
NEW YORK STATE
REGISTER

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

For notices published in this issue:

- the 60-day period expires on June 9, 2024
- the 45-day period expires on May 25, 2024
- the 30-day period expires on May 10, 2024

**KATHY HOCHUL
GOVERNOR**

**ROBERT J. RODRIGUEZ
SECRETARY OF STATE**

NEW YORK STATE DEPARTMENT OF STATE

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NEW YORK STATE REGISTER

Be a part of the rule making process!

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

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

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

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

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

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

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

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

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

Office of Cannabis Management

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Adult Use Regulations

I.D. No. OCM-15-24-00012-P

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

Proposed Action: Amendment of Parts 118, 119, 120, 121, 123, 124 and 131 of Title 9 NYCRR.

Statutory authority: Cannabis Law, sections 10, 13, 85, 87, 89 and 131

Subject: Adult use regulations.

Purpose: To add provisions relating to the activities which are regulated by the adult use regulations.

Substance of proposed rule (Full text is posted at the following State website: <https://cannabis.ny.gov>): As required by sections 10, 13, 85, 87, 89, and 131 of the Cannabis Law, Parts 118, 119, 120, 121, 123, 124, 125 and 131 of Chapter II of Subtitle B of Title 9 (Executive) of the Official Compilation of Codes, Rules and Regulations of the State of New York are amended, to be effective upon publication of a Notice of Adoption in the New York State Register.

Part 118. Definitions. Amended certain terms used in Parts 119, 120, 123, 124, and 125, such as, but not limited to, “pesticide” and “pest” to align with the definitions under article 33 of the Environment Conservation Law.

Part 119. Municipal Rulemaking. Amended to impose the same distances rules for school grounds (500 feet) and houses of worship (200 feet) and public youth facility (500 feet) on onsite consumption licensed premises and added a caveat for exclusive use for those distancing requirements.

Part 121. Social and Economic Equity Rules. Amended for readability and formatting purposes, and to incorporate exact language for section 87 of the Cannabis Law related to application qualifications to secure a “distressed farmers” designation.

Part 123. License Specific Authorizations, Requirements and Prohibitions. Amended to require a unique identifier for each immature cannabis plant in a lot and repeals language within the purview of the Department of Environmental Conservation as it relates to pesticides and makes other conforming technical changes, including adding the reference to collectives when describing a cooperative.

Part 125. General Operating Requirements and Prohibitions. Amended certain recordkeeping requirements for general pesticide use/application to comport with what is required under article 33 of the Environment Conservation Law. This proposal gives regulated entities the ability to describe their sanitation practices instead of supplying the office with an exhaustive list and adds the reference to collectives when describing a cooperative.

Part 131. Severability and Reference Materials Updated to include new cited references.

Text of proposed rule and any required statements and analyses may be obtained from: Diana Yang, Office of Cannabis Management, 1220 Washington Avenue, Harriman State Office Campus, (888) 626-5151, email: regulations@ocm.ny.gov

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

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

Regulatory Impact Statement

Statutory Authority:

Sections 10, 13, 85, 87, 89, and 131 of the Cannabis Law provide, in part, that the Cannabis Control Board (Board) shall propose such rules and regulations as the Board may deem necessary or proper to fully effectuate the provisions of the Cannabis Law. These proposed rules and regulations shall include the application, eligibility, and licensing of applicants seeking to obtain a license to operate as an adult-use nursery, cultivator, processor, retail dispensary, microbusiness, cooperative or collective, registered organizations non-dispensing (ROND), or registered organizations dispensing (ROD).

Legislative Objectives:

The Legislature intended to regulate, control, and tax adult-use cannabis and cannabis products, generate significant new revenue, make substantial investments in communities and people most impacted by cannabis criminalization, reduce participation of otherwise law-abiding citizens in the unlawful market, end the racially disparate impact of existing cannabis laws, create new industries, and increase employment.

Needs and Benefits:

There was some confusion about whether or not distancing requirements were limited to retail dispensaries and whether or not exclusive use was to be used when measuring for distancing requirements or, rather, limited to municipality rulemaking. The proposed regulations clarified that in addition to those licenses with a retail component, onsite consumption licensees will also have to adhere to measurement requirements of distances to school grounds (500 feet), houses of worship (200 feet), and public youth facility (500 feet) should a public youth facility be established by the municipality and that the distance requirements only apply to those houses of worship or school grounds that are exclusively used as such.

There was a need to ensure that each plant was traceable should there be an issue. Given the fragility of these immature cannabis plants and the difficulty of placing a tag on each immature cannabis plant, the Office decided it would be beneficial to require a unique identifier, however, not require it be a physical tag. As a result, the expectation is the unique identifier would be digital for immature cannabis plants, removing the labelling requirement with an assigned requirement, but still requiring physical tagging for mature plants. The proposed amendments require each immature cannabis plant be assigned a unique identifier which would enable the Of-

office and licensee to track an individual plant as it goes through each stage within the supply chain.

In the Office's collaborative efforts with the Department of Environmental Conservation, it came to the Office's attention that provisions drafted under these regulations infringed on the authority granted exclusively to the Department of Environmental Conservation as it related to pesticide use and oversight. After working together to determine those boundaries, the Office amended language in the regulations to ensure that there was no confusion on the matter.

Finally, the Office clarified requirements that were determined to be unclear to those applicants wishing to be designated as distressed farmers and created clearer requirements to qualify for such.

Costs:

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

The only cost that the Office foresees would be a minimal cost for the digital unique identifiers for immature cannabis plants. The Office is currently working with a vendor, has reviewed the calculations associated, and has determined that the cost associated with the digital tag is minimal.

Costs to State and Local Governments:

There are no additional costs to the State or local governments as a result of these amendments.

Costs to the Office:

The Office does not anticipate any new cost for implementing these proposed amendments. As the proposal is clarifying and supplemental to the existing adult-use regulations, a comprehensive regulatory framework is currently in effect.

Local Government Mandates:

The proposed rule does not impose any new programs, services, duties or responsibilities on local government.

Paperwork:

The paperwork associated with these amendments will decrease for applicants and licensees since such operators are no longer required to physically tag each immature cannabis plant. In addition, records related to pesticide use will diminish for both the Office and the licensees as the Office will remove that requirement, thereby avoiding duplication of a rule already imposed on the licensee by the Department of Environmental Conservation, which has oversight. The only potential increase is for those entities who wish to apply for a distressed farmer social economic and equity certification, of which they will need to retain the required information clarified by these amendments, such as maintaining documentation indicating that the entity is a farmer operator.

Duplication:

The proposed rule does not duplicate any existing State or federal requirements that are applicable to adult-use cannabis licenses.

Alternatives:

There was no significant alternative for adopting the proposed regulations, as these amendments were necessary to clarify existing regulations and to further align with the Cannabis Law. It could be argued that as a result of industry experience with the regulations as promulgated, these proposed amendments were, essentially, alternatives to the originally promulgated regulations. If these amendments are not put forth, the consequence would be market confusion as to which agency has oversight of pesticide use and application requirements.

Federal Standards:

Federal requirements do not include provisions for an adult-use nursery, cultivator, processor, distributor, microbusiness, cooperative or collective, ROND, ROD or onsite consumption licensure.

Compliance Schedule:

The proposed regulations will take effect upon publication of a Notice of Adoption in the New York State Register.

Regulatory Flexibility Analysis

Effect of Rule:

The proposed regulations clarified that in addition to licenses with a retail component, onsite consumption licensees will also have to adhere to measurement requirements of distances to school grounds (500 feet), houses of worship (200 feet), and public youth facility (500 feet) should a public youth facility be established by the municipality and that the distance requirements only apply to those houses of worship or school grounds that are exclusively used as such. This rule impacts municipalities (non-opt-out), which allow, either in whole or in part, retail operations to occur in its jurisdiction and jurisdiction where medical-only operators exist. There are 44 rural counties in New York State, and in five such areas, each has one registered organization in operation. There were no microbusinesses or nurseries in operations at the time this rule was proposed. The office has not issued any nursery or on-site consumption licenses before filing this proposed rule, and the regulatory framework for such license types needs to be put in place. Additionally, the proposed regulations relating to distance requirements further clarify provisions in the Cannabis Law and the adopted adult-use regulations.

Compliance Requirements:

Licensed entities who require the use of pesticides as part of their operations will no longer have to comply with provisions imposed by the Office which are under the purview of article 33 the Environmental Conservation law and the Department of Conservation. Applicants who receive an adult-use on-site consumption license will need to, as provided for under the proposed amendments, adhere to measurement of distances rules for school grounds (500 feet) and houses of worship (200 feet) and public youth facility (500 feet), should a public youth facility be established by the municipality. The proposed regulations clarify that distance requirements only apply to those houses of worship or school grounds that are exclusively used as such. For consistency purposes, the proposed regulations also include technical changes that will add language, which conforms with the Cannabis Law, concerning specific requisites for a distressed farmer license. These changes, however, should not adversely impact any applicants applying for this license type because the requirements exist in the Cannabis Law. The proposed rule would remove some compliance requirements on licensees that grow by removing the requirement that immature cannabis plants be tagged, while maintaining the requirement of unique identification to ensure accurate tracking.

Professional Services:

No additional or new professional services will be required of local governments as a result of these proposed regulations. The assignment of a unique identifier for immature cannabis plants may require some professional services for those licensees that are seeking to comply with these changes. The remaining amendments are meant to clarify, rather than create additional, requirements necessitating the addition of professional services for compliance.

Compliance Costs:

There are no small business entities which are currently licensed to operate a cultivator, processor, on-site consumption licensee in New York State. The proposed regulations do not impose an economic impact on any existing small business entity as the only cost that the Office foresees would be a minimal cost for the digital unique identifiers for immature cannabis plants. While the cost would be uniformly required for all licensees engaged in growing cannabis plants, the Office has reviewed the calculations associated and has determined that the cost associated with the digital tag is minimal. The proposed regulations clarified that in addition to licenses with a retail component, onsite consumption licensees will also have to adhere to measurement requirements of distances to school grounds (500 feet), houses of worship (200 feet), and public youth facility (500 feet) should a public youth facility be established by the municipality and that the distance requirements only apply to those houses of worship or school grounds that are exclusively used as such. The regulation requires each immature cannabis plant be assigned a unique identifier which would enable the Office and licensee to track an individual plant as it goes through each stage within the supply chain. The rule also removed pesticide language that was not within the Office's purview and added clarifying requirements to the social economic and equity designation of the distressed farmer. Finally, this proposed rule will amend existing definitions such as "pesticides" to align with article 33 of the Environmental Conservation Law, and to avoid any market confusion as to the Department of Environmental Conservation's jurisdiction over pesticides use and applications. The goal of the proposed amendments is to provide clarity in areas where there may have been, or may have had the potential of, confusion before.

Economic and Technological Feasibility:

This proposal is economically and technologically feasible. The amendments do not require changes in the operations of a licensees which would impose any unique technological or economic challenges to small businesses or local governments. These proposed amendments will not negatively impact local governments by requiring them, for example, to allocate additional resources to enforce compliance measures against licensed cannabis operators. The only cost that the Office foresees for licensees, again, would be a minimal cost for the digital unique identifiers for immature cannabis plants. While the cost would be uniformly required for all licensees engaged in growing cannabis plants, the Office has reviewed the calculations associated and has determined that the cost associated with the digital tag is minimal for the technological implementation.

Minimizing Adverse Impact:

These regulations will expand the sale of adult-use cannabis to customers, as well as further expand cannabis cultivation and processing. These regulations do not create an adverse impact to small business and local governments.

Small Business and Local Government Participation:

The Office continuously monitors the impact of the adult-use regulations adopted on September 27, 2023. As a result of that due diligence, the proposed rule was developed in response to feedback from State agencies and existing operators who have provided feedback and suggestions for

implementation for pesticides requirements, immature cannabis plant tracking standards, and application requirements as it relates to the social, economic and equity distressed farmer designation in the adopted adult-use regulations. Moreover, the office will inform relevant operators of the pesticide changes to ensure that operators understand DEC has purview. In addition to our active outreach, there will be a 60-day public comment period with the regulations that will allow for additional comments to be considered.

Cure Periods

The proposed regulation does not create or increase any existing penalty or violation, and therefore does not include a cure period.

Rural Area Flexibility Analysis

Types and Estimated Numbers of Rural Areas:

Outside of major cities and metropolitan population centers, most counties in New York State contain rural areas. Under the Cannabis Law, opt-out provisions are not applicable at the county level. There are 44 rural areas in New York State, and in five such areas, each has one registered organization in operation. There were no microbusinesses in operations at the time this rule was proposed; nurseries and on-site consumption licenses have not been issued by the Office.

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

The proposed regulations clarified that in addition to licenses with a retail component, onsite consumption licensees will also have to adhere to measurement requirements of distances to school grounds (500 feet), houses of worship (200 feet), and public youth facility (500 feet) should a public youth facility be established by the municipality and that the distance requirements only apply to those houses of worship or school grounds that are exclusively used as such. The regulation requires each immature cannabis plant be assigned a unique identifier for which would enable the Office and licensee to track an individual plant as it goes through each stage within the supply chain. The rule also removed pesticide language that was not within the Office's purview and added clarifying requirements to the social economic and equity designation of the distressed farmer, which conforms with language in the Cannabis Law. Finally, this proposed rule will amend existing definitions such as "pesticides" to align with article 33 of the Environmental Conservation Law, and to avoid any market confusion as to the Department of Environmental Conservation's jurisdiction over pesticides use and applications. While there are new reporting and compliance requirements, they are not specifically geared towards or targeted at rural areas.

No new professional services will be required specifically of rural areas as a result of these amendments.

Costs:

The only cost that the Office foresees would be a minimal cost for the digital unique identifiers for immature cannabis plants. While the cost would be uniformly required for all licensees engaged in growing cannabis plants, the Office has reviewed the calculations associated and has determined that the cost associated with the digital tag is minimal.

Minimizing Adverse Impact:

The proposed rule will apply to individuals and entities who wish to operate as a cultivator, processor, microbusiness, cooperative, ROND or onsite consumption site. Licensed cultivators, processors, distributors, microbusinesses, cooperatives, RONDs and onsite consumption site operators will be located throughout the geographic regions of New York State. Applicants in rural areas of the State, as well as other areas of the State, will be able to obtain information regarding the license online and attend a Board meeting in person or view proceedings via audio visual broadcast or webcast to make the license requirement information easily accessible to all individuals and entities who wish to apply. Compliance information, including guidance information, when applicable, will be published and therefore available to all licensees. Further, the Office does not anticipate any adverse impact as a result of this regulation.

Rural Area Participation:

The Office continuously monitors the impact of the adult-use regulations adopted on September 27, 2023. As a result of that due diligence, the proposed rule was developed in response to feedback from State agencies and existing operators who have provided feedback and suggestions for implementation of pesticides requirements, immature cannabis plant storage and tracking standards, operational requirements, and recordkeeping rules as it relates to the adopted adult-use regulations. In addition to our active outreach, there will be a 60-day public comment period with the regulations that will allow for additional comments to be considered.

Job Impact Statement

The proposed rule would not stymie existing jobs or employment opportunities offered by entities licensed by the Office of Cannabis Management (Office) or made available through ancillary cannabis services created in the market. These amendments impose new compliance requirements for immature plant tagging, distressed farmer designation

and clarify the distance requirements for licensed entities. This Office has determined that there are no foreseeable adverse impacts on jobs.

Office of Children and Family Services

NOTICE OF ADOPTION

Casework Contacts

I.D. No. CFS-41-23-00003-A

Filing No. 261

Filing Date: 2024-03-26

Effective Date: 2024-04-10

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

Action taken: Amendment of section 441.21 of Title 18 NYCRR

Statutory authority: Social Services Law, sections 20(3)(d), 378(5) and 460-c

Subject: Casework contacts.

Purpose: To clarify rules regarding casework contacts, and allow, in limited circumstances, the use of videoconferencing.

Text or summary was published in the October 11, 2023 issue of the Register, I.D. No. CFS-41-23-00003-P.

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

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

Revised Regulatory Impact Statement

1. Statutory authority:

Section 17(3)(d) of the Social Services Law (SSL) authorizes the New York State Office of Children and Family Services (OCFS) to establish rules, regulations and policies to carry out its powers and duties under the SSL.

Section 20(3)(d) of the SSL authorizes OCFS to establish rules and regulations to carry out its powers and duties pursuant to the provisions of the SSL. Section 20(2) and (3) of the SSL authorize OCFS to supervise all social services work and to supervise local departments of social services (LDSSs).

Section 378(5) of the SSL authorizes OCFS to amend regulations governing the issuing of foster home licenses and certificates and prescribing standards for the care of children and/or minors received under such licenses and certificates.

Section 460-c of the SSL authorizes OCFS to supervise all programs that exercise custody, board out, or place out children in foster care

2. Legislative objectives:

The proposed regulations are an effort to provide consistent, statewide standards for casework contacts of children in foster care that are in compliance with federal requirements.

3. Needs and benefits:

The proposed regulations would conform with federal standards to allow, in limited circumstances, the use of videoconferencing or other electronic means for monthly casework contacts and otherwise make clear that casework contacts need to be in-person. The federal Title IV-B of the Social Security Act standards require that, in general, casework contacts with children in foster care occur monthly and in-person, and only allow videoconferencing or other electronic means to meet the casework contact requirement in specific limited circumstances. Such circumstances are limited to those that are beyond the control of the caseworker, child, or foster family, such as a declaration of an emergency that prohibits or strongly discourages person-to-person contact for public health reasons; a child or caseworker whose severe health condition warrants limiting person-to-person contact; and other similar public or individual health challenges. This allowance, while not restricting nor relaxing any of the relevant regulatory/statutory requirements related to casework contacts, will help safeguard and maintain the health and well-being of the public, agency staff, families, caregivers, and children and youth in foster care by providing for virtual platforms as alternative means of such contacts when these limited circumstances occur.

4. Costs:

There are no costs to the Office, State, local governments, or any regulated entity associated with the proposed regulations.

5. Local government mandates:

The proposed regulations would not impose any additional mandates on local governments.

6. Paperwork:

There are no additional paperwork requirements associated with the proposed regulations.

7. Duplication:

The proposed regulations would not duplicate other state or federal requirements.

8. Alternatives:

The alternative is to not amend the regulation that allow for virtual platforms to be used in limited circumstances and rely on existing laws and regulations. However, the flexibility for casework contacts to occur by means of video conferencing was allowed by the federal government during the federal public health emergency that was declared in response to the COVID-19 pandemic and was utilized by agency staff to help prevent the risk and spread of COVID-19. Therefore, it was decided to propose amendments that align with federal standards to provide the same allowance of the use of virtual platforms, in specific limited circumstances, to continue to safeguard the health and well-being of staff, caregivers, children, and families the agency serves in the event of the occurrence of such limited circumstances that could put their health and the public's health at risk.

9. Federal standards:

The proposed regulations would conform with current federal standards.

10. Compliance schedule:

Compliance with the proposed regulations would begin immediately upon final adoption.

Revised Regulatory Flexibility Analysis

The proposed amendments will not have an adverse impact on small businesses or local governments. The proposed regulations would have a positive impact on the 58 local departments of social services (LDSSs) and approximately 89 voluntary authorized agencies (VAs) in New York State by clarifying the requirements for casework contact of children in foster care and enacting an exception to in-person casework contacts in limited circumstances, as authorized by federal guidance. Accordingly, Office of Child and Family Services (OCFS) has determined that the proposed regulations will not impose new reporting, recordkeeping, or other compliance costs.

Revised Rural Area Flexibility Analysis

The proposed regulations will not have an adverse impact on small businesses or local governments in rural areas. The proposed regulations will have a positive impact on the 44 local departments of social services (LDSSs) and 35 voluntary authorized agencies (VAs) that are in rural areas. The proposed regulations would clarify the requirements for casework contact of children in foster care and would enact an exception to in-person casework contacts in limited circumstances, as authorized by federal guidance. The proposed regulations would not impose any additional requirements or other compliance costs. It would have no impact on current recordkeeping requirements.

Revised Job Impact Statement

It is anticipated that the proposed amendments will not have a negative impact on jobs and employment opportunities in either public or private child welfare agencies. The proposed amendments would not impose any new or additional requirements for casework contacts, and no new obligations would be required to comply with the proposed amendments. This proposal only seeks to make clear the requirements for casework contacts and to be in conformity with federal requirements. Since it is evident from the nature of the proposed amendments that they will have no impact on jobs or employment opportunities, no further steps were needed to ascertain those facts, and none were taken by the Office of Children and Family Services. Accordingly, a full Job Impact Statement is not required for the proposed amendments, and none has been prepared.

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2027, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

This assessment responds to comments received by the Office of Children and Family Services (OCFS) on proposed regulations to amend Section 441.21 of 18 NYCRR to provide consistent, statewide standards for monthly casework contacts with children in foster care that comply with federal requirements.

OCFS received one (1) comment during the public comment period

from the Legal Aid Society of New York City. The comment was reviewed and considered by OCFS. No changes were made to the proposed regulations in response to this comment.

The commenter identified six (6) specific recommendations for changes to the proposed regulations, including seeking:

1. Videoconferencing flexibility in making casework contacts regarding kinship placements.

2. Videoconferencing flexibility for direct placements receiving preventive services.

3. Videoconferencing flexibility and reduced casework contacts for child protective service providers providing services to non-respondent parents/caregivers and their children.

4. Granting courts the authority to issue court orders on casework contacts that deviate from the regulatory requirements.

5. More specific requirements around use of videoconferencing to address safety and suitability of such use.

6. Clarification on the language addressing the use of videoconferencing for out-of-state foster care placements.

Regarding the first four recommendations, the proposed changes to section 441.21 of 18 NYCRR conform to federal mandates on this topic and so no changes may be made that deviate from such mandates. To the extent that such recommendations go beyond the scope of this regulatory package, there are no changes to these proposed regulations, but the recommendation is noted for any relevant future actions.

Regarding the fifth recommendation, OCFS agrees that there is a need for guidance on safety parameters when videoconferencing is allowed. Such procedures are not appropriate for inclusion in this regulatory package but will be developed as part of policy issuance.

Regarding the sixth recommendation, the subsection at issue addresses casework contacts for youth in foster care who are residing outside of New York State in a non-title IV-E foster care setting (i.e., college, etc.). Please see 23-OCFS-ADM-11 for additional information.

Department of Environmental Conservation

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Fishing Tournament Permitting and Reporting System

I.D. No. ENV-15-24-00001-P

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

Proposed Action: Addition of section 170.9 to Title 6 NYCRR.

Statutory authority: Environmental Conservation Law, sections 3-0301 and 11-0303

Subject: Fishing tournament permitting and reporting system.

Purpose: To establish a permitting and reporting system for black bass fishing tournaments.

Text of proposed rule: New section 170.9 is added to read as follows:

170.9. Fishing Tournament Permits.

(a) Definitions.

For the purposes of this section, the following definitions apply:

(1) A fishing tournament is an organized competition among anglers or teams of anglers that is based on a measure of fishing success, such as the cumulative weight or length of targeted fish species; is operated on one day or a set of contiguous days; and has a minimum of 10 competitors.

(2) A fishing tournament director is any person responsible for organizing or operating a fishing tournament.

(3) Black bass shall mean largemouth bass and smallmouth bass.

(b) Fishing tournament permit and reporting requirements.

(1) Fishing tournament directors shall apply for a fishing tournament permit on an online form provided by the department for each fishing tournament where black bass are the targeted species.

(2) Permit applications must be received by the department no sooner than 365 days, and no later than 45 days, prior to the event.

(3) The department shall issue to the applicant a decision in the form of a permit with conditions or, if applicable, a statement that the permit applied for has been denied, with an explanation for the denial, within 30 calendar days after receipt of the completed application.

(4) Fishing tournament directors shall complete and submit an ac-

curate report of tournament results on an online form provided by the department within 45 days of the conclusion of each permitted fishing tournament.

(c) No person shall organize or operate a fishing tournament conducted on or after January 1, 2025, where black bass are the targeted fish species without first obtaining a permit for that fishing tournament from the department, in accordance with this section.

Text of proposed rule and any required statements and analyses may be obtained from: Jeffrey Loukmas, New York State Department of Environmental Conservation, 625 Broadway, Albany, NY 12233, (518) 402-8897, email: jeffrey.loukmas@dec.ny.gov

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

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

Additional matter required by statute: Pursuant to Article 8 of the Environmental Conservation Law and the State Environmental Quality Review Act, a programmatic Generic Environmental Impact Statement pertaining to these actions is on file with the Department.

Regulatory Impact Statement

1. Statutory authority:

Section 3-0301 of the Environmental Conservation Law (ECL) establishes the general functions, powers, and duties of the Department of Environmental Conservation (DEC) and the Commissioner, including general authority to adopt regulations. Section 11-0303 of the ECL authorizes the DEC to provide for the management and protection of the State's fisheries resources.

2. Legislative objectives:

A fishing tournament permit and reporting system will be a tool used by the DEC in achieving the intent of the legislation referenced above. A permit and recording system is necessary to allow the DEC to inform and improve fisheries management and provide, if necessary, protections for black bass populations.

3. Needs and benefits:

New York has become a national destination for black bass fishing tournaments and information suggests that the number of these events has increased significantly over the past decade. The increase in the number of these competitive events has the potential to place valuable black bass fisheries at risk and pose a social challenge regarding competing uses of this resource. New York is only one of two states in the Northeastern U.S. (including the Great Lakes states) that does not have a fishing tournament registration/permitting system in place. A permit and reporting system for fishing tournaments is needed to understand the scope and scale of tournaments in New York. This will provide the information necessary to identify and respond to potential tournament-related issues and impacts such as user conflicts, overuse of the resource, and concerns about fish populations, including health, displacement and reproductive success. A permit system will also provide anglers information about the locations and dates of tournaments and summary results of those tournaments.

4. Costs:

Costs associated with the implementation and enforcement of the proposed regulation are principally the responsibility of the DEC. The DEC will incur no costs as a result of this rulemaking beyond typical administrative expenses. This rulemaking will not result in increased expenditures by other State agencies, local governments, or the general public. There are no costs associated with the permit for tournament organizations.

5. Local government mandates:

The proposed rule will not impose any programs, services, duties or responsibilities upon any county, city, town, village, school district, or fire district.

6. Paperwork:

Fishing tournament directors will be required to apply for a fishing tournament permit for all events that meet established definitions. They will also be required to submit tournament results for each permitted event. Online permit applications and report submissions will be required to aid in the administration of the system. Permits will be issued electronically.

7. Duplication:

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

8. Alternatives:

No change: Black bass are the most sought-after freshwater sportfish in New York State, but the continued lack of information regarding bass fishing tournaments will remain a detriment to appropriately managing these important fisheries. Additionally, New York will remain one of the only states in the Northeastern U.S. without a tournament registration/permitting system.

Voluntary registration: A voluntary registration system was considered. A full accounting of the scope and scale of tournaments and their results is necessary to provide information for effective management. Participation in a voluntary registry would likely provide only a partial accounting of tournament activity.

9. Federal standards:

There are no minimum federal standards that apply to the regulation of sportfishing.

10. Compliance schedule:

These regulations, if adopted, will be in effect on September 1, 2024, to implement the fishing tournament permitting and reporting system for tournaments conducted on or after January 1, 2025.

Regulatory Flexibility Analysis

This rulemaking will add 6 NYCRR section 170.9 to establish a fishing tournament permitting and reporting system. Tournament fishing for sport fish, especially black bass, has grown in popularity over the last several decades and there are longstanding concerns about related impacts to fisheries across New York State. New York has some of the most popular tournament fishing destinations in the country, but the scope and scale of tournament activity is unknown. This limits the ability of the Department of Environmental Conservation (DEC) to appropriately understand and manage important fisheries. New York is only one of two states in the Northeastern U.S. (including the Great Lakes states) that does not have a fishing tournament registration/permitting system in place. This is incongruent with New York's status as arguably the top black bass tournament destination in this region. Establishment of a fishing tournament permit and reporting system is necessary to obtain information needed to understand, track, and if appropriate, manage fishing tournament-related issues and impacts.

1. Effect of rule:

This rulemaking will result in the establishment of a fishing tournament permitting and reporting system. Permit applications and reporting requirements will be the responsibility of tournament directors and administration of the system will be the responsibility of DEC. If permits are denied, there could be a short-term negative effect on small businesses and local governments; however, permit denial would be done to avoid conflicts with other tournament organizers and preserve the quality of the black bass fishery that attracted the tournament to be held at that location. Preserving the quality of the black bass fishery should continue to draw tournaments in future years. There should be no long-term negative effects on small businesses and local governments.

2. Compliance requirements:

Permit applications and reporting requirements will be the responsibility of fishing tournament directors and administration of the system will be the responsibility of DEC.

3. Professional services:

There are no professional services needed to comply with the provisions of this rule.

4. Compliance costs:

Costs associated with the implementation and enforcement of the proposed regulation are principally the responsibility of DEC. There are no costs associated with this permit for tournament organizations.

5. Economic and technological feasibility:

Because there are no anticipated negative effects on small businesses and local governments, this rulemaking is fully economically and technologically feasible for these entities.

6. Minimizing adverse impact:

This rulemaking will have no adverse impact on small business and local governments.

7. Small business and local government participation:

Representatives of National and State level bass fishing tournament organizations were consulted to provide insights on tournament practices, recordkeeping, and scheduling. Their insights were used to inform this proposal. Following proposal of this rule, DEC will receive public comment (including from small businesses and local governments) for 60 days. DEC will reach out directly to representatives of National and State level bass fishing tournament organizations to make them aware to the proposed regulation and of the opportunity to comment on it.

Rural Area Flexibility Analysis

This rulemaking will add 6 NYCRR section 170.9, establishing a fishing tournament permitting and reporting system. Tournament fishing for sport fish, especially black bass, has grown in popularity over the last several decades and there are longstanding concerns about related impacts to fisheries across New York State. New York has some of the most popular tournament fishing destinations in the country, but the scope and scale of tournament activity is unknown. This limits the ability of the Department of Environmental Conservation (DEC) to appropriately understand and manage important fisheries. New York is only one of two states in the Northeastern U.S. (including the Great Lakes states) that does not have a fishing tournament registration/permitting system in place. This is incongruent with New York's status as arguably the top black bass fishing tournament destination in this region. Establishment of a fishing tournament permit and reporting system is necessary to obtain information needed to understand, track, and if appropriate, manage tournament-related issues and impacts.

1. Types and estimated numbers of rural areas:

The fishing tournament permitting system will be applied statewide on all waters where fishing tournaments are held. These regulations will not have any specific impact on rural areas.

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

There is a requirement to report tournament-related results within 45 days of each permitted tournament. This is required for all permitted fishing tournaments statewide, and thus there will be no specific effect in rural areas.

3. Costs:

Costs associated with this rulemaking are principally the responsibility of DEC. DEC will incur no costs from this rulemaking beyond typical administrative expenses. There are no impacts to other State agencies. There are no costs associated with the permit for tournament organizations. This rulemaking will have no economic impact on anglers.

4. Minimizing adverse impact:

These regulations will have no adverse impact on rural areas.

5. Rural area participation:

Representatives of National and State level bass fishing tournament organizations, who represent rural area clubs within their organizations, were consulted to provide insights on tournament practices, record keeping, and scheduling. Their insights were used to inform this proposal. Following proposal of the rule, DEC will receive comment from the public (including those in rural areas) for 60 days.

Job Impact Statement

This rulemaking will add 6 NYCRR section 170.9 to establish a fishing tournament permitting and reporting system. Tournament fishing for sport fish, especially black bass, has grown in popularity over the last several decades and there are longstanding concerns about related impacts to fisheries across New York State. New York has some of the most popular tournament fishing destinations in the country, but the scope and scale of tournament activity is unknown. This limits the ability of the Department of Environmental Conservation (DEC) to appropriately understand and manage important fisheries. New York is only one of two states in the Northeastern U.S. (including the Great Lakes states) that does not have a fishing tournament registration/permitting system in place. This is incongruent with New York's status as arguably the top black bass tournament destination in this region. Establishment of a fishing tournament permit and reporting system is necessary to obtain information needed to understand, track, and if appropriate, manage fishing tournament-related issues and impacts. Representatives of National and State level bass fishing tournament organizations were consulted to provide insights on tournament practices, record keeping, and scheduling. Their insights were used to inform this proposal.

1. Nature of impact:

Establishment of a fishing tournament permitting system is expected to aid fishing tournament planning and scheduling because it will provide a regularly updated list of permitted fishing tournaments to the public on DEC's website. An annual summary report of tournament activity and results will also be provided on the website at the end of each year. Having a publicly available list of planned and past tournament activity may be beneficial to small businesses and local governments that provide tournament related goods and services. Additionally, having a better understanding of fishing tournaments will help DEC manage black bass resources better, preserving the quality of New York's fisheries for the continued popularity of New York as a black bass fishing destination. There should be no negative job impact from this rulemaking.

2. Categories and numbers affected:

There should be no negative job impact to any employment sector or category from this rulemaking. Fishing tournaments, and any associated benefits to small businesses and local governments, will continue.

3. Regions of adverse impact:

There should be no negative job impact in any region from this rulemaking.

4. Minimizing adverse impact:

There should be no negative job impact from this rulemaking in need of minimization or mitigation.

Commission on Ethics and Lobbying in Government

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Responsible Party Obligations

I.D. No. ELG-15-24-00008-P

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

Proposed Action: Amendment of Part 943 of Title 19 NYCRR.

Statutory authority: Executive Law, section 94(1)(a) and (5)(a)(i)

Subject: Responsible Party Obligations.

Purpose: Clarify who is responsible for the submission, completeness, and truthfulness of lobbying filings when the Lobbyist or Client is a person or organization.

Text of proposed rule: Subdivision (s) of section 943.3 is amended to read as follows:

(s) Responsible Party means the Lobbyist or Client's Chief Administrative Officer, or a designee, who is responsible for filing the Statements or Reports required under the Lobbying Act.

(1) *If a Lobbyist or Client is an organization, the Responsible Party must have legal authority to bind the Lobbyist or Client.*

(2) *If a Lobbyist or Client is a person, the Responsible Party is such person.*

(3) *The Responsible Party does not include an individual whose sole responsibility or authority is to prepare such Statements or Reports for a Lobbyist or Client.*

Subdivision (b) of section 943.9 is amended to read as follows:

(b) Obligations of the Responsible Party.

(1) All Statements or Reports required under the Lobbying Act or set forth in the Commission's regulations must be signed *and attested to* by the Responsible Party for the Lobbyist or Client, as applicable. [, or another who has been designated to sign and file such required Statement or Report. Such a designation must be signed by the Responsible Party and Designee, completed and submitted to the Commission before the due date of such Statements or Reports.]

Subparagraph (iii) of section 943.10(k)(1) is amended to read as follows:

(iii) The signature of the Responsible Party [or designee], if applicable.

Subdivision (e) of section 943.12 is amended to read as follows:

(e) Responsible Party. The Responsible Party of the Client [or another duly designated and reported to the Commission (prior to the due date for such Report)] is responsible for signing, attesting, and filing all Client reports. [Any such designation must be signed by the Responsible Party and Designee.]

Text of proposed rule and any required statements and analyses may be obtained from: Megan Mutolo, Commission on Ethics and Lobbying in Government, 540 Broadway, Albany NY 12207, (518) 408-3976, email: megan.mutolo@ethics.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:** Executive Law § 94(1)(a) provides the Commission on Ethics and Lobbying in Government ("Commission") with the responsibility to administer, enforce and interpret New York State's ethics and lobbying laws. Subsection 94(5)(a)(i) authorizes the Commission to adopt, amend and rescind any rules and regulations pertaining to the statutes within its jurisdiction.

2. **Legislative Objectives:** The Ethics Commission Reform Act of 2022 ("ECRA") established the Commission on Ethics and Lobbying in Government as the agency responsible for administering, enforcing and interpreting New York State's ethics and lobbying laws.

3. **Needs and Benefits:** This Proposed Rule amends 19 NYCRR Part 943 to clarify who is responsible for the submission, completeness, and truthfulness of lobbying filings when the Lobbyist or Client is a person or organization. For organizations, the proposed amendments clarify that the Responsible Party must have legal authority to bind the Lobbyist or Client. If the Lobbyist or Client is a person, the Responsible Party is such person.

Additionally, the proposed amendments make clear that the Responsible Party is not an individual whose sole responsibility or authority is to prepare lobbying filings for the Lobbyist or Client.

4. Costs:
 - a. Costs to regulated parties for implementation and compliance: Minimal.
 - b. Costs to the agency, State and local governments for the implementation and continuation of the rule: No costs to such entities.
 - c. Cost information is based on the fact that there will be minimal costs to regulated parties and State and local government for training staff on changes to the requirements: The cost to the agency is based on the estimated slight increase in staff resources to implement the regulations.
5. Local Government Mandates: The Proposed Rule does not impose new programs, services, duties or responsibilities upon any county, city, town, village, school district, fire district or other special district.
6. Paperwork: This regulation does not require the preparation of additional forms or paperwork.
7. Duplication: This regulation does not duplicate any existing federal, state or local regulations.
8. Alternatives: There are no alternatives to amending the Commission's regulation.
9. Federal Standards: This regulation does not exceed any minimum standards of the federal government with regard to a similar subject area.
10. Compliance Schedule: The Proposed Rulemaking will take effect upon January 1st, 2025.

Regulatory Flexibility Analysis

A Regulatory Flexibility Analysis for Small Businesses and Local Governments is not submitted with this Notice of Proposed Rulemaking because the rulemaking will not impose any adverse economic impact on small businesses or local governments, nor will it require or impose any reporting, recordkeeping, or other affirmative acts on the part of these entities for compliance purposes. The Commission on Ethics and Lobbying in Government makes this finding based on the fact that the rule implements current law and, therefore, imposes no new requirements on such entities.

Rural Area Flexibility Analysis

A Rural Area Flexibility Analysis is not submitted with this Notice of Proposed Rulemaking because the rulemaking will not impose any adverse economic impact on rural areas, nor will it require or impose any reporting, record-keeping, or other affirmative acts on the part of rural areas. The Commission on Ethics and Lobbying in Government makes this finding based on the fact that the rule implements current law and, therefore, imposes no new requirements on such entities. Rural areas are not affected.

Job Impact Statement

A Job Impact Statement is not submitted with this Notice of Proposed Rulemaking because the proposed rulemaking will have limited, if any, impact on jobs or employment opportunities. This regulation implements current law and, therefore, imposes no new requirements. This regulation does not relate to job or employment opportunities.

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

Ethics Training for Lobbyists and Clients

I.D. No. ELG-15-24-00009-P

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

Proposed Action: Amendment of Part 943 of Title 19 NYCRR.
Statutory authority: Executive Law, section 94(1)(a), (5)(a)(i) and (8)(d); Legislative Law, art. 1-A, section 1-d(h)
Subject: Ethics Training for Lobbyists and Clients.
Purpose: To require the responsible party to enter training compliance information to the Commission on behalf of themselves, their organization and/or their organization's Individual Lobbyists and other clarifying amendments.

Text of proposed rule: Subdivision (h) and (m) of section 943.3 are amended to read as follows:

(h) Employed Lobbyist means a person who lobbies on behalf of the organization by which *they* [he is] *are* employed.

* * *

(m) Lobbyist means a person or organization who engages in Lobbying Activity and includes Retained, Employed, and Designated Lobbyists. Lobbyist includes officers, directors, trustees, employees, counsels, or agents of colleges, as defined by section two of the education law, but does

not include any other officer, director, trustee, employee, counsel or agent of the State of New York, or any municipality or subdivision thereof when discharging [his or her] *their* official duties.

Paragraphs (1) and (3) of Subdivision (b) or section 943.5 are amended to read as follows:

(b) Online Ethics Training for Lobbyist and Clients

(1) All Lobbyists (Principal Lobbyists and Individual Lobbyists) and all Clients (Contractual Clients and Beneficial Clients) listed on a Statement of Registration commencing with the biennial period 2023-2024 and thereafter, must complete the online ethics training *course* for Lobbyists and Clients, as provided by the Commission.

(i) For organizations that engage in lobbying activity as either a Lobbyist or Client, the *Responsible Party for the organization* [organization Chief Administrative Officer] is responsible for completing the training on behalf of the organization.

(ii) *In addition, all Individual Lobbyists must complete the training.*

* * *

(3) *The Responsible Party of Lobbyists and Clients* [(including the Chief Administrative Officers of organizations engaged in lobbying activity as a Lobbyist or Client, as applicable)] must enter training compliance information *on behalf of themselves, their organization and/or their organization's Individual Lobbyists, as applicable*, into the Commission's online lobbying application, as directed by the Commission.

(i) *For each Individual Lobbyist who has completed the online ethics training course, the Responsible Party for the Lobbyist must retain, for a period of three years, a completed and executed affidavit of training completion, in the form provided by the Commission.*

Paragraph (3) of subdivision (c) of section 943.6 is amended to read as follows:

(3) Direct Lobbying can include Direct Contact with a Public Official who supports the position being advocated by the Lobbyist or [his] *their* Client.

Subdivision (e)(3)(ii) of section 943.9 is amended to read as follows:

(ii) Printing *and/or* postage that does not exceed \$500 in the aggregate;

The title of subdivision (h) of section 943.9 is amended to read as follows:

(h) Filing Requirements for *Contractual and Beneficial Clients, Multi-Party Lobbying Relationships and Coalitions.*

A new Paragraph (g) is added to subdivision (h)(3)(iv) of section 943.9 to read as follows:

(g) *A Structured Coalition must disclose a Member of its Coalition as a source of funding if the requirements set forth in Part 938 of this Title are otherwise met, including if the Coalition meets the Expenditure Threshold as defined in such Part.*

Subparagraphs (i) and (ii) of section 943.10(2)(j) are amended to read as follows:

(2) The name of the Principal Lobbyist.

(i) If an individual Lobbyist is an employee or partner of an organization or firm, the organization or firm should always be identified as the Principal Lobbyist unless the individual has been retained in [his] *their* individual capacity.

(ii) The Principal Lobbyist should only be listed as an individual if the Lobbyist conducts business in [his] *their* own name.

Subdivision (b) of section 943.11 is amended to read as follows:

(b) Any Lobbyist *who* [required to file] *files* a Statement of Registration for a Client for any biennial period must also file Bi-Monthly Reports in accordance with this section, regardless of Compensation, Expenses, or Lobbying Activity.

Paragraph (6) of subdivision (f) of section 943.12 is deleted and paragraphs (7)-(11) are re-numbered (6)-(10):

[(6) The identities of any Co-Lobbyists or Sub-Lobbyists as described in subsection 943.9(h), if applicable;]

Text of proposed rule and any required statements and analyses may be obtained from: Megan Mutolo, Commission on Ethics and Lobbying in Government, 540 Broadway, Albany NY 12207, (518) 408-3976, email: megan.mutolo@ethics.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: Executive Law § 94(1)(a) provides the Commission on Ethics and Lobbying in Government ("Commission") with the responsibility to administer, enforce and interpret New York State's ethics and lobbying laws. Subsection 94(5)(a)(i) authorizes the Commission to

adopt, amend and rescind any rules and regulations pertaining to the statutes within its jurisdiction. Subsection 94(8)(d) requires the Commission to develop and administer training courses for lobbyists and clients of lobbyists. Legislative Law Article 1-A Section 1-d(h) authorizes and requires the Commission to provide an online ethics training course for lobbyists and sets forth requirements related thereto.

2. Legislative Objectives: The Ethics Commission Reform Act of 2022 (“ECRA”) established the Commission on Ethics and Lobbying in Government as the agency responsible for administering, enforcing and interpreting New York State’s ethics and lobbying laws, including the provision of mandatory ethics training for lobbyists and clients.

3. Needs and Benefits: This Proposed Rulemaking amends 19 NYCRR Part 943 to require the responsible party to enter training compliance information to the Commission on behalf of themselves, their organization and/or their organization’s Individual Lobbyists. Additionally, the Responsible Party, must retain for a period of three years a completed and executed affidavit of training completion. This Proposed Rulemaking also includes clarifying amendments, including how a member of a Coalition may be disclosed as a source of funding.

4. Costs:
a. Costs to regulated parties for implementation and compliance: Minimal.

b. Costs to the agency, state and local governments for the implementation and continuation of the rule: No costs to such entities.

c. Cost information is based on the fact that there will be minimal costs to regulated parties and state and local government for training staff on changes to the requirements. The cost to the agency is based on the estimated slight increase in staff resources to implement the regulations.

5. Local Government Mandates: The Proposed Rulemaking does not impose new programs, services, duties or responsibilities upon any county, city, town, village, school district, fire district or other special district.

6. Paperwork: This regulation requires the retention of completed and executed affidavits of training. The Commission will create the affidavit and the regulated party will need to retain the completed affidavit for three years.

7. Duplication: This regulation does not duplicate any existing federal, state or local regulations.

8. Alternatives: Currently, the Commission requires each Individual Lobbyist to certify, in the Commission’s Lobbying application, that training was complete. This Proposed Rule removes the burden on Individual Lobbyists to submit their compliance information and places the burden on the Lobbying Organization. The only other alternative would be to keep the burden on the Individual Lobbyist.

9. Federal Standards: This regulation does not exceed any minimum standards of the federal government with regard to a similar subject area.

10. Compliance Schedule: Compliance with the Proposed Rulemaking will take effect on January 1, 2025.

Regulatory Flexibility Analysis

A Regulatory Flexibility Analysis for Small Businesses and Local Governments is not submitted with this Notice of Proposed Rulemaking because the rulemaking will not impose any adverse economic impact on small businesses or local governments, nor will it require or impose any reporting, recordkeeping, or other affirmative acts on the part of these entities for compliance purposes. The Commission on Ethics and Lobbying in Government makes this finding based on the fact that the rule implements current law and, therefore, imposes no new requirements on such entities.

Rural Area Flexibility Analysis

A Rural Area Flexibility Analysis is not submitted with this Notice of Proposed Rulemaking because the rulemaking will not impose any adverse economic impact on rural areas, nor will it require or impose any reporting, recordkeeping, or other affirmative acts on the part of rural areas. The Commission on Ethics and Lobbying in Government makes this finding based on the fact that the rule implements current law and, therefore, imposes no new requirements on such entities. Rural areas are not affected.

Job Impact Statement

A Job Impact Statement is not submitted with this Notice of Proposed Rulemaking because the proposed rulemaking will have limited, if any, impact on jobs or employment opportunities. This regulation implements current law and, therefore, imposes no new requirements. This regulation does not relate to job or employment opportunities.

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

Late Fees for Lobbying Filings

I.D. No. ELG-15-24-00010-P

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

Proposed Action: Amendment of Part 943 of Title 19 NYCRR.

Statutory authority: Executive Law, section 94(5)(a)(i); Legislative Law, art. 1-A, sections 1-e, 1-h, 1-j and 1-l

Subject: Late Fees for Lobbying Filings.

Purpose: The proposed rule codifies the Commission’s late fee program and establishes criteria and requirements for requesting a waiver for a late filing fee.

Text of proposed rule: Paragraph (1) of subdivision (g) of section 943.10 is amended to read as follows:

(g)(1) Any submitted Statement of Registration that is not timely filed will be subject to the late fee schedule set forth in section 943.15. [below:

DAYS LATE	ACTION	
	First-Time Filer	All Other Filers
1 – 7 days	Grace Period/No Late Fee	
8 – 14 days	\$75 flat late fee	\$150 flat late fee
15 – 30 days	\$150 flat late fee	\$300 flat late fee
31 – 90 days	\$300 flat late fee	\$500 flat late fee
91 – 180 days	\$500 flat late fee	\$1,000 flat late fee
181 days and more	\$1,000 flat late fee	\$2,000 flat late fee

A Lobbyist is considered a First-Time Filer only when the Lobbyist is required to file a Statement of Registration for the first time. First-Time Filer status applies to the first Statement of Registration received by the Commission from such Lobbyist and any other Statements received from such Lobbyist on that same day.]

Subdivision (k)(2) of section 943.10 is amended to read as follows:

Failure to make such amendments are subject to the imposition of late fees as set forth in section 943.15 [subsection 943.10(g)].

Subdivision (d) of section 943.11 is amended to read as follows:

(d) Any Bi-Monthly Report that is not timely filed will be subject to the late fee schedule set forth in section 943.15. [below:

DAYS LATE	ACTION	
	First-Time Filer	All Other Filers
1 – 7 days	Grace Period/No Late Fee	
8 – 14 days	\$75 flat late fee	\$150 flat late fee
15 – 30 days	\$150 flat late fee	\$300 flat late fee
31 – 90 days	\$300 flat late fee	\$500 flat late fee
91 – 180 days	\$500 flat late fee	\$1,000 flat late fee
181 days and more	\$1,000 flat late fee	\$2,000 flat late fee

A Lobbyist is considered a First-Time Filer only when the Lobbyist is required to file a Bi-Monthly Report for the first time. First-Time Filer status applies to the first Bi-Monthly Report received by the Commission from such Lobbyist and any other Reports received from such Lobbyist on that same day.]

Subdivision (b) of Section 943.12 is repealed and replaced to read as follows:

(b) Any Client Semi-Annual Report that is not timely filed will be subject to the late fee schedule set forth in section 943.15.

Subdivision(d) of Section 943.14 is amended to read as follows:

(d) Penalties.

Failure to report a Reportable Business Relationship in a timely manner as required by this section subjects the Lobbyist or Client to civil penalties as prescribed by section 1-o(b)(i) of the Lobbying Act and/or late fees as prescribed by sections 1-e(e)(iii) and 1-j(c)(iii) of the Lobbying Act and section 943.15 [943.10] of this Title. In addition, the submission of false filings subjects the Lobbyist or Client to a civil penalty as prescribed by section 1-o(b)(ii) of the Lobbying Act.

New Section 943.15 is added to read as follows:

943.15 Late Filings.

(a) Pursuant to sections 1- e, 1-h, 1-j, and 1-l of the Lobbying Act, the Commission may impose a fee for a late filing of a Statement of Registration, Registration Amendment, Bi-Monthly Report, Client Semi- Annual Report, and Disbursement of Public Monies Report.

(b) Any Statement of Registration, Registration Amendment, Bi-

Monthly Report, Client Semi-Annual Report, or Disbursement of Public Monies Report that is not timely filed will be subject to the late fee schedule set forth below:

Days Late	Action	
	First-Time Filer	All Other Filers
1 – 7 days	Grace Period/No Late Fee	
8 – 14 days	\$75 flat late fee	\$150 flat late fee
15 – 30 days	\$150 flat late fee	\$300 flat late fee
31 – 90 days	\$300 flat late fee	\$500 flat late fee
91 – 180 days	\$500 flat late fee	\$1,000 flat late fee
181 days and more	\$1,000 flat late fee	\$2,000 flat late fee

(c)(1) With respect to Statements of Registration, a Lobbyist is considered a First-Time Filer only when the Lobbyist is required to file a Statement of Registration for the first time. First-Time Filer status applies to the first Statement of Registration received by the Commission from such Lobbyist and any other Statements received from such Lobbyist on that same day.

(2) With respect to Bi-Monthly Reports, a Lobbyist is considered a First-Time Filer only when the Lobbyist is required to file a Bi-Monthly Report for the first time. First-Time filer status applies to the first Bi-Monthly Report received by the Commission from such Lobbyist and any other Reports received from such Lobbyist on that same day.

(3) A Client is considered a First-Time Filer only when the Client is required to file a Client Semi-Annual Report for the first time. First-Time Filer status applies to the first Client Semi-Annual Report received by the Commission from such Client and any other Reports received from such Client on that same day.

(d) Upon a determination that a filing is late, the Commission will send the Lobbyist or Client a billing notice stating such determination and assessing the late filing fee.

(1) The Commission may send up to three billing notices.

(2) Each billing notice will indicate that the Lobbyist or Client may request a waiver or reduction of a late filing fee, subject to the eligibility requirements set forth in this section.

(e) Eligibility for a Waiver or Reduction of Late Filing Fee.

(1) The Commission may consider a Lobbyist or Client's request for a waiver or reduction of late fees if one or more of the following has occurred:

(i) The death or serious illness of the Responsible Party or immediate family member thereof;

(ii) A force majeure, including an extraordinary event or circumstance beyond the Responsible Party's control, such as a natural disaster or epidemic; or

(iii) Other mitigating factor that reasonably impacted the Lobbyist's or Client's ability to submit timely.

(2) If a Lobbyist or Client is eligible for a waiver or reduction pursuant to paragraph (1) of this subdivision, the Commission must consider the following factors when determining whether to grant or deny a waiver or reduction of late fees:

(i) Whether and how often the Lobbyist or Client has filed late in the past;

(ii) Whether the Lobbyist or Client has received a waiver or fee reduction in the current or previous biennial period;

(iii) The Lobbyist or Client organization's annual operating budget, as applicable, which means the estimated income and expenditures of the organization;

(iv) Whether the Lobbyist, as applicable, lobbies solely on its own behalf;

(v) For periodic reports, the number of lobbying matters and the amount of compensation and expenditures that were not timely reported during the relevant time period; and

(vi) the significance and reasonable impact of the event or occurrence, as described in subdivision (e)(1)(i)-(iii), upon the Lobbyist's or Client's ability to timely file the statements or reports.

(3) A Lobbyist or Client seeking a waiver or reduction of a late filing fee must submit the following to the Commission:

(i) A Late Fee Waiver Application, on a form supplied by the Commission, submitted by the Lobbyist or Client's Responsible Party; and

(ii) An affidavit providing:

(a) A narrative detailing the cause of the late filing, within the context of the eligibility requirements set forth in subdivision (e)(1)(i)-(iii);

(b) The applicant's annual operating budget, as applicable;

(c) Whether the applicant lobbies solely on its own behalf or also utilizes Retained Lobbyists;

(d) For periodic reports, the number of lobbying matters and the amount of compensation and expenditures that were not reported timely during the relevant period;

(e) How the applicant plans to mitigate risk of future late filings; and

(f) Any other factors the applicant deems helpful to the Commission relating to its analysis and determination.

(iii) The Commission may request additional evidence to support any statements made in the affidavit.

(4) The Late Fee Waiver Application and affidavit must be received by the Commission no later than the due date provided by the Commission in the third and final billing notice.

(5) The Commission will notify the applicant in writing of its determination regarding a Late Fee Waiver Application as soon as practicable. Any such determination made by the Commission is final.

(6) If a waiver or reduction request is denied, payment of the applicable late filing fee must be made no later than thirty (30) days from the date of the Commission's notice of denial.

(f) Technical Failure Causing Late Filing.

(1) If there is a system-wide problem with the Commission's online Lobbying Application, the Commission may extend the applicable filing deadline to a date established by the Commission upon consideration of the nature and length of the system-wide problem.

(2) If, on the date a statutory filing is due, a Lobbyist or Client is unable to file a Statement or Report due to a technical failure of the Lobbying Application, the Lobbyist or Client may avoid a late filing fee and be granted a technical extension by the Commission only when:

(i) The Lobbyist or Client contacts the Commission before the filing deadline to resolve the technical issue that is preventing the filing of a Statement or Report by the filing deadline.

(ii) If, after the consultation described in subparagraph (i), the Lobbyist or Client remains unable to file the Statement or Report, the Lobbyist or Client must submit, by email, proof of the technical failure, no later than the close of business on the date of the filing deadline.

(iii) The following are acceptable as proof of a technical failure:

(a) A screenshot from the Commission's Lobbying Application containing the error message received when the filing was attempted;

(b) Evidence of electronic communications between the Lobbyist or Client and the Commission determining that a technical failure occurred and remains unresolved as of the filing deadline; or

(c) Similar evidence of a technical failure that the Commission deems appropriate.

(iv) Lobbyists or Clients who are unable to file a Statement or Report due to a technical failure of the Commission's Lobbying Application after the close of the Commission's office hours on the filing deadline may avoid a late filing fee and be granted a technical extension if they submit a time-stamped screenshot or photograph of the Commission's Lobbying Application display showing both the error message and that the time of the attempted filing was prior to the filing deadline.

(v) Under no circumstances will the following be considered a technical failure:

(a) Failure of the Lobbyist or the Client to change its Responsible Party;

(b) *The Responsible Party's inability to retrieve, change or reset its password;*

(c) *Any technical failure that is reported after the filing deadline; or*

(d) *A Filing that has been saved in the Commission's Lobbying Application but has not been submitted.*

(g) *Late Fees and Penalties.*

(1) *Failure to file a Statement of Registration, Registration Amendment, Bi-Monthly Report, Client Semi-Annual Report, or Disbursement of Public Monies Report in a timely manner, as required by this Title, may also subject the Lobbyist or Client to civil penalties as prescribed in section 1- o(b)(i) of the Lobbying Act.*

(2) *Any outstanding late filing fees owed to the Commission by a Lobbyist or Client totaling \$500 or more may be referred to the Attorney General's Office for collection.*

Text of proposed rule and any required statements and analyses may be obtained from: Megan Mutolo, Commission on Ethics and Lobbying in Government, 540 Broadway, Albany, NY 12207, (518) 408-3976, email: megan.mutolo@ethics.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:** Executive Law § 94(1)(a) provides the Commission on Ethics and Lobbying in Government ("Commission") with the responsibility to administer, enforce and interpret New York State's ethics and lobbying laws. Subsection 94(5)(a)(i) authorizes the Commission to adopt, amend and rescind any rules and regulations pertaining to the statutes within its jurisdiction. Legislative Law Article 1-A Sections 1-e, 1-h, 1-j and 1-l authorizes the Commission to impose a fee for the late filing of a Statement of Registration, Registration Amendment, Bi-Monthly Report, Client Semi-Annual Report, and Disbursement of Public Monies Report.

2. **Legislative Objectives:** Ethics Commission Reform Act of 2022 ("ECRA") established the Commission on Ethics and Lobbying in Government as the agency responsible for administering, enforcing and interpreting New York State's ethics and lobbying laws, including the Commission's ability to impose late fee fees pursuant to Legislative Law Article 1-A Sections 1-e, 1-h, 1-j and 1-l.

3. **Needs and Benefits:** This Proposed Rule amends 19 NYCRR Part 943 to codify the Commission's late fee program and establish criteria and requirements for requesting a waiver for a late filing fee.

4. **Costs:**

a. **Costs to regulated parties for implementation and compliance:** Minimal.

b. **Costs to the agency, State and local governments for the implementation and continuation of the rule:** No costs to such entities.

c. **Cost information is based on the fact that there will be minimal costs to regulated parties and state and local government for training staff on changes to the requirements.** The cost to the agency is based on the estimated slight increase in staff resources to implement the regulations.

5. **Local Government Mandates:** The Proposed Rule does not impose new programs, services, duties or responsibilities upon any county, city, town, village, school district, fire district or other special district.

6. **Paperwork:** This regulation requires the preparation and submission of an affidavit to accompany a late fee waiver application. This additional paperwork is expected to be minimal and is only required when a filer is seeking the waiver of a late filing fee.

7. **Duplication:** This regulation does not duplicate any existing federal, state or local regulations.

8. **Alternatives:** There are no alternatives to amending the Commission's regulation.

9. **Federal Standards:** This regulation does not exceed any minimum standards of the federal government with regard to a similar subject area.

10. **Compliance Schedule:** The Proposed Rulemaking will take effect upon January 1st, 2025.

Regulatory Flexibility Analysis

A Regulatory Flexibility Analysis for Small Businesses and Local Governments is not submitted with this Notice of Proposed Rulemaking because the rulemaking will not impose any adverse economic impact on small businesses or local governments, nor will it require or impose any reporting, record-keeping, or other affirmative acts on the part of these entities for compliance purposes. The Commission on Ethics and Lobbying in Government makes this finding based on the fact that the rule implements current law and, therefore, imposes no new requirements on such entities.

Rural Area Flexibility Analysis

A Rural Area Flexibility Analysis is not submitted with this Notice of Proposed Rulemaking because the rulemaking will not impose any adverse economic impact on rural areas, nor will it require or impose any reporting, record-keeping, or other affirmative acts on the part of rural areas. The Commission on Ethics and Lobbying in Government makes this finding based on the fact that the rule implements current law and, therefore, imposes no new requirements on such entities. Rural areas are not affected.

Job Impact Statement

A Job Impact Statement is not submitted with this Notice of Proposed Rulemaking because the proposed rulemaking will have limited, if any, impact on jobs or employment opportunities. This regulation implements current law and, therefore, imposes no new requirements. This regulation does not relate to job or employment opportunities.

New York State Gaming Commission

NOTICE OF ADOPTION

Lottery Prize Payments and Subscriptions

I.D. No. SGC-52-23-00014-A

Filing No. 264

Filing Date: 2024-03-26

Effective Date: 2024-04-10

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

Action taken: Amendment of sections 5000.2, 5002.1, 5002.3, 5002.4, 5002.5, 5002.7, 5002.10, 5002.11, 5002.13, 5004.5, 5005.1, 5005.2, 5005.3, 5005.4, 5005.5, 5005.6, 5005.7, 5005.8, 5007.2, 5007.5, 5007.15, 5007.16, 5008.2, 5008.11, 5013.3, 5014.3, 5014.14; addition of sections 5005.9 and 5005.10 to Title 9 NYCRR.

Statutory authority: Tax Law, sections 1601, 1604; Racing, Pari-Mutuel Wagering and Breeding Law, sections 103(2), 104(1) and (19)

Subject: Lottery prize payments and subscriptions.

Purpose: To create uniformity in payment processing, limit subscriptions to individuals, and codify existing practices.

Text or summary was published in the December 27, 2023 issue of the Register, I.D. No. SGC-52-23-00014-P.

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

Text of rule and any required statements and analyses may be obtained from: Kristen M. Buckley, New York State Gaming Commission, 354 Broadway, Schenectady, New York 12305, (518) 388-3332, email: gamingrules@gaming.ny.gov

Initial Review of Rule

As a rule that does not require a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2029, which is no later than the 5th year after the year in which this rule is being adopted

Assessment of Public Comment

The agency received no public comment.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Change of Commission Address

I.D. No. SGC-15-24-00011-P

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

Proposed Action: This is a consensus rule making to amend sections 4011.29, 4043.12, 4045.1, 4081.1, 4116.4, 4122.49, 4217.16, 4627.8, 4831.8, 5000.4, 5000.8, 5014.17, 5400.1, 5401.1 and 5401.3 of Title 9 NYCRR.

Statutory authority: Racing, Pari-Mutuel Wagering and Breeding Law, sections 103(2), 104(1) and (19)

Subject: Change of Commission address.

Purpose: To update the Commission’s address in various rules.

Text of proposed rule: Sections 4011.29, 4043.12, 4045.1, 4081.1, 4116.4, 4122.49, 4217.16, 4627.8, 4831.8, 5000.4, 5000.8, 5014.17, 5400.1, 5401.1 and 5401.3 of 9 NYCRR would be amended to read as follows:

§ 4011.29. Additional authorized wagers.

In addition to the types of wagers authorized by this Part, an association or corporation may, with the prior permission of the commission, offer any type of pari-mutuel wagering as defined by chapter 9, Pari-Mutuel Wagering, Uniform Rules of Racing, as adopted and published in December 1996 by the Association of Racing Commissioners International, Inc., 1510 Newtown Pike, Suite 210, Lexington, KY 40511. Such Uniform Rules of Racing are available for public inspection at the New York State Gaming Commission located at [One] 354 Broadway [Center, Suite 600], Schenectady, NY 12305 and at the Department of State, 99 Washington [Street] Avenue, Albany, NY 12231.

§ 4043.12. Prohibited substances and methods.

(a) The substances and methods listed in the ARCI prohibited list are prohibited, may not be used at any place or time and may not be possessed on the premises of any racing or training facility under the jurisdiction of the commission except as a restricted therapeutic use. ARCI prohibited list means the “Prohibited List” annexed to Model Rule ARCI-011-015 Version 7.0 (approved December 9, 2016) of the Association of Racing Commissioners International, Inc., 1510 Newtown Pike, Suite 210, Lexington, KY 40511, which is hereby incorporated by reference. Such Uniform Rules of Racing are available for public inspection at the New York State Gaming Commission located at [One] 354 Broadway [Center, Suite 600], Schenectady, NY 12305 and at the Department of State, 99 Washington [Street] Avenue, Albany, NY 12231.

§ 4045.1. Definitions.

The following terms, when used in this Part, have the following meanings:

(a) ARCI Penalty Guidelines means the uniform classification guidelines published in “Uniform Classification Guidelines for Foreign Substances and Recommended Penalties and Model Rule,” Version 13.0 (approved December 9, 2016) of the Association of Racing Commissioners International, Inc., 1510 Newtown Pike, Suite 210, Lexington, KY 40511, which are hereby incorporated by reference. Such Uniform Rules of Racing are available for public inspection at the New York State Gaming Commission, [One] 354 Broadway [Center, Suite 600], Schenectady, NY 12305 and at the Department of State, 99 Washington [Street] Avenue, Albany, NY 12231.

§ 4081.1. Definitions.

(b) Inquiries. Questions regarding these rules and regulations, procedures, application forms or other similar matters may be directed to the executive director of the fund at the fund offices, [One] 354 Broadway [Center, 1st floor], Schenectady, [New York] NY 12305. Telephone (518) 388-0174.

§ 4116.4. Safety helmets.

No one will be permitted to jog, train, warm up, or drive a horse at any time on the premises of a harness race track unless such person is properly wearing a protective safety helmet approved by either the Snell Memorial Foundation or the United States Department of Transportation. The United States Department of Transportation standards are reprinted in title 49 of the Code of Federal Regulations, chapter 5, section 571.218 (49 CFR, 571.218). The Snell Memorial Foundation standards are contained in the publication entitled, Snell Memorial 2000 Standard For Protective Gear, available from the Snell Memorial Foundation, 3628 Madison Avenue, Suite 11, North Highlands, CA 95660 or at www.smf.org/stds. Both standards are on file in the office of the commission, located at [One] 354 Broadway [Center], Schenectady, NY [12305-2553] 12305.

§ 4122.49. Additional authorized wagers.

In addition to the types of wagers authorized by this Part, an association or corporation may, with the prior permission of the commission, offer any type of pari-mutuel wagering as defined by chapter 9, Pari-Mutuel Wagering, Uniform Rules of Racing, as adopted and published in December, 1996 by the Association of Racing Commissioners International at 2343 Alexandria Drive, Suite 200, Lexington, KY 40504-3276. This is available for public inspection at the New York State Gaming Commission located at [One] 354 Broadway [Center], Schenectady, NY [12305-2553] 12305 and at the Department of State, 99 Washington Avenue, Albany, NY 12231.

§ 4217.16. Additional authorized wagers.

In addition to the types of wagers authorized by this part, an association or corporation may, with the prior permission of the board, offer any type of pari-mutuel wagering as defined by Chapter 9, Pari-Mutuel Wagering, Uniform Rules of Racing, as adopted and published in December, 1996, by the Association of Racing Commissioners, International at 2343 Alexandria Drive, Suite 200, Lexington, Kentucky 40504-3276. This is available for public inspection at the New York State [Racing and Wagering Board] Gaming Commission located at [#1 Empire State Plaza, Suite 1201,

Albany, New York 12223 or 1 Penn Plaza, 7th Floor, New York, New York 10119, both addresses] 354 Broadway, Schenectady, NY 12305, and at the Department of State, [41 State Street] 99 Washington Avenue, Albany, New York 12231.

§ 4627.8. How papers may be filed.

Filing of the foregoing papers with the commission at the commission’s office [in] at 354 Broadway, Schenectady, NY 12305, [or in New York City.] may be either by personal service or by certified mail, return receipt requested.

§ 4831.8. How papers may be filed.

Filing of the foregoing papers with the [New York State Gaming Commission] commission at the commission’s office at 354[. One] Broadway [Center], Schenectady, NY 12305, may be either by personal service or by certified mail.

§ 5000.4. Name, official seal and offices.

[(c) The principal office of the commission shall be located at: One Broadway Center, Schenectady, New York 12305. The commission may also operate such other offices and facilities as the commission may deem appropriate to fulfill the responsibilities of the commission under the Acts.]

§ 5000.8. Declaratory rulings.

(b) A petition for a declaratory ruling must be submitted in writing to the commission by certified mail, return receipt requested, addressed to New York State Gaming Commission, [One] 354 Broadway [Center], Schenectady, NY 12305. The returned postal service receipt shall constitute proof of service, which shall be deemed effective on the day the petition is received. The petition shall state that a declaratory ruling is requested, cite the statute, rule, or regulation relied upon, and set forth a complete and precise statement of the state of facts, persons or property with respect to which a ruling is sought, together with a full disclosure of the petitioner’s interest. Any facts alleged in the petition shall be verified under oath by the petitioner.

§ 5014.17. Advertising and marketing.

(e) Advertising restrictions.

(4) Advertisements shall comply with the advertising guidelines issued by the North American Association of State and Provincial Lotteries (approved March 19, 1999), 7757 Auburn Rd. Unit #7, Concord, OH 44077, which is hereby incorporated by reference. Such advertising guidelines are available for public inspection at the [New York State Gaming Commission] commission’s office located at [One] 354 Broadway [Center, Suite 500], Schenectady, NY 12305, and at the Department of State, 99 Washington Avenue, Albany, NY [12210] 12231.

§ 5400.1. Public inspection of records.

In accordance with article 6 of the Public Officers Law, the Freedom of Information Law, the following procedures are prescribed for making available to the public for inspection and copying all of the records and materials mandated by such law for such purposes.

(a) Application shall be made on printed forms prescribed by the commission and submitted either personally or by mail to the New York State Gaming Commission, [One] 354 Broadway [Center], Schenectady, NY 12305, Attention: Records Access Officer.

§ 5401.1. Access to personal information.

In accordance with article 6-A of the Public Officers Law, the Personal Privacy Protection Law, the following procedures are prescribed by which members of the public may assert rights granted by the Personal Privacy Protection Law:

(a) Applications shall be made on printed forms prescribed by the board and submitted either personally or by mail to the New York State Gaming Commission, [One] 354 Broadway [Center], Schenectady, NY 12305, Attention: Privacy Compliance Officer.

(c) Records shall be made available at the main office of the commission, which is located at [One] 354 Broadway [Center], Schenectady, NY 12305.

§ 5401.3. Amendment of records.

(d) Any such denial may be appealed to:

Privacy Compliance Law Appeals Officer
c/o Counsel
New York State Gaming Commission
[One] 354 Broadway [Center]
Schenectady, NY 12305

Text of proposed rule and any required statements and analyses may be obtained from: Kristen M. Buckley, New York State Gaming Commission, 354 Broadway, Schenectady, New York 12305, (518) 388-3332, email: gamingrules@gaming.ny.gov

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

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

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

Consensus Rule Making Determination

This proposed rulemaking will update the Commission’s address in various rules. Because the Gaming Commission’s principal office has moved

within Schenectady, changes to certain rules are necessary. Additionally, an unnecessary subdivision in the Division of Lottery rules is also proposed to be eliminated. Because this rulemaking simply updates the Commission's address in various rules, the Commission does not anticipate public comment and no person is likely to object to the proposed revisions.

Job Impact Statement

A job impact statement is not required for this consensus rulemaking proposal because the proposed amendments will not adversely affect jobs or employment opportunities.

This proposed rulemaking will update the New York State Gaming Commission's address in various rules. Additionally, an unnecessary subdivision in the Division of Lottery rules is also proposed to be eliminated.

The proposed amendments will not have an impact on jobs or employment opportunities.

Department of Health

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Ionizing Radiation

I.D. No. HLT-15-24-00003-P

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

Proposed Action: Repeal of Part 16; addition of new Part 16 to Title 10 NYCRR.

Statutory authority: Public Health Law, section 225

Subject: Ionizing Radiation.

Purpose: Compatibility with federal standards and modernization to reflect current technology.

Substance of proposed rule (Full text is posted at the following State website: <https://regs.health.ny.gov/regulations/proposed-rule-making>): The regulatory proposal would repeal and replace all sections within Part 16 of Title 10 of the New York Codes, Rules and Regulations (NYCRR), as described in more detail below:

Section 16.1 is updated to correct references to other agencies and persons exempted under Title 10 of the Code of Federal Regulations (CFR) Part 30.

Section 16.2 is updated to include numerous new definitions used in 10 CFR Part 30, as well as other definitions related to new technologies, updated units and clarification of terms.

Section 16.4 updates appendix references, including changing the reference from 10 NYCRR Part 16 to application sections within 10 CFR Part 30.

Section 16.5 updates responsibilities for radiation safety to include acceptance testing and annual program review requirements.

Section 16.6 makes updates to the requirements for evaluating prior occupational doses and removes provisions on planned special exposures. The term "eye dose" is replaced by "lens dose."

Section 16.7 updates dose limits for members of the public to reflect current Title 10 CFR references and outdated language is removed or updated.

Section 16.10 is amended to update inspection schedules, add Certified Radiation Equipment Safety Officer (CRESO) program requirements, and update requirements for surveys and testing of sealed sources.

Section 16.11 is updated to reflect changes in terminology for personnel monitoring and to clarify dose limits.

Sections 16.12, 16.13 and 16.15 are all updated to reflect 10 CFR Part 30 references instead of references to 10 NYCRR Part 16, as well as to clarify the actual language and phrasing used within these sections.

Section 16.14 is updated to require recording of high patient doses from fluoroscopy and notification of referring physician and instructions to patient.

Sections 16.16 and 16.17 are updated for compatibility with 10 CFR Part 30 requirements.

Section 16.19, concerning limitations on application of radiation to humans, is updated to reflect changes in the use of radioactive materials especially therapeutic sources.

Section 16.22 is updated to remove the requirement for mammography screening programs to teach breast self-examination.

Section 16.23 is updated to require quality assurance (QA) programs for advanced modality dental and podiatry, to require radiation safety policies regarding patient fluoroscopy doses and neonatal imaging, to update specifications for modern imaging modalities, and to update breast imaging QA requirements.

Section 16.24 is updated to reflect updates to QA requirements and verification of radiation therapy treatments.

Section 16.26 is updated to incorporate by reference the current federal regulation from the U.S. Nuclear Regulatory Commission (NRC).

Sections 16.40 and 16.41 are updated to reflect new fee schedules and to incorporate NYS Department of Labor (DOL) fee categories.

Section 16.50 is updated to correctly reference the New York City Department of Health and Mental Hygiene (NYC DOHMH), change registration periods to allow more flexibility, and include commercial requirements previously listed within DOL regulations.

Section 16.51 is updated to include several items in the prohibited uses of radiation equipment, and half-value layer tables were updated to be current with federal manufacturing requirements (21 CFR Part 1020) for equipment listed in sections 16.52 through 16.70 of Title 10 of the NYCRR.

Sections 16.52, 16.54 and 16.55 are updated to include specifications for hand-held units and Cone Beam Computed Tomography (CBCT) as well as updates to filtration requirements. Requirements for gonadal shielding have also been removed.

Section 16.53 is updated to include changes for handheld intra-oral radiographic equipment.

Section 16.58 is updated to include new specifications for display of air kerma and minimum source to skin distance, to be consistent with federal manufacturing requirements (21 CFR Part 1020).

Sections 16.60 and 16.61 are updated to reflect current technologies and therapy equipment operated at potentials over and below 60 kV.

Section 16.65 is a new section regarding CBCT quality assurance, physicist testing, and accreditation requirements.

Section 16.101, concerning licensure, is updated to incorporate references to the CFR. Although no additional requirements are being added, elements of 10 CFR Part 31 and the Appendices to Part 16 are now included herein.

Section 16.102 is updated to add a paragraph on authorizing the Department to inspect a facility prior to the issuance of a license and adds a paragraph requiring an emergency plan for licensees that possess large amounts of dispersible radioactive material. This was previously codified in DOL regulations under 12 NYCRR Part 38. This section also adds conditions for consortiums to share accelerator produced isotopes.

Section 16.103, concerning licensing requirements for radioactive materials, incorporates by reference various provisions within 10 CFR Parts 30, 40, and 70 for licensing requirements. Currently these requirements are only incorporated into license conditions but not NYS regulations.

Section 16.104 adds requirements on portable gauge security, consortiums, and breakthrough limits for generators.

Section 16.109 adds reciprocity agreement provisions with other Agreement States, which were previously codified in DOL regulations within 12 NYCRR Part 38. This new section will also allow a licensee to pay a fee to work in New York for up to 180 days each year, instead of only allowing licensees to work 30 days each year but at no charge.

Section 16.112 is updated to add requirements for increased security for certain amounts of radioactive material, as required by 10 CFR Part 37.

Sections 16.113 and 16.114 add requirements for decommissioning and financial assurance.

Section 16.123 updates medical use requirements for specific licenses for certain medical uses of byproduct materials, to be compatible with Federal regulations.

Section 16.124 is a new section that adds manufacturing requirements for licenses to manufacture or transfer certain items containing radioactive material.

Section 16.125 is a new section that adds additional requirements for the manufacture, preparation or transfer for commercial distribution of medical drugs containing radioactive material.

Section 16.126 adds a new requirement for sealed source and device registration.

Section 16.127 adds a new section governing licenses for industrial radiography as well as radiation safety requirements for industrial radiographic operations.

Section 16.128 adds a new section for well logging.

Section 16.129 adds a new section for panoramic irradiators.

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: regsna@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.

Regulatory Impact Statement

Statutory Authority:
Section 7 of Part B of Chapter 58 of the Laws of 2006 sets forth the authority for the Commissioner of Health to modify or abrogate the regulations found in Part 38 of Title 12 (Labor) of the Official Compilation of Codes, Rules and Regulations of the State of New York (NYCRR) pertaining to the radiation control program.

The Public Health and Health Planning Council is authorized by § 225(4) of the Public Health Law (PHL) to establish, amend, and repeal provisions of the State Sanitary Code (SSC), subject to the approval of the Commissioner of Health. PHL §§ 225(5)(p), (q) and 201(1)(r) authorize SSC regulations to protect the public from the adverse effects of ionizing radiation. Pursuant to such statutory authority and as set forth in 10 NYCRR Part 16, the Department of Health (Department), licenses or registers health care providers to use radioactive materials or ionizing radiation emitting equipment on patients.

The federal Atomic Energy Act of 1954 (the Act), codified at 42 USC §§ 2021, et. seq., authorizes the United States Nuclear Regulatory Commission (NRC) to regulate the use of radioactive materials. The Act also authorizes “Agreement States,” to regulate the use of radioactive materials in lieu of the NRC, provided that the “Agreement State” promulgates regulations that are comparable to or exceed NRC’s regulatory standards. New York State is an “Agreement State” within the meaning of the Act. New York’s regulatory standards for the use of radioactive materials in 10 NYCRR Part 16 must therefore meet or exceed comparable NRC regulatory standards. The Act governs only the use of radioactive materials: it does not apply to x-rays or radiation therapy equipment that emit only x-rays.

Legislative Objectives:

Chapter 58 of the Laws of 2006 transferred the radiation control program from the Department of Labor (DOL) to the Department of Health, effective July 1, 2006. The law specifically sets forth that the regulations (12 NYCRR Part 38) would remain in effect until “duly modified or abrogated by the Commissioner of Health.” The amendments being made by this regulation to 10 NYCRR Part 16 will incorporate and update the regulatory provisions currently found in 12 NYCRR Part 38. It is therefore appropriate to repeal 12 NYCRR Part 38 in its entirety.

The legislative intent of PHL §§ 225(5), 201(1)(p) and (q) are to protect the public from the adverse effects of ionizing radiation. Promulgating regulations to ensure safe and effective uses of radioactive material and radiation producing equipment is consistent with this legislative objective. Section 225(5)(q) of the Public Health law also authorized the Department to recover the cost of the programs by charging adequate and reasonable fees for its regulatory activities. Such fees enable the program to maintain the staffing level required to meet the legislative mandate. By establishing the Special Revenue Operating fund in 1999 the Legislature intended the program to be funded through fees.

Needs and Benefits:

The US Nuclear Regulatory Commission (NRC) has relinquished its authority to regulate the use of radioactive materials in New York State to the State. The Atomic Energy Act of 1954 (the Act) (codified at 42 USC § 2021 et. seq.) requires New York to adopt and enforce regulatory standards for the use of radioactive materials that are comparable to or exceed federal regulatory standards that apply to the use of radioactive materials. The Department regulates approximately 1,100 facilities that use radioactive material and approximately 10,000 facilities that use x-ray equipment. The proposed regulations incorporate by reference many of the NRC regulatory standards that govern the use of radioactive materials in medical and commercial settings. In recent years the technology and equipment used to deliver radiation therapy to cancer patients, including systems used to plan and execute radiation therapy treatment, have become significantly more complex. Recently developed radiation therapy systems more effectively deliver high-dose rate treatments to precisely defined three-dimensional tumor volumes while sparing doses to healthy tissue. Patients benefit significantly when, as is the case in most of such radiation treatments, the dose is delivered as intended.

Schedules for licensing and registration fees currently being assessed by the Bureau of Environmental Radiation Protection (BERP) are published under two separate Titles of the NYCRR. Title 12 NYCRR section 82.8 contains the fee schedule for radioactive materials licenses and radiation equipment registrations issued to industrial and commercial facilities formerly regulated by DOL under Industrial Code Rule number 38 (12 NYCRR 38). Title 10 NYCRR section 16.41 contains the corresponding schedule for radioactive sources regulated by the Department under 10 NYCRR Part 16. The current proposal combines these into one fee schedule to be published in 10 NYCRR § 16.41. Regulated parties would benefit from having a single fee schedule in one location for all radiation sources regulated by the Department.

The current fee schedules were established in 2001 (for the Department) and 2005 (for DOL). The costs of the Department’s program have increased due to increased salary, equipment, and travel costs. In addition to these cost increases, increased security measures have been adopted requiring closer tracking and more frequent inspection by the Department of certain radiation sources that are of concern for national security reasons. The increased costs from these additional measures must be recovered through fees.

Finally, the proposed rule establishes an annual fee for reciprocity. Reciprocity is required under federal rules as it allows an entity licensed in another state to operate temporarily in New York based on their radioactive materials license in their home state. New York is currently one of only two states that does not charge a reciprocity fee (the other is Alabama). Other states’ fees (including 48 other state programs) range from \$100 to \$1,400 with an average fee of about \$900 per year.

The NRC audited New York State in August 2022 to review the overall status of the agreement state program. A significant finding of the last two such audits was that the New York State program is failing to meet compatibility standards. Since this is the third audit where NYS was deemed not compatible with NRC regulations, NRC placed NYS on heightened oversight. This status will be maintained until these regulations are updated and NRC completes another audit.

Costs:

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

This regulation updates the fees charged to facilities that use radioactive materials or x-ray equipment. On average the fee increases are 68% over existing fees. These fees are still significantly less than the corresponding fees charges by the NRC which, depending on facility type range from \$12,300 to over \$53,800, or two to six times higher than the proposed fees. Geographically adjacent states (PA, NJ, and MA) have different fee structures that are more variable, but in general their fees are slightly higher than what the Department is proposing in this rule.

Fee Category	Current fee	Proposed fee	Count
Radiation Equipment Category I (i.e., Hospital)	\$1,420	\$2,600	75
Radiation Equipment Category II (i.e., Clinic)	\$1,080	\$1,800	200
Radiation Equipment Category III (i.e., Large Private practice)	\$740	\$1,250	200
Radiation Equipment Category IV (i.e., Small Practice)	\$325	\$550	600
Radiation Equipment Category V (i.e., Small Practice Low Volume)	\$190	\$325	1,400
Radiation Equipment Category VI (i.e., Dental/Vet/Podiatry)	\$65	\$100	7,400
Radioactive Materials Category I (i.e., Medical Broadscope)	\$5,265	\$9,600	6
Radioactive Materials Category II (i.e., Academic Broadscope)	\$3,510	\$6,200	9
Radioactive Materials Category III (i.e., Nuc Pharm, Brachytherapy)	\$1,400	\$2,400	37
Radioactive Materials Category IV (i.e., Nuclear Medicine, LINAC)	\$880	\$1,500	502
Radioactive Materials Category V (i.e., Clinical Labs, XRF)	\$350	\$600	78
Radioactive Materials Category VI (i.e., Gas Chromatograph)	\$50	\$120	2
Radioactive Materials Commercial 1 (i.e., Industrial Radiography)	\$2,500	\$3,600	52
Radioactive Materials Commercial 2 (i.e., Manufacturing)	\$1,833	\$3,000	23
Radioactive Materials Commercial 3 (i.e., R&D, Irradiators)	\$1,333	\$2,400	148
Radioactive Materials Commercial 4 (i.e., Gauges)	\$1,000	\$1,800	182
Radioactive Materials Commercial 5 (i.e., GC, analytic Equipment)	\$500	\$600	5

Fee Category	Current fee	Proposed fee	Count
Radioactive Materials General (i.e., General License)	\$33	\$120	146
Totals (count x fee)	\$2,555,458	\$4,291,760	11,065

Additionally, these regulations will impose new costs on Cone-Beam CT units (CBCTs). These units, like all other CT units, will have to be accredited within 18 months of the adoption of this rule. They will also be subject to annual quality assurance testing. Accreditation costs are approximately \$3,000 every three years, and the annual Quality Assurance (QA) testing will be \$800 to \$1,200 per year.

Costs to State and Local Governments:

Government agencies are exempt from the fees in these regulations, except for government operated hospitals and higher education institutions. This will include about 30 hospitals (including Nassau County Medical Center, Westchester County Medical Center, and Erie County Medical Center) and State University of New York (SUNY) colleges who will have an approximately 60% to 75% increase in fees.

The cost increase to the three county run health care facilities are listed below:

County	Current Fees	Proposed Fees	Net increase
Nassau	2300	4100	+1800
Westchester	3635	5875	+2240
Erie	1960	3300	+1340

There are approximately 25 SUNY facilities that have X-ray equipment or a radioactive materials license. The sum of all SUNY fees will increase from approximately \$36,000 currently to a total of \$63,000 spread over the 25 regulated facilities. These fee increases are incidental costs for programs of this size.

Costs to the Department of Health:

These regulations make numerous technical changes and updates to the radiation safety rules. These changes will require the Department to update guidance, forms, and Standard Operating Procedures. These activities are done periodically and will not incur significant extra costs for the Department.

Local Government Mandates:

These proposed regulations apply to hospitals operated by public benefit corporations including Nassau, Erie and Westchester Medical centers. The increased annual fees will apply to these facilities. Registrants and licensees, including the hospitals operated by state and local governments, are currently required to retain all quality assurance documents for review by the Department. As such, no other additional costs or mandates are associated with implementation of these regulations.

Paperwork:

Department regulations (10 NYCRR Part 16) require registrants and licensees to maintain a variety of records relating to the use of ionizing radiation for review by the Department. The Department estimates that licensees and registrants may have a small amount of additional documentation to create, maintain, or file these records. These regulations change the content of those records (ex. different quality assurance requirements) but do not significantly increase any required documentation over the current standards.

Duplication:

There is no duplication of the proposed regulatory requirements by any federal, state, or local agency for licensees, registrants, or authorized users subject to 10 NYCRR Part 16. New York State entered into an agreement with the federal government on October 15, 1962, by which the federal government discontinued its regulatory authority over the use of radioactive materials and New York assumed such authority.

Alternatives:

Many of the regulatory changes are required to meet federal standards. The alternative to the present fee proposal is to leave the current fees unchanged. This would require a proportional reduction in the scope of the Department's regulatory program to offset the effects of inflation and increased security measures. Failure to implement these changes would jeopardize the agreement state status and could also jeopardize public health.

Federal Standards:

New York State's agreement with the NRC requires it to promulgate regulations consistent with the NRC's rules, either by incorporation by reference or by developing state rules that are nearly identical. These regulations incorporate by reference many federal standards developed by the U.S. NRC.

Compliance Schedule:

Except for the Cone-Beam CT accreditation requirements, there is no compliance schedule imposed by these regulations, which shall be effective upon publication of the Notice of Adoption in the State Register. The Cone-Beam accreditation rule requires that facilities apply to an accrediting body within 90 days of the regulations going into effect and that they complete the process with 18 months.

Regulatory Flexibility Analysis

Effect of Rule:

These regulations will apply to two State University hospitals, one county hospital and three hospitals operating as a public benefit corporation. There are approximately 200 other facilities operated by local government agencies, mostly jails and community clinics that will be affected by these regulations but that are exempt from the fees set forth in regulation.

Of the roughly 11,000 licenses and registrations currently issued under 10 NYCRR Part 16, it is estimated that approximately two-thirds constitute small business, or roughly 6,400 throughout the state. This figure does not include any hospitals, educational facilities or government operated entities.

Compliance Requirements:

This rule change will affect small businesses and local government facilities that use ionizing radiation, including healthcare facilities, colleges, and commercial services. This is a repeal and replace of the entire existing regulation. Significant changes and updates include the following:

- Radioactive material licensing is updated to incorporate federal standards by reference and to include NYS Department of Labor regulations that were previously turned over to the Department of Health.
- Radioactive materials license and x-ray equipment registration fees are increased an average of 68%, fees for reciprocity are added, and late fees are removed. Commercial license fees were converted to annual fees from triannual which will reduce the initial burden on applicants.

• The proposed rules include a requirement for accreditation and quality assurance (QA) testing on Cone-Beam CT units used on people, most of which are used in dentistry.

• QA requirements for diagnostic imaging have been updated to reflect the current technologies, in particular the replacement of film with digital imaging modalities. The regulations have been developed based on American College of Radiology (ACR) and American Association of Physicists in Medicine (AAPM) guidance documents that the Department of Health (Department) has used as a standard for facilities for the past decade.

• Definitions have been added for compatibility and clarity purposes. Other sections of the regulations have had out of date language or unclear phrasing reworded based on discussions with regulated entities and NRC staff.

• Updates require recording of high patient doses from fluoroscopy and notification of referring physician and instructions to patient.

Regulated facilities will need to become familiar with the updated rules and may need to modify their radiation safety program and quality assurance policies and procedures accordingly. Those facilities with Cone Beam CT units that are not accredited will need to do so within 18 months of the effective date of the rule.

Professional Services:

Many large facilities have in-house staff that perform quality assurance testing and operate radiation emitting technology. Smaller offices and private practices employ consultants to provide QA services and assistance in the development of policies and procedures relating to radiation safety. The QA related changes will not require significant time and the Department will provide updated guidance and references to current professional and national standards as applicable.

The Department does not expect that it will be necessary for licensees to use additional professional services for completion of applications for accreditation or to implement the quality assurance requirements other than the operators of Cone-Beam equipment who will have to develop QA plans and become accredited.

Compliance Costs:

The Cone-Beam CT accreditation will cost the registrant about \$3,000 dollars for a three-year period and the Cone Beam CT QA testing will cost approximately \$800 to 1,200 per year. In addition, radioactive materials license and x-ray equipment registration fees are increased an average of 68%, fees for reciprocity are added, and late fees are removed. This fee increase is needed to cover program cost as the fees have not increased since 2001. Program used the US Bureau of Labor Statistics Consumer Price Index Calculator to determine average increases from 2002 to 2023. This program is a partial cost recovery program and staff salaries, and other program operation expenses are covered through the fees. Commercial license fees were converted to annual fees from triannual which will reduce the initial burden on applicants.

Economic and Technology Feasibility

There are no capital costs or new technology required to comply with

the proposed rule. Most of the facilities affected will be dental, veterinary, and podiatric facilities and they will have a \$35 increase in registration fee which is still a low-cost relative to many other states annual fees. Large hospitals, universities and other large corporate entities will see larger amounts proportional to the cost to inspect and regulate these facilities. Therefore, the proposal should be economically and technologically feasible for regulated entities.

Minimizing Adverse Impact:

Most facilities will not need a substantial amount of time to comply with these updates. Mitigating the fee increase for commercial licensees will be the fact that they only pay a 1-year fee instead of a 3-year fee. Late fees for all regulated facilities are dropped. Facilities will have 90 days to apply for accreditation and 18 months to become accredited. This will allow a facility adequate time to select the accreditation body of their choice, complete an application, and budget funds for the accreditation fee. Most users of Cone Beam CT equipment already charge patients a fee for the images made by this equipment and will be able to recoup the increased cost associated with the increased QA requirements.

Small Business and Local Government Participation:

The diagnostic quality assurance testing changes were reviewed by NYS medical and health physics societies for technical content during the past several years. The therapy regulation updates have been developed with input from radiation oncology facilities, based on current professional standards and practices. The Department of Health will provide notice of rulemaking to organizations that represent the interested parties including the dental, veterinary, podiatry, medical (MSSNY) and health-care (HANYs) and other interested parties. In addition, the proposed regulations will be published in the State Register to provide Small Business and Local Government a review and comment period, which is an opportunity for comment and to participate in the regulatory process. Some sections of the regulations have had out of date language or unclear phrasing reworded based on discussions with regulated entities and NRC staff and many of their suggestions have been included.

For Rules That Either Establish or Modify a Violation or Penalties Associated with a Violation:

Violations that had previously been cited by 12 NCYRR Part 38 may now be cited under 10 NYCRR Part 16 as the NYS Department of Labor regulations are transcribed into Title 10 NYCRR Part 16. There are no changes to any violations or penalties, however late fees have been removed from the fee schedule and will no longer be charged.

Rural Area Flexibility Analysis

Types and Estimated Numbers of Rural Areas:

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

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

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

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

There are just over 11,000 regulated facilities that possess and use x-ray equipment or radioactive materials. Approximately 20% are in the 44 counties defined as rural based on population and an additional 46% are in those counties defined as rural by population density. As of January 1, 2022, there are just under 7,200 facilities in rural areas. Approximately 50% of the regulated facilities are dental, 10% are veterinarians, 9% are physician's office, 8% are non-human use (academic, commercial, or industrial), 7% are hospitals, clinics or imaging centers, and the rest are a mix of podiatrists, chiropractors, and other specialty providers.

Reporting, Recordkeeping and Other Compliance Requirements and Professional Services:

There are no new reporting requirements to the State contained in the proposed regulations for most regulated facilities. However, certain medical users of fluoroscopy will have to report to the patient and maintain records of high patient exposure. This will affect hospitals and ambulatory surgery sites that perform interventional fluoroscopic procedures. No additional professional service costs are anticipated. Facilities are currently required to maintain records of quality assurance test results and accreditation documents for review by the Department's inspectors. The content of these tests is specified in sections 16.23 and 16.24 of these regulations. Compliance with the recordkeeping requirements will require only a minor incremental amount of time and effort for affected facilities.

Cost:

Fees are increased an average of 68% for all license and registration categories. Specifically, operators of Cone-Beam CT units will also have to get accredited which will cost them \$3,000 for a three-year period. These units will now be subject to quality assurance testing requirements that will cost an additional \$800-1,200 per year. This will affect approximately 10% of the dental practices in the state, principally oral surgeons, and other specialty practices.

Schedules for licensing and registration fees currently being assessed by the Bureau of Environmental Radiation Protection (BERP) are published under two separate Titles of the NYCRR. Title 12 NYCRR section 82.8 contains the fee schedule for radioactive materials licenses and radiation equipment registrations issued to industrial and commercial facilities formerly regulated by DOL under Industrial Code Rule number 38 (12 NYCRR 38). Title 10 NYCRR section 16.41 contains the corresponding schedule for radioactive sources regulated by the Department under 10 NYCRR Part 16. The current proposal combines these into one fee schedule to be published in 10 NYCRR § 16.41. Regulated parties would benefit from having a single fee schedule in one location for all radiation sources regulated by the Department.

The current fee schedules were established in 2001 (for the Department) and 2005 (for DOL). The costs of the Department's program have increased due to increased salary, equipment, and travel costs. In addition to these cost increases, increased security measures have been adopted requiring closer tracking and more frequent inspection by the Department of certain radiation sources that are of concern for national security reasons. The increased costs from these additional measures must be recovered through fees.

Finally, the proposed rule establishes an annual fee for reciprocity. Reciprocity is required under federal rules as it allows an entity licensed in another state to operate temporarily in New York based on their radioactive materials license in their home state. New York is currently one of only two states that does not charge a reciprocity fee (the other is Alabama). Other states' fees (including 48 other state programs) range from \$100 to \$1,400 with an average fee of about \$900 per year.

Minimizing Adverse Impact:

Most facilities will not need to take a substantial amount of time to comply with these updates. Mitigating the fee increase for commercial licensees is the fact that they will now only pay a 1-year fee instead of a 3-year fee. In addition, late fees for all regulated facilities are dropped. Cone Beam CT facilities will have 90 days to apply for accreditation and 18 months to become accredited. This will allow a facility adequate time to select the accreditation body of their choice, complete an application and budget funds for the accreditation fee. Most users of Cone Beam CT equipment already charge patients a fee for the images made by this equipment and therefore should be able to recoup the increased costs associated with the new regulatory requirements.

Rural Area Participation:

Regulated facilities are invited to comment during the Codes and Regulations Committee meeting of the Public Health and Health Planning Council and as part of the formal public comment process. The diagnostic quality assurance testing changes were reviewed by NYS medical physics

and health physics societies for technical content during the past several years. The therapy regulation updates have been developed with input from radiation oncology facilities, based on current professional standards and practices. The majority of the changes are based on existing guidance, published federal regulations, merge DOL regulations into DOH regulations, or were clarifications and modernizations of language. DOH has communicated the nature of these updates with interested professional organizations over the past few years.

Job Impact Statement

Nature of Impact:

It is anticipated that no jobs will be adversely affected by this rule. Medical providers of diagnostic imaging and radiation therapy will need to become familiar with the new quality assurance requirements.

Categories and Numbers Affected:

There are approximately 10,000 facilities registered to use radiation producing equipment (x-ray machines), and more than 1,100 facilities authorized by license to use radioactive material. Approximately 5,500 of the x-ray facilities are dental practices.

Regions of Adverse Impact:

No areas will be adversely affected.

Minimizing Adverse Impact:

There are no alternatives to the proposed regulations. Many of these changes are required for the State to maintain compatibility with federal regulations. Non-compatibility updates reflect technological change, especially the change from film-based imaging to digital x-ray systems. The Department will revise guidance to assist all licensees, including those in rural areas, with implementation of the proposed regulations.

Self-Employment Opportunities:

The rule may have impact on some dental practices. It imposes an additional cost and a quality assurance requirement on facilities that have Cone-Beam CT units (CBCT). The Department estimates that there are between 500 and 600 practices that have CBCT units.

LAW-12-23-00012-P

March 22, 2023

March 21, 2024

Office of Mental Health

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

Prior Approval Review Process

I.D. No. OMH-15-24-00002-P

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

Proposed Action: Repeal of Part 551; addition of new Part 551 to Title 14 NYCRR.

Statutory authority: Mental Hygiene Law, sections 7.07, 7.09 and 31.04

Subject: Prior Approval Review Process.

Purpose: To update the Prior Approval Review Process.

Substance of proposed rule (Full text is posted at the following State website: https://omh.ny.gov/omhweb/policy_and_regulations/): In addition to technical updates and eliminating outdated terminology by repealing and replacing Part 551, the Proposed Rule provides as follows:

551.1 Background and intent. Updates language from the repealed Part 551 to establish minimum standards for seeking an operating certificate from the Office of Mental Health (office) which will meet appropriate criteria for quality, safety and fiscal viability and to support the efforts of local governmental units in the process of planning and funding local systems of mental health service. The language expedites the review of projects that are in conformance with the Statewide Plan and establishes an efficient and timely process for the initial licensure of a program.

551.2 Legal base. No substantive changes from the repealed Part 551.

551.3 Applicability. Updates language from the repealed Part 551 to clarify applicability to any existing or proposed limited liability company, corporation or public or private agency proposing a project and that such does not apply to family care home providers or programs not required to obtain an operating certificate.

551.4 Definitions. Removes outdated language and updates definitions from the repealed Part 551 for Capacity and Alteration to a capital project. Updates the definition of caseload to census. Removes an outdated definition for governing authority, and clarifies the definition of inpatient program, licensed housing and outpatient program.

551.5 Project planning and consultation. Clarifies that the applicant may be required to obtain a Memorandum of Understanding (MOU) whenever a project is physically hosted by another service provider in the same building. Clarifies that EZ-PAR applicants will be required to obtain a letter of support from the local governmental unit of the county where the program is to be established or located and that the applicant will consult with designated staff of the office prior to the submission of an E-Z PAR or Comprehensive PAR application.

551.6 Project subject to prior approval review. Clarifies that all projects subject to prior approval review will be classified as a comprehensive, E-Z PAR, or administrative action project and where a project consists of two or more components that fall within separate classifications, the entire project will be reviewed under the classification that is determined to be most appropriate by the office. Clarifies the commissioner's authority to charge a review fee to applicants for projects in accordance with a published fee schedule. Provides that a change of sponsor of a program licensed by the office, to a sponsor that does not currently operate a program licensed by the office or has been licensed for less than twelve months will be a comprehensive review project and where the agency ceasing operation of the program is separate from the agency that is assuming operation, an E-Z PAR to close is required of the agency ceasing operation. Projects classified as E-Z PAR review projects are clarified to include outpatient program projects submitted by an applicant who currently operates one or more programs that are currently licensed by the office, including the expansion or reduction of a Mental Health Outpatient Treatment and Rehabilitative Services (MHOTRS) program that results in a staffing change greater than 5.5 full-time equivalent staff; licensed housing projects submitted by an applicant who currently operates a program which has been licensed by the office, including the relocation of licensed housing, excluding licensed apartment treatment units; all capital projects unless otherwise determined by the office and will require a site visit at the completion of the project; a project proposing either a change in ownership of the stock of a business corporation or membership certificates of a

Department of Law

NOTICE OF EXPIRATION

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

Presumptive Cases of Gross Disparity Under the Price Gouging Law

I.D. No.	Proposed	Expiration Date
LAW-12-23-00006-P	March 22, 2023	March 21, 2024

Presumptive Unfair Leverage for Large Enterprises or Enterprises With Large Market Share Under the Price Gouging Law

I.D. No.	Proposed	Expiration Date
LAW-12-23-00007-P	March 22, 2023	March 21, 2024

Presumptive Cases of Gross Disparity for Purposes of the Price Gouging Statute

I.D. No.	Proposed	Expiration Date
LAW-12-23-00008-P	March 22, 2023	March 21, 2024

Application of Price Gouging Prohibition to Parties Within the Chain of Distribution

I.D. No.	Proposed	Expiration Date
LAW-12-23-00009-P	March 22, 2023	March 21, 2024

Application of the Price Gouging Law to Dynamic Pricing

I.D. No.	Proposed	Expiration Date
LAW-12-23-00010-P	March 22, 2023	March 21, 2024

Presumptive Cases of Unfair Leverage for Purposes of the Price Gouging Law

I.D. No.	Proposed	Expiration Date
LAW-12-23-00011-P	March 22, 2023	March 21, 2024

Costs not Within the Control of the Defendant for Purposes of the Price Gouging Law

I.D. No.	Proposed	Expiration Date
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limited liability company, in any amount, that changes the controlling interest or a change in ownership of the stock of a business corporation or membership certificates of a limited liability company, in any amount, to a new stockholder, member or partner; and a project otherwise eligible for an administrative action or comprehensive PAR that is reclassified as an E-Z PAR review project pursuant to section 551.9(c) of this Part. Projects classified as administrative action review projects are clarified to include changes in the operation of a licensed program including but not limited to: expansion or reduction of a MHOTRS program that results in a staffing change less than 5.5 full-time equivalent staff and/or a change in physical space; a project proposing a change in ownership of the stock of a business corporation, in any amount, if that transfer is to an existing stockholder, member or partner and does not result in a change to the controlling interest of the corporation; approval of a certificate of incorporation, articles of organization, bylaws or any amendments; and actions pertaining to licensed programs or proposed programs in response to unplanned or emergency situations. Adds articles of organization into approval documents and provides that a business corporation, not-for-profit corporation or limited liability company which has been issued an operating certificate from the office, will submit a request to approve changes to its bylaws when such changes relate to any transfer, assignment or other disposition of 10 percent or more of the stock, membership interest, or voting rights. Additionally, any transfer, assignment, or other disposition of the stock or voting rights which results in the ownership or control of more than 10 percent of the stock, ownership, or voting rights of such entity, must also be approved by the office.

551.7 Standards for approval of projects. No substantive changes from the repealed Part 551.

551.8 Application for prior approval review – project scope. Clarifies that an applicant, currently licensed by the office, will be in good standing with the office and must demonstrate the ability to comply with regulatory requirements in currently licensed programs prior to the office approving such application.

551.9 Review of application for prior approval. Clarifies that the office will review the application for completeness of information. For E-Z PAR applications, a completeness review will be made within three business days and the applicant will be notified of any lack of information within five business days of receipt of the application. The applicant has 10 business days to provide the additional information and failure to provide such information within 10 business days, without an approved extension, will constitute withdrawal of the application. Clarifies that upon the receipt of a complete application, the office will notify the applicant that review has begun. For projects undergoing comprehensive PAR or E-Z PAR review, the office will notify all reviewers the application is ready for review and where a review is not able to be conducted within the timeframes outlined above, the office may provide a written acknowledgment of the receipt of the application and provide a statement of the approximate date when the application will be reviewed. Provides that prior to issuing a decision, the office may reclassify a project for review. Unless otherwise specified, project approvals will be time limited to six months. Prior to the end of six months, an applicant may request in writing an extension of the approval. An applicant who asks for an extension of the six-month period must demonstrate to the commissioner's satisfaction that the project under which the conditional approval was granted have not substantially changed and that the project is moving, or will move, forward toward implementation within one year from the requested extension. Clarifies that failure to respond on a timely basis to conditions of approval as required by this Part will result in the application being withdrawn.

551.10 Review of physical facility. Provides where there is no substantial progress toward completion within six months from when conditional approval was issued or if a project falls six months behind the approved development schedule, conditional approval of a capital project may be rescinded or the application may be withdrawn at the discretion of the office unless an extension of the approval is requested in writing and granted.

551.11 Licensed Housing. Removes the requirement of the establishment of licensed housing developed through the Office of Mental Health's request for proposal (RFP) process by entities currently operating licensed housing will not require submission of a PAR application.

551.12 Additional criteria for inpatient programs. Clarifies that no application for the issuance of an operating certificate of a psychiatric inpatient unit which is operated as part of a hospital as defined in article 28 of the Public Health Law, will be effective until such hospital is granted approval to admit patients in emergencies for immediate observation, care and treatment pursuant to Part 580.

Text of proposed rule and any required statements and analyses may be obtained from: Sara Paupini, Office of Mental Health, 44 Holland Ave., Albany, NY 12229, (518) 474-1331, email: regs@omh.ny.gov

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

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

Regulatory Impact Statement

1. Statutory authority: Section 7.07(c) of the Mental Hygiene Law charges the Office of Mental Health with the responsibility for seeing that persons with mental illness are provided with care and treatment, and that such care, treatment and rehabilitation is of high quality and effectiveness.

Sections 7.09 and 31.04 of the Mental Hygiene Law grant the Commissioner of Mental Health the power and responsibility to adopt regulations that are necessary and proper to implement matters under their jurisdiction, and to set standards of quality and adequacy of facilities, equipment, personnel, services, records, and programs for the rendition of services for adults diagnosed with mental illness or children diagnosed with emotional disturbance, pursuant to an operating certificate.

2. Legislative objectives: Articles 7 and 31 of the Mental Hygiene Law reflect the Commissioner's authority to establish regulations regarding mental health programs. The proposed rule furthers the legislative policy of providing high quality mental health services to individuals with mental illness in a cost-effective manner. The repeal and replacement of 14 NYCRR Part 551 ensure that individuals with mental illness receive effective services to address their illness.

3. Needs and benefits: 14 NYCRR Part 551 governs the Office of Mental Health's (OMH) Prior Approval Review (PAR) process. These regulations have not been updated in nearly 15 years and there has been an increase in the number and type of licensed programs demanding a more current and efficient PAR review process. These proposed changes incorporate provider and local government unit feedback over the past several years on the PAR process. The PAR process was established to ensure that new and existing providers that offer licensed mental health services meet quality, safety, and fiscal viability standards. The purpose of the regulation is to: Include local governmental units in the development of mental health services within their local mental health system, establish an efficient process for the licensure of new programs and ensure all providers applying for licensure are treated equally. OMH is proposing the revision of 14 NYCRR Part 551 to improve quality, efficiency, and equity in the PAR process. The proposed regulation will add language to allow OMH to move projects down a review level based on impact upon the local service system, complexity of the project, and expenditure of State/local resources. Language is added to clarify when a closure PAR is required for change of sponsor projects, and clarify which PAR is required relating to transfers of stock to be based on whether the transfer is to an existing or new stockholder member, or partner. The proposed rule clarifies the type of application required for capital projects. Further, the proposed rule will expand the expectation that providers notify OMH of any changes to their Articles of Incorporation to include Articles of Organization (for-profit providers) and bylaws (when it impacts their corporate structure), adds language to allow OMH to request memorandums of understanding (MOU) when a project is physically hosted by another service provider (e.g. school-based satellites), adds language to clarify that a letter of support must come from the local government unit where the program will be located, and adds language allowing OMH to withdrawal an application that has conditional approval if there has been no substantial progress and there has been no requests for an extension after one year.

4. Costs:

(a) Cost to State government: These regulatory repeal and replacements will not result in any additional costs to State government.

(b) Cost to local government: These regulatory repeal and replacements will not result in any additional costs to local government.

(c) Cost to regulated parties: These regulatory repeal and replacements will not result in any additional costs to those regulated parties.

5. Local government mandates: These regulatory repeal and replacements will not result in any additional imposition of duties or responsibilities upon county, city, town, village, school, or fire districts. The regulations promote more efficient review and coordination of prior approval reviews.

6. Paperwork: No substantial increase in paperwork is anticipated as a result of the repeal and replacement of 14 NYCRR Part 551.

7. Duplication: These regulatory repeal and replacements do not duplicate existing State or federal requirements.

8. Alternatives: No alternatives were considered, as these repeal and replacements are designed to simplify the PAR process, and have been developed with feedback from regulated parties.

9. Federal standards: The regulatory repeal and replacements do not exceed any minimum standards of the federal government for the same or similar subject areas.

10. Compliance schedule: This rulemaking will be effective upon publication of a Notice of Adoption in the State Register.

Regulatory Flexibility Analysis

No Regulatory Flexibility Analysis is required pursuant to section 202-b(3)(a) of the State Administrative Procedure Act. The proposed repeal and replacement does not impose any additional adverse economic impact

on small businesses or local governments, and it does not impose any additional reporting, recordkeeping or other compliance requirements on small businesses or local governments.

Rural Area Flexibility Analysis

A Rural Area Flexibility Analysis for the repeal and replacement of 14 NYCRR Part 551 is not required because the amendments will not impose any adverse impact or significant reporting, recordkeeping or other compliance requirements on public or private entities in rural areas. There are no professional services, capital, or other compliance costs imposed on public or private entities in rural areas as a result of the proposed amendments.

Job Impact Statement

A Job Impact Statement for the repeal and replacement of 14 NYCRR Part 551 is not being submitted because it is apparent from the nature and purposes of the amendments that they will not have a substantial adverse impact on jobs and/or employment opportunities.

Public Service Commission

NOTICE OF ADOPTION

Submetering of Electricity

I.D. No. PSC-37-23-00006-A

Filing Date: 2024-03-20

Effective Date: 2024-03-20

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

Action taken: On 3/14/24, the PSC adopted an order approving Flat LG LLC's (Flat LG) petition to submeter electricity at 609 2nd Avenue, New York, New York.

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

Subject: Submetering of electricity.

Purpose: To approve Flat LG's petition to submeter electricity.

Substance of Final Rule: The Commission, on March 14, 2024, adopted an order approving Flat LG LLC's petition to submeter electricity at 609 2nd Avenue, New York, New York, located in the service territory of Consolidated Edison Company of New York, Inc., subject to the terms and conditions set forth in the order.

Text or summary was published in the September 13, 2023 issue of the Register, I.D. No. PSC-37-23-00006-P.

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

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

Assessment of Public Comment

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

(23-E-0346SA1)

NOTICE OF ADOPTION

Submetering of Electricity

I.D. No. PSC-39-23-00005-A

Filing Date: 2024-03-20

Effective Date: 2024-03-20

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

Action taken: On 3/14/24, the PSC adopted an order approving 25-34 Jackson Avenue Property Owner LLC's (25-34 Jackson Avenue) notice of intent to submeter electricity at 27-05 Thompson Avenue, Long Island City, New York.

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

Subject: Submetering of electricity.

Purpose: To approve 25-34 Jackson Avenue's notice of intent to submeter electricity.

Substance of Final Rule: The Commission, on March 14, 2024, adopted an order approving 25-34 Jackson Avenue Property Owner LLC's notice of intent to submeter electricity at 27-05 Thompson Avenue, Long Island City, New York, located in the service territory of Consolidated Edison Company of New York, Inc., subject to the terms and conditions set forth in the order.

Text or summary was published in the September 27, 2023 issue of the Register, I.D. No. PSC-39-23-00005-P.

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

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

Assessment of Public Comment

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

(23-E-0406SA1)

NOTICE OF ADOPTION

Submetering of Electricity and Waiver Request

I.D. No. PSC-42-23-00006-A

Filing Date: 2024-03-20

Effective Date: 2024-03-20

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

Action taken: On 3/14/24, the PSC adopted an order approving 420 Carroll LLC's (420 Carroll) notice of intent to submeter electricity at 424 Carroll Street, Brooklyn, New York and request for a waiver of the energy audit requirements in 16 NYCRR § 96.5(k)(3).

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

Subject: Submetering of electricity and waiver request.

Purpose: To approve 420 Carroll's notice of intent to submeter electricity and waiver request.

Substance of Final Rule: The Commission, on March 14, 2024, adopted an order approving 420 Carroll LLC's notice of intent to submeter electricity at 424 Carroll Street, Brooklyn, New York, located in the service territory of Consolidated Edison Company of New York, Inc., and a waiver of the energy audit and efficiency plan requirements in 16 NYCRR § 96.5(k)(3), subject to the terms and conditions set forth in the order.

Text or summary was published in the October 18, 2023 issue of the Register, I.D. No. PSC-42-23-00006-P.

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

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

Assessment of Public Comment

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

(23-E-0338SA1)

NOTICE OF ADOPTION

Submetering of Electricity and Waiver Request

I.D. No. PSC-43-23-00004-A

Filing Date: 2024-03-20

Effective Date: 2024-03-20

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

Action taken: On 3/14/24, the PSC adopted an order approving Beacon Communities Services LLC's (Beacon) petition to submeter electricity at

35 Broadway, Menands, New York and request for a waiver of the energy audit requirements in 16 NYCRR § 96.5(k)(3).

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

Subject: Submetering of electricity and waiver request.

Purpose: To approve Beacon's petition to submeter electricity and waiver request.

Substance of Final Rule: The Commission, on March 14, 2024, adopted an order approving Beacon Communities Services LLC's petition to submeter electricity at 35 Broadway, Menands, New York, located in the service territory of Niagara Mohawk Power Corporation d/b/a National Grid, and a waiver of the energy audit and efficiency plan requirements in 16 NYCRR § 96.5(k)(3), subject to the terms and conditions set forth in the order.

Text or summary was published in the October 25, 2023 issue of the Register, I.D. No. PSC-43-23-00004-P.

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

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

Assessment of Public Comment

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

(23-E-0402SA1)

NOTICE OF ADOPTION

Submetering of Electricity and Waiver Request

I.D. No. PSC-43-23-00005-A

Filing Date: 2024-03-20

Effective Date: 2024-03-20

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

Action taken: On 3/14/24, the PSC adopted an order approving Village Grove LLC's (Village Grove) petition to submeter electricity at 46 South Street, Trumansburg, New York and request for a waiver of the energy audit requirements in 16 NYCRR § 96.5(k)(3).

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

Subject: Submetering of electricity and waiver request.

Purpose: To approve Village Grove's petition to submeter electricity and waiver request.

Substance of Final Rule: The Commission, on March 14, 2024, adopted an order approving Village Grove LLC's petition to submeter electricity at 46 South Street, Trumansburg, New York, located in the service territory of New York State Electric & Gas Corporation, and a waiver of the energy audit and efficiency plan requirements in 16 NYCRR § 96.5(k)(3), subject to the terms and conditions set forth in the order.

Text or summary was published in the October 25, 2023 issue of the Register, I.D. No. PSC-43-23-00005-P.

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

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

Assessment of Public Comment

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

(23-E-0486SA1)

NOTICE OF ADOPTION

Submetering of Electricity

I.D. No. PSC-45-23-00001-A

Filing Date: 2024-03-20

Effective Date: 2024-03-20

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

Action taken: On 3/14/24, the PSC adopted an order approving 440 Hamilton Developer LLC's (440 Hamilton) petition to submeter electricity at 440 Hamilton Avenue, White Plains, New York.

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

Subject: Submetering of electricity.

Purpose: To approve 440 Hamilton's petition to submeter electricity.

Substance of Final Rule: The Commission, on March 14, 2024, adopted an order approving 440 Hamilton Developer LLC's petition to submeter electricity at 440 Hamilton Avenue, White Plains, New York, located in the service territory of Consolidated Edison Company of New York, Inc., subject to the terms and conditions set forth in the order.

Text or summary was published in the November 8, 2023 issue of the Register, I.D. No. PSC-45-23-00001-P.

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

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

Assessment of Public Comment

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

(23-E-0485SA1)

NOTICE OF ADOPTION

Electric Metering Equipment

I.D. No. PSC-47-23-00002-A

Filing Date: 2024-03-20

Effective Date: 2024-03-20

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

Action taken: On 3/14/24, the PSC adopted an order approving Triacta Power Solutions LP's (Triacta) petition to use the Triacta 6000 Series PowerHawk® with V2.08 firmware smart revenue grade electric meter for electric submetering applications in New York State.

Statutory authority: Public Service Law, section 67

Subject: Electric metering equipment.

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

Substance of Final Rule: The Commission, on March 14, 2024, adopted an order approving Triacta Power Solutions LP's (Triacta) petition to use the Triacta 6000 Series PowerHawk® with V2.08 firmware smart revenue grade electric meter for electric submetering applications in New York State, subject to the terms and conditions set forth in the order.

Text or summary was published in the November 22, 2023 issue of the Register, I.D. No. PSC-47-23-00002-P.

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

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

Assessment of Public Comment

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

(23-E-0548SA1)

NOTICE OF ADOPTION

Submetering of Electricity

I.D. No. PSC-49-23-00003-A

Filing Date: 2024-03-20

Effective Date: 2024-03-20

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

Action taken: On 3/14/24, the PSC adopted an order approving 959

Sterling Partners LLC's (959 Sterling Partners) notice of intent to submeter electricity at 959 Sterling Place, Brooklyn, New York.

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

Subject: Submetering of electricity.

Purpose: To approve 959 Sterling Partners' notice of intent to submeter electricity.

Substance of Final Rule: The Commission, on March 14, 2024, adopted an order approving 959 Sterling Partners LLC's notice of intent to submeter electricity at 959 Sterling Place, Brooklyn, New York, located in the service territory of Consolidated Edison Company of New York, Inc., subject to the terms and conditions set forth in the order.

Text or summary was published in the December 6, 2023 issue of the Register, I.D. No. PSC-49-23-00003-P.

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

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

Assessment of Public Comment

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

(23-E-0609SA1)

NOTICE OF ADOPTION

Submetering of Electricity

I.D. No. PSC-51-23-00005-A

Filing Date: 2024-03-20

Effective Date: 2024-03-20

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

Action taken: On 3/14/24, the PSC adopted an order approving GS White Plains Owner, LLC's (GS White Plains) notice of intent to submeter electricity at 25 North Lexington Avenue, White Plains, New York.

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

Subject: Submetering of electricity.

Purpose: To approve GS White Plains' notice of intent to submeter electricity.

Substance of Final Rule: The Commission, on March 14, 2024, adopted an order approving GS White Plains Owner, LLC's notice of intent to submeter electricity at 25 North Lexington Avenue, White Plains, New York, located in the service territory of Consolidated Edison Company of New York, Inc., subject to the terms and conditions set forth in the order.

Text or summary was published in the December 20, 2023 issue of the Register, I.D. No. PSC-51-23-00005-P.

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

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

Assessment of Public Comment

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

(23-E-0675SA1)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Baseline Period Modification for the Commercial Managed Charging EAM for Program Year 2024

I.D. No. PSC-15-24-00004-P

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

Proposed Action: The Commission is considering a petition filed by Consolidated Edison Company of New York, Inc. to modify its earning adjustment mechanism (EAM) established by the Commission for its commercial managed charging program for program year 2024.

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

Subject: Baseline period modification for the commercial managed charging EAM for program year 2024.

Purpose: To consider a modified peak avoidance baseline and baseline enrollment period and a shortened enrollment baseline growth period.

Substance of proposed rule: The Public Service Commission (Commission) is considering the petition filed by Consolidated Edison Company of New York, Inc. (Con Edison) on March 13, 2024 (Petition) to modify the earnings adjustment mechanism (EAM) for the commercial managed charging program (CMCP).

The EAM was proposed to the Commission in the Joint Proposal, filed February 16, 2023 and adopted in the Commission's order Adopting Terms of Joint Proposal and Establishing Electric and Gas Rate Plans with Additional Requirements, issued July 20, 2023. The CMCP was approved by the Commission in the Order Implementing Immediate Solutions Programs, issued on November 20, 2023 in Case 23-E-0236.

Con Edison's Petition proposes two modifications be made to this EAM, including: 1) revise the original Peak Avoidance Baseline and Baseline Enrollment percentage time period following the launch by shifting it to the first four months of 2024, rather than the last four months of 2023 and 2) shorten the previous nine-month period for Enrollment Baseline Growth to four months. These proposed modifications would affect only the 2024 commercial managed charging EAM. Con Edison states that without these modifications there will be no data for this EAM for 2024. These modifications do not change the CMCP.

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.

(22-E-0064SP4)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Recovery of Costs to Cure Tax Liabilities

I.D. No. PSC-15-24-00005-P

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

Proposed Action: The Commission is considering a petition filed by Liberty Utilities (New York Water) Corp. (Liberty) seeking confirmation of whether expenses to cure outstanding tax liabilities from Arbor Hills Waterworks, Inc. could be recovered in a future proceeding.

Statutory authority: Public Service Law, sections 5(1)(f), 89-b(1), (2) and 89-c

Subject: Recovery of costs to cure tax liabilities.

Purpose: To determine if Liberty should recover the costs to cure certain tax liabilities of Arbor Hills Waterworks, Inc.

Substance of proposed rule: The Public Service Commission is considering a petition filed on March 8, 2024 by Liberty Utilities (New York Water) Corp. (Liberty) seeking to confirm whether Liberty would be able to

recover certain tax liabilities associated with acquiring Arbor Hills Waterworks, Inc.'s (Arbor Hills) assets.

Arbor Hills is small water utility that provides service to 66 customers within the Town of Lewisboro, Westchester County. A Commission Order, issued on December 16, 2022, authorized Liberty to acquire the assets of Arbor Hills (Transfer Order). The Transfer Order acknowledged that Liberty had incurred costs to operate Arbor Hills leading up to the proposed acquisition through its role as the temporary operator. The Commission authorized Liberty to create a regulatory asset for these costs and to defer future costs, incremental to Arbor Hill's revenues, which may be incurred leading up to the close of sale on the assets of Arbor Hills. To recover this regulatory asset, Liberty proposed the creation of a per customer surcharge to be applied to the bills of Arbor Hills customers. The Commission also authorized Liberty to recover any costs of title search and necessary due diligence through the authorized reconciliation and surcharge.

The petition states that, in the context of undertaking its due diligence associated with the transaction, Liberty identified numerous outstanding tax liabilities on the part of Arbor Hills. Liberty states that, although the magnitude of these liabilities have yet to be identified, it believes that curing the tax liabilities may be required to purchase the assets of Arbor Hills. Liberty requests confirmation of whether it would be authorized to recover expenses to cure those tax liabilities in its next rate proceeding. Until such proceeding, Liberty proposes to account for these costs in its "Distressed System" and "Distressed Systems Carrying Charges" regulatory asset.

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.

(22-W-0283SP2)

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

Pole Attachment Charges Update

I.D. No. PSC-15-24-00006-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 proposal filed by Central Hudson Gas & Electric Corporation to modify its tariff schedule, P.S.C. No. 15 — Electricity, to update pole attachment charges.

Statutory authority: Public Service Law, sections 65, 66 and 119-a

Subject: Pole attachment charges update.

Purpose: To provide pole attachment services at just and reasonable rates.

Substance of proposed rule: The Commission is considering a proposal filed by Central Hudson Gas & Electric Corporation (Central Hudson) on March 11, 2024, to amend its electric tariff schedule P.S.C. No. 15 – Electricity.

Central Hudson proposes to amend Section 33 – Pole Attachment Rates of its electric tariff to update the charges applicable to Cable System Operators, Telecommunication Carriers, and Wireless Communication Carriers. Central Hudson's proposed tariff amendments would increase the annual rate for a wireline attachment per pole or a wireless attachment per foot of occupied space from \$25.34 to \$29.06.

Central Hudson's proposal asserts that the rate used to determine the annual pole attachment charge was formulated using internal data and reflects its 2023 pole attachment costs. The proposed amendment has an effective date of July 1, 2024.

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

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

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

Public comment will be received until: 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.

(24-E-0157SP1)

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

Proposal to Modify the MRP Related to EV Supply Equipment Requirements, and Incentive Eligibility Requirements

I.D. No. PSC-15-24-00007-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 a petition filed by the Joint Utilities requesting two modifications to the Electric Vehicle Make—Ready Program (MRP) related to electric vehicle (EV) supply equipment hardware and software and incentive eligibility criteria.

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

Subject: Proposal to modify the MRP related to EV supply equipment requirements, and incentive eligibility requirements.

Purpose: To modify aspects of the MRP in order to avoid disruptions to EV charging infrastructure deployment.

Substance of proposed rule: The Public Service Commission (Commission) is considering a petition filed by Central Hudson Gas & Electric Corporation (Central Hudson), Consolidated Edison Company of New York, Inc. (Con Edison), Niagara Mohawk Power Corporation d/b/a National Grid, New York State Electric & Gas Corporation, Orange and Rockland Utilities, inc., and Rochester Gas and Electric Corporation (RG&E) (collectively, the Joint Utilities) on March 15, 2024, requesting modifications to two requirements of the electric vehicle (EV) Make-Ready Program, as approved by the Commission in the Order Approving Midpoint Review Whitepaper's Recommendations with Modifications (Midpoint Review Order), issued on November 16, 2023 in this proceeding.

The Joint Utilities propose to modify the Midpoint Review Order requirements related to: 1) EV supply equipment (EVSE) communication standards and 2) the eligibility requirements for customer-side incentives in the Medium- and Heavy-Duty (MHD) Electric Vehicle Make-Ready Pilot related to disadvantaged communities.

First, the Joint Utilities propose to modify the requirement that EVSE funded by the Make Ready Program must conform to hardware and software standards ISO 15118-2, ISO 15118-20, and OCPP 2.0.1. The Joint Utilities propose the following modifications: 1) postpone the effective date for level 2 (L2) charger hardware and software conformance from December 16, 2023 and November 16, 2024, respectively, to June 1, 2025, subject to any further market supply constraints or considerations; 2) base software and hardware compliance on the date of project commitment, not installation; 3) revise the ISO 15118 software requirements to read as "Parts 2 or 20" instead of "Parts 2 and 20" for direct current fast charger (DCFC) projects committed on

or after November 16, 2024 and for L2 projects committed on or after June 1, 2025; and 4) revise the ISO 15118 hardware requirements to read as “Parts 2 or 20” instead of “Parts 2 and 20” for DCFC projects committed on or after December 16, 2023, and for L2 projects committed on or after June 1, 2025. The Joint Utilities reason that these modifications would support market certainty and enhance customer experience.

Second, the Joint Utilities propose to modify the eligibility criteria for incentives for customer-side costs for the MHD Pilot. The Joint Utilities propose to expand the eligibility criteria to include projects in parcels that are 1) partially within a disadvantaged community, as defined in the Climate Leadership and Community Protection Act, and 2) adjacent to disadvantaged communities. The Joint Utilities reason that these proposed changes would enable greater access to clean transportation in disadvantaged communities, provide local health benefits, and support the Climate Leadership and Community Protection Act’s goals.

The Joint Utilities explain that, without these program modifications, progress in the Make-Ready Program would be inhibited.

The full text of the petition and the full record of the proceedings 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-E-0138SP15)

State University of New York

EMERGENCY RULE MAKING

State University of New York Tuition and Fee Schedule

I.D. No. SUN-04-24-00002-E

Filing No. 262

Filing Date: 2024-03-26

Effective Date: 2024-03-26

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

Action taken: Amendment of section 302.1(b) of Title 8 NYCRR.

Statutory authority: Education Law, section 355(2)(b) and (h)

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 increases to tuition are intended to be effective for the Fall 2023 semester. Billing for these new tuition rates occurs during the summer of 2023; therefore, notice of the new rates needs to occur as soon as possible.

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

Purpose: To amend the Tuition and Fees Schedule effective for the Fall 2023 semester.

Text of emergency rule: Section 302.1. Tuition and fees at State-operated units of State University.

* * * * *

(b) Tuition charges as listed in the following table for categories of students, terms, and programs, and as modified, amplified, or explained in footnotes 1 through 1[4] are effective with the 202[2]3 fall term and thereafter.

	Charge per Semester		Charge per Semester credit hour ¹ Special Students	
	New York State residents	Out-of-State residents	New York State residents	Out-of-State residents
(1) Students enrolled in degree-granting undergraduate programs leading to an associate degree and non-degree granting programs of at least one regular academic term in duration which have been approved as eligible for Tuition Assistance Program Awards ¹⁰	\$3,535 \$3,535 ²	\$8,490 [\$5,660 ³] \$5,830 ³ [\$5,420 ⁴] \$5,530 ⁴ [\$5,750 ⁵] \$5,950 ⁵ [\$5,920 ⁶] \$6,100 ⁶ \$8,490 ⁷ [\$8,915 ⁸] \$4,240 ⁹ ¹⁸ See Sub-schedule A ⁹	\$295	[\$708] [\$472 ³] \$486 ³ [\$452 ⁴] \$461 ⁴ [\$479 ⁵] \$496 ⁵ [\$493 ⁶] \$508 ⁶ \$708 ⁷ [\$743 ⁸] \$353 ⁹ ¹⁸ See Sub-schedule A ⁹
(2) Students enrolled in degree-granting undergraduate programs leading to a baccalaureate degree and non-degree granting programs of at least one regular academic term in duration which have been approved as eligible for Tuition Assistance Program Awards	\$3,535 \$3,535 ²	[\$8,490] [\$12,495 ¹¹] [\$12,455 ¹²] [\$8,915 ⁸] \$5,305 ¹³ ¹⁷ \$4,240 ⁹ ¹⁸ See Sub-schedule A ⁹	\$295	[\$708] [\$1,041 ¹¹] [\$1,038 ¹²] [\$743 ⁸] \$442 ¹³ ¹⁷ \$353 ⁹ ¹⁸ See Sub-schedule A ⁹
(3) Students enrolled in graduate programs (other than Master of Business Administration, Architecture, Social Work or Physician’s Assistant) leading to a Master’s, Doctor’s or equivalent degree	\$5,655	[\$11,550] \$6,785 ⁹ ⁸ \$8,485 ¹³ ¹⁷ See Sub-schedule B ⁹	\$471	[\$963] \$565 ⁹ ⁸ \$707 ¹³ ¹⁷ See Sub-schedule B ⁹
(4) Students enrolled in a graduate program leading to a Doctorate of Audiology	[\$5,170] \$5,710	[\$11,775] See Sub-schedule C ⁹	\$476	[\$981] See Sub-schedule C ⁹
(5) Students enrolled in a graduate program leading to a Master of Business Administration (MBA)	\$7,500	[\$12,195] \$9,000 ⁹ ¹⁸ See Sub-schedule C ⁹	\$625	[\$1,016] \$750 ⁹ ¹⁸ See Sub-schedule C ⁹
(6) Students enrolled in a graduate program leading to a Master of Architecture	\$7,310	[\$13,000] See Sub-schedule C ⁹	\$609	[\$1,083] See Sub-schedule C ⁹
(7) Students enrolled in a graduate program leading to a Master of Social Work	\$6,540	[\$11,105] \$7,850 ⁹ ⁸ See Sub-schedule C ⁹	\$545	[\$925] \$654 ⁹ ⁸ See Sub-schedule C ⁹
(8) Students enrolled in a graduate program leading to a Doctor of Social Work	\$9,600	[\$12,600] See Sub-schedule C ⁹	\$800	[\$1,050] See Sub-schedule C ⁹
(9) Students enrolled in a graduate program leading to a Master of Health Administration	\$6,985	[\$11,550] \$8,380 ⁹ ⁸ See Sub-schedule C ⁹	\$582	[\$963] \$698 ⁹ ⁸ See Sub-schedule C ⁹
(10) Students enrolled in the professional program of pharmacy	\$13,225	[\$18,570] See Sub-schedule C ⁹	\$1,102	[\$1,548] See Sub-schedule C ⁹
(11) Students enrolled in the professional program of law	[\$12,705] \$13,085	[\$15,125] See Sub-schedule C ⁹	[\$1,059] \$1,090	[\$1,260] See Sub-schedule C ⁹
(12) Students enrolled in the professional program of medicine	[\$21,835] \$22,490	[\$32,580] See Sub-schedule C ⁹	[\$1,820] \$1,874	[\$2,715] See Sub-schedule C ⁹

(13) Students enrolled in the professional program of dentistry	[\$18,450] \$18,820	[\$31,790] <i>See Sub-schedule C⁹</i>	[\$1,538] \$1,568	[\$2,649] <i>See Sub-schedule C⁹</i>
(14) Students enrolled in the professional program of physical therapy	\$12,195	[\$15,350] <i>See Sub-schedule C⁹</i>	\$1,016	[\$1,279] <i>See Sub-schedule C⁹</i>
(15) Students enrolled in the professional program of optometry	[\$14,910] \$15,355	[\$25,575] <i>See Sub-schedule C⁹</i>	[\$1,243] \$1,280	[\$2,131] <i>See Sub-schedule C⁹</i>
(16) Students enrolled in the professional program of physician assistant	\$8,110	[\$14,990] <i>See Sub-schedule C⁹</i>	\$676	[\$1,249] <i>See Sub-schedule C⁹</i>
(17) Students enrolled in the professional programs of Doctor of Nursing practice	\$12,560	[\$16,080] \$15,370[9] ⁸ <i>See Sub-schedule C⁹</i>	\$1,047	[\$1,340] \$1,281[9] ⁸ <i>See Sub-schedule C⁹</i>
(18) Students enrolled in the professional programs of Doctor of Occupational Therapy	\$12,195	[\$15,350] \$14,630 ⁸ <i>See Sub-schedule C⁹</i>	\$1,016	[\$1,279] \$1,219 ⁸ <i>See Sub-schedule C⁹</i>

¹ The Chancellor shall determine the equivalent of a credit hour.

² In accordance with Part G of Chapter 56 of the Laws of 2022, students who are both eligible for, and recipients of, an Excelsior Scholarship from the State of New York are to be charged the resident undergraduate rate of tuition approved by the Board of Trustees in the [2022/23]2023/24 academic year.

³ In accordance with chapter 309 of the Laws of 1996, and enabling action by the Board of Trustees, the Colleges of Technology at Alfred, Canton, Cobleskill, Delhi, and Morrisville are authorized to charge a lower rate for non-resident students enrolled in degree-granting programs leading to an associate degree or in non-degree granting programs. This reduced rate does not apply to those students enrolled in degree-granting programs leading to a baccalaureate degree. Alfred is authorized to charge the rate noted effective with the fall 202[1]3 term.

⁴ In accordance with chapter 309 of the Laws of 1996, and enabling action by the Board of Trustees, the Colleges of Technology at Alfred, Canton, Cobleskill, Delhi, and Morrisville are authorized to charge a lower rate for non-resident students enrolled in degree-granting programs leading to an associate degree or in non-degree granting programs. This reduced rate does not apply to those students enrolled in degree-granting programs leading to a baccalaureate degree. Delhi is authorized to charge the rate noted effective with the fall 202[1]3 term.

⁵ In accordance with chapter 309 of the Laws of 1996, and enabling action by the Board of Trustees, the Colleges of Technology at Alfred, Canton, Cobleskill, Delhi, and Morrisville are authorized to charge a lower rate for non-resident students enrolled in degree-granting programs leading to an associate degree or in non-degree granting programs. This reduced rate does not apply to those students enrolled in degree-granting programs leading to a baccalaureate degree. Canton is authorized to charge the rate noted effective with the fall 202[1]3 term.

⁶ In accordance with chapter 309 of the Laws of 1996, and enabling action by the Board of Trustees, the Colleges of Technology at Alfred, Canton, Cobleskill, Delhi, and Morrisville are authorized to charge a lower rate for non-resident students enrolled in degree-granting programs leading to an associate degree or in non-degree granting programs. This reduced rate does not apply to those students enrolled in degree-granting programs leading to a baccalaureate degree. Morrisville is authorized to charge the rate noted effective with the fall 202[1]3 term.

⁷ In accordance with chapter 309 of the Laws of 1996, and enabling action by the Board of Trustees, the Colleges of Technology at Alfred, Canton, Cobleskill, Delhi, and Morrisville are authorized to charge a lower rate for non-resident students enrolled in degree-granting programs leading to an associate degree or in non-degree granting programs. This reduced rate does not apply to those students enrolled in degree-granting programs leading to a baccalaureate degree. Cobleskill is authorized to charge the rate noted effective with the fall 202[1]3 term.

^{18]} [In accordance with chapter 56 of the Laws of 2020, Downstate Medical Center, Upstate Medical Center, the College of Environmental Science

and Forestry, and the College of Technology at Utica-Rome/State University Polytechnic Institute are authorized to charge this rate for non-resident undergraduate students.]

^{19]8} In accordance with chapter 437 of the Laws of 2015, the Board of Trustees is authorized to establish a new category of tuition for non-resident students enrolled in distance learning courses at SUNY.

⁹ In accordance with Chapter 56 of the Laws of 2023, the Board of Trustees is authorized to set competitive categories for non-resident (undergraduate, graduate, and professional) tuition charges, effective with the fall 2023 term.

¹⁰ In accordance with chapter 309 of the Laws of 1996, and enabling action by the Board of Trustees, the Colleges of Technology at Alfred, Canton, Cobleskill, Delhi, and Morrisville are authorized to charge this lower rate for special students (part-time) enrolled in degree-granting programs leading to an associate degree or in non-degree granting programs and taking classes at off-campus locations or during the summer or winter intercessions. This reduced rate does not apply to those students enrolled in degree-granting programs leading to a baccalaureate degree.

^{11]} [In accordance with chapter 54 of the Laws of 2016, the University Centers at Buffalo and Stony Brook are authorized to charge this rate for non-resident undergraduate students.]

^{12]} [In accordance with chapter 54 of the Laws of 2016, the University Centers at Binghamton and Albany are authorized to charge this rate for non-resident undergraduate students.]

^{13]11} As authorized by the Board of Trustees (2010-081), Maritime College is authorized to charge up to this rate for non-resident students from states and commonwealths considered to be in-region (Alabama, Connecticut, Delaware, Florida, Georgia, Louisiana, Mississippi, Maryland, New Jersey, North Carolina, Pennsylvania, Puerto Rico, Rhode Island, South Carolina, Virginia, and Washington D.C.).

*State University of New York (SUNY)
2023/24 State-operated Tuition Rates
Sub-schedule A: Non-resident Undergraduate*

Campus	Tuition Rates		
	Annual	Semester	Per Credit
University at Albany	\$25,660	\$12,830	\$1,069
University at Binghamton	26,160	13,080	1,090
University at Buffalo	26,860	13,430	1,119
University at Stony Brook	26,860	13,430	1,119
Downstate Medical Center	18,360	9,180	765
Alfred State	17,490	8,745	729
Brockport	14,140	7,070	589
Buffalo State	17,490	8,745	729
Canton	17,490	8,745	729
Cobleskill	16,980	8,490	708
Cortland	16,980	8,490	708
Delhi	16,980	8,490	708
Empire State	16,980	8,490	708
Environmental Science and Forestry	18,900	9,450	788
Farmingdale	16,980	8,490	708
Fredonia	17,490	8,745	729
Geneseo	17,310	8,655	721
Morrisville	17,490	8,745	729
New Paltz	16,980	8,490	708
Old Westbury	16,980	8,490	708
Oneonta	17,490	8,745	729
Oswego	16,980	8,490	708
Plattsburgh	16,980	8,490	708
Potsdam	16,980	8,490	708
Purchase	16,980	8,490	708

2023/24 State-operated Tuition Rates Sub-schedule B: Non-resident Masters & Specialized Masters				2023/24 State-operated Tuition Rates Sub-schedule C: Non-resident Profes- sional Rates			
Campus	Annual	Tuition Rates Semester	Per Credit	Campus	Annual	Tuition Rates Semester	Per Credit
SUNY Poly	18,720	9,360	780	Master of Social Work			
Upstate Medical Center	18,360	9,180	765	University at Albany	\$22,430	\$11,215	\$935
Maritime	17,310	8,655	721	University at Binghamton	22,650	11,325	944
University at Albany				University at Buffalo	22,650	11,325	944
University at Binghamton				University at Stony Brook	22,650	11,325	944
University at Buffalo				Brockport	15,700	7,850	654
University at Stony Brook				Physician Assistant			
Downstate Medical Center				University at Stony Brook	\$32,230	\$16,115	\$1,343
Brockport	13,570	6,785	565	Downstate Medical Center	30,880	15,440	1,287
Buffalo State	23,790	11,895	991	Upstate Medical Center	30,730	15,365	1,280
Cortland	23,100	11,550	963	State University of New York (SUNY)			
Delhi	23,100	11,550	963	Sub-schedule C			
Empire State	23,790	11,895	991	Campus			
Environmental Science and Forestry	24,490	12,245	1,020	Dental			
Farmingdale	23,100	11,550	963	University at Buffalo	\$64,850	\$32,425	\$2,702
Fredonia	23,790	11,895	991	University at Stony Brook	64,850	32,425	2,702
Geneseo	23,530	11,765	980	Doctor of Audiology			
New Paltz	23,100	11,550	963	University at Buffalo	\$24,020	\$12,010	\$1,001
Old Westbury	23,100	11,550	963	Doctor of Nursing Practice			
Oneonta	23,790	11,895	991	University at Binghamton	\$32,480	\$16,240	\$1,353
Optometry	23,100	11,550	963	University at Buffalo	32,800	16,400	1,367
Oswego	23,790	11,895	991	University at Stony Brook	32,800	16,400	1,367
Plattsburgh	23,100	11,550	963	Brockport	32,160	16,080	1,340
Potsdam	23,100	11,550	963	Downstate Medical Center	32,160	16,080	1,340
Purchase	23,100	11,550	963	SUNY Poly	32,160	16,080	1,340
SUNY Poly	23,790	11,895	991	Upstate Medical Center	32,800	16,400	1,367
Upstate Medical Center	24,260	12,130	1,011	Doctor of Occupational Therapy			
Maritime	23,550	11,775	981	University at Stony Brook	\$30,700	\$15,350	\$1,279
Masters of Business Administration				University at Binghamton	30,700	15,350	1,279
University at Albany	\$24,880	\$12,440	\$1,037	Downstate Medical Center	30,700	15,350	1,279
University at Binghamton	25,120	12,560	1,047	Doctor of Physical Therapy			
University at Buffalo	26,220	13,110	1,093	University at Binghamton	\$31,310	\$15,655	\$1,305
University at Stony Brook	25,610	12,805	1,067	University at Buffalo	32,240	32,240	1,343
Brockport	18,000	9,000	750	University at Stony Brook	32,240	32,240	1,343
Empire State	25,120	12,560	1,047	Downstate Medical Center	30,700	15,350	1,279
New Paltz	24,390	12,195	1,016	Upstate Medical Center	30,700	15,350	1,279
Oswego	25,120	12,560	1,047	Doctor of Social Work			
SUNY Poly	25,120	12,560	1,047	University at Buffalo	\$25,450	\$12,725	\$1,060
Masters of Health Administration				Law			
University at Stony Brook	\$24,490	\$12,245	\$1,020	University at Buffalo	\$31,160	\$15,580	\$1,298
Downstate Medical Center	23,790	11,895	991	Medical			
Master of Architecture							
University at Buffalo	\$26,520	\$13,260	\$1,105				

University at Buffalo	\$67,110	\$33,555	\$2,796
University at Stony Brook	67,110	33,555	2,796
Downstate Medical Center	67,110	33,555	2,796
Upstate Medical Center	67,110	33,555	2,796
Optometry			
Optometry	\$51,660	\$25,830	\$2,153
Pharmacy			
University at Binghamton	\$37,140	\$18,570	\$1,548
University at Buffalo	38,250	19,125	1,594

This notice is intended to serve only as a notice of emergency adoption. This agency intends to adopt the provisions of this emergency rule as a permanent rule, having previously submitted to the Department of State a notice of proposed rule making, I.D. No. SUN-04-24-00002-EP, Issue of January 24, 2024. The emergency rule will expire May 24, 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

Regulatory Impact Statement

1. **Statutory Authority:** Education Law, Sections 355(2)(b) and 355(2)(h). Section 355(2)(b) authorizes the State University Trustees to make and amend rules and regulations for the overall governance of the State University and institutions therein. Section 355(2)(h) authorizes the State University Trustees to regulate the admission of students, tuition charges, other fees and charges, curricula, and all other matters pertaining to the operation and administration of each State-operated institution of the State University.

2. **Legislative Objectives:** The present measure reflects Board of Trustees actions taken at their June 6, 2023, meeting that are in accordance with Section 355 of Education Law and Part D of Chapter 56 of the Laws of 2023 and support the continued operations of SUNY campuses.

3. **Needs and Benefits:** The present measure institutes competitive tuition rates for non-resident students enrolled in undergraduate, graduate, and professional programs.

4. **Costs:** Tuition rates for nonresident students in undergraduate, graduate programs, and professional, have been increased based on each campus's peer institutions, and other acceptable methodologies.

5. **Local Government Mandates:** There are no local government mandates. The amendment does not affect students enrolled in the community colleges operating under the program of the State University of New York.

6. **Paperwork:** No parties will experience any new reporting responsibilities. SUNY publications and documents containing notices regarding costs of attendance will need to be revised to reflect these changes.

7. **Duplication:** None.

8. **Alternatives:** Other modification levels were considered, however, there is no acceptable alternative to the proposed changes when considering competitiveness, programmatic needs, and anticipated costs.

9. **Federal Standards:** None.

10. **Compliance Schedule:** The amendment to the tuition schedule will go into effect for the fall 2023 semester.

Regulatory Flexibility Analysis

No regulatory flexibility analysis is submitted with this notice because the proposed rule does not impose any requirements on small businesses and local governments. This proposed 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.

Rural Area Flexibility Analysis

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

Job Impact Statement

No job impact statement is submitted with this notice because the proposed rule does not impose any adverse economic impact on existing jobs, employment opportunities, or self-employment. These regulations govern

tuition charges for State University of New York and will not have any adverse impact on the number of jobs or employment.

Assessment of Public Comment

The agency received no public comment

NOTICE OF ADOPTION

State University of New York Tuition and Fee Schedule

I.D. No. SUN-04-24-00002-A

Filing No. 263

Filing Date: 2024-03-26

Effective Date: 2024-04-10

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

Action taken: Amendment of section 302.1(b) of Title 8 NYCRR.

Statutory authority: Education Law, section 355(2)(b) and (h)

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

Purpose: To amend the Tuition and Fees Schedule effective for the Fall 2023 semester.

Text or summary was published in the January 24, 2024 issue of the Register, I.D. No. SUN-04-24-00002-EP.

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

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

Assessment of Public Comment

The agency received no public comment.

Susquehanna River Basin Commission

INFORMATION NOTICE

Review and Approval of Projects

SUMMARY: This document contains proposed rules that would amend the regulations of the Susquehanna River Basin Commission (Commission) to provide rules for agency procurement and bid protest procedures. This rulemaking also updates the general policies of the Commission to include climate change and environmental justice, revises the procedures regarding the adoption of the comprehensive plan and adds language memorializing the Commission's Dry Cooling Resolution. These rules are designed to clarify the Commission's existing authorities to manage the water resources of the basin and provide transparency and accountability procedures to the Commission's public procurement practices.

DATES: Comments on the proposed rulemaking may be submitted to the Commission on or before May 13, 2024. The Commission has scheduled a public hearing on the proposed rulemaking to be held by in person and by telephone on May 2, 2024. The location of the public hearing is listed in the ADDRESSES section of this document.

ADDRESSES: Comments may be mailed to: Jason E. Oyler, Esq., General Counsel, Susquehanna River Basin Commission, 4423 N. Front Street, Harrisburg, PA 17110-1788, or e-mailed to regcomments@srbc.net. This public hearing will be conducted in person and by telephone. You may attend in person at Susquehanna River Basin Commission, 4423 N. Front St., Harrisburg, Pennsylvania, or join by telephone at Toll-Free Number 1-877-304-9269 and then enter the guest passcode 2619070 followed by #.

Those wishing to testify are asked to notify the Commission in advance, if possible, at the regular or electronic addresses given below.

FOR FURTHER INFORMATION CONTACT: Jason E. Oyler, Esq., General Counsel, telephone: 717-238-0423, ext. 1312; fax: 717-238-2436; e-mail: joyler@srbc.net. Also, for further information on the proposed rulemaking, visit the Commission's website at <http://www.srbc.net>.

SUPPLEMENTARY INFORMATION: The Commission is proposing revisions to Part 801 to add rules for agency procurement and bid protest procedures and amend the existing rules to include climate change and environmental justice, to revise the procedures regarding the adoption of

the comprehensive plan and to memorialize the Commission's Dry Cooling Resolution.

Addition of § 801.15 Commission Procurement Procedures; Protests

The Commission, as an independent compact agency, is not subject to any of its member jurisdictions' laws regarding public procurement. The Susquehanna River Basin Compact provides the rules governing purchasing by the Commission in Section 15.9. The Compact also provides the Commission the ability to provide for the internal organization and administration of the Commission (Section 15.1(b)(3)) and to make rules and regulations to effectuate the Compact (Section 15.2).

As a companion to this rulemaking, the Commission is also seeking comment on a proposed policy entitled "SRBC Procurement Procedures" that outlines the details and procedures related to the purchasing and procurement of goods and services by the Commission. The adoption and any revisions to this policy shall be consistent with § 15.9 of the Compact and undertaken in accordance with appropriate public notice and comment consistent with the requirements of 18 CFR § 808.1(b).

The goal of the rulemaking is to provide more transparency to the Commission's procurement process as well as to establish a bid protest procedure. The proposed rule provides that a protest must be filed with the Commission within ten calendar days after the aggrieved protestant knew or should have known of the facts giving rise to the protest. In no event may a protest be filed later than ten calendar days after the date the contract was awarded. These time frames differ from the 30 day appeal period for other administrative appeals in 18 CFR § 808.2, but are generally in line with the bid protest timelines of our member jurisdictions. The rule outlines the exclusive procedure for procurement protests before the Commission.

Other Changes Proposed to Part 801

The proposed rulemaking also provides other changes to the existing Part 801 that the Commission deems beneficial. The Commission proposes to amend § 801.2 to remove paragraph (b)(9) requiring periodic reports be submitted to the Commission as that practice no longer occurs. In its place, the Commission proposes to work with our member jurisdictions on actions that can be taken to improve climate resiliency and address environmental justice. This change reflects the additions of these critical issues to the Commission's adopted 2021-2041 Comprehensive Plan.

Additional changes are proposed to revise § 801.5 related to the Comprehensive Plan. The process, presentation and layout for the adoption of the Comprehensive Plan has evolved since 1973. The proposed revisions more accurately reflect the modern process that was most recently used in 2021, but also are designed in a way that is meant to be more adaptable for future plan revisions and adoptions. Notably, the proposed process in § 801.5(a)(4) will enable the list of projects approved by the Commission each quarter to be included in the Comprehensive Plan by their continual updating in the publicly available viewer application (currently the Water Application and Approval Viewer, or WAAV).

Finally, the Commission proposes the addition of paragraph (d) to § 801.12 related to electric power generation facilities. This new paragraph memorializes and elevates the Use of Dry Cooling Technology for Power Generation and Other Facilities, Commission Resolution No. 2015-02 (Dry Cooling Resolution). The Dry Cooling Resolution has been instrumental in reducing the water consumption of new power plants in the basin. The Commission recognizes that an increasing number of power generation facilities, most recently combined cycle natural gas powered plants, are utilizing dry cooling technology to reduce the environmental footprint in the basin, and are demonstrating overall efficiencies in operations that are equivalent to wet cooling processes. Dry cooling technology significantly reduces the water demand of such facilities and provides increased flexibility in siting facilities in proximity to fuel sources and electrical transmission lines. Use of dry cooling technology reduces impacts to aquatic ecosystems through the reduction of thermal impacts associated with large industrial volume discharges. The proposal would require consideration of dry cooling technologies to any new or significantly modified power generation facilities and an alternatives analysis to continue the consideration of water conservation technologies in an industry that is the largest consumptive user of water in the basin.

List of Subjects in 18 CFR Part 801

Administrative practice and procedure, Water resources.

Accordingly, for the reasons set forth in the preamble, the Susquehanna River Basin Commission proposes to amend 18 CFR part 801 as follows:

PART 801—GENERAL POLICIES

1. The authority citation for part 801 continues to read as follows:

Authority: Secs. 3.1, 3.4, 3.5(1), 15.1 and 15.2, Pub. L. 91-575 (84 Stat. 1509 et seq.)

2. Amend § 801.2 by revising paragraph (b)(9) as follows:

§ 801.2 Coordination, cooperation, and intergovernmental relations.

* * * * *

(b) * * *

(9) Coordinate and cooperate with the appropriate agencies of a member jurisdiction on implementing actions to address resiliency in the face of changing climatic conditions and to support the aims of environmental justice.

3. Revise § 801.5 to read as follows:

§ 801.5 Comprehensive plan.

(a) The Compact requires that the Commission formulate and adopt a comprehensive plan for the immediate and long-range development and use of the water resources of the basin.

(1) The plan will include existing and proposed public and private programs, projects, and facilities which are required, in the judgment of the Commission, to meet present and future water resources needs of the basin. Consideration shall be given to the effect of the plan, or any part of the plan, on the receiving waters of the Chesapeake Bay. The Commission shall consult with interested public bodies and public utilities and fully consider the findings and recommendations of the signatory parties, their various subdivisions and interested groups. Prior to adoption of the plan the Commission shall conduct at least one public hearing in each signatory State.

(2) The plan will reflect consideration of multiple objectives, including economic growth; sustainable regional development and environmental resilience; coordinated study and consideration of water quantity and water quality and the nexus with existing and proposed land uses; and the promotion of cooperation and collaboration between all levels of government and non-governmental entities.

(3) The Commission will strive to complete a comprehensive update of the comprehensive plan every 20 years. If adjustments are needed during the life span of the plan to address emergent priorities, goals, or objectives, the comprehensive plan will be revised in accordance with requirements of the Compact.

(4) Projects requiring Commission review and approval will be included in the comprehensive plan after formal action is taken at Commission business meetings. Approved projects will be incorporated into the comprehensive plan and accessible via the Commission's Water Application and Approval Viewer or successor viewer applications.

(b) The comprehensive plan shall provide for the immediate and long-range use, development, conservation, preservation, and management of the water resources of the basin. The plan will be presented in a form and order as determined by the Commission and shall include but not be limited to the following:

(1) Statement of authority, purpose, objectives, and scope.

(2) Identification of priorities, goals and objectives of the Commission.

(3) Inventory of the basin's water resources and existing developments, projects and facilities.

(4) Projection of immediate and long range water resources needs of the basin.

(5) Outline of plan implementation measures.

(6) Procedures for updating and modifying the plan.

(7) Necessary appendices.

4. Amend § 801.12 by adding paragraph (d) to read as follows:

§ 801.12 Electric power generation.

* * * * *

(d) Project sponsors proposing new or significantly modified power generation plants in the basin shall consider the use of dry cooling technologies and submit to the Commission a rigorous alternatives analysis. This analysis shall include evaluation of the costs, benefits, trade-offs and drawbacks of various cooling and water conservation techniques, and a full evaluation of options for providing effective consumptive use mitigation.

5. Add § 801.15 to read as follows:

§ 801.15 Commission Procurement Procedures; Protests.

(a) Procedures. The Commission shall maintain a policy entitled "SRBC Procurement Procedures" that outlines the details and procedures related to the purchasing and procurement of goods and services by the Commission. Any revisions to this policy shall be consistent with § 15.9 of the Compact and undertaken in accordance with appropriate public notice and comment consistent with the requirements of § 808.1.

(b) Right to Protest. A bidder or offeror, a prospective bidder or offeror or a prospective contractor that is aggrieved in connection with the solicitation or award of a contract, may protest to the Commission in writing.

(c) Filing of Protest. A protestant shall file the protest on a form and in a

manner prescribed by the Commission. A protest shall be filed within ten calendar days after the aggrieved protestant knew or should have known of the facts giving rise to the protest, except that in no event may a protest be filed later than ten calendar days after the date the contract was awarded. The failure to file a timely protest shall be deemed as a waiver of the right to protest by any bidder or offeror, prospective bidder or offeror or a prospective contractor. Untimely filed protests shall be disregarded by the Commission. The Executive Director or his/her designee shall be the presiding officer to hear the bid protest. The awardee of the contract, if any, will be informed by the Commission of any bid protest that may affect the contract and the awardee may intervene as a party in any protest filed.

(d) Contents of Protest. A protest shall state all the grounds upon which the protestant asserts the solicitation or award of the contract was improper. The protestant may submit with the protest any documents or information it deems relevant to the protest.

(e) Response and Reply. Within 15 calendar days of receipt of a protest, the purchasing officer may submit to the presiding officer and the protestant a response to the protest, including any documents or information deemed relevant to the protest. The protestant may file a reply to the response within ten calendar days of the response.

(f) Evaluation of Protest. The presiding officer shall review the protest and any response or reply and may request and review such additional documents or information as they deem relevant to render a decision and may, at their sole discretion, conduct a hearing consistent with § 808.3. All parties will be provided with a reasonable opportunity to review and address any additional documents or information deemed relevant by the presiding officer to render a decision. Additional documents and information deemed relevant by the presiding officer will be included in the record.

(g) Findings and Report. Upon completing an evaluation of the protest, the presiding officer shall prepare a report of their findings and recommendations based on the record. The report shall be served by electronic mail or certified mail upon each party to the proceeding. Any party may file objections to the report. Such objections to the report shall be filed with the Commission and served on all parties within 20 calendar days after service of the report. A brief shall be filed together with the objections. Any replies to the objections and briefs will be filed and served on all parties within ten calendar days of service of the objections. Prior to its decision on such objections, the Commission may, in its sole discretion, grant a request for oral argument.

(h) Action by the Commission. The Commission will review the findings and recommendations of the presiding officer and the objections and render a determination. The Commission's determination will be in writing and will be served by electronic or certified mail upon each party to the proceeding.

(i) Appeal. Any final action by the Commission may be appealed to the appropriate United States District Court within 90 days as set forth in § 3.10(6) and Federal reservation (o) of the Compact.

(j) Record of Determination. The Commission's record of determination for review by the court shall consist of the solicitation; the contract, if any; the administrative record of the protest before the presiding officer; the report of the presiding officer, along with any objections and replies filed; transcripts and exhibits, if any; and the final determination of the Board of Commissioners.

(k) Stay of Procurement During Pendency of Protest. In the event a protest is filed timely under this section, the purchasing officer shall not proceed further with the solicitation or with the award of the contract unless and until the Executive Director makes a written determination that the protest is clearly without merit, or that award of the contract without delay is necessary to protect substantial interests of the Commission, or until the Commission enters a final determination under paragraph (h) of this section.

(l) Exclusive Procedure. This section shall be the exclusive procedure for protesting a solicitation or award of a contract by a bidder or offeror, a prospective bidder or offeror or a prospective contractor that is aggrieved in connection with the solicitation or award of a contract by the Commission.

Dated: March 18, 2024,
Jason E. Oyler,
Secretary to the Commission.

**HEARINGS SCHEDULED
FOR PROPOSED RULE MAKINGS**

Agency I.D. No.	Subject Matter	Location—Date—Time
Environmental Conservation, Department of		
ENV-08-24-00011-P	Science-Based State Sea Level Rise Projections	<p>Virtual—April 22, 2024, 2:00 p.m.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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)</p>
ENV-09-24-00003-P	Permit Hearing Procedures	Virtual via Webex—May 2, 2024, 1:00 p.m.

Pursuant to Section 70-0107 of the Environmental Conservation Law (ECL) and State Administrative Procedure Act, art. 3, notice is hereby given that the New York State Department of Environmental Conservation (Department) will hold the following legislative public hearing on the proposed repeal and replacement of 6 NYCRR Part 624, Permit Hearing Procedures, to clarify the hearing process for permit adjudicatory proceedings. In addition to adopting a new Part 624, NYS DEC proposes to amend 6 NYCRR Parts 622, Uniform Enforcement Hearing Procedures, to provide consistency between Parts 624 and 622 and to amend 6 NYCRR Subpart 750-1, Obtaining A SPDES Permit and POSS Registration, to stay contested and inseverable conditions of a new SPDES permit. NYS DEC also proposes to amend 6 NYCRR 621.10(h), 621.11(g) and 621.13(d) to direct applicants requesting a hearing pursuant to those subdivisions to the filing requirements of a new section 624.2 and a new section 750-1.26 that must accompany the request for hearing. The proposed rules may be found at: <http://www.dec.ny.gov/regulations/proregulations.html#public>

Notice of Proposed Rulemaking to repeal and replace 6 NYCRR Part 624 and amend 6 NYCRR Parts 622, 621 and Subpart 750-1 will be published in issue 9 of the State Register, dated February 28, 2024.

Written public comments will be accepted by NYS DEC through May 10, 2024 directed to the addresses below. A virtual public hearing session will be held at 1:00 p.m. on Thursday, May 2, 2024. Complete details concerning the public comment period, public hearing, and the supporting rule making documents are available on the NYS DEC's web site at: <http://www.dec.ny.gov/regulations/proregulations.html#public>

Contact: Michael S. Caruso, NYS DEC Office of Hearings and Mediation Services, 625 Broadway, 1st Floor, Albany, NY 12233-1550, Phone: (518)402-9003, e-mail: DEC.sm.Part624Rulemaking@dec.ny.gov

NYS DEC will provide interpreter services for hearing impaired persons, and language interpreter and translation services for individuals with difficulty understanding or reading English at no charge upon written request submitted no later than April 18, 2024. The written request must be addressed 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).

H. Lee Dennison Bldg., Hauppauge, NY—April 29, 2024, 10:00 a.m.

Long Island Power Authority, Uniondale, NY—April 29, 2024, 6:00 p.m.

H. Lee Dennison Bldg., Hauppauge, NY—

Long Island Power Authority

LPA-09-24-00014-P Time of Day Bill Protection Guarantee

LPA-09-24-00015-P Long Island Choice Program

		April 29, 2024, 10:00 a.m.
		Long Island Power Authority, Uniondale, NY—April 29, 2024, 6:00 p.m.
LPA-09-24-00016-P	Good Friday	H. Lee Dennison Bldg., Hauppauge, NY—April 29, 2024, 10:00 a.m.
		Long Island Power Authority, Uniondale, NY—April 29, 2024, 6:00 p.m.
LPA-09-24-00017-P	LED Lights	H. Lee Dennison Bldg., Hauppauge, NY—April 29, 2024, 10:00 a.m.
		Long Island Power Authority, Uniondale, NY—April 29, 2024, 6:00 p.m.
Public Service Commission		
PSC-01-24-00015-P	Proposed Major Rate Increase	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.
PSC-06-24-00007-P	LED Streetlights in the Village of Cambridge	Virtual via Webex—April 17, 2024, 6:00 p.m. (meeting details via Webex will be publicly noticed separately)

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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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-12-24-00010-P 03/20/25	Personal Home Cultivation	The proposed rules establish regulatory parameters around authorizing the personal cultivation of adult-use cannabis
OCM-15-24-00012-P	..... 04/10/25	Adult use regulations.	To add provisions relating to the activities which are regulated by the adult use regulations.

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
CFS-42-23-00002-ERP	..... 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-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-01-24-00005-P	01/02/25	Jurisdictional Classification	To delete positions from and to classify positions in the non-competitive class
CVS-01-24-00006-P	01/02/25	Jurisdictional Classification	To delete a position from and to classify positions in the non-competitive class
CVS-01-24-00007-P	01/02/25	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-01-24-00008-P	01/02/25	Jurisdictional Classification	To classify a position in the exempt class
CVS-01-24-00009-P	01/02/25	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-01-24-00010-P	01/02/25	Jurisdictional Classification	To delete positions from and to classify positions in the non-competitive class
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-11-24-00001-P	03/13/25	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-11-24-00002-P	03/13/25	Jurisdictional Classification	To classify positions in the exempt class
CVS-11-24-00003-P	03/13/25	Jurisdictional Classification	To add a subheading and to classify a position in the exempt class
CVS-11-24-00004-P	03/13/25	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-11-24-00005-P	03/13/25	Jurisdictional Classification	To classify positions in the exempt class.
CVS-11-24-00006-P	03/13/25	Jurisdictional Classification	To classify a subheading and positions in the non-competitive class
CVS-11-24-00007-P	03/13/25	Jurisdictional Classification	To classify a position in the exempt class
CVS-11-24-00008-P	03/13/25	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-11-24-00009-P	03/13/25	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-11-24-00010-P	03/13/25	Jurisdictional Classification	To classify a position in the exempt class and to classify positions in the non-competitive class
CVS-11-24-00011-P	03/13/25	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-11-24-00012-P	03/13/25	Supplemental military leave benefits	To extend the availability of supplemental military leave benefits for certain New York State employees until December 31, 2024
CVS-11-24-00013-P	03/13/25	Jurisdictional Classification	To classify positions in the exempt class
CVS-11-24-00014-P	03/13/25	Jurisdictional Classification	To classify a position in the exempt class
CVS-11-24-00015-P	03/13/25	Jurisdictional Classification	To classify a position in the exempt class
CVS-11-24-00016-P	03/13/25	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-13-24-00001-P	03/27/25	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-14-24-00003-P	04/03/25	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-14-24-00004-P	04/03/25	Jurisdictional Classification	To classify positions in the exempt class.
CVS-14-24-00005-P	04/03/25	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-14-24-00006-P	04/03/25	Jurisdictional Classification	To classify a position in the exempt class.
CVS-14-24-00007-P	04/03/25	Jurisdictional Classification	To classify a position in the non-competitive class

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-14-24-00008-P	04/03/25	Jurisdictional Classification	To classify positions in the exempt class.
CVS-14-24-00009-P	04/03/25	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-14-24-00010-P	04/03/25	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-14-24-00011-P	04/03/25	Jurisdictional Classification	To classify a position in the exempt class.
CVS-14-24-00012-P	04/03/25	Jurisdictional Classification	To classify positions in the non-competitive class
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-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-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
EDUCATION DEPARTMENT			
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
EDU-09-24-00012-P	02/27/25	Dispensing self-administered hormonal contraceptives	To implement Chapter 128 of the Laws of 2023
EDU-09-24-00013-P	02/27/25	Eligibility Criteria for state financial aid, including the tuition assistance program (TAP).	See attached.
EDU-13-24-00009-P	03/27/25	The Albert Shanker National Board for Professional Teaching Standards Certification Grant Program.	Support NBCT candidates seeking to renew their National Board Certification at the five-year expiration date.
EDU-13-24-00010-P	03/27/25	Student and parent notification of advanced coursework.	To implement Chapter 355 of the Laws of 2023.
EDU-13-24-00011-EP	03/27/25	Administration of injectable medications by pharmacists for the treatment of mental health and substance use disorder.	To implement Chapter 802 of the Laws of 2022, as amended by Chapter 746 of the Laws of 2023.

ENERGY RESEARCH AND DEVELOPMENT AUTHORITY, NEW YORK STATE

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

ENV-22-23-00002-P	07/31/24	Recreational shark management	To protect prohibited sharks from harvest and establish gear restrictions and handling requirements
ENV-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

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
ENV-09-24-00003-P	05/02/25	Repeal and replace 6 NYCRR Part 624, Permit Hearing Procedures, and amend 6 NYCRR Part 621, Part 622 and Subpart 750-1	To incorporate procedural and legal developments, develop consistency & reflect current practice in DEC permit hearings
ENV-10-24-00001-P	03/06/25	Salt Hill State Forest	Protection of public safety and natural resources
ENV-11-24-00018-P	03/13/25	Regulations governing commercial fishing for Cobia	To maintain consistency with the fishery management plan for Cobia
ENV-15-24-00001-P	04/10/25	Fishing tournament permitting and reporting system	To establish a permitting and reporting system for black bass fishing tournaments
ETHICS AND LOBBYING IN GOVERNMENT, COMMISSION ON			
ELG-15-24-00008-P	04/10/25	Responsible Party Obligations	Clarify who is responsible for the submission, completeness, and truthfulness of lobbying filings when the Lobbyist or Client is a person or organization.
ELG-15-24-00009-P	04/10/25	Ethics Training for Lobbyists and Clients	To require the responsible party to enter training compliance information to the Commission on behalf of themselves, their organization and/or their organization's Individual Lobbyists and other clarifying amendments.
ELG-15-24-00010-P	04/10/25	Late Fees for Lobbying Filings	The proposed rule codifies the Commission's late fee program and establishes criteria and requirements for requesting a waiver for a late filing fee.
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
FINANCIAL SERVICES, DEPARTMENT OF			
*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
DFS-12-24-00009-P	..... 03/20/25	Minimum Standards for Form, Content and Sale of Health Insurance, Including Standards of Full and Fair Disclosure	To comport with changes made to Insurance Law section 1117 by Chapter 655 of the Laws of 2023
DFS-13-24-00003-P	..... 03/27/25	Definitions, licensing of PBMs, contracting with network pharmacies, acquisition of PBMs, consumer protections, and audits	Establish definitions, licensing, contracting with pharmacies, acquisition of PBMs, consumer protections, and audit regulations
DFS-14-24-00001-P	..... 04/03/25	Mandatory Underwriting Inspection Requirement for Private Passenger Automobiles	To conform to Laws of 2023, Ch 638 permitting an insurer to waive inspection of some or all private passenger autos.
DFS-14-24-00002-P	..... 04/03/25	Enterprise Risk Management and Own Risk and Solvency Assessment; Group-Wide Supervision	To implement Chapter 344 of the Laws of 2023, which imposed an annual GCC filing requirement.
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-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
SGC-06-24-00004-P	..... 02/06/25	Claiming rules revisions in Thoroughbred racing	To improve the claiming process in Thoroughbred racing
SGC-15-24-00011-P	..... 04/10/25	Change of Commission address.	To update the Commission's address in various rules.
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
HEALTH, DEPARTMENT OF			
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-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-43-23-00009-P	10/24/24	Nursing Home Rate Appeal Prioritization Guidelines	To amend current appeal submission and processing requirements
HLT-49-23-00001-P	12/05/24	Hospital Cybersecurity Requirements	To create cybersecurity program requirements at all Article 28 regulated facilities
HLT-49-23-00010-P	12/05/24	Educational Requirements for Certified Emergency Medical Services Providers	To improve the overall educational & certification experience that will ease barriers to recruitment of individuals
HLT-51-23-00001-P	12/19/24	General Hospital Medical Staff Recertification	To change the medical staff recertification timeframe from every two years to every three years
HLT-02-24-00008-P	01/09/25	Network Adequacy and Access Standards for Behavioral Health Services	To establish network adequacy and access standards for behavioral health services
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
HLT-15-24-00003-P	04/10/25	Ionizing Radiation	Compatibility with federal standards and modernization to reflect current technology.

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
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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
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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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
LONG ISLAND POWER AUTHORITY			
*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
LPA-09-24-00014-P	..... exempt	Time of Day Bill Protection Guarantee	LIPA Staff proposes to expand the Time of Day Bill Protection Guarantee to certain new customer accounts
LPA-09-24-00015-P	..... exempt	Long Island Choice Program	To implement changes to LIPA's Long Island Choice Program consistent with recent Commission Orders and DPS CCA Program Rules

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
LONG ISLAND POWER AUTHORITY			
LPA-09-24-00016-P	..... exempt	Good Friday	LIPA Staff propose to modify the Tariff to remove Good Friday as a PSEG Long Island Holiday
LPA-09-24-00017-P	..... exempt	LED Lights	LIPA proposes to modify the Tariff to offer an updated LED product to SC No. 7A customers
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
OMH-11-24-00017-P	..... 03/13/25	Relating to Residential Treatment Facilities (RTF)	To provide clarity and provide uniformity relating to RTF's and to implement chapter 58 of the Laws of 2020
OMH-15-24-00002-P	..... 04/10/25	Prior Approval Review Process.	To update the Prior Approval Review Process.
MOTOR VEHICLES, DEPARTMENT OF			
MTV-36-23-00031-P	..... 09/05/24	Point System & Licensing or Relicensing After Revocation Action	To assign a point value for alcohol related convictions & increase point values and negative units for certain violations
NIAGARA FALLS WATER BOARD			
*NFW-04-13-00004-EP	..... exempt	Adoption of Rates, Fees and Charges	To pay for the increased costs necessary to operate, maintain and manage the system, and to achieve covenants with bondholders
*NFW-13-14-00006-EP	..... exempt	Adoption of Rates, Fees and Charges	To pay for increased costs necessary to operate, maintain and manage the system and to achieve covenants with the bondholders
*NFW-52-22-00004-EP	..... exempt	Adoption of Rates, Fees, and Charges	To pay for increased costs necessary to operate, maintain, and manage the system, and to meet covenants with the bondholders
OGDENSBURG BRIDGE AND PORT AUTHORITY			
*OBA-33-18-00019-P	..... exempt	Increase in Bridge Toll Structure	To increase bridge toll revenue in order to become financially self-supporting. Our bridge operations are resulting in deficit

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
OGDENSBURG BRIDGE AND PORT AUTHORITY			
*OBA-07-19-00019-P	..... exempt	Increase in Bridge Toll Structure	To increase bridge toll revenue in order to become financially self-supporting. Our bridge operations are resulting in deficit
POWER AUTHORITY OF THE STATE OF NEW YORK			
*PAS-01-10-00010-P	..... exempt	Rates for the sale of power and energy	Update ECSB Programs customers' service tariffs to streamline them/include additional required information
PAS-10-24-00009-P	..... exempt	Rates for the Sale of Power and Energy	Maintain System's integrity. This increase in rates does not result from Power Authority's rate increase to the City
PAS-10-24-00010-P	..... exempt	Rates for the Sale of Power and Energy	Maintain System's integrity. This increase in rates does not result from Power Authority's rate increase to the Village
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-10-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and VIC-RMTS-DC, L.L.C. d/b/a Verizon Avenue	To amend the agreement
*PSC-14-04-00008-P	..... exempt	Submetering of natural gas service to industrial and commercial customers by Hamburg Fairgrounds	To submeter gas service to commercial customers located at the Buffalo Speedway
*PSC-15-04-00022-P	..... exempt	Submetering of electricity by Glenn Gardens Associates, L.P.	To permit submetering at 175 W. 87th St., New York, NY
*PSC-21-04-00013-P	..... exempt	Verizon performance assurance plan by Metropolitan Telecommunications	To clarify the appropriate performance level
*PSC-22-04-00010-P	..... exempt	Approval of new types of electricity meters by Powell Power Electric Company	To permit the use of the PE-1250 electronic meter
*PSC-22-04-00013-P	..... exempt	Major gas rate increase by Consolidated Edison Company of New York, Inc.	To increase annual gas revenues
*PSC-22-04-00016-P	..... exempt	Master metering of water by South Liberty Corporation	To waive the requirement for installation of separate water meters
*PSC-25-04-00012-P	..... exempt	Interconnection agreement between Frontier Communications of Ausable Valley, Inc., et al. and Sprint Communications Company, L.P.	To amend the agreement
*PSC-27-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-27-04-00009-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-28-04-00006-P	..... exempt	Approval of loans by Dunkirk & Fredonia Telephone Company and Cassadaga Telephone Corporation	To authorize participation in the parent corporation's line of credit
*PSC-31-04-00023-P	..... exempt	Distributed generation service by Consolidated Edison Company of New York, Inc.	To provide an application form
*PSC-34-04-00031-P	..... exempt	Flat rate residential service by Emerald Green Lake Louise Marie Water Company, Inc.	To set appropriate level of permanent rates
*PSC-35-04-00017-P	..... exempt	Application form for distributed generation by Orange and Rockland Utilities, Inc.	To establish a new supplementary application form for customers
*PSC-43-04-00016-P	..... exempt	Accounts recievable by Rochester Gas and Electric Corporation	To include in its tariff provisions for the purchase of ESCO accounts recievable
*PSC-46-04-00012-P	..... exempt	Service application form by Consolidated Edison Company of New York, Inc.	To revise the form and make housekeeping changes
*PSC-46-04-00013-P	..... exempt	Rules and guidelines governing installation of metering equipment	To establish uniform statewide business practices
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-09-05-00009-P	..... exempt	Submetering of natural gas service by Hamlet on Olde Oyster Bay	To consider submetering of natural gas to a commercial customer
*PSC-14-05-00006-P	..... exempt	Request for deferred accounting authorization by Freeport Electric Inc.	To defer expenses beyond the end of the fiscal year
*PSC-18-05-00009-P	..... exempt	Marketer Assignment Program by Consolidated Edison Company of New York, Inc.	To implement the program
*PSC-20-05-00028-P	..... exempt	Delivery point aggregation fee by Allied Frozen Storage, Inc.	To review the calculation of the fee
*PSC-25-05-00011-P	..... exempt	Metering, balancing and cashout provisions by Central Hudson Gas & Electric Corporation	To establish provisions for gas customers taking service under Service Classification Nos. 8, 9 and 11
*PSC-27-05-00018-P	..... exempt	Annual reconciliation of gas costs by New York State Electric & Gas Corporation	To consider the manner in which the gas cost incentive mechanism has been applied
*PSC-41-05-00013-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries by local distribution companies and municipalities	To consider the filings
*PSC-45-05-00011-P	..... exempt	Treatment of lost and unaccounted gas costs by Corning Natural Gas Corporation	To defer certain costs
*PSC-46-05-00015-P	..... exempt	Sale of real and personal property by the Brooklyn Union Gas Company d/b/a KeySpan Energy Delivery New York and Steel Arrow, LLC	To consider the sale
*PSC-47-05-00009-P	..... exempt	Transferral of gas supplies by Corning Natural Gas Corporation	To approve the transfer
*PSC-50-05-00008-P	..... exempt	Long-term debt by Saratoga Glen Hollow Water Supply Corp.	To obtain long-term debt
*PSC-04-06-00024-P	..... exempt	Transfer of ownership interests by Mirant NY-Gen LLC and Orange and Rockland Utilities, Inc.	To approve of the transfer
*PSC-06-06-00015-P	..... exempt	Gas curtailment policies and procedures	To examine the manner and extent to which gas curtailment policies and procedures should be modified and/or established
*PSC-07-06-00009-P	..... exempt	Modification of the current Environmental Disclosure Program	To include an attributes accounting system
*PSC-22-06-00019-P	..... exempt	Hourly pricing by National Grid	To assess the impacts
*PSC-22-06-00020-P	..... exempt	Hourly pricing by New York State Electric & Gas Corporation	To assess the impacts
*PSC-22-06-00021-P	..... exempt	Hourly pricing by Rochester Gas & Electric Corporation	To assess the impacts
*PSC-22-06-00022-P	..... exempt	Hourly pricing by Consolidated Edison Company of New York, Inc.	To assess the impacts

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-22-06-00023-P	..... exempt	Hourly pricing by Orange and Rockland Utilities, Inc.	To assess the impacts
*PSC-24-06-00005-EP	..... exempt	Supplemental home energy assistance benefits	To extend the deadline to Central Hudson's low-income customers
*PSC-25-06-00017-P	..... exempt	Purchased power adjustment by Massena Electric Department	To revise the method of calculating the purchased power adjustment and update the factor of adjustment
*PSC-34-06-00009-P	..... exempt	Inter-carrier telephone service quality standards and metrics by the Carrier Working Group	To incorporate appropriate modifications
*PSC-37-06-00015-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-37-06-00017-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-43-06-00014-P	..... exempt	Electric delivery services by Strategic Power Management, Inc.	To determine the proper mechanism for the rate-recovery of costs
*PSC-04-07-00012-P	..... exempt	Petition for rehearing by Orange and Rockland Utilities, Inc.	To clarify the order
*PSC-06-07-00015-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for electric service
*PSC-06-07-00020-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for gas service
*PSC-11-07-00010-P	..... exempt	Investigation of the electric power outages by the Consolidated Edison Company of New York, Inc.	To implement the recommendations in the staff's investigation
*PSC-11-07-00011-P	..... exempt	Storm-related power outages by Consolidated Edison Company of New York, Inc.	To modify the company's response to power outages, the timing for any such changes and other related matters
*PSC-17-07-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and BridgeCom International, Inc.	To amend the agreement
*PSC-18-07-00010-P	..... exempt	Existing electric generating stations by Independent Power Producers of New York, Inc.	To repower and upgrade existing electric generating stations owned by Rochester Gas and Electric Corporation
*PSC-20-07-00016-P	..... exempt	Tariff revisions and making rates permanent by New York State Electric & Gas Corporation	To seek rehearing
*PSC-21-07-00007-P	..... exempt	Natural Gas Supply and Acquisition Plan by Corning Natural Gas Corporation	To revise the rates, charges, rules and regulations for gas service
*PSC-22-07-00015-P	..... exempt	Demand Side Management Program by Consolidated Edison Company of New York, Inc.	To recover incremental program costs and lost revenue

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-23-07-00022-P	..... exempt	Supplier, transportation, balancing and aggregation service by National Fuel Gas Distribution Corporation	To explicitly state in the company's tariff that the threshold level of elective upstream transmission capacity is a maximum of 112,600 Dth/day of marketer-provided upstream capacity
*PSC-24-07-00012-P	..... exempt	Gas Efficiency Program by the City of New York	To consider rehearing a decision establishing a Gas Efficiency Program
*PSC-39-07-00017-P	..... exempt	Gas bill issuance charge by New York State Electric & Gas Corporation	To create a gas bill issuance charge unbundled from delivery rates
*PSC-41-07-00009-P	..... exempt	Submetering of electricity rehearing	To seek reversal
*PSC-42-07-00012-P	..... exempt	Energy efficiency program by Orange and Rockland Utilities, Inc.	To consider any energy efficiency program for Orange and Rockland Utilities, Inc.'s electric service
*PSC-42-07-00013-P	..... exempt	Revenue decoupling by Orange and Rockland Utilities, Inc.	To consider a revenue decoupling mechanism for Orange and Rockland Utilities, Inc.
*PSC-45-07-00005-P	..... exempt	Customer incentive programs by Orange and Rockland Utilities, Inc.	To establish a tariff provision
*PSC-02-08-00006-P	..... exempt	Additional central office codes in the 315 area code region	To consider options for making additional codes
*PSC-04-08-00010-P	..... exempt	Granting of easement rights on utility property by Central Hudson Gas & Electric Corporation	To grant easement rights to Millennium Pipeline Company, L.L.C.
*PSC-04-08-00012-P	..... exempt	Marketing practices of energy service companies by the Consumer Protection Board and New York City Department of Consumer Affairs	To consider modifying the commission's regulation over marketing practices of energy service companies
*PSC-08-08-00016-P	..... exempt	Transfer of ownership by Entergy Nuclear Fitzpatrick LLC, et al.	To consider the transfer
*PSC-12-08-00019-P	..... exempt	Extend the provisions of the existing electric rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-12-08-00021-P	..... exempt	Extend the provisions of the existing gas rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-13-08-00011-P	..... exempt	Waiver of commission policy and NYSEG tariff by Turner Engineering, PC	To grant or deny Turner's petition
*PSC-13-08-00012-P	..... exempt	Voltage drops by New York State Electric & Gas Corporation	To grant or deny the petition
*PSC-23-08-00008-P	..... exempt	Petition requesting rehearing and clarification of the commission's April 25, 2008 order denying petition of public utility law project	To consider whether to grant or deny, in whole or in part, the May 7, 2008 Public Utility Law Project (PULP) petition for rehearing and clarification of the commission's April 25, 2008 order denying petition of Public Utility Law Project
*PSC-25-08-00007-P	..... exempt	Policies and procedures regarding the selection of regulatory proposals to meet reliability needs	To establish policies and procedures regarding the selection of regulatory proposals to meet reliability needs

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-25-08-00008-P	..... exempt	Report on Callable Load Opportunities	Rider U report assessing callable load opportunities in New York City and Westchester County during the next 10 years
*PSC-28-08-00004-P	..... exempt	Con Edison's procedure for providing customers access to their account information	To consider Con Edison's implementation plan and timetable for providing customers access to their account information
*PSC-31-08-00025-P	..... exempt	Recovery of reasonable DRS costs from the cost mitigation reserve (CMR)	To authorize recovery of the DRS costs from the CMR
*PSC-32-08-00009-P	..... exempt	The ESCO referral program for KEDNY to be implemented by October 1, 2008	To approve, reject or modify, in whole or in part, KEDNY's recommended ESCO referral program
*PSC-33-08-00008-P	..... exempt	Noble Allegany's request for lightened regulation	To consider Noble Allegany's request for lightened regulation as an electric corporation
*PSC-36-08-00019-P	..... exempt	Land Transfer in the Borough of Manhattan, New York	To consider petition for transfer of real property to NYPH
*PSC-39-08-00010-P	..... exempt	RG&E's economic development plan and tariffs	Consideration of the approval of RG&E's economic development plan and tariffs
*PSC-40-08-00010-P	..... exempt	Loans from regulated company to its parent	To determine if the cash management program resulting in loans to the parent should be approved
*PSC-41-08-00009-P	..... exempt	Transfer of control of cable TV franchise	To determine if the transfer of control of Margaretville's cable TV subsidiary should be approved
*PSC-43-08-00014-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-46-08-00008-P	..... exempt	Property transfer in the Village of Avon, New York	To consider a petition for the transfer of street lighting and attached equipment to the Village of Avon, New York
*PSC-46-08-00010-P	..... exempt	A transfer of indirect ownership interests in nuclear generation facilities	Consideration of approval of a transfer of indirect ownership interests in nuclear generation facilities
*PSC-46-08-00014-P	..... exempt	The attachment of cellular antennae to an electric transmission tower	To approve, reject or modify the request for permission to attach cellular antennae to an electric transmission tower
*PSC-48-08-00005-P	..... exempt	A National Grid high efficiency gas heating equipment rebate program	To expand eligibility to customers converting from oil to natural gas
*PSC-48-08-00008-P	..... exempt	Petition for the master metering and submetering of electricity	To consider the request of Bay City Metering, to master meter & submeter electricity at 345 E. 81st St., New York, New York
*PSC-48-08-00009-P	..... exempt	Petition for the submetering of electricity	To consider the request of PCV/ST to submeter electricity at Peter Cooper Village & Stuyvesant Town, New York, New York
*PSC-50-08-00018-P	..... exempt	Market Supply Charge	A study on the implementation of a revised Market Supply Charge

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-51-08-00006-P	..... exempt	Commission's October 27, 2008 Order on Future of Retail Access Programs in Case 07-M-0458	To consider a Petition for rehearing of the Commission's October 27, 2008 Order in Case 07-M-0458
*PSC-51-08-00007-P	..... exempt	Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078	To consider Petitions for rehearing of the Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078
*PSC-53-08-00011-P	..... exempt	Use of deferred Rural Telephone Bank funds	To determine if the purchase of a softswitch by Hancock is an appropriate use of deferred Rural Telephone Bank funds
*PSC-53-08-00012-P	..... exempt	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY
*PSC-53-08-00013-P	..... exempt	To transfer common stock and ownership	To consider transfer of common stock and ownership
*PSC-01-09-00015-P	..... exempt	FCC decision to redefine service area of Citizens/Frontier	Review and consider FCC proposed redefinition of Citizens/Frontier service area
*PSC-02-09-00010-P	..... exempt	Competitive classification of independent local exchange company, and regulatory relief appropriate thereto	To determine if Chazy & Westport Telephone Corporation more appropriately belongs in scenario 1 rather than scenario 2
*PSC-05-09-00008-P	..... exempt	Revenue allocation, rate design, performance metrics, and other non-revenue requirement issues	To consider any remaining non-revenue requirement issues related to the Company's May 9, 2008 tariff filing
*PSC-05-09-00009-P	..... exempt	Numerous decisions involving the steam system including cost allocation, energy efficiency and capital projects	To consider the long term impacts on steam rates and on public policy of various options concerning the steam system
*PSC-06-09-00007-P	..... exempt	Interconnection of the networks between Frontier Comm. and WVT Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier Comm. and WVT Comm.
*PSC-07-09-00015-P	..... exempt	Transfer certain utility assets located in the Town of Montgomery from plant held for future use to non-utility property	To consider the request to transfer certain utility assets located in the Town of Montgomery to non-utility assets
*PSC-07-09-00017-P	..... exempt	Request for authorization to defer the incremental costs incurred in the restoration work resulting from the ice storm	To allow the company to defer the incremental costs incurred in the restoration work resulting from the ice storm
*PSC-07-09-00018-P	..... exempt	Whether to permit the submetering of natural gas service to an industrial and commercial customer at Cooper Union, New York, NY	To consider the request of Cooper Union, to submeter natural gas at 41 Cooper Square, New York, New York
*PSC-12-09-00010-P	..... exempt	Charges for commodity	To charge customers for commodity costs
*PSC-12-09-00012-P	..... exempt	Charges for commodity	To charge customers for commodity costs
*PSC-13-09-00008-P	..... exempt	Options for making additional central office codes available in the 718/347 numbering plan area	To consider options for making additional central office codes available in the 718/347 numbering plan area
*PSC-14-09-00014-P	..... exempt	The regulation of revenue requirements for municipal utilities by the Public Service Commission	To determine whether the regulation of revenue requirements for municipal utilities should be modified

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-16-09-00010-P	..... exempt	Petition for the submetering of electricity	To consider the request of AMPS on behalf of Park Imperial to submeter electricity at 230 W. 56th Street, in New York, New York
*PSC-16-09-00020-P	..... exempt	Whether SUNY's core accounts should be exempt from the mandatory assignment of local distribution company (LDC) capacity	Whether SUNY's core accounts should be exempt from the mandatory assignment of local distribution company (LDC) capacity
*PSC-17-09-00010-P	..... exempt	Whether to permit the use of Elster REX2 solid state electric meter for use in residential and commercial accounts	To permit electric utilities in New York State to use the Elster REX2
*PSC-17-09-00011-P	..... exempt	Whether Brooklyn Navy Yard Cogeneration Partners, L.P. should be reimbursed by Con Edison for past and future use taxes	Whether Brooklyn Navy Yard Cogeneration Partners, L.P. should be reimbursed by Con Edison for past and future use taxes
*PSC-17-09-00012-P	..... exempt	Petition for the submetering of gas at commercial property	To consider the request of Turner Construction, to submeter natural gas at 550 Short Ave., & 10 South St., Governors Island, NY
*PSC-17-09-00014-P	..... exempt	Benefit-cost framework for evaluating AMI programs prepared by the DPS Staff	To consider a benefit-cost framework for evaluating AMI programs prepared by the DPS Staff
*PSC-17-09-00015-P	..... exempt	The construction of a tower for wireless antennas on land owned by National Grid	To approve, reject or modify the petition to build a tower for wireless antennas in the Town of Onondaga
*PSC-18-09-00012-P	..... exempt	Petition for rehearing of Order approving the submetering of electricity	To consider the request of Frank Signore to rehear petition to submeter electricity at One City Place in White Plains, New York
*PSC-18-09-00013-P	..... exempt	Petition for the submetering of electricity	To consider the request of Living Opportunities of DePaul to submeter electricity at E. Main St. located in Batavia, New York
*PSC-18-09-00017-P	..... exempt	Approval of an arrangement for attachment of wireless antennas to the utility's transmission facilities in the City of Yonkers	To approve, reject or modify the petition for the existing wireless antenna attachment to the utility's transmission tower
*PSC-20-09-00016-P	..... exempt	The recovery of, and accounting for, costs associated with the Companies' advanced metering infrastructure (AMI) pilots etc	To consider a filing of the Companies as to the recovery of, and accounting for, costs associated with its 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 its AMI pilot program
*PSC-22-09-00011-P	..... exempt	Cost allocation for Consolidated Edison's East River Repowering Project	To determine whether any changes are warranted in the cost allocation of Consolidated Edison's East River Repowering Project
*PSC-25-09-00005-P	..... exempt	Whether to grant, deny, or modify, in whole or in part, the petition	Whether to grant, deny, or modify, in whole or in part, the petition
*PSC-25-09-00006-P	..... exempt	Electric utility implementation plans for proposed web based SIR application process and project status database	To determine if the proposed web based SIR systems are adequate and meet requirements needed for implementation
*PSC-25-09-00007-P	..... exempt	Electric rates for Consolidated Edison Company of New York, Inc	Consider a Petition for Rehearing filed by Consolidated Edison Company of New York, Inc

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-27-09-00011-P	..... exempt	Interconnection of the networks between Vernon and tw telecom of new york l.p. for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Vernon and TW Telecom of New York L.P.
*PSC-27-09-00014-P	..... exempt	Billing and payment for energy efficiency measures through utility bill	To promote energy conservation
*PSC-27-09-00015-P	..... exempt	Interconnection of the networks between Oriskany and tw telecom of new york l.p. for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Oriskany and TW Telecom of New York L.P.
*PSC-29-09-00011-P	..... exempt	Consideration of utility compliance filings	Consideration of utility compliance filings
*PSC-32-09-00009-P	..... exempt	Cost allocation for Consolidated Edison's East River Repowering Project	To determine whether any changes are warranted in the cost allocation of Consolidated Edison's East River Repowering Project
*PSC-34-09-00016-P	..... exempt	Recommendations made in the Management Audit Final Report	To consider whether to take action or recommendations contained in the Management Audit Final Report
*PSC-34-09-00017-P	..... exempt	To consider the transfer of control of Plattsburgh Cablevision, Inc. d/b/a Charter Communications to CH Communications, LLC	To allow the Plattsburgh Cablevision, Inc. to distribute its equity interest in CH Communications, LLC
*PSC-36-09-00008-P	..... exempt	The increase in the non-bypassable charge implemented by RG&E on June 1, 2009	Considering exemptions from the increase in the non-bypassable charge implemented by RG&E on June 1, 2009
*PSC-37-09-00015-P	..... exempt	Sale of customer-generated steam to the Con Edison steam system	To establish a mechanism for sale of customer-generated steam to the Con Edison steam system
*PSC-37-09-00016-P	..... exempt	Applicability of electronic signatures to Deferred Payment Agreements	To determine whether electronic signatures can be accepted for Deferred Payment Agreements
*PSC-39-09-00015-P	..... exempt	Modifications to the \$5 Bill Credit Program	Consideration of petition of National Grid to modify the Low Income \$5 Bill Credit Program
*PSC-39-09-00018-P	..... exempt	The offset of deferral balances with Positive Benefit Adjustments	To consider a petition to offset deferral balances with Positive Benefit Adjustments
*PSC-40-09-00013-P	..... exempt	Uniform System of Accounts - request for deferral and amortization of costs	To consider a petition to defer and amortize costs
*PSC-51-09-00029-P	..... exempt	Rules and guidelines for the exchange of retail access data between jurisdictional utilities and eligible ESCOs	To revise the uniform Electronic Data Interchange Standards and business practices to incorporate a contest period
*PSC-51-09-00030-P	..... exempt	Waiver or modification of Capital Expenditure condition of merger	To allow the companies to expend less funds for capital improvement than required by the merger
*PSC-52-09-00006-P	..... exempt	ACE's petition for rehearing for an order regarding generator-specific energy deliverability study methodology	To consider whether to change the Order Prescribing Study Methodology
*PSC-52-09-00008-P exempt	Approval for the New York Independent System Operator, Inc. to incur indebtedness and borrow up to \$50,000,000	To finance the renovation and construction of the New York Independent System Operator, Inc.'s power control center facilities

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PUBLIC SERVICE COMMISSION			
*PSC-05-10-00008-P exempt	Petition for the submetering of electricity	To consider the request of University Residences - Rochester, LLC to submeter electricity at 220 John Street, Henrietta, NY
*PSC-05-10-00015-P	..... exempt	Petition for the submetering of electricity	To consider the request of 243 West End Avenue Owners Corp. to submeter electricity at 243 West End Avenue, New York, NY
*PSC-06-10-00022-P	..... exempt	The Commission's Order of December 17, 2009 related to redevelopment of Consolidated Edison's Hudson Avenue generating facility	To reconsider the Commission's Order of December 17, 2009 related to redevelopment of the Hudson Avenue generating facility
*PSC-07-10-00009-P	..... exempt	Petition to revise the Uniform Business Practices	To consider the RESA petition to allow rescission of a customer request to return to full utility service
*PSC-08-10-00007-P	..... exempt	Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847	Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847
*PSC-08-10-00009-P	..... exempt	Consolidated Edison of New York, Inc. energy efficiency programs	To modify approved energy efficiency programs
*PSC-12-10-00015-P	..... exempt	Recommendations made by Staff intended to enhance the safety of Con Edison's gas operations	To require that Con Edison implement the Staff recommendations intended to enhance the safety of Con Edison's gas operations
*PSC-14-10-00010-P	..... exempt	Petition for the submetering of electricity	To consider the request of 61 Jane Street Owners Corporation to submeter Electricity at 61 Jane Street, Manhattan, NY
*PSC-16-10-00005-P	..... exempt	To consider adopting and expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-16-10-00007-P	..... exempt	Interconnection of the networks between TDS Telecom and PAETEC Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between TDS Telecom and PAETEC Communications
*PSC-16-10-00015-P	..... exempt	Interconnection of the networks between Frontier and Choice One Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier and Choice One Communications
*PSC-18-10-00009-P	..... exempt	Electric utility transmission right-of-way management practices	To consider electric utility transmission right-of-way management practices
*PSC-19-10-00022-P	..... exempt	Whether National Grid should be permitted to transfer a parcel of property located at 1 Eddy Street, Fort Edward, New York	To decide whether to approve National Grid's request to transfer a parcel of vacant property in Fort Edward, New York
*PSC-22-10-00006-P	..... exempt	Requirement that Noble demonstrate that its affiliated electric corporations operating in New York are providing safe service	Consider requiring that Noble demonstrate that its affiliated electric corporations in New York are providing safe service
*PSC-22-10-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of 48-52 Franklin Street to submeter electricity at 50 Franklin Street, New York, New York
*PSC-24-10-00009-P exempt	Verizon New York Inc. tariff regulations relating to voice messaging service	To remove tariff regulations relating to retail voice messaging service from Verizon New York Inc.'s tariff

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PUBLIC SERVICE COMMISSION			
*PSC-25-10-00012-P exempt	Reassignment of the 2-1-1 abbreviated dialing code	Consideration of petition to reassign the 2-1-1 abbreviated dialing code
*PSC-27-10-00016-P	..... exempt	Petition for the submetering of electricity	To consider the request of 9271 Group, LLC to submeter electricity at 960 Busti Avenue, Buffalo, New York
*PSC-34-10-00003-P	..... exempt	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program
*PSC-34-10-00005-P	..... exempt	Approval of a contract for \$250,000 in tank repairs that may be a financing	To decide whether to approve a contract between the parties that may be a financing of \$250,000 for tank repairs
*PSC-34-10-00006-P	..... exempt	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program
*PSC-36-10-00010-P	..... exempt	Central Hudson's procedures, terms and conditions for an economic development plan	Consideration of Central Hudson's procedures, terms and conditions for an economic development plan
*PSC-40-10-00014-P	..... exempt	Disposition of a state sales tax refund	To determine how much of a state sales tax refund should be retained by National Grid
*PSC-40-10-00021-P	..... exempt	Whether to permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall	To permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall
*PSC-41-10-00018-P	..... exempt	Amount of hourly interval data provided to Hourly Pricing customers who have not installed a phone line to read meter	Allow Central Hudson to provide less than a years worth of interval data and charge for manual meter reading for some customers
*PSC-41-10-00022-P	..... exempt	Request for waiver of the individual living unit metering requirements at 5742 Route 5, Vernon, NY	Request for waiver of the individual living unit metering requirements at 5742 Route 5, Vernon, NY
*PSC-42-10-00011-P	..... exempt	Petition for the submetering of electricity	To consider the request of 4858 Group, LLC to submeter electricity at 456 Main Street, Buffalo, New York
*PSC-43-10-00016-P	..... exempt	Utility Access to Ducts, Conduit Facilities and Utility Poles	To review the complaint from Optical Communications Group
*PSC-44-10-00003-P	..... exempt	Third and fourth stage gas rate increase by Corning Natural Gas Corporation	To consider Corning Natural Gas Corporation's request for a third and fourth stage gas rate increase
*PSC-51-10-00018-P	..... exempt	Commission proceeding concerning three-phase electric service by all major electric utilities	Investigate the consistency of the tariff provisions for three-phase electric service for all major electric utilities
*PSC-11-11-00003-P	..... exempt	The proposed transfer of 55.42 acres of land and \$1.4 million of revenues derived from the rendition of public service	The proposed transfer of 55.42 acres of land and \$1.4 million of revenues derived from the rendition of public service
*PSC-13-11-00005-P exempt	Exclude the minimum monthly bill component from the earnings test calculation	Exclude the minimum monthly bill component from the earnings test calculation

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PUBLIC SERVICE COMMISSION			
*PSC-14-11-00009-P exempt	Petition for the submetering of electricity	To consider the request of 83-30 118th Street to submeter electricity at 83-30 118th Street, Kew Gardens, New York
*PSC-19-11-00007-P	..... exempt	Utility price reporting requirements related to the Commission's "Power to Choose" website	Modify the Commission's utility electric commodity price reporting requirements related to the "Power to Choose" website
*PSC-20-11-00012-P	..... exempt	Petition for the submetering of electricity	To consider the request of KMW Group LLC to submeter electricity at 122 West Street, Brooklyn, New York
*PSC-20-11-00013-P	..... exempt	Determining the reasonableness of Niagara Mohawk Power Corporation d/b/a National Grid 's make ready charges	To determine if the make ready charges of Niagara Mohawk Power Corporation d/b/a National Grid are reasonable
*PSC-22-11-00004-P	..... exempt	Whether to permit the use of the Sensus accWAVE for use in residential gas meter applications	To permit gas utilities in New York State to use the Sensus accWAVE diaphragm gas meter
*PSC-26-11-00007-P	..... exempt	Water rates and charges	To approve an increase in annual revenues by about \$25,266 or 50%
*PSC-26-11-00009-P	..... exempt	Petition for the submetering of electricity at commercial property	To consider the request of by Hoosick River Hardwoods, LLC to submeter electricity at 28 Taylor Avenue, in Berlin, New York
*PSC-26-11-00012-P	..... exempt	Waiver of generation retirement notice requirements	Consideration of waiver of generation retirement notice requirements
*PSC-29-11-00011-P	..... exempt	Petition requesting the Commission reconsider its May 19, 2011 Order and conduct a hearing, and petition to stay said Order	To consider whether to grant or deny, in whole or in part, Windstream New York's Petition For Reconsideration and Rehearing
*PSC-35-11-00011-P	..... exempt	Whether to permit Consolidated Edison a waiver to commission regulations Part 226.8	Permit Consolidated Edison to conduct a inspection program in lieu of testing the accuracy of Category C meters
*PSC-36-11-00006-P	..... exempt	To consider expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-38-11-00002-P	..... exempt	Operation and maintenance procedures pertaining to steam trap caps	Adopt modified steam operation and maintenance procedures
*PSC-38-11-00003-P	..... exempt	Waiver of certain provisions of the electric service tariffs of Con Edison	Consideration of waiver of certain provisions of the electric service tariffs of Con Edison
*PSC-40-11-00010-P	..... exempt	Participation of regulated local exchange carriers in the New York Data Exchange, Inc. (NYDE)	Whether to partially modify its order requiring regulated local exchange carriers' participation NYDE
*PSC-40-11-00012-P	..... exempt	Granting of transfer of plant in-service to a regulatory asset	To approve transfer and recovery of unamortized plant investment
*PSC-42-11-00018-P	..... exempt	Availability of telecommunications services in New York State at just and reasonable rates	Providing funding support to help ensure availability of affordable telecommunications service throughout New York
*PSC-43-11-00012-P	..... exempt	Transfer of outstanding shares of stock	Transfer the issued outstanding shares of stock of The Meadows at Hyde Park Water-Works Corporation to HPWS, LLC

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-47-11-00007-P	..... exempt	Remedying miscalculations of delivered gas as between two customer classes	Consideration of Con Edison's proposal to address inter-class delivery imbalances resulting from past Company miscalculations
*PSC-48-11-00007-P	..... exempt	Transfer of controlling interests in generation facilities from Dynegy to PSEG	Consideration of the transfer of controlling interests in electric generation facilities from Dynegy to PSEG
*PSC-48-11-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of To Better Days, LLC to submeter electricity at 37 East 4th Street, New York, New York
*PSC-01-12-00007-P	..... exempt	The New York State Reliability Council's revisions to its rules and measurements	To adopt revisions to various rules and measurements of the New York State Reliability Council
*PSC-01-12-00008-P	..... exempt	Transfer of real property and easements from NMPNS to NMP3	Consideration of the transfer of real property and easements from NMPNS to NMP3
*PSC-01-12-00009-P	..... exempt	Recovery of expenses related to the expansion of Con Edison's ESCO referral program, PowerMove	To determine how and to what extent expenses related to the Expansion of Con Edison's ESCO referral program should be recovered
*PSC-11-12-00002-P	..... exempt	Whether to grant, deny or modify, in whole or part, Hegeman's petition for a waiver of Commission policy and Con Edison tariff	Whether to grant, deny or modify, in whole or part, Hegeman's petition for a waiver of Commission policy and Con Edison tariff
*PSC-11-12-00005-P	..... exempt	Transfer of land and water supply assets	Transfer the land and associated water supply assets of Groman Shores, LLC to Robert Groman
*PSC-13-12-00005-P	..... exempt	Authorization to transfer certain real property	To decide whether to approve the transfer of certain real property
*PSC-19-12-00023-P	..... exempt	Petition for approval pursuant to Section 70 for the sale of goods with an original cost of less than \$100,000	To consider whether to grant, deny or modify, in whole or in part, the petition filed by Orange and Rockland Utilities, Inc.
*PSC-21-12-00006-P	..... exempt	Tariff filing requirements and refunds	To determine if certain agreements should be filed pursuant to the Public Service Law and if refunds are warranted
*PSC-21-12-00011-P	..... exempt	Whether to grant, deny or modify, in whole or part, the petition for waiver of tariff Rules 8.6 and 47	Whether to grant, deny or modify, in whole or part, the petition for waiver of tariff Rules 8.6 and 47
*PSC-23-12-00007-P	..... exempt	The approval of a financing upon a transfer to Alliance of upstream ownership interests in a generation facility	To consider the approval of a financing upon a transfer to Alliance of upstream ownership interests in a generation facility
*PSC-23-12-00009-P	..... exempt	Over earnings sharing between rate payers and shareholders	To establish an Earnings Sharing Mechanism to be applied following the conclusion of Corning's rate plan
*PSC-27-12-00012-P	..... exempt	Implementation of recommendations made in a Management Audit Report	To consider implementation of recommendations made in a Management Audit Report
*PSC-28-12-00013-P	..... exempt	Exemption of reliability reporting statistics for the purpose of the 2012 Reliability Performance Mechanism	Consideration of Orange and Rockland Utilities request for exemption of the 2012 reliability reporting statistics

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-29-12-00019-P	..... exempt	Waiver of 16 NYCRR 894.1 through 894.4	To allow the Town of Hamden to waive certain preliminary franchising procedures to expedite the franchising process
*PSC-30-12-00010-P	..... exempt	Waiver of 16 NYCRR 894.1 through 894.4	To allow the Town of Andes to waive certain preliminary franchising procedures to expedite the franchising process
*PSC-33-12-00009-P	..... exempt	Telecommunications companies ability to attach to utility company poles	Consideration of Tech Valley's ability to attach to Central Hudson poles
*PSC-37-12-00009-P	..... exempt	Proposed modification by Con Edison of its procedures to calculate estimated bills to its customers	Proposed modification by Con Edison of its procedures to calculate estimated bills to its customers
*PSC-42-12-00009-P	..... exempt	Regulation of Gipsy Trail Club, Inc.'s long-term financing agreements	To exempt Gipsy Trail Club, Inc. from Commission regulation of its financing agreements
*PSC-45-12-00008-P	..... exempt	Whether to grant, deny or modify, in whole or part, ESHG's petition for a waiver of Commission policy and RG&E tariff	Whether to grant, deny or modify, in whole or part, ESHG's petition for a waiver of Commission policy and RG&E tariff
*PSC-45-12-00010-P	..... exempt	Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District	Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District
*PSC-50-12-00003-P	..... exempt	Affiliate standards for Corning Natural Gas Corporation	To resolve issues raised by Corning Natural Gas Corporation in its petition for rehearing
*PSC-04-13-00006-P	..... exempt	Expansion of mandatory day ahead hourly pricing for customers of Orange and Rockland Utilities with demands above 100 kW	To consider the expansion of mandatory day ahead hourly pricing for customers with demands above 100 kW
*PSC-04-13-00007-P	..... exempt	Authorization to transfer certain real property	To decide whether to approve the transfer of certain real property
*PSC-06-13-00008-P	..... exempt	Verizon New York Inc.'s retail service quality	To investigate Verizon New York Inc.'s retail service quality
*PSC-08-13-00012-P	..... exempt	Filing requirements for certain Article VII electric facilities	To ensure that applications for certain electric transmission facilities contain pertinent information
*PSC-08-13-00014-P	..... exempt	Uniform System of Accounts - Request for Accounting Authorization	To allow the company to defer an item of expense or capital beyond the end of the year in which it was incurred
*PSC-12-13-00007-P	..... exempt	Protecting company water mains	To allow the company to require certain customers to make changes to the electrical grounding system at their homes
*PSC-13-13-00008-P	..... exempt	The potential waiver of 16 NYCRR 255.9221(d) completion of integrity assessments for certain gas transmission lines	To determine whether a waiver of the timely completion of certain gas transmission line integrity assessments should be granted
*PSC-18-13-00007-P	..... exempt	Whether Demand Energy Networks energy storage systems should be designated technologies for standby rate eligibility purposes	Whether Demand Energy Networks energy storage systems should be designated technologies for standby rate eligibility purposes

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-21-13-00003-P	..... exempt	To consider policies that may impact consumer acceptance and use of electric vehicles	To consider and further develop policies that may impact consumer acceptance and use of electric vehicles
*PSC-21-13-00005-P	..... exempt	To implement an abandonment of Windover’s water system	To approve the implementation of abandonment of Windover’s water system
*PSC-21-13-00008-P	..... exempt	Rates of National Fuel Gas Distribution Corporation	To make the rates of National Fuel Gas Distribution Corporation temporary, subject to refund, if they are found to be excessive
*PSC-21-13-00009-P	..... exempt	Reporting requirements for natural gas local distribution companies	To help ensure efficient and economic expansion of the natural gas system as appropriate
*PSC-22-13-00009-P	..... exempt	On remand from New York State court litigation, determine the recovery of certain deferred amounts owed NFG by ratepayers	On remand, to determine the recovery of certain deferral amounts owed NFG from ratepayers
*PSC-23-13-00005-P	..... exempt	Waiver of partial payment, directory database distribution, service quality reporting, and service termination regulations	Equalize regulatory treatment based on level of competition and practical considerations
*PSC-25-13-00008-P	..... exempt	To deny, grant or modify, in whole or in part, Central Hudson’s rehearing request	To deny, grant or modify, in whole or in part, Central Hudson’s rehearing request
*PSC-25-13-00009-P	..... exempt	Provision by utilities of natural gas main and service lines	To help ensure efficient and economic expansion of the natural gas system as appropriate
*PSC-25-13-00012-P	..... exempt	To deny, grant or modify, in whole or in part, Central Hudson’s rehearing request	To deny, grant or modify, in whole or in part, Central Hudson’s rehearing request
*PSC-27-13-00014-P	..... exempt	Columbia Gas Transmission Corporation Cost Refund	For approval for temporary waiver of tariff provisions regarding its Columbia Gas Transmission Corporation cost refund
*PSC-28-13-00014-P	..... exempt	Provision for the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces	To consider the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces
*PSC-28-13-00016-P	..... exempt	The request of NGT for lightened regulation as a gas corporation	To consider whether to approve, reject, or modify the request of Niagara gas transport of Lockport, NY LLC
*PSC-28-13-00017-P	..... exempt	The request by TE for waiver of regulations requiring that natural gas be odorized in certain gathering line segments	Consider the request by TE for waiver of regulations that gas be odorized in certain lines
*PSC-32-13-00009-P	..... exempt	To consider the definition of “misleading or deceptive conduct” in the Commission’s Uniform Business Practices	To consider the definition of “misleading or deceptive conduct” in the Commission’s Uniform Business Practices
*PSC-32-13-00012-P	..... exempt	To consider whether NYSEG should be required to undertake actions to protect its name and to minimize customer confusion	To consider whether NYSEG should be required to undertake actions to protect its name and to minimize customer confusion
*PSC-33-13-00027-P	..... exempt	Waive underground facility requirements for new construction in residential subdivisions to allow for overhead electric lines	Determine whether Chapin Lumberland, LLC subdivision will be allowed overhead electric distribution and service lines

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-33-13-00029-P	..... exempt	Deferral of incremental costs associated with the restoration of steam service following Superstorm Sandy	To consider a petition by Con Edison to defer certain incremental steam system restoration costs relating to Superstorm Sandy
*PSC-34-13-00004-P	..... exempt	Escrow account and surcharge to fund extraordinary repairs	To approve the establishment of an escrow account and surcharge
*PSC-42-13-00013-P	..... exempt	Failure to Provide Escrow Information	The closure of the Escrow Account
*PSC-42-13-00015-P	..... exempt	Failure to Provide Escrow Information	The closure of the Escrow Account
*PSC-43-13-00015-P	..... exempt	Petition for submetering of electricity	To consider the request of 2701 Kingsbridge Terrace L.P. to submeter electricity at 2701 Kingsbridge Terrace, Bronx, N.Y
*PSC-45-13-00021-P	..... exempt	Investigation into effect of bifurcation of gas and electric utility service on Long Island	To consider a Petition for an investigation into effect of bifurcation of gas and electric utility service on Long Island
*PSC-45-13-00022-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4)	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00023-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4)	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00024-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4); waiver of filing deadlines	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00025-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4)	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-47-13-00009-P	..... exempt	Petition for submetering of electricity	To consider the request of Hegeman Avenue Housing L.P. to submeter electricity at 39 Hegeman Avenue, Brooklyn, N.Y
*PSC-47-13-00012-P	..... exempt	Conditioning,restricting or prohibiting the purchase of services by NYSEG and RG&E from certain affiliates	Consideration of conditioning,restricting or prohibiting the purchase of services by NYSEG and RG&E from certain affiliates
*PSC-49-13-00008-P	..... exempt	Authorization to transfer all of Crystal Water Supply Company, Inc. stocks to Essel Infra West Inc.	To allow Crystal Water Supply Company, Inc to transfer all of its issued and outstanding stocks to Essel Infra West Inc.
*PSC-51-13-00009-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates
*PSC-51-13-00010-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates
*PSC-51-13-00011-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates
*PSC-52-13-00012-P	..... exempt	The development of reliability contingency plan(s) to address the potential retirement of Indian Point Energy Center (IPEC)	To address the petition for rehearing and reconsideration/motion for clarification of the IPEC reliability contingency plan(s)

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-52-13-00015-P	..... exempt	To enter into a loan agreement with the banks for up to an amount of \$94,000	To consider allowing Knolls Water Company to enter into a long-term loan agreement
*PSC-05-14-00010-P	..... exempt	The New York State Reliability Council's revisions to its rules and measurements	To adopt revisions to various rules and measurements of the New York State Reliability Council
*PSC-07-14-00008-P	..... exempt	Petition for submetering of electricity	To consider the request of Greater Centennial Homes HDFC, Inc. to submeter electricity at 102, 103 and 106 W 5th Street, et al.
*PSC-07-14-00012-P	..... exempt	Water rates and charges	Implementation of Long-Term Water Supply Surcharge to recover costs associated with the Haverstraw Water Supply Project
*PSC-08-14-00015-P	..... exempt	Verizon New York Inc.'s service quality and Customer Trouble Report Rate (CTRR) levels at certain central office entities	To improve Verizon New York Inc.'s service quality and the Customer Trouble Report Rate levels at certain central office entities
*PSC-10-14-00006-P	..... exempt	Actions to facilitate the availability of ESCO value-added offerings, ESCO eligibility and ESCO compliance	To facilitate ESCO value-added offerings and to make changes to ESCO eligibility and to ensure ESCO compliance
*PSC-11-14-00003-P	..... exempt	Provision for the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces	To consider the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces
*PSC-16-14-00014-P	..... exempt	Whether to order NYSEG to provide gas service to customers when an expanded CPCN is approved and impose PSL 25-a penalties	To order gas service to customers in the Town of Plattsburgh after approval of a town wide CPCN and to impose penalties
*PSC-16-14-00015-P	..... exempt	Whether Central Hudson should be permitted to defer obligations of the Order issued on October 18, 2013 in Case 13-G-0336	Consideration of the petition by Central Hudson to defer reporting obligations of the October 18, 2013 Order in Case 13-G-0336
*PSC-17-14-00003-P	..... exempt	Con Edison's Report on its 2013 performance under the Electric Service Reliability Performance Mechanism	Con Edison's Report on its 2013 performance under the Electric Service Reliability Performance Mechanism
*PSC-17-14-00004-P	..... exempt	To consider certain portions of petitions for rehearing, reconsideration and/or clarification	To consider certain portions of petitions for rehearing, reconsideration and/or clarification
*PSC-17-14-00007-P	..... exempt	To consider petitions for rehearing, reconsideration and/or clarification	To consider petitions for rehearing, reconsideration and/or clarification
*PSC-17-14-00008-P	..... exempt	To consider certain portions of petitions for rehearing, reconsideration and/or clarification	To consider certain portions of petitions for rehearing, reconsideration and/or clarification
*PSC-19-14-00014-P	..... exempt	Market Supply Charge	To make tariff revisions to the Market Supply Charge for capacity related costs
*PSC-19-14-00015-P	..... exempt	Whether to permit the use of the Sensus accuWAVE for use in residential and commercial gas meter applications	To permit gas utilities in New York State to use the Sensus accuWAVE 415TC gas meter
*PSC-22-14-00013-P	..... exempt	Petition to transfer and merge systems, franchises and assets	To consider the Comcast and Time Warner Cable merger and transfer of systems, franchises and assets

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-23-14-00010-P	..... exempt	Whether to permit the use of the GE Dresser Series B3-HPC 11M-1480 rotary gas met for use in industrial gas meter applications	To permit gas utilities in New York State to use the GE Dresser Series B3-HPC 11M-1480 rotary gas meter
*PSC-23-14-00014-P	..... exempt	Waiver of the negative revenue adjustment associated with KEDLI's 2013 Customer Satisfaction Performance Metric	Consideration of KEDLI's waiver request pertaining to its 2013 performance under its Customer Satisfaction Metric
*PSC-24-14-00005-P	..... exempt	To examine LDC's performance and performance measures	To improve gas safety performance
*PSC-26-14-00013-P	..... exempt	Waiver of RG&E's tariffed definition of emergency generator	To consider waiver of RG&E's tariffed definition of emergency generator
*PSC-26-14-00020-P	..... exempt	New electric utility backup service tariffs and standards for interconnection may be adopted	To encourage development of microgrids that enhance the efficiency, safety, reliability and resiliency of the electric grid
*PSC-26-14-00021-P	..... exempt	Consumer protections, standards and protocols pertaining to access to customer data may be established	To balance the need for the information necessary to support a robust market with customer privacy concerns
*PSC-28-14-00014-P	..... exempt	Petition to transfer systems, franchises and assets	To consider the Comcast and Charter transfer of systems, franchise and assets
*PSC-30-14-00023-P	..... exempt	Whether to permit the use of the Sensus iPERL Fire Flow Meter	Pursuant to 16 NYCRR Part 500.3 , it is necessary to permit the use of the Sensus iPERL Fire Flow Meter
*PSC-30-14-00026-P	..... exempt	Petition for a waiver to master meter electricity	Considering the request of Renaissance Corporation of to master meter electricity at 100 Union Drive, Albany, NY
*PSC-31-14-00004-P	..... exempt	To transfer 100% of the issued and outstanding stock from Vincent Cross to Bonnie and Michael Cross	To transfer 100% of the issued and outstanding stock from Vincent Cross to Bonnie and Michael Cross
*PSC-32-14-00012-P	..... exempt	Whether to grant or deny, in whole or in part, the Connect New York Coalition's petition	To consider the Connect New York Coalition's petition seeking a formal investigation and hearings
*PSC-35-14-00004-P	..... exempt	Regulation of a proposed electricity generation facility located in the Town of Brookhaven, NY	To consider regulation of a proposed electricity generation facility located in the Town of Brookhaven, NY
*PSC-36-14-00009-P	..... exempt	Modification to the Commission's Electric Safety Standards	To consider revisions to the Commission's Electric Safety Standards
*PSC-38-14-00003-P	..... exempt	Whether to approve, reject or modify, in whole or in part a time-sensitive rate pilot program	Whether to approve, reject or modify, in whole or in part a time-sensitive rate pilot program
*PSC-38-14-00004-P	..... exempt	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn
*PSC-38-14-00005-P	..... exempt	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2
*PSC-38-14-00007-P	..... exempt	Whether to expand Con Edison's low income program to include Medicaid recipients	Whether to expand Con Edison's low income program to include Medicaid recipients

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-38-14-00008-P	..... exempt	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn
*PSC-38-14-00010-P	..... exempt	Inter-carrier telephone service quality standard and metrics and administrative changes	To review recommendations from the Carrier Working Group and incorporate appropriate modifications to the existing Guidelines
*PSC-38-14-00012-P	..... exempt	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2
*PSC-39-14-00020-P	..... exempt	Whether to permit the use of the Mueller Systems 400 Series and 500 Series of water meters	Pursuant to 16 NYCRR section 500.3, whether to permit the use of the Mueller Systems 400, and 500 Series of water meters
*PSC-40-14-00008-P	..... exempt	To consider granting authorization for Buy Energy Direct to resume marketing to residential customers	To consider granting authorization for Buy Energy Direct to resume marketing to residential customers
*PSC-40-14-00009-P	..... exempt	Whether to permit the use of the Itron Open Way Centron Meter with Hardware 3.1 for AMR and AMI functionality	Pursuant to 16 NYCRR Parts 93, is necessary to permit the use of the Itron Open Way Centron Meter with Hardware 3.1
*PSC-40-14-00011-P	..... exempt	Late Payment Charge	To modify Section 7.6 - Late Payment Charge to designate a specific time for when a late payment charge is due
*PSC-40-14-00013-P	..... exempt	Regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY	To consider regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY
*PSC-40-14-00014-P	..... exempt	Waiver of 16 NYCRR Sections 894.1 through 894.4(b)(2)	To allow the Town of Goshen, NY, to waive certain preliminary franchising procedures to expedite the franchising process
*PSC-40-14-00015-P	..... exempt	Late Payment Charge	To modify Section 6.6 - Late Payment Charge to designate a specific time for when a late payment charge is due
*PSC-42-14-00003-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-42-14-00004-P	..... exempt	Winter Bundled Sales Service Option	To modify SC-11 to remove language relating to fixed storage charges in the determination of the Winter Bundled Sales charge
*PSC-48-14-00014-P	..... exempt	Considering the recommendations contained in Staff' s electric outage investigation report for MNRR, New Haven Line	To consider the recommendations contained in Staff's electric outage investigation report for MNRR, New Haven Line
*PSC-52-14-00019-P	..... exempt	Petition for a waiver to master meter electricity	Considering the request of 614 South Crouse Avenue, LLC to master meter electricity at 614 South Crouse Avenue, Syracuse, NY
*PSC-01-15-00014-P	..... exempt	State Universal Service Fund Disbursements	To consider Edwards Telephone Company's request for State Universal Service Fund disbursements

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-08-15-00010-P	..... exempt	Request pertaining to the lawfulness of National Grid USA continuing its summary billing program	To grant, deny, or modify URAC Rate Consultants' request that National Grid cease its summary billing program
*PSC-10-15-00007-P	..... exempt	Notification concerning tax refunds	To consider Verizon New York Inc.'s partial rehearing or reconsideration request regarding retention of property tax refunds
*PSC-10-15-00008-P	..... exempt	Whether to waive Policy on Test Periods in Major Rate Proceedings and provide authority to file tariff changes	Whether to waive Policy on Test Periods in Major Rate Proceedings and provide authority to file tariff changes
*PSC-13-15-00024-P	..... exempt	Whether Leatherstocking should be permitted to recover a shortfall in earnings	To decide whether to approve Leatherstocking's request to recover a shortfall in earnings
*PSC-13-15-00026-P	..... exempt	Whether to permit the use of the Sensus Smart Point Gas AMR/AMI product	To permit the use of the Sensus Smart Point Gas AMR/AMI product
*PSC-13-15-00027-P	..... exempt	Whether to permit the use of the Measurlogic DTS 310 electric submeter	To permit the use of the Measurlogic DTS 310 submeter
*PSC-13-15-00028-P	..... exempt	Whether to permit the use of the SATEC EM920 electric meter	To permit necessary to permit the use of the SATEC EM920 electric meter
*PSC-13-15-00029-P	..... exempt	Whether to permit the use the Triacta Power Technologies 6103, 6112, 6303, and 6312 electric submeters	To permit the use of the Triacta submeters
*PSC-17-15-00007-P	..... exempt	To consider the petition of Leatherstocking Gas Company, LLC seeking authority to issue long-term debt of \$2.75 million	To consider the petition of Leatherstocking Gas Company, LLC seeking authority to issue long-term debt of \$2.75 million
*PSC-18-15-00005-P	..... exempt	Con Edison's Report on its 2014 performance under the Electric Service Reliability Performance Mechanism	Con Edison's Report on its 2014 performance under the Electric Service Reliability Performance Mechanism
*PSC-19-15-00011-P	..... exempt	Gas Safety Performance Measures and associated negative revenue adjustments	To update the performance measures applicable to KeySpan Gas East Corporation d/b/a National Grid
*PSC-22-15-00015-P	..... exempt	To consider the request for waiver of the individual residential unit meter requirements and 16 NYCRR 96.1(a)	To consider the request for waiver of the individual residential unit meter requirements and 16 NYCRR 96.1(a)
*PSC-23-15-00005-P	..... exempt	The modification of New York American Water's current rate plan	Whether to adopt the terms of the Joint Proposal submitted by NYAW and DPS Staff
*PSC-23-15-00006-P	..... exempt	The modification of New York American Water's current rate plan	Whether to adopt the terms of the Joint Proposal submitted by NYAW and DPS Staff
*PSC-25-15-00008-P	..... exempt	Notice of Intent to Submeter electricity	To consider the request of 165 E 66 Residences, LLC to submeter electricity at 165 East 66th Street, New York, New York
*PSC-29-15-00025-P	..... exempt	Joint Petition for authority to transfer real property located at 624 West 132nd Street, New York, NY	Whether to authorize the proposed transfer of real property located at 624 West 132nd Street, New York, NY
*PSC-32-15-00006-P	..... exempt	Development of a Community Solar Demonstration Project	To approve the development of a Community Solar Demonstration Project

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-06-16-00013-P	..... exempt	Continued deferral of approximately \$16,000,000 in site investigation and remediation costs	To consider the continued deferral of approximately \$16,000,000 in site investigation and remediation costs
*PSC-06-16-00014-P	..... exempt	MEGA's proposed demonstration CCA program	To consider MEGA's proposed demonstration CCA program
*PSC-14-16-00008-P	..... exempt	Resetting retail markets for ESCO mass market customers	To ensure consumer protections with respect to residential and small non-residential ESCO customers
*PSC-18-16-00013-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs	To ensure consumer protection for ESCO customers
*PSC-18-16-00014-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs	To ensure consumer protection for ESCO customers
*PSC-18-16-00015-P	..... exempt	Petitions for rehearing of the Order Resetting Retail Energy Markets and Establishing Further Process	To ensure consumer protections for ESCO customers
*PSC-18-16-00016-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs	To ensure consumer protection for ESCO customers
*PSC-18-16-00018-P	..... exempt	Amendments to the Uniform Business Practices of ESCOs	To ensure consumer protection for ESCO customers
*PSC-20-16-00008-P	..... exempt	Consideration of consequences against Global Energy Group, LLC for violations of the Uniform Business Practices (UBP)	To consider consequences against Global Energy Group, LLC for violations of the Uniform Business Practices (UBP)
*PSC-20-16-00010-P	..... exempt	Deferral and recovery of incremental expense	To consider deferring costs of conducting leak survey and repairs for subsequent recovery
*PSC-20-16-00011-P	..... exempt	Enetics LD-1120 Non-Intrusive Load Monitoring Device in the Statewide Residential Appliance Metering Study	To consider the use of the Enetics LD-1120 Non-Intrusive Load Monitoring Device
*PSC-25-16-00009-P	..... exempt	To delay Companies' third-party assessments of customer personally identifiable information until 2018	To extend the time period between the Companies' third-party assessments of customer personally identifiable information
*PSC-25-16-00025-P	..... exempt	Acquisition of all water supply assets of Woodbury Heights Estates Water Co., Inc. by the Village of Kiryas Joel	To consider acquisition of all water supply assets of Woodbury Heights Estates Water Co., Inc. by the Village of Kiryas Joel
*PSC-25-16-00026-P	..... exempt	Use of the Badger E Series Ultrasonic Cold Water Stainless Steel Meter, in residential fire service applications	To consider the use of the Badger E Series Ultrasonic Cold Water Stainless Steel Meter in fire service applications
*PSC-28-16-00017-P	..... exempt	A petition for rehearing of the Order Adopting a Ratemaking and Utility Revenue Model Policy Framework	To determine appropriate rules for and calculation of the distributed generation reliability credit
*PSC-29-16-00024-P	..... exempt	Participation of NYPA customers in surcharge-funded clean energy programs	To consider participation of NYPA customers in surcharge-funded clean energy programs
*PSC-32-16-00012-P	..... exempt	Benefit-Cost Analysis Handbooks	To evaluate proposed methodologies of benefit-cost evaluation

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-33-16-00001-EP	..... exempt	Use of escrow funds for repairs	To authorize the use of escrow account funds for repairs
*PSC-33-16-00005-P	..... exempt	Exemption from certain charges for delivery of electricity to its Niagara Falls, New York facility	Application of System Benefits Charges, Renewable Portfolio Standard charges and Clean Energy Fund surcharges
*PSC-35-16-00015-P	..... exempt	NYSRC's revisions to its rules and measurements	To consider revisions to various rules and measurements of the NYSRC
*PSC-36-16-00004-P	..... exempt	Recovery of costs for installation of electric service	To consider the recovery of costs for installation of electric service
*PSC-40-16-00025-P	..... exempt	Consequences pursuant to the Commission's Uniform Business Practices (UBP)	To consider whether to impose consequences on Smart One for its apparent non-compliance with Commission requirements
*PSC-47-16-00009-P	..... exempt	Petition to use commercial electric meters	To consider the petition of Itron, Inc. to use the Itron CP2SO and CP2SOA in commercial electric meter applications
*PSC-47-16-00010-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00013-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00014-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00016-P	..... exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-02-17-00010-P	..... exempt	Implementation of the four EAMs	To consider the implementation of EAMs for RG&E
*PSC-02-17-00012-P	..... exempt	Implementation of the four EAMs	To consider the implementation of EAMs for NYSEG
*PSC-18-17-00024-P	..... exempt	A petition for rehearing or reconsideration of the Order Addressing Public Policy Transmission Need for AC Transmission Upgrades	To determine whether Public Policy Transmission Need/Public Policy Requirements continue to exist
*PSC-18-17-00026-P	..... exempt	Revisions to the Dynamic Load Management surcharge	To consider revisions to the Dynamic Load Management surcharge
*PSC-20-17-00008-P	..... exempt	Compressed natural gas as a motor fuel for diesel fueled vehicles	To consider a report filed by National Grid NY regarding the potential for adoption of compressed natural gas as a motor fuel
*PSC-20-17-00010-P	..... exempt	Compressed natural gas as a motor fuel for diesel fueled vehicles	To consider a report filed by National Grid regarding the potential for adoption of compressed natural gas as a motor fuel
*PSC-21-17-00013-P	..... exempt	The establishment and implementation of Earnings Adjustment Mechanisms	To consider the establishment and implementation of Earnings Adjustment Mechanisms

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-21-17-00018-P	..... exempt	Proposed agreement for the provision of water service by Saratoga Water Services, Inc.	To consider a waiver and approval of terms of a service agreement
*PSC-22-17-00004-P	..... exempt	Financial incentives to create customer savings and develop market-enabling tools, with a focus on outcomes and incentives	To consider the proposed Interconnection Survey Process and Earnings Adjustment Mechanisms
*PSC-24-17-00006-P	..... exempt	Development of the Utility Energy Registry	Improved data access
*PSC-26-17-00005-P	..... exempt	Notice of Intent to submeter electricity	To consider the Notice of Intent to submeter electricity at 125 Waverly Street, Yonkers, New York
*PSC-34-17-00011-P	..... exempt	Waiver to permit Energy Cooperative of America to serve low-income customers	To consider the petition for a waiver
*PSC-37-17-00005-P	..... exempt	Financial incentives to create customer savings and develop market-enabling tools, with a focus on outcomes and incentives	To consider the revised Interconnection Survey Process and Earnings Adjustment Mechanisms
*PSC-39-17-00011-P	..... exempt	Whether to direct New York State Electric & Gas to complete electric facility upgrades at no charge to Hanehan	To determine financial responsibility between NYSEG and Hanehan for the electric service upgrades to Hanehan
*PSC-42-17-00010-P	..... exempt	Petition for rehearing of negative revenue adjustment and contents of annual Performance Report	To consider NFGD's petition for rehearing
*PSC-48-17-00015-P	..... exempt	Low Income customer options for affordable water bills	To consider the Low Income Bill Discount and/or Energy Efficiency Rebate Programs
*PSC-50-17-00017-P	..... exempt	New Wave Energy Corp.'s petition for rehearing	To consider the petition for rehearing filed by New Wave Energy Corp.
*PSC-50-17-00018-P	..... exempt	Application of the Public Service Law to DER suppliers	To determine the appropriate regulatory framework for DER suppliers
*PSC-50-17-00019-P	..... exempt	Transfer of utility property	To consider the transfer of utility property
*PSC-50-17-00021-P	..... exempt	Disposition of tax refunds and other related matters	To consider the disposition of tax refunds and other related matters
*PSC-51-17-00011-P	..... exempt	Petition for recovery of certain costs related to the implementation of a Non-Wires Alternative Project	To consider Con Edison's petition for the recovery of costs for implementing the JFK Project
*PSC-04-18-00005-P	..... exempt	Notice of intent to submeter electricity	To consider the notice of intent of Montante/ Morgan Gates Circle LLC to submeter electricity
*PSC-05-18-00004-P	..... exempt	Lexington Power's ZEC compliance obligation	To promote and maintain renewable and zero-emission electric energy resources
*PSC-06-18-00012-P	..... exempt	To consider further proposed amendments to the original criteria to grandfathering established in the Transition Plan	To modify grandfathering criteria
*PSC-06-18-00017-P	..... exempt	Merger of NYAW and Whitlock Farms Water Corp.	To consider the merger of NYAW and Whitlock Farms Water Company into a single corporate entity

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-07-18-00015-P	..... exempt	The accuracy and reasonableness of National Grid's billing for certain interconnection upgrades	To consider AEC's petition requesting resolution of their billing dispute with National Grid
*PSC-11-18-00004-P	..... exempt	New York State Lifeline Program	To consider TracFone's petition seeking approval to participate in Lifeline
*PSC-13-18-00015-P	..... exempt	Eligibility of an ESCO to market to and enroll residential customers	To consider whether Astral should be allowed to market to and enroll residential customers following a suspension
*PSC-13-18-00023-P	..... exempt	Reconciliation of property taxes	To consider NYAW's request to reconcile property taxes
*PSC-14-18-00006-P	..... exempt	Petition for abandonment	To consider the abandonment of Willsboro Bay Water Company's water system
*PSC-17-18-00010-P	..... exempt	Petition for use of gas metering equipment	To ensure that consumer bills are based on accurate measurements of gas usage
*PSC-18-18-00009-P	..... exempt	Transfer of control of Keene Valley Video Inc.	To ensure performance in accordance with applicable cable laws, regulations and standards and the public interest
*PSC-23-18-00006-P	..... exempt	Whether to impose consequences on Aspurity for its non-compliance with Commission requirements	To ensure the provision of safe and adequate energy service at just and reasonable rates
*PSC-24-18-00013-P	..... exempt	Implementation of program rules for Renewable Energy Standard and ZEC requirements	To promote and maintain renewable and zero-emission electric energy resources
*PSC-28-18-00011-P	..... exempt	Storm Hardening Collaborative Report	To ensure safe and adequate gas service
*PSC-29-18-00008-P	..... exempt	Participation in Targeted Accessibility Fund	To encourage enhanced services for low-income consumers
*PSC-29-18-00009-P	..... exempt	Overvaluing real property tax expense recovery in water rates	To prevent unjust and unreasonable water rates
*PSC-34-18-00015-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and energy efficiency protections are in place
*PSC-34-18-00016-P	..... exempt	Deferral of pre-staging and mobilization storm costs	To ensure just and reasonable rates for ratepayers and utility recovery of unexpected, prudently incurred costs
*PSC-35-18-00003-P	..... exempt	Con Edison's 2018 DSIP and BCA Handbook Update	To continue Con Edison's transition to a modern utility serving as a Distributed System Platform Provider
*PSC-35-18-00005-P	..... exempt	NYSEG and RG&E's 2018 DSIP and BCA Handbook Update	To continue NYSEG and RG&E's transition to modern utilities acting as Distributed System Platform Providers
*PSC-35-18-00006-P	..... exempt	National Grid's 2018 DSIP and BCA Handbook Update	To continue National Grid's transition to a modern utility serving as a Distributed System Platform Provider

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-35-18-00008-P	..... exempt	Central Hudson's 2018 DSIP and BCA Handbook Update	To continue Central Hudson's transition to a modern utility serving as a Distributed System Platform Provider
*PSC-35-18-00010-P	..... exempt	O&R's 2018 DSIP and BCA Handbook Update	To continue O&R's transition to a modern utility acting as a Distributed System Platform Provider
*PSC-39-18-00005-P	..... exempt	Participation in New York State Lifeline Program	To encourage enhanced services for low-income customers
*PSC-40-18-00014-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	To review the gas utilities' reconciliation of Gas Expenses and Gas Cost Recoveries for 2018
*PSC-42-18-00011-P	..... exempt	Voluntary residential beneficial electrification rate design	To provide efficient rate design for beneficial technologies in New York State that is equitable for all residential customers
*PSC-42-18-00013-P	..... exempt	Petition for clarification and rehearing of the Smart Solutions Program Order	To address the increased demand for natural gas in the Con Edison's service territory and the limited pipeline capacity
*PSC-45-18-00005-P	..... exempt	Notice of intent to submeter electricity and waiver of energy audit	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place
*PSC-01-19-00013-P	..... exempt	Order of the Commission related to caller ID unblocking	To require telephone companies to unblock caller ID on calls placed to the 311 municipal call center in Suffolk County
*PSC-03-19-00002-P	..... exempt	DPS Staff White Paper for who must be trained in 16 NYCRR Part 753 requirements and how the Commission will approve trainings	To reduce damage to underground utility facilities by requiring certain training and approving training curricula
*PSC-04-19-00004-P	..... exempt	Con Edison's petition for the Gas Innovation Program and associated budget	To pursue programs that continue service reliability and meet customer energy needs while aiding greenhouse gas reduction goals
*PSC-04-19-00011-P	..... exempt	Update of revenue targets	To ensure NYAW's rates are just and reasonable and accurately reflect the needed revenues
*PSC-06-19-00005-P	..... exempt	Consideration of the Joint Utilities' proposed BDP Program	To to expand opportunities for low-income households to participate in Community Distributed Generation (CDG) projects
*PSC-07-19-00009-P	..... exempt	Whether to impose consequences on AAA for its non-compliance with Commission requirements	To insure the provision of safe and adequate energy service at just and reasonable rates
*PSC-07-19-00016-P	..... exempt	Participation in New York State Lifeline Program	To encourage enhanced services for low-income customers
*PSC-09-19-00010-P	..... exempt	Non-pipeline alternatives report recommendations	To consider the terms and conditions applicable to gas service
*PSC-13-19-00010-P	..... exempt	New Commission requirements for gas company operator qualification programs	To make pipelines safer with improved training of workers who perform construction and repairs on natural gas facilities

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-19-19-00013-P	..... exempt	Proposed merger of three water utilities into one corporation	To determine if the proposed merger is in the public interest
*PSC-20-19-00008-P	..... exempt	Reporting on energy sources	To ensure accurate reporting and encourage clean energy purchases
*PSC-20-19-00010-P	..... exempt	Compensation policies for certain CHP projects	To consider appropriate rules for compensation of certain CHP resources
*PSC-31-19-00013-P	..... exempt	Implementation of Statewide Energy Benchmarking	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
*PSC-32-19-00012-P	..... exempt	Standby Service Rates and Buyback Service Rates	To ensure just and reasonable rates, including compensation, for distributed energy resources
*PSC-38-19-00002-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
*PSC-39-19-00018-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
*PSC-41-19-00003-P	..... exempt	A voluntary residential three-part rate that would include fixed, usage and demand charges	To provide qualifying residential customers with an optional three-part rate
*PSC-46-19-00008-P	..... exempt	Wappingers Falls Hydroelectric LLC's facility located in Wappingers Falls, New York	To promote and maintain renewable electric energy resources
*PSC-10-20-00003-P	..... exempt	The Commission's statewide low-income discount policy	To consider modifications to certain conditions regarding utility low-income discount programs
*PSC-12-20-00008-P	..... exempt	Delivery rates of Corning Natural Gas Corporation	Whether to postpone the implementation of a change in rates that would otherwise become effective on June 1, 2020
*PSC-15-20-00011-P	..... exempt	To modify the terms and conditions under which gas utilities provide service to electric generators	To provide clarity and uniformity to the provision of gas service to electric generators
*PSC-16-20-00004-P	..... exempt	Disposition of a state sales tax refund	To determine how much of a state sales tax refund should be retained by Central Hudson
*PSC-18-20-00015-P	..... exempt	Participation of Eligible Telecommunications Carriers (ETCs) in New York State Lifeline Program	Commission will consider each petition filed by an ETCs seeking approval to participate in the NYS Lifeline program
*PSC-19-20-00004-P	..... exempt	Clarification of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether energy service companies should be permitted to bank RECs to satisfy their renewable energy requirements
*PSC-19-20-00005-P	..... exempt	Cost recovery associated with Day-Ahead-DLM and Auto-DLM programs, and elimination of double compensation	To provide cost recovery for new DLM programs and prevent double compensation to participating customers
*PSC-19-20-00009-P	..... exempt	Cost recovery associated with Day-Ahead-DLM and Auto-DLM programs, and elimination of double compensation	To consider revisions to P.S.C. No. 10 - Electricity, and P.S.C. No. 12 - Electricity

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-25-20-00010-P	..... exempt	Whitepaper regarding energy service company financial assurance requirements	To consider the form and amount of financial assurances to be included in the eligibility criteria for energy service companies
*PSC-25-20-00016-P	..... exempt	Modifications to the Low-Income Affordability program	To address the economic impacts of the COVID-19 pandemic
*PSC-27-20-00003-P	..... exempt	To make the uniform statewide customer satisfaction survey permanent	To encourage consumer protections and safe and adequate service
*PSC-28-20-00022-P	..... exempt	Compensation of distributed energy resources	To ensure just and reasonable rates, including compensation, for distributed energy resources
*PSC-28-20-00034-P	..... exempt	Petition to implement Section 7(5) of the Accelerated Renewable Energy Growth and Community Benefit Act	To develop the bulk transmission investments necessary to achieve the Climate Leadership and Community Protection Act goals
*PSC-34-20-00005-P	..... exempt	Petition to provide a renewable, carbon-free energy option to residential and small commercial full-service customers	To increase customer access to renewable energy in the Consolidated Edison Company of New York, Inc. service territory
*PSC-38-20-00004-P	..... exempt	The annual Reconciliation of Gas Expenses and Gas Cost Recoveries	To consider filings of LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-42-20-00008-P	..... exempt	Availability of gas leak information to the public safety officials	Facilitate availability of gas leak information to public safety officials by gas corporations
*PSC-45-20-00003-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
*PSC-46-20-00005-P	..... exempt	The recommendations of the DPS Staff report to improve Hudson Valley Water's service	To determine if approving the DPS Staff's recommendations is in the public interest
*PSC-48-20-00005-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether Chief Energy Power, LLC should be permitted to offer green gas products to mass market customers
*PSC-48-20-00007-P	..... exempt	Tariff modifications to change National Fuel Gas Distribution Corporation's Monthly Gas Supply Charge provisions	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
*PSC-51-20-00009-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether petitioner should be permitted to offer its "Energy Savings Program" to mass market customers
*PSC-51-20-00014-P	..... exempt	Electric system needs and compensation for distributed energy resources	To ensure safe and adequate service and just and reasonable rates, including compensation, for distributed energy resources
*PSC-01-21-00004-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether petitioner should be permitted to offer its Home Warranty product to mass market customers
*PSC-04-21-00016-P	..... exempt	Request for a waiver	To consider whether good cause exists to support a waiver of the Commission's Test Period Policy Statement
*PSC-09-21-00005-P	..... exempt	Utility capital expenditure proposal	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-13-21-00016-P	..... exempt	Revised distribution strategies and reallocation of remaining funding	To ensure the appropriate use of funding reserved for gas safety programs
*PSC-17-21-00005-P	..... exempt	Submetering equipment	To consider use of submetering equipment and if it is in the public interest
*PSC-17-21-00006-P	..... exempt	Community Choice Aggregation and Community Distributed Generation	To consider permitting opt-out Community Distributed Generation to be offered as the sole product in an aggregation
*PSC-17-21-00007-P	..... exempt	Utility studies of climate change vulnerabilities	To assess the need for utilities to conduct distinct studies of their climate change vulnerabilities
*PSC-18-21-00006-P	..... exempt	Community Choice Aggregation renewable products	To consider waiving the locational and delivery requirements for RECs purchased to support renewable CCA products
*PSC-19-21-00008-P	..... exempt	Community Choice Aggregation (CCA) and Community Distributed Generation (CDG)	To consider permitting Upstate Power, LLC to serve as a CCA administrator offering an opt-out CDG focused program
*PSC-20-21-00004-P	..... exempt	Regulatory approvals in connection with a 437 MW electric generating facility	To ensure appropriate regulatory review, oversight, and action, consistent with the public interest
*PSC-21-21-00019-P	..... exempt	Utility capital expenditure proposal	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
*PSC-28-21-00013-P	..... exempt	Elimination of internal audits of wholesale performance metrics	To consider Verizon New York Inc.'s petition to eliminate requirements for certain internal audits
*PSC-29-21-00009-P	..... exempt	Proposed pilot program to use AMI to disconnect electric service to customers during gas system emergencies	To study the efficacy of using AMI to disconnect electric service during gas system emergencies
*PSC-32-21-00002-P	..... exempt	The prohibition on ESCO service to low-income customers	To consider whether Icon Energy, LLC d/b/a Source Power Company should be granted a waiver to serve low-income customers
*PSC-35-21-00009-P	..... exempt	To modify the terms and conditions under which gas utilities provide service to electric generators	To provide clarity and uniformity to the provision of gas service to electric generators in New York State
*PSC-36-21-00006-P	..... exempt	The Westchester Power Program	To consider integration of Opt-out Community Distributed Generation into the Westchester Power program
*PSC-37-21-00010-P	..... exempt	Zero emitting electric generating facilities that are not renewable energy systems	To consider modifications to the Clean Energy Standard
*PSC-37-21-00011-P	..... exempt	Green Button Connect implementation	To consider the proposed Green Button Connect User Agreement and Green Button Connect Onboarding Process document
*PSC-37-21-00012-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether Catalyst should be permitted to offer its Community Distributed Generation product to mass market customers

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-38-21-00006-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	To consider filings of LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-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
*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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-42-22-00015-P	..... exempt	Gas system planning	To consider screening and suitability criteria for non-pipeline alternatives
*PSC-42-22-00016-P	..... exempt	Gas system planning	To consider screening and suitability criteria for non-pipeline alternatives
*PSC-42-22-00017-P	..... exempt	Gas system planning	To consider screening and suitability criteria for non-pipeline alternatives
*PSC-42-22-00019-P	..... exempt	Gas system planning	To consider screening and suitability criteria for non-pipeline alternatives
*PSC-44-22-00003-P	..... exempt	Proposed draft tariff amendments	To document and refine moratorium management procedures that seek to minimize hardships in the event a future moratorium occurs
*PSC-46-22-00006-P	..... exempt	PSC Regulations 16 NYCRR 86.3(a)(1), 86.3(a)(2), 86.3(b)(2), 86.4(b)	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-46-22-00010-P	..... exempt	Notice of intent to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
*PSC-48-22-00003-P	..... exempt	Gas moratorium customer protections	To consider protections to minimize customer hardships in the unlikely event of a future gas moratorium
*PSC-03-23-00004-RP	..... 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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*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
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-25-23-00003-P	..... exempt	Community Choice Aggregation	To determine the appropriate requirements to be placed on Community Choice Aggregation solicitations and service agreements
PSC-25-23-00005-P	..... exempt	Community Choice Aggregation	To evaluate whether the Expanded Solar for All program could be scaled Statewide

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-25-23-00006-P	..... exempt	Community Choice Aggregation	To determine the appropriate requirements to be placed on Community Choice Aggregation outreach and education plans
PSC-25-23-00007-P	..... exempt	Termination of the PPI Program and deployment of the EVLMTI Program in the Joint Utilities' service territories	To consider the transition from the PPI to the EVLMTI program including design characteristics and program operations
PSC-25-23-00008-P	..... exempt	Long-term gas system planning for Con Edison and O&R	To consider and review long-term gas system planning for Con Edison and O&R
PSC-25-23-00009-P	..... exempt	Community Choice Aggregation	To determine if Local Power LLC shall operate as a Community Choice Aggregation Administrator
PSC-26-23-00010-P	..... exempt	Petition to modify the SIC tariff statement	To consider whether amending the SIC mechanism is in the public interest
PSC-27-23-00006-P	..... exempt	A proposed methodology for annual greenhouse gas emissions inventory reporting	To consider whether the proposed Green House Gas Inventory Report will provide sufficient emissions information
PSC-27-23-00013-P	..... exempt	The proposed Greenhouse Gas Emissions Reduction Pathways Study	To consider whether the proposed Study is sufficient and whether to proceed with the Study
PSC-27-23-00015-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-35-23-00008-P	08/29/24	Lightened regulation	To determine whether a lightened regulatory regime for Empire is consistent with prior Commission orders and the PSL
PSC-35-23-00010-P	08/29/24	Minor electric rate filing to increase annual electric revenues	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
PSC-35-23-00011-P	08/29/24	EV Commercial Managed Charging Program Implementation Plan	To consider the deployment of an EV CMCP Implementation Plan in the National Grid service territory
PSC-35-23-00012-P	08/29/24	EV Phase-In Rate	To consider if the EV Phase-In Rate is a near-term solution in the O&R service territory
PSC-35-23-00013-P	08/29/24	EV Phase-In Rate	To consider if the EV Phase-In Rate is a near-term solution in the National Grid service territory
PSC-35-23-00014-P	08/29/24	EV Phase-In Rate	To consider if the EV Phase-In Rate is a near-term solution in the Central Hudson service territory
PSC-35-23-00015-P	08/29/24	EV Commercial Managed Charging Program Implementation Plan	To consider the deployment of an EV CMCP Implementation Plan in the NYSEG/RG&E service territories
PSC-35-23-00017-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-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-37-23-00007-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-38-23-00002-P	exempt	Program-wide adjustments to renewable energy certificate contracts	To consider modification to existing renewable energy certificate contracts in light of increased project costs
PSC-38-23-00003-P	exempt	Minor rate filing to increase annual water revenues and replenishable escrow account	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
PSC-38-23-00004-P	exempt	Notice of intent to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
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-40-23-00034-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-41-23-00007-P	..... exempt	Gas metering equipment	To ensure that consumer bills are based on accurate measurements of gas usage
PSC-42-23-00009-P	..... exempt	Notice of intent to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-42-23-00010-P	..... exempt	Request to charge customers for infrastructure maintenance and access costs	To ensure adding infrastructure maintenance charges to the bills of customers within the Village of Owego is reasonable
PSC-42-23-00011-P	..... exempt	Transfer of a Certificate of Environmental Compatibility and Public Need for a natural gas pipeline	To determine whether the request for the transfer is consistent with the law and in the public interest
PSC-42-23-00012-P	..... exempt	Long-term gas system planning	To consider and review long-term gas system planning
PSC-42-23-00013-P	..... exempt	Proposed sale and transfer of a water system and its assets	To consider whether the terms of the sale are in public interest
PSC-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-43-23-00007-P	..... exempt	Notice of intent 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-45-23-00004-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

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-46-23-00009-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-47-23-00003-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 AM	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-49-23-00004-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-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-51-23-00006-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-52-23-00009-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-01-24-00014-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-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-01-24-00017-P	..... exempt	Recommendations for changes to current pole attachment rules	To determine if amending the existing pole attachment rules is necessary
PSC-01-24-00018-P	..... exempt	Notice of intent to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-02-24-00001-P	..... exempt	Issuance of securities and other forms of indebtedness	To provide funding for capital needs, including construction, and refinancing of maturing short debt and promissory notes
PSC-02-24-00002-P	..... exempt	Water metering equipment	To ensure that consumer bills will be based on accurate measurements of water usage
PSC-02-24-00004-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

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-07-24-00024-P	..... exempt	Energy efficiency and building electrification programs	To implement potential change to energy efficiency programs
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
PSC-09-24-00004-P	..... exempt	The eligibility criteria and incentive structure for EV charging in the company's service territory	To consider EV charging rules and rates designed to increase customer enrollment and satisfaction in the company's program

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-09-24-00005-P	..... exempt	Minimum monthly off-peak charging requirements and limits to on-peak charging for the EV managed charging programs	To consider EV charging requirements and limitations that impact the effectiveness of the companies' managed charging programs
PSC-09-24-00006-P	..... exempt	Notice of intent to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-09-24-00007-P	..... exempt	The Renewable Energy Access and Community Help Program	To provide bill credits to low-and moderate-income end-use electricity consumers in disadvantaged communities
PSC-09-24-00008-P	..... exempt	Transfer of street lighting facilities	To determine whether to authorize the transfer street of lighting facilities and the proper accounting of the transaction
PSC-09-24-00009-P	..... exempt	Compensation of and incentives for distributed energy resources	To encourage the development of and ensure just and reasonable rates for distributed energy resources
PSC-09-24-00010-P	..... exempt	Establishment of annual headroom reporting date	To consider the timing for reporting information on existing electric system limitations and available capacity
PSC-09-24-00011-P	..... 02/27/25	Technical amendments of state regulations	To ensure the safe and adequate operation of pipelines in New York State
PSC-10-24-00002-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-10-24-00003-P	..... exempt	Notice of intent to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-10-24-00004-P	..... exempt	Remote electric service disconnection and reconnection charges	To ensure that charges assessed to utility customers are just and reasonable
PSC-10-24-00005-P	..... exempt	Notice of intent to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-10-24-00006-P	..... exempt	Notice of intent to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-10-24-00007-P	..... exempt	Rules regarding Utility Thermal Energy Networks	To ensure that Utility Thermal Energy Networks operate safely and adequately and provide service at just and reasonable rates
PSC-10-24-00008-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-11-24-00019-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-11-24-00020-P	..... exempt	Appointment of a temporary operator for a water works corporation	To determine if appointment of a temporary operator of a water utility is necessary to provide safe and adequate service
PSC-11-24-00021-P	..... exempt	Petition for the use of gas metering equipment	To ensure that consumer bills are based on accurate measurements of gas usage

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-11-24-00022-P	..... exempt	Notice of intent to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-11-24-00023-P	..... exempt	Proposals to clarify the acceptable methods of payments from customers	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
PSC-12-24-00001-P	..... exempt	Notice of intent to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-12-24-00002-P	..... exempt	Notice of intent to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-12-24-00003-P	..... exempt	The proposed transfer of certain interconnection equipment associated with an electric corporation	To consider whether the proposed transfer is in the public interest
PSC-12-24-00004-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-12-24-00005-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-12-24-00006-P	..... exempt	Notice of intent to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-13-24-00004-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-13-24-00005-P	..... exempt	Long-term gas system planning.	To consider and review long-term gas system planning.
PSC-13-24-00006-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-13-24-00007-P	..... exempt	Waiver of 16 NYCRR Sections 86.3(a)(2), 86.3(b)(2), 88.4(a)(4), 86.4(b), and 86.6(c)	To consider a waiver of certain regulations related to the content of an application for transmission line siting.
PSC-13-24-00008-P	..... exempt	Clean Energy Standard administration.	To remedy Clean Energy Standard program deficits.
PSC-14-24-00013-P	..... exempt	Petition to modify the submeter approval order.	To ensure adequate consumer protections are in place.
PSC-14-24-00014-P	..... exempt	Petition for waiver of the requirements in Opinion No. 76-17 and 16 NYCRR Part 96 regarding individual metering of living units.	To determine whether to authorize the waiver request while ensuring consumer and energy efficiency protections are in place.
PSC-14-24-00015-P	..... exempt	Petition to modify the submeter approval order.	To ensure adequate consumer protections are in place.
PSC-15-24-00004-P	..... exempt	Baseline period modification for the commercial managed charging EAM for program year 2024.	To consider a modified peak avoidance baseline and baseline enrollment period and a shortened enrollment baseline growth period.
PSC-15-24-00005-P	..... exempt	Recovery of costs to cure tax liabilities.	To determine if Liberty should recover the costs to cure certain tax liabilities of Arbor Hills Waterworks, Inc.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-15-24-00006-P	..... exempt	Pole attachment charges update.	To provide pole attachment services at just and reasonable rates.
PSC-15-24-00007-P	..... exempt	Proposal to modify the MRP related to EV supply equipment requirements, and incentive eligibility requirements.	To modify aspects of the MRP in order to avoid disruptions to EV charging infrastructure deployment.
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
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
DOS-13-24-00002-P	..... 03/27/25	Appearance Enhancement Licensure and Permanent Dyeing of Eyebrow and Eyelash Hair	To amend the rule to allow dyeing of eyebrow and eyelash hair in accordance with federal regulation
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-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
SUN-11-24-00024-EP	..... 03/13/25	Student debt collection practices	To cease the withholding of student transcripts as a debt collection tool
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-09-24-00001-EP	..... 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
TAF-09-24-00002-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 April 1, 2024 through June 30, 2024
TEMPORARY AND DISABILITY ASSISTANCE, OFFICE OF			
TDA-12-24-00007-P	..... 03/20/25	See attached Addendum #2	See attached Addendum #3
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

Action Pending Index

NYS Register/April 10, 2024

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

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

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

STATE NOTICES

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

DEALERS; BROKERS

Delhi Bank Corp.
124 Main St., Delhi, NY 13753
State or country in which incorporated — New York

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

Ormond Grande Associates, LP
751 Arbor Way, Suite 210, Blue Bell, PA 19422
Partnership — Ormond Grande General, LLC

The Alger Funds
100 Pearl St., 27th Fl., New York, NY 10004
State or country in which incorporated — Massachusetts

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

ADVERTISEMENTS FOR BIDDERS/CONTRACTORS

SEALED BIDS

PROVIDE
STATION BUILDING
State Police Chatham
Chatham, Columbia County

Sealed bids for Project Nos. 46194-C, 46194-H, 46194-P, and 46194-E comprising separate contracts for Construction Work, HVAC Work, Plumbing Work, and Electrical Work, Provide Station Building, State Police Chatham, NY State Route 295, Chatham (Columbia 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 New York State Police, until 2:00 p.m. on Wednesday, April 24, 2024, when they will be publicly opened and read. Each bid must be prepared and submitted in accordance with the Instructions to Bidders and must be accompanied by a bid security (i.e. certified check, bank check, or bid bond in the amount of \$125,700 for C, \$20,100 for H, \$20,700 for P, and \$36,100 for E).

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond pursuant to Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract estimated to be between \$5,000,000 and \$6,000,000 for C, between \$250,000 and \$500,000 for H, between \$250,000 and \$500,000 for P, and between \$500,000 and \$1,000,000 for E.

Pursuant to State Finance Law §§ 139-j and 139-k, this solicitation includes and imposes certain restrictions on communications between OGS D&C and a bidder during the procurement process. A bidder is restricted from making contacts from the earliest posting on the OGS website, in a newspaper of general circulation, or in the Contract Reporter, of written notice, advertisement or solicitation of offers, through final award and approval of the contract by OGS D&C and the Office of the State Comptroller ("Restricted Period") to other than designated staff, unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a). Designated staff are Kimberly Belden, Catherine Skaczkowski, 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 \$1,628,283 or less, adjusted annually for inflation as of March 1, 2024. 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 665 days after the Agreement is approved by the Comptroller.

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 1:00 p.m. on April 11, 2024, Chatham Town Hall, 488 NY Route 295, Chatham, 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 Christy Rose, (518-731-8290) a minimum of 48 hours in advance of the date to provide the names of those who will attend the pre-bid site visit. Only contractors that schedule a visit at least 48 hours in advance will be allowed to participate in the pre-bid site visit.

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

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

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

The Bidding and Contract Documents for this Project are available

for viewing, downloading, and Electronic Bidding from OGS Design & Construction's Electronic Bidding service, Bid Express.

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

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

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

For additional information on this project, please use the link below and then click on the project number:

<https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

By OGS - Design & Construction Group

REPLACE ROOF

Department of Transportation Region 7
Keeseville, Clinton County

Sealed bids for Project No. 47204-C, comprising of a contract for Construction Work, Replace Roof, DOT Region 7, Clinton County, 291 Route 9N, Keeseville (Clinton County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Department of Transportation, until 2:00 p.m. on Wednesday, April 17, 2024, when they will be publicly opened and read. Each bid must be prepared and submitted in accordance with the Instructions to Bidders and must be accompanied by a bid security (i.e. certified check, bank check, or bid bond in the amount of \$23,100 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 \$500,000 and \$1,000,000 for C.

Pursuant to State Finance Law §§ 139-j and 139-k, this solicitation includes and imposes certain restrictions on communications between OGS D&C and a bidder during the procurement process. A bidder is restricted from making contacts from the earliest posting on the OGS website, in a newspaper of general circulation, or in the Contract Reporter, of written notice, advertisement or solicitation of offers, through final award and approval of the contract by OGS D&C and the Office of the State Comptroller ("Restricted Period") to other than designated staff, unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a). Designated staff are Kimberly Belden, Catherine Skaczkowski, 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 \$1,628,283 or less, adjusted annually for infla-

tion as of March 1, 2024. 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 192 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 12:00 p.m. on April 4, 2024, DOT Region 7, Clinton County, 291 Route 9N, Keeseville, 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 William Waldron, (518-956-1868) a minimum of 48 hours in advance of the date to provide the names of those who will attend the pre-bid site visit. Only contractors that schedule a visit at least 48 hours in advance will be allowed to participate in the pre-bid site visit.

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

Article 3 of the 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

**REPLACE
ELECTRICAL EQUIPMENT
Rockland, Psychiatric Center
Poughkeepsie, Dutchess County**

Sealed bids for Project No. 47247-E, comprising of a contract for Electrical Work, Replace Electrical Equipment, Buildings 819 & 842, Rockland PC, Hudson River Campus, 10 Ross Circle, Poughkeepsie (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 Office of Mental Health, until 2:00 p.m. on Wednesday, April 24, 2024, when they will be publicly opened and read. Each bid must be prepared and submitted in accordance with the Instructions to Bidders and must be accompanied by a bid security (i.e. certified check, bank check, or bid bond in the amount of \$41,300 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 \$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 Kimberly Belden, Catherine Skaczkowski, 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 \$1,628,283 or less, adjusted annually for inflation as of March 1, 2024. 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 854 days after the Agreement is approved by the Comptroller.

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the

project area will be at 9:00 a.m. on April 11, 2024, Rockland PC, Hudson River Campus, 10 Ross Circle, Poughkeepsie, 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 Theresa Swehla, (845-691-8968) a minimum of 48 hours in advance of the date to provide the names of those who will attend the pre-bid site visit. Only contractors that schedule a visit at least 48 hours in advance will be allowed to participate in the pre-bid site visit.

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

Article 3 of the 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 E trade contractor. 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
MASONRY REPAIRS
State Armory
New York, New York County**

Sealed bids for Project No. 47295-C, comprising of a contract for Construction Work, Provide Masonry Repairs, Phase 2, State Armory, 2366 5th Avenue, New York, (New York 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 Division of Military and Naval Affairs, until 2:00 p.m. on Wednesday, April 17, 2024, when they will be publicly opened and read. Each bid must be prepared and submitted in accordance with the Instructions to Bidders and must be accompanied by a bid security (i.e. certified check, bank check, or bid bond in the amount of \$136,400 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 \$5,000,000 and \$6,000,000 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 Kimberly Belden, Catherine Skaczkowski, 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 \$1,628,283 or less, adjusted annually for inflation as of March 1, 2024. 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 1,095 days after the Agreement is approved by the Comptroller.

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

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 10:00 a.m. on April 4, 2024, 5th Avenue Armory, 2366 5th Avenue, New York, 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 Alicia Bialy, (845-365-0730) a minimum of 24 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 24 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, based on the current availability of qualified SDVOBs. Trades with 0% goals are encouraged to make "good faith efforts" to promote and assist in the participation of SDVOBs on the Contract for the provision of services and materials.

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

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

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

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

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

For additional information on this project, please use the link below and then click on the project number:

<https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

By OGS - Design & Construction Group

MISCELLANEOUS NOTICES/HEARINGS

Notice of Abandoned Property Received by the State Comptroller

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

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

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

PUBLIC NOTICE Homes and Community Renewal Substantial Amendment to New York State's 2021-2025 Consolidated Plan

New York State is creating a substantial amendment to its approved 2021-2025 Consolidated Plan in order to include \$68,228,000 in Community Development Block Grant-Disaster Recovery funds made available through the Disaster Relief Supplemental Appropriations Act, 2022 (Pub. L. 117-43) approved September 30, 2021 (the Appropriations Act) and the Continuing Appropriations Act, 2023 (Pub. L. 117-180) approved September 30, 2022 (the "2023 Appropriations Act") in response to Hurricane Ida. The New York State Office of Homes and Community Renewal's Housing Trust Fund Corporation (HTFC) administered by the Office of Resilient Homes and Communities (RHC) is the lead agency and responsible entity for administering these CDBG-DR funds allocated for disaster recovery.

In accordance with HUD guidelines, Rules sections 91.115(b)(4), substantial amendments to the 2021-2025 Consolidated Plan must be published for public comment. This 30-day public comment period will begin on April 22, 2024, and extend through close of business on May 22, 2024. Beginning on April 22nd, the substantial amendment to the 2021-2025 Consolidated Plan may be viewed on and downloaded from the New York State Homes and Community Renewal (HCR) website at www.hcr.ny.gov. In addition, electronic copies can be requested by calling 518-486-3452 or emailing HCRCOnPln@hcr.ny.gov

Written comments can be sent throughout the comment period and can be mailed to: Office of Homes and Community Renewal, 38-40 State St., Albany NY, 12207 or e-mailed to HCRCOnPln@hcr.ny.gov. All comments must be received by close of business May 22, 2024.

PUBLIC NOTICE

Department of State
F-2024-0078

Date of Issuance – April 10, 2024

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

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

In F-2024-0078, Charles Gambino, Jr., is proposing to add a second 4' x 100 seasonal dock and boat hoist with vinyl/cloth canopy. The proposal would be located at 9453 Bridger Lane, Sodus Bay, Town of Huron, Wayne County.

The stated purpose of the proposed action is to "Install a second seasonal dock and covered boat hoist".

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2024/04/f-2024-0078.pdf> or at <https://dos.ny.gov/public-notices>

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

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice, or May 10, 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-2024-0094

Date of Issuance – April 10, 2024

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

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

In F-2024-0094, the applicant, Neal and Lisa Elkin are proposing to install an "angled L"-shaped fixed timber dock (constructed with open-grate decking, 4' over grade, and equipped with water and electricity), consisting of a 4' x 66' fixed timber catwalk and an angled 4' x 10' terminal platform with ladder; and establish a 10-foot wide

vegetated non-turf buffer in place of existing sand and filter cloth. This project is located at 105 Fleetwood Road, Town of Southold, Suffolk County on Eugene Creek (East Creek).

The stated purpose of the proposed action is to provide fixed point of water access over vegetated wetlands and private, noncommercial boat dockage.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2024/04/f-2024-0094.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):

- Cutchogue Harbor and Wetlands Significant Coastal Fish and Wildlife Habitat:

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

- Town of Southold Waterfront Revitalization Program:

<https://www.southoldtownny.gov/274/Local-Waterfront-Revitalization-Program>

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

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice, or May 10, 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-2024-0127

Date of Issuance – April 10, 2024

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

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

In F-2024-0127, Shangri La Marina - C/O James Sheehan, is proposing to construct two (2) docks 10 foot(ft)-wide x 95 ft-long with 12" concrete filled steel pipe piles 10' O.C. , remove existing 20 ft-wide x 50 ft-long concrete ramp, install 30 ft-wide x 70 ft-long concrete ramp, repair existing 100 LF of breakwall with steel sheet piling. Dredging up to 25 CY of material with placement at an upland location with no wetlands or potential to impact waterbodies. The proposed project would be located at 18848 South Shore Road in the Town of Lyme, Jefferson County on Three Mile Bay.

The stated purpose of the proposed action is to "Fix deteriorating existing boat ramp and breakwall."

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2024/04/f-2024-0127.pdf> or at <https://dos.ny.gov/public-notices>

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

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

filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice, or May 10, 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-2024-0204 (DA)

Date of Issuance – April 10, 2024

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

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

In F-2024-0204(DA), New York City Department of Housing Preservation & Development is proposing to utilize HUD Project Based Vouchers to facilitate the new construction of a 210-unit senior housing development at 37 Otsego and 498 Columbia Streets (Brooklyn Block 579, Lot 1) in the Red Hook neighborhood of Brooklyn.

The proposed project would be eight stories with approximately 4,580 square feet of space for senior services. Thirty percent of the units would be designated for formerly homeless seniors referred from the Department of Homeless Services. The senior housing development would be financed through HPD's Senior Affordable Rental Apartments program (SARA). Construction funding through SARA consists of low-interest loans to support the development of permanent affordable housing for seniors ages 62 and older. The proposal is part of a larger redevelopment which includes three 85-foot tall, 8-story buildings (Buildings A, B, and C) containing a total of 659 units of affordable family, senior, and supportive housing and approximately 5,660 square feet (sf) of community facility space, including space for senior and supportive services.

The agency's consistency determination and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2024/04/f-2024-0204.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 the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice, or May 10, 2024.

Comments should be addressed to: 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.

2024-0138 Matter of Hoffman and Riley Architects, LLP, 300 Great Oaks Blvd., Suite 300, Albany, NY 12203, for a variance concerning safety requirements, including second floor accessibility. Involved is an existing building located at 737 Albany Shaker Road, Town of Colonie, County of Albany, State of New York.

2024-0147 Matter of Home Pride Builders and Developers, Inc., 30 Forest Creek Drive, Spencerport, NY, 14559, for a variance concerning safety requirements, including distance from a hydrant. Involved is a one-family dwelling located at 2 Stella Lane, Town of Ogden, County of Monroe, State of New York.

2024-0156 Matter of G-CAP Group, 1185 Greene Avenue, Brooklyn, NY 11221, for a variance concerning safety requirements, including ceiling height requirements. Involved is an existing dwelling located at 321 Oakhurst Street, City of Troy, County of Rensselaer, State of New York.

2024-0158 Matter of Forsyth-Warren Tavern Living History Farm and Museum, 5182 Ridge Road, Lockport, NY 14094, for a variance/appeal concerning numerous safety requirements. Involved is an existing building located at 5182 Ridge Road, Town of Cambria, County of Niagara, 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.

2024-0145 Matter of Todd O'Connell Architects, Todd O'Connell, 1200 Veterans Memorial Hwy., Suite 120, Hauppauge, NY 11788, for a variance concerning safety requirements, including flood construction requirements. Involved is an existing dwelling located at 922 Northfield Road, Town of Hempstead, 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.

2024-0149 Matter of Spaces Architecture, Charles Lembo, 410 West Highway, Suite 2, Lindenhurst, NY 11757, for a variance concerning safety requirements, including height under projection. Involved is an

existing dwelling located at 725 Knoll Street, Village of Lindenhurst, NY County of Suffolk, State of New York.

2024-0150 Matter of Michael Baltrusitis, 56 E. 15th Street, Huntington Station, NY 11746, for a variance concerning safety requirements, including height under projection. Involved is an existing dwelling located at 56 E. 15 Street, Town of Huntington, County of Suffolk, State of New York.

2024-0151 Matter of Captain Permit, Mike Arato, 245 Route 109, Suite D, West Babylon, NY 11704, for a variance concerning safety requirements, including height under projection. Involved is an existing dwelling located at 1350 Richland Avenue, Town of Islip, NY County of Suffolk, State of New York.

2024-0152 Matter of Robert Ramirez, 990 Motor Pkwy., Central Islip, NY 11746, for a variance concerning safety requirements, including height under projection. Involved is an existing dwelling located at 52 Pine Hill Lane, Town of Huntington, County of Suffolk, State of New York.

2024-0154 Matter of Captain Permit, Mike Arato, 245 Route 109, Suite D, West Babylon, NY 11704, for a variance concerning safety requirements, including height under projection. Involved is an existing dwelling located at 215 Kellum Street, Town of Babylon, 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.

2024-0157 in the Matter of Michael Lewis Architects PC, Michael Lewis, 145 Palisade St, Dobbs Ferry, NY 10522, for a variance concerning safety requirements, including ceiling height. Involved is a one family dwelling located at 66 Euclid Avenue, Village of Hastings On Hudson, County of Westchester, State of New York.

2024-0159 in the Matter of Demasi Architects PC, Luigi Demasi, 105 Smith Avenue, Mount Kisco, NY 10549, for a variance concerning safety requirements, including ceiling height. Involved is a one family dwelling located at 157 Quinn Road, Village of Briarcliff Manor, County of Westchester, State of New York.

2024-0160 in the Matter of Kevin Khani, 449 Quaker Ridge Road, New Rochelle, NY 10804, for a variance concerning safety requirements, including ceiling height. Involved is a one family dwelling located at 41 Chauncey Avenue, City of New Rochelle, County of Westchester, State Of New York.

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2024-0162 Matter of ASB Engineering, P.C., Andrew S. Braum, 1924 Bellmore Avenue, Bellmore, NY 11710, for a variance concerning safety requirements, including basement ceiling requirements. Involved is an existing dwelling located at 50 Leslie Lane, Town of North Hempstead, County of Nassau, State of New York.

