23-00017-P	exempt	EV Phase-In Rate	To consider if the EV Phase-In Rate is a near-term solution in the Con Edison service territory
PSC-35-23-00020-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.
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-38-23-00002-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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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-39-23-00008-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-40-23-00032-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-41-23-00005-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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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
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-43-23-00007-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-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.

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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.
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 CSR program.	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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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.
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.
PSC-03-24-00002-P	..... exempt	National Grid's 2024 Electric Emergency Response Plan.	To consider the adequacy of National Grid's proposed 2024 Electric Emergency Response Plan.
PSC-03-24-00003-P	..... exempt	Con Edison's 2024 Electric Emergency Response Plans.	To consider the adequacy of Con Edison's proposed 2024 Electric Emergency Response Plans.
PSC-03-24-00004-P	..... exempt	Central Hudson's 2024 Electric Emergency Response Plans.	To consider the adequacy of Central Hudson's proposed 2024 Electric Emergency Response Plans.
PSC-03-24-00005-P	..... exempt	Request to defer cost of a Cost of Service and Rate Model Study.	To determine whether FIEC can defer the cost of a Cost of Service and Rate Model Study.
PSC-03-24-00006-P	..... exempt	O&R's 2024 Electric Emergency Response Plan.	To consider the adequacy of O&R's proposed 2024 Electric Emergency Response Plan.
PSC-03-24-00007-P	..... exempt	NYSEG's 2024 Electric Emergency Response Plan.	To consider the adequacy of NYSEG's proposed 2024 Electric Emergency Response Plan.
PSC-03-24-00008-P	..... exempt	Pole attachment charges.	To provide pole attachment services at just and reasonable rates.
PSC-03-24-00009-P	..... exempt	RG&E's 2024 Electric Emergency Response Plan.	To consider the adequacy of RG&E's proposed 2024 Electric Emergency Response Plan.
PSC-04-24-00004-P	..... exempt	Interconnection rules for distributed generation related to cost estimates, cost sharing, refunds, and construction thresholds.	To provide interconnection rules that ensure safe and adequate service at just and reasonable rates.
PSC-04-24-00005-P	..... exempt	Waiver of tariff rules.	To consider whether a waiver of tariff rules are just and reasonable and in the public interest.
PSC-05-24-00002-P	..... exempt	Minor rate filing by Warwick Water Corporation.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preference.
PSC-05-24-00003-P	..... exempt	Application of the Public Service Law (PSL) to a merchant developer and owner of a proposed solar facility.	To ensure an applicable regulatory regime under the PSL that is consistent with the public interest.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-05-24-00004-P	..... exempt	Waiver of the requirements of velocity steam meter testing for 2023.	To consider whether to provide relief from the velocity meter testing requirements for 2023 due to testing facility shutdown.
PSC-05-24-00005-P	..... exempt	The amount of incentives, including monthly, peak avoidance, and off-peak incentive payments for the managed charging program.	To consider adequate incentive amounts.
PSC-05-24-00006-P	..... exempt	Electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
PSC-05-24-00007-P	..... exempt	Transfer of certain electric generation facilities.	To determine whether the transfer of the electric generation facilities is in the public interest.
PSC-05-24-00008-P	..... exempt	Electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
PSC-05-24-00009-P	..... exempt	Electric metering equipment.	To ensure that consumer bills will be based on accurate measurements of electric usage.
PSC-06-24-00005-P	..... exempt	Minor rate filing to increase annual revenues.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-06-24-00006-P	..... exempt	Electric metering equipment.	To consider use of metering equipment and ensure that consumer bills will be based on accurate measurements of electric usage.
PSC-06-24-00007-P	..... exempt	LED streetlights in the Village of Cambridge.	To consider whether the use of LED streetlights in the Village of Cambridge requires changes.
PSC-07-24-00017-P	..... exempt	Policies, budgets, and targets for energy efficiency and building electrification portfolios for Non-LMI customers.	To establish a portfolio and policy framework for Non-LMI energy efficiency and building electrification.
PSC-07-24-00018-P	..... exempt	Policies, budgets, and targets for energy efficiency and building electrification for Non-Low- to Moderate-Income customers.	To establish a portfolio and policy framework for Non-Low- to Moderate-Income energy efficiency and building electrification.
PSC-07-24-00019-P	..... exempt	Policies, budgets, and targets for energy efficiency and building electrification portfolios for Non-LMI customers.	To establish a portfolio and policy framework for Non-LMI energy efficiency and building electrification.
PSC-07-24-00020-P	..... exempt	Policies, budgets, and targets for energy efficiency and building electrification portfolios for Non-LMI customers.	To establish a portfolio and policy framework for Non-LMI energy efficiency and building electrification.
PSC-07-24-00021-P	..... exempt	Minor electric rate filing to increase annual electric revenues.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-07-24-00022-P	..... exempt	Policies, budgets, and targets for energy efficiency and building electrification portfolios for Non-LMI customers.	To establish a portfolio and policy framework for Non-LMI energy efficiency and building electrification.
PSC-07-24-00023-P	..... exempt	Transfer of street lighting facilities.	To consider the transfer of street lighting facilities to the Town of Cheektowaga.
PSC-07-24-00024-P	..... exempt	Energy efficiency and building electrification programs.	To implement potential change to energy efficiency programs.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-07-24-00025-P	..... exempt	Policies, budgets, and targets for energy efficiency and building electrification portfolios for LMI customers.	To establish portfolio and policy framework for LMI energy efficiency and building electrification programs.
PSC-07-24-00026-P	..... exempt	Community Distributed Generation.	To consider CDG billing and crediting performance metrics and associated negative revenue adjustments.
PSC-07-24-00027-P	..... exempt	Policies, budgets, and targets for energy efficiency and building electrification portfolios for Non-LMI customers.	To establish a portfolio and policy framework for Non-LMI energy efficiency and building electrification.
PSC-07-24-00028-P	..... exempt	Policies, budgets, and targets for energy efficiency and building electrification portfolios for LMI customers.	To establish portfolio and policy framework for LMI energy efficiency and building electrification programs.
PSC-07-24-00029-P	..... exempt	Energy efficiency and building electrification programs.	To implement potential changes to building electrification program.
PSC-07-24-00030-P	..... exempt	Policies, budgets, and targets for energy efficiency and building electrification portfolios for LMI customers.	To establish portfolio and policy framework for LMI energy efficiency and building electrification programs.
PSC-07-24-00031-P	..... exempt	Extend the period of time in the calculation of the Loss Factor for Lost and Unaccounted for Gas.	To ensure safe and adequate service at just and reasonable rates to customers without undue preferences.
PSC-07-24-00032-P	..... exempt	Policies, budgets, and targets for energy efficiency and building electrification portfolios for Non-LMI customers.	To establish a portfolio and policy framework for Non-LMI energy efficiency and building electrification.
PSC-07-24-00033-P	..... exempt	Policies, budgets, and targets for energy efficiency and building electrification portfolios for Non-LMI customers.	To establish a portfolio and policy framework for Non-LMI energy efficiency and building electrification.
PSC-08-24-00006-P	..... exempt	Petition for termination of temporary operator role and cost recovery.	To determine if termination of a temporary operator and recovery of costs is in the public interest.
PSC-08-24-00007-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-08-24-00008-P	..... exempt	Audit Implementation Plan and audit recommendations.	To ensure that recommendations issued in a management and operations audit are appropriately addressed and implemented.
PSC-08-24-00009-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-08-24-00010-P	..... exempt	Economic development programs.	To consider whether it is in the public interest for National Grid to use deferred credits for economic development programs.

STATE, DEPARTMENT OF

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.
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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
STATE, DEPARTMENT OF			
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
DOS-04-24-00003-P	01/23/25	Civil Penalties for violations of Executive Law section 609 relating to manufactured housing.	To implement the provisions of Article 21-B of the Executive Law as amended by Chapter 601 of the Laws of 2023
STATE UNIVERSITY OF NEW YORK			
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.
SUN-04-24-00002-EP	01/23/25	State University of New York Tuition and Fee Schedule	To amend the Tuition and Fees Schedule effective for the Fall 2023 semester
SUN-08-24-00012-EP	02/20/25	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.
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.
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.
WORKERS' COMPENSATION BOARD			
WCB-51-23-00003-P	12/19/24	DME Fee Schedule	To update the DME fee schedule

SECURITIES OFFERINGS

STATE NOTICES

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

DEALERS; BROKERS

AG Arts Credit Fund, L.P.
c/o Angelo, Gordon & Co., L.P. 245 Park ave., New York, NY 10167
State or country in which incorporated — Delaware

AG Arts Credit Non-ECI Fund, LLC
c/o Angelo, Gordon & Co., L.P. 245 Park ave., New York, NY 10167
State or country in which incorporated — Cayman Islands

AG Credit Solutions Fund II Co-Investment, L.P.
c/o Angelo, Gordon & Co., L.P. 245 Park ave., New York, NY 10167
State or country in which incorporated — Delaware

AG CSF 2023 Main Fund (G), L.P.
c/o Angelo, Gordon & Co., L.P. 245 Park ave., New York, NY 10167
State or country in which incorporated — Cayman Islands

AG CSF 2023 Overflow Fund (G), L.P.
c/o Angelo, Gordon & Co., L.P. 245 Park ave., New York, NY 10167
State or country in which incorporated — Cayman Islands

AG DLI Lux (Unlevered), SCSp
c/o Angelo, Gordon & Co., L.P. 245 Park ave., New York, NY 10167
State or country in which incorporated — Luxembourg

AG Japan Value-Add Overflow Fund, L.P.
c/o Angelo, Gordon & Co., L.P. 245 Park ave., New York, NY 10167
State or country in which incorporated — Cayman Islands

AG Japan Value-Add Overflow Master Fund, L.P.
c/o Angelo, Gordon & Co., L.P. 245 Park ave., New York, NY 10167
State or country in which incorporated — Cayman Islands

AG New Lease Realty Fund V, L.P.
c/o Angelo, Gordon & Co., L.P. 245 Park ave., New York, NY 10167
State or country in which incorporated — Delaware

AG Net Lease Realty Fund V-A, L.P.
c/o Angelo, Gordon & Co., L.P. 245 Park ave., New York, NY 10167
State or country in which incorporated — Ontario

AG Net Lease Realty Fund V-A Offshore Holdings, L.P.
c/o Angelo, Gordon & Co., L.P. 245 Park ave., New York, NY 10167
State or country in which incorporated — Ontario

AG Net Lease Realty Fund V-QTE, L.P.
c/o Angelo, Gordon & Co., L.P. 245 Park ave., New York, NY 10167
State or country in which incorporated — Ontario

AG Net Lease Realty Fund V-QTE Offshore Holdings, L.P.
c/o Angelo, Gordon & Co., L.P. 245 Park ave., New York, NY 10167
State or country in which incorporated — Ontario

Aquire Inc.
625 W. Adams St., Chicago, IL 60661
State or country in which incorporated — Delaware

Investment Managers Series Trust II
235 W. Galena St., Milwaukee, WI 53212
State or country in which incorporated — Delaware

My Racehorse CA LLC
2456 Fortune Dr., Suite 110, Lexington, KY 40509
State or country in which incorporated — Nevada

SymphonyAI LLC
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State or country in which incorporated — Delaware

ADVERTISEMENTS FOR BIDDERS/CONTRACTORS

SEALED BIDS

INSTALL FALL PROTECTION Green Haven Correctional Facility Stormville, Dutchess County

Sealed bids for Project Nos. 46109-C, comprising a contract for Construction Work, Install Fall Protection - Cell Block Catwalks, Buildings, 8, 9 & 10, Green Haven Correctional Facility, Route 216, Stormville (Dutchess County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Department of Corrections and Community Supervision until 2:00 p.m. on Wednesday, March 13, 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 \$113,900 for C).

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 \$4,000,000 and \$5,000,000 for C.

Pursuant to State Finance Law §§ 139-j and 139-k, this solicitation includes and imposes certain restrictions on communications between OGS D&C and a bidder during the procurement process. A bidder is restricted from making contacts from the earliest posting on the OGS website, in a newspaper of general circulation, or in the Contract Reporter, of written notice, advertisement or solicitation of offers, through final award and approval of the contract by OGS D&C and the Office of the State Comptroller ("Restricted Period") to other than designated staff, unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a). Designated staff are Jessica Cook, Jessica Hoffman, and Pierre Alric in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-7862. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and 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.

XX 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 297 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 8:00 a.m. on March 1, 2024 at the OGS Office Trailer @ Green Haven CF, Route 216, Stormville, NY- use S. Green Haven Rd. entrance to the facility. 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 Gina Defreitas (845-227-3829 or Gina.Defreitas@ogs.ny.gov) a minimum of 72 hours in advance of the date to provide the names of those who will attend the pre-bid site visit. Only contractors that schedule a visit at least 72 hours in advance will be allowed to participate in the pre-bid site visit.

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

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

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

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

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

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

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

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

By OGS - Design & Construction Group

PROVIDE
CONGREGATE RECREATION PENS
 Collins Correctional Facility
 Collins, Erie County

Sealed bids for Project Nos. 47271-C, and 47271-E, comprising separate contracts for Construction Work, and Electrical Work, Provide Congregate Recreation Pens, S – Block, Collins Correctional Facility, 490 Middle Road, Collins, NY (Erie County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Department of Corrections and Community Supervision, until 2:00 p.m. on Wednesday, March 6, 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 \$153,400 for C, and \$44,000 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 \$6,000,000 and \$7,000,000 for C, and between \$1,000,000 and \$2,000,000 for E.

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

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

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

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

The substantial completion date for this project is 573 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 8:00 a.m. on February 22, 2024, NYS OGS, 14312 Taylor Hollow Road, Gowanda, 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 Kim Himes, (716-532-5151) a minimum of 72 hours in advance of the date to provide the names of those who will attend the pre-bid site visit. Only contractors that schedule a visit at least 72 hours in advance will be allowed to participate in the pre-bid site visit.

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

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

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

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

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

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

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

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

By OGS - Design & Construction Group

NOTICE OF AVAILABILITY OF STATE AND FEDERAL FUNDS

Environmental Facilities Corporation
625 Broadway
Albany, NY 12207-2997

MUNICIPALITIES OF NEW YORK STATE

New York State Water Infrastructure Improvement Grants and New York State Intermunicipal Water Infrastructure Grants

The New York State Environmental Facilities Corporation (EFC) is pleased to announce the availability of \$325 million in grants under the New York State Water Infrastructure Improvement (WIIA) and New York State Intermunicipal Water Infrastructure Grant (IMG) Programs.

This funding is for municipalities with infrastructure projects that protect or improve public health and/or water quality. Grant eligible critical water infrastructure projects include those that combat emerging contaminants such as PFOA, PFOS and 1,4 dioxane with system upgrades and innovative pilot technologies, along with those that address combined and/or sanitary sewer overflow impacts from sustained rain events.

New York State Water Infrastructure Improvement Grants

EFC will provide WIIA grants to assist municipalities in funding infrastructure projects for the protection of public health and water quality. WIIA grants will be awarded to water quality infrastructure projects for the construction, replacement, or repair of infrastructure, or for compliance with environmental and public health laws and regulations related to water quality. EFC will evaluate projects based on factors including protection of public health and water quality, median household income, governmental and community support, benefits to disadvantaged communities and environmental justice considerations, and the readiness of the project to proceed to construction, and for clean water projects, whether the project is in a small or rural community.

New York State Intermunicipal Water Infrastructure Grants

EFC will provide IMG grants for joint infrastructure projects to be undertaken by two or more cooperating municipalities. IMG funding will be awarded for construction, replacement, or repair of a drinking water or sewage treatment infrastructure that serves multiple municipalities, such as shared water quality infrastructure that protects public health or the environment, or results in compliance with environmental and public health laws and regulations related to water quality.

EFC will evaluate projects based on factors including protection of public health and water quality, governmental and community support, level of commitment of multiple municipalities to the specific project, benefits to disadvantaged communities and environmental considerations, and the readiness of the project to proceed to construction. To be eligible for a grant, cooperating municipalities must have a valid and binding Intermunicipal Agreement related to the funding and/or construction of the specific project for which the grant is sought.

Background

EFC administers the Clean Water State Revolving Fund (CWSRF) and co-administers the Drinking Water State Revolving Fund (DWSRF) with the NYS Department of Health. The SRF Programs provide subsidized financial assistance to qualified municipalities to undertake eligible water infrastructure projects. Municipalities, however, do not need to obtain financial assistance from the CWSRF or DWSRF program to receive a WIIA grant or IMG grant and do not

need to be listed on the CWSRF or DWSRF Intended Use Plan to apply for a WIIA grant or IMG grant.

A WIIA grant or IMG grant is available only to a municipality, which is defined to include a county, city, town, village, district corporation, county or town improvement district, school district, Indian Nation or tribe recognized by the state or the United States with a reservation wholly or partly within the boundaries of New York State, any public benefit corporation or public authority established pursuant to the laws of New York or any agency of the State that is empowered to construct and operate a water quality infrastructure project.

Application Due Date: Applications must be submitted using the online application located on EFC's website at www.efc.ny.gov/WIIA or www.efc.ny.gov/IMG by 5:00 p.m., Friday, June 14, 2024. Applicants will be required to submit additional documents with the application.

Webinar: EFC will host one or more webinars to present information on the WIIA and IMG programs. The webinar(s) will provide an overview of WIIA and IMG, as well as guidance on how to apply for grant funds. There will also be an opportunity to ask questions. Please check EFC's website at www.efc.ny.gov for webinar dates, times, and registration information.

CONTACTS:

If you have any questions, please email: NYSWaterGrants@efc.ny.gov or contact: Máire Cunningham, Environmental Facilities Corporation, 625 Broadway, Albany, NY 12207-2997, (518) 402-6924

Division of Homeland Security and Emergency Services

1220 Washington Ave.
Bldg. 7A, 4th Fl.
Albany, NY 12242

FEDERALLY RECOGNIZED INDIAN TRIBAL GOVERNMENTS, LOCAL GOVERNMENTS (TO INCLUDE STATE-RECOGNIZED INDIAN TRIBES AND AUTHORIZED INDIAN TRIBAL ORGANIZATIONS) AND CERTAIN PRIVATE NON-PROFITS (PNP) THAT PERFORM A GOVERNMENT-LIKE FUNCTION

Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP)

The New York State Division of Homeland Security and Emergency Services (DHSES) is pleased to announce the availability of Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) funds for Presidential Declaration: DR-4723.

FEDERAL FUNDS AVAILABLE:	\$ 15,000,000 (at a minimum) *
ELIGIBLE ACTIVITIES:	Implementing Hazard Mitigation Projects ^
DATE ANNOUNCED:	January 31, 2024
SUBAPPLICATIONS DUE TO DHSES:	April 30, 2024

(To disseminate program information to the widest possible audience, DHSES places program information on its website and asks that County Emergency Managers, Mitigation Coordinators, and other recipients of this notice forward the information to interested eligible subapplicants.)

* Please note: It is anticipated that the available funding for the HMGP under DR-4723 will be higher. All subapplicants with potential projects, including those where costs exceed current estimated funding, are encouraged to apply.

^ Advance Assistance (project scoping) and 5 Percent initiative subapplications are eligible through this funding opportunity. All program requirements are available in FEMA’s Hazard Mitigation Assistance (HMA) Unified Guidance (effective March 23, 2023; updated September 22, 2023).

If additional funds are awarded for HMGP under DR-4723, DHSES reserves the right to use those funds for Hazard Mitigation projects and/or Multi-Jurisdictional Hazard Mitigation plan updates submitted but not funded under other funding announcements. Subapplications may need to be re-ranked based on the priorities outlined in this announcement. Should DHSES make funds available for Hazard Mitigation planning, Multi-Jurisdictional Hazard Mitigation plan updates would be selected based on the expiration date of the subapplicants Multi-Jurisdictional Hazard Mitigation plan.

What is the HMGP?

After a Presidential disaster declaration, New York State receives HMGP funds to administer grant programs that support hazard mitigation planning and long-term mitigation measures that avoid loss of life, reduce damages to property and enhance the State’s resiliency.

- The State of New York, acting through DHSES, is the applicant for FEMA’s HMGP.

- Eligible subapplicants for HMGP assistance include federally recognized Indian Tribal Governments, local governments (to include State-recognized Indian Tribes and authorized Indian Tribal organizations) and certain Private Non-Profits (PNPs) that perform a government-like function. Eligible applicants under FEMA’s Public Assistance (PA) program are also eligible subapplicants under the HMGP.

- Ineligible subapplicants for HMGP assistance include individuals and businesses; however, eligible subapplicants may apply on their behalf.

- FEMA’s planning requirement must be met by all subapplicants at the time of project approval. The proposed activity must be consistent with the goals and objectives of the plan, and it must directly reduce the vulnerabilities identified in the risk assessment.

- For this funding opportunity, HMGP shall provide up to 75% reimbursement of eligible costs, not to exceed the award. The remaining 25% non-federal match will be the responsibility of the subapplicant. The non-federal cost share may consist of cash, donated or in-kind services, materials, or any combination thereof. While most Federal funds cannot be used for the non-federal match, there are some exceptions.¹

- Information about the HMGP and all program requirements are available in FEMA’s Hazard Mitigation Assistance (HMA) Unified Guidance.

- HMGP funded projects must be cost-effective through verification that future benefits (losses avoided) are equal to or greater than the project’s cost.

To receive HMGP funding, FEMA requires that a project be proven cost-effective using FEMA’s Benefit-Cost Analysis (BCA) Toolkit.² If a formal BCA achieving a Benefit Cost Ratio (BCR) of 1.0 or greater (with supporting documentation) is not provided, substantive information to demonstrate that a BCR of 1.0 or greater is achievable must be included. Either instance requires supporting documentation, including but not limited to: a completed NYS DHSES BCA Worksheet, documentation of historical damages (which may include a detailed attestation by a community official), copies of invoices, Project Worksheets (PWs) from FEMA’s Public Assistance (PA) program, or likelihood of future damages (including the population impacted).

State Priorities for Project Grants

The HMGP allows NYS to establish priorities that target damaged areas and enhance its resiliency posture by promoting strategies and activities identified in the NYS Standard Multi-Hazard Mitigation Plan (<https://mitigateny.availabs.org/strategies>). For this grant opportunity, HMGP funding will be available statewide for new subapplications and for resubmittals of projects previously deemed eligible by FEMA but unable to be funded through prior grant opportunities. All projects submitted will be ranked against each other based on priorities outlined below.

Following subapplication development, complete, eligible subapplications will be scored based on priorities below. While scoring will not take place until after subapplications are submitted, it is recommended that subapplicants review these priorities during the subapplication development process.

PRIORITIZATION CRITERIA

- 1 Projects located in Declared Counties - DR-4723 (Clinton, Dutchess, Essex, Franklin, Hamilton, Ontario, Orange, Putnam, and Rockland).
- 2 Projects to be completed in, or that will have direct risk reduction benefits to vulnerable populations. See Justice40 Initiative section below.
- 3 Projects that address climate change adaption and resiliency with consideration of the future impacts and risks associated with climate change. This includes promoting climate resiliency and reducing risks associated with flooding, high winds, coastal erosion, droughts, and wildfires.
- 4 Projects that protect and/or mitigate risk to repetitive loss structures and critical infrastructure.
 - 4.1 Projects that protect and/or mitigate risk to critical infrastructure.
 - 4.2 Projects that support utilities or other critical facilities’ ability to adapt to future conditions and reduce risks.
 - 4.3 Projects that protect and/or mitigate risk to repetitive loss structures.

Justice40 Initiative:

In accordance with the guiding principle of promoting equity and in implementing the Justice40 Initiative, the HMGP program is prioritizing assistance that benefits disadvantaged communities as referenced in Presidential Executive Order 14008. A disadvantaged community may be characterized by variables including, but not limited to: Low income; high and/or persistent poverty; high unemployment and underemployment; racial and ethnic segregation, particularly where the segregation stems from discrimination by government entities; linguistic isolation; high housing cost burden and substandard housing; distressed neighborhoods; high transportation cost burden and/or low transportation access; disproportionate environmental stressor burden and high cumulative impacts; limited water and sanitation access and affordability; disproportionate impacts from climate; high energy cost burden and low energy access; jobs lost through the energy transition; access to health care; and all geographic areas within Tribal jurisdictions.

As a result of New York State support of the federal Justice40 Initiative, DHSES is prioritizing projects that benefit the highest-risk communities and underserved populations within the State. Subapplicants are encouraged to make their case that a proposed project benefits disadvantaged communities (as outlined in the paragraph above). All identified cases submitted as a disadvantaged community will be considered and supported by utilizing predefined datasets (ex: SVI, ACS, NRI, etc.), supporting documents (ex: income surveys, local employment statistics, etc.), or any reasonable, and/or verifiable measure that supports the high-risk criteria status determination. The final acceptance/approval of any disadvantaged community designation will be determined by FEMA.

How to Apply

Complete subapplications must be submitted to DHSES no later than 5:00pm, April 30, 2024. For resubmittals of projects previously deemed eligible by FEMA, please be sure to submit using the subapplication package for DR-4723 (see link below).

Subapplications, all required forms, and guidance materials can be found on the DHSES website at: <https://www.dhses.ny.gov/current-funding-opportunities>

Please submit requests and/or questions to: HazardMitigation@dhses.ny.gov

Other

All qualified applicants shall be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability, or marital status.

It is against the law for DHSES to retaliate against anyone who takes action to oppose discrimination, files a grievance, or participates in the investigation of a grievance in accordance with state or federal civil rights laws.

¹ Please consult FEMA’s cost share guide (https://www.fema.gov/sites/default/files/2020-08/fema_hma_cost-share-guide.pdf) for more information.

² Visit FEMA’s Benefit Cost Analysis website for more information: <https://www.fema.gov/grants/guidance-tools/benefit-cost-analysis>

Housing Trust Fund Corporation

Hampton Plaza
38–40 State St.
Albany, NY 12207

**WEATHERIZATION ASSISTANCE PROGRAM SUBGRANTEES
Weatherization Assistance Program HEAP Incentive Funding for Targeted Buildings in Disadvantaged Communities**

SECTION 1. FUNDING AVAILABILITY AND GENERAL REQUIREMENTS

Introduction

New York State has been allocated approximately \$15,000,000 from OTDA for an incentive based LIHEAP program. The program will be administered for the State of New York by the Housing and Trust Fund Corporation (HTFC).

HTFC will rely on the existing network of WAP subgrantees to administer the funds available.

The funds will be made available to WAP subgrantees in good standing to leverage with their BIL and/or WAP funds for the purpose of targeting multi-family portfolios that have significant need for energy assistance (for example: government assisted housing, public housing, housing for persons with special needs). Subgrantees will be encouraged to leverage other funds to undertake this activity. Only existing subgrantees are eligible to apply for this funding to use in their current geographic service territory.

1.1 New York State Goals

The following Notice of Funding Availability (NOFA) was developed in conformance with the State of New York’s goals for the Weatherization Assistance Program to ensure long-term public benefit and to optimize results. Goals include:

- Enhancing energy efficiency and reduction of carbon emissions in alignment with the State’s Climate Leadership and Community Protection Act of 2019 (CLCPA)
- Ensuring Long-Term Public Benefit and Optimizing Results
- Ensuring Compliance with Equal Opportunity Laws
- Promoting Local Community-based Hiring
- Expand the green workforce
- Providing energy efficiency services to Disadvantaged Communities (See here)
- Providing Equal Opportunity for DBE’s and MWBE’s
- Encouraging Sound Labor Practices
- Engaging Community-Based Organizations
- Transparency to the market and customers

1.2 Schedule

NOFA Issued	February 2nd, 2024
Application Workshop/Bidder’s Conference	February 12th, 2024
Deadline to Submit Questions	February 14th, 2024
Answers to be Posted on HCR website	February 19, 2024
Submission Deadline	February 22, 2024
Announcement of Successful Applications	March 29th, 2024

1.3 Program Overview

The Weatherization Program (the Program) provides energy conservation assistance on behalf of income-eligible individuals and families to improve the energy efficiency of their dwellings and to reduce their housing expenditures for fuel and electricity. Priority for weatherization services is given to households with children, the elderly, persons with disabilities, as well as Home Energy Assistance Program (HEAP) recipients or those eligible to receive LIHEAP.

Program services are delivered through a statewide network of local service providers, referred to as Subgrantees. Subgrantees must follow sound internal management policies and provide skilled workmanship, high quality materials, and timely production of units. The performance of these subgrantees is evaluated on a continuing basis. Subgrantees include community action agencies, other community-based not-for-profit organizations, and local governmental agencies.

1.4 Funding Availability

HTFC has made \$15,000,000 of the annual HEAP allocation available to target multifamily housing in need of additional funding to achieve an enhanced scope by no later than July 30th, 2024. HTFC is soliciting subgrantees to assist certain types of housing for which funding is not currently sufficient and ensure that needs are met throughout the State.

1.5 Applicant Eligibility

This solicitation is being completed in conformance with the requirements outlined in Section 440 of the Weatherization Assistance Program Final Rule. As outlined in Section 3.2, subgrantees will be selected based upon their qualifications, ability to manage all responsibilities of a subgrantee, and their ability to leverage these HEAP incentive funds and other financial resources to complete energy efficiency measures. Each subgrantee must be a current Weatherization Network subgrantee in good standing. submit a detailed budget and narrative work plan showing how the project will be carried out. Funds will be awarded solely for BIL or stand alone HEAP projects. Funds are not eligible to be leveraged with weatherization PY23 or PY24 projects. The budget should list all personnel, including volunteer and paid staff, who will be associated with the program. The work plan will detail how the project will be implemented. Potential weatherization subgrantees must also show a production and expenditure plan, specifying whether subgrantee crews, subcontractors, or a combination of the two will be used. New subgrantees will be expected to meet or exceed the work plan goals they propose.

1.6 Role of Subgrantee

Under contract with HTFC, subgrantees will perform several services in compliance with WAP regulations and defined in the WAP State Plan, including:

- a) outreach and identification of appropriate properties and income eligibility verification of residents.
- b) evaluation of the energy efficiency of dwelling units proposed to be weatherized.
- c) installation of cost -effective energy-saving measures and supervision of workers and subcontractors.
- d) identification and mitigation of related health and safety concerns.
- e) maintenance of client and program files; and,
- f) preparation of regular management and fiscal progress reports; and other actions necessary to ensure compliance with State and Federal Program rules.

- g) Fuel usage and utility bill collection
- h) Ability to leverage additional federal funds, owner contributions are encouraged, not required, additional NYS HCR funds such as HOME, or other resources available not limited to applicable rebates and incentives.
- i) Provide required reporting documents
- j) Identification and outreach to areas with limited weatherization services
- k) Ability to engage with First Nations and Disadvantaged Communities

1.7 Administrative Fees and Advances

Administrative funding will be allowed. The administrative rate for subgrantees will be no more than 7.5% of the HEAP incentive allocation.

Administrative funding can be used by subgrantees to cover costs that are necessary for the organization to utilize the funding and deliver assistance. Typical expenditures found in this category are wages and fringe benefits for executive, accounting, and administrative personnel working on the program. Other typical administration cost category expenditures are the payroll processing costs, costs to administer health insurance programs, data processing costs, and other indirect costs such as bank service fees. As with the other weatherization cost categories, those costs applied to administration must be actual and allowable under the Uniform Administrative Requirements (2 CFR Part 200).

Any contracts awarded under this procurement may provide advance payments not to exceed 15% of the total allocation and will be paid following final approval of the contract from the HTFC and in accordance with Weatherization program policies and procedures.

1.8 Leverage and Efficiency

As stated in Section 1.5, HTFC is seeking proposals to expend incentive based HEAP funds in a timely manner to provide weatherization services through a targeted strategy. WAP is also seeking opportunities to streamline delivery of weatherization services to similar types of buildings, or buildings that have been financed with the same lender or program, by providing coordinated services to those buildings who would specialize in that type of building or program. Proposals should illustrate how these funds will expedite and enhance specifically identified BIL projects or stand-alone non-weatherization projects and benefit HEAP recipients, or HEAP eligible customers, will be prioritized.

1.9 Targeted Building Portfolios

Across the State, there are several individual portfolios of housing occupied by low-income households that have significant needs for energy assistance and are subsidized by or were developed with funding from the local, state or federal government. To help reduce the energy burden of the very-low-income residents of these properties, and to preserve affordability in these supported units, proposals that target funds to one or more portfolios are encouraged. Applicants seeking funding under this NOFA must provide a Statement of Approach (Section 4.3) that defines the targeted portfolio and describes how the applicant is uniquely suited to aid this type of building.

Targeted portfolio types may include but are not limited to:

- A. Multifamily buildings with more than 50 units.
- B. Low-income housing tax credit projects (ref. Section 42 of US Code)
- C. USDA Section 515 projects
- D. Supportive or Special Needs projects (may include but not limited to projects created by or assisted with resources from NYS Office of Mental Retardation and Developmental Disabilities, NYS Office of Mental Health or NYS Homeless Housing Assistance Corporation).
- E. HUD-assisted projects
- F. Public Housing projects, including state-supervised public housing
- G. Mitchell Lama projects
- H. Properties within a disadvantaged community census tract

I. Properties within First Nations and tribal lands

Targeted portfolios may be limited to a particular geographic area, such as a DAC or an underserved county. Please refer to Attachment D, the map. The applicant should describe in the Statement of Approach any geographic or location considerations, especially those relevant to defining the specific portfolio for which assistance is proposed. Also, to the extent that an applicant's expertise is relevant to the selection of a particular portfolio, the Statement of Approach should describe that expertise and explain the partner's role in the project.

1.10 Eligible Weatherization Activities

WAP encourages use of renewable energy systems, alternative energy sources, and other "green" practices in its housing and energy programs. WAP also encourages subgrantees to consider innovative measures, such as small-scale solar, geothermal, heat pumps, and district energy systems. Eligible activities are listed in these links under the annual 2023 WAP State Plan and BIL State Plan.

1.11 Population to Be Served

Income eligibility for the Program is set at 60% of the State's median income. This threshold has been selected by New York in accordance with federal HEAP regulations (Public Law 97-35, Sec. 2605 (b) (2) (B) and 10 CFR Part 440.22(a)(3)). Note that this income limitation is different than that used in many affordable housing programs. Subgrantees should be prepared to address conflicts arising from these separate limits.

Subgrantees are required to give priority for service to households with elderly persons, households with children under 18 years of age, households containing persons with disabilities or medical problems that weatherization services can assist, and HEAP recipients, particularly those with extremely high energy use. Subgrantees should consider the extent to which the targeted portfolio addresses one or more of these populations.

Subgrantees may only invest Program funds in rental buildings containing five or more units after they have established that 66% or more of the dwelling units in the building are occupied by eligible households. In rental projects where the energy audit indicates that significant energy savings can be expected to result from Program assistance, at least 50% of the dwelling units must be occupied by eligible households. Certain other eligibility requirements may also apply to multifamily buildings.

Subgrantees who can demonstrate service in an underserved area, DAC census tract, First Nation properties, and/or an extreme heat census tract will receive prioritization.

1.12 Deliverables

Applicants responding to this NOFA agree to complete all proposed work in accordance with applicable program rules and regulations. Expenditures and unit production that are proposed in the attached Production Schedule (Exhibit 2) must be met within 18 months of the contract start date.

The Policy and Procedures Manual (PPM) very specifically outlines the administrative and field deliverables associated with the Program. All subgrantees agree to implement this Program in accordance with the governing rules and regulations. WAP staff conducts regular monitoring of both field and administrative practices. Failure to meet program requirements or deliverables outlined in the resulting contract may be considered a contract default and could result in termination of the contract and other penalties.

1.13 Respondents to this Notice of Funding Availability

The subgrantee assumes all responsibility for program compliance; this includes working with subcontractors. Subcontractors can be private or for-profit companies and are required to adhere to all program rules and regulations. The management structure and approach must be clearly defined in the Statement of Approach narrative (Attachment C). Each applicant must demonstrate compliance with all rules associated with the program and show the capacity to successfully complete all functions normally associated with WAP work. Existing WAP subgrantees applying for funds to assist a targeted portfolio will continue to be subject to the production requirements of their regular WAP allocation contract and will be required to meet all

deliverables associated with this solicitation. Compliance with all production requirements will be evaluated in making determinations about the award of incentive funding. Any existing subgrantee must have a strong track record of completed projected units and not have been subject to a corrective action plan within the last 5 years.

In instances where the subgrantee or any of its team members have ownership or financial interest in the buildings to be weatherized under the Program, the subgrantee must disclose their interest to the HCR Regional office prior to commencement of any procurement activities associated with these funds.

1.14 Application Workshop

An application workshop will be held online. All potential applicants are strongly encouraged to attend. The meeting will be conducted as a video conference. The purpose of this meeting is to answer all questions potential applicants have and provide guidance on program planning and implementation. The workshop link and all questions and answers will be posted to the internet website at Weatherization Assistance Program | Homes and Community Renewal (ny.gov) after the workshop.

SECTION 2. APPLICATION SUBMISSION AND COMMUNICATION WITH HTFC

1.15 Application Submission

Applicants are encouraged to submit proposals to HTFC by electronic mail, using the forms provided for this purpose that are attached to this solicitation. Other required materials may also be attached to an electronic mail message. Electronic submissions should be addressed to:

Weatherization@hcr.ny.gov

The subject line should read "HEAP Incentive Subgrantee NOFA".

Applicants that choose to submit using paper copies must provide five (5) copies of all materials, and address the submission to:

NYS Housing Trust Fund Corporation

Weatherization Assistance Program

Attention: Proposal Submission Screening Jonathan Biber

Hampton Plaza, 9th Floor

38-40 State Street

Albany, New York 12207

HTFC must receive applications by 5:00 p.m. EST on February 22, 2024. Applications received after this time will not be considered. No faxed or hand-delivered copies will be accepted. HTFC is not responsible for applications that are not delivered or cannot be viewed due to technical reasons. Applicants are encouraged to submit early to allow time for verification of receipt.

HTFC expects to notify applicants of the status of their application by March 29th, 2024. The successful applicant(s) will receive notification of intent to award at this time. Applicants will be provided with instructions on contract preparation after the award is announced.

1.16 Communication and Inquiries

Applicants with questions on this Notice of Funding Availability, on the application process, or on any related program matter are encouraged to contact the appropriate WAP regional office until the submission deadline. Regional office contact information is located at the end of this NOFA. Applicants are encouraged to submit questions in writing, to aid in the development of uniform answers that can be made available to any potential applicant. Time will be allowed at the application workshop for applicant questions.

This NOFA is subject to NYS Procurement Lobbying Provisions. Pursuant to State Finance Law §§ 139-j and 139-k, this solicitation includes and imposes certain restrictions on communications between HTFC and an applicant during the procurement process. An applicant is restricted from making contacts from the earliest notice of intent to solicit offers through final award and approval of the Procurement Contract (the restricted period) by HTFC and, if applicable, Office of the State Comptroller, 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, listed at the end of this document, as of the date hereof, are identified on the following page of this solicitation. HCR employees are also required to obtain

certain information when contacted during the restricted period and decide of the responsibility of the applicant 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 (4) year period; the applicant is debarred from obtaining governmental procurement contracts. Further information about these requirements can be found on the Office of General Services' website.

After the deadline for submission, oral communication regarding the NOFA with any HCR staff is not permitted. Following submission, applicants have the option to submit questions in writing to HTFC, provided those questions are received by HTFC by 5:00 P.M., February 14th, 2024. WAP will post replies on its web site, Weatherization Assistance Program | Homes and Community Renewal (ny.gov), by February 22, 2024.

1.17 Cost of Application

All costs of preparing and submitting applications in response to this solicitation are the sole responsibility of the applicant. HTFC shall not incur any costs resulting in the preparation and delivery of an application. HTFC will not return any submitted applications. HTFC accepts no responsibility for faulty correspondence or application submissions that are not delivered.

1.18 Selection Guidelines

Applicants will be evaluated in accordance with the criteria outlined in Sections 3 and 4. Applications will be scored on a 100-point system and ranked accordingly. Awards will be made to applicants who are deemed responsive and responsible. HTFC may conduct discussions with respondents for the purpose of promoting understanding of the requirements and the respondent's application to clarify requirements. HTFC reserves the right to negotiate adjustments in services and fund at less than the requested amount. Changes to applications, if permitted, will be requested by HTFC in writing from respondents.

a. The issuance of this solicitation, the submission of a proposal/bid by any Offeror, and/or the acceptance of such proposal by the Agency, does not obligate the Agency in any manner whatsoever. Legal obligations will only arise upon execution of a formal contract by the Agency and the Contractor.

b. The Agency reserves the right to: (i) amend, modify, or withdraw this solicitation; (ii) revise any requirements of this solicitation; (iii) require supplemental statements or information from any Offeror; (iv) accept or reject any or all proposals/bids; (v) extend the deadline for submission of proposals/bids; (vi) negotiate or hold discussions with any Offeror and correct deficient proposals/bids that do not completely conform to the instructions contained herein; (vii) cancel or reissue this solicitation, in whole or in part, if the Agency deems it in its best interest to do so; (viii) hold a pre-bid conference with all Offerors, to answer questions and provide applicable information as necessary; (ix) accept a proposal/bid and any subsequent proposal/bid for the contract award from someone other than the lowest cost Offeror consistent with the criteria for the evaluation of proposals/bids; (x) make an award in whole or in part; (xi) disqualify any Offeror whose conduct and/or proposal/bid fails to conform to the requirements of this solicitation; (xii) seek clarification and revisions of proposals/bids; (xiii) change any of the solicitation's scheduled dates; (xiv) utilize any and all ideas submitted in the proposals/bids received; (xv) request best and final offers; (xvi) require clarification at any time during the procurement process and correction of arithmetic or other apparent errors to assure a full and complete understanding of a proposal/bid or to determine an Offeror's compliance with the requirements of the solicitation; (xvii) re-issue this solicitation, or a similar version, annually or as needed to solicit additional proposals/bids; (xviii) interview an Offeror prior to selection; and (xix) waive any requirements that are not material.

c. The Agency may exercise the foregoing rights at any time without notice and without liability to any Offeror or any other party for expenses incurred in connection with the proposals/bids. All proposals/bids and submissions will be made at the sole cost and expense of the Offeror.

d. This solicitation and any agreement which may result from it are subject to all applicable laws, rules, and regulations promulgated by any federal, state, or local authority having jurisdiction over the

subject matter hereof, as the same may be amended from time to time. The Agency shall be the sole judge of whether a proposal/bid complies with the requirements of this solicitation and the merits of such proposal/bid. This solicitation does not commit the Agency to select a contract awardee, or to procure or contract for the services or goods described herein.

e. Nothing stated at any time by any representative of the Agency will effect a change in, or constitute an addition to, this solicitation unless confirmed in writing by the Agency.

f. Offerors responding hereto must agree to keep confidential their proposals/bids and any information received from the Agency.

g. The Offeror will be required to execute a contract prescribed by the Agency, and to abide by all relevant laws and policies of the Agency with regard to, among other things, conflicts of interest, ethics, lobbying law directives, minority and/or women owned business enterprise participation requirements, equal employment opportunity programs, service disabled veteran-owned business enterprises, etc.

h. The Agency believes the information set forth in this solicitation is accurate. However, the Agency, its directors and/or members, officers, agents and employees assume no responsibility for errors and omissions contained therein.

i. Under no circumstances (including withdrawal of this solicitation before or after proposals/bids are received) will any Offeror have any recourse against the State or any Agency, their directors, members, officers, agents or employees for any expenses incurred or damages sustained as a result of this solicitation process.

j. The Agency reserves the right to select qualified proposals/bids for further review and negotiation. Further negotiation may include, but shall not be limited to, bid amounts for contract award on the basis of a formal evaluation of the characteristics, quality and cost of such proposals/bids.

k. The Agency reserves the right to make one or more awards based on the proposals/bids that the Agency deems best in its sole discretion.

l. Offerors shall not make public announcements or issue news releases pertaining to selection or contract execution without prior written consent of the Agency.

m. Any contract subject to approval by an Agency's Board will be awarded only after approval by the Board.

1.19 WAP Policies and Procedures Manual

To ensure that all applicants have a clear understanding of the rules, responsibilities and requirements of being a subgrantee under the Program, applicants are required to carefully review the WAP Policies and Procedures Manual (PPM) that can be found on the HTFC website: Weatherization Assistance Program | Homes and Community Renewal (ny.gov) It is required that each applicant seeking to be a temporary subgrantee under this solicitation, attest to (see Attachment B in Section 4) their review and understanding the PPM and must confirm that if selected they will administer the Program in compliance with all rules and regulations of the Program.

SECTION 3. APPLICATION FORMAT, EVALUATION AND SELECTION CRITERIA

3.1 Application Format

Applicants should prepare their submissions by addressing each item outlined in Section 4 in the order that it appears and to use the same number in the response. Elaborate and expensive presentations are not required and will not contribute to a more positive evaluation of the application. However, be sure to provide all the information requested. Meeting all requirements of this solicitation is entirely the responsibility of the applicant. HTFC is under no obligation to review incomplete applications.

3.2 Selection Criteria

Applications will be evaluated in their entirety and on the ability of the applicant to deliver comprehensive services under the Program. Each Exhibit and Attachment set forth in Section 4 will be evaluated against the rating criteria for each requirement. The maximum score possible under the NOFA is 100 points.

Each application will include an examination of whether the response addresses all the components of Section 4 of the NOFA in their

submission. If the application is not complete it will be disqualified, and no further review or evaluation will take place. Applications that are complete will be evaluated based on the following criteria:

A. Statement of Approach: applicants will be evaluated on the appropriateness of the approach and the geography of the area served. This will include an evaluation of project feasibility, number of units served, and areas served, in addition to previous production goal completion rates. This will include an evaluation of areas served and identified in Attachment D map. Disadvantaged communities and areas with a lower concentration of weatherized homes will be prioritized for this funding. This will include an evaluation of each component included in Attachment C by the applicant for achieving the overall goals of the Program and the priorities outlined in the NOFA. (40 Points)

B. Statement of Organizational Experience and Key Personnel: applicants will be evaluated on the relevant experience of the organization and staff as outlined in Attachments D and Gas well as any partners proposed for the team. (20 Points)

C. Statement of Qualifications/Quality Assurance, Financial and Information Technology Capacity: determination of whether the organization has the capacity to complete the proposed work plan in a cost-effective, efficient manner within the time constraints of BIL as evidenced by Attachments E, F, and H. (15 Points)

D. Reasonableness of proposed scope and Budget/Leverage: applicants will be evaluated on the proposed number of units to be completed by the applicant in relation to the goals of the NOFA, the Program, and BIL. Applicants will also be evaluated on the amount of leveraged financial resources they bring to the proposed assisted projects. Such leveraged resources can be in the form of equity, BIL, non-WAP grant funds, loans, and other financial resources that assist with the weatherization and preservation of low-income units as evidenced by Exhibit 2 and Attachment I. (25 Points)

During the evaluation process, each item in Section 4 will be assessed according to the criteria listed above. No more than 3 temporary subgrantees will be selected per region, only those with the highest scores achieving all criteria will be considered. Applicants will be evaluated as to whether they meet the threshold requirements for each measure. Only applications that meet each of the threshold requirements will be considered for an award under this NOFA.

SECTION 4. APPLICATION SUBMISSION

Each applicant must submit information from each of the following sections. Any application which is submitted that fails to respond to any of the items will be rejected and disqualified from the review process. Answers should be labeled and ordered to correspond to the order as shown below. Each applicant should submit a detailed budget and statement of approach showing how the project will be carried out, including an outreach strategy. The budget should list all personnel, including volunteer and paid staff, who will be associated with the program. The statement of approach will detail how the project will be implemented. Potential weatherization subgrantees must also show a production and expenditure plan, specifying whether subgrantee crews, subcontractors, or a combination of the two will be used. New subgrantees will be expected to meet or exceed the work plan goals they propose.

Required Exhibits:

Exhibit 1 – Proposal Summary

Exhibit 2 – Budget/Production Schedule/Statement of Approach

Exhibit 3 – Vendor Responsibility Questionnaire

Required Attachments:

Attachment A - Applicant Registration Form (for new applicants only)

Attachment B – Recognition and Compliance Confirmation

Attachment C - Statement of Approach

Attachment D - Statement of Organizational Experience

Attachment E - Statement of Qualifications/Quality Assurance

Attachment F - Evidence of Financial Management Capacity

Attachment G - Key Personnel

Attachment H - Information Technology Management

Attachment I – Supplemental Budget Information (use Exhibit 2 as the budget form)

Attachment J – Map identifying geographic need and area served.

4.1 Proposal Summary (Exhibit 1)/Applicant Registration Form (Attachment A)

Each applicant must complete Exhibit 1, which provides a summary of the applicant’s proposal. Applicants must include their six-digit Applicant ID number were indicated on the proposal summary. If the applicant is unsure of their Applicant ID number, contact the HCR regional office for assistance. These items are threshold items. They are not rated, but if an applicant does not complete or submit them the proposal will not be considered for funding.

4.2 Recognition and Compliance Confirmation (Attachment B) and Vendor Responsibility Questionnaire (Exhibit 3)

An authorized individual of the applicant must provide a statement, labeled “Attachment B – Recognition and Compliance Confirmation,” confirming their review and understanding of the PPM, and must confirm that if selected they will administer the Program in compliance with all rules and regulations of the Program. Also, all submissions must include the Vendor Responsibility Questionnaire (Exhibit 3). These are threshold items that must be submitted with the proposal. It is not rated, but if an applicant does not provide a signed compliance statement the proposal will not be considered for funding.

4.3 Statement of Approach (Attachment C) – (40 points)

Provide a narrative that describes how the organization plans to provide services to meet the needs of the various components of the Program. The applicant should address all components and seek to demonstrate their competency to deliver all services efficiently and effectively. The Statement of Approach must be labeled “Attachment C.”

The maximum points attainable for this section will be based on the following rating scale:

Rating	Criteria	Percentage of Points Assigned
Excellent	Fully developed approach that serves multiple underserved geographies	100%
Good	Fully developed approach that serves underserved geographies with vague details.	75%
Average	Fully developed, with three vague, weak or missing items in an underserved geography	50%
Poor	Fully developed in an already served geography without enhanced need	25%
Very Poor	No discernable or unworkable approach, and/or has four vague, weak or missing items	0%
Incomplete	Did not respond to section	0%

The following items must be addressed in the narrative:

- Identify the additional scope items that will be implemented on current BIL Pipeline projects.
- Identify the timeline and feasibility of project production schedule.
- Identify the targeted building portfolio type (s) that your organization will serve.
- Describe the proposed geographic territory proposed to be served by your organization and identify if it is in a Disadvantaged Community as defined by the CLCPA. Disadvantaged Communities Criteria - New York’s Climate Leadership & Community Protection Act (ny.gov)
- Identify if the building portfolio is within a First Nation and describe the outreach plan or agreement in place for service.
- Identify if the building portfolio is within a Heat Vulnerable census tract
- Indicate the projected numbers of buildings and units to be

weatherized under the Program. Be sure the information is consistent with information provided on Exhibit 2, “Weatherization Assistance Program Proposed Budget and Production Schedule.”

- Indicate the decarbonization impact of your proposed projects.
- Describe how weatherization projects will be identified and prioritized.
- Describe your workforce plan – use of in-house employees, subcontractors or a combination of both. Provide current staff plan.
- Discuss how weatherization activities will be coordinated with other existing programs administered by the applicant (if that is the case); Include a complete listing of all other programs that WAP will be coordinated with and address the potential impact these programs could have on each other regarding staff time, scheduling and production.
- Provide a schedule that includes training, ramp up, first weatherization services completed, and full production. It is expected that temporary subgrantees selected under this solicitation will be under contract by March 1, 2024, and must complete all production and reporting by March 30, 2025. Be sure the information is consistent with information provided on Exhibit 2, “Weatherization Assistance Program Proposed Budget and Production Schedule.”

• If a team approach is proposed in which the applicant 1) is partnering with another subgrantee or organization to provide services, and/or 2) will be using contract services from an organization or individual, the following information is required:

-An organization chart and memorandum of understanding illustrating responsibilities between parties and lead agency.

List of potential contractors or partners and services that they will provide.

-Description of method for ensuring contractors or partners meets all requirements.

-A statement of the contractor’s profile, qualifications, and experience with similar contracts.

-Description of the method for assuring quality assurance of contractors or partners.

4.4 Statement of Organizational Experience (Attachment D) – (20 points)

Provide a brief narrative that outlines the technical, managerial, and financial capabilities of the applicant. This narrative must be labeled “Attachment D - Statement of Organizational Experience.”

The maximum points attainable for this section will be based on the following rating scale:

Rating	Criteria	Percentage of Points Assigned
Excellent	Clearly demonstrates expertise in all areas	100%
Good	Demonstrates expertise/experience in at least seven of the areas, and has plan for others	75%
Average	Demonstrates expertise/experience in at least six of the areas, and has plan for others	50%
Poor	Demonstrates expertise/experience in at least five of the areas, and has plan for others	25%
Very Poor	Demonstrates expertise/experience in four or less areas	0%
Incomplete	Incomplete Did not respond to section	0%

Each of the following areas below must be addressed, and relevant experiences over the last three years must be included:

- Related programs or services provided by the applicant.
- Management and delivery structure of the programs or services provided.
- Client complaint resolution policy and procedures.
- Experience providing services to low-income populations.

- Referral and outreach mechanisms used to reach eligible populations.

- Experience providing programs or services in which applicant participated in the performance of energy efficiency activities (including number of units) including audits and building shell improvements.

4.5 Financial Capacity (Attachment F) – (5 points)

Submit evidence of financial management capacity to provide Program services outlined in the Statement of Approach. Information submitted in response to the requirements of this section must be labeled “Attachment F - Evidence of Financial Management Capacity.”

The maximum points attainable for this section will be based on the following rating scale:

Rating	Criteria	Percentage of Points Assigned
Excellent	All information provided and clearly stated – organization appears strong with no financial issues	100%
Good	One item was missing or was inadequate, but organization appears strong with no financial issues	80%
Average	All information was provided and clearly stated, but at least one issue of concern was disclosed	40%
Poor	Two items were missing, or inadequate and organizational strength is unclear	20%
Very Poor	Three items were missing or inadequate, and organizational strength appears weak	0%
Incomplete	Did not respond to section	0%

Response must address each of the following items:

- Description of accounting practices, internal controls, preparation and communication with all necessary personnel for reports/billings; please state whether Generally Accepted Accounting Principles are used. Also, please include a description of all financial software used.

- Copy of the most recent audited financial statements, by division or program, certified by a certified public accountant, including balance sheet and income statement, dated within 12 months of filing.

- Provide a reference from a financial institution including name of financial institution, name of individual, address, and telephone number.

- An assurance that no legal or administrative proceedings are pending and that no proceedings have been concluded adverse to the respondent within the last five years which relate to procurement or performance to any public or private grants, agreements and/or contracts. If no assurance is provided, a list of all such proceedings pending or those concluded adverse to the respondent within the last five years must be attached.

- Assurance that the organization is not in arrears for federal, state or local taxes of any type; that it does not owe any monies to the state for the administration or enforcement of any environmental laws of the state; that it does not owe any other monies to the state that are past due, whether the amounts owed are being contested in a court of law or not; and that there are no outstanding liens, levies, lawsuits or investigations pending of any type. If such acknowledgement cannot be provided, a detailed explanation must be provided.

4.6 Key Personnel (Attachment G) – (5 points)

Provide evidence that the applicant has qualified staff or a plan to put in place necessary staff to perform all aspects of the Program. The applicant must submit on behalf of all contractors that it has plans to include on its team. This material must be labeled “Attachment G - Key Personnel.” The maximum points attainable for this section will be based on the following rating scale:

Rating	Criteria	Percentage of Points Assigned
Excellent	Existing and experienced staff with capacity to provide all services	100%
Good	Plan which demonstrates ability to provide for all necessary staff to provide all services	80%
Average	Existing and experienced staff with limited capacity (50% availability) to provide for all services, but has Plan to address most all services	40%
Poor	Existing and experienced staff with limited capacity (50%), but no Plan to address all services	20%
Very Poor	Demonstrates less than 50% of required expertise/experience	0%
Incomplete	Did not respond to section	0%

Response must include all the following information:

- List all key personnel that will develop, operate and oversee the Program. For each person, list:

- o Experience, including number of years, in energy management, in a fee for service environment, electric and gas reduction, energy auditing experience, or energy education.

- o Number of years working in the Program or similar programs including the names of the programs.

- o Educational background including any professional licenses held.

- o Certification held by key staff in energy audits, building science, lead safe work, and QCI.

- o Current responsibilities by program and percentage of time committed.

- o List of relevant training attended.

- Attach resumes of key staff.

4.7 Budget/Leverage (Exhibit 2 and Attachment I) – (30 points)

Applicants must show a detailed program budget that corresponds to the information provided in Section 4.5, Statement of Approach. Use Exhibit 2 for the budget and label any supplemental narratives “Attachment I – Supplemental Budget Information.”

The maximum points attainable for this section will be based on the following rating scale:

Rating	Criteria	Percentage of Points Assigned
Excellent	All budget and supporting documentation are provided, budget reflects conformance to the PPM, and evidence leverage of more than two to one. WAP funds to other funding sources funds to other funding sources	100%
Good	All budget and supporting documentation are provided, budget reflects conformance to the PPM, and evidence leverage of at least two to one of WAP. funds to other funding sources	75%
Average	All Budget and supporting documentation are provided and budget reflects conformance to the PPM, and evidence leverage of at least one to one of WAP. funds to other funding sources	50%
Poor	Budget and supporting documentation are provided, but less than 20% of total cost is budgeted for materials, and only leverage documented is from in-kind support	25%

Rating	Criteria	Percentage of Points Assigned
Very Poor	Budget and/or supporting documentation is not complete or shows significant deviation from customary pricing standards	0%
Incomplete	Did not respond to section	0%

This information must include:

- A listing of all personnel, including volunteer and paid staff, who will be associated with the Program.
- Cost allocation plan for any space, supplies, or equipment that will be shared with other programs.
- List of all in-kind support that will be utilized.
- List all administrative costs to be charged to the Program (please see the WAP PPM for a discussion of allowable expenses).
- List any financial resources that your organization has available to leverage WAP funded activities in the buildings proposed to be completed under this NOFA. Examples of leveraged resources may include other grant sources, tax credit equity, owner contributions, or in-kind activities. Evidence of any stated financial sources of leverage should be documented.
- List all financial resources that your organization will seek to obtain to leverage WAP funded activities to achieve electrification in the buildings proposed.
- Provide empirical examples of leveraging in previous portfolios.

SECTION 5 – REQUIRED CONTRACT MATERIALS

The following are not required as part of a proposal submission but will be required from successful applicants before a contract is offered.

Standard Clauses for NYS Contracts

- Non-Collusive Bidding Certification
- Non-Discrimination in Employment in Northern Ireland
- Procurement Lobbying Provisions and Forms
- Consultant Services Forms

Minority and Women-Owned Business Requirements

Worker’s Compensation Insurance Requirements

Resources

HCR web site: www.hcr.ny.gov

Questions should be directed to the following designated staff: elaine.mahoney@hcr.ny.gov and jonathan.biber@hcr.ny.gov

MISCELLANEOUS NOTICES/HEARINGS

Notice of Abandoned Property Received by the State Comptroller

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

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

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

Deferred Compensation Plan

Pursuant to the provisions of 9 NYCRR, Section 9003.2 authorized by Section 5 of the State Finance Law, the New York State Deferred Compensation Board, beginning February 21, 2024, is soliciting proposals from Financial Organizations to provide Active U.S. Equity management services. The funds will represent several of the investment options under the Deferred Compensation Plan for Employees of the State of New York and Other Participating Public Jurisdictions, a plan meeting the requirements of Section 457 of the Internal Revenue Code and Section 5 of the State Finance Law, including all rules and regulations issued pursuant thereto. A copy of the request for proposals will be posted on Callan's website (www.callan.com) and the Board website, deferredcompboard.ny.gov. All proposals must be received no later than 5 PM Eastern time on April 5, 2024. This notice was prepared by Sharon Lukacs, Executive Director, New York State Deferred Compensation Board, 1450 Western Avenue, Suite 103, Albany, NY 12203.

The Board is seeking proposals from financial organizations to provide Active U.S. Equity Management as detailed below. Existing managers are invited to rebid. Active categories with proposed benchmarks listed (benchmarks are subject to review):

- Large Cap Core Active, benchmarked to the S&P 500 or Russell 1000 Index.
- Large Cap Value Active, benchmarked to the Russell 1000 Value Index.
- Large Gap Growth Active, benchmarked to the Russell 1000 Growth Index.
- Small Cap Value Active, benchmarked to the Russell 2000 Value Index.
- Small Cap Growth Active, benchmarked to the Russell 2000 Growth.
- Small and Mid Cap (SMID) Core Active, benchmarked to the Russell 2500 Index.

- Portfolio construction is required to be in line with the relevant index and therefore exhibit a minimum of style or market capitalization drift.

The process is open to evaluating mutual funds, CITs, or other daily valued, daily liquid pooled vehicles that are eligible for inclusion in the Plan, not to separately managed accounts.

PUBLIC NOTICE

Department of Health

Pursuant to 42 CFR Section 447.205, the Department of Health hereby gives public notice of the following:

The Department of Health proposes to amend the Title XIX (Medicaid) State Plan for non-institutional services consistent with sections 43.01 and 43.02 of the New York State Mental Hygiene Law. The following changes are proposed:

Non-Institutional Services

The following is a clarification to the September 27, 2023, noticed provision to the New York Medicaid State Plan for rehabilitation services provided by Assertive Community Treatment (ACT) programs. With clarification, this includes rates for larger ACT teams and rate increases for rural and youth ACT teams to enable programs to better serve Medicaid beneficiaries with serious mental illness.

There is no estimated annual change to gross Medicaid expenditures as a result of this clarification.

The public is invited to review and comment on this proposed State Plan Amendment, a copy of which will be available for public review on the Department's website at http://www.health.ny.gov/regulations/state_plans/status. Individuals without Internet access may view the State Plan Amendments at any local (county) social services district.

For the New York City district, copies will be available at the following places:

New York County
250 Church Street
New York, New York 10018

Queens County, Queens Center
3220 Northern Boulevard
Long Island City, New York 11101

Kings County, Fulton Center
114 Willoughby Street
Brooklyn, New York 11201

Bronx County, Tremont Center
1916 Monterey Avenue
Bronx, New York 10457

Richmond County, Richmond Center
95 Central Avenue, St. George
Staten Island, New York 10301

For further information and to review and comment, please contact:
Department of Health, Division of Finance and Rate Setting, 99

Washington Ave., One Commerce Plaza, Suite 1432, Albany, NY 12210, spa_inquiries@health.ny.gov

PUBLIC NOTICE

Department of Health

Pursuant to 42 CFR Section 447.205, the Department of Health hereby gives public notice of the following:

The Department of Health proposes to amend the Title XIX (Medicaid) State Plan for institutional, non-institutional and long-term care services to comply with statutory provisions. The following changes are proposed:

Non-Institutional Services

Effective on or after April 1, 2024, this proposal continues the supplemental upper payment limit payments made to general hospitals, other than major public general hospitals under non-institutional services of \$339 million annually.

There is no change to the annual gross Medicaid expenditures as a result of this proposed amendment.

For state fiscal year beginning April 1, 2024 through March 31, 2025, this proposal continues hospital outpatient payment adjustments that increase the operating cost components of rates of payment for hospital outpatient and emergency departments on and after April 1, 2011, for public general hospitals other than those operated by the State of New York or the State University of New York, which are located in a city with a population of over one million. The amount to be paid will be up to \$287 million annually based on the current criteria and methodology set by the Commissioner of Health, which the Commissioner may periodically set through a memorandum of understanding with the New York City Health and Hospitals Corporation. Such adjustments shall be paid by means of one or more estimated payments. Payments may be added to rates of payment or made as aggregate payments.

There is no change to the annual gross Medicaid expenditures as a result of this proposed amendment.

For state fiscal year beginning April 1, 2024 through March 31, 2025, this proposal continues payment of up to \$5.4 million in additional annual Medicaid payments to county operated free-standing clinics, not including facilities operated by the New York City Health and Hospitals Corporation, for services provided by such DTC and those provided by a county operated freestanding mental health or substance abuse DTC. Distributions shall be based on each eligible facility's proportionate share of the sum of all DTC and clinic visits for all eligible facilities receiving payments for the base year two years prior to the rate year. The proportionate share payments may be added to rates of payment or made as aggregate payments to eligible facilities.

There is no change to the annual gross Medicaid expenditures as a result of this proposed amendment.

Effective April 1, 2024 and each state fiscal year thereafter, this proposal continues supplemental payments for services provided by physicians, nurse practitioners and physician assistants will continue.

There is no change to the annual gross Medicaid expenditures as a result of this proposed amendment.

Institutional Services

Effective on or after April 1, 2024, this proposal continues the supplemental upper payment limit payments made to general hospitals, other than major public general hospitals under institutional services of \$339 million annually.

There is no change to the annual gross Medicaid expenditures as a result of this proposed amendment.

For state fiscal year beginning April 1, 2024 through March 31, 2025, this proposal continues adjustments for hospital inpatient services provided on and after April 1, 2012, to public general hospitals, other than those operated by the State of New York or the State University of New York, located in a city with a population of over one million and receiving reimbursement of up to \$1.08 billion annually based on the current criteria and methodology set by the Commissioner of Health, which the Commissioner may periodically set

through a memorandum of understanding with the New York City Health and Hospitals Corporation. Such adjustments shall be paid by means of one or more estimated payments. Payments to eligible public general hospitals may be added to rates of payment or made as aggregate payments.

There is no change to the annual gross Medicaid expenditures as a result of this proposed amendment.

For state fiscal year beginning April 1, 2024 through March 31, 2025, this proposal continues supplemental payments to State government owned hospitals.

These payments will not exceed the upper payment limit for inpatient services provided by state government-owned hospitals when aggregated with other Medicaid payments.

There is no change to the annual gross Medicaid expenditures as a result of this amendment.

Long Term Care Services

Effective on or after April 1, 2024, this proposal continues additional payments to non-state government operated public residential health care facilities, including public residential health care facilities located in Nassau, Westchester, and Erie Counties, but not excluding public residential health care facilities operating by a town or city within a county, in aggregate amounts of up to \$500 million. The amount allocated to each eligible public RHCF will be in accordance with the previously approved methodology, provided, however that patient days shall be utilized for such computation reflecting actual reported data for 2022 and each representative succeeding year as applicable. Payments to eligible RHCF's may be added to rates of payment or made as aggregate payments.

There is no change to the annual gross Medicaid expenditures as a result of this proposed amendment.

The public is invited to review and comment on this proposed State Plan Amendment, a copy of which will be available for public review on the Department's website at http://www.health.ny.gov/regulations/state_plans/status. In addition, approved SPA's beginning in 2011 are also available for viewing on this website.

Copies of the proposed State Plan Amendments will be on file in each local (county) social services district and available for public review.

For the New York City district, copies will be available at the following places:

New York County
250 Church Street
New York, New York 10018

Queens County, Queens Center
3220 Northern Boulevard
Long Island City, New York 11101

Kings County, Fulton Center
114 Willoughby Street
Brooklyn, New York 11201

Bronx County, Tremont Center
1916 Monterey Avenue
Bronx, New York 10457

Richmond County, Richmond Center
95 Central Avenue, St. George
Staten Island, New York 10301

For further information and to review and comment, please contact: Department of Health, Division of Finance and Rate Setting, 99 Washington Ave., One Commerce Plaza, Suite 1432, Albany, NY 12210, spa_inquiries@health.ny.gov

PUBLIC NOTICE

New York State and Local Retirement System
Unclaimed Amounts Payable to Beneficiaries

Pursuant to the Retirement and Social Security Law, the New York State and Local Retirement System hereby gives public notice of the amounts payable to beneficiaries.

The State Comptroller, pursuant to Sections 109(a) and 409(a) of the Retirement and Social Security Law has received, from the New York State and Local Retirement System, a listing of beneficiaries or estates having unclaimed amounts in the Retirement System. A list of names contained in this notice is on file and open to public inspection at the office of the New York State and Local Retirement System located at 110 State St., in the City of Albany, New York.

Set forth below are the names and last known city of record of the beneficiaries and estate appearing from the records of the New York State and Local Retirement System, entitled to the unclaimed benefits.

At the expiration of six months from the date of publication of this list of beneficiaries and estates, unless previously paid to the claimant, the amounts shall be deemed abandoned and placed in the pension accumulation fund to be used for the purposes of said fund.

Any amounts so deemed abandoned and transferred to the pension accumulation fund, may be claimed by the executor or administrator of the estates or beneficiaries so designated to receive such amounts, by filing a claim with the State Comptroller. In the event such claim is properly made, the State Comptroller shall pay over to the estates or the person or persons making such claim, the amount without interest.

Beneficiary Name Beneficiary City

Allan F Maloney, Estate of HALFMOON
 Andrew J Abbott, Estate of POUGHKEEPSIE
 Ann S Peterson, Estate of OSWEGO
 Anne M Jackson, Estate of YOUNGSTOWN
 Archip Jr,Dumitru BROOKLYN
 Archip,Anica BROOKLYN
 Audrey P Lipford, Estate of BUFFALO
 BEATRICE BOUCHARD, Estate OF HILLSDALE
 Bernice Geraci, Estate of WILLIAMSVILLE
 Bond,Candice L JOHNSON CITY
 Bowen,Barbara E CLINTON
 Bruce Greene, Estate of FREWSBURG
 Calcagino,Michele FULTON
 CARMEN CIAMPI, Estate OF GLEN HEAD
 Charles Ley, Estate of PALMYRA
 Cherryl E Archie, Estate of MOUNT HOLLY
 Chociemski,Toni A SARASOTA
 Collins,Sheena M RANSOMVILLE
 Collins,Stephanie A BUFFALO
 Cook,Lori S SODUS
 Dagostino,Salvatore J LOCKPORT
 Debetta,Paul SAN ANTONIO
 Delia C Cosmiano, Estate of JERSEY CITY
 Delucia,Carrie L DALLAS
 Donna L Gaglioti, Estate of CHITTENANGO
 Dorothy E Arrington, Estate of BOWIE
 Elizabeth L Broadwell, Estate of PARKER
 Esther Paskey, Estate of POUGHKEEPSIE
 Ferriter,Erich M LOWMAN
 Ferriter,Jason E WELLSBURG
 Ferriter,Joseph R ELMIRA
 Ferriter,Richard A LOWMAN
 Gavigan,James J BEAUFORT
 Gloria Mangini, Estate of DIX HILLS
 Gosselin,Brenda L CANAJOHARIE

Griggs,John J ALBANY
 Griggs,Michael M SABATTUS
 Haluk S Bulay, Estate of YALOVA
 Hayes,Shawn R NORTH FORT MYERS
 Helen M Boss, Estate of DELTONA
 J T King, Estate of LEXINGTON
 Jean M Drock, Estate of BASOM
 Jeremias,Andrew F COATESVILLE
 Jeremias,Monica P PHILADELPHIA
 John E Schmid, Estate of GREAT RIVER
 John F McAlevey, Estate of JAY
 Johnson,Stacy A NATICK
 Joseph McKinnon, Estate of BUFFALO
 Kendrick,Leslie G D PASO ROBLES
 Kurse,Stephanie A LEVITTOWN
 Lind,Julianne E TROY
 Marcia A Strasburger, Estate of AKRON
 Margaret R Gamboni, Estate of COMMERCIAL PT
 Marrero,Juanita A BALCH SPRINGS
 Marshall II,Barnabas J SUNRISE
 Mary C Makeham, Estate of BROCKPORT
 Mary E Waldron, Estate of VANCOUVER
 Mastracchio,Heather L SCHENECTADY
 MATTIE HINMAN, Estate OF HERKIMER
 Morris,Octavian K BROOKLYN
 Oeser,Donna M SPRAKERS
 Oneida Anderson, Estate of OXON HILL
 Pascucci, Estate of Anthony M KINGS PARK
 Persanis,Christine M YORKTOWN HTS
 Phyllis M Lock, Estate of N TONAWANDA
 Pickreign,Robert MALONE
 Rannie,Kathleen D MECHANICVILLE
 Roache,Nathaniel R WOODSIDE
 Robedee Jr,Coles C HUNTINGTN STA
 Robert H Sheehan, Estate of STONY BROOK
 Roosevelt,Laurie A PALATINE BRG
 Ruck,Scott Howard WATERVLIET
 Schaub,Richard L WEST CHESTER
 Schaub,Sally A PHILIPSBURG
 Sessler,Arnold L FALLBROOK
 Shirley A Bostaph, Estate of EDGEWOOD
 Soto,Anna K GODEFFROY
 Southwell,James D LONG GROVE
 Stelling,Stacey M AVERILL PARK
 Steven Borek, Estate of NEW YORK MLS
 Stroman,Omar S SYRACUSE
 Terrana,Philip C CUMMING
 Theresa Ryan, Estate of CORTLANDT MNR
 Tuoti,Dorothy M PALM BCH GDNS
 Walter P Chmura, Estate of PORT KENT
 Weakley,Craig J CANAJOHARIE
 Willett,Nancy A BROOKINGS
 Williams,Marian C EAST ORANGE
 Williamson,Lisa F ETNA
 Woodward Jr,Thomas A FREDERICKSBRG
 Wright,Donna M AUSTIN

PUBLIC NOTICE

Department of State
F-2023-0728

Date of Issuance – February 21, 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-2023-0728, NYS OPRHP [Lake Erie State Park] is proposing to armor approximately 500 feet of shoreline with medium and heavy stone fill. A layer of geotextile fabric will be placed beneath the stone layers for additional support. The revetments will be split into two sections- one section will be repair of the existing 200' revetment beneath the bathhouse, and the other section will be a new 300' stretch of armoring adjacent to the culvert headwall. Minimal work will occur below the ordinary high-water mark for Lake Erie at 5838 NY 5 in the Town of Portland, Chautauqua County.

The stated purpose of the proposed action: shoreline area directly beneath the bathhouse is armored with stone, which has since washed out/ migrated due to lake forces.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2024/02/f-2023-0728.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 March 22, 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-2023-0750

Date of Issuance – February 21, 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-2023-0750, Monroe County Department of Environmental Services is proposing the construction of a sewer flow diversion structure, which will be located on the University of Rochester property, which will divert 3.46 MGD to a new sanitary sewer pump station. From the pump station, sewage will be pumped through a proposed 16" diameter sanitary sewer forcemain to an existing 54-inch diameter sanitary sewer located on the west side of the Genesee River. A portion of the project will entail a crossing of the Genesee River with a 16" force main and a 4" fiber optic conduit. The proposed river crossing will be installed by an approximate 550 linear foot, horizontal directional drill through bed rock. The project location is northwest of Moore Road within Genesee Valley Park, within the City of Rochester, Monroe County, along the Genesee River on the east and west sides of the river.

The stated purpose of the proposed action is to divert some of the sanitary sewage flows from the 24" Joseph Wilson (JCW) trunk sewer to the 54" Gates Chili Ogden (GCO) interceptor sewer on the West side of the Genesee River. Peak hourly sanitary sewage flows within the JCW sewer frequently exceed the maximum capacity of the sewer. Future growth and development along the sewer shed and within the University of Rochester campus area will add an additional peak flow to the sewer. The intent of this project is to relieve the existing JCW sewer during peak hour sewer flows. The diverted sanitary sewage flows would be conveyed through the proposed force main directionally drilled under the Genesee River.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2024/February/f-2023-0750.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 March 22, 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-2023-0769

Date of Issuance – February 21, 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-2023-0769, Ramshorn Hospitality LLC is proposing construction of a 15-slip marina utilizing a 288' by 8' dock with 32' by 3' fingers for a total of 3,275 sf of floating dock & associated utilities to be moored in place with (17) 12" diameter timber/steel mooring piles. Additional dock coverage (60 sf) is proposed to provide space for boater services (electrical, potable water, pump-out, dock boxes). Also proposed is 70 linear feet of floating ice/debris boom moored in place by (3) 16-in diameter steel mooring piles And a 10' x 20' timber access pier supported by (6) 12-in timber piles. The fixed pier elevation will be set to match the existing bulkhead elevation. The proposed project would be located at 101-103 Main Street, Village of Catskill, Greene County, Catskill Creek & Hudson River.

The stated purpose of the proposed action is for replacement of degraded floating docks with new floating docks, fixed access pier and floating ice/debris boom.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2024/02/f-2023-0769.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 March 22, 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-2023-0830

Date of Issuance – February 21, 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-2023-0830, The County of Erie is proposing improvements over a mile long length of Isle View Park extending from the banks of Niagara River to approximately 150 feet inland. The proposed project activities include the construction of a ramp connection with an overlook between Isle View Park and River Road, enhancements of gateways at the northern park entrance, replacement of dilapidated benches, installation of inclusive playground equipment, repair of waterside overlooks, selective asphalt repair, and upgrades to the former Isle View River Dogs Building. The project location is at 796 Niagara Street in the Town of Tonawanda, Erie County along the Niagara River.

The stated purpose of the proposed action is to enhance the beauty and entertainment options that Isle View Park is able to provide the public, while simultaneously rehabilitating the existing site's structures to ensure these structures remain stable and safe.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2024/February/f-2023-0830.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 March 22, 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-2023-0876

Date of Issuance – February 21, 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-2023-0876, K. Graefe and Sons Corp. / North River Shipyard is seeking After-the-Fact permits from the U.S. Army Corps of

Engineers for the installation of 3 moorings within the Hudson River in the Town of Clarkstown, offshore of the North River Shipyard at 1 Van Houten Street, Village of Upper Nyack, Rockland County.

The stated purpose of the proposed action is to provide moorings for temporary barges and vessels that are calling on the shipyard for repairs.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2024/02/f-2023-0876-1.pdf>; and <https://dos.ny.gov/system/files/documents/2024/02/f-2023-0876-2.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 by Friday, March 22, 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-2023-0889

Date of Issuance – February 21, 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-2023-0889, the applicant, New York Power Authority, is proposing to construct a new concrete bulkhead on the upstream face of the existing structure; construct a new sloped rock embankment on the downstream area of the structure; and demolish the deteriorated portion of the former powerhouse above water level, removing steel superstructure from the site and using the demolished concrete rubble to fill voids (chambers, galleries, draft tubes and water passages) in the substructure's footprint, strengthening the dam. Graded rubble and substrate to be covered with quarry stripping fill, a layer of soil, and vegetated with hydroseed. Concrete retaining walls and abutments are to remain and will be rehabilitated. This project is located at the Massena Power Canal, Town of Massena, St. Lawrence County, Massena Power Canal/Grasse River.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2024/02/f-2023-0889.pdf>, <https://dos.ny.gov/system/files/documents/2024/02/f-2023-0889pt2.pdf>, and <https://dos.ny.gov/system/files/documents/2024/02/f-2023-0889pt3.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):

- Grasse River Significant Coastal Fish and Wildlife Habitat:

https://dos.ny.gov/system/files/documents/2021/05/grass_river.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 March 22, 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-2024-0021

Date of Issuance – February 21, 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-2024-0021, Heinz Wahl/French Creek Marina, LLC proposes to install a new 40' x 40' precast (6" thick) concrete boat ramp set on 6" of #3 crushed stone (~30cy) with 8' x 40' x 1' (~12cy) of light stone fill placed at toe of the ramp. Install three (3) 4' x 60' floating docks, supported by 8" pipe piles, each dock would be accessed by a 4' x 20' gangways attached to 4' x 8' x 5' concrete abutments. Dredge up to 225cy of material from a 3000sf area with placement of dredged materials on site at an upland location. Additionally, repair/replace existing bulkheads along the canal area of the marina. The proposed work would occur at the French Creek Marina located at 250 Whal Street in the Village of Clayton, Jefferson County along a dug canal area off French Creek.

The stated purpose of the proposed action is to, "Provide new recreational boat access to the St. Lawrence River."

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2024/02/f-2024-0021.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 March 22, 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, 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.

2024-0047 185 Grant Street located at 185 Grant Street, City of Buffalo (County of Erie) NY, for a variance concerning openings in exterior walls near property line.

PUBLIC NOTICE

Department of State
Uniform Code Variance/Appeal Petitions

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

2024-0048 Matter of JL Drafting Inc., John Lagoudes, 707 Route 110, Farmingdale, NY 11735, for a variance concerning safety requirements, including ceiling height requirements. Involved is an existing dwelling located at 34 High Street, Town of North Hempstead, County of Nassau, State of New York.

2024-0049 Matter of Mark Anthony Architects, Mark Anthony Munisteri, 1563 Bellmore Avenue, Bellmore, NY 11710, for a variance concerning safety requirements, including basement ceiling height. Involved is an existing dwelling located at 2073 Potter Avenue, Town of Hempstead, County of Nassau, State of New York.

2024-0052 Matter of Carlos Guzman, 176 Park Blvd., Malverne, NY 11565, for a variance concerning safety requirements, including height under projection. Involved is an existing dwelling located at 212 Hancock Street, Brentwood, Town of Islip, County of Suffolk, State of New York.

PUBLIC NOTICE

Department of State
Uniform Code Variance/Appeal Petitions

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

2024-0053 In the matter of Brian Hanson of Architecteam, 614 James Street, Suite 200, Syracuse, NY 10018, on behalf of Home Leasing, suite 700, 75 South Clinton Avenue, Rochester, NY for a variance concerning fire walls, fire barriers and separation of existing adjoined buildings. Involved is a four-story convent that is to be converted into senior housing known as Saint Anthony's Convent on the Franciscan Academy/Maria Regina Campus located at 1024 Court Street, City of Syracuse, County of Onondaga, State of New York.

PUBLIC NOTICE

Department of State
Uniform Code Variance/Appeal Petitions

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

2024-0054: Matter of Yogeshwar Makashwar, 55 Wylie Street, Schenectady, NY, 12307, for a variance concerning safety require-

ments, including fire rated cellar ceilings. Involved is an existing multiple family dwelling located at 826 Bridge Street, City of Schenectady, County of Schenectady, State of New York.

PUBLIC NOTICE

Department of State
Uniform Code Variance/Appeal Petitions

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

2024-0055 Matter of Dennis Bermudez, 1225 Locust Ave, Bohemia, NY 11716, for a variance concerning safety requirements, including height under projection. Involved is an existing dwelling located at 381 S 1st Street, Village of Lindenhurst, County of Suffolk, State of New York.

2024-0061 Matter of Precision Home Inspection of America, Leon Jaworowski, 6 Glover Circle, Lynbrook, NY 11565, for a variance concerning safety requirements, including ceiling height requirements. Involved is an existing dwelling located at 98 Highland Avenue, Town of North Hempstead, County of Nassau, State of New York.

PUBLIC NOTICE

Department of State
Uniform Code Variance/Appeal Petitions

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

2024-0060 In the matter of Marty Harrington of Berkshire Hathaway, 115 East Buffalo Street, Ithaca, NY, for a variance concerning ceiling height and handrail and guardrail requirements located at 104 Franklin Street, City of Ithaca, County of Tompkins, State of New York.

PUBLIC NOTICE

Susquehanna River Basin Commission
Commission Meeting

SUMMARY: The Susquehanna River Basin Commission will conduct its regular business meeting on March 14, 2024 in Harrisburg, Pennsylvania. Details concerning the matters to be addressed at the business meeting are contained in the Supplementary Information section of this notice. Also the Commission published a document in the Federal Register on January 10, 2024, concerning its public hearing on February 1, 2024, in Harrisburg, Pennsylvania.

DATES: The meeting will be held on Thursday, March 14, 2024, at 9 a.m.

ADDRESSES: This public meeting will be conducted in person and digitally from the Susquehanna River Basin Commission, 4423 N. Front Street, Harrisburg, Pennsylvania.

FOR FURTHER INFORMATION CONTACT: Jason E. Oyler, General Counsel and Secretary to the Commission, telephone: 717-238-0423; fax: 717-238-2436.

SUPPLEMENTARY INFORMATION: The business meeting will include actions or presentations on the following items: (1) approval of contracts, grants and agreements; (2) request to ratify General

Permit GP-03, Cooperative Fish Nursery (3) a motion to release a proposed rulemaking for public comment; and (4) actions on 25 regulatory program projects.

This agenda is complete at the time of issuance, but other items may be added, and some stricken without further notice. The listing of an item on the agenda does not necessarily mean that the Commission will take final action on it at this meeting. When the Commission does take final action, notice of these actions will be published in the Federal Register after the meeting. Any actions specific to projects will also be provided in writing directly to project sponsors.

The meeting will be conducted both in person at the Susquehanna River Basin Commission, 4423 N. Front Street, Harrisburg, Pennsylvania and digitally. The public is invited to attend the Commission's business meeting. You can access the Business Meeting remotely via Zoom: <https://us02web.zoom.us/j/89292000071?pwd=S1E2Qi9QNHUyTkhhY3Z0RUJJeXpqUT09> Meeting ID 892 9200 0071; Passcode: SRBC4423! or via telephone: 305-224-1968 or 309-205-3325; Meeting ID 892 9200 0071.

Written comments pertaining to items on the agenda at the business meeting may be mailed to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, Pennsylvania 17110-1788, or submitted electronically at the link Business Meeting Comments. Such comments are due to the Commission on or before March 11, 2024. Comments will not be accepted at the business meeting noticed herein.

Authority: Pub. L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806, 807, and 808.

Dated: February 2, 2024

Jason E. Oyler,

General Counsel and Secretary to the Commission.

