
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 16, 2024
- the 45-day period expires on June 1, 2024
- the 30-day period expires on May 17, 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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RULE MAKING ACTIVITIES

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

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

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

Department of Agriculture and Markets

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Repeal of TB Testing Prior to Intrastate Movement of Deer Regulation, and Removal of Cross References to Said Regulation

I.D. No. AAM-16-24-00002-P

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

Proposed Action: This is a consensus rule making to repeal section 60.2; amend sections 60.6(a) and 60.9 of Title 1 NYCRR.

Statutory authority: Agriculture and Markets Law, sections 18 and 72

Subject: Repeal of TB testing prior to intrastate movement of deer regulation, and removal of cross references to said regulation.

Purpose: The purpose of this rule is to intrastate movement of deer regulation, and removal of cross references to said regulation.

Text of proposed rule: Title 1, Section 60.2 of the New York Codes Rules and Regulations is hereby repealed.

Title 1, Section 60.6(a) of NYCRR is amended to read as follows:

(a) the owner must contact the department [at the address listed in section 60.2 of this part] and give a minimum of 72 hours notice prior to slaughter;

Title 1, Section 60.9 of NYCRR is amended to read as follows:

Accredited veterinarians shall immediately notify the department in writing [at the address listed in section 60.2 of this Part] of any positive test results to any deer tuberculosis test performed by that veterinarian.

Text of proposed rule and any required statements and analyses may be obtained from: Dr. Joy Bennett, DVM, Director, Animal Industry, Department of Agriculture and Markets, 10B Airline Drive, Albany, NY 12235, (518) 457-3502, email: joy.bennett@agriculture.ny.gov

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

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

Consensus Rule Making Determination

The Department has considered this proposed rulemaking and has determined that this rule is a consensus rule within the meaning of State Administrative Procedure Act section 102(11), in that it repeals an unnecessary testing requirement and removes a cross-reference to the repealed part, and is otherwise non-controversial as no person is likely to object to the rule as written since it is non-controversial.

The repeal of 1 NYCRR Part 60.2 would remove the requirement for tuberculosis testing of captive cervids prior to moving those cervids within the borders of New York, and the amendments of Parts 60.6(a) and 60.9 would remove cross-references to the repealed part. The Department would continue with other aspects of the captive cervid tuberculosis surveillance program including the requirement to test cervids prior to importation (non-chronic wasting disease susceptible species) and prior to export. In addition, we would continue to do post-mortem exams and submit lymph nodes for acid fast testing.

The last major tuberculosis outbreak in captive cervids in New York occurred in the white-tailed deer population thirty-two years ago (1992), and the last case in captive cervid was seventeen years ago (2007) in a single fallow deer. Since then, New York has had one of the most robust tuberculosis surveillance programs for farmed deer in the country. More than 10,000 captive cervids in New York have been tested for tuberculosis since 2013, and no infected cervids were found. Due to the high volume of testing and the lack of positive cases found, the Department is confident that the risk for tuberculosis in captive cervids is negligible.

The proposed rulemaking would benefit captive cervid farmers by removing annual veterinary and testing costs associated with tuberculosis testing prior to intrastate movement without imposing additional disease risk to the animal agricultural industry. In addition, it eliminates the stress of catching and restraining deer in a chute which can lead to broken bones, muscular damage caused by restraint, called capture myopathy, and, in worst cases, death. The majority of other states do not require intrastate tuberculosis testing. Notable exceptions are Michigan, a state with endemic tuberculosis infection in wild white-tailed deer, and Indiana, which has a shared border with Michigan.

The Department has heard from captive cervid farmers, the Department of Environmental Conservation (DEC), and industry stakeholder groups in regard to the proposed repeal. Captive cervid farmers and industry stakeholder groups have all been in favor of the proposed repeal, and the DEC did not object to the proposed rulemaking. The Department does not expect any opposition to the proposed rulemaking. Therefore, based on the foregoing reasons, the proposed rule is a consensus rule within the meaning of State Administrative Procedure Act section 102(11).

Job Impact Statement

The proposed regulation would repeal of Title 1, Section 60.2 and amend Title 1, Section 60.6(a) and 60.9 of the New York Code Rules and Regulations (NYCRR) by removing the requirement for tuberculosis testing of captive cervids to move within the borders of the State of New York and removing cross-references to the repealed part 60.2. The proposed regulation is non-controversial because it relieves a regulatory and financial burden on regulated parties.

The Department considered the effect of this proposed repeal and changes on jobs in the State and has determined that the proposal would not have a substantial adverse impact on jobs and employment opportunities because it does not require regulated parties incur any cost or burden of additional compliance.

Division of Criminal Justice Services

NOTICE OF ADOPTION

Part 356 Probation Services for Article 3 Juvenile Delinquency

I.D. No. CJS-03-24-00010-A

Filing No. 268

Filing Date: 2024-04-02

Effective Date: 2024-04-17

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

Action taken: Amendment of Part 356 of Title 9 NYCRR.

Statutory authority: Executive Law, sections 243 and 257(6)(b)

Subject: Part 356 Probation Services for Article 3 Juvenile Delinquency.

Purpose: Update existing rule to reflect statutory changes and to effectuate best practices in preliminary probation procedures.

Text or summary was published in the January 17, 2024 issue of the Register, I.D. No. CJS-03-24-00010-P.

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

Text of rule and any required statements and analyses may be obtained from: Danise Linen, Division of Criminal Justice Services, 80 South Swan Street, Albany, NY 12210, (518) 457-8413, email: dcjslegalrulemaking@dcjs.ny.gov

Initial Review of Rule

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

Assessment of Public Comment

The agency received no public comment.

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Registration of Certain Firearms, Rifles, Shotguns, Finished Frames or Receivers, and Unfinished Frames or Receivers

I.D. No. CJS-16-24-00004-P

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

Proposed Action: Addition of Part 6060 to Title 9 NYCRR.

Statutory authority: Penal Law, section 265.07

Subject: Registration of certain firearms, rifles, shotguns, finished frames or receivers, and unfinished frames or receivers.

Purpose: To provide for a registry of firearms, shotguns, finished or unfinished frames or receivers serialized per Penal Law 265.07.

Text of proposed rule: A new Part 6060 is added to read as follows:

Part 6060 - Registration of Certain Firearms, Rifles, Shotguns, Finished Frames or Receivers, and Unfinished Frames or Receivers
Section 6060.1 Purpose.

The purpose of this Part is to provide for a registry of firearms, rifles, shotguns, finished frames or receivers, and unfinished frames or receivers that are serialized in accordance with section 265.07 of the Penal Law.

Section 6060.2 Definitions.

(a) The term Division shall mean the Division of Criminal Justice Services.

(b) The term gunsmith shall mean any person licensed or required to be licensed as a gunsmith as such term is defined in subdivision (8) of section 265.00 of the Penal Law.

(c) The term dealer in firearms shall mean a dealer in firearms pursuant to section 400.00 of the Penal Law, as such term is defined in subdivision (9) of section 265.00 of the Penal Law.

(d) The term serialized shall have the same meaning as such term is defined in subdivision (8-a) of section 265.00 of the Penal Law.

Section 6060.3 Division Responsibility.

In accordance with paragraph (b) of subdivision (2) of section 265.07 of the Penal Law, the division shall create a registry of firearms, rifles,

shotguns, finished frames or receivers, and unfinished frames or receivers that have become serialized in accordance with paragraph (a) of subdivision (2) of section 265.07 of the Penal Law. Such registry shall include the information reported pursuant to paragraph (b) of subdivision (2) of section 265.07 of the Penal Law and section 6060.4 of this Part.

Section 6060.4 Gunsmith or Dealer in Firearms Registration Requirements.

(a) Any gunsmith or any dealer in firearms that places a serial number on a firearm, rifle, shotgun, finished frame or receiver, or unfinished frame or receiver that comes into their possession, pursuant to the requirements of subdivision (2) of section 265.07 of the Penal Law, must register such firearm, rifle, shotgun, finished frame or receiver, or unfinished frame or receiver with the division, in a form and manner prescribed by the division.

(b) Each gunsmith or dealer in firearms shall, in the form provided for by section 6060.5 of this Part, with respect to each such firearm, rifle, shotgun, finished frame or receiver, or unfinished frame or receiver that is serialized in accordance with paragraph (a) of subdivision (2) of section 265.07 of the Penal Law, submit or cause to be submitted the following:

(1) The serial number placed on firearm, rifle, shotgun, finished frame or receiver, or unfinished frame or receiver;

(2) the date the serial number was placed;

(3) a description of the firearm, rifle, shotgun, finished frame or receiver, or unfinished frame or receiver;

(4) the name of the individual from whom the gunsmith or dealer in firearms took possession of the firearm, rifle, shotgun, finished frame or receiver, or unfinished frame of receiver;

(5) the contact information for such individual identified in paragraph (4) of this subdivision, including but not limited to, physical address, mailing address, phone number, and email address; and

(6) if such individual identified in paragraph (4) of this subdivision possesses a firearms license, the license number, type, and issuing county.

Section 6060.5 Reporting Form.

(a) Each gunsmith or dealer in firearms shall submit or cause to be submitted all information required to be reported in accordance with section 6060.4 of this Part in the form and manner as prescribed by the division.

(b) For the purpose of collecting the information submitted pursuant to section 6060.4 of this Part, the division shall make a fillable form available on its website. The division shall also make a paper copy available upon request.

Text of proposed rule and any required statements and analyses may be obtained from: Jennifer Grasso, Division of Criminal Justice Services, 80 South Swan St., Albany, NY 12210, (518) 457-8597, email: dcjslegalrulemaking@dcjs.ny.gov

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

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

Regulatory Impact Statement

1. Statutory authority:

The statutory authority for this rule is Penal Law § 265.07, which requires the Division of Criminal Justice Services (the Division) to promulgate regulations for the registration of certain firearms, rifles, shotguns, finished frames or receivers, or unfinished frames or receivers.

2. Legislative objectives:

Penal Law § 265.07 was added by Chapter 520 of the Laws of 2021, as amended by Chapter 149 of 2022, known as the Jose Webster Untraceable Firearms Act (the Act). The Act criminalizes the possession and sale of ghost guns and requires any person licensed as a gunsmith or a dealer in firearms to serialize and register such weapons with the Division.

The Act seeks to address the growing threat posed by the manufacture, possession, and sale of unregistered, untraceable guns and components, collectively known as ghost guns, in New York State. Specifically, the Act requires any person licensed as a gunsmith, or required to be, or any dealer in firearms, to serialize and register with the Division any unserialized firearm, rifle, shotgun, finished frame or receiver, or unfinished frame or receiver, in such person's possession. The Act further provides that failure to comply is a Class E Felony. The legislative objective, as stated in the Sponsor's memorandum in support of the Act, is to address the proliferation of ghost guns

3. Needs and benefits:

This proposed rule is necessary to implement the Act and specifically the mandate in Penal Law § 265.07, which requires any gunsmith or dealer in firearms, who is in possession of an unserialized firearm, rifle, shotgun, finished frame or receiver, or unfinished frame or receiver, to serialize and register it with the Division in accordance with regulations promulgated by the Division. As required by the Act, the proposed rule provides for the registry and clarifies the gunsmith and dealer in firearms registration requirements. Any gunsmith or dealer in firearms that places a serial number on a firearm, rifle, shotgun, finished frame or receiver, or

unfinished frame or receiver that comes into their possession must register it on a form provided by the Division and submit such form to the Division. The information to be reported on the registration form would include a description of the type of firearm, rifle, shotgun, finished frame or receiver, or unfinished frame or receiver, the name of the individual from whom it was received, the contact information and firearms license information of such individual, and the serial number and date serialized.

4. Costs:

a. Costs to regulated parties for the implementation of and continuing compliance with the rule is anticipated to be minimal.

b. Costs to the Division and the State for the implementation and continuation of the rule is expected to be limited. There are no costs imposed by the rule upon any local government.

c. The cost analysis is based on the fact that the registration requirements of the proposed rule are minimal and consist of only basic information necessary to implement the registry mandated by the Act.

5. Local government mandates:

There are no mandates imposed by the rule upon any local government.

6. Paperwork:

Any gunsmith or dealer in firearms that places a serial number on a firearm, rifle, shotgun, finished frame or receiver, or unfinished frame or receiver that comes into their possession must register it on a form provided by the Division. The registration form will be a fillable form available on the Division's website, and a paper copy will be available upon request.

7. Duplication:

None. These amendments do not duplicate any other existing State or federal requirements.

8. Alternatives:

None. The proposed rule is pursuant to State statute.

9. Federal standards:

These amendments do not conflict with federal standards. Although recent amendments to federal regulations require the serialization of privately made firearms, there is no comparable registry at the federal level.

10. Compliance schedule:

Regulated parties are expected to be able to comply with the proposed rule as soon as it is adopted.

Regulatory Flexibility Analysis

1. Effect of rule:

This proposed rule applies to gunsmiths and dealers in firearms throughout New York State, many of whom may be small businesses. The Division of Criminal Justice Services (the Division) does not have data specific to such small businesses.

There are no compliance requirements imposed by the rule upon any local government.

2. Compliance requirements:

This proposed rule implements the mandate in Penal Law § 265.07, which requires any gunsmith or dealer in firearms who is in possession of an unserialized firearm, rifle, shotgun, finished frame or receiver, or unfinished frame or receiver, and who serializes such firearm, rifle, shotgun, finished frame or receiver, or unfinished frame or receiver as required by Penal Law § 265.07(2)(a), to register with the Division, in accordance with regulations promulgated by the Division, such firearm, rifle, shotgun, finished frame or receiver, or unfinished frame or receiver.

This rule provides for the required registration process. Any gunsmith or dealer in firearms that places a serial number on a firearm, rifle, shotgun, finished frame or receiver, or unfinished frame or receiver that comes into their possession must register it on a form provided by the Division and submit such form to the Division. The information to be reported on the registration form is minimal, including only a description of the type of firearm, rifle, shotgun, finished frame or receiver, or unfinished frame or receiver, the name of the individual from whom it was received, the contact information and firearms license information of such individual, and the serial number and date it was serialized. The registration form will be a fillable form available on the Division's website, and a paper copy will be available upon request.

3. Professional services:

It is not anticipated that professional services would be required to comply with this rule.

4. Compliance costs:

The costs to gunsmiths and dealers in firearms for compliance with this rule are anticipated to be minimal.

5. Economic and technological feasibility:

No economic or technological impediments to compliance have been identified.

6. Minimizing adverse impact:

This proposed rule minimizes any adverse impacts of the registration mandated by Penal Law § 265.07 by clarifying and standardizing the registration process.

7. Small business and local government participation:

Gun safety and concerns with unserialized, unregistered gun parts and components, collectively known as ghost guns, have long been topics of discussion in New York State. Interest groups, activists, local officials, and members of the public have voiced concerns and comments, and recently, the NYS Legislature acted in adopting the Jose Webster Untraceable Firearms Act (the Act), Chapter 520 of the Laws of 2021 and Chapter 149 of the Laws of 2022. This Act requires any person licensed as a gunsmith or a dealer in firearms, who is in possession of an unserialized firearm, rifle, shotgun, finished frame or receiver, or unfinished frame or receiver, to serialize and register such weapon with the Division. This proposed rule merely implements the mandate of the Act. It does not create any new registration requirements for any businesses.

The Division solicited participation of a number of gunsmiths and dealers in firearms through the sending of a direct notification regarding the proposed rule. No comments have been received in response.

Rural Area Flexibility Analysis

1. Types and estimated numbers of rural areas:

This proposed rule applies to gunsmiths and dealers in firearms throughout New York State including those located in rural areas. The Division of Criminal Justice Services (the Division) does not have data specific to those gunsmiths and dealers in firearms located in rural areas.

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

This proposed rule implements the mandate in Penal Law § 265.07, which requires any gunsmith or dealer in firearms who is in possession of an unserialized firearm, rifle, shotgun, finished frame or receiver, or unfinished frame or receiver, and who serializes such firearm, rifle, shotgun, finished frame or receiver, or unfinished frame or receiver as required by Penal Law § 265.07(2)(a), to register with the Division, in accordance with regulations promulgated by the Division, such firearm, rifle, shotgun, finished frame or receiver, or unfinished frame or receiver.

This rule provides for the required registration process. Any gunsmith or dealer in firearms that places a serial number on a firearm, rifle, shotgun, finished frame or receiver, or unfinished frame or receiver that comes into their possession must register it on a form provided by the Division and submit such form to the Division. The information to be reported on the registration form is minimal, including only a description of the type of firearm, rifle, shotgun, finished frame or receiver, or unfinished frame or receiver, the name of the individual from whom it was received, the contact information and firearms license information of such individual, and the serial number and date it was serialized. The registration form will be a fillable form available on the Division's website, and a paper copy will be available upon request. It is not anticipated that professional services would be required to comply with this rule.

3. Costs:

The costs to gunsmiths and dealers in firearms for compliance with this rule are anticipated to be minimal. The costs to the Division are undetermined but expected to be limited.

4. Minimizing adverse impact:

This proposed rule minimizes any adverse impacts of the registration mandated by Penal Law § 265.07 by clarifying and standardizing the registration process.

5. Rural area participation:

Gun safety and concerns with unserialized, unregistered gun parts and components, collectively known as ghost guns, have long been topics of discussion in New York State. Interest groups, activists, local officials, and members of the public have voiced concerns and comments, and recently, the NYS Legislature acted in adopting the Jose Webster Untraceable Firearms Act (the Act), Chapter 520 of the Laws of 2021 and Chapter 149 of the Laws of 2022. This Act requires any person licensed as a gunsmith or a dealer in firearms, who is in possession of an unserialized firearm, rifle, shotgun, finished frame or receiver, or unfinished frame or receiver, to serialize and register such weapon with the Division. This proposed rule merely implements the mandate of the Act. It does not create any new registration requirements for any businesses.

The Division solicited participation of a number of gunsmiths and dealers in firearms through the sending of a direct notification regarding the proposed rule. No comments have been received in response.

Job Impact Statement

A job impact statement is not being submitted with these proposed regulations because they will have no adverse impact on private or public jobs or employment opportunities.

Department of Environmental Conservation

EMERGENCY/PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Regulations Governing Recreational Fishing of Scup and Summer Flounder

I.D. No. ENV-16-24-00003-EP

Filing No. 267

Filing Date: 2024-04-02

Effective Date: 2024-04-02

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

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

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

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

Specific reasons underlying the finding of necessity: This rulemaking is necessary for New York State to implement and remain in compliance with recent Atlantic States Marine Fisheries Commission (ASMFC) changes to regulations for recreational Scup and Summer Flounder fishing. The proposed regulations were developed in response to a December 12, 2023, decision by ASMFC and the Mid-Atlantic Fishery Management Council (MAFMC) to require recreational harvest reductions for Scup and Summer Flounder to prevent exceeding the new recreational harvest limits for both species coastwide.

The Department of Environmental Conservation (department) is adopting these changes in order to protect the general welfare of New York state citizens by complying with the ASMFC. If ASMFC determines that New York is non-compliant, it notifies the U.S. Secretary of Commerce. The Secretary could then enforce a complete closure of New York’s Scup and Summer Flounder fisheries if they concur with the non-compliance determination. The promulgation of this regulation on an emergency basis is necessary because the normal rulemaking process would not adopt these regulations in time to remain in compliance with ASMFC and have new restrictions in place by National Oceanic and Atmospheric Administration (NOAA) Fisheries’ filing deadline of April 5, 2024.

The normal rulemaking process, outlined in State Administrative Procedure Act (SAPA) § 202, involves several steps and timeframes that would make it impossible to adopt this rule in time for the Scup and Summer Flounder seasons. For example, SAPA § 202(1) requires a minimum 60-day public comment period for a proposed rulemaking. That time frame alone would push the effective date of this rule well beyond April 5, 2024, and could risk a determination by the U.S. Secretary of Commerce that New York is out of compliance with ASMFC fishery management plan requirements for Scup and Summer Flounder. Finally, unlike emergency rules adopted pursuant to SAPA § 202(6), which are effective immediately upon filing with the Department of State (DOS), normal rules adopted pursuant to SAPA § 202(1) do not take effect until they are published in the State Register. Publication takes place a minimum of two weeks from the date the department files the adoption notice with DOS. A normal rulemaking adopted pursuant to SAPA § 202(1) would fail to have ASMFC requirements in place by NOAA Fisheries’ filing deadline of April 5, 2024. A federal shut down of the recreational Scup and Summer Flounder fisheries would reduce recreational opportunities for anglers and cause significant economic harm to small businesses that rely on those fisheries, such as party and charter boat operations and bait and tackle shops.

Subject: Regulations governing recreational fishing of Scup and Summer Flounder.

Purpose: To reduce the recreational harvest of Scup and Summer Flounder in New York.

Text of emergency/proposed rule: Part 40 of 6 NYCRR, titled “Marine Fish,” is amended as follows:

- Table A in existing subdivision 40.1(f) is amended to read as follows:
Species Striped bass through Atlantic Cod remain unchanged.
- Species Summer Flounder and Scup are amended to read as follows:
40.1(f) Table A – Recreational Fishing.

Species	Open Season	Minimum Length	Possession Limit
Summer Flounder	[May 1-Sept. 30] <i>May 4-Aug. 1</i>	[18.5"] 19" TL	[4] 3
	<i>Aug. 2-Oct. 15</i>	<i>19.5" TL</i>	<i>3</i>
Scup (porgy) licensed party/charter boat anglers	May 1-Aug. 31	[10.5"] 11" TL	30
	Sept. 1-Oct. 31	[10.5"] 11" TL	40
	Nov. 1-Dec 31	[10.5"] 11" TL	30
Scup (porgy) shore based anglers	May 1-Dec 31	9.5" TL	30
Scup (porgy) all other anglers	May 1-Dec 31	[10.5"] 11" TL	30

This notice is intended: to serve as both a notice of emergency adoption and a notice of proposed rule making. The emergency rule will expire June 30, 2024.

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

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

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

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

Regulatory Impact Statement

1. Statutory authority:

The New York State Environmental Conservation Law (ECL) § 13-0105 directs the Department of Environmental Conservation (department) to manage New York State’s marine fishery resources to preserve their long-term health and abundance for future generations while maintaining consistency with interjurisdictional fishery management plans (FMPs). In addition, ECL §§ 13-0340-b and 13-0340-e authorize the department to establish by regulation the open season, size, catch limits, possession and sale restrictions, and manner of taking for Summer Flounder and Scup, respectively.

2. Legislative objectives:

It is the objective of the above-cited laws that the department manage marine fisheries to optimize resource use for recreational harvesters in a manner that is consistent with marine fisheries conservation and management policies and interstate FMPs.

3. Needs and benefits:

Scup and Summer Flounder are jointly managed by the Atlantic States Marine Fisheries Commission (ASMFC) and Mid-Atlantic Fishery Management Council (MAFMC). The proposed regulations are necessary to comply with ASMFC and MAFMC mandated coastwide recreational harvest reductions for Scup and Summer Flounder. Specifically, the proposed rule reduces recreational harvest of Scup and Summer Flounder by increasing the minimum size limit, decreasing the possession limit, and extending the fishing season for Summer Flounder, and by increasing the minimum size limit for Scup for private vessel and party and charter boat anglers.

The proposed rule is necessary to comply with ASMFC and MAFMC FMPs for Scup and Summer Flounder, and to protect the general welfare of New York State. Failure to comply with ASMFC and MAFMC FMP requirements could result in the complete closure of New York’s Scup and Summer Flounder fisheries. Such a closure would significantly reduce fishing opportunities for New York fishers and negatively impact commercial fishers, recreational fishers, and businesses that rely, in part, on these fisheries.

4. Costs:

There are no new costs to State and local governments from this action. The department will incur limited costs associated with both the implementation and administration of these rules, including the costs relating to

notifying recreational fishers, party and charter boat operators, and other recreational fishing associated businesses of the new rules.

Some aspects of the proposed rule, including more restrictive size and possession limits, may reduce fishing opportunities for New York fishers and result in a loss of revenue for party and charter businesses, tackle shops, and other businesses that rely, in part, on the recreational Scup and Summer Flounder fisheries. However, the proposed extended season for Summer Flounder may mitigate some of these losses. In addition, failure by New York State to adopt the proposed rule could result in federal closure of New York's Scup and Summer Flounder fisheries.

5. Local government mandates:

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

6. Paperwork:

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

7. Duplication:

The amendment does not duplicate any State or federal requirement.

8. Alternatives:

While New York State must comply with ASMFC and MAFMC mandated coastwide recreational harvest reductions for Scup and Summer Flounder, the department considered various combinations of possession limits, size limits, and seasons to meet the mandated reduction. New York State marine recreational fishers had an opportunity to comment on these options during the Marine Resource Advisory Council (MRAC) Meetings on January 9 and February 6, 2024, during the department's public meeting for Scup and Summer Flounder on January 31, 2024, and through a feedback survey distributed via the department's Saltwater Fishing and Boating newsletter and social media.

The proposed rule for Scup was the preferred option for New York anglers, as well as other states in the same management region for Scup (Massachusetts, Rhode Island, and Connecticut). For Summer Flounder, the clear preference from New York anglers of all sectors was to preserve or extend the current season, even if that necessitated increased minimum size limits. New York shares a Summer Flounder management region with Connecticut and, under the Summer Flounder FMP, must adopt the same rule as Connecticut. The proposed rule represents a compromise between the states to preserve the core of what New York anglers wanted, which was to preserve the open season, and the Connecticut preference for a smaller minimum size limit.

The "No action" alternative: If New York failed to adopt regulations to reduce recreational Scup and Summer Flounder harvest, the State would be out of compliance with ASMFC requirements, which could result in the complete closure of New York's Scup and Summer Flounder fisheries.

9. Federal standards:

The amendments to 6 NYCRR Part 40 comply with the ASMFC and MAFMC's FMPs for Scup and Summer Flounder.

10. Compliance schedule:

These regulations are being adopted by emergency rulemaking and therefore will take effect immediately upon filing with Department of State. Regulated parties will be notified of the changes to the regulations through publication in the State Register, appropriate news releases, and through the department's website.

Regulatory Flexibility Analysis

1. Effect of rule:

This rulemaking will implement new Atlantic States Marine Fisheries Commission (ASMFC) and Mid-Atlantic Fishery Management Council (MAFMC) requirements for recreational Scup and Summer Flounder harvest. Specifically, the proposed rule reduces recreational harvest of Scup and Summer Flounder by increasing the size limit for Scup for private vessel and party/charter anglers, and extending the open season, increasing the size limit, and decreasing the possession limit for Summer Flounder.

In 2023, there were 530 licensed party and charter businesses operating in New York State, as well as numerous retail and wholesale marine bait and tackle shops which rely, in part, on the recreational Scup and Summer Flounder fisheries. The National Oceanic and Atmospheric Administration's 2023 Marine Recreational Information Program estimates that New York anglers took 1,029,517 trips targeting Scup and 2,375,494 trips targeting Summer Flounder in 2023. The proposed rule establishes more restrictive size and possession limits, which may result in loss of revenue for party and charter businesses, tackle shops, and other related small businesses. However, the proposed extended season for Summer Flounder may mitigate some of these losses.

In addition, the proposed rule is necessary to comply with ASMFC and MAFMC fishery management plans (FMPs) for Scup and Summer Flounder. Failure to comply with these requirements could result in the complete closure of New York's Scup and Summer Flounder fisheries. Such a closure would significantly reduce fishing opportunities for New York fishers and negatively impact commercial fishers, recreational fishers, and businesses that rely on these fisheries.

2. Compliance requirements:

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

3. Professional services:

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

4. Compliance costs:

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

5. Economic and technological feasibility:

The proposed regulations do not require any expenditure on the part of affected businesses in order to comply with the changes. The proposed regulations may result in loss of revenue for party and charter businesses, marinas, and marine bait and tackle shops that depend, in part, upon the recreational Scup and Summer Flounder fisheries.

6. Minimizing adverse impact:

The proposed rule complies with ASMFC and MAFMC mandated reductions in recreational Scup and Summer Flounder harvest by increasing the minimum size limit, decreasing the possession limit, and extending the fishing season for Summer Flounder, and by increasing the minimum size limit for Scup for private vessel and party and charter boat anglers. While more restrictive size and possession limits may result in a loss of revenue for party and charter businesses, tackle shops, and other small businesses that rely, in part, on these fisheries, the proposed extended season for Summer Flounder may mitigate some of these losses.

Ultimately, the proposed rule is necessary to comply with ASMFC and MAFMC FMPs for Scup and Summer Flounder, and to protect the general welfare of New York State. Failure to comply with ASMFC and MAFMC FMP requirements could result in the complete closure of New York's Scup and Summer Flounder fisheries. Such a closure would significantly reduce fishing opportunities for New York fishers and negatively impact commercial fishers, recreational fishers, and businesses that rely on these fisheries.

7. Small business and local government participation:

New York State marine recreational fishers and related small businesses had an opportunity to provide input on recreational fishing measures for Scup and Summer Flounder, including similar measures to those proposed in this rulemaking, at the Marine Resource Advisory Council (MRAC) Meetings on January 9 and February 6, 2024, at a public meeting held by the New York State Department of Environmental Conservation (department) on January 31, 2024, and through a feedback survey distributed via the department's Saltwater Fishing and Boating newsletter and social media. The survey was available from January 18 through January 30, 2024, and the department received 919 responses.

The department will notify the public of the proposed rule and comment period through the department's Environmental Notice Bulletin, the "DEC Delivers" Saltwater Fishing and Boating Newsletter, and the department's website. In addition, the department will send direct notice by email to party and charter boat license holders.

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

Pursuant to the State Administrative Procedure Act § 202-b(1-a)(b) (SAPA), a cure period is not included in the rule because of the potential adverse impact on the resource. Cure periods for the illegal taking of fish or wildlife are not recommended. Immediate compliance is required to ensure that the general welfare of the public and the resource are both protected.

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

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

Rural Area Flexibility Analysis

The Department of Environmental Conservation (department) has determined that this rule will not impose any adverse impacts on rural areas. This rulemaking only affects the Marine and Coastal District of the State; there are no rural areas within the Marine and Coastal District. The Scup and Summer Flounder fisheries are entirely located within the Marine and Coastal District and are not located adjacent to any rural areas of the State. The proposed rule will not impose any reporting, record keeping, or other compliance requirements on public or private entities in rural areas. Since no rural areas will be affected by the proposed amendments to 6 NYCRR Part 40, the department has determined that a Rural Area Flexibility Analysis is not required.

Job Impact Statement

The current 6 NYCRR section 40.1 describes open seasons, size, and catch limits for "marine fish." The proposed rulemaking amends 6 NYCRR section 40.1 to modify recreational harvest restrictions for Scup and Summer Flounder. These amendments will change the size limit, season, and pos-

session limit for Summer Flounder, and for Scup will change the size limit. These proposed rules will apply solely to recreational anglers. A Job Impact Statement is not submitted with this proposal because the proposal would have no substantial adverse impact on existing or future jobs or employment opportunities.

NOTICE OF ADOPTION

Recreational Shark Management

I.D. No. ENV-22-23-00002-A

Filing No. 266

Filing Date: 2024-04-01

Effective Date: 2024-04-17

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

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

Statutory authority: Environmental Conservation Law, sections 13-0105 and 13-0338

Subject: Recreational shark management.

Purpose: To protect prohibited sharks from take and establish gear restrictions and handling requirements.

Text of final rule: New paragraphs 40.1(a)(14) through 40.1(a)(16) are adopted to read as follows:

(14) *‘Chum’ means fish, chopped fish, fish parts, fish fluids or other organic materials placed in waters of the marine and coastal district for the purpose of attracting sharks or other marine organisms.*

(15) *‘Chumming’ means the act of placing chum in the waters of the marine and coastal district for the purpose of attracting sharks or other marine organisms.*

(16) *‘Shore angler’ means any person engaged in any type of fishing that does not take place aboard a vessel.*

Existing paragraphs 40.1(b)(2) through 40.1(b)(4) are renumbered paragraphs 40.1(b)(4) through 40.1(b)(6).

A new paragraph 40.1(b)(2) is added to read as follows:

(2) *Gear prohibitions to protect prohibited shark species.*

(i) *Metal leader size. It shall be unlawful for a shore angler to use a baited hook attached to a metal fishing leader that exceeds 18 inches total length. This prohibition does not apply to:*

(‘a’) *anglers fishing aboard a vessel or*

(‘b’) *a metal fishing leader attached solely to an artificial lure.*

(ii) *Rod and reel only. It shall be unlawful for a shore angler to deploy baited hooks by any means other than casting with rod and reel. It shall be unlawful for a shore angler to transport or deploy baited hooks by or from a vessel, kayak, paddle board, surfboard, boogie board, swimming, unmanned surface vessel (USV), unmanned underwater vehicle (UUV), unmanned aerial vehicle (UAV), kite, balloon, pneumatic propulsion or all other types of propulsion other than casting with rod and reel, at any time of the year. This restriction does not apply to anglers fishing from a vessel.*

A new paragraph 40.1(b)(3) is added to read as follows:

(3) *Chumming.*

(i) *It shall be unlawful for any person to use chum or engage in chumming from shore in the marine and coastal district.*

(ii) *It shall be unlawful to place or deploy chum within 600 feet seaward of the mean high-water mark, or from structures abutting the shoreline including but not limited to jetties, bulkheads, docks, piers, and bridges, at any time of the year.*

(iii) *The prohibitions in this paragraph do not apply to:*

(‘a’) *anglers fishing aboard a vessel, or*

(‘b’) *the use of mollusks or crustaceans as chum.*

New paragraphs 40.7 (c)(9) through (c)(10) are adopted to read as follows:

(9) *Handling and Release of Sharks (all shark species).*

(i) *Keeping sharks submerged. It shall be unlawful for an angler to remove a shark from the water except where the angler intends to harvest the shark and reduce it to possession. The shark’s gills must remain submerged, and the entire length of the shark must remain in the water. This subparagraph shall not be construed to require unsafe practices while fishing from shore and does not prohibit temporarily lifting the head of a shark from the water in order to facilitate removal of a hook or other fishing tackle. This prohibition does not apply to smooth dogfish (*Mustelus canis*) and spiny dogfish (*Squalus acanthias*).*

(ii) *Tackle cutting device. Recreational anglers fishing for sharks shall possess and have immediately available wire or bolt cutters capable of quickly cutting either the leader or the hook and use such cutting device*

to quickly remove as much tackle and fishing gear as possible in order to immediately, and without unnecessary harm release sharks not being harvested or reduced to possession.

(iii) *Release without undue harm. Anglers are required to take every precaution to ensure the maximum probability of survival of any shark that will be released and to release the shark without causing any undue harm to the shark. Anglers are prohibited from engaging in any activities which may decrease the shark’s probability of survival after release.*

(10) *Handling and Release of Sharks (prohibited species):*

*Prohibited shark species (recreational). The following shark species must be released immediately if caught: Atlantic angel shark (*Squatina dumeril*); basking shark (*Cetorhinus maximus*); bigeye sand tiger shark (*Odontaspis noronhai*); bigeye thresher shark (*Alopias superciliosus*); bignose shark (*Carcharhinus altimus*); blacknose shark (*Carcharhinus acronotus*); Caribbean reef shark (*Carcharhinus perezii*); Caribbean sharpnose shark (*Rhizoprionodon porosus*); dusky shark (*Carcharhinus obscurus*); Galapagos shark (*Carcharhinus galapagensis*); longfin mako shark (*Isurus paucus*); narrowtooth shark (*Carcharhinus brachyurus*); night shark (*Carcharhinus signatus*); sandbar shark (*Carcharhinus plumbeus*); sand tiger shark (*Carcharias taurus*); sharpnose sevengill shark (*Heptranchias perlo*); shortfin mako shark (*Isurus oxyrinchus*); silky shark (*Carcharhinus falciformis*); bigeye sixgill shark (*Hexanchus nakamurai*); bluntnose sixgill shark (*Hexanchus griseus*); smalltail shark (*Carcharhinus porosus*); whale shark (*Rhincodon typus*); white shark (*Carcharodon carcharias*)*

Final rule as compared with last published rule: Nonsubstantial changes were made in sections 40.1(b)(2)(i), (ii) and 40.7(c)(9).

Text of rule and any required statements and analyses may be obtained from: Christopher Scott, Department of Environmental Conservation, Marine Resources, 123 King Park Blvd., Kings Park, NY 11754, (631) 444-0429, email: fw.marine@dec.ny.gov

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

Revised Regulatory Impact Statement

1. **Statutory authority:**

Environmental Conservation Law (ECL) § 13-0105 directs the Department of Environmental Conservation (DEC) to manage New York State’s marine fishery resources to preserve their long-term abundance for future generations. ECL § 13-0338(4) grants DEC authority to adopt regulations for sharks including: catch and possession limits, restrictions on the manner of taking and landing, and requirements on the amount and type of fishing effort and gear, provided that such regulations are consistent with Atlantic States Marine Fisheries Commission and federal fishery management plans.

2. **Legislative objectives:**

It is the objective of the above-cited legislation that DEC regulates the utilization and allocation of available fishery resources to maintain healthy stocks and habitats by adopting restrictions on the manner of taking and landing, and requirements concerning the amount and type of fishing effort and gear used. The proposed regulations are designed to protect shark species which are illegal to take or to possess by recreational anglers under 6 NYCRR section 40.7 while maintaining recreational resource opportunities for shore-based anglers targeting legal species.

3. **Needs and benefits:**

A New York Times article (Salama) published on September 6, 2020, highlighted concerns regarding the growing trend on Long Island of illegal shark fishing from shore. Interest in shore-based shark fishing from anglers and conservation groups has been increasing in recent years. It is unlawful for a recreational angler to take or to possess shark species which are not listed in 6 NYCRR Section 40.7(c)(1). These species are also listed in the proposed new 40.7(c)(11) and are referred to as “prohibited” shark species for recreational fishing.

The majority of shark species caught while shore-based fishing in New York are dusky, sandbar, and sand tiger. These are all prohibited species which are illegal to take or to possess. Dusky and sand tiger sharks are both listed as “High Priority Species of Greatest Conservation Need” in the New York State Wildlife Action Plan. These species are experiencing a population decline or have identified threats that may put them in jeopardy. They are in need of timely management intervention, or they are likely to reach critical population levels in New York. The International Union for Conservation of Nature has listed sandbar and dusky sharks as “endangered” species and sand tiger sharks as “critically endangered” due to population declines and long expected recovery times. Additionally, both sand tiger and dusky shark are listed as “species of concern” under the U.S. Endangered Species Act. Under the Endangered Species Act, “species of concern” are commonly declining or appear to be in need of

concentrated conservation actions. These amendments are intended to protect prohibited dusky, sandbar, and sand tiger sharks consistent with requirements of the Atlantic States Marine Fisheries Commission and NOAA Fisheries. The proposed amendments will establish certain gear restrictions to enhance law enforcement's ability to protect sharks and will require new handling and release methods to improve both shark and angler safety.

Draft proposed regulations were presented to the Marine Advisory Council (MRAC) meeting on March 8, 2022. At a later date, Department staff met separately with the two MRAC members who represent recreational anglers, as well as representatives of the Long Island Beach Buggy Association (LIBBA) and the New York Coalition for Recreational Fishing (NYCRF), who combined represent over 5,500 recreational anglers in New York, to discuss how to best implement rules to protect sharks while minimizing impacts to legitimate shore anglers. In response to those meetings, the proposed maximum hook widths were increased, and a maximum metal leader length was substituted for a complete prohibition for shore anglers.

Based on public comment received by DEC on the proposed rule, the gear restrictions were further modified. The proposed maximum hook widths and prohibition on artificial lures were removed and the proposed maximum metal leader length was increased from 12 inches to 18 inches. These modifications to the proposed rule are intended to protect sharks while minimizing the impact to shore-based anglers targeting legal species, such as striped bass and bluefish.

- Salama, Jordan. "Drone, Hooks and Blood: Secrets of the Shark Fisherman of Long Island." *New York Times*, 6 September 2020, <https://www.nytimes.com/2020/09/06/nyregion/shark-catchers-long-island.html>. Accessed 25 February 2022.

4. Costs:

DEC anticipates minimal costs to recreational anglers. Costs to anglers could include the purchase of a device used to quickly remove as much tackle and fishing gear as possible to release sharks (under \$30), and costs associated with purchasing an alternative leader (\$5 – \$20 per tackle item).

Following the public comment period, the proposed maximum hook widths and prohibition on artificial lures were removed from the rule and the proposed maximum metal leader length was increased from 12 inches to 18 inches. As a result of these changes, any cost to tackle shop owners is expected to be minimal.

5. Local government mandates:

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

6. Paperwork:

The proposed rule would not impose any new reporting requirements.

7. Duplication:

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

8. Alternatives:

No action (Status quo) – This alternative is not recommended because it would allow for the illegal taking of prohibited shark species to continue. Action is needed to enable DEC's law enforcement staff to protect prohibited shark species so that these populations can recover and for other reasons discussed above under "Needs and Benefits."

9. Federal standards:

The proposed rule does not exceed any minimum federal standards.

10. Compliance schedule:

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

Revised Regulatory Flexibility Analysis

1. Effect of rule:

The proposed rule may impact recreational shore anglers who utilize baited hooks with a metal leader greater than 18 inches, utilize bait deployment techniques other than rod and reel, and deploy fish chum from shore. Limited information is available on the shark fishery from NOAA Fisheries' Marine Recreational Information Program (MRIP) which administers a suite of recreational fishing surveys and produces catch and effort estimates that support management. Shore-based shark anglers may not be intercepted by the MRIP survey because their activities occur on sections of the shore where interviews do not occur, or anglers may avoid interviewers because they do not want others to know that they are targeting prohibited species. However, information gathered from the concerned public and social media indicates that some shore-based anglers are increasingly targeting prohibited shark species.

2. Compliance requirements:

The proposed rule requires adherence with gear requirements for shore anglers. In particular, the rule prohibits the use of baited hooks with a metal leader that exceeds 18 inches. The rule further prohibits shore anglers from deploying baited hooks with anything other than rod and reel and prohibits chumming with anything other than crustaceans and mollusks. In addition, all anglers must comply with shark handling and

release requirements under the proposed rule. Shark anglers are required to carry a cutting device to aid in the quick release of sharks.

3. Professional services:

The proposed rule would not require the use of professional services.

4. Compliance costs:

DEC anticipates minimal costs to recreational anglers. Costs could include the purchase of a device used to quickly remove as much tackle and fishing gear as possible to release sharks (under \$30), and costs associated with purchasing an alternative leader (\$5 – \$20 per tackle item).

5. Economic and technological feasibility:

The proposed regulations apply to recreational anglers and would not require any expenditures on the part of businesses or local governments. The rule does not require additional technology for local governments and small businesses.

6. Minimizing adverse impact:

The proposed rule was designed to minimize potential adverse impacts to anglers targeting legal species and the marine tackle industry, while at the same time protecting prohibited shark species to ensure the resource is maintained in sustainable abundance for future generations. While developing the proposed rule, DEC consulted with the Marine Resources Advisory Council (MRAC) and representatives from recreational fishing associations and coalitions who represent over 5,500 New York recreational anglers. The proposed gear restrictions were selected to minimize adverse impacts to anglers who fish for popular species like striped bass and bluefish. As a result of these consultations, the proposed gear restrictions were modified; proposed hook widths were increased, and a maximum metal leader length was substituted for a complete prohibition for shore anglers. Following the public comment period, the proposed rule was further modified. The proposed maximum hook widths and prohibition on artificial lures were removed and the proposed maximum metal leader length was increased from 12 inches to 18 inches. These modifications to the proposed rule are intended to protect sharks while minimizing the impact to shore-based anglers targeting legal species, such as striped bass and bluefish. As a result of these changes, any cost to tackle shop owners is expected to be minimal.

7. Small business and local government participation:

DEC presented this proposed rule to MRAC at the March 8, 2022, and June 7, 2023, meetings. DEC also met with representatives of the Long Island Beach Buggy Association (LIBBA) and the New York Coalition for Recreational Fishing (NYCRF), who combined represent over 5,500 recreational anglers in New York, to discuss how to best implement rules to protect sharks while minimizing impacts to legitimate shore anglers. A summary of comments received during the public comment period was presented to MRAC at the September 12, 2023, meeting. As a result of input received from the MRAC board and public comments, the rule was modified to minimize the impact to recreational anglers and small businesses.

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

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

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

The proposed rule would be reviewed in three years.

Revised Rural Area Flexibility Analysis

The Department of Environmental Conservation (DEC) has determined that this rule would not impose an adverse impact on rural areas. There are no rural areas within the marine and coastal district. The recreational shark fishery is located entirely within the marine and coastal district and is not located adjacent to any rural areas of New York State. Further, the proposed rule would not impose any reporting, record-keeping, or other compliance requirements on public or private entities in rural areas. Since no rural areas would be affected by the proposed amendments to 6 NYCRR Part 40, a Rural Area Flexibility Analysis is not required.

Revised Job Impact Statement

The current 6 NYCRR sections 40.1 and 40.7 describe open seasons, size, and catch limits for "marine fish" and "coastal sharks," respectively. The proposed rulemaking amends 6 NYCRR Part 40.1 to add gear restrictions for recreational shore-based anglers to enhance law enforcement's ability to protect sharks. These amendments establish a maximum metal leader length limit for shore-based anglers, limit the deployment of baited hooks to rod and reel for shore-based anglers, and prohibit chumming near shore. The rulemaking also amends 6 NYCRR Part 40.7 to add shark handling and release requirements to improve both shark and angler safety. This

rule applies solely to recreational anglers. A Job Impact Statement is not submitted with this proposal because the proposal would have no substantial adverse impact on existing or future jobs and/or employment opportunities.

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

On May 31, 2023, the New York State Department of Environmental Conservation (the "Department") proposed amendments to Title 6 of the New York Codes, Rules, and Regulations ("6 NYCRR") Parts 40.1 and 40.7. The proposed regulatory amendments included new gear restrictions and shark handling and release requirements intended to protect prohibited shark species while minimizing the impacts to shore-based anglers targeting legal species.

The 74-day public comment period for this proposal was open from June 1, 2023, to August 14, 2023. The Department held two public hearings during the public comment period. These hearings were held virtually on August 1, 2023, at 6 PM, and on August 3, 2023, at 2 PM. The Department informed stakeholders about the public comment period and virtual public hearings through the Department's website, State Register, Environmental Notice Bulletin, Department Press Release, gov-delivery e-mail, and at the Marine Resources Advisory Council Meeting on June 7, 2023. The Department received a total of 199 comments from 127 individuals. These comments consisted of 166 written comments from 111 individuals, and 33 oral comments from 24 individuals. Additionally, the Department received one comment letter submitted by an NGO and signed by 1,956 individuals.

Major areas of comment included: general support and opposition to the rule; support and opposition to the proposed maximum hook size limits; support and opposition to the proposed metal leader size limit; support and opposition to the proposed prohibition on chumming from shore; support and opposition to the proposed rod and reel requirement; support and opposition to the proposed prohibition on the use of artificial lures to take sharks from shore; support for the proposed requirement that sharks not being harvested be kept submerged; support for the proposed requirement that sharks not being harvested be released without undue harm; support for the proposed requirement that prohibited sharks be released immediately; support for the proposed requirement to have immediately available a tackle cutting device; and recommendations for additional and alternative management strategies. The Department merged similar comments and responded to 52 unique comments on the rule making.

Having reviewed the public comments, the Department has made the following revisions to the Express Terms as proposed:

1. Removed the proposed paragraph 40.1(a)(13), which defined 'hook width';
2. Removed the proposed subparagraph 40.1(b)(2)(i), which established maximum hook size limits for shore-based anglers;
3. Removed the proposed paragraph 40.7(c)(9), which prohibited the use of artificial lures to target sharks from shore; and
4. Revised the proposed subparagraph 40.1(b)(2)(ii) to make it unlawful for a shore-based angler to use a baited hook attached to a metal fishing leader that exceeds 18 inches in length.

The Department determined, based on the public comments received, that these revisions are necessary to achieve the intended purpose of this rule: to protect prohibited shark species while minimizing impacts to shore-based anglers targeting legal species.

Detailed responses to public comment are provided in the full Assessment of Public Comment document, available on the DEC website, at <https://dec.ny.gov/regulatory/proposed-emergency-recently-adopted-regulations/marine-resources>.

PROPOSED RULE MAKING HEARING(S) SCHEDULED

Transportation of Radioactive Materials

I.D. No. ENV-16-24-00009-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 381 of Title 6 NYCRR.

Statutory authority: Environmental Conservation Law, sections 1-0101, 3-0301, 27-0301, 27-0303(4), and 27-0305

Subject: Transportation of radioactive materials.

Purpose: Establish regulations consistent with the Nuclear Regulatory Commission regulations adopted in 2012, 2015, 2019, 2020, and 2021.

Public hearing(s) will be held at: 3:00 p.m., June 18, 2024 at Virtual via Webex.

Instructions on how to "join" the hearing webinar and provide an oral statement will be published on the Department's proposed regulations webpage for 6 NYCRR Part 381 by April 17, 2024. The proposed regulations webpage for 6 NYCRR Part 381 may be accessed at: <https://www.dec.ny.gov/regulations/proproregulations.html>.

Persons who wish to receive the instructions by mail or telephone may call the Department at (518) 402-9003. Please provide your first and last name, address, and telephone number and reference the Part 381 public comment hearing.

The Department will provide interpreter services for hearing impaired persons, and language interpreter services for individuals with difficulty understanding or reading English, at no charge upon written request submitted no later than June 5, 2024. The written request must be addressed to ALJ Jennifer Ukeritis, NYS DEC Office of Hearings and Mediation Services, 625 Broadway, 1st Floor, Albany, NY 12233-1550 or emailed to ALJ Jennifer Ukeritis at ohms@dec.ny.gov

Interpreter Service: Interpreter services will be made available to hearing impaired persons, at no charge, upon written request submitted within reasonable time prior to the scheduled public hearing. The written request must be addressed to the agency representative designated in the paragraph below.

Accessibility: All public hearings have been scheduled at places reasonably accessible to persons with a mobility impairment.

Text of proposed rule: Section 381.1 through Section 381.3 remain unchanged.

Subdivision 381.4(a) is amended to read as follows:

(a) Agreement state means any state which has entered into an effective agreement with the U.S. Nuclear Regulatory Commission pursuant to section 274(b) of the Atomic Energy Act of 1954, as amended [. (See) and as incorporated by reference in section 381.18 of this Part.]

Subdivision 381.4(b) through paragraph 381.5(e)(1) remain unchanged.

Paragraph 381.5(e)(2) is amended to read as follows:

(2) the waste to be transported is Class A waste as defined by the U.S. Nuclear Regulatory Commission in 10 CFR 61.55, [(see) as incorporated by reference in section 381.18 of this Part];

Paragraph 381.5(e)(3) remains unchanged.

Paragraph 381.5(e)(4) is amended to read as follows:

(4) the total activity contained in a shipment does not exceed A2/100, where A2 is the activity defined in 49 CFR 173.435, as incorporated by reference in section 381.18 of this Part.

Requests for exemptions should be sent to the New York State Department of Environmental Conservation, Division of [Solid and Hazardous Materials] *Materials Management*, 625 Broadway, Albany, NY 12233-7250. Requests for exemptions will be considered on a case-by-case basis.

Subdivision 381.5(f) through paragraph 381.8(b)(3) remain unchanged.

Paragraph 381.8(b)(4) is amended to read as follows:

(4) Requests for variances should be sent to the New York State Department of Environmental Conservation, Division of [Solid and Hazardous Materials] *Materials Management*, 625 Broadway, Albany, NY 12233-7250. Requests for variances will be considered on a case-by-case basis.

Subdivision 381.8(c) through paragraph 381.10(b)(1) remain unchanged.

Paragraph 381.10(b)(2) is amended to read as follows:

(2) \$1,000,000 for the transport of low-level radioactive wastes in any vehicle which does not exceed 10,000 pounds (4,545 kilograms) maximum gross weight, except that any transporter who carries any "highway route controlled quantity" of low-level radioactive waste as defined by 49 CFR 173.403, as incorporated by reference in section 381.18 of this Part, must have coverage as required pursuant to 49 CFR 387.9, [(see) as incorporated by reference in section 381.18 of this Part].

Subdivision 381.10(c) through subdivision 381.11(c) remain unchanged.

Subdivision 381.11(d) is amended to read as follows:

(d) All low-level radioactive wastes must be properly packaged and contained during transport in accordance with 49 CFR [part 173] 173.401-173.477, [and] 10 CFR [part 71] 71.0-71.137, and Appendix A to 10 CFR Part 71, [(see) as incorporated by reference in section 381.18 of this Part]].

Subdivision 381.10(e) remains unchanged.

Subdivision 381.11(f) is amended to read as follows:

(f) A permittee must conspicuously mark or placard every vehicle, in a manner consistent with section 14-f of the New York State Transportation Law, any rules and regulations promulgated thereunder and any related Federal requirements, related to the transportation of the regulated waste and its principal hazard. Packaging, labeling and placarding of LLRW shipments must be in accordance with the provisions of 10 CFR [Part 71]

71.0-71.137, Appendix A to 10 CFR Part 71, 49 CFR [Part 172] 172.300-172.560 and 49 CFR [Part 173]173.401-173.477, [(see) as incorporated by reference in section 381.18 of this Part]].

Subdivision 381.11(g) through subdivision 381.12(a) remain unchanged.

Subdivision 381.12(b) is repealed and a new subdivision 381.12(b) is adopted to read as follows:

(b) All manifest documents must include all information required in 10 CFR 20.2006, 49 CFR 172.203(d), and Appendix G to 10 CFR Part 20, as incorporated by reference in section 381.18 of this Part.

Subdivision 381.12(c) through paragraph 381.13(b)(4) remain unchanged.

Subdivision 381.13(c) is amended to read as follows:

(c) The manifest must be kept in the transportation vehicle in an easily accessible place when the shipment is in transit. Manifest accessibility shall be in conformance with 49 CFR 177.817(e), [(See) as incorporated by reference in section 381.18 of this Part.]]

Subdivision 381.13(d) through paragraph 381.13(g)(3) remain unchanged.

Subdivision 381.13(h) is amended to read as follows:

(h) The transporter must within 15 business days after relinquishing possession of such low-level radioactive waste to any person authorized or licensed under the laws and regulations of either the Federal government or an agreement state to accept LLRW for treatment, storage, disposal or other services, send a legible copy of such manifest and all continuation sheets to the New York State Department of Environmental Conservation, Division of [Solid and Hazardous Materials] *Materials Management*, 625 Broadway, Albany, NY 12233-7250. In the case of brokers/collectors, or any person acting as a collector, a copy of each manifest and continuation sheets which accompanies incoming LLRW shipments to the broker's/collector's facility must be sent to the department within 15 business days from the date of waste collection. Brokers/collectors acting as transporters in the moving of LLRW from their authorized facility to an authorized facility, must send the department a copy of the accompanying manifest and continuation sheets within 15 business days from the date they relinquish possession of said waste to the authorized facility. The permittee's New York State low-level radioactive waste transport permit number must be written, stamped or printed on each manifest copy sent to the department.

Subdivision 381.13(i) through Section 381.17 remain unchanged.

Section 381.18 is repealed and a new Section 381.18 is adopted to read as follows:

Section 381.18 Materials incorporated by reference.

The following materials have been incorporated by reference in this Part and are on file with the New York State Department of State. These references are available for inspection and copying at the Division of Materials Management in the department's offices, 625 Broadway, Albany, NY 12233-7250.

(a) United States Code

(1) Section 274 of the Atomic Energy Act of 1954, as amended January 4, 1983, P.L. 97-415, section 19(a), 96 Stat. 2079 (42 USC 2021).

(b) Code of Federal Regulations (CFR). Any volume of the CFR can be obtained by writing to the Superintendent of Documents, Attn: New Orders, P.O. Box 371954, Pittsburgh, PA 15250-7954. Copies of CFR sections are also available from GovInfo at <https://www.govinfo.gov/app/collection/cfr> for the date noted in the cited reference. GovInfo is a service of the United States Government Publishing Office (GPO), which is a Federal agency in the legislative branch. Additional information can be accessed about it at: <https://www.govinfo.gov/about>. The following CFR sections and appendices are referenced in this Part:

(1) 49 CFR 172.203(d) (Title 49, Volume 2 Parts 105-185, October 1, 2004) page 348;

(2) 49 CFR 172.300-172.560 (Title 49, Volume 2 Parts 105-185, October 1, 2004) pages 353-400;

(3) 49 CFR 173.401-173.477 (Title 49, Volume 2 Parts 105-185, October 1, 2004) pages 608-654;

(4) 49 CFR 177.817(e) (Title 49, Volume 2 Parts 100-177, October 1, 2021) pages 938-939;

(5) 49 CFR 387.9 (Title 49, Volume 4 Parts 200-399, October 1, 2004) page 1055;

(6) 10 CFR 20.2006 (Title 10, Volume 1 Parts 1-50, January 1, 2005) page 344;

(7) Appendix G to 10 CFR Part 20, (Title 10, Volume 1 Parts 1-50, January 1, 2005) pages 414-418;

(8) 10 CFR section 61.55 (Title 10, Volume 2 Parts 51-199, January 1, 2022) pages 235-236;

(9) 10 CFR 71.0-71.137 (Title 10, Volume 2 Parts 51-199, January 1, 2022) pages 346-384; and

(10) Appendix A to 10 CFR Part 71 (Title 10, Volume 2 Parts 51-199, January 1, 2022) pages 384-401.

Text of proposed rule and any required statements and analyses may be obtained from: Daniel Evans, Department of Environmental Conservation, 625 Broadway, Albany, NY 12233-7256, (518) 402-8652, email: daniel.evans@dec.ny.gov

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

Public comment will be received until: Five days after the last scheduled public hearing.

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

Summary of Regulatory Impact Statement (Full text is posted at the following State website: <https://www.dec.ny.gov/regulations/propregulations.html#public>):

The Department of Environmental Conservation (Department or DEC) is proposing to amend 6 NYCRR Part 381 – Transporters of Low-Level Radioactive Waste to establish regulations consistent with the Nuclear Regulatory Commission (NRC) regulations adopted in 2012, 2015, 2019, 2020, and 2021 that pertain to the transportation of radioactive materials. NRC revised its regulations and DEC is incorporating these revisions into Part 381. This rulemaking would amend Part 381 to update the references to the Code of Federal Regulations (CFR) that contain the revised NRC regulations. The proposed rulemaking also includes minor revisions to the incorporation by reference provisions to be consistent with Department of State (DOS) standards and to update DEC division names referenced in Part 381.

This proposal would amend Part 381 as follows:

- The references to the Division of Solid and Hazardous Materials will be replaced with the Division of Materials Management.

- In sections of Part 381 where federal rules are incorporated by reference, the language "(see section 381.18 of this Part)" will be replaced with "as incorporated by reference in section 381.18 of this Part."

- The incorporation by reference provision, section 381.18, will be amended to be consistent with the DOS requirements and the format of other incorporation by reference sections within Department regulations.

- The incorporation by reference provision, section 381.18, will also be amended to indicate the most recent versions of the federal regulations incorporated by reference. The only changes directly cited by Part 381 are within 10 CFR part 71. Part 381 currently references 10 CFR part 71 dated January 1, 2005. This will be updated to indicate the most recent version of part 71.

- The other federal regulations incorporated by reference will be updated to indicate the most recent version, even though the sections of the federal regulations that were changed are not specifically cited by Part 381.

The changes to the federal regulations incorporated by reference are largely ministerial in nature. The changes consist largely of miscellaneous organizational and technical corrections. There is one change to the federal regulations which adds a notification requirement for shipments of irradiated reactor fuel and certain nuclear wastes for shipments passing within or through federally recognized Indian Nations. These notification requirements are already required for state and local government entities, so this amendment adds Indian Nations to the notification list.

The Department's statutory authority for these proposed regulations is found in ECL 1-0101, ECL 3-0301, ECL 27-0301, ECL 27-0303(4), and ECL 27-0305.

The overall environmental policy of New York State is to protect the State's natural resources and prevent water, land, and air pollution to enhance the health, safety and welfare of the people by ensuring the State can continue to regulate generators and transporters of low-level radioactive waste. This rule will contribute to meeting the goals of this policy and the legislative goals of conserving, improving, and protecting the State's natural resources and environment. The amendments to Part 381 are also required for compatibility with federal regulations as detailed in section 3 below.

The Atomic Energy Act of 1954 (42 U.S.C. sec. 2011 et seq.) (AEA) created the federal program for controlling the use of most radioactive materials and for limiting the public exposure to radiation resulting from that use. In general, the AEA required that those entities wanting to possess, use, store, or transfer radioactive material produced or used in a nuclear reactor must do so in accordance with a license issued by the Atomic Energy Commission (AEC), the predecessor agency of the NRC. In 1960, the AEA was amended to allow states to enter into agreements with the NRC whereby the authority to license most uses of radioactive material are relinquished to these states (see 42 U.S.C. sec. 2021). States that enter into these agreements are referred to as Agreement States.

New York State became an Agreement State on October 15, 1962. The State's Agreement is implemented jointly by the New York State Depart-

ment of Health (NYSDOH), the New York City Department of Health and Mental Hygiene (NYCDHMH), and DEC. Prior to July 2006, the New York State Department of Labor (DOL) was also a part of the State's program, but on July 1, 2006, DOL's Radiological Health Unit was transferred to NYSDOH.

NYSDOH and NYCDHMH issue radioactive materials licenses to parties to authorize the use and possession of radioactive material. DEC regulates the environmental impacts of radioactive materials.

DEC proposes to amend 6 NYCRR Part 381 to update the regulation to incorporate by reference the latest versions of federal rules required for the transport of low-level radioactive waste. It also updates the regulation to reflect organizational changes within DEC and to reflect current language required by DOS for incorporations by reference.

The primary benefit of amending Part 381 is that it will help fulfill New York State's commitments under its agreement with the NRC. The NRC required Agreement States to adopt regulations compatible with 10 CFR part 71. The most recent version of this NRC rule is dated December 30, 2021. If DEC does not amend the regulations, New York State could lose the authority to regulate the use and possession of most radioactive material in New York State. Should this happen, the NRC would again assume regulatory authority over the use and possession of radioactive material in New York State.

An overview of the amendments to Part 381 are as follows:

- The references to the Division of Solid and Hazardous Materials will be replaced with the Division of Materials Management.
- In sections of Part 381 where federal rules are incorporated by reference, the language "(see section 381.18 of this Part)" will be replaced with "as incorporated by reference in section 381.18 of this Part."
- The incorporation by reference provision, section 381.18, will be amended to indicate the most recent versions of Federal Regulations incorporated by reference. The only changes directly cited by Part 381 are within 10 CFR part 71. Part 381 currently references 10 CFR part 71 dated January 1, 2005. This will be updated to indicate the most recent version of the part dated December 30, 2021.

• The other federal rules incorporated by reference will be updated to indicate the most recent version of the rule, even though the sections of the federal rules that were changed are not specifically cited by Part 381.

The following is a list of Final Rules of Title 10 of the Code of Federal Regulations (10 CFR) which are proposed to be incorporated by reference into Part 381.

- Advance Notification to Native American Tribes of Transportation of Certain Types of Nuclear Waste, 77 FR 34194, June 11, 2012
- Technical Corrections, 77 FR 39899, July 6, 2012
- Miscellaneous Corrections and Organizational Changes, 83 FR 58721, November 21, 2018
- Miscellaneous Corrections, 83 FR 30285, June 28, 2018
- Organizational Changes and Conforming Amendments, 84 FR 65639 November 29, 2019, and 84 FR 66561, December 5, 2019
- Miscellaneous Corrections, 85 FR 65656, October 16, 2020
- Miscellaneous Corrections, 86 FR 67839, November 30, 2021

No incremental costs to the regulated community or local governments are anticipated because of this rulemaking. The updates to the federal regulations incorporated by reference are largely administrative changes and corrections of typographical errors. The requirement to provide advance notification to Indian Nations regarding transportation of certain types of nuclear waste has existed in federal rules since 2012 and is not expected to add significant costs to licensees with the potential to generate the types of wastes subject to that section of the rule. The quantities of radioactive materials subject to this rule are a small subset of all radioactive materials transported under Part 381. Those few transporters of low-level radioactive waste that exceed the notification threshold are already required to notify government entities. This action simply adds the requirement to notify Indian Nation officials prior to transport through nation lands. This additional notification requirement will result in an insignificant increase in cost to Part 381 permittees.

Once this rule is amended, the additional costs to DEC will be minimal. No additional costs to other state agencies or local governments are anticipated under the proposed amendments contained in this regulation.

There are no mandates placed upon local governments because of this proposed rulemaking. The proposed revision does not place any requirements directly on local governments unless local governments are responsible for the transport of low-level radioactive waste. In that case, the cost to the local government would be the same as that to other regulated parties, also expected to be minimal.

Additional paperwork requirements under the proposed amendments to Part 381 are not expected to require significant changes. Most of the amendments will have no impact. The additional requirement to notify Indian Nations of transport of certain wastes through their jurisdiction will not represent significant additional paperwork, since these notifications are already required for state and local government entities.

As was described in Section 1.1, the New York State Agreement State program is divided among three agencies (NYSDOH, NYCDHMH, and DEC). The two agencies other than DEC have the authority to license the possession and use of radioactive materials. It is only when that material is disposed of or released to the environment that it comes under the jurisdiction of DEC. Thus, there is no overlap between the regulatory programs of the licensing agencies and that of DEC.

Since this proposed rule utilizes incorporation by reference of applicable federal regulations, it ensures that State regulations are compatible and consistent with the federal regulations.

The no-action alternative is not consistent with New York State's Agreement with the NRC. As an Agreement State, New York has committed to implementing a radiation control program that is compatible with that of the NRC. If DEC does not adopt compatible regulations, the NRC can suspend the Agreement with New York State and assert its own regulatory authority. Were that to take place, all NRC regulations would then be in effect in the State, including the regulations which govern transport of low-level radioactive waste.

This rule will allow New York State regulations to be consistent with NRC regulations. These regulations will become effective 30 days after filing with the Department of State.

Regulatory Flexibility Analysis

1. EFFECT OF RULE

The proposed rule would apply statewide in all 62 counties of New York State (State). There are forty-four (44) businesses which possess transporter permits issued under Part 381. The Department estimates that less than twenty (20) of those businesses may meet the definition of small business. For the purposes of this regulatory flexibility analysis, "small business" means any business resident in this State, independently owned, and operated, that employs one hundred or fewer employees. No local governments currently possess transporter permits issued under Part 381.

2. COMPLIANCE REQUIREMENTS

There are no application forms associated with this proposed rule. This action amends the existing rule by updating the federal rules incorporated by reference. Regulated parties will be required to follow referenced federal requirements under 10 CFR Part 71. Changes which result from this amendment will require insignificant changes to existing requirements for notifications to local and state governments by adding a notification requirement for transport through federally recognized Indian Nations.

3. PROFESSIONAL SERVICES

Regulated parties subject to this rule are not expected to be required to obtain professional services to comply with the amended regulation.

4. COMPLIANCE COSTS

No incremental costs to the regulated community or local governments are anticipated because of this rulemaking. The update to the federal regulations incorporated by reference is largely administrative changes and corrections of typographical errors. The requirement to provide advance notification to federally recognized Indian Nations regarding transportation of certain types of nuclear waste has existed in federal rules since 2012 and is not expected to add significant costs to licensees with the potential to generate the types of wastes subject to that section of the rule. The quantities of radioactive materials subject to this rule are a small subset of all radioactive materials transported under Part 381. Those few licensees that exceed the notification threshold are already required to notify local and state government entities. This action simply adds the requirement to notify nation or tribe officials prior to transport through federally recognized Indian Nation lands. This additional notification requirement will result in an insignificant increase in cost to the licensee.

5. ECONOMIC AND TECHNOLOGICAL FEASIBILITY

Implementation of these regulations will be economically and technologically feasible for small businesses and local governments. Most of the changes to federal regulations incorporated by reference are administrative in nature. The addition of the notification requirement for transport of certain low-level radioactive wastes across federally recognized Indian Nation lands does not present any adverse economic or technological feasibility concerns.

6. MINIMIZING ADVERSE IMPACT

These regulations are not expected to generate any adverse impact to any of the regulated parties they apply to. There will be little or no increase in costs for those parties responsible for remediation and required paperwork preparation will be minimal.

7. SMALL BUSINESS AND LOCAL GOVERNMENT PARTICIPATION

As an effort of preliminary public outreach, on October 19, 2022, the Department conducted a virtual public stakeholder information session regarding the amendments being considered. Public comment was solicited to obtain input prior to the development of the express terms.

Once Part 381 has been proposed for public comment, the Department plans to hold public meetings to provide information about the proposed rulemaking and address questions and concerns. Subsequently, required

public hearings will be held prior to the end of the public comment period. Information about the rule making will also be posted on the Department’s website and in the Environmental Notice Bulletin, which is published weekly on Wednesdays.

8. CURE PERIOD OR OTHER OPPORTUNITY FOR AMELIORATIVE ACTION

No cure period or other opportunity for ameliorative action is needed since the rule making does not impose any penalties on the regulated community.

9. INITIAL REVIEW OF THE RULE

The Department would conduct an initial review of the rule within three years as required by SAPA § 207 as amended by Chapter 462 of the Laws of 2012.

Rural Area Flexibility Analysis

1. TYPES AND ESTIMATED NUMBERS OF RURAL AREAS

For purposes of this Rural Area Flexibility Analysis (RAFA), “rural area” means those portions of New York State (State) so defined by Executive Law section 481(7) pursuant to SAPA section 102(10). Under Executive Law section 481(7), rural areas are defined as “counties within the state having less than two hundred thousand population, and the municipalities, individuals, institutions, communities, programs and such other entities or resources as are found therein.” In counties of two hundred thousand or greater population, ‘rural areas’ means towns with population densities of one hundred fifty persons or less per square mile, and the villages, individuals, institutions, communities, programs and such other entities or resources as are found therein.” There are 44 counties in State that have populations of less than 200,000 people and 71 towns in non-rural counties where the population densities are less than 150 people per square mile. This rule would apply statewide, including all rural areas of the State.

2. REPORTING, RECORDKEEPING, OTHER COMPLIANCE REQUIREMENTS; AND PROFESSIONAL SERVICES

The Department of Environmental Conservation (Department) is proposing to amend 6 NYCRR Part 381 – Transporters of Low-Level Radioactive Waste – to establish regulations consistent with the Nuclear Regulatory Commission (NRC) regulations adopted in 2012, 2015, 2019, 2020, and 2021 that pertain to the transportation of radioactive materials. Revisions were made to portions of the NRC regulations which are incorporated by reference into Part 381. This proposed rulemaking would amend Part 381 to update the references to the portions of the Code of Federal Regulations that contain the NRC regulations, to the most recent versions. It also includes minor revisions to the incorporation by reference verbiage to be consistent with Department of State and updates division names referenced in Part 381.

The changes to the federal regulations incorporated by reference are largely ministerial in nature. The changes consist largely of miscellaneous organizational and technical corrections. There is one change to the federal regulations which adds a notification requirement for shipments of irradiated reactor fuel and certain nuclear wastes for shipments passing within or through federally recognized Indian Nations. These notification requirements are already required for state and local government entities, so this amendment simply adds federally recognized Indian Nations to the notification list. Therefore, this amendment does not create any significant new reporting, record keeping or compliance requirement nor does it require the regulated entity to obtain any additional professional services.

3. COSTS

No incremental costs to the regulated community or local governments are anticipated because of this rulemaking. The update to the federal regulations incorporated by reference is largely administrative changes and corrections of typographical errors. The requirement to provide advance notification to federally recognized Indian Nations regarding transportation of certain types of nuclear waste has existed in federal rules since 2012 and is not expected to add significant costs to licensees with the potential to generate the types of wastes subject to that section of the rule. The quantities of radioactive materials subject to this rule are a small subset of all radioactive materials transported under Part 381. Those few permittees that exceed the notification threshold are already required to notify government entities. This action simply adds the requirement to notify federally recognized Indian Nation officials prior to transport through Indian Nation lands. This additional notification requirement will result in an insignificant increase in cost to the licensee.

4. MINIMIZING ADVERSE IMPACT

These regulations are not expected to generate any adverse impact to any of the regulated parties they may apply to. As stated previously, there will be little or no increase in costs for those parties responsible for remediation and required paperwork preparation will be minimal.

5. RURAL AREA PARTICIPATION

As an effort of preliminary public outreach, on October 19, 2022, the Department conducted a virtual public stakeholder information session regarding the amendments being considered. Public comment was solicited to obtain input prior to the development of the express terms.

Once Part 381 has been proposed for public comment, the Department plans to hold public meetings to provide information about the proposed rulemaking and address questions and concerns. Subsequently, required public hearings will be held prior to the end of the public comment period. Information about the rule making will also be posted on the Department’s website and in the Environmental Notice Bulletin, which is published weekly on Wednesdays.

6. INITIAL REVIEW OF THE RULE

The Department would conduct an initial review of the rule within three years as required by SAPA § 207 as amended by Chapter 462 of the Laws of 2012.

Job Impact Statement

In accordance with Section 201-a(2)(a) of the State Administrative Procedures Act (SAPA), a Job Impact Statement has not been prepared for this rule as it is not expected to create a substantial adverse impact on jobs and employment opportunities in New York State.

Part 381 establishes transport permit standards for transporters of low-level radioactive waste (LLRW) and standards for generators and transporters relating to the use of the LLRW manifest system and its recordkeeping requirements. A LLRW manifest document and the New York State LLRW transport permit must accompany all shipments of LLRW while in transit into, through or within New York State unless specifically exempted under Part 381. The manifest document serves as a multipurpose instrument to be used for tracking, auditing, and enforcement. This rulemaking updates the citations of federal regulations incorporated by reference to reflect the most current versions applicable to Part 381. This rulemaking also includes minor revisions to incorporation by reference verbiage to be consistent with Department of State requirements and to update division names referenced in the regulation. The parties affected by the amendments are transporters of LLRW as well as facilities which generate LLRW.

This rule is not expected to cause the loss of jobs at any affected party. The update to the federal regulations incorporated by reference is largely administrative changes and corrections of typographical errors. The requirement to provide advance notification to Indian Nations regarding transportation of certain types of nuclear waste has existed in federal rules since 2012 and is not expected to add significant costs to licensees with the potential to generate the types of wastes subject to that section of the rule. The quantities of radioactive materials subject to this rule are a small subset of all radioactive materials transported under Part 381. Those few licensees that exceed the notification threshold are already required to notify government entities. This action simply adds the requirement to notify Indian Nation officials prior to transport through Indian Nation land. This additional notification requirement will result in an insignificant increase in costs to the licensee. Since these changes are not expected to result in any increased costs to the affected businesses, it is not anticipated that this action will result in any job impacts.

Department of Health

NOTICE OF ADOPTION

Newborn Hearing Screening

I.D. No. HLT-12-23-00013-A

Filing No. 269

Filing Date: 2024-04-02

Effective Date: 2024-04-17

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

Action taken: Amendment of Subpart 69-8 of Title 10 NYCRR.

Statutory authority: Public Health Law, section 2500-g

Subject: Newborn Hearing Screening.

Purpose: To improve follow-up after newborn hearing screening and articulate reporting requirements.

Text or summary was published in the March 22, 2023 issue of the Register, I.D. No. HLT-12-23-00013-P.

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

Revised rule making(s) were previously published in the State Register on December 20, 2023.

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

Initial Review of Rule

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

Assessment of Public Comment

Public comments were received from seven (7) stakeholders including but not limited to birth facilities (5), one non-facility provider of newborn hearing screening services, and one company that furnish newborn hearing screening services. These comments and the Department's responses are summarized below.

COMMENT: One commenter expressed concern about using otoacoustic emissions (OAE) as the initial screen in the two-tier screening protocol in the well-born nursery. The commenter stated that if the newborn passes the OAE screen, they would not have an automated auditory brainstem response (AABR) screen and therefore miss an entire subset of hearing loss known as Auditory Neuropathy Dys-Synchrony Syndrome.

RESPONSE: The Joint Committee on Infant Hearing (JCIH) 2019 Position Statement (page 8) indicates that "Although it is not the goal of universal newborn hearing screening to identify all infants who are deaf or hard of hearing (e.g., infants with auditory neuropathy will be missed when screened by OAE; infants with minimal-mild hearing thresholds will be missed when either technology is used), the importance of acknowledging, and estimating the occurrence of false-negative outcomes must continue to receive attention."¹ No changes were made to the regulation as a result of this comment.

COMMENT: One commentator suggested repeating the OAE more than once prior to discharge, eliminating the need to complete the AABR. The commenter noted that this method is less time consuming and that it's cheaper to rescreen using the OAE at a different session rather than performing an AABR immediately after the failed OAE.

RESPONSE: One goal of the current amendments to the statewide newborn hearing screening regulations is to reduce loss to follow up/loss to documentation for those infants who fail inpatient newborn hearing screening. A two-tier protocol consisting of initial OAE or AABR screening followed by AABR for infants who fail the initial screening can decrease the fail rate at hospital discharge, thereby reducing the need for outpatient follow up, according to the Joint Committee on Infant Hearing (JCIH) 2019 Position Statement.² No changes to the regulation were made as a result of these comments.

COMMENT: One commentator indicated support of the Department authorizing the option of utilizing either automated AABR or OAE as the initial screening, and automated AABR for the secondary screening in the proposed two-tier system.

RESPONSE: The Department appreciates and acknowledges the commenter's support.

COMMENT: On commenter asked if sequential AABR screens are required or one AABR is acceptable for screening in the NICU. The commenter asked if an infant does not pass the first AABR screen, what is the time interval between screening sessions for the second rescreening before discharge. The commenter further stated that most babies are tested close to their discharge date.

RESPONSE: Birth facilities will be required to implement a two-tiered screening protocol for infants who have received NICU care, as they must be screened using AABR equipment for the initial hearing screening and for any secondary screening. The JCIH 2019 Position Statement (page 5) states that the JCIH continues to recommend AABR screening and rescreening protocols in the NICU to allow for detection of auditory neuropathy. Birth facilities retain the option to conduct repeat AABR screening for infants who have received NICU care. The JCIH 2019 Position Statement (page 8) recommends providing a single repeat screen prior to discharge, as close to discharge as practicable, if the infant does not pass the first hearing screen, and notes that the second screen, if required, should not be performed immediately following the first screen, but should occur at least several hours later.³ The proposed amendments are intended to ensure a consistent, reliable approach in the EHDI Program across the State and facilitate early identification of infants suspected of hearing loss. No changes to the regulation were made as a result of these comments.

COMMENT: A commenter asserted that if inpatient initial screening is not passed in only one ear, only that ear should be rescreened to save time and money.

RESPONSE: If a baby fails a screening in one ear, the rescreening must still be done on both ears. The JCIH 2019 Position Statement indicates that "a pass outcome implies that the infant passes both ears simultaneously (in the same screening session). Specifically, an infant who does not pass both ears in the same screening session, even if each ear has separately passed a screening, does not constitute a pass outcome" (page 7)³. The JCIH 2019 Position Statement further notes that outpatient rescreening should always include the testing of both ears, even if only one ear did not pass the inpatient screening (page 10). No changes to the regulation were made as a result of this comment.

COMMENT: Two commenters inquired if their birthing facility is able to perform the repeat bilateral AABR outpatient re-screening for newborns discharged from the well-born nursery who did not pass the two-tiered screening. The commenters stated that if the newborn does not pass the AABR rescreening, the facility would refer the infant for diagnostic audiological evaluation.

RESPONSE: The recommended modification is incorporated in section 69-8.2(b)(4) of the proposed regulation. "The conduct of follow-up infant hearing screening or provisions of referrals to obtain follow-up screening on an outpatient basis for those infants who fail or do not receive infant hearing screening prior to discharge from the facility. On an annual basis, facilities shall notify the department whether the facility will conduct follow-up hearing screening or provide referrals for infants to obtain such screening from another facility or provider licensed under State Education Law and authorized to provide infant hearing screening."

The JCIH 2019 Position Statement (page 8), JCIH has renewed the recommendation that only one high-quality outpatient rescreening be performed prior to referral to a pediatric audiologist for the child who needs follow-up testing after the outpatient rescreen. A high-quality screen implies that the infant is sleeping or resting quietly without movement throughout the screening period, and that patency of the ear canal is assured to the extent possible prior to initiating the screen. The JCIH 2019 Position statement (page 10), rescreening should comprise of a single valid rescreen of both ears in the same session.⁴ No changes to the regulation are necessary as a result of these comments.

COMMENT: Clarification was requested on the rescreening method. One commentator noted that previously, outpatient rescreening was performed using the same screening method as performed in the in-patient setting. The commenter noted that rescreening with AABR as an outpatient would only occur if the newborn was in the NICU.

RESPONSE: The two-tier hearing screening protocol for inpatient screening in the well-born nursery includes a secondary newborn hearing screening using AABR for infants who fail the initial newborn hearing screening. If the newborn from the well-born nursery does not pass the two-tiered screening, they will be referred for outpatient rescreening or diagnostic evaluation. Infants from the well-born nursery who did not pass the in-patient hearing should have had an AABR screen. No changes were made to the regulation as a result of this comment.

COMMENT: One commentator explained to out-patient providers that when they perform in-office follow-up OAE hearing screening, they also need to conduct an AABR to rule out auditory neuropathy.

RESPONSE: Infants who received care in the NICU who do not pass the inpatient AABR screening shall be referred to a provider licensed under State Education Law and authorized to provide infant hearing screening and diagnostic audiological evaluations for rescreening, and if indicated, given a comprehensive audiological evaluation including diagnostic AABR. Infants from the well-born nursery who did not pass the inpatient hearing screening shall receive a referral for follow-up infant hearing screening or diagnostic audiological evaluation. The JCIH 2019 Position Statement (page 2), endorses, for well-born infants only, who are screened by automated auditory brainstem response (AABR) and do not pass, that rescreening and passing by otoacoustic emissions (OAE) testing is acceptable, given the very low incidence of auditory neuropathy in this population. No changes to the regulation are necessary as a result of this comment.

COMMENT: One commentator supported the requirement for follow-up screens to be conducted by professionals licensed to do so.

RESPONSE: The Department appreciates and acknowledges the commenter's support.

COMMENT: One commentator noted they do not consistently receive follow-up results from the local pediatricians who perform in-office follow-up OAEs. The commenter stated they request the pediatrician offices to enter the screen results into the Health Commerce System; however, the pediatricians respond that they do not do that.

RESPONSE: Pursuant to new section 69-8.7(a) of the regulations, anyone who performs an infant hearing screening and/or diagnostic audiological evaluation upon a child under six months of age must report the results of such screening or evaluation to the Department through the Early Hearing Detection and Intervention-Information System (EHDI-IS) or any successor system as directed by the department. No changes to the regulation are necessary as a result of this comment.

COMMENT: A commenter asked, for babies who receive outpatient audiology follow up at outside facilities (not their birth hospital), who have a refer rescreening test result or an abnormal diagnostic evaluation but do not return for a follow up appointment, does the outside facility or the birth hospital issue the referral to the Early Intervention Program? The commenter felt the outside facility would have that responsibility because they are the baby's audiologist.

RESPONSE: Section 69-8.4(g)(7) of the regulations relates to infants with failed inpatient screenings and changes the time frame from 75 days

post-discharge to 60 days post-discharge for a birth facility, or provider under contract with the facility, to make a referral to the Early Intervention Program in the child's county of residence if they have not been successful in contacting the family to schedule a follow-up screening, unless the parent objected to the referral at the time of the inpatient hearing screening. The parent's objection to a follow-up hearing screening must be entered into the EHDI-IS or successor system. No changes to the regulation were made as a result of this comment.

COMMENT: One commentator suggested that the Department postpone running reports of "missing" screens by one month because most missing hearing screens are babies in the NICU or who have not been entered into the Health Commerce System. This would save staff time looking up each baby to learn they were tested after the report was run. Reports of "missing screens" also include those that were entered as refused or transferred to another facility.

RESPONSE: No changes were made to the regulation as a result of these comments; however, the Department will take the comments under advisement.

¹ Joint Committee on Infant Hearing (2019). Year 2019 position statement: Principles and guidelines for Early Hearing Detection and Intervention Programs. *Journal of Early Hearing Detection and Intervention*, 4(2): 1-44.

² Joint Committee on Infant Hearing (2019). Year 2019 position statement: Principles and guidelines for Early Hearing Detection and Intervention Programs. *Journal of Early Hearing Detection and Intervention*, 4(2): 1-44.

³ Joint Committee on Infant Hearing (2019). Year 2019 position statement: Principles and guidelines for Early Hearing Detection and Intervention Programs. *Journal of Early Hearing Detection and Intervention*, 4(2): 1-44.

⁴ Joint Committee on Infant Hearing (2019). Year 2019 position statement: Principles and guidelines for Early Hearing Detection and Intervention Programs. *Journal of Early Hearing Detection and Intervention*, 4(2): 1-44.

NOTICE OF ADOPTION

Assisted Living Residences

I.D. No. HLT-14-23-00009-A

Filing No. 265

Filing Date: 2024-03-28

Effective Date: 2024-04-17

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

Action taken: Amendment of Part 1001 of Title 10 NYCRR.

Statutory authority: Public Health Law, section 4662

Subject: Assisted Living Residences.

Purpose: To update admission, operator authority, personnel, environmental standards and resident protections for assisted living residences.

Substance of final rule: Subdivision (i) of Section 1001.4 is amended to remove the requirement that an operator shall not, without the prior written approval of the Department, convey title to, or enter into a lease or other use agreement, or amend an existing lease or use agreement, with respect to the real property on which the residence is located.

Subdivision (g) of Section 1001.7 is amended to add paragraphs (1) through (3) to read as follows:

(1) Assisted living residences shall keep and maintain accurate records identifying veterans and their spouses residing within such facilities. Such information shall be solicited by asking prospective and current residents the question "Have you or your spouse ever served in the United States military?" Admission forms and resident files must include the answer to this question.

(2) Every assisted living residence licensed by the department shall in writing advise all individuals identifying themselves as veterans or spouses of veterans that benefit assistance to veterans and their spouses is available through the Department of Veterans' Services and local veterans' service agencies; and provide the name, address, and telephone number of the New York State Department of Veterans' Services, the nearest Department of Veterans' Services office, the nearest county or city veterans' service agency, and the nearest accredited veterans' service officer.

(3) With the permission of the individuals identifying as veterans or spouses of veterans, the assisted living residence shall transmit veteran status information to the Department of Veterans' Services.

Subparagraph (xvi) of paragraph (2) of subdivision (b) of Section 1001.8 is amended to make clear that every resident shall have the right to written notice of any fee increase not less than forty-five days prior to the proposed effective date of the fee increase, provided however, providing additional services to a resident shall not be considered a fee increase.

Subdivision (j) of Section 1001.11 is amended to remove the specified minimum nursing coverage requirements.

Subdivisions (k), (l), (m), (n), and (p) of Section 1001.11 are repealed.

Section 1001.13 is repealed and replaced by a new section 1001.13, which contains updated structural and environmental standards.

Final rule as compared with last published rule: Nonsubstantial changes were made in sections 1001.7(g)(2), 1001.11(j), 1001.13(b)(5), (e) and (g)(3).

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

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

Changes made to the last published rule do not necessitate revision to the previously published Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement.

Initial Review of Rule

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

Assessment of Public Comment

COMMENT: A commenter requested that the word "accurate" be removed in the phrase "Assisted living residences shall keep and maintain accurate records identifying veterans..." The commenter also requested removing the requirement that records be included in resident files.

RESPONSE: The regulation reflects the requirements in Public Health Law § 2805 o. No changes have been made to the regulation in response to this comment.

COMMENT: A commenter believed that the proposed 10 NYCRR § 1001.7(g)(2) should simply make reference to every assisted living residence licensed by the Department, not every assisted living residence licensed "and certified" by the Department, as such term was confusing and unnecessary.

RESPONSE: The Department agrees with this comment. The words "and certified" have been removed from section 1001.7(g)(2).

COMMENT: A commenter requested that the regulation in sections 1001.7(g)(2) and (3) refer to "prospective residents" identifying themselves as veterans, not "all individuals" identifying themselves as veterans.

RESPONSE: As indicated in Public Health Law § 2805-o, adult care facilities are required to inquire about the veteran status of current and newly admitted residents and their spouses and advise in writing all individuals identifying themselves as veterans or spouses of the availability of veterans' services through the Department of Veterans' Services and local veterans' service agencies and transmit confirmed information to the New York State Department of Veterans' Services. No changes have been made to the regulation in response to this comment.

COMMENT: A commenter proposed that additional language be added to section 1001.8(b)(2)(xvi) to allow for a fee increase to be made with less than 45 days' notice if there is written consensus between the resident representative or legal representative and the Operator to a specific rate change through an amended residency agreement.

RESPONSE: No changes were made as a result of this comment.

COMMENT: Multiple commenters stated that Special Needs Assisted Living Residences should not and cannot be expected to hire nurses to deliver nursing services to residents as a result of a 2010 lawsuit brought by the industry against the Department and accordingly, the proposed amendment to section 1001.11(j) should omit reference to Special Needs Assisted Living Residences and read "An enhanced assisted living residence may employ or contract for appropriately trained personnel with professional licenses and registrations, as applicable, to provide health care services directly."

RESPONSE: As more than 30 Special Needs Assisted Living Residences have opened in the past two calendar years, and there are approximately 75 new such certifications under consideration, the Department disagrees that Special Needs Assisted Living Residences should be excluded from the requirement to provide or arrange for nursing staff sufficient to meet the health care needs of its residents. However, the regulations have been amended to make clear that the requirement in section 1001.11(j) only applies to special needs assisted living residences with enhanced assisted living residence certification.

COMMENT: A commenter stated that the proposed organization of this section is confusing especially as many referenced standards are applicable to both new and existing structures.

RESPONSE: As the proposed regulations identify the various stages of a facility for purposes of applicability, no changes were made as a result of this comment.

COMMENT: It is recommended that the Department adopt January 1, 2024, as the date when referencing and defining “existing structures.”

RESPONSE: As the proposed regulations identify the various stages of a facility for purposes of the definition’s applicability, no changes were made as a result of this comment.

COMMENT: A commenter encouraged the Department to solicit specific input from architects, engineers, and fire safety professionals about the proposed modifications in section 1001.13 to ensure the proposed modifications reflect current standards and practices.

RESPONSE: No changes were made as a result of this comment.

COMMENT: A commenter suggested that the Department implement an ad hoc evaluation process that not only considers the safety of residents but also the provider’s costs and time associated with compliance.

RESPONSE: No changes were made as a result of this comment.

COMMENT: A commenter suggested amending section 1001.13(b)(6)(ii)(a) to strike the word “constant” because one might infer that “constant supervision provided by staff” requires one-on-one supervision.

RESPONSE: To support variability in individual resident capabilities, the term “constant” has been replaced with “appropriate.”

COMMENT: A commenter suggested that existing Special Needs Assisted Living Residences not be retroactively required to comply with requirements for evening visibility through direct down-lighting fixtures as listed in section 1001.13(b)(6)(ii)(c).

RESPONSE: No changes were made as a result of this comment.

COMMENT: A commenter requested that the word “you” be replaced with “the applicant” in section 1001.13(e), requiring the applicant to provide the Department with proof of variance from specific code requirements granted by the New York State Department of State, Division of Building Standards and Codes.

RESPONSE: The Department agrees with the commenter and the final regulation will reflect the replacement.

COMMENT: A commenter suggested that in mixed-use buildings, where residents of both the independent living and licensed building sections have access to the same common areas, only those common areas, and not the entire building, meet the requirements of the regulation.

RESPONSE: Mixed-use buildings are subject to specific requirements as indicated in section 1001.13(f). No changes were made as a result of this comment.

COMMENT: A commenter suggested the entire section 1001.13 be reordered.

RESPONSE: No changes were made as a result of this comment.

COMMENT: A commenter stated that New York City Building Code does not sub-classify I-1 occupants into groups 1 and 2 as in the New York State Building Code and encourages the Department to clarify the apparent discrepancy through the amended regulations.

RESPONSE: For permitting, the New York City Building Code requires that these buildings be classified as I-2 Occupancy Group. This conflicts with the Department’s licensure and some fire separation requirements. The additional requirements are requested and provided during the Department’s Architectural Review Unit. No changes were made as a result of this comment.

COMMENT: A commenter indicated that within New York City, compliance with the 2022 New York City Building Code is expected and recommended the proposed regulation be updated to reflect this expectation.

RESPONSE: Reference to the New York City Building Code has been updated to reflect the 2022 version.

COMMENT: A commenter suggested that section 1001.13(c)(3) be revised to read “Group I-2 Condition 1 shall be allowed provided the corridor is restricted to less than eight feet and the resident doors to less than 44.”

RESPONSE: As this New York City Department of Buildings Occupancy Group classification issue is satisfactorily addressed through the Department’s Architecture Review Unit, no changes were made as a result of this comment.

COMMENT: A commenter suggested that section 1001.13(c)(5) be modified to add a provision stating: “When using the I-2 Condition 1 use group category, the smoke barrier shall be placed at 200 feet from the farthest point within a room or program space and provided with a 20-minute door in accordance with 407.5. No compartment shall exceed 22,500 square feet.”

RESPONSE: Since the New York State requirement is stricter than that of New York City Department of Buildings, and the stricter requirement supersedes all others, no changes were made as a result of this comment.

COMMENT: A commenter encouraged the Department to add a provision to section 1001.13(g) specifying that demonstrated compliance with codes that were applicable at the time of licensure satisfies the requirement.

RESPONSE: No changes were made as a result of this comment.

COMMENT: A commenter stated that the term “twenty-four hour attended central station” at section 1001.13(b)(4)(iii) is confusing and requested that the Department define this term.

RESPONSE: Fire alarm systems are required by the Fire Code of NYS 907.6.6 to be monitored by an approved supervising station in accordance with NFPA 72. A 24-hour attended central station is a facility that receives signals from alarm systems and is staffed at all times with personnel who can respond to such signals. No changes were made as a result of this comment.

COMMENT: A commenter stated that the reference to “appropriate hardware” in section 1001.13(b)(5) related to smoke-tight doors is too subjective.

RESPONSE: The Department has amended the language to read: “...hardware appropriate for the fire resistance rating and function of the door for the purpose location within the facility...”

COMMENT: A commenter stated that there are inconsistent references to the National Fire Protection Agency standards that require clarity.

RESPONSE: Each facility’s design professional is responsible to use all the codes that are applicable to the design of the building. National Fire Protection Association (NFPA) Codes and Standards are incorporated by reference in New York State and New York City Building Codes. While utilizing New York State and New York City Building Codes, the design professional must apply the NFPA Code references for proper and complete design of the building systems. No changes were made as a result of this comment.

Office of Mental Health

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Clarify Reimbursement Methodologies

I.D. No. OMH-16-24-00001-P

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

Proposed Action: Amendment of Part 588 of Title 14 NYCRR.

Statutory authority: Mental Hygiene Law, sections 7.15 and 43.02

Subject: Clarify reimbursement methodologies.

Purpose: To provide for reimbursement methodologies which comply with parity laws.

Text of proposed rule: Section 1. Paragraphs (2) and (3) of subdivision (a) of section 588.9 of Title 14 NYCRR are hereby REPEALED, paragraphs (4) and (5) are renumbered as paragraphs (2) and (3) and paragraph (1) is amended to read as follows:

(a) Partial hospitalization visits shall be reimbursed on the basis of duration of hours provided as follows:

(1) Reimbursement shall be provided *on an hourly basis* for visits of at least four hours in duration and not more than seven hours per recipient per day.

Section 2. Subdivision (f) of section 588.12 of Title 14 of the NYCRR is amended to read as follows:

(f) Notwithstanding the provisions of this section, if a provider of service seeks reimbursement in excess of the limits imposed in sections [588.9(a)(2) and (3),] 588.10(a)(2) and (3) and 588.13(a)(3)(i), (ii) and (iii) of this Part, the provider shall be presumed to have knowingly and intentionally violated the provisions of this Part, whereupon the Office of Mental Health shall notify the Department of Social Services in order that the Department of Social Services may exercise its authority to recover such overpayments as may have occurred.

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 43.02 of the Mental Hygiene Law grants the Commissioner of Mental Health the authority to certify fees or rates of payment made by government agencies pursuant to title 11 of article 5 of the Social Services Law for services provided by any facility licensed by

the Office of Mental Health. Section 7.15 of the Mental Hygiene Law grants the Commissioner of Mental Health the authority to plan, promote, establish, develop, coordinate, evaluate, and conduct programs and services of prevention, diagnosis, examination, care, treatment, rehabilitation, training, and research for the benefit of persons with mental illness. Such section further authorizes the Commissioner to take all actions that are necessary, desirable, or proper to implement these programs and services within the amounts made available therefor by appropriation, grant, gift, devise, bequest, or allocation from the Mental Health Services Fund established under section 97-f of the State Finance Law.

2. Legislative Objectives: OMH wishes to advance these amendments to establish reimbursement methodologies to ensure that treatment provided to recipients is of high quality and efficacy and that the personal and civil rights of persons are adequately protected. This rule is necessary to ensure that mental health services are not subject to limitations which exceed comparable limitations on medical or surgical services, as required by federal and State Mental Health Parity laws.

3. Needs and Benefits: This rule making amends Title 14 NYCRR, specifically section 588.9 - Standards pertaining to reimbursement for partial hospitalization programs. The purpose of the proposal is to remove a quantitative limitation on Medicaid payment for Partial Hospitalization Services that exceed 180 hours per course of treatment per recipient or 360 hours per calendar year per recipient. This rule is necessary to ensure that mental health services are not subject to limitations which exceed comparable limitations on medical or surgical services, as required by federal and State Mental Health Parity laws. To wit, the Federal Mental Health Parity and Addiction Equity Act (MHPAEA) states that a plan may not impose any treatment limitation to mental health or substance use disorder benefits in any classification that is more restrictive than the predominant treatment limitation of that type applied to substantially all medical or surgical benefits in the same classification. MHPAEA is incorporated into State law in its entirety. A quantitative treatment limitation is a benefit limit that can be expressed numerically, including a specific number of visits or hours of services that cannot be exceeded pursuant to the policy.

4. Costs:

(a) Cost to State government: There are no new costs to State government as a result of these amendments.

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

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

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

6. Paperwork: There is no additional paperwork as a result of these amendments.

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

8. Alternatives: OMH wishes to advance these amendments to establish reimbursement methodologies to ensure that treatment provided to recipients is of high quality and efficacy and that the personal and civil rights of persons are adequately protected and to comply with Centers for Medicare and Medicaid Services (CMS) requirements. The rule is that a plan cannot impose a quantitative treatment limitation to a mental health or substance use disorder benefits. Federal law required the assessment of Medicaid Managed Care benefits for parity compliance in 2017, it was determined that there were quantitative treatment limitations for certain mental health and substance use disorder services that had to be removed for parity compliance.

9. Federal Standards. These amendments are aligned with federal standards.

10. Compliance Schedule: The amendments would be effective upon publication of the 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 amendment does not impose an adverse economic impact on small businesses or local governments, and it does not impose reporting, record keeping or other compliance requirements on small businesses or local governments.

Rural Area Flexibility Analysis

No rural area flexibility analysis is required pursuant to section 202-bb(4)(a) of the State Administrative Procedure Act. The proposed rule will not impose any adverse economic impact on rural areas; therefore, a Rural Area Flexibility Analysis is not necessary with this notice.

Job Impact Statement

A job impact statement is not needed as this proposed rule removes a quantitative limitation on Medicaid payment for Partial Hospitalization

Services that exceed 180 hours per course of treatment per recipient or 360 hours per calendar year per recipient. This rule is necessary to ensure that mental health services are not subject to limitations which exceed comparable limitations on medical or surgical services, as required by federal and State Mental Health Parity laws. There will be no adverse impact on jobs and employment opportunities as a result of the proposed amendments to 14 NYCRR Part 588.

Public Service Commission

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

Issuance of Securities and Other Forms of Indebtedness

I.D. No. PSC-16-24-00005-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 Corning Natural Gas Distribution Corporation (Corning) requesting authorization to issue Long-Term Indebtedness.

Statutory authority: Public Service Law, section 69

Subject: Issuance of securities and other forms of indebtedness.

Purpose: To consider Corning’s request for authority to issue Long-Term Indebtedness.

Substance of proposed rule: The Commission is considering a petition filed on March 7, 2024 by Corning Natural Gas Corporation (Corning), requesting authority to issue long-term indebtedness having a maturity of more than one year, pursuant to Public Service Law § 69. The request would permit Corning to either (i) issue long-term debt up to \$50,000,000 including refinancing of all existing long-term debt, with one or more private lenders; or (ii) issue long-term debt in the aggregate amount of up to \$31,611,825.

Corning states the proceeds of either transaction would be used to fund: the acquisition of property; the construction, completion, extension or improvement of facilities; the improvement or maintenance of service; the discharging or refunding of obligations; the reimbursement of money expended from income or other sources not obtained from the issuance of stocks, bonds, notes or other evidence of indebtedness; and/or for any other lawful purpose that may be authorized by the Commission.

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

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

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

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

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

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

(24-G-0148SP1)

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

Proposed Transfer of a Water Utility’s Capital Stock

I.D. No. PSC-16-24-00006-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 supplemental filing by Debora Lambert d/b/a Green Meadow Park Water Co. to transfer of all the Company's capital stock from the previous owner Debora Lambert to the current owner Christopher Lambert.

Statutory authority: Public Service Law, sections 4(1), 5(1)(f), 89-(c)(1), 89-h(1) and (3)

Subject: Proposed transfer of a water utility's capital stock.

Purpose: To determine if the proposed transfer is in the public interest.

Substance of proposed rule: The Commission is considering a supplemental filing by Debora Lambert d/b/a Green Meadow Park Water Company (Green Meadow or the Company) on January 24, 2024, to include the transfer of the Company from Debora Lambert to Christopher Lambert in the Company's pending minor rate increase.

The previous owner Debora Lambert has already transferred the Company to Christopher Lambert, the current owner, but states she was unaware that the transfer required Commission approval. The Commission is already considering a proposal filed by the Company on April 7, 2023, to amend its water tariff, P.S.C. No. 2 – Water, to increase its total annual water revenues by approximately \$62,431 or 197.3% and to establish a replenishable escrow account in this case.

Green Meadow asserts that the transfer is in the public's best interest as the previous owner was no longer capable of keeping up with the aging system's needs and has retired. The new owner has also been operating and assisting with the Company's administration prior to the acquisition. The transfer occurred on June 15, 2020 for a consideration of \$50,000.

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

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

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

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

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

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

(23-W-0183SP2)

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

Energy Service Company Contract Changes and Renewals

I.D. No. PSC-16-24-00007-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 proposal filed by Department of Public Service Staff to modify the Uniform Business Practices for energy service companies to reflect changes to General Business Law Section 349-d.

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

Subject: Energy service company contract changes and renewals.

Purpose: To consider modifications to the Uniform Business Practices to reflect changes to General Business Law Section 349-d.

Substance of proposed rule: The Public Service Commission (Commission) is considering a proposal filed by Department of Public Service Staff (Staff), on March 26, 2024, to modify the Uniform Business Practices (UBP) for energy service companies (ESCO) to reflect changes to General Business Law (GBL) Section 349-d.

The new GBL Section 349-d(6) prohibits ESCOs from making a material change to the customer agreement without first obtaining express customer consent. Additionally, GBL Section 349-d(7) now

requires ESCOs to provide specific notice disclosures at the time of renewal of a customer sale agreement; including (i) the price charged for energy services; (ii) the price the ESCO proposes to charge upon renewal; (iii) the price that is charged by the customer's distribution utility; and (iv) information notifying the customer how they may compare past bills with what they would have been charged had they received energy services from the respective distribution utility, including the internet address of any bill calculator offered by such customer's distribution utility's website.

Staff proposes to modify the UBP governing ESCO activities in the New York retail access market to reflect the changes made to GBL Section 349-d. Specifically, Staff proposes to modify UBP Section 1 to include definitions of Material Change and "Express Customer Consent." As proposed, a "Material Change" would be one that affects the rates, terms, and conditions of service contained in the customer agreement. Additionally, Staff proposes to define "Express Customer Consent" as consent given directly and knowingly by the customer, either verbally, electronically, or in writing, which shall subsequently be maintained by the ESCO in a verifiable format.

Staff proposes to modify UBP Section 2.B.1.c. to include sample renewal notices as part of the retail access application requirements, and UBP Section 5.B. to include the specific notice disclosures regarding the transparency of pricing that must be included in customer contract renewal notices. Staff also proposes to modify the sample renewal notice provided for use by ESCOs to include the disclosures required under GBL Section 349-d(7). Regarding the requirement to disclose the price that is charged by the customer's distribution utility at the time of renewal, Staff proposes to allow ESCOs to utilize the 12-month trailing average posted by distribution utilities quarterly to satisfy this requirement.

Staff further proposes to modify UBP Section 5.B. to reflect that any change in price, or a change to or from fixed or variable pricing, are considered Material Changes that will require Express Customer Consent, including removing the language that specifically excludes guaranteed savings products from requiring express customer consent. As proposed, express customer consent must be obtained for any Material Change and such consent must be recorded in a verifiable format, with such verifiable proof of customer consent furnished to Staff upon request.

Finally, Staff provides an explanation regarding the impacts these changes to GBL Section 349-d impact month-to-month agreements and variable rate agreements. As explained in the proposal, the requirement to obtain customer consent for any Material Change would require an ESCO to obtain a customer's express consent for any change in price, including a price change pursuant to a variable rate agreement or any changes in the terms used to determine such price. Additionally, the GBL Section 349-d requirements surrounding contract renewals would apply to all month-to-month agreements, which expire and are renewed each month.

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 resolve related matters.

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

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

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

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

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

(98-M-1343SP26)

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

Notice of Intent to Submeter Electricity**I.D. No.** PSC-16-24-00008-P

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

Proposed Action: The Commission is considering the notice of intent of Brook NY Residential LLC to submeter electricity at 589 Fulton Street, Brooklyn, New York.

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

Subject: Notice of intent to submeter electricity.

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

Substance of proposed rule: The Commission is considering the notice of intent filed by Brook NY Residential LLC (Owner) on December 14, 2023, seeking authority to submeter electricity at a new rental building with both fair-market and income criteria units, situated at 589 Fulton Street, Brooklyn, New York, located in the service territory of Consolidated Edison Company of New York, Inc. (Con Edison).

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

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

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

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

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

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

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

(23-E-0722SP1)

**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/propregulations.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/propregulations.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).

Virtual via Webex—June 18, 2024, 3:00 p.m.

ENV-16-24-00009-P..... Transportation of Radioactive Materials

Instructions on how to “join” the hearing webinar and provide an oral statement will be published on the Department’s proposed regulations webpage for 6 NYCRR Part 381 by April 17, 2024. The proposed regulations webpage for 6 NYCRR Part 381 may be accessed at: <https://www.dec.ny.gov/regulations/proproregulations.html>

Persons who wish to receive the instructions by mail or telephone may call the Department at (518) 402-9003. Please provide your first and last name, address, and telephone number and reference the Part 381 public comment hearing.

The Department will provide interpreter services for hearing impaired persons, and language interpreter services for individuals with difficulty understanding or reading English, at no charge upon written request submitted no later than June 5, 2024. The written request must be addressed to ALJ Jennifer Ukeritis, NYS DEC Office of Hearings and Mediation Services, 625 Broadway, 1st Floor, Albany, NY 12233-1550 or emailed to ALJ Jennifer Ukeritis at ohms@dec.ny.gov

Long Island Power Authority

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

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

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-09-24-00016-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-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	00001	P

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

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

AAM-16-24-00002-P 04/17/25	Repeal of TB testing prior to intrastate movement of deer regulation, and removal of cross references to said regulation.	The purpose of this rule is
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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
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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.
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CENTRAL NEW YORK REGIONAL TRANSPORTATION AUTHORITY

RTA-08-24-00005-P 02/20/25	Rules governing the conduct and safety of the public in the use and operations of transit services	To protect transit facilities, vehicles and passengers and promote public safety
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CHILDREN AND FAMILY SERVICES, OFFICE OF

CFS-36-23-00023-P 09/05/24	Preventive Housing Subsidy	To increase the preventive services housing subsidy for foster children living independently from \$300.00 to \$725.00 a month
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CFS-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
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CIVIL SERVICE, DEPARTMENT OF

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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-07-24-00014-P	02/13/25	Jurisdictional Classification	To classify positions in the exempt class
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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-14-24-00007-P	04/03/25	Jurisdictional Classification	To classify a position in the non-competitive class
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-16-24-00004-P	04/17/25	Registration of certain firearms, rifles, shotguns, finished frames or receivers, and unfinished frames or receivers	To provide for a registry of firearms, shotguns, finished or unfinished frames or receivers serialized per Penal Law 265.07
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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
EDUCATION DEPARTMENT			
EDU-52-23-00006-EP	12/26/24	Execution by RNs of non-patient orders to provide certain emergency medical services and administer pregnancy tests	To implement Chapter 193 of the Laws of 2023
EDU-52-23-00007-EP	12/26/24	Written informational material for the authorized use of epinephrine auto-injectors	To conform section 136.6 of the Commissioner's regulations with Chapter 422 of the Laws of 2023
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-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
ENV-16-24-00003-EP	04/17/25	Regulations governing recreational fishing of Scup and Summer Flounder.	To reduce the recreational harvest of Scup and Summer Flounder in New York.
ENV-16-24-00009-P	06/18/25	transportation of radioactive materials	establish regulations consistent with the Nuclear Regulatory Commission regulations adopted in 2012, 2015, 2019, 2020, and 2021
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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
ETHICS AND LOBBYING IN GOVERNMENT, COMMISSION ON			
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
*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.

Action Pending Index

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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
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-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
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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
LONG ISLAND POWER AUTHORITY			
*LPA-41-02-00005-P	..... exempt	Tariff for electric service	To revise the tariff for electric service
*LPA-04-06-00007-P	..... exempt	Tariff for electric service	To adopt provisions of a ratepayer protection plan
*LPA-03-10-00004-P	..... exempt	Residential late payment charges	To extend the application of late payment charges to residential customers
*LPA-15-18-00013-P	..... exempt	Outdoor area lighting	To add an option and pricing for efficient LED lamps to the Authority's outdoor area lighting
*LPA-37-18-00013-P	..... exempt	The net energy metering provisions of the Authority's Tariff for Electric Service	To implement PSC guidance increasing eligibility for value stack compensation to larger projects
*LPA-37-18-00017-P	..... exempt	The treatment of electric vehicle charging in the Authority's Tariff for Electric Service	To effectuate the outcome of the Public Service Commission's proceeding on electric vehicle supply equipment
*LPA-37-18-00018-P	..... exempt	The treatment of energy storage in the Authority's Tariff for Electric Service	To effectuate the outcome of the Public Service Commission's proceeding on the NY Energy Storage Roadmap
*LPA-09-20-00010-P	..... exempt	To update and implement latest requirements for ESCOs proposing to do business within the Authority's service territory	To strengthen customer protections and be consistent with Public Service Commission orders on retail energy markets
*LPA-28-20-00033-EP	..... exempt	LIPA's late payment charges, reconnection charges, and low-income customer discount enrollment	To allow waiver of late payment and reconnection charges and extend the grace period for re-enrolling in customer bill discounts
*LPA-37-20-00013-EP	..... exempt	The terms of deferred payment agreements available to LIPA's commercial customers	To expand eligibility for and ease the terms of deferred payment agreements for LIPA's commercial customers
*LPA-12-21-00011-P	..... exempt	LIPA's Long Island Choice (retail choice) tariff	To simplify and improve Long Island Choice based on stakeholder collaborative input
*LPA-17-22-00012-P	..... exempt	COVID-19 arrears forgiveness and low-income customer discount eligibility	To implement an arrears forgiveness program and expand low-income customer discount eligibility
*LPA-17-22-00014-P	..... exempt	LIPA's delivery service adjustment cost recovery rider	To ensure recovery of T&D property tax expenses consistent with the LIPA Reform Act, at the lowest cost to LIPA customers
LPA-39-23-00025-P	..... exempt	The Small Generator Interconnection Procedures in the Authority's Tariff for Electric Service	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

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.
OMH-16-24-00001-P	..... 04/17/25	To clarify reimbursement methodologies.	To provide for reimbursement methodologies which comply with parity laws.
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
OGDENSBURG BRIDGE AND PORT AUTHORITY			
*OBA-33-18-00019-P	..... exempt	Increase in Bridge Toll Structure	To increase bridge toll revenue in order to become financially self-supporting. Our bridge operations are resulting in deficit
*OBA-07-19-00019-P	..... exempt	Increase in Bridge Toll Structure	To increase bridge toll revenue in order to become financially self-supporting. Our bridge operations are resulting in deficit
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-10-04-00005-P	..... exempt	Temporary protective order	To consider adopting a protective order
*PSC-10-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and VIC-RMTS-DC, L.L.C. d/b/a Verizon Avenue	To amend the agreement
*PSC-14-04-00008-P	..... exempt	Submetering of natural gas service to industrial and commercial customers by Hamburg Fairgrounds	To submeter gas service to commercial customers located at the Buffalo Speedway
*PSC-15-04-00022-P	..... exempt	Submetering of electricity by Glenn Gardens Associates, L.P.	To permit submetering at 175 W. 87th St., New York, NY
*PSC-21-04-00013-P	..... exempt	Verizon performance assurance plan by Metropolitan Telecommunications	To clarify the appropriate performance level
*PSC-22-04-00010-P	..... exempt	Approval of new types of electricity meters by Powell Power Electric Company	To permit the use of the PE-1250 electronic meter
*PSC-22-04-00013-P	..... exempt	Major gas rate increase by Consolidated Edison Company of New York, Inc.	To increase annual gas revenues
*PSC-22-04-00016-P	..... exempt	Master metering of water by South Liberty Corporation	To waive the requirement for installation of separate water meters
*PSC-25-04-00012-P	..... exempt	Interconnection agreement between Frontier Communications of Ausable Valley, Inc., et al. and Sprint Communications Company, L.P.	To amend the agreement
*PSC-27-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-27-04-00009-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-28-04-00006-P	..... exempt	Approval of loans by Dunkirk & Fredonia Telephone Company and Cassadaga Telephone Corporation	To authorize participation in the parent corporation's line of credit
*PSC-31-04-00023-P	..... exempt	Distributed generation service by Consolidated Edison Company of New York, Inc.	To provide an application form
*PSC-34-04-00031-P	..... exempt	Flat rate residential service by Emerald Green Lake Louise Marie Water Company, Inc.	To set appropriate level of permanent rates
*PSC-35-04-00017-P	..... exempt	Application form for distributed generation by Orange and Rockland Utilities, Inc.	To establish a new supplementary application form for customers
*PSC-43-04-00016-P	..... exempt	Accounts recievable by Rochester Gas and Electric Corporation	To include in its tariff provisions for the purchase of ESCO accounts recievable
*PSC-46-04-00012-P	..... exempt	Service application form by Consolidated Edison Company of New York, Inc.	To revise the form and make housekeeping changes
*PSC-46-04-00013-P	..... exempt	Rules and guidelines governing installation of metering equipment	To establish uniform statewide business practices

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-02-05-00006-P	..... exempt	Violation of the July 22, 2004 order by Dutchess Estates Water Company, Inc.	To consider imposing remedial actions against the company and its owners, officers and directors
*PSC-09-05-00009-P	..... exempt	Submetering of natural gas service by Hamlet on Olde Oyster Bay	To consider submetering of natural gas to a commercial customer
*PSC-14-05-00006-P	..... exempt	Request for deferred accounting authorization by Freeport Electric Inc.	To defer expenses beyond the end of the fiscal year
*PSC-18-05-00009-P	..... exempt	Marketer Assignment Program by Consolidated Edison Company of New York, Inc.	To implement the program
*PSC-20-05-00028-P	..... exempt	Delivery point aggregation fee by Allied Frozen Storage, Inc.	To review the calculation of the fee
*PSC-25-05-00011-P	..... exempt	Metering, balancing and cashout provisions by Central Hudson Gas & Electric Corporation	To establish provisions for gas customers taking service under Service Classification Nos. 8, 9 and 11
*PSC-27-05-00018-P	..... exempt	Annual reconciliation of gas costs by New York State Electric & Gas Corporation	To consider the manner in which the gas cost incentive mechanism has been applied
*PSC-41-05-00013-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries by local distribution companies and municipalities	To consider the filings
*PSC-45-05-00011-P	..... exempt	Treatment of lost and unaccounted gas costs by Corning Natural Gas Corporation	To defer certain costs
*PSC-46-05-00015-P	..... exempt	Sale of real and personal property by the Brooklyn Union Gas Company d/b/a KeySpan Energy Delivery New York and Steel Arrow, LLC	To consider the sale
*PSC-47-05-00009-P	..... exempt	Transferral of gas supplies by Corning Natural Gas Corporation	To approve the transfer
*PSC-50-05-00008-P	..... exempt	Long-term debt by Saratoga Glen Hollow Water Supply Corp.	To obtain long-term debt
*PSC-04-06-00024-P	..... exempt	Transfer of ownership interests by Mirant NY-Gen LLC and Orange and Rockland Utilities, Inc.	To approve of the transfer
*PSC-06-06-00015-P	..... exempt	Gas curtailment policies and procedures	To examine the manner and extent to which gas curtailment policies and procedures should be modified and/or established
*PSC-07-06-00009-P	..... exempt	Modification of the current Environmental Disclosure Program	To include an attributes accounting system
*PSC-22-06-00019-P	..... exempt	Hourly pricing by National Grid	To assess the impacts
*PSC-22-06-00020-P	..... exempt	Hourly pricing by New York State Electric & Gas Corporation	To assess the impacts
*PSC-22-06-00021-P	..... exempt	Hourly pricing by Rochester Gas & Electric Corporation	To assess the impacts

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-22-06-00022-P	..... exempt	Hourly pricing by Consolidated Edison Company of New York, Inc.	To assess the impacts
*PSC-22-06-00023-P	..... exempt	Hourly pricing by Orange and Rockland Utilities, Inc.	To assess the impacts
*PSC-24-06-00005-EP	..... exempt	Supplemental home energy assistance benefits	To extend the deadline to Central Hudson's low-income customers
*PSC-25-06-00017-P	..... exempt	Purchased power adjustment by Massena Electric Department	To revise the method of calculating the purchased power adjustment and update the factor of adjustment
*PSC-34-06-00009-P	..... exempt	Inter-carrier telephone service quality standards and metrics by the Carrier Working Group	To incorporate appropriate modifications
*PSC-37-06-00015-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-37-06-00017-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-43-06-00014-P	..... exempt	Electric delivery services by Strategic Power Management, Inc.	To determine the proper mechanism for the rate-recovery of costs
*PSC-04-07-00012-P	..... exempt	Petition for rehearing by Orange and Rockland Utilities, Inc.	To clarify the order
*PSC-06-07-00015-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for electric service
*PSC-06-07-00020-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for gas service
*PSC-11-07-00010-P	..... exempt	Investigation of the electric power outages by the Consolidated Edison Company of New York, Inc.	To implement the recommendations in the staff's investigation
*PSC-11-07-00011-P	..... exempt	Storm-related power outages by Consolidated Edison Company of New York, Inc.	To modify the company's response to power outages, the timing for any such changes and other related matters
*PSC-17-07-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and BridgeCom International, Inc.	To amend the agreement
*PSC-18-07-00010-P	..... exempt	Existing electric generating stations by Independent Power Producers of New York, Inc.	To repower and upgrade existing electric generating stations owned by Rochester Gas and Electric Corporation
*PSC-20-07-00016-P	..... exempt	Tariff revisions and making rates permanent by New York State Electric & Gas Corporation	To seek rehearing
*PSC-21-07-00007-P	..... exempt	Natural Gas Supply and Acquisition Plan by Corning Natural Gas Corporation	To revise the rates, charges, rules and regulations for gas service
*PSC-22-07-00015-P	..... exempt	Demand Side Management Program by Consolidated Edison Company of New York, Inc.	To recover incremental program costs and lost revenue

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

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

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

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

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PUBLIC SERVICE COMMISSION			
*PSC-27-09-00011-P exempt	Interconnection of the networks between Vernon and tw telecom of new york l.p. for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Vernon and TW Telecom of New York L.P.
*PSC-27-09-00014-P	..... exempt	Billing and payment for energy efficiency measures through utility bill	To promote energy conservation
*PSC-27-09-00015-P	..... exempt	Interconnection of the networks between Oriskany and tw telecom of new york l.p. for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Oriskany and TW Telecom of New York L.P.
*PSC-29-09-00011-P	..... exempt	Consideration of utility compliance filings	Consideration of utility compliance filings
*PSC-32-09-00009-P	..... exempt	Cost allocation for Consolidated Edison's East River Repowering Project	To determine whether any changes are warranted in the cost allocation of Consolidated Edison's East River Repowering Project
*PSC-34-09-00016-P	..... exempt	Recommendations made in the Management Audit Final Report	To consider whether to take action or recommendations contained in the Management Audit Final Report
*PSC-34-09-00017-P	..... exempt	To consider the transfer of control of Plattsburgh Cablevision, Inc. d/b/a Charter Communications to CH Communications, LLC	To allow the Plattsburgh Cablevision, Inc. to distribute its equity interest in CH Communications, LLC
*PSC-36-09-00008-P	..... exempt	The increase in the non-bypassable charge implemented by RG&E on June 1, 2009	Considering exemptions from the increase in the non-bypassable charge implemented by RG&E on June 1, 2009
*PSC-37-09-00015-P	..... exempt	Sale of customer-generated steam to the Con Edison steam system	To establish a mechanism for sale of customer-generated steam to the Con Edison steam system
*PSC-37-09-00016-P	..... exempt	Applicability of electronic signatures to Deferred Payment Agreements	To determine whether electronic signatures can be accepted for Deferred Payment Agreements
*PSC-39-09-00015-P	..... exempt	Modifications to the \$5 Bill Credit Program	Consideration of petition of National Grid to modify the Low Income \$5 Bill Credit Program
*PSC-39-09-00018-P	..... exempt	The offset of deferral balances with Positive Benefit Adjustments	To consider a petition to offset deferral balances with Positive Benefit Adjustments
*PSC-40-09-00013-P	..... exempt	Uniform System of Accounts - request for deferral and amortization of costs	To consider a petition to defer and amortize costs
*PSC-51-09-00029-P	..... exempt	Rules and guidelines for the exchange of retail access data between jurisdictional utilities and eligible ESCOs	To revise the uniform Electronic Data Interchange Standards and business practices to incorporate a contest period
*PSC-51-09-00030-P	..... exempt	Waiver or modification of Capital Expenditure condition of merger	To allow the companies to expend less funds for capital improvement than required by the merger
*PSC-52-09-00006-P	..... exempt	ACE's petition for rehearing for an order regarding generator-specific energy deliverability study methodology	To consider whether to change the Order Prescribing Study Methodology
*PSC-52-09-00008-P	..... exempt	Approval for the New York Independent System Operator, Inc. to incur indebtedness and borrow up to \$50,000,000	To finance the renovation and construction of the New York Independent System Operator, Inc.'s power control center facilities

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-05-10-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of University Residences - Rochester, LLC to submeter electricity at 220 John Street, Henrietta, NY
*PSC-05-10-00015-P	..... exempt	Petition for the submetering of electricity	To consider the request of 243 West End Avenue Owners Corp. to submeter electricity at 243 West End Avenue, New York, NY
*PSC-06-10-00022-P	..... exempt	The Commission's Order of December 17, 2009 related to redevelopment of Consolidated Edison's Hudson Avenue generating facility	To reconsider the Commission's Order of December 17, 2009 related to redevelopment of the Hudson Avenue generating facility
*PSC-07-10-00009-P	..... exempt	Petition to revise the Uniform Business Practices	To consider the RESA petition to allow rescission of a customer request to return to full utility service
*PSC-08-10-00007-P	..... exempt	Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847	Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847
*PSC-08-10-00009-P	..... exempt	Consolidated Edison of New York, Inc. energy efficiency programs	To modify approved energy efficiency programs
*PSC-12-10-00015-P	..... exempt	Recommendations made by Staff intended to enhance the safety of Con Edison's gas operations	To require that Con Edison implement the Staff recommendations intended to enhance the safety of Con Edison's gas operations
*PSC-14-10-00010-P	..... exempt	Petition for the submetering of electricity	To consider the request of 61 Jane Street Owners Corporation to submeter Electricity at 61 Jane Street, Manhattan, NY
*PSC-16-10-00005-P	..... exempt	To consider adopting and expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-16-10-00007-P	..... exempt	Interconnection of the networks between TDS Telecom and PAETEC Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between TDS Telecom and PAETEC Communications
*PSC-16-10-00015-P	..... exempt	Interconnection of the networks between Frontier and Choice One Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier and Choice One Communications
*PSC-18-10-00009-P	..... exempt	Electric utility transmission right-of-way management practices	To consider electric utility transmission right-of-way management practices
*PSC-19-10-00022-P	..... exempt	Whether National Grid should be permitted to transfer a parcel of property located at 1 Eddy Street, Fort Edward, New York	To decide whether to approve National Grid's request to transfer a parcel of vacant property in Fort Edward, New York
*PSC-22-10-00006-P	..... exempt	Requirement that Noble demonstrate that its affiliated electric corporations operating in New York are providing safe service	Consider requiring that Noble demonstrate that its affiliated electric corporations in New York are providing safe service
*PSC-22-10-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of 48-52 Franklin Street to submeter electricity at 50 Franklin Street, New York, New York
*PSC-24-10-00009-P exempt	Verizon New York Inc. tariff regulations relating to voice messaging service	To remove tariff regulations relating to retail voice messaging service from Verizon New York Inc.'s tariff

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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.
PSC-16-24-00005-P	..... exempt	Issuance of securities and other forms of indebtedness.	To consider Corning's request for authority to issue Long-Term Indebtedness.
PSC-16-24-00006-P	..... exempt	Proposed transfer of a water utility's capital stock.	To determine if the proposed transfer is in the public interest.
PSC-16-24-00007-P	..... exempt	Energy service company contract changes and renewals.	To consider modifications to the Uniform Business Practices to reflect changes to General Business Law Section 349-d.
PSC-16-24-00008-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
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
TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY			
TBA-52-23-00001-P	..... exempt	A proposal to establish a new toll rate schedule for use of the central business district under the CBDTP operated by TBTA	A proposal to reduce traffic congestion in a manner that will generate revenue for future transportation improvements
WORKERS' COMPENSATION BOARD			
WCB-51-23-00003-P	..... 12/19/24	DME Fee Schedule	To update the DME fee schedule

ADVERTISEMENTS FOR BIDDERS/CONTRACTORS

SEALED BIDS

REPLACE ROOF, GARAGE AND OFFICE Department of Transportation, Region 8 Clinton Corners, Dutchess County

Sealed bids for Project No. 47149-C, comprising of a contract for Construction Work, Replace Roof, Garage & Office, Dot Region 8, Dutchess County, Hollow Road and Taconic Parkway, Clinton Corners (Dutchess County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Department of Transportation, until 2:00 p.m. on Wednesday, May 1, 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 \$29,000 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 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 400 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 18, 2024, Region 8, NYS DOT Yard, 1631 Hallow Road, Clinton Corners, 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: 3% for the C trade contractor, based on the current availability of qualified SDVOBs. Trades with 0% goals are encouraged to make "good faith efforts" to promote and assist in the participation of SDVOBs on the Contract for the provision of services and materials.

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

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

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

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

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

For additional information on this project, please use the link below and then click on the project number:

<https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

By OGS - Design & Construction Group

**PROVIDE
FACILITY STORAGE BUILDING
St. Albans Veterans Home
Jamaica, Queens County**

Sealed bids for Project No. 47338-C, comprising a contract for Construction Work, Provide Facility Storage Building, St. Albans Veterans Home, 17850 Linden Boulevard, Jamaica, (Queens 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 Health, until 2:00 p.m. on Wednesday, May 1, 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 \$74,200 for C).

Further, Wicks Exempt Projects require a completed form BDC 59 (Wicks Exempt List of Contractors) be filled out and submitted in accordance with Document 002220, Supplemental Instructions to Bidders – Wicks Exempt. Failure to submit this form correctly will result in a disqualification of the bid.

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond pursuant to Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract estimated to be between \$2,000,000 and \$3,000,000 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 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 372 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 19, 2024, St. Albans Veterans Home, 17850 Linden Boulevard, Jamaica, 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 Caroline Kelly-O’Neill, (718-938-2939) a minimum of 48 hours in advance of the date to provide the names of those who will attend the pre-bid site visit. Only contractors that schedule a visit at least 48 hours in advance will be allowed to participate in the pre-bid site visit.

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

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

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

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

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

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

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

For additional information on this project, please use the link below and then click on the project number:

<https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

By OGS - Design & Construction Group

PROVIDE
PEDESTRIAN WALKWAY/PAVEMENT RESTORATION
 State Armory
 Buffalo, Erie County

Sealed bids for Project Nos. 47457-C and 47457-E, comprising separate contracts for Construction Work, and Electrical Work, Provide Pedestrian Walkway & Pavement Restoration, State Armory, 27 Masten Avenue, Buffalo (Erie County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Division of Military and Naval Affairs, until 2:00 p.m. on Wednesday, May 1, 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 \$47,400 for C, and \$9,400 for E).

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond pursuant to Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract estimated to be between \$1,000,000 and \$2,000,000 for C, and between \$100,000 and \$250,000 for E.

Pursuant to State Finance Law §§ 139-j and 139-k, this solicitation includes and imposes certain restrictions on communications between OGS D&C and a bidder during the procurement process. A bidder is restricted from making contacts from the earliest posting on the OGS website, in a newspaper of general circulation, or in the Contract Reporter, of written notice, advertisement or solicitation of offers, through final award and approval of the contract by OGS D&C and the Office of the State Comptroller ("Restricted Period") to other than designated staff, unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a). Designated staff are 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 237 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 18, 2024 at OGS Field Office, Masten Armory, 27 Masten Avenue, Buffalo, 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 Laura Yingling (716-885-0908) 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) for Construction Work and an overall goal of 10% for MWBE participation, 5% for Minority-Owned Business Enterprises ("MBE") participation and 5% for Women-Owned Business Enterprises ("WBE") participation (based on the current availability of qualified MBEs and WBEs) for Electrical Work. The total contract goal can be obtained by utilizing any combination of MBE and /or WBE participation for subcontracting and supplies acquired under this Contract. Trades with 0% goals are encouraged to make "good faith efforts" to promote and assist in the participation of MWBEs on the Contract for the provision of services and materials.

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

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

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

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

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

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

For additional information on this project, please use the link below and then click on the project number:

<https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

By OGS - Design & Construction Group

PROVIDE
HEATED SIDEWALK
 Broadway State Office Building
 Albany, Albany County

Sealed bids for Project Nos. 47512-C, 47512-H, and 47512-E, comprising separate contracts for Construction Work, HVAC Work, and Electrical Work, Provide Heated Sidewalk, Broadway State Office Building, 625 Broadway, Albany (Albany 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 General Services, until 2:00 p.m. on Wednesday, May 1, 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 \$38,200 for C, \$23,500 for H, and \$12,200 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 C, between \$250,000 and \$500,000 for H, and between \$100,000 and \$250,000 for E.

Pursuant to State Finance Law §§ 139-j and 139-k, this solicitation includes and imposes certain restrictions on communications between OGS D&C and a bidder during the procurement process. A bidder is restricted from making contacts from the earliest posting on the OGS website, in a newspaper of general circulation, or in the Contract Reporter, of written notice, advertisement or solicitation of offers, through final award and approval of the contract by OGS D&C and the Office of the State Comptroller ("Restricted Period") to other than designated staff, unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a). Designated staff are 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 178 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 18, 2024, Broadway State Office Building, 625 Broadway, Meet in lobby, Albany, 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 Sharon Schumann (518-474-5584), or Mark Rice (518-470-7273) 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, 3% for the E trade contractor, and 3% for the H trade contractor, based on the current availability of qualified SDVOBs. Trades with 0% goals are encouraged to make "good faith efforts" to promote and assist in the participation of SDVOBs on the Contract for the provision of services and materials.

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

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

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

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

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

For additional information on this project, please use the link below and then click on the project number:

<https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp>

By OGS - Design & Construction Group

MISCELLANEOUS NOTICES/HEARINGS

Notice of Abandoned Property Received by the State Comptroller

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

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

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

PUBLIC NOTICE

Division of Criminal Justice Services
Council Meeting
Interstate Compact for Adult Offender
Supervision – Spring 2024

Pursuant to Public Officers Law section 104, the Division of Criminal Justice Services gives notice of a meeting of the 2024 Spring ICAOS State Council Meeting to be held on:

Date: May 16, 2024
Time: 11:00 a.m. - 1:00 p.m.
Primary Conference Site:
Alfred E. Smith Bldg.
80 S. Swan St.
1st Fl./Rm. 118
Albany, NY 12210

Web Streaming information: The webcast information for this meeting will be posted on the Division of Criminal Justice website under the Newsroom, Open Meeting/Webcasts.

<https://www.criminaljustice.ny.gov/pio/openmeetings.htm>

For further information, or if you need a reasonable accommodation to attend this meeting, contact: Division of Criminal Justice Services, Office of Probation and Correctional Alternatives, 80 Swan St., Albany, NY 12210 (518) 485-7692

PUBLIC NOTICE

Department of Health
Bureau of Managed Long Term Care
Social Adult Day Care (SADC)
Heightened Scrutiny Evidence Packets

The New York State (NYS) Department of Health (DOH), is seeking public comment on the Heightened Scrutiny evidence packets for

all Social Adult Day Care (SADC) sites, which is required pursuant to the DOH Statewide Transition Plan (STP) for federal compliance with the Home and Community-Based Services (HCBS) Settings Final Rule (42 CFR § 441.301(c)(5)(v)). This is required for DOH to maintain federal Medicaid funding for HCBS services provided in the SADC sites listed below. As more fully set forth below, the Department intends to submit these evidence packets to the United States Department of Health and Human Services (DHHS), to establish that these SADC sites have overcome the regulatory presumption that these settings are institutional (i.e., non-eligible for HCBS funding) due to their location. A public comment period is required by DHHS for this submission process.

The SADC sites are contracted with Managed Long Term Care (MLTC) plans to provide social adult day care services, which are provided in non-residential settings. Members attend the SADC on days of their choosing, and participate in activities throughout the day, and not overnight. In addition to all other state and federal requirements the MLTC plans are responsible for providing oversight and monitoring to ensure compliance with the HCBS Final Rule for all SADC sites they contract with.

The Centers for Medicare and Medicaid Services (CMS) has issued Heightened Scrutiny requirements for HCBS settings presumed to have the qualities of an institution. Settings that fall into one of two categories that define qualities of an institution and are subject to a Heightened Scrutiny review by CMS are as follows:

- Prong 1: Setting is in a publicly or privately operated facility that provides inpatient institutional treatment.
- Prong 2: Setting is in a building on the grounds of, or adjacent to, a public institution.

CMS, based on evidence submitted by the State, will confirm whether a setting is not institutional in nature and does have the qualities of home and community-based settings.

This notice further serves to open the 30-day public comment period that will close on May 17, 2024. The Heightened Scrutiny packets can be found here: http://www.health.ny.gov/health_care/medicaid/redesign/mrt90/mltc_policy/sadc/sadc_high_scrutiny_sub.htm. The Department will receive written comments during the 30-day comment period via email: HCBSADCSiteAssessments@health.ny.gov, please include a subject line of "Public Comment", or by mail: ATTN: Paul Pfeiffer, OHIP DHPCO 1CP-1623, New York State Department of Health, Albany, NY 12237. For individuals with limited online access who require special accommodation to access paper copies, please call 518-474-6965.

Heightened Scrutiny Overview

In accordance with federal rules set forth by CMS, the NYS DOH, BMLTC is required to publish for public comment Evidence Packets for SADC sites that deliver HCBS that were identified as Heightened Scrutiny settings.

Strategies to Identify Settings

Heightened Scrutiny is a review of certain settings that, according to CMS, are presumed to be institutional in nature, but do, in fact, demonstrate qualities of home and community-based settings. DOH has identified any SADC sites that are in a publicly or privately operated facility that provides inpatient institutional treatment or are in a building on the grounds of, or adjacent to, a public institution via the annual HCBS compliance reviews which began at the end of calendar year 2022 and were finalized by the end of 2023.

Please note that SADC sites previously reported are not re-reported as requiring heightened scrutiny review to CMS.

Strategies to Review Settings

DOH conducted a detailed review of all supporting documentation and cross-referenced CMS guidance. This review was done to verify and validate the determinations made by the MLTC plans regarding the SADC site’s compliance with the HCBS Final Rule and to ensure remediation efforts were completed in alignment with the federal deadline.

DOH’s review entailed the following:

- Detailed review of SADC site supporting documentation.
- Review of the SADC site characteristics via geo-mapping, as well as a customized map displaying each site in proximity to known health facilities.
- Individual member experience surveys sampled to identify possible institutional or isolating characteristics.
- Virtual on-site validation reviews of SADC sites which included a virtual walkthrough of the SADC site and review of SADC person-centered service plans (PCSPs).

Each SADC site was evaluated for compliance with HCBS requirements and designated as “Compliant,” “Not Compliant,” or “Needs Remediation.” The evaluation was completed using guidance for each prong, as detailed above.

- **Compliant:** All SADC sites determined to be “Compliant” demonstrated no institutional or institution-like characteristics and are deemed compliant with the HCBS Final Rule.
- **Needs Remediation:** Those SADC sites deemed “Needs Remediation” were required to remediate any non-compliance. DOH and the MLTC plans followed up on these SADC sites to ensure the SADC site is in compliance with the HCBS Final Rule.
- **Not Compliant:** Based on the evaluations, this determination was made if DOH determined that some SADC sites are “Not Compliant” and unable to remediate all institutional or institution-like characteristics. In this case, DOH notified all MLTC plans that have contracts with these SADC sites that they will need to be removed from the MLTC plan’s contracted network. The MLTC plans identified members receiving services at these non-compliant SADC sites and notified members to select an alternative and compliant SADC site for continued services. Members were supported in selecting and transferring to an alternative SADC site via the MLTC plan person-centered planning process.

Based on the SADC site specific self-assessments completed and submitted by the MLTC plans, DOH identified the SADC sites that have institutional or institutional-like characteristics due to isolation components which were remediated to overcome these characteristics. These sites are identified below and are being reported to CMS for Heightened Scrutiny verification.

Heightened Scrutiny Categories and Summary

Based on the SADC site specific HCBS compliance reviews, DOH identified the SADC sites that have institutional or institutional-like characteristics due to isolation components but are working to overcome these characteristics. These sites are identified below and are being reported to CMS for Heightened Scrutiny verification.

CMS has identified two categories/prongs of settings that are presumed to have qualities of an institution. The categories are described below as well as the number of settings in each category that have been identified by the BMLTC as requiring a Heightened Scrutiny review.

Heightened Scrutiny Prong	Number of Sites
Prong 1 - Settings in this category are located in a building that is also a publicly or privately operated facility that provides inpatient institutional treatment.	4
Prong 2 - Settings in this category are located in a building located on the grounds of, or immediately adjacent to, a public institution.	2

Numbered List of Settings

A list of the 6 SADC sites identified and categorized as requiring Heightened Scrutiny, including the prong, a summary of how each site has or will overcome the presumption that it is an institution, and the state’s plan for oversight of remediation to ensure compliance with the settings criteria by the end of the transition period can be found here: http://www.health.ny.gov/health_care/medicaid/redesign/mrt90/mltc_policy/sadc/sadc_high_scrutiny_sub.htm

A Numbered List of Settings That Cannot Overcome the Presumption

One SADC site was found non-compliant and unable to overcome the presumption that they were an institutional setting. The site is listed below. All members were supported via the MLTC plan person-centered planning process to transfer to a new SADC within 60-days of DOH’s determination being sent to the contracted MLTC plans. At this time, the SADC site below is no longer in operation.

#	SADC Site	Prong
1	New York Seniorcare In the Valley, LLC dba Valley Vista Adult Day Care Program	1 – Unable to Remediate

Process for Applying CMS Feedback on Specific Settings

Heightened Scrutiny summaries, including public comment and supporting evidence, may later be selected for review by CMS as a part of a random sample. DOH will use any feedback from the CMS random sample review to inform whether it is applicable to similarly situated settings and additional review is needed, and/or if remediation of settings not included in the CMS review sample is necessary.

All comments must be postmarked or emailed within 30 days of the date of this notice.

PUBLIC NOTICE

Department of Health

Pursuant to 42 CFR Section 447.205, the Department of Health hereby gives public notice of the following:

The Department of Health proposes to amend the Title XIX (Medicaid) State Plan for non-institutional Services as authorized by § 2826 of New York Public Health Law. The following changes are proposed:

Non-Institutional Services

The following is a clarification to the February 28, 2024, noticed provision for temporary rate adjustments for the following Hospital:

- Strong Memorial Hospital with payment amounts totaling up to \$30 million for the period March 1, 2024, through March 31, 2024. With clarification, this will only be a one-year award.

The estimated net aggregate increase in gross Medicaid expenditures attributable to this initiative contained in the budget for state fiscal year 2023-2024 is \$30 million.

The public is invited to review and comment on this proposed State Plan Amendment, a copy of which will be available for public review on the Department’s website at http://www.health.ny.gov/regulations/state_plans/status. Individuals without Internet access may view the State Plan Amendments at any local (county) social services district.

For the New York City district, copies will be available at the following places:

New York County
250 Church Street
New York, New York 10018

Queens County, Queens Center
3220 Northern Boulevard
Long Island City, New York 11101

Kings County, Fulton Center
114 Willoughby Street
Brooklyn, New York 11201

Bronx County, Tremont Center
1916 Monterey Avenue
Bronx, New York 10457

Richmond County, Richmond Center
95 Central Avenue, St. George
Staten Island, New York 10301

For further information and to review and comment, please contact:
Department of Health, Division of Finance and Rate Setting, 99
Washington Ave., One Commerce Plaza, Suite 1432, Albany, NY
12210, spa_inquiries@health.ny.gov

PUBLIC NOTICE

Homes and Community Renewal
Substantial Amendment to New York State’s
2021-2025 Consolidated Plan
Notice of Public Participation Opportunity

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: 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

New York State and Local Retirement System
Unclaimed Amounts Payable to Beneficiaries

Pursuant to the Retirement and Social Security Law, the New York State and Local Retirement System hereby gives public notice of the amounts payable to beneficiaries.

The State Comptroller, pursuant to Sections 109(a) and 409(a) of the Retirement and Social Security Law has received, from the New York State and Local Retirement System, a listing of beneficiaries or estates having unclaimed amounts in the Retirement System. A list of names contained in this notice is on file and open to public inspection at the office of the New York State and Local Retirement System located at 110 State St., in the City of Albany, New York.

Set forth below are the names and last known city of record of the beneficiaries and estate appearing from the records of the New York State and Local Retirement System, entitled to the unclaimed benefits.

At the expiration of six months from the date of publication of this list of beneficiaries and estates, unless previously paid to the claimant, the amounts shall be deemed abandoned and placed in the pension accumulation fund to be used for the purposes of said fund.

Any amounts so deemed abandoned and transferred to the pension

accumulation fund, may be claimed by the executor or administrator of the estates or beneficiaries so designated to receive such amounts, by filing a claim with the State Comptroller. In the event such claim is properly made, the State Comptroller shall pay over to the estates or the person or persons making such claim, the amount without interest.

- | Beneficiary Name | Beneficiary City |
|-----------------------------|------------------|
| Abbott,Anna | MELBOURNE |
| Adamczyk,Jeffrey | BEL AIR |
| Adelstein,Judith | FAIRFIELD |
| Allan Maloney,Estate of | VALATIE |
| Amodeo,Karen L | HYDE PARK |
| Arnold,Gloria R T | FAYETTEVILLE |
| Aytch,Darlene J | BROOKLYN |
| Balcom,Stephen R | PULASKI |
| Barrett,James | CORTLANDT MNR |
| Barron,Charlene Denise | BUFFALO |
| Becker,Justin T | ROCHESTER |
| Belden,Jeanne L | SCHENECTADY |
| Benincasa,Eileen | PATCHOGUE |
| Bernard,Gloria Jean | BUFFALO |
| Birkmayer,Richard | PHOENIX |
| Blandford,Denise | ASHLAND |
| Boughton,Michael S | KINGSTON |
| Boyd,Patricia Ann | STATEN ISLAND |
| Braunstein,Leslie | CORP CHRISTI |
| Braymiller,Sean M | NORTH READING |
| Brooker,Eleanor | AMSTERDAM |
| Bujarski,Christopher J | CORTLANDT MNR |
| Bujarski,Kathryn L | GLOUCESTER |
| Bujarski,William C | PUTNAM VALLEY |
| Burke,Joseph M | KENSINGTON |
| Burr,Andrew W | ALEXANDRIA |
| Bush,Linda R | PORT BYRON |
| Butler,Jacques | FREEPORT |
| Butler,Marcia | RIVERDALE |
| Cacace,Jeffrey | COMMACK |
| Cady,Joan | FORT MILL |
| Campbell,Craig J | GARDEN CITY |
| Campbell,Patrick | GARDEN CITY |
| Caniano,Colleen | E WILLISTON |
| Cantwell,Robert J | FANWOOD |
| Carter,Dianne | SAN JOSE |
| Charles A Sparrow,Estate of | MERRICK |
| Chimeri,Frances | PALM HARBOR |
| Cobe,Dana Jorgensen | E NORTHPORT |
| Coffey,Bernard | S GLENS FALLS |
| Conway,Andrew Eugene | RONKONKOMA |
| Conway,Dixie Lee Marie | WEST BABYLON |
| Conway,Donald Eric | SAINT JAMES |
| Conway,Heather Ann | WINNETKA |
| Crotty,Christopher | WEST LINN |
| Curtis,James A | SCHENECTADY |
| Curtis,Jeffrey D | ALTAMONT |
| Curtis,Michael S | SCHENECTADY |
| Curtis,Scott | SCHENECTADY |
| Curtis,Todd C | SCHENECTADY |
| Davis,Andy | LYONS |
| Davis,Mary | MANCHESTER |
| Denning,Frances L | BUFFALO |
| Deyo,Shirley | POUGHKEEPSIE |

Dietzman-Waterman,Brenda Jean PORT CRANE
Dietzman,Brett Andrew VESTAL
Diller,Cathlyn Louise SIMSBURY
Diller,Erich John SHERMAN
Dolson,Brian WARWICK
Dunning,Alice WEST HARRISON
Duprey,Jamie Jonathan PERU
Duprey,Travis James DANNEMORA
Fairfax,Thestes WESTBURY
Feeney Jr,Thomas D ANGOLA
Filton,Steve PAOLI
Fleming,Barbara BALTIMORE
Ford Bradish,Lee Cathryn PEYTON
Frazier,Marjorie A PENNSBURG
French,Dana M COHOES
French,Richard G SCHAGHTICOKE
Gagliano,Melissa EAST AMHERST
Gallo,Frank DELRAY BEACH
Giacontieri,Josephine ISLIP
Giordano,Robert Joseph TITUSVILLE
Grant,Blake D PORT BYRON
Gray,Joyce A POUGHKEEPSIE
Green,Elizabeth BUFFALO
Green,Ethan J SCRANTON
Green,Lenore E WEST NYACK
Green,Sean WILLIAMSVILLE
Griffin,Benjamin J ARLINGTON
Harper,Dale NORTH ROSE
Harris,John G BUFFALO
Hauck,Donald GREENSBORO
Haupt,Philip BRASELTON
Hausman,Aaron C EDGEWATER
Hausman,Amanda E NEW BRAUNFELS
Hausman,Joshua M EDGEWATER
Hawkins,Kaisean M SPRING VALLEY
Higgins,Randy Dean MANLIUS
Hill,Virginia A CAZENOVIA
Holihan,Brendan J HOWARD BEACH
Hoyt,Eugene W MAPLECREST
Jock,Lorraine NORTH ROSE
Johnson,Barbara I ASHLAND
Jorgensen Jr,Robert Christian CENTERPORT
Jorgensen,Victoria Leigh WESTBOROUGH
Joyce,Stephen STONY POINT
Kazmirski,James William SYRACUSE
Kearney,Alanna V HAWLEY
Kearney,James V LAKE WORTH
King,Latoya M QUEENS VLG
Klino,Laurie J CLYDE
Koubek,Daniel SCHENECTADY
Kullman IV,Nathan E INDIAN LAKE
Lang,Elaine J NEW YORK
Leftwich-Lloyd,Charles E RANSON
Levy,Judith Tufel BAYSIDE
Lillis,Linda M RALEIGH
Linda O'Neil,Estate of HOPEWELL JCT
Lopez,Francesca HAUPPAUGE
Loucks,Rita AMSTERDAM
Marotti,Theodore P DIX HILLS
Marsh,Teri Ellen WASHINGTON
Mathews,Anil REDMOND
Mathews,Kunjunjamma REDMOND
Mc Bride,Ruth HUNTSVILLE
Mc Bride,Susan SPARTA
McCarthy,Michael J ANGOLA
McBride,Diane J CAPE CORAL
Mitura,Angela HAWTHORNE
Monahan,Shawn M COHOES
Mulkins,Vickie Lynn HOLMES
Mullen,Dawn HIRAM
Murray,Katherine T RONKONKOMA
O'Gara,Gerard J PALM COAST
Odoms III,Bernard S PHILADELPHIA
Olczak,David M ORCHARD PARK
Olczak,Karen Ann LANCASTER
Olczak,Robert F LANCASTER
Olczak,Sandra Anne LANCASTER
Olevnik,Danielle M DUNDEE
Olmsted,Gloria Helene PAWLING
Owens,Maurice W BUFFALO
Paquin,Sarah NORFOLK
Paquin,Tori ROME
Parodo,Jennifer A SAN DIEGO
Paul Stattel Conti,Estate of N BELLMORE
Phaneuf,Richard James SARATOGA SPGS
Pink,Robert Andrew CHARLESTON
Raiano,Angela AMSTERDAM
Rathbun Jr,Richard HYDE PARK
Reeves,Adelaide A SILVER SPRING
Reeves,Linda A CHARLOTTE
Reisch,Rebecca L NIAGARA FALLS
Riccardone,Maria STATEN ISLAND
Rinaldi,Alexander M TEWKSBURY
Rodriguez,Genera WEBSTER
Rodriguez,Natisha UNIONDALE
Rollin,Trena A ALBANY
Roth,Emily CHICAGO
Russo,Anthony WEST HARRISON
Sager,Dawn L OVID
Saylor,Doreen WINDERMERE
Scaraglino,Jean RALEIGH
Schack,Daniel J NEW YORK
Sencion,Juliana O CENTRAL ISLIP
Sencion,Julio C CENTRAL ISLIP
Shampine,Clayton H NORWOOD
Sheil,Mary T WHITING
Shumate,Chelsea BOYNTON BEACH
Shumate,Samantha A BOYNTON BEACH
Sievenpiper,Aric ALDEN
Sievenpiper,Todd ALDEN
Sikorski,Larry E BUFFALO
Sikorski,Mark K BUFFALO
Sinrich,Robert CENTERPORT
Sloat,Susan E. NEW WINDSOR
Smith,Gwendolyn A NEW YORK
Sokol,Courtney J WAPPINGERS FL
Sparkman,Artis WESTBURY
Stein,Raymond EAST ISLIP

Stein,Robert LITTLE RIVER
 Strassler,Anne WELLINGTON
 Thomas F Finnegan,Estate of PORT JEFF STA
 Thomas,Christine L WHITE PLAINS
 Thomas,Lawrence K PHOENIX
 Thomas,Victoria M OSSINING
 Toomey,Corinne CANTON
 Trawick,Sandra A SCHENECTADY
 Vanwagenen,Richard S WINGDALE
 Vito,Patricia ROCHESTER
 Walborn,Scott H JORDAN
 Wall,Mary CATSKILL
 Wannick,Alice I KINGS PARK
 Westermann,Heidi SOLTAU
 Westermann,Sonja MASTIC
 Wilson,Todd D ALTAMONT
 Wise,Bertha POUGHKEEPSIE
 Wisniewski,Timothy COHOES
 Woodhull,Desiree A WEST BABYLON
 Woody,Erik P MOUNT VERNON
 Zalewski,Vickie L PEORIA
 Zayhowski,Kimberly B SARASOTA

PUBLIC NOTICE

Department of State
 F-2023-0895

Date of Issuance – April 17, 2024

The New York State Department of State (DOS) is required by Federal regulations to provide timely public notice for the activities described below, which are subject to the consistency provisions of the Federal Coastal Zone Management Act of 1972, as amended.

The applicant has certified that the proposed activity complies with and will be conducted in a manner consistent with the approved New York State Coastal Management Program.

In F-2023-0895, Aamer Hussain is proposing to remove and replace, in place, approximately 178 feet of existing bulkhead with an additional height of up to 18 inches. The proposal also includes the addition of two 6 foot returns, the replacement of an existing boardwalk and 10 feet of clamshell dredging along the bulkhead to 4 feet below Mean Low Water resulting in approximately 25 cubic yards of dredged material to be used as fill behind the bulkhead. Lastly, the project also includes the installation of a dock with a 3'x18' ramp, 8'x24' float, and 4'x20' finger in an "L" configuration. The proposed project is to occur at 1070 Seawane Drive in the Village of Hewlett Harbor, Nassau County, within West Hempstead Bay's Macy Channel.

The stated purpose of the proposed action is shoreline stabilization and recreational enhancement.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2024/04/f-2023-0895.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 17, 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-2024-0065

Date of Issuance – April 17, 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-2024-0065, Castleton Power is proposing removal of sediment and debris that slumped into the stream. Applicant proposes to stabilize the streambank by placing approximately 50 LF of stepped and Reinforced Soil Slope system using wire mesh baskets in the eroded bank downstream of the bridge, regrading about 135 square feet of streambank slopes, and stabilizing with seed mix, disturbing approximately 112 linear feet (LF) downstream of the access bridge and approx. 38 feet upstream. Castleton Power, 1902 River Road, Castleton-on-Hudson, Town of Schodack, Village of Castleton-on-Hudson, Rensselaer County, Moordener Kill.

The stated purpose of the proposed action is to restore and stabilize a failed streambank to prevent further erosion. Project is also intended to improve water flows and create a smoother water flow path, increasing the volume capacity of the location's floodplain.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2024/04/f-2024-0065.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 17, 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-2024-0092

Date of Issuance – April 17, 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-2024-0092, the applicant, Palisades Interstate Park Commission c/o Joshua Laird, is proposing stream daylighting of a drainage line that flows into the lake via an underground culvert by excavating 218.5CY of material from 4,731sf of Hessian Lake. Work will consist of the following: install erosion and sediment controls; remove trees and stumps from project area; prepare dewatering equipment; excavation and grading of stream daylighting area (dewatering as necessary); install riprap and boulders in stream daylighting area; installation of

new drainage pipe and associated structures; construction of pedestrian bridges; excavate areas within Hessian Lake; perform topsoiling, seeding, final surfacing, and install plantings. This project is located at Bear Mountain State Park, Town of Stony Point, Rockland County, Hessian Lake.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2024/04/f-2024-0092a.pdf>, <https://dos.ny.gov/system/files/documents/2024/04/f-2024-0092b.pdf>, <https://dos.ny.gov/system/files/documents/2024/04/f-2024-0092c.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):

- Town of Stony Point Local Waterfront Revitalization Program: <https://dos.ny.gov/location/town-stony-point-local-waterfront-revitalization-program>

- National Park Service, Appalachian National Scenic Trail: <https://www.nps.gov/appa/index.htm>

- Hudson Highlands Scenic Areas of Statewide Significance: <https://dos.ny.gov/system/files/documents/2020/08/hudson-river-valley-sass.pdf>

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

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice, or May 17, 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-2024-0098

Date of Issuance – April 17, 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-2024-0098, Doug Ford is proposing construction of a 40' x 4' fixed pier with a 12' x 3' ramp and 20' x 8' floating dock with support piles. The project will be located at 305 Conklin Avenue, East Patchogue, Suffolk County, on the Swan River.

The stated purpose of the proposed action is to provide applicant access to the Swan River.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2024/04/f-2024-0098.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):

Swan River Significant Coastal Fish & Wildlife Habitat.

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

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

Any interested parties and/or agencies desiring to express their

views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice, or May 17, 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-2024-0105

Date of Issuance – April 17, 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-2024-0105 The Westchester County Department of Public Works, is proposing the removal and replacement of the following components of the Glen Island Approach Bridge: deck, sidewalks, lighting, traffic warning signs and gates, floor beams, bearings, new traffic railing, electrical and mechanical systems for both fixed and bascule spans and install a new submarine cable in a duct trenched into the harbor bed for electrical connection. A temporary movable bridge will be installed adjacent to the bridge to allow a long-term shutdown of the existing bridge without interrupting normal traffic flow.

Rehabilitation will also be conducted concurrently including painting existing bridge girders, pedestrian railing, and repairs to concrete substructures. The Glen Island Approach Bridge is located in the City of New Rochelle, Westchester County and over the New Rochelle Harbor connecting the city to Glen Island Park.

The stated purpose of the proposed action The Glen Island Bridge, constructed in 1927, has experienced structural deterioration throughout the structural steel and reinforced concrete bridge deck. Also, many of the mechanical and electrical components of the movable bridge are nearing the end of their useful life.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2024/04/f-2024-0105.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 17, 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-2024-0128

Date of Issuance – April 17, 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-2024-0128, New York State Office of Parks Recreation and Historic Preservation, is proposing to excavate a channel 40'W and 220'L to provide for fish passage between the western and eastern branches of the Niagara River. Up to 118 CY of material will be dredged from 2500 Sq. Ft. of wetland and up to 5 CY of material will be dredged from 700 Sq. Ft. area within the Niagara River. The dredged material from the berm will be used to create the bridge approaches or spread upon the upland areas. A turbidity curtain will be used to minimize turbidity into the Niagara River from the work site. A pedestrian bridge will be installed over the channel. The proposed project would be located at 5805 East River Road approximately 0.6 miles west of I-190, Niagara River, Town of Grand Island, Erie County.

The stated purpose of the proposed action is to "allow fish passage of all age groups to travel from nursery and spawning areas in the western branch to the east branch."

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2024/04/f-2024-0128.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 17, 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-2024-0140

Date of Issuance – April 17, 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-2024-0140, Terry Cullen is proposing to construct a 71.5' x 4' pier, leading to a 6' x 30' float (180sf) oriented in a T-shape. The float and pier will be joined by a 26' x 3' aluminum ramp. The pier will have a standard safety railing and the decking will be composed of ThruFlow brand or equivalent grated decking to allow for the passage of light. The project will take place at 171 Woodbine Road, Northport, Suffolk County, on the Northport Bay.

The stated purpose of the proposed action is to facilitate access to Northport Harbor for recreational/private use by the applicant.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2024/04/f-2024-0140.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):

Northport Bay Significant Coastal Fish & Wildlife Habitat.

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

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

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice, or May 17, 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-2024-0144

Date of Issuance – April 17, 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-2024-0144, the applicant, Aleksandar Nedeljkovic is proposing to construct approximately 150 linear feet of new vinyl bulkhead directly in front of the existing timber bulkhead and to construct a new 4' wide by 51' long timber staircase. This proposal is for the applicant's property located at 34 Mineola Court in the Town of Southampton, Suffolk County on Tiana Bay.

The stated purpose of the proposed action is to replace the existing deteriorated timber bulkhead and construct a new 4' wide timber staircase that will extend seaward approximately 52 SF from the proposed bulkhead into Tiana Bay.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2024/04/f-2024-0144.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:

- Shinnecock Bay Designated Significant Coastal Fish and Wildlife Habitat: https://dos.ny.gov/system/files/documents/2020/03/shinnecock_bay.pdf

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

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice, or May 17, 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-2024-0205

Date of Issuance – April 17, 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 US Army Corps of Engineers, Buffalo District has determined that the proposed activity complies with and will be conducted in a manner consistent to the maximum extent practicable with the approved New York State Coastal Management Program. The agency's consistency determination and accompanying public information and data are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York.

In F-2024-0205 (DA), the U.S. Army Corps of Engineers, Buffalo District is proposing to repair the Buffalo Harbor Confined Disposal Facility #4 perimeter dike by increasing the crest elevation to 589.2' IGLD85 (+20.0' LWD) which is +5.0' higher than what is presented in the as?built from 2011 (+15.0 ft LWD) from Station -4+00 to Station 28+50 totaling approx. 2,900 linear feet. Additionally, the repair plan includes a rubblemound tie-in of the South Entrance Arm Breakwater of the structure and a tie-in at Station 4+00 at existing crest elevation of +15.0 feet LWD. The new structure will rest on a stability berm comprised of bedding stone, which will rest on the existing lakebed and will extend 150' lakeward of the existing toe. This project is located in the City of Buffalo, Erie County, Buffalo River/ Lake Erie.

The stated purpose of the project is for structural stability of the rubblemound overlay and reduction of wave overtopping during significant storm and seiche events.

The agency's consistency determination and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2024/04/f-2024-0205da.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):

- City of Buffalo Local Waterfront Revitalization Program: <https://dos.ny.gov/location/city-buffalo-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 17, 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 1205.5, the variance and appeal petitions below have been received by the Department of State. Unless otherwise indicated, they involve requests for relief from provisions of the New York State Uniform Fire Prevention and Building Code. Persons wishing to review any petitions, provide comments, or receive actual notices of any subsequent proceeding may contact Brian Tollisen or Neil Collier, Building Standards and Codes, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2023-0410 In the matter of Osmin Flores, property located at 111 Heyward Street, Brentwood, NY 11717, for a variance concerning safety requirements, including under a projection height in the basement. Involved is an existing dwelling, County of Suffolk, State of New York.

2023-0527 In the matter of Ivan Paskov, property located at 11 North Shore Road, Hampton Bays, NY 11946, for a variance concerning safety requirements, including ceiling and under a projection height in the basement. Involved is an existing dwelling, County of Suffolk, State of New York.

2024-0029 In the matter of Calvin Tarpley, property located at 22 Country Greens Drive, Bellport, NY 11713, for a variance concerning safety requirements, including under a projection height in the basement. Involved is an existing dwelling, County of Suffolk, State of New York.

2024-0058 In the matter of Judy Thomas, property located at 29 Continental Drive, Centereach, NY 11720, for a variance concerning safety requirements, including under a projection height in the basement. Involved is an existing dwelling, County of Suffolk, State of New York.

2024-0042 In the matter of New York State Office of Mental Health, 75 New Scotland Avenue, Albany, NY 12208 for a variance for diminutive code issues concerning accessible bathing facilities renovations including type of shower seat, shower control location, type of shower panel and type of shower head at the Western New York Children's Psychiatric Center, Building #1 and Building #2, 1010 East and West Road, NY 14224, Town of West Seneca, County of Erie, State of New York.

2024-0118 In the matter of Cedric Gaskin, property located at 46 Carver Boulevard, Bellport, NY 11713, for a variance concerning safety requirements, including under a projection height in the basement. Involved is an existing dwelling, County of Suffolk, State of New York.

2024-0119 In the matter of James Armstrong, property located at 219 Colin Drive, Shirley, NY 11967, for a variance concerning safety requirements, including ceiling and under a projection height in the basement. Involved is an existing dwelling, County of Suffolk, State of New York.

PUBLIC NOTICE

Department of State
Uniform Code Variance / Appeal Petitions

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2024-0163 In the matter of Anthony Rojas of in-ARCHITECTS Plc, 239 East Water Street, Syracuse, NY, for a variance concerning safety requirements, for opening in an exterior rated wall. Involved is a mixed use commercial and multifamily residential apartment building approximately 31,300 square feet located at 719 East Genesee Street, City of Syracuse, County of Onondaga, State of New York.

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Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2024-0167 Perry Homes located at 448 South Park Avenue and 339 Perry Street, City of Buffalo (County of Erie) NY, for a variance concerning Stair and Elevator Tower to be constructed with 8 inch CLT, exposed. (Board Variance)

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Uniform Code Variance / Appeal Petitions

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2024-0168 Richard Singletary Residence located at 62 Lark Street, City of Buffalo (County of Erie) NY, for a variance concerning Sprinkler System Requirements. (Board Variance)

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Uniform Code Variance / Appeal Petitions

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2024-0170 In the matter of Rejuvenate Properties II LLC, Brian Tietje, PO Box 372, Gardiner, NY 12525, for a variance concerning safety requirements, including stair riser height. Involved is an existing building located at 123 Smith Street, City of Poughkeepsie, County of Dutchess, State of New York.

2024-0171 In the matter of Woodruff Architect, John F. Woodruff AIA, 12 Moran Place, New Rochelle, NY 10801, for a variance concerning safety requirements, including fixture clearance. Involved is a one family dwelling located at 88 Harding Drive, City of New Rochelle, County of Westchester, State of New York.

2024-0172 In the matter of ARQ Architecture, PC, Jorge B. Hernandez, R.A., 100 Executive Boulevard, Suite 204, Ossining, NY 10562, for a variance concerning safety requirements, including ceiling height, stair width and stair landing. Involved is a one family dwelling located at 32 Linden Avenue, Village of Ossining, County of Westchester, State of New York.

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2024-0435 Matter of Apple Expediting Corp., Carol Ann Chang Kaplan, P.O. Box 56, West Islip, NY 11795 for variances concerning,

flood construction requirements. Involved is an existing dwelling located at 803 South 7th Street, Incorporated Village of Lindenhurst, County of Suffolk, State of New York.

2024-0164 Matter of Dynamic Expediting Services, Roxanne Trela, 231 Islip Avenue, Brentwood, NY 11717, for a variance concerning safety requirements, including height under projection. Involved is an existing dwelling located at 371 American Blvd, Town of Islip, County of Suffolk, State of New York.

2024-0165 Matter of John Selvaggio, 12 Rose Street, Sayville, NY 11782, for a variance concerning safety requirements, including height under projection. Involved is an existing dwelling located at 12 Rose, Town of Islip, County of Suffolk, State of New York.

2024-0169 Matter of Helen Pernice, 78 Harbor Lane, Massapequa Park, NY 11762, for a variance concerning safety requirements, including ceiling height and emergency opening requirements. Involved is an existing dwelling located at 78 Harbor Lane, Village of Massapequa Park, County of Nassau, State of New York.

