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**NEW YORK STATE**  
**REGISTER**

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The last date for submission of public comments is indicated on each Notice of Proposed Rule Making. Unless a different date is specified by statute, the proposing agency must accept comments for at least: 60 days after the date of *Register* publication of a Notice of Proposed Rule Making or combined Notice of Emergency Adoption and Proposed Rule Making; and 45 days after publication of a Notice of Revised Rule Making or combined Notice of Emergency Adoption and Revised Rule Making. When a public hearing on a proposed rule is statutorily required: the hearing may not be held until at least 60 days after the publication date of the notice; and comments must be accepted for at least 5 days after the last required hearing. When a public comment period for a proposed rule is scheduled to end on a Saturday, Sunday or public holiday, comments are accepted through the next succeeding business day.

***For notices published in this issue:***

- the 60-day period expires on July 14, 2024
- the 45-day period expires on June 29, 2024
- the 30-day period expires on June 14, 2024

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**Be a part of the rule making process!**

Public comment on proposed rules is encouraged and may be submitted to the agency that is proposing the rule. Address your comments to the agency representative whose name and address is printed in the rule making notice. No special form is required; a handwritten letter will do. Individuals who access the online *Register* ([dos.ny.gov/state-register](http://dos.ny.gov/state-register)) may send public comment via electronic mail to e-mail addresses that may be provided 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 State Administrative Procedure Act provides for a minimum 60-day public comment period after publication in the *Register* for Notices of Proposed Rule Making, and a 45-day public comment period for Notices 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 of the public comment period.

When a public comment period would end on a Saturday or Sunday, the agency accepts public comment through the following Monday; when the comment period ends on a public holiday, public comment will be accepted through the next succeeding business day. Agencies cannot adopt a proposed rule until the day after the conclusion 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) 455-2731

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

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

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Public comment may be sent via electronic mail to e-mail addresses that may appear in Notices of Proposed Rule Making. This includes Proposed, Emergency/Proposed, Revised Proposed and Emergency/Revised Proposed rule makings.

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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.

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## Department of Agriculture and Markets

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

#### Maximum Permitted Fees

**I.D. No.** AAM-20-24-00001-P

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

**Proposed Action:** Amendment of sections 220.3, 220.4 and 220.12 of Title 1 NYCRR.

**Statutory authority:** Agriculture and Markets Law, arts. 2, 16, sections 18 and 178

**Subject:** Maximum Permitted Fees.

**Purpose:** The proposed amendment will increase the permitted fees for a variety of weights and measures and weighing and measuring devices.

**Text of proposed rule:** Clauses (a) and (b) of subparagraph (i) of paragraph (1) of subdivision (a) of section 220.3 of Title 1 NYCRR are repealed.

Subparagraph (i) of paragraph (1) of subdivision (a) of section 220.3 is amended to read as follows:

(i) Up to and including 15 kg (33 lb) capacity[:]... \$20

A new paragraph (11) of subdivision (a) of section 220.3 is added to read as follows:

(11) *Electrical Vehicle Charging Meters...* \$100

A new paragraph (10) of subdivision (b) of section 220.3 is added to read as follows:

(10) *Electrical Vehicle Charging Meters...* \$100

Paragraph (1) of subdivision (c) of section 220.3 is amended to read as follows:

- (1) Scales.  
(i) From 4,500 kg (9,920 lb) and including 6,500 kg (14,330 lb) ... [150] \$300  
(ii) Over 6,500 kg and including 22,500 kg (49,604 lb) ... [175] 350  
(iii) Over 22,500 kg (49,602 lb) ... [200] 400  
Paragraph (2) of subdivision (c) of section 220.3 is amended to read as follows:  
(2) Liquefied petroleum gas meters.  
(i) Up to and including 75 liters/min (20 gal/min) flow rate... [50] \$150  
(ii) Over 75 liters/min flow rate... [100] 300  
Paragraph (3) of subdivision (c) of section 220.3 is amended to read as follows:  
(3) Petroleum [terminal] meters. [with flow rates in excess of 375 liters/min (99 gal/min) ... \$200]  
(i) *Up to and including 375 liters/min (99 gal/min) ... \$225*  
(ii) *Over 375 liters/min (99 gal/min) ... 300*  
A new paragraph (4) of subdivision (c) of section 220.3 is added to read as follows:  
(4) *Electrical Vehicle Charging Meters...* \$100  
Paragraph (1) of subdivision (d) of section 220.3 is amended to read as follows:  
(1) Portable wheel-load weighers.  
(i) [c]Capacity up to and including 40,000 lb (in pairs) ... [50] \$100  
(ii) [c]Capacity over 40,000 lb and including 60,000 lb (in pairs) ... [100] 200  
(iii) [c]Capacity over 60,000 lb and including 80,000 lb (in pairs) ... [100] 200  
(iv) [c]Capacity over 80,000 lb and including 100,000 lb (in pairs) ... [100] 200  
Paragraph (2) of subdivision (d) of section 220.3 is amended to read as follows:  
(2) Lottery balls.  
(i) Sets up to and including 20 balls... [20] \$50  
(ii) Sets over 20 balls and including 60 balls... [70] 125  
(iii) Sets over 60 balls... [90] 175  
Paragraph (1) of subdivision (a) of section 220.4 is amended to read as follows:  
(1) Calibration of field standards:  
(i) Test kits 1-18 weights, largest weight not exceeding 5 kg (11 lb): [45]  
(a) *calibrations for municipal weights and measures...* \$45  
(b) *calibrations not for municipal weights and measures...* 150  
(ii) Test kits over 18 weights, largest weight not exceeding 5 kg (11 lb): [85]  
(a) *calibrations for municipal weights and measures...* \$85  
(b) *calibrations not for municipal weights and measures...* 250  
(iii) Up to and including 3 kg (7 lb): [10]  
(a) *calibrations for municipal weights and measures...* \$10  
(b) *calibrations not for municipal weights and measures...* 20  
(iv) Over 3 kg and including 30 kg (66 lb): [15]  
(a) *calibrations for municipal weights and measures...* \$15  
(b) *calibrations not for municipal weights and measures...* 75  
(v) Over 30 kg and including 1,200 kg (2,646 lb): [35]  
(a) *calibrations for municipal weights and measures...* \$35  
(b) *calibrations not for municipal weights and measures...* 75  
Paragraph (2) of subdivision (a) of section 220.4 is amended to read as follows:  
(2) Calibration of laboratory standards:  
(i) Up to and including 3 kg (7 lb) ... [20] \$50  
(ii) Over 3 kg and including 30 kg (66 lb) ... [60] 120  
(iii) Over 30 kg and including 1,200 kg (2,646 lb) ... [45] 150  
Paragraph (1) of subdivision (b) of section 220.4 is amended to read as follows:



- (1) Calibration of field standards:
  - (i) Up to and including 20 L (5 gal): [\$15]
    - (a) calibrations for municipal weights and measures... \$15
    - (b) calibrations not for municipal weights and measures... 75
  - (ii) Over 20 L and including 100 L (26 gal): [40]
    - (a) calibrations for municipal weights and measures... \$40
    - (b) calibrations not for municipal weights and measures... 175
  - (iii) Over 100 L and including 1,000 L (264 gal): [90]
    - (a) calibrations for municipal weights and measures... \$90
    - (b) calibrations not for municipal weights and measures... 400
  - (iv) Over 1,000 L and including 5,000 L (1,321 gal): [235]
    - (a) calibrations for municipal weights and measures... \$235
    - (b) calibrations not for municipal weights and measures... 900
  - (v) Over 5,000 L: [285]
    - (a) calibrations for municipal weights and measures... \$285
    - (b) calibrations not for municipal weights and measures... 1200

Paragraph (2) of subdivision (b) of section 220.4 is amended to read as follows:

- (2) Calibration of slicker plate and laboratory standards:
  - (i) Up to and including 4 L (1 gal): [\$25]
    - (a) calibration for municipal weights and measures... \$25
    - (b) calibration not for municipal weights and measures... 100
  - (ii) Over 4 L and including 40 L (11 gal): [55]
    - (a) calibrations for municipal weights and measures... \$55
    - (b) calibrations not for municipal weights and measures... 225

Paragraph (3) of subdivision (b) of section 220.4 is amended to read as follows:

- (3) Calibration of LPG standards:
  - (i) Up to and including 100 L (26 gal): [\$275]
    - (a) calibrations for municipal weights and measures... \$275
    - (b) calibrations not for municipal weights and measures... 450
  - (ii) Over 100 L and including 400 L (106 gal): [325]
    - (a) calibrations for municipal weights and measures... \$325
    - (b) calibrations not for municipal weights and measures... 650
  - (iii) Over 400 L: [400]
    - (a) calibrations for municipal weights and measures... \$400
    - (b) calibrations not for municipal weights and measures... 1000

Paragraph (1) of subdivision (c) of section 220.4 is amended to read as follows:

- (1) Calibration:
  - (i) Up to and including 2 m (7 ft): [\$15]
    - (a) calibrations for municipal weights and measures... \$15
    - (b) calibrations not for municipal weights and measures... 40
  - (ii) Over 2 m and including 16 m (52 ft): [30]
    - (a) calibrations for municipal weights and measures... \$30
    - (b) calibrations not for municipal weights and measures... 100
  - (iii) Over 16 m and including 31 m (102 ft): [50]
    - (a) calibrations for municipal weights and measures... \$50
    - (b) calibrations not for municipal weights and measures... 150
  - (iv) Over 31 m and including 61 m (200 ft): [70]
    - (a) calibrations for municipal weights and measures... \$70
    - (b) calibrations not for municipal weights and measures... 300

Subdivision (d) of section 220.4 is amended to read as follows:

(d) For any special test requested, an hourly rate of [\$75] 150 may be charged. Estimates shall be given upon request.

Paragraph (1) of subdivision (a) of section 220.12 is amended to read as follows:

(1) A fee of [\$75] \$150 per hour for examination of any device in the State laboratory.

Paragraph (1) of subdivision (b) of section 220.12 is amended to read as follows:

(1) Technician time, [\$50] 100/hr.

Paragraph (4) of subdivision (b) of section 220.12 is amended to read as follows:

(4) Equipment charges.

	Per day	Per mile
Weight truck	\$400.00	[\$2.50]5.00
Prover truck	\$400.00	[1.50] \$3.00
LPG unit	\$200.00	[.50] \$3.00
Pickup trucks	\$30.00	[.26] \$1.00

**Text of proposed rule and any required statements and analyses may be obtained from:** James Willis, Director, Bureau of Weights and Measures, Department of Agriculture and Markets, 10B Airline Drive, Albany, NY 12235, (518) 457-3146, email: AGMWeigh@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.

**Regulatory Impact Statement**

1. Statutory authority:

Section 16(1) of the Agriculture and Markets Law (AML) provides that the Commissioner shall enforce and carry into effect the provisions of the laws of the State relative to weights and measures.

Section 18 of the AML provides, in part, that the Commissioner may enact rules which shall provide generally for the exercise of powers and performance of the duties of the Department of Agriculture and Markets (Department) and for the enforcement of the enacted provisions of the AML.

Section 179 of the AML provides, in part, that the Commissioner, through their authorized agents, may calibrate, inspect, test, and certify the standards of weights and measures and weighing and measuring devices throughout the State, charge fees for such services, and that the Commissioner may promulgate such rules and regulations as deemed necessary to give full effect to the provisions of Article 16 of the AML, which generally seeks to implement a unitary regulatory system governing weights and measures throughout the State.

2. Legislative objectives:

The proposed amendments carry out the public policy objectives that the Legislature sought to advance in enacting AML Section 179 in permitting the Department to establish by regulation and collect an appropriate fee commensurate with cost. The proposed rule also ensures that weights and measures officials have adequate resources to ensure the accurate and routine calibration, inspection and testing of devices.

3. Needs and benefits:

The proposed amendments will increase the maximum permitted fees for calibrating, inspecting, and testing weighing and measuring devices for private entities while maintaining the current fees charged for municipal-owned devices. It is necessary to increase the fees associated with such services as the current fee schedule does not provide sufficient funds to cover the costs associated with purchasing and maintaining equipment, training personnel to use equipment, and maintaining a State-owned laboratory capable of testing commercial weighing and measuring devices. The Department has not raised the maximum fees collected in over 30 years, and the proposed regulations are more consistent with other states that charge for similar services.

The proposed rule will also introduce fees for the inspection and testing of electric vehicle (EV) charging stations. As the number of EV charging stations and vehicles increase across the State, it is necessary to ensure that charging stations are appropriately inspected and tested routinely to ensure accuracy for EV owners and to ensure safe travel.

The proposed rule will benefit businesses by allowing businesses to determine appropriate pricing according to the true weight and measure. The proposed rule will similarly benefit the public by strengthening confidence that goods purchased are of the true weight and measure advertised and are priced accordingly.

4. Costs:

a. Costs to regulated parties for the implementation of and compliance with the rule:

The Department anticipates the following cost analysis resulting from increasing the maximum permitted fees for calibrating, inspecting, and testing weighing and measuring devices:

The proposed increase of maximum fees that may be charged for the testing of scales in an establishment where more than five scales are tested is estimated to incur an average annual cost increase of \$500 for approximately 150 businesses located in the State.

The proposed introduction of fees for the inspection and testing of EV charging stations is estimated to incur an average annual increased cost of \$600 for approximately 3,300 businesses in New York.

The proposed increase of maximum fees that may be charged for testing petroleum meters is estimated to incur an average annual increased cost of \$500-\$2,200 for approximately 25 businesses, dependent on the number of meters to be tested.

The proposed increase of maximum fees that may be charged for testing propane meters is estimated to incur an average annual increased cost of \$600 for approximately 250 businesses.

The proposed rule increase of the maximum fees that may be charged for calibrating mass standards, volumetric standards, and linear standards using ISO/IEC 17025 procedures is estimated to incur an average annual increased cost of \$30-\$200 for each piece of equipment calibrated, dependent on the equipment, for approximately 70 businesses for each business that chooses to have its equipment so calibrated by New York State.

Lastly, the proposed rule will increase the maximum fees that may be charged to evaluate new weights and measures devices and manufacturers of such devices will incur the charge set forth in the proposed rule. This increase will only affect manufacturers testing newly manufactured models that are being evaluated for "legal for trade" status.

b. Costs to the agency, the State, and local governments for the implementation and continuation of the rule:



The proposed rule will increase costs for State and municipal police departments and the New York State Lottery, dependent upon the number of scales or lottery balls to be inspected and tested, by \$50-\$3000 annually.

c. The information, including the sources of such information and the methodology upon which the cost analysis is based:

The costs analysis set forth above is based upon observations of the industry and discussions with regulated entities prior to the proposal of this rule.

5. Local government mandates:

This proposed amendments would not require any new program, service, duty, or responsibility on any county, city, town, village, school district, fire district, or other special district.

6. Paperwork:

No additional paperwork will be required for this proposed rule.

7. Duplication:

The proposed rule will not result in a duplication of regulations.

8. Alternatives:

The Department considered keeping the current fee structure, however, the Department rejected this alternative since it would hinder the ability of the State to dedicate resources needed for testing and calibration services in conjunction with other statutory and regulatory responsibilities. The Department also considered raising fees to a higher level consistent with inflation rates, however, the Department rejected this alternative due to the potentially higher adverse economic impact to businesses. The Department has contacted the New York State Association of Convenience Stores, which includes impacted businesses that would be affected by this rule. Further, the Department has informed businesses which would be impacted by the change and no business anticipates the change to result in significant economic loss for the business and no resulting loss of jobs. Impacted businesses have an understanding that the Department's current fee schedule is significantly lower than many other states throughout the nation, and the proposed increase would bring this schedule in line with those other states. Given all of the facts and circumstances, the proposed regulation minimizes adverse economic impact to the maximum extent practicable.

9. Federal standards:

There are no concurrent federal standards.

10. Compliance schedule:

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

**Regulatory Flexibility Analysis**

1. Effect of rule:

The proposed amendments will increase the permitted fees for calibrating, inspecting, and testing weighing and measuring devices for private entities while maintaining the current fees charged for municipal-owned devices. The proposed rule will also introduce fees for the inspection and testing of electric vehicle (EV) charging stations. The Department anticipates that the number of small businesses affected by the proposed rule will be fewer than 20 businesses across the State. Municipal police departments are the only local governments that will be affected by the proposed rule. No other local governments will be affected by the rule as the fees permitted do not increase the current cost to municipal owned devices.

2. Compliance requirements:

The proposed rule does not require any additional reporting, recordkeeping or other affirmative acts by small businesses or local governments.

3. Professional services:

The proposed rule does not require additional professional services to be obtained by small business or local governments for compliance with the rule.

4. Compliance costs:

The Department only anticipates small businesses will be affected by the proposed increase of maximum fees that may be charged for the testing of scales in an establishment where more than five scales are tested. It is estimated that small businesses may incur an annual cost increase of \$50 annually.

State and municipal police departments will see annual increases consistent with the proposed rule and dependent upon the number of devices inspected and tested. Other local governments will not be affected by the proposed rule as it does not increase fees for municipal owned weights and measures equipment.

5. Economic and technological feasibility:

The proposed rule is economically feasible for small businesses as the fee increase will result in a fee increase of less than \$100 per device to be calibrated, inspected or tested for fewer than 20 small businesses statewide will be impacted. Additionally, State and municipal police departments are in possession of sufficient funding to pay the proposed increased fees. Other local governments will not be affected by the proposed rule as it does not increase fees for municipal owned weights and measures devices.

The proposed rule is technologically feasible as calibration, inspection,

and testing under the proposed rule already occur, and no new technology or other changes are necessary to continue calibration, inspection, and testing.

6. Minimizing adverse impact:

In conformance with State Administrative Procedure Act section 202-b(1), the proposed rule was drafted to minimize adverse impact to small businesses and local governments. The Department considered keeping the current fee structure, however, the Department rejected this alternative since the current fee structure does not provide sufficient funds to cover the costs associated with purchasing and maintaining equipment, training personnel to use equipment, and maintaining a State-owned laboratory capable of testing commercial weighing and measuring devices. The Department also considered raising fees to a higher level consistent with inflation rates, however, the Department rejected this alternative due to the potentially higher adverse economic impact to businesses, including small businesses. Local governments, except State and municipal police departments, are not affected by the proposed rule. Given all of the facts and circumstances, the proposed regulations minimize adverse economic impact to small businesses and local governments as much as possible.

7. Small business and local government participation:

As outlined above, municipal police departments are the only local governments to be impacted by the rule. Approximately 50 local and municipal police departments utilize the Departments Weights and Measures services for axle load weighers. Six police departments were contacted regarding the proposed rulemaking, and the Department received feedback from one department which commented that the proposal shouldn't be an issue. No other feedback was received. Other local governments will not be impacted by the proposed rule as fees are not increasing for municipal owned weights and measures devices. It is estimated that fewer than 20 small businesses will be impacted by the proposed rule as they are unlikely to own more than five scales or own other equipment required to be calibrated, inspected, or tested under the proposed regulations. The Department contacted the New York State Association of Convenience Stores, which includes impacted businesses that would be affected by this rule. Further, the Department has informed businesses which would be impacted by the change and no business anticipates the change to result in significant economic loss for the business and no resulting loss of jobs. Impacted businesses have an understanding that the Department's current fee schedule is significantly lower than many other states throughout the nation, and the proposed increase would bring this schedule in line with those other states. A sergeant from the New York State Police was contacted and did not object to the proposed rule.

8. Initial review of the 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

**Rural Area Flexibility Analysis**

1. Types and estimated numbers of rural areas:

It is estimated that fewer than 100 businesses and fewer than 20 municipal police departments located in rural areas across the State will be impacted by the proposed rulemaking. The proposed rule impact would be limited to those businesses which are propane companies, large capacity vehicle scales, businesses with more than 5 scales to be tested, or businesses that operate and/or maintain electric vehicle (EV) charging stations and municipal police departments. These businesses and police departments operate in all regions of the State.

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

The proposed rule does not require any additional reporting, recordkeeping or professional services by businesses located in rural areas. However, the proposed rule may increase the cost of compliance as outlined below.

3. Costs:

The Department anticipates the following cost analysis resulting from increasing the maximum permitted fees for calibrating, inspecting, and testing weighing and measuring devices:

The proposed increase of maximum fees that may be charged for the testing of scales in an establishment where more than five scales are tested is estimated to incur an average annual cost increase of \$500 for approximately 150 businesses statewide, including businesses, if any, in rural areas.

The proposed introduction of fees for the inspection and testing of EV charging stations is estimated to incur an average annual increased cost of \$600 for approximately 3,300 businesses statewide, including businesses, if any, in rural areas.

The proposed increase of maximum fees that may be charged for testing petroleum meters is estimated to incur an average annual increased cost of \$500-\$2,200 for approximately 25 businesses, dependent on the number of meters to be tested, which includes businesses, if any, in rural areas.

The proposed increase of maximum fees that may be charged for test-

ing propane meters is estimated to incur an average annual increased cost of \$600 for approximately 250 businesses statewide, including businesses, if any, in rural areas.

The proposed rule increase of the maximum fees that may be charged for calibrating mass standards, volumetric standards, and linear standards using ISO/IEC 17025 procedures is estimated to incur an average annual increased cost of \$30-\$200 for each piece of equipment calibrated, dependent on the equipment, for approximately 70 businesses statewide including businesses, if any, in rural areas, that choose to have its equipment so calibrated.

The proposed rule increase of the maximum fees that will be charged for the testing of police portable wheel load weighers is estimated to increase costs for municipal police departments by \$50-\$3000 for approximately 50 municipal police departments, including those in rural areas.

Lastly, the proposed rule will increase the maximum fees that may be charged to evaluate new weights and measures devices and manufacturers of such devices will incur the charge set forth in the proposed rule when evaluated. This increase will only affect manufacturers testing newly manufactured models that are being evaluated for "legal for trade" status.

#### 4. Minimizing adverse impact:

In conformance with State Administrative Procedure Act section 202-bb(2), the proposed rule was drafted to minimize adverse impact to public and private entities in rural areas. The Department considered keeping the current fee structure, however, the Department rejected this alternative since the current fee structure does not provide sufficient funds to cover the costs associated with purchasing and maintaining equipment, training personnel to use equipment, and maintaining a State-owned laboratory capable of testing commercial weighing and measuring devices. The Department also considered raising fees to a higher level consistent with inflation rates, however, the Department rejected this alternative due to the potentially higher adverse economic impact to businesses, including those in rural areas. Local governments, except State and municipal police departments, are not affected by the proposed rule. Given all of the facts and circumstances, the proposed regulations minimize adverse economic impact to rural areas as much as possible.

#### 5. Rural area participation:

As outlined above, State and municipal police departments are the only local governments to be impacted by the rule. Other local governments will not be impacted by the proposed rule as fees are not increasing for municipal owned weights and measures devices. It is estimated that fewer than 20 small businesses will be impacted by the proposed rule as they are unlikely to own more than five scales or own other equipment required to be calibrated, inspected, or tested under the proposed regulations. The Department contacted the New York State Association of Convenience Stores, which includes businesses in rural areas affected by this rule. Further, the Department has informed businesses which would be impacted by the change and no business anticipates the change to result in significant economic loss for the business and no resulting loss of jobs. Impacted businesses have an understanding that the Department's current fee schedule is significantly lower than many other states throughout the nation, and the proposed increase would bring this schedule in line with those other states. A representative from the New York State Police also did not object to the proposed rule.

#### 6. Initial review of the 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.

#### Job Impact Statement

The proposed rule will allow the State Director of the Department of Agriculture and Markets, Bureau of Weights and Measures, and the municipal weights and measures directors to charge higher fees to calibrate, inspect, and test weights and measures standards and devices, submitted to the Director for calibration, inspection, and testing by private businesses. The proposed rule will also introduce fees for the calibration, inspection, and testing of electric vehicle charging stations.

The proposed rule will allow the State Director and municipal weights and measures Directors to recover costs associated with providing the above referenced services. This cost increase will bring New York State's calibration, inspection, and testing fees for private businesses in line with many other states in the Nation without increasing the cost of calibration, inspection, and testing for municipal weights and measures departments. Additionally, there is state-wide awareness of the introduction of the proposed rule and the increase in fees. The Department received no negative feedback from public or private entities and it is not anticipated that the fee increase will have any adverse impact upon public or private entities employment rates. It is not anticipated that the proposed rule will have an impact on jobs within New York State.

## Department of Civil Service

### NOTICE OF ADOPTION

#### Jurisdictional Classification

**I.D. No.** CVS-01-24-00003-A

**Filing No.** 376

**Filing Date:** 2024-04-25

**Effective Date:** 2024-05-15

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

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

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

**Subject:** Jurisdictional Classification.

**Purpose:** To classify positions in the exempt class.

**Text or summary was published** in the January 3, 2024 issue of the Register, I.D. No. CVS-01-24-00003-P.

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

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

#### Assessment of Public Comment

The agency received no public comment.

### NOTICE OF ADOPTION

#### Jurisdictional Classification

**I.D. No.** CVS-01-24-00004-A

**Filing No.** 372

**Filing Date:** 2024-04-25

**Effective Date:** 2024-05-15

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

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

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

**Subject:** Jurisdictional Classification.

**Purpose:** To classify a position in the exempt class.

**Text or summary was published** in the January 3, 2024 issue of the Register, I.D. No. CVS-01-24-00004-P.

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

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

#### Assessment of Public Comment

The agency received no public comment.

### NOTICE OF ADOPTION

#### Jurisdictional Classification

**I.D. No.** CVS-01-24-00005-A

**Filing No.** 379

**Filing Date:** 2024-04-25

**Effective Date:** 2024-05-15

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

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

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

**Subject:** Jurisdictional Classification.

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

*Text or summary was published* in the January 3, 2024 issue of the Register, I.D. No. CVS-01-24-00005-P.

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

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

**Assessment of Public Comment**

The agency received no public comment.

**NOTICE OF ADOPTION**

**Jurisdictional Classification**

**I.D. No.** CVS-01-24-00006-A

**Filing No.** 375

**Filing Date:** 2024-04-25

**Effective Date:** 2024-05-15

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

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

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

*Subject:* Jurisdictional Classification.

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

*Text or summary was published* in the January 3, 2024 issue of the Register, I.D. No. CVS-01-24-00006-P.

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

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

**Assessment of Public Comment**

The agency received no public comment.

**NOTICE OF ADOPTION**

**Jurisdictional Classification**

**I.D. No.** CVS-01-24-00007-A

**Filing No.** 377

**Filing Date:** 2024-04-25

**Effective Date:** 2024-05-15

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

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

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

*Subject:* Jurisdictional Classification.

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

*Text or summary was published* in the January 3, 2024 issue of the Register, I.D. No. CVS-01-24-00007-P.

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

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

**Assessment of Public Comment**

The agency received no public comment.

**NOTICE OF ADOPTION**

**Jurisdictional Classification**

**I.D. No.** CVS-01-24-00008-A

**Filing No.** 373

**Filing Date:** 2024-04-25

**Effective Date:** 2024-05-15

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

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

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

*Subject:* Jurisdictional Classification.

*Purpose:* To classify a position in the exempt class.

*Text or summary was published* in the January 3, 2024 issue of the Register, I.D. No. CVS-01-24-00008-P.

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

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

**Assessment of Public Comment**

The agency received no public comment.

**NOTICE OF ADOPTION**

**Jurisdictional Classification**

**I.D. No.** CVS-01-24-00009-A

**Filing No.** 380

**Filing Date:** 2024-04-25

**Effective Date:** 2024-05-15

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

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

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

*Subject:* Jurisdictional Classification.

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

*Text or summary was published* in the January 3, 2024 issue of the Register, I.D. No. CVS-01-24-00009-P.

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

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

**Assessment of Public Comment**

The agency received no public comment.

**NOTICE OF ADOPTION**

**Jurisdictional Classification**

**I.D. No.** CVS-01-24-00010-A

**Filing No.** 378

**Filing Date:** 2024-04-25

**Effective Date:** 2024-05-15

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

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

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

*Subject:* Jurisdictional Classification.

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

*Text or summary was published* in the January 3, 2024 issue of the Register, I.D. No. CVS-01-24-00010-P.

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

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

**Assessment of Public Comment**

The agency received no public comment.



## NOTICE OF ADOPTION

## Jurisdictional Classification

I.D. No. CVS-01-24-00011-A

Filing No. 374

Filing Date: 2024-04-25

Effective Date: 2024-05-15

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

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

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

**Subject:** Jurisdictional Classification.

**Purpose:** To classify positions in the exempt class.

**Text or summary was published** in the January 3, 2024 issue of the Register, I.D. No. CVS-01-24-00011-P.

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

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

**Assessment of Public Comment**

The agency received no public comment.

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## Department of Environmental Conservation

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## ERRATUM

A Notice of Proposed Rule Making pertaining to Listing Process, Jurisdiction Determination and Permit Procedures Pertaining to Endangered and Threatened Species, I.D. No. ENV-18-24-00024-P, which was published in the May 1, 2024 issue of the *State Register* included notice of two public hearings to be held via Webex. While the links included with the proposal will take participants directly to the meeting, in an effort to facilitate easier access for those interested, the Department of Environmental Conservation is providing the following links for access to preregistration as well as the public hearing:

1:00 p.m., July 9, 2024: <https://dec.ny.gov/get-involved/events/part-182-endangered-and-threatened-species-repromulgation-public-hearing>

6:00 p.m., July 9, 2024: <https://dec.ny.gov/get-involved/events/part-182-endangered-and-threatened-species-repromulgation-public-hearing-0>

Additional information on the proposal and public hearings may be found at: <https://dec.ny.gov/regulatory/regulations/proposed-emergency-recently-adopted-regulations/fish-wildlife-revisions>

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## Department of Financial Services

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## NOTICE OF ADOPTION

## Supplementary Uninsured/Underinsured Motorist Coverage

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

Filing No. 381

Filing Date: 2024-04-25

Effective Date: 2024-05-15

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

**Action taken:** Amendment of Subpart 60-2 (Regulation 35-D) of Title 11 NYCRR.

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

**Subject:** Supplementary Uninsured/Underinsured Motorist Coverage.

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

**Text or summary was published** in the February 21, 2024 issue of the Register, I.D. No. DFS-08-24-00002-P.

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

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

**Assessment of Public Comment**

The agency received no public comment.

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## Department of Health

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

#### In-Person Medical Evaluation Requirements and Exceptions for Controlled Substance Prescribing

I.D. No. HLT-20-24-00008-P

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

**Proposed Action:** Amendment of sections 80.62, 80.63 and 80.84 of Title 10 NYCRR.

**Statutory authority:** Public Health Law, section 3308(2)

**Subject:** In-Person Medical Evaluation Requirements and Exceptions for Controlled Substance Prescribing.

**Purpose:** To clarify patient evaluation requirements with regards to the issuance of a controlled substance prescription.

**Text of proposed rule:** Pursuant to the authority vested in the Commissioner of Health by section 3308(2) of the Public Health Law, sections 80.62, 80.63 and 80.84 of Title 10 of the Official Compilation of Codes, Rules and Regulations of the State of New York are amended, to be effective upon publication of a Notice of Adoption in the New York State Register, to read as follows:

Subdivision (b) of section 80.62 is amended to read as follows:

(b) Such practitioners shall maintain a written patient record of administration, dispensing and prescription of all controlled substances. The patient record shall contain sufficient information to justify the diagnosis and warrant the treatment. The record shall contain at least the following information: patient identification data; chief complaint; present illness; *past medical history*; *medical evaluation of the patient pursuant to section 80.63 of this Part* [physical examination as indicated]; diagnosis; other data which support the diagnosis or treatment; and the regimen including the amount, strength, and directions for use of the controlled substance. This subdivision shall not be construed to require a record distinct from the medical record of the patient.

\* \* \*

Subdivision (d) of section 80.63 is repealed and new sections (d) and (e) are added, to read as follows:

[(d)(1) No controlled substance prescription shall be issued prior to the examination of the patient by the practitioner except as otherwise permitted by this subdivision.

(2) Once the initial examination has been completed, the frequency and necessity for future examinations prior to prescribing, either for the same acute or chronic condition, will be made by the practitioner utilizing generally accepted medical standards, including taking into account the drug to be prescribed and the patient's condition, history and disposition toward the use of controlled substances.

(3) In the temporary absence of the initial prescriber, an authorized practitioner may issue a controlled substance prescription for a patient as part of a continuing therapy if the practitioner: (i) had direct access to the patient's medical records and such records warrant continued controlled substance prescribing, or (ii) had direct and adequate consultation with the initial prescriber, who assures the necessity of continued controlled substance prescribing and with which the practitioner concurs. If the patient record is not available, the practitioner shall document the activity for his or her own record and shall transmit to the initial prescriber the prescription information. The initial prescriber shall include the prescription information in the patient's record.

(4) A practitioner may prescribe a controlled substance to his or her patient after review of the patient's record if the record contains the result

of an examination performed by a consulting physician or hospital and such record warrants the prescribing.

(5) If a patient develops a new condition that would warrant the issuance of a prescription for a controlled substance, a practitioner may issue such prescription prior to performing an examination if: (i) the prescribing practitioner has a previously established practitioner/patient relationship with the patient; and (ii) an emergency exists; and (iii) the prescription does not exceed a 5-day supply as determined by the directions for use. An emergency means that the immediate administration of the drug is necessary for the proper treatment of the patient and that no alternative treatment is available. If the practitioner prescribes such substance orally, the practitioner must comply with the requirements of section 80.68 and section 80.70 of this Part.]

(d) *No controlled substance shall be prescribed prior to an in-person medical evaluation of the patient by the prescribing practitioner for the medical condition for which the controlled substance is being considered. The practitioner shall determine the parameters for the medical evaluation, and frequency of future medical evaluations as part of the patient's continuing treatment, utilizing generally accepted medical standards and taking into account the drug to be prescribed and the patient's medical condition, history and disposition toward the use of controlled substances.*

(e) *Notwithstanding subdivision (d) of this section, a controlled substance may be prescribed by a practitioner, in the absence of the practitioner performing an in-person medical evaluation, in the following circumstances:*

(1) *when utilizing a consulting or referring practitioner - for their patient after review of the patient's record if the record contains the result of an in-person medical evaluation performed by a consulting or referring practitioner within the previous 12 months specific to the medical condition for which the prescription is being considered;*

(2) *for a covering practitioner - in the temporary absence of the initial prescriber for a patient as part of a continuing therapy, provided the prescribing practitioner either:*

(i) *is part of the same practice as the initial prescriber and has direct access to the patient's medical records, and such records warrant continued controlled substance prescribing; or*

(ii) *has direct and adequate consultation with the initial prescriber, who assures the necessity of continued controlled substance prescribing and with which the practitioner concurs. If the patient record is not available, the practitioner shall document the activity for their own record and shall transmit to the initial prescriber the prescription information within 72 hours. The initial prescriber shall include the prescription information in the patient's record;*

(3) *for a new condition in an emergency situation - if a patient develops a new medical condition that would warrant the issuance of a prescription for a controlled substance, provided that:*

(i) *the prescribing practitioner has a previously established practitioner/patient relationship with the patient;*

(ii) *an emergency exists such that the immediate administration of the drug is necessary for the proper treatment of the patient and no alternative treatment is available; and*

(iii) *the prescription does not exceed a 5-day supply as determined by the directions for use. If the practitioner prescribes such substance orally, the practitioner must comply with the requirements of section 80.68 and section 80.70 of this Part;*

(4) *through telemedicine - as such term is defined by article 29-G of the Public Health Law, consistent with all applicable state laws and regulations and the laws, rules and regulations of the Drug Enforcement Administration, United States Department of Justice, or any successor agency. This is inclusive of any controlled substance as approved by the Food and Drug Administration (FDA), or its successor agency, and the New York State Department of Health for the treatment of opioid use disorder as listed in section 80.84 of this Part.*

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Section 80.84 is amended to read as follows:

80.84 Practitioners and pharmacies; prescribing, administering and dispensing for the treatment of *opioid use disorder* [narcotic addiction].

[Pursuant to the provisions of the federal Drug Addiction Treatment Act of 2000 (DATA 2000) (106 P.L. 310, Div. B, Title XXXV, Section 3502(a)), an authorized] A practitioner may prescribe, administer or dispense an approved controlled substance, and a licensed registered pharmacist may dispense an approved controlled substance, to a patient, pursuant to a prescription, for the treatment of *opioid use disorder*. [participating in an authorized controlled substance maintenance program approved pursuant to Article 32 of the Mental Hygiene Law for the treatment of narcotic addiction.]

(a) An approved controlled substance shall mean the following controlled substance which has been approved by the Food and Drug Administration (FDA), or its successor agency, and the New York State Department of Health for the treatment of [narcotic addiction] *opioid use disorder*:

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[(b) An authorized practitioner is a practitioner specifically registered with the Drug Enforcement Administration to prescribe, administer or dispense an approved controlled substance for the treatment of narcotic addiction, and approved for such purpose pursuant to the provisions of Article 32 of the Mental Hygiene Law.

(1) The total number of such patients of an authorized practitioner at any one time shall not exceed the limit established by DATA 2000 and the Department of Health and Human Services (HHS) Substance Abuse and Mental Health Services Administration (SAMHSA), or its successor agency.

(2) An authorized practitioner prescribing an approved controlled substance for the treatment of narcotic addiction, in addition to preparing and signing an official New York State prescription or an electronic prescription in accordance with Section 3332 of the Public Health Law and Section 80.69 of this Part, shall also include his/her unique DEA identification number on the prescription.

(3)] (b) [An authorized] A practitioner may dispense an approved controlled substance for the treatment of [narcotic addiction] *opioid use disorder* in accordance with [S]section 3331 of the Public Health Law and [S]section 80.71 of this Part.

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(c) A pharmacist may dispense an approved controlled substance for the treatment of [narcotic addiction] *opioid use disorder* pursuant to a prescription issued by [an authorized] a practitioner. Such dispensing shall be in accordance with [S]section 3333 of the Public Health Law and [S]section 80.74 of this Part.

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

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

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

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

**Regulatory Impact Statement**

Statutory Authority:

Section 3308 of the New York State Controlled Substances Act provides, in part, that the commissioner is authorized and empowered to make any rules, regulations and determinations which in their judgment may be necessary or proper to supplement its provisions to effectuate the purposes and intent thereof or to clarify its provisions so as to provide the procedure or details to secure effective and proper enforcement of its provisions.

Legislative Objectives:

The proposed rule clarifying patient evaluation requirements with regards to the issuance of a controlled substance prescription accords with the policy objectives the Legislature sought to advance by enacting the statutory authority, in that it will help ensure patients in the State have access to medically necessary controlled substance medications while mitigating risk of diversion.

Needs and Benefits:

This rule serves to clarify existing language with regard to the requirement for a practitioner to conduct an in-person medical evaluation prior to the issuance of a prescription for a controlled substance medication. Further, this rule serves to align allowances for the prescribing of controlled substance medications by telemedicine in New York State with federal law and regulation and to align New York State with changes made to 21 USC § 823, and reduce stigma associated with substance use disorders.

The COVID-19 public health emergency (PHE) and associated quarantine and business closures resulted in reduced access to care for patients nationwide. This prompted the federal government to issue guidance for practitioners which expanded access to controlled substance prescribing via telemedicine. While this guidance permitted a practitioner federally to prescribe a controlled substance medication to a patient prior to conducting an in-person medical evaluation, New York State regulations at Title 10 of the New York Codes, Rules and Regulations (NYCRR) sections 80.62 and 80.63 continued to require a physical examination prior to the issuance of a controlled substance prescription. Subsequently, on January 31, 2023, the New York State Commissioner of Health issued a determina-

tion permitting controlled substance prescribing through telemedicine pursuant to the same processes as federal law and Drug Enforcement Administration (DEA) policy permit, limited to the duration of the federally declared public health emergency due to COVID-19, and provided it occurs in compliance with all other applicable Federal and New York State laws.

On February 24, 2023, the Drug Enforcement Administration announced proposed permanent rules for the prescribing of controlled substance medications via telemedicine, expanding patient access to critical therapies beyond the scheduled end of the COVID-19 public health emergency on May 11, 2023. The proposed rules provide regulations for a narrow subset of telemedicine consultations, consisting of telemedicine consultations by a medical practitioner that has never conducted an in-person evaluation of a patient, and which result in the prescribing of a controlled substance medication. For these types of telemedicine consultations, the proposed rules allow medical practitioners to prescribe without having conducted an in-person evaluation or without a referral from a medical practitioner that has conducted an in-person evaluation: a 30-day supply of Schedule III-V non-narcotic controlled substance medications; or a 30-day supply of buprenorphine for the treatment of opioid use disorder. In both instances, the prescription must be otherwise consistent with all applicable Federal and State laws.

Further, existing language relating to the requirement to conduct a patient evaluation prior to issuing a controlled substance differs between state and federal regulations. Specifically, New York State regulations refer to an “examination” and “physical examination” while federal regulations require an “in-person medical evaluation”. This variance contributed to confusion among the healthcare practitioner community with respect to the parameters and circumstances of the required examination or evaluation during the federally declared public health emergency due to COVID-19.

Beginning prior to the COVID-19 public health emergency, drug overdose deaths and opioid-involved deaths were already increasing in the United States. According to the Centers for Disease Control and Prevention, since 1999 more than 932,000 people have died from a drug overdose, and the number of overdose deaths involving opioids have quadrupled. In 2020 alone, 91,799 drug overdose deaths occurred in the United States, with opioids accounting for 74.8% of all drug overdose deaths.

As a means to combat this deadly epidemic, medication treatment of opioid use disorder (OUD) has been associated with reduced overdose and overall mortality. One such FDA-approved medication indicated for the treatment of OUD is buprenorphine. Buprenorphine is a partial mu-opioid receptor agonist which works to suppress and reduce cravings for opioids. Due to its classification as an opioid, federal law placed strict limitations upon practitioners regarding its use in the treatment of opioid use disorder.

However, on December 29, 2022, the Consolidated Appropriations Act for 2023, was signed into law. This legislation included the Mainstreaming Addiction Treatment Act (MAT Act) provision. Prior to the MAT Act, federal law (21 USC § 823) required practitioners to obtain a special registration prior to prescribing buprenorphine to treat patients with opioid use disorder and placed limitations on the number of patients a practitioner may treat for opioid use disorder with buprenorphine. The MAT Act modified the restrictions in 21 USC § 823 to enable all health care providers with a standard Drug Enforcement Administration registration to prescribe buprenorphine for opioid use disorder, just as they prescribe other controlled substance medications. The limitation on the number of patients a practitioner may treat for opioid use disorder with buprenorphine was eliminated as well.

In its current form, 10 NYCRR § 80.84 references the special DEA registration requirement and the patient number limitations that are no longer in effect. Alignment of state regulations with federal law is necessary to avoid confusion among practitioners and pharmacies and to maintain access to lifesaving care for individuals with opioid use disorder. In addition to the conforming changes required to align with these recent changes to federal law, amendments to section 80.84 also include the removal of stigmatizing language. Specifically, the outdated phrase “narcotic addiction” is replaced with commonly accepted term “opioid use disorder.”

Based on the foregoing, the Department has made the determination that this regulation is necessary to ensure that all patients continue to have access to medically necessary controlled substance medications through the practice of telemedicine, to resolve practitioner confusion regarding the required in-person medical evaluation, to further facilitate the prescribing of buprenorphine for OUD, and to mitigate the risk of diversion.

#### Costs:

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

The proposed revisions do not impose any additional costs to the regulated parties.

#### Costs to State and Local Governments:

The proposed amendments will not require state and local governments

to perform any additional tasks; therefore, it is not anticipated to have an adverse fiscal impact.

#### Costs to the Department of Health:

The proposed amendments will not impose additional costs to the New York State Department of Health.

#### Local Government Mandates:

The proposed regulations do not impose new mandates on any county, city, town or village government; or school, fire or other special district.

#### Paperwork:

The proposed regulations do not require any additional forms or paperwork from regulated parties.

#### Duplication:

Sections 1300, 1304 and 1306 of Title 21 of the Code of Federal Regulations (CFR) regulate the issuance of prescriptions for controlled substance medication via telemedicine. This rule does not exceed any minimum standards for the same or similar subject areas, since it permits said practice in New York State to the extent allowed by federal law and regulation. Consequently, there is no duplication.

#### Alternatives:

None. The failure of the State to adopt this rule could result in restrictions in access to care, particularly for populations in rural and underserved areas, as well as for those seeking care for opioid use disorder. In light of these factors, there does not appear to be any viable alternative to the proposals in this rulemaking.

#### Federal Standards:

Sections 1300, 1304 and 1306 of Title 21 of the Code of Federal Regulations (CFR) regulate the issuance of prescriptions for controlled substance medication via telemedicine. This rule does not exceed any minimum standards for the same or similar subject areas, since it permits said practice in New York State to the extent allowed by federal law and regulation.

#### Compliance Schedule:

It is anticipated that regulated persons would be able to comply with the rule upon publication of a Notice of Adoption in the New York 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

A Rural Area Flexibility Analysis for these amendments is not being submitted because amendments will not impose any adverse impact or significant reporting, record keeping or other compliance requirements on public or private entities in rural areas. There are no professional services, capital, or other compliance costs imposed on public or private entities in rural areas as a result of the proposed amendments.

#### Job Impact Statement

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

## REVISED RULE MAKING NO HEARING(S) SCHEDULED

### Hospital Cybersecurity Requirements

I.D. No. HLT-49-23-00001-RP

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

**Proposed Action:** Addition of section 405.46 to Title 10 NYCRR.

**Statutory authority:** Public Health Law, section 2803

**Subject:** Hospital Cybersecurity Requirements.

**Purpose:** To create cybersecurity program requirements at all article 28 regulated facilities.

**Substance of revised rule (Full text is posted at the following State website: <https://regs.health.ny.gov/regulations/proposed-rule-making>):** The proposed regulation would create a new section 405.46 of Title 10 (Health) of the Official Compilation of Codes, Rules and Regulations of the State of New York, to create cybersecurity requirements for all hospital facilities.

Section 405.46 (a) identifies all general hospitals in New York State as subject to the regulations.



Section 405.46 (b) defines certain terms and language for purposes of the section.

Section 405.46 (c) establishes the requirements for hospitals to have a cybersecurity program and defines protocols, procedures, and core functions of such program.

Section 405.46 (d) defines the cybersecurity policies that general hospitals will need to create and the topics that should be considered after a risk assessment has been performed.

Section 405.46 (e) requires general hospitals to designate a Chief Information Security Officer.

Section 405.46 (f) sets forth the requirements for testing and vulnerability of a general hospital's cybersecurity program.

Section 405.46 (g) outlines the audit trails and records maintenance and retention requirements of a general hospital's cybersecurity program.

Section 405.46 (h) sets forth the requirements for cybersecurity risk assessments and the considerations for policies and procedures relative to those risk assessments.

Section 405.46 (i) sets forth the requirements for cybersecurity personnel general hospitals must utilize.

Section 405.46 (j) sets forth the policies for third-party service providers of cybersecurity programs.

Section 405.46 (k) sets forth the requirements for identity and access management.

Section 405.46 (l) sets forth the requirements for training and monitoring of the cybersecurity program.

Section 405.46 (m) defines the requirements for an incident response plan in the event of a cybersecurity incident.

Section 405.46 (n) defines the reporting requirements for a general hospital during a cybersecurity incident.

Section 405.46 (o) refers to confidentiality and the applicability of State and federal statutes.

Section 405.46 (p) provides general hospitals one (1) year from the date of adoption to comply with the new regulatory requirements, except that general hospitals must immediately begin reporting to the Department as required by subdivision (n) of this section.

Section 405.46 (q) states that if any provisions of the section are found to be invalid, it shall not affect or impair the validity of other provisions of the section.

**Revised rule compared with proposed rule:** Substantial revisions were made in section 405.46(b)(5)(ii), (10), (c), (d), (e), (f), (g), (h), (i), (k), (n), (o) and (p).

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

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

**Public comment will be received until:** 45 days after publication of this notice.

#### **Revised Regulatory Impact Statement**

##### **Statutory Authority:**

Public Health Law (PHL) § 2803(2)(a) authorizes the Public Health and Health Planning Council (PHHPC) to adopt and amend rules and regulations, subject to the approval of the Commissioner of Health (Commissioner), to implement PHL Article 28 and establish minimum standards for health care facilities, including general hospitals.

##### **Legislative Objectives:**

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

These regulations fulfill this legislative objective by ensuring that general hospitals within New York State implement minimum cybersecurity controls to safeguard protected health information (PHI) and personally identifying information (PII) from being publicly disclosed or used for identity theft, and ensure continuity of business and operations at general hospitals within the State.

##### **Needs and Benefits:**

The healthcare industry is one of the most targeted communities for cybersecurity scams and breaches due to the significant amount of sensitive and financially lucrative information healthcare facilities collect. Currently in New York State there are no cybersecurity requirements for the safeguarding and security of patients' protected health information (PHI) and personally identifying information (PII) and for ensuring continuity of business and operations at hospitals within the State. As a result, New Yorkers seeking medical care have no guaranteed minimum levels of protection of their information. As a result of this, there have been several high-profile cybersecurity breaches at facilities across the state which have resulted in not only a loss of patient financial and health data, but in some cases has also delayed care.

Additionally, cybersecurity events at hospitals can have significant, far-

reaching, and long-term impacts to the provision of patient care and operation of the facility. Governor Hochul has been focusing on cybersecurity and ensuring that New Yorkers data stays safe no matter where they go. The promulgation and implementation of cybersecurity focused regulations supports this initiative. These regulations will ensure all hospitals develop, implement, and maintain minimum cybersecurity standards, including cybersecurity staffing, network monitoring and testing, policy and program development, employee training and remediation, incident response, appropriate reporting protocols and records retention.

There will be multiple benefits to the adoption of these regulations. Given the significant differences in preparedness statewide against cybersecurity attacks, these regulations will ensure hospitals are required to maintain a minimum level of readiness to prepare for, respond to, and quickly recover from cybersecurity incidents.

##### **Costs:**

##### **Costs to Regulated Parties:**

The costs associated with the implementation by regulated facilities will vary significantly due to the varying levels of cybersecurity programs and policies hospitals currently have in place. Some facilities may have mature monitoring, training and response programs, whereas others may not. Therefore, the costs could vary from tens of thousands to tens of millions. Hospitals will be allowed to sub-contract for cybersecurity services and this may reduce the overall cost of program implementation. It is estimated that effective cybersecurity programs can cost between \$250,000 and \$10 Million to develop and implement initially and anywhere from \$50,000 - \$2 Million or more to maintain on a yearly basis depending on the facility size. For small hospitals (of which there are 15 and are defined as less than 10 acute care or ICU beds), ongoing annual costs are estimated to be \$50,000-\$200,000. For medium sized hospitals (of which there are 62 and are defined as those with between 10 and 100 beds), ongoing costs are estimated to be \$200,000-\$500,000. For large hospitals (of which there are 114 and are defined as those with more than 100 beds), ongoing annual costs are estimated to be \$2 million.

##### **Costs to Local and State Governments:**

There are currently fifteen facilities which would be subject to these proposed regulations which are operated by local municipalities. As such, they would be subject to the same regulations as those operated by private entities. The estimated costs they would incur would depend on their size, as noted above.

##### **Local Government Mandates:**

These regulations do impose a program, service, duty or other responsibility upon 4 separate city, county and State governments to the extent they do not already comply with the proposed regulations.

##### **Paperwork:**

These regulations impose additional paperwork in the form of procedures, policies, guidelines, and reporting documents. These requirements are necessary to ensure the efficacy of a cybersecurity program and also provide accountability and transparency for hospitals.

##### **Duplication:**

There is no duplication of this initiative in existing State law. The Health Insurance Portability and Accountability Act (HIPAA) Security Rule does provide broad requirements for safeguarding PHI, but the regulations contained herein are intended to supplement HIPAA.

##### **Alternatives:**

The alternative to the proposed regulation would be not enacting the cybersecurity requirements. This option is not appropriate due to the demonstrated need to protect PHI and PII and ensure continuity of business and operations at hospitals within the State. The Department in 2023 has responded to more than 1 cybersecurity incident per month, several of which have forced hospitals to go on diversion, stopped their billing procedures, and required facilities to operate on downtime procedures which can severely hamper the care delivery process. Over 225,000 patients had data possibly compromised in one breach alone.

In order to respond to comments received by facilities, the proposed regulations were modified to lengthen and simplify the compliance period in order to maximize the ability for facilities to come into compliance. Furthermore, the Department removed the requirement for a Chief Information Security Officer to be employed directly by the facility, and instead allow them to be a virtual or 3rd party vendor upon approval by the facilities' governing body.

##### **Federal Standards:**

Federal regulations governing protection of PHI and PII are contained within HIPAA, however they are overly vague and provide limited guidance on cybersecurity and the protection of PHI and PII.

##### **Compliance Schedule:**

General hospitals will have one year from the effective date of the regulation to comply with the requirements set forth herein. However, subdivision (n) of the regulation, requiring general hospitals to notify the department as promptly as possible, but no later than 72 hours after determining a cybersecurity incident, as defined herein, has occurred, will



be effective upon adoption in the State Register. The schedule as proposed was modified as a direct result of outreach to facilities by the Department who provided feedback on the difficulty in developing cybersecurity programs.

#### **Revised Regulatory Flexibility Analysis**

##### **Effect of Rule:**

The proposed regulations will affect all general hospitals licensed pursuant to Article 28 of the Public Health Law, regardless of size or location. There are currently 226 hospitals in New York State, including Veteran's Affairs facilities (which would not be affected by these proposed regulations). These regulations will not affect local governments unless they operate a general hospital. In NYS, there are 15 hospitals operated by municipalities; Lewis County Hospital in Lewis County, NY, Wyoming County Hospital in Wyoming County, 12 facilities operated by New York City Health and Hospitals Corporation, and Helen Hayes hospital operated by the State of New York.

Currently in New York State there are no cybersecurity requirements for the safeguarding and security of patients' protected health information (PHI) and personally identifying information (PII) or to ensure continuity of business and operations at hospitals within the State. As a result, New Yorkers seeking medical care have no guaranteed minimum levels of protection of their information. As a result of this, there have been several high-profile cybersecurity breaches at facilities across the state which have resulted in not only a loss of patient financial and health data, but in some cases have also delayed care. Additionally, cybersecurity events at hospitals can have significant, far-reaching, and long-term impacts to the provision of patient care and operation of the facility. These regulations will ensure all hospitals develop, implement, and maintain minimum cybersecurity standards, including cybersecurity staffing, network monitoring and testing, policy and program development, employee training and remediation, incident response and appropriate reporting protocols and records retention.

##### **Compliance Requirements:**

The proposed regulations require that hospitals develop, implement and maintain minimum cybersecurity standards and programs, including information technology (IT) staffing, network monitoring and testing, policy and program development, employee training and remediation, incident response, appropriate reporting protocols and records retention.

##### **Professional Services:**

Depending on the current state of an existing cybersecurity program, a facility or system may need to contract with a third-party service provider for anything from staffing, network monitoring, incident response, or staff training. Facilities will be required to hire or appoint a Chief Information Security Officer (CISO). The draft regulations currently allow for the CISO to be a direct employee of the facility, or an employee of a virtual or third-party contractor upon consent and approval of the governing body. Facilities may also need to hire or contract additional information technology staff to ensure compliance with the new regulations. Additionally, the facilities may need to purchase information security programs or contract with third-party vendors to monitor for malicious network traffic, perform compliance testing with authorized users and ensure protected health information and personally identifying information is kept secure.

##### **Compliance Costs:**

Given the variability in cybersecurity preparedness and current programs at facilities, the initial startup and ongoing costs could vary significantly. After initial conversations with facilities to gain a basic understanding of costs, it is estimated that effective cybersecurity programs can cost millions to develop and implement initially, and anywhere from \$50,000-\$2 million or more to maintain on a yearly basis depending on the facility size. For small hospitals (of which there are 15 and are defined as less than 10 acute care or ICU beds), ongoing annual costs are estimated to be \$50,000-\$200,000. For medium sized hospitals (of which there are 62 and are defined as those with between 10 and 100 beds), ongoing costs are estimated to be \$200,000-\$500,000. For large hospitals (of which there are 114 and are defined as those with more than 100 beds), ongoing annual costs are estimated to be \$2 million.

##### **Economic and Technological Feasibility:**

It is both economically and technologically feasible for hospitals to become compliant with the proposed regulations. There currently exists a significant amount of technology and software which can be licensed or purchased to provide network monitoring, notification, staff training and exercises and multifactor or risk-based authentication, among others. Economically, it will be easier for hospitals which are part of large healthcare systems or located in more urban areas to comply with these regulations than it may be for smaller or more rural facilities. This is due to the fact that the larger facilities and systems may already have aspects of the regulations already functioning as part of a mature cybersecurity program, or may have access to more capital and resources than smaller, more rural or standalone facilities. While several facilities voiced concerns related to the cost of implementation, the consequences of what can occur

as a result of a cyber-attack far outweigh those costs. Days or weeks of downtime with an inability to bill for services can cost tens of millions of dollars (at a minimum), as well as the unknown cost of lost productivity, cancellation of elective surgeries, purchase of new computers, etc., can well exceed the yearly maintenance program costs.

##### **Minimizing Adverse Impact:**

The Department of Health conducted several rounds of outreach to affected healthcare facilities and healthcare associations as part of the regulatory drafting process, to understand what makes a successful cybersecurity program, what things should be avoided or be flexible, and how the Department can work with them to enhance preparedness in New York State. As a result of those discussions, the Department took significant steps to ensure that no specific references to technology, programs or software were included into the regulations. In this way, it allows for facilities to become compliant with the regulations however they may be able to, without the regulation becoming too prescriptive, or requiring use of overly expensive or specific software. These regulations establish truly baseline, general requirements that allow maximum flexibility to healthcare facilities to comply based on their operations. While other approaches to cybersecurity programs were considered, as required under SAPA § 202-b(1), there are unfortunately no alternatives to cybersecurity, as the health and welfare of patients both current and former at a facility can be adversely affected by a network breach. Facilities will have one year from implementation to come into compliance with the regulations except for incident reporting. The compliance period as proposed will not only maximize the ability for facilities to come into compliance, but was modified as a result of feedback received from those facilities. While these regulations will result in some cost to facilities, the Department will be taking action to mitigate these impacts. In January of this year, the Department released Statewide IV and Statewide V funding totaling \$650 million to assist with implementation of, and compliance with, the regulatory requirements. This funding was appropriated in the SFY 24 budget with the intention of supporting facilities' technological needs, including for cybersecurity purposes.

##### **Small Business and Local Government Participation:**

During the drafting process, the Department conducted several rounds of outreach to over 25 different hospitals and hospital/healthcare associations to understand the current state of the industry, cybersecurity program best practices and areas to avoid.

##### **Parties the Department reached out to:**

University of Rochester MC  
Kaleida Health  
Northwell Health  
NY Presbyterian  
Elizabethtown Hospital  
Arnot Ogden MC  
Geneva General Hospital  
Soldiers and Sailors Memorial Hospital  
Rochester General Hospital  
Unity Hospital  
Wyoming County Hospital  
Richmond University Medical Center  
Healthcare Association of NYS  
Iroquois Healthcare Association  
Healthcare Association of Central and Western NY  
Suburban Hospital Alliance of NYS  
Greater NY Healthcare Association

As there are facilities run by city, county and state municipalities, a cross section of them was invited to participate in the roundtable discussion related to cybersecurity programs and proposed regulations. The Department has some direct communication methods through the Health Commerce system which will be utilized to reach out to C Suite executives at each facility after the regulations are publicly posted and available for comment.

#### **Revised Rural Area Flexibility Analysis**

##### **Types and Estimated Numbers of Rural Areas:**

Rural areas as defined by Executive Law § 418(7) are counties with a population less than 200,000 and towns with a population density less than 150 people per square mile. For the purposes of this regulation, there are 44 counties with a population of less than 200,000, which have a total of 76 regulated facilities. The proposed rule will apply statewide to all general hospitals regulated under Article 28 of the Public Health Law.

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

1. Recordkeeping- Article 28 facilities will be required to develop cybersecurity policies, protocols and procedures within one year of the adoption of the proposed regulations. Facilities will be required to maintain records of program compliance by employees, security breaches by outside entities (both successful and unsuccessful), and other program documentation for at least 6 years.

2. Reporting: Article 28 facilities will be required to report any cybersecurity incidents, as defined in the proposed regulation, as promptly as possible, but no later than 72 hours after determining a cybersecurity incident has occurred. Facilities will also be required to provide a report to the Department upon request of all cybersecurity incidents within the previous reporting period.

3. Professional services- Facilities will be required to hire or appoint a Chief Information Security Officer (CISO). The draft regulations currently allow for the CISO to be a direct employee of the facility, or an employee of a virtual or third-party contractor upon consent and approval of the governing body. Facilities may also need to hire or contract additional information technology staff to ensure compliance with the new regulations. Additionally, the facilities may need to purchase information security programs or contract with third-party vendors to monitor for malicious network traffic, perform compliance testing with authorized users and ensure protected health information, personally identifying information, and nonpublic information is kept secure.

#### Costs:

The costs for this program will vary depending on the level of preparedness of each facility. For less mature programs which require significant development, the initial funding required could range from \$250,000 to \$10 million. For small hospitals (of which there are 15 and are defined as less than 10 acute care or ICU beds), ongoing annual costs are estimated to be \$50,000-\$200,000. For medium sized hospitals (of which there are 62 and are defined as those with between 10 and 100 beds), ongoing costs are estimated to be \$200,000-\$500,000. For large hospitals (of which there are 114 and are defined as those with more than 100 beds), ongoing annual costs are estimated to be \$2 million. Facilities may be able to purchase equipment or services from State Contract lists where appropriate and applicable. Facilities will also be able to contract with appropriate third-party vendors or contractors to help ensure compliance with the proposed regulations.

#### Minimizing Adverse Impact:

The Department has included flexibility within the regulations for facilities to ensure they are compliant with the requirements, including allowing for third-party or vendor contractors to complete compliance reporting and measures on behalf of them. Additionally, facilities will have one year from the adoption of the proposed regulations to implement the requirements and ensure compliance. While these regulations will result in some cost to facilities, the Department will be taking action to mitigate these impacts. In January of this year, the Department released Statewide IV and Statewide V funding totaling \$650 million to assist with implementation of, and compliance with, the regulatory requirements. This funding was appropriated in the SFY 24 budget with the intention of supporting facilities' technological needs, including for cybersecurity purposes.

#### Rural Area Participation:

In consideration of SAPA § 202-bb(7), the Department conducted multiple rounds of outreach with facilities of a diversity of sizes, including those located in rural areas such as Ellenville Regional Hospital and Arnot Ogden Medical Center. This outreach consisted of one-on-one conference calls with specific facilities, which occurred June 12-22, 2023, as well as a roundtable in August 2023 where over 25 facilities, healthcare associations and Department of Health staff were invited to discuss the current state of cybersecurity programs, best practices and required elements of a good cybersecurity program. While many facilities agreed about the need for mature cybersecurity program amid increasing cybersecurity threats, many voiced concerns about the costs of these programs. The Department listened to all of the feedback provided and modified some of the language in the proposed regulations. For example, the Department simplified and lengthened the compliance period to allow facilities the maximum amount of time to be in compliance.

#### Revised Job Impact Statement

Changes made to the last published rule do not necessitate revision to the previously published JIS.

#### Assessment of Public Comment

The New York State Department of Health (Department) received 13 comments regarding the proposed addition of a new section 405.46 to Title 10 of the New York Codes, Rules and Regulations (NYCRR) pertaining to hospital cybersecurity requirements. These comments and the Department's responses are summarized below.

Comment: All commenters recognized the significance of the proposed regulations and expressed a general sense of support for cybersecurity standards for general hospitals.

Response: The department is grateful for the overwhelming number of positive comments received, and thanks all stakeholders for their valuable feedback. The Department remains committed to collaborating with all stakeholders and incorporating their feedback into future rulemaking. No changes to the proposed rulemaking were necessary as a result of these comments.

Comment: Five commenters requested clarification of the definition of "non-public information." These commenters stated that the definition in the proposed regulation goes beyond the scope of Protected Health Information (PHI), as defined by the Health Insurance Portability and Accountability Act (HIPAA). Commenters highlighted that this could impose an additional burden on healthcare providers.

Response: The proposed regulation aims to enhance the overall cybersecurity resilience of hospitals in New York and preparedness statewide against cybersecurity attacks. The scope of the regulations extends beyond the protection of PHI data required by HIPAA to cover the systems that support continuity of patient care across the hospital ecosystem. Additionally, the New York State Department of Financial Services' (DFS) Cybersecurity Regulation, Title 23 NYCRR Part 500, utilizes the term "Non-public Information" and keeping terms consistent between the two regulations will allow the Department and State to better address and respond to cybersecurity incidents more effectively. No changes to the proposed regulation were made as a result of these comments.

Comment: One commenter recommended aligning the definition of "cybersecurity incident" with existing definitions to avoid creating new, potentially conflicting standards.

Response: The definition of "cybersecurity incident" in the proposed regulation is generally aligned with the industry standard and tailored to the scope of this regulation.

Comment: Three commenters expressed their support for the requirement that hospitals have a Chief Information Security Officer (CISO). One commenter sought clarification on whether a CISO is needed for each hospital or at the enterprise level and another commenter requested clarification on what constitutes a hospital's "governing body."

Response: The proposed regulation requires hospitals to designate a CISO who will be responsible for developing and enforcing the hospital's cybersecurity plans and policies and overseeing the implementation of the hospital cybersecurity program. Each hospital's governing body (i.e., the organization's leadership and decision-making arm, as defined under 10 NYCRR 405.2), based on its risk assessment and organizational structure, must determine whether a single CISO can handle multiple hospitals within the organization's network or if separate CISOs are needed for each hospital. No changes to the proposed regulation were necessary as a result of these comments.

Comment: One commenter recommended that testing and vulnerability assessments, as required by the proposed regulation, might be best performed by external, independent organizations experienced in penetration testing, and suggested that facilities may have a preference for leveraging external, over internal, expertise.

Response: The proposed regulations allow penetration testing of a hospital's information systems to be performed by a qualified internal or external party. The testing target, type, cadence, and testing organization selection must be based on the hospital risk assessment. Hospitals are expected to use due diligence based on their size, complexity, resources, and security posture when determining how best to perform testing and vulnerability assessments. No changes to the proposed regulation are necessary as a result of this comment.

Comment: Two commenters suggested including a vulnerability disclosure program and bug bounty program within the regulation to ensure hospitals receive and respond to vulnerability information from all available sources.

Response: The Department will take these recommendations under advisement and may consider these programs in future rule making. At this time, no changes to the proposed rule have been made as a result of these comments.

Comments: Three commenters voiced concern about cost, resource constraints, and the feasibility of maintaining documentation logs for cybersecurity incidents for six years. One commenter recommended clarifying that hospitals are not required to retain all cybersecurity incident logs, as this requirement may introduce financial burden for hospitals. Another commenter mentioned potential privacy issues related to the General Data Protection Regulation (GDPR) and California Consumer Privacy Act (CCPA) with maintaining such logs.

Response: The Department wanted to align as much as possible with other retention requirements such as HIPAA and New York State patient requirements. Additionally, the proposed regulation only requires hospitals to retain logs from cybersecurity incidents that had a material adverse impact on the hospital, and therefore were required to be reported to the Department. As such, no changes to the proposed regulation were made as a result of these comments.

Comments: The Department received several comments regarding the need for risk assessment and building a cybersecurity program based on it. While many commenters generally supported a comprehensive cybersecurity program based on risk assessments, five commenters suggested that the Department consider redundancies and increased scope and align with other requirements, such as HIPAA. On the other hand, a few commenters



highlighted the necessity of having continuous risk assessments, having a third-party risk management program, allocating resources and developing security programs based on the risk assessment.

Response: The cybersecurity programs required by the proposed regulation are meant to supplement HIPAA. Additionally, the proposed regulation aims to increase the overall cyber resilience of NYS hospitals, protect all “non-public” information, and respond effectively to cybersecurity incidents. The Department also recognizes that the risk assessment methodologies might vary based on each hospital’s size, resources, and cybersecurity maturity. Therefore, the regulation does not specify detailed requirements but instead provides general requirements for risk assessment and management. As a result of these comments, the revised rulemaking removes references to the regulations supplementing HIPAA that were previously found in subdivision (c)(2) of section 405.46 of the proposed regulation.

Comments: One commenter welcomed the prioritization of multifactor authentication (MFA), advocating for the final rule to be technology agnostic and flexible, allowing hospitals to choose suitable authentication methods based on their unique needs, in alignment with standards such as NIST Digital Identity Guideline.

Response: The proposed regulation aligns with industry standards, requiring MFA. However, it allows the hospital CISO to approve appropriate authentication mechanisms and compensating controls. No changes were made to the proposed regulation as a result of these comments.

Comment: Ten stakeholders expressed concerns about the proposed requirement to report cybersecurity incidents within two-hours after having a material adverse impact on the hospital. Commenters believed that incident response plans need to be practical and aligned with the hospital’s capacity to assess and respond to incidents before reporting, as doing so would allow for more accurate and comprehensive incident reporting and enable hospitals to prioritize effective response and recovery actions. Most commenters recommended extending the incident reporting timeline to 72 hours.

Response: The intent of the two-hour notification requirement was to allow the Department to assess risk and take appropriate incident response actions for NYS hosted and connected systems and services to prevent an intrusion to integrated networks. However, to bring the regulations into alignment with industry standards, the Department is revising the regulation to require reporting as promptly as possible, but no later than 72 hours after determining that a cybersecurity incident, as defined, has occurred.

Comment: Many of the commenters suggested that managing third party risk is complex and potentially non-viable from a contractual/procurement perspective. Commenters recommended enhancing guidelines for third party risk assessments and ensuring that there is continuous monitoring.

Response: The Department does not agree with specifying detailed requirements in the regulation, as assessing third party risk will vary based on organization size and the nature of engagement with specific third-party service providers. However, the Department anticipates issuing future guidance and will consider making references to current industry best practices in potential future rulemaking. No changes to the proposed regulation were made as a result of these comments.

Comment: A commenter suggested amending the regulation to include the frequency and cadence on security testing of externally developed applications and third-party risk management.

Response: Pursuant to the proposed regulations, the third-party risk assessment and testing target, type, and cadence must be based on the hospitals risk assessment. Hospitals are expected to perform their due care and due diligence based on their size, resource, and security posture. No changes to the proposed regulation were made as a result of this comment.

Comment: Five commenters emphasized the importance of the state’s regulations aligning with existing federal standards to avoid duplication of compliance burdens. Federal standards mentioned were HIPAA, NIST cybersecurity framework, HICP 405(d) and pending HHS proposed cybersecurity regulations. Commenters recommended revising the proposed regulation to ensure that they’re consistent with federal guidelines, so they will not burden hospitals as they work to comply. Two large private cybersecurity vendors also commented that there is a gap between the need to protect ‘identity’ as opposed to ‘authentication’ which is an aspect of identity.

Response: As a result of these comments, the Department took a closer look at the proposed regulation to ensure the cybersecurity requirements were in alignment with state and federal policies and guidelines as well as with industry best practices. In doing so, the Department recognized that NIST recently published NIST Cybersecurity Framework 2.0 and HHS also introduced HPH Cybersecurity Performance Goals. Therefore, the Department is proposing revisions to subdivision (c) and (k) of section 405.46 of the proposed rulemaking.

Comments: One commenter recommended including identity and access management in the final regulation.

Response: The Department updated the title of subdivision (k) of section 405.46 of the proposed regulation from “Risk Based Authentication” title to “Identity and Access Management” and include additional controls recognized by the industry in the regulation.

Comment: Several commenters expressed concern over cost, staffing and other resource constraints which may impact the ability of hospitals to implement the regulatory requirements.

Response: The Department recognizes the financial impact that these regulations will have on facilities, but believes that such impact will ultimately be outweighed by the additional levels of security these regulations will impart on hospitals and the healthcare system in New York. Additionally, NYS recently announced grant opportunities totaling \$500 million to help support hospital cybersecurity. There is an additional \$150 million in Statewide IV and \$500 million in the new Statewide V that will both be released this year, to assist with implementation of the regulatory requirements. This \$650 million combined Statewide funding is available for health information technology, telehealth, and cyber-related efforts. No amendments were made to the proposed regulation as a result of these comments.

Comments: Some comments related to introducing technology products, services, solutions in the cybersecurity space that could be used to support hospitals.

Response: These comments are outside of the proposed rulemaking.

Comment: One commenter requested delaying the effective date of the regulations until after the Department of Health & Human Services (HHS) finalizes its changes, suggesting a need for compliance periods that consider upcoming federal standards and hospitals’ readiness to meet new requirements.

Response: The Department is expecting modifications in the federal regulations and additional controls from HHS’ HPH Cybersecurity Performance Goals (CPGs). The Department will be closely monitoring the changes in the federal and industry standards and will incorporate them in future rule-making processes. No changes to the proposed regulation were necessary as a result of this comment.

Comment: One commentator suggested that the effective dates of different regulatory requirements should be stratified to account for the varying levels of familiarity and preparedness among hospitals, particularly those that are under-resourced.

Response: The Department understands that the adoption and implementation of these requirements may differ depending on the hospital’s current security posture, size, and organizational structure. However, all these requirements are in line with the leading cybersecurity best practices, and the Department expects that hospitals will implement these controls within the specified timeframe. The Department will continue to have discussions with all stakeholders and consider amendments to the regulation in future rulemaking if necessary.

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## Office of Mental Health

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### NOTICE OF ADOPTION

#### Clinical Review Criteria

**I.D. No.** OMH-35-23-00002-A

**Filing No.** 382

**Filing Date:** 2024-04-29

**Effective Date:** 2024-05-15

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

**Action taken:** Amendment of Part 514 of Title 14 NYCRR.

**Statutory authority:** Mental Hygiene Law, sections 7.07, 7.09, 31.04; Public Health Law, section 4902; Insurance Law, sections 3216, 322, 4303 and 4902

**Subject:** Clinical review criteria.

**Purpose:** To adopt standards and processes to obtain and approve clinical review criteria.

**Text or summary was published** in the August 30, 2023 issue of the Register, I.D. No. OMH-35-23-00002-P.

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

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

#### Revised Regulatory Impact Statement

1. Statutory authority: Section 7.07(c) of the Mental Hygiene Law charges the Office of Mental Health with the responsibility for seeing that

persons with mental illness are provided with care and treatment, and that such care, treatment and rehabilitation is of high quality and effectiveness.

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

Section 4902 of the Public Health Law requires Utilization Review Agents for health insurance policies under the jurisdiction of the Department of Health to use evidence-based and peer reviewed Clinical Review Criteria that is appropriate to the age of the patient and which has been deemed appropriate and approved for such use by the Commissioner of the Office of Mental Health, in consultation with the Commissioner of Health and the Superintendent of Financial Services for any treatment or service for a Mental Illness.

Section 4902 of the Insurance Law requires Utilization Review Agents for health insurance policies under the jurisdiction of the Department of Financial Services to use evidence-based and peer reviewed Clinical Review Criteria that is appropriate to the age of the patient and which has been deemed appropriate and approved for such use by the Commissioner of the Office of Mental Health, in consultation with the Commissioner of Health and the Superintendent of Financial Services for any treatment or service for a Mental Illness.

Sections 3216(i)(35)(f), 3221(i)(5)(f), and 4303(g)(7) of the Insurance Law require insurers and corporations that issue health insurance policies or contracts approved by the Department of Financial Services or the Department of Health to provide coverage of inpatient and outpatient care for the treatment of Mental Illness, as specified in the Insurance Law, consistent with the Federal Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008 (29 U.S.C. § 1185a).

2. Legislative objectives: Articles 7 and 31 of the Mental Hygiene Law reflect the Commissioner’s authority to establish regulations regarding mental health programs. The OMH’s new proposed Part 514 regulations formally adopt the standards and processes by which OMH has engaged New York State regulated insurers to obtain and approve their clinical review criteria for the treatment of mental illness.

3. Needs and benefits: Part 514 regulations adopt existing standards and processes contained primarily in an OMH guidance document entitled, “Guiding Principles for the Review and Approval of Clinical Review Criteria for Mental Health Services,” which was issued in 2019, revised in 2022 and will now be incorporated by reference in these regulations. The regulations also formally establish that OMH will not approve clinical review criteria which is applied in a manner that does not comply with federal and state parity laws, which shall be determined in consultation with DOH and DFS. While OMH has clear authority under the NYS Public Health and Insurance Laws to review and approve clinical review criteria, some issuers continue to delay in making changes to their criteria or medical management practices in order to obtain OMH’s final approval. These regulations are an important step to ensure the state can enforce its standards in the event that the state’s actions are challenged by issuers who refuse to comply with them.

4. Costs:

(a) Cost to State government: These regulatory amendments will not result in any additional costs to State government, as the regulation would implement existing guidance.

(b) cost to local government: These regulatory amendments will not result in any additional costs to local government.

(c) cost to regulated parties: These regulatory amendments will not result in any additional costs to those regulated parties.

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

6. Paperwork: No substantial increase in paperwork is anticipated as a result of the amendments to 14 NYCRR Part 514. This confirms the existing requirement that insurers are required to submit their criteria for review.

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

8. Alternatives: No alternatives were considered as the rule is required pursuant to Public Health Law Article 49. These regulations are necessary to ensure OMH’s standards and review process comply with the State Administrative Procedure Act.

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

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

**Revised Regulatory Flexibility Analysis**

No regulatory flexibility analysis is required pursuant to section 202-(b)(3)(a) of the State Administrative Procedure Act. The proposed amend-

ment 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.

**Revised Rural Area Flexibility Analysis**

No rural area flexibility analysis is required pursuant to section 202-bb(4)(a) of the State Administrative Procedure Act. 14 NYCRR Part 514 will formally adopt the standards and processes by which the Office of Mental Health has engaged New York State regulated insurers to obtain and approve their clinical review criteria for the treatment of mental illness. 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.

**Revised Job Impact Statement**

The amendments to 14 NYCRR Part 514 are intended to formally adopt the standards and processes by which the Office of Mental Health engages New York State regulated insurers to obtain and approve their clinical review criteria for the treatment of mental illness. It is evident from the subject matter of this rule that it could only have a positive impact or no impact on jobs or employment, therefore a Job Impact Statement is not necessary with this notice.

**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.

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## Public Service Commission

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### NOTICE OF ADOPTION

**Gas Metering Equipment**

**I.D. No.** PSC-33-22-00006-A

**Filing Date:** 2024-04-24

**Effective Date:** 2024-04-24

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

**Action taken:** On 4/18/24, the PSC adopted an order approving Central Hudson Gas & Electric Corporation’s (Central Hudson) petition to use the Eagle MPplus II Volume Corrector for gas metering applications in New York State.

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

**Subject:** Gas metering equipment. (22-G-0396SA1)

**Substance of Final Rule:** The Commission, on April 18, 2024, adopted an order approving Central Hudson Gas & Electric Corporation’s petition to use the Eagle MPplus II Volume Corrector for gas metering applications in New York State, subject to the terms and conditions set forth in the order.

**Purpose:** To approve Central Hudson to use equipment for gas metering applications in New York State.

**Text or summary was published** in the August 17, 2022 issue of the Register, I.D. No. PSC-33-22-00006-P.

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

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

**Assessment of Public Comment**

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

(22-G-0396SA1)

## NOTICE OF ADOPTION

## Submetering of Electricity

I.D. No. PSC-38-23-00004-A

Filing Date: 2024-04-24

Effective Date: 2024-04-24

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

**Action taken:** On 4/18/24, the PSC adopted an order approving BNS I, LLC's (BNS I) notice of intent to submeter electricity at 1 Park Place, and 1108 Brown Street, Peekskill, New York.

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

**Subject:** Submetering of electricity.

**Substance of Final Rule:** The Commission, on April 18, 2024, adopted an order approving BNS I, LLC's notice of intent to submeter electricity at 1 Park Place, and 1108 Brown Street, Peekskill, New York, located in the service territory of Consolidated Edison Company of New York, Inc., subject to the terms and conditions set forth in the order.

**Purpose:** To approve BNS I's notice of intent to submeter electricity.

**Text or summary was published** in the September 20, 2023 issue of the Register, I.D. No. PSC-38-23-00004-P.

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

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

**Assessment of Public Comment**

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

(23-E-0351SA1)

## NOTICE OF ADOPTION

## Submetering of Electricity

I.D. No. PSC-43-23-00003-A

Filing Date: 2024-04-24

Effective Date: 2024-04-24

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

**Action taken:** On 4/18/24, the PSC adopted an order approving UB Family, LLC's (UB Family) petition to submeter electricity at 183 Water Street, Binghamton, New York.

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

**Subject:** Submetering of electricity.

**Purpose:** To approve UB Family's petition to submeter electricity.

**Substance of Final Rule:** The Commission, on April 18, 2024, adopted an order approving UB Family, LLC's petition to submeter electricity at 183 Water Street, Binghamton, New York, located in the service territory of New York State Electric & Gas Corporation, subject to the terms and conditions set forth in the order.

**Text or summary was published** in the October 25, 2023 issue of the Register, I.D. No. PSC-43-23-00003-P.

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

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

**Assessment of Public Comment**

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

(23-E-0165SA1)

## NOTICE OF ADOPTION

## Submetering of Electricity

I.D. No. PSC-43-23-00007-A

Filing Date: 2024-04-24

Effective Date: 2024-04-24

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

**Action taken:** On 4/18/24, the PSC adopted an order approving 9274 Group, Inc.'s (9274 Group) notice of intent to submeter electricity at 310 Niagara Street, Niagara Falls, New York.

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

**Subject:** Submetering of electricity.

**Purpose:** To approve 9274 Group's notice of intent to submeter electricity.

**Substance of Final Rule:** The Commission, on April 18, 2024, adopted an order approving 9274 Group, Inc.'s notice of intent to submeter electricity at 310 Niagara Street, Niagara Falls, New York, located in the service territory of Niagara Mohawk Power Corporation d/b/a National Grid, subject to the terms and conditions set forth in the order.

**Text or summary was published** in the October 25, 2023 issue of the Register, I.D. No. PSC-43-23-00007-P.

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

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

**Assessment of Public Comment**

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

(23-E-0341SA1)

## NOTICE OF ADOPTION

## Submetering of Electricity

I.D. No. PSC-01-24-00014-A

Filing Date: 2024-04-24

Effective Date: 2024-04-24

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

**Action taken:** On 4/18/24, the PSC adopted an order approving AMP Property Owner L.P.'s (AMP Property) notice of intent to submeter electricity at 266 West 96th Street, New York, New York.

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

**Subject:** Submetering of electricity.

**Purpose:** To approve AMP Property's notice of intent to submeter electricity.

**Substance of Final Rule:** The Commission, on April 18, 2024, adopted an order approving AMP Property Owner L.P.'s notice of intent to submeter electricity at 266 West 96th Street, New York, New York, located in the service territory of Consolidated Edison Company of New York, Inc., subject to the terms and conditions set forth in the order.

**Text or summary was published** in the January 3, 2024 issue of the Register, I.D. No. PSC-01-24-00014-P.

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

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

**Assessment of Public Comment**

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

(23-E-0484SA1)



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

**Notice of Intent to Submeter Electricity and Waiver Request**

**I.D. No.** PSC-20-24-00002-P

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

**Proposed Action:** The Commission is considering the notice of intent of 44-01 Northern Owner, LLC to submeter electricity at 34-35 44th Street, Astoria, New York, and request for waiver of the requirement of an energy audit pursuant to 16 NYCRR section 96.5(k)(3).

**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 and waiver request.

**Purpose:** To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.

**Substance of proposed rule:** The Commission is considering the notice of intent filed by 44-01 Northern Owner, LLC (Owner) on January 3, 2024, seeking authority to submeter electricity at a new rental building with both fair-market and income criteria units, situated at 34-35 44th Street, Astoria, New York, located in the service territory of Consolidated Edison Company of New York, Inc. (Con Edison). The Commission is also considering the Owner’s request for waiver of 16 NYCRR § 96.5(k)(3), the requirement to conduct an energy audit.

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. The Owner also requests for a waiver of 16 NYCRR § 96.5(k)(3), which requires proof that an energy audit has been conducted when 20 percent or more of the residents receive income-based housing assistance. The Owner states that because the building is new construction and is therefore subject to the New York City Energy Conservation Code (NYCECC), which sets energy-efficiency standards for new construction, the Commission should waive the energy audit requirements of 16 NYCRR § 96.5(k)(3). 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 waiver request and the full record of the proceeding may be reviewed online at the Department of Public Service web page: [www.dps.ny.gov](http://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](mailto: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](mailto:secretary@dps.ny.gov)

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

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

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

(24-E-0002SP1)

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

**Tariff Proposal and Financing Petition**

**I.D. No.** PSC-20-24-00003-P

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

**Proposed Action:** The Commission is considering a proposal filed by Bloomingburg Water Transportation Company, Inc. for a new tariff schedule, P.S.C. No. 3 — Water, and a petition requesting permission to enter into a long-term loan.

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

**Subject:** Tariff proposal and financing petition.

**Purpose:** To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.

**Substance of proposed rule:** The Commission is considering a proposal filed by Bloomingburg Water Transportation Company, Inc. (Bloomingburg or the Company) on March 26, 2024, to establish a new tariff schedule, P.S.C. No. 3 – Water, and a petition to request permission to enter into a long-term loan.

The proposed tariff schedule expands the Company’s service area to provide service to a new development known as Winterton Condominium complex and portions of the pre-existing Village of Bloomingburg, Town of Mamakating, County of Sullivan. These changes to the customer base coupled with the current ownership of the Company necessitate the imposition of fully regulated rates, and thus the Company’s filing reflects a change from the homeowner’s association style tariff schedule pursuant to Public Service Law (PSL) § 5(4) to a standard small water company tariff schedule.

In addition, the proposed tariff schedule includes provisions to allow applicants outside of the Company’s current service area to apply for water service from Bloomingburg, extending the Company’s service area. These proposed provisions include applicant contributions of \$8,720 per dwelling unit. The proposed tariff schedule has an effective date of September 1, 2024.

The Company also requests permission to enter into a long-term loan that carries an interest rate of 7 percent, for a term of 30 years, which will be used to finance the construction of a filtration plant that is required by the Sullivan County Department of Health. Finally, the Company requests a waiver of the requirements for newspaper publication as it will notify its customers directly by mail.

The full text of the tariff proposal and petition and the full record of the proceeding may be reviewed online at the Department of Public Service web page: [www.dps.ny.gov](http://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](mailto: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](mailto: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-W-0163SP1)

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

**Energy Affordability and Electrification of Heat and Hot Water for Low-income Customers**

**I.D. No.** PSC-20-24-00004-P

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

**Proposed Action:** The Commission is considering a report filed by Department of Public Service Staff regarding the design and implementation of the Energy Affordability Guarantee Pilot.

**Statutory authority:** Public Service Law, sections 4(1), 5(1)(b), 5(2), 65(1), (2), (3), 66(1) and (2)

**Subject:** Energy affordability and electrification of heat and hot water for low-income customers.

**Purpose:** The design and implementation of the Energy Affordability Guarantee pilot.

**Substance of proposed rule:** The Public Service Commission (Commission) is considering a report filed by Department of Public Service Staff (Staff) on April 29, 2024, regarding the design and implementation of the Energy Affordability Guarantee Pilot (Pilot).

The Energy Affordability Guarantee (Guarantee), directed in the New York State Budget Appropriation for 2023 (Budget Law) and funded by the NYS Enacted Budget for 2024-2025, is intended to ensure that low-income households pay no more than six percent of their annual household income on electricity bills after they fully electrify their homes through the EmPower+ program, administered by NYSERDA. The Budget law also provides for the Guarantee to remain with the residence that participated in EmPower+ for the useful life of the electrification project and allows for the Guarantee to transfer between eligible new tenants and owners. The Budget Law also provides for the establishment of a cap on total annual electricity use that would be applicable to the Guarantee. Staff proposes to administer the Guarantee as a pilot effort that would provide key insights on costs to electrify the space and water heating for low-income customers, as well as insights on how operating costs impact household energy burden. The Staff report provides an overview of proposed pilot design and implementation considerations.

As established in the Budget law, eligibility for the Guarantee would be based on participation in EmPower+, where low-income households, or those with annual household income at or below 60% of the State Median Income, receive services to electrify their space and water heating with heat pumps. Homeowners and renters would be eligible to participate in the Pilot and if a change in occupancy occurs, new occupants would be eligible to receive the Guarantee, if they are income-eligible. Staff propose to require an annual recertification for participants to demonstrate continued income eligibility for the Pilot. Staff also proposes that participants be enrolled into the Energy Affordability Program, electric heat category if they are not already to ensure that participants are receiving all available bill supports to mitigate potential electric cost increases.

To further reduce the potential for participants to experience electricity bills that exceed six percent of their household income, Staff proposes that energy burden calculations and Guarantee levels be tailored to each participant's actual household income and electric consumption. Staff recommend that the Guarantee level be based on the amount of bill discount necessary to bring the household's electric bill to six percent of household income, after accounting for any Energy Affordability Program discounts that the household is eligible for. Staff proposes to limit electricity consumption that is covered by the Guarantee to 150% of average electric consumption for low-income customers in each utility territory. Staff would monitor electricity consumption and bills on a monthly basis, and would periodically review energy burdens, Guarantee levels, and Guarantee limit to help identify instances where participants may have energy burdens exceeding six percent, and propose to adjust Guarantee calculations and limit, based on energy burden trends in the Pilot.

Staff also proposes that utilities file amendments to their tariffs to outline necessary amendments necessary to provide the monthly Guarantee to participants. To streamline the implementation of the Pilot, Staff proposes to procure a third-party implementation contractor that would coordinate implementation workstreams with participants, utilities, and NYSERDA. The Pilot is expected to fill important information gaps regarding the electrification of homes for low-income New Yorkers, while providing supplemental bill assistance to mitigate the possibility of higher electric bills for pilot participants. To adequately inform consumers, utilities, and the public, Staff also proposes the development of informational materials regarding the pilot, to include details on eligibility, enrollment, and participant rights and responsibilities.

The full text of the report and the full record of the proceeding may be reviewed online at the Department of Public Service web page: [www.dps.ny.gov](http://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](mailto: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) 474-4520, email: [secretary@dps.ny.gov](mailto: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.

(14-M-0565SP19)

## PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

### Notice of Intent to Submeter Electricity

**I.D. No.** PSC-20-24-00005-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 the notice of intent of AB Stable LLC to submeter electricity at 305 Park Avenue, New York, 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 AB Stable LLC, on April 2, 2024, seeking authority to submeter electricity at a converted condominium building, with fair market rate units, situated at 305 Park Avenue, New York, New York, located in the service territory of Consolidated Edison Company of New York, Inc. (Con Edison).

In the notice of intent, AB Stable LLC 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](http://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](mailto: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](mailto:secretary@dps.ny.gov)

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

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

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

(24-E-0201SP1)

## PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

### Petition to Submeter Electricity

**I.D. No.** PSC-20-24-00006-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 the petition of 118 West



13th Street Owner LLC to submeter electricity at 118 West 13th Street, New York, New York.

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

**Subject:** Petition to submeter electricity.

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

**Substance of proposed rule:** The Commission is considering the petition filed by 118 West 13th Street Owner LLC (Owner) on April 16, 2024, seeking authority to submeter electricity at a converted condominium building with fair-market units, situated at 118 West 13th Street, New York, New York, located in the service territory of Consolidated Edison Company of New York, Inc. (Con Edison).

In the petition, 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 petition and the full record of the proceeding may be reviewed online at the Department of Public Service web page: [www.dps.ny.gov](http://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](mailto: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](mailto:secretary@dps.ny.gov)

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

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

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

(24-E-0230SP1)

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

**Notice of Intent to Submeter Electricity**

**I.D. No.** PSC-20-24-00007-P

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

**Proposed Action:** The Commission is considering the notice of intent of 720 WEA Ventures LLC to submeter electricity at 720 West End Avenue, New York, 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 720 WEA Ventures LLC, on March 12, 2024, seeking authority to submeter electricity at a renovated condominium building, with fair market rate units, situated at 720 West End Avenue, New York, New York, located in the service territory of Consolidated Edison Company of New York, Inc. (Con Edison).

In the notice of intent, 720 WEA Ventures LLC 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](http://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](mailto: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](mailto:secretary@dps.ny.gov)

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

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

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

(24-E-0158SP1)

**Department of State**

**NOTICE OF ADOPTION**

**Civil Penalties for Violations of Executive Law Section 609 Relating to Manufactured Housing**

**I.D. No.** DOS-04-24-00003-A

**Filing No.** 383

**Filing Date:** 2024-04-30

**Effective Date:** 2024-05-15

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

**Action taken:** Amendment of sections 1210.2(u), 1210.3(c), 1210.7(f), 1210.8(a), 1210.16(m), 1210.21(b); renumbering of sections 1210.4(c), 1210.5(d), (e) to 1210.4(d), 1210.5(e), (f); addition of sections 1210.4(c) and 1210.5(d) to Title 19 NYCRR.

**Statutory authority:** Executive Law, section 604

**Subject:** Civil Penalties for violations of Executive Law section 609 relating to manufactured housing.

**Purpose:** To implement the provisions of Article 21-B of the Executive Law as amended by chapter 601 of the Laws of 2023.

**Text or summary was published** in the January 24, 2024 issue of the Register, I.D. No. DOS-04-24-00003-P.

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

**Text of rule and any required statements and analyses may be obtained from:** William Sherman, Department of State, 99 Washington Ave., Suite 1160, Albany, NY 12231, (518) 486-1189, email: [manufactured.housing@dos.ny.gov](mailto:manufactured.housing@dos.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**

This rule will modify Part 1210 of Title 19 of the Official Compilation of the Rules and Regulations of the State of New York (Part 1210) to implement the provisions of Article 21-B of the Executive Law as amended by Chapter 601 of the Laws of 2023. The Proposed Rule Making was published in the State Register on January 24, 2024. No public hearing was held, and the public comment period ended on March 25, 2024.

The Department of State (DOS) received two letters containing written comments during the public comment period. No changes were made to the rule text.

COMMENT 1: A comment was received stating that the proposed changes are consistent with the goals of ensuring the quality of New York’s manufactured homes, including the installation, supporting the Proposed Rule Making, and encouraging DOS to formally adopt the amendments.

RESPONSE TO COMMENT 1: DOS made no changes to the rule text.

COMMENT 2: A comment was received regarding the proposed changes to 19 NYCRR §§ 1210.4 (c)(1) and 1210.5(d)(1), adding the language “completion of the Article 21-B introductory course at the time of applying for certification or within sixty days after obtaining such certification.” The commenter indicated that the additional language “will

lead to increased administrative issues within the program.” The commenter was concerned that this change would lead to an increased rate of certification application rejections by DOS’s Division of Licensing Services, the potential for certification issuance without the completion of the educational requirements, and increased confusion between the divisions within DOS which service the manufactured housing industry, the third-party training providers, and prospective certification applicants. The commenter requested that this language be changed to require introductory training requirements mandatory for all certifications, including manufacturers and retailers.

RESPONSE TO COMMENT 2: Executive Law §§ 604(9) and 606(1) require initial training for installer and mechanic certifications, but do not require initial training prior to the issuance of certifications for manufacturers and retailers. Therefore, the existing regulations have historically only required introductory training prior to the issuance of a certification to an installer or mechanic and then provided within the “Continuing Education Requirements” in § 1210.13(e) the ability for manufacturers and retailers to obtain initial training within 60 days of certification. The proposed rule made modifications to §§ 1210.4 and 1210.5 to better align with the requirements already contained within §§ 1210.6, 1210.7, and 1210.13. The intent of this rule making was to clarify the initial training requirements applicable to manufacturers and retailers in order to align with the existing continuing education requirements. Based on the foregoing, DOS made no changes to the rule text.

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## State University of New York

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### NOTICE OF ADOPTION

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

**I.D. No.** SUN-08-24-00012-A

**Filing No.** 384

**Filing Date:** 2024-04-29

**Effective Date:** 2024-05-15

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

**Action taken:** Amendment of sections 335.11, 335.17, 337.2, 337.7, 337.9, 337.13 and Appendix B-1 of Title 8 NYCRR.

**Statutory authority:** Education Law, sections 353 and 355

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

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

**Text or summary was published** in the February 21, 2024 issue of the Register, I.D. No. SUN-08-24-00012-EP.

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

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

#### **Assessment of Public Comment**

The agency received no public comment.

**HEARINGS SCHEDULED  
FOR PROPOSED RULE MAKINGS**

Agency I.D. No.	Subject Matter	Location—Date—Time
<p><b>Environmental Conservation, Department of</b> ENV-16-24-00009-P .....</p>	<p>Transportation of Radioactive Materials</p>	<p>Virtual via Webex—June 18, 2024, 3:00 p.m. Instructions on how to “join” the hearing webinar and provide an oral statement will be published on the Department’s proposed regulations webpage for 6 NYCRR Part 381 by April 17, 2024. The proposed regulations webpage for 6 NYCRR Part 381 may be accessed at: <a href="https://www.dec.ny.gov/regulations/proregulations.html">https://www.dec.ny.gov/regulations/proregulations.html</a> 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.</p>
<p>ENV-18-24-00024-P .....</p>	<p>Listing Process, Jurisdiction Determination and Permit Procedures Pertaining to Endangered and Threatened Species</p>	<p>Virtual via Webex—July 9, 2024, 1:00 p.m. Meeting Link URL: <a href="https://dec.ny.gov/get-involved/events/part-182-endangered-and-threatened-species-repromulgation-public-hearing">https://dec.ny.gov/get-involved/events/part-182-endangered-and-threatened-species-repromulgation-public-hearing</a> Virtual via Webex—July 9, 2024, 6:00 p.m. Meeting Link URL: <a href="https://dec.ny.gov/get-involved/events/part-182-endangered-and-threatened-species-repromulgation-public-hearing-0">https://dec.ny.gov/get-involved/events/part-182-endangered-and-threatened-species-repromulgation-public-hearing-0</a> 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 by June 29, 2024, but DEC will make every effort to fulfill requests received closer to the meeting date. Requests can be directed to the NYSDEC Division of Communication, Education, and Engagement, either by mail (address: NYSDEC, 625 Broadway, Albany, New York 12233-4500), by telephone (518-402-8044) or by e-mail (<a href="mailto:language@dec.ny.gov">language@dec.ny.gov</a>). Pursuant to 6 NYCRR Part 617 of the implementing regulations for the State Environmental Quality Review Act, the Department has prepared a Negative Declaration stating that the proposed actions will not have a significant adverse environmental impact.</p>

The Department invites all persons, organizations, corporations, and government agencies that may be affected by the proposed revisions to attend the hearing. At the hearing, persons who wish to make a statement will be invited to speak. It is requested that oral statements also be submitted in writing. The Department will give equal weight to written and oral statements, and since a cumulative record will be compiled it is not necessary for interested parties to attend each hearing.

Additional information on the proposal and public hearings may be found at: <https://dec.ny.gov/regulatory/regulations/proposed-emergency-recently-adopted-regulations/fish-wildlife-revisions>

**Labor, Department of**

LAB-18-24-00002-P ..... Injury and Illness Reporting and Recordkeeping Requirements

Department of Labor, Albany, NY—July 2, 2024, 10:00 a.m.

**Public Service Commission**

PSC-18-24-00013-P ..... Proposed Major Rate Increase in Electric Delivery Revenues

Department of Public Service, 19th Fl. Board Rm., Three Empire State Plaza, Albany, NY—June 25, 2024, 10:00 a.m. and continuing daily as needed (Evidentiary Hearing)\*

\*On occasion, the evidentiary hearing date may be rescheduled or postponed. In that event, notification of any subsequent scheduling changes will be available at the DPS website ([www.dps.ny.gov](http://www.dps.ny.gov)) under Case 24-E-0060.

PSC-18-24-00018-P ..... Proposed Major Rate Increase in Gas Delivery Revenues

Department of Public Service, 19th Fl. Board Rm., Three Empire State Plaza, Albany, NY—June 25, 2024, 10:00 a.m. and continuing daily as needed (Evidentiary Hearing)\*

\*On occasion, the evidentiary hearing date may be rescheduled or postponed. In that event, notification of any subsequent scheduling changes will be available at the DPS website ([www.dps.ny.gov](http://www.dps.ny.gov)) under Case 24-G-0061.

**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
<b>AAM</b>	<b>01</b>	<b>12</b>	<b>00001</b>	<b>P</b>

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
AAM-17-24-00004-EP	..... 04/24/25	Amendments to the Box Tree Moth Quarantine	To expand the BTM quarantine to include additional counties and require shipment notification of all regulated articles.
AAM-20-24-00001-P	..... 05/15/25	Maximum Permitted Fees	The proposed amendment will increase the permitted fees for a variety of weights and measures and weighing and measuring devices

**ALCOHOLISM AND SUBSTANCE ABUSE SERVICES, OFFICE OF**

ASA-24-23-00021-P	..... 06/13/24	Voluntary certification of Recovery Residences in NYS	This Part establishes requirements for recovery residences certified by the Office of Addiction Services and Supports (OASAS)
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**CANNABIS MANAGEMENT, OFFICE OF**

OCM-12-24-00010-P	..... 03/20/25	Personal Home Cultivation	The proposed rules establish regulatory parameters around authorizing the personal cultivation of adult-use cannabis
OCM-15-24-00012-P	..... 04/10/25	Adult use regulations.	To add provisions relating to the activities which are regulated by the adult use regulations.
OCM-18-24-00003-EP	..... 05/01/25	Violations, Hearings and Enforcement	Establishes violations, hearings, and enforcement rules pursuant to the Cannabis Law to further protect public health, safety, and welfare by preventing unlawful cannabis or unsafe practices from permeating the marketplace.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>CENTRAL NEW YORK REGIONAL TRANSPORTATION AUTHORITY</b>			
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
<b>CHILDREN AND FAMILY SERVICES, OFFICE OF</b>			
CFS-36-23-00023-P	09/05/24	Preventive Housing Subsidy	To increase the preventive services housing subsidy for foster children living independently from \$300.00 to \$725.00 a month
CFS-42-23-00002-ERP	10/17/24	Expansion of eligibility for child care assistance program	To implement changes to the child care assistance program set forth in Chapter 56 of the Laws of 2023
CFS-18-24-00023-P	05/01/25	Trafficking Victims	To conform regulations to Public Law 117-348, The Trafficking Victims Prevention and Protection Reauthorization Act of 2022
<b>CIVIL SERVICE, DEPARTMENT OF</b>			
CVS-07-24-00001-P	02/13/25	Jurisdictional Classification	To classify a position in the exempt class and to classify positions in the non-competitive class
CVS-07-24-00002-P	02/13/25	Promotion examinations	To permit employees appointed under the "HELP" Program to take promotion examinations
CVS-07-24-00003-P	02/13/25	Jurisdictional Classification	To classify a position in the exempt class
CVS-07-24-00004-P	02/13/25	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-07-24-00005-P	02/13/25	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-07-24-00006-P	02/13/25	Jurisdictional Classification	To classify a position in the exempt class and to classify a position in the non-competitive class
CVS-07-24-00007-P	02/13/25	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-07-24-00008-P	02/13/25	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-07-24-00009-P	02/13/25	Jurisdictional Classification	To classify a position in the exempt class
CVS-07-24-00010-P	02/13/25	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-07-24-00011-P	02/13/25	Jurisdictional Classification	To classify positions in the exempt class
CVS-07-24-00012-P	02/13/25	Jurisdictional Classification	To classify positions in the exempt class and to classify positions in the non-competitive class
CVS-07-24-00013-P	02/13/25	Jurisdictional Classification	To delete positions from and to classify positions in the non-competitive class
CVS-07-24-00014-P	02/13/25	Jurisdictional Classification	To classify positions in the exempt class



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



**Action Pending Index****NYS Register/May 15, 2024**

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>CIVIL SERVICE, DEPARTMENT OF</b>			
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
CVS-19-24-00006-P	05/08/25	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-19-24-00007-P	05/08/25	Jurisdictional Classification	To classify positions in the exempt class.
CVS-19-24-00008-P	05/08/25	Jurisdictional Classification	To classify a position in the exempt class.
CVS-19-24-00009-P	05/08/25	Jurisdictional Classification	To classify positions in the exempt class.
CVS-19-24-00010-P	05/08/25	Jurisdictional Classification	To classify positions in the exempt class and to classify positions in the non-competitive class
CVS-19-24-00011-P	05/08/25	Jurisdictional Classification	To classify positions in the exempt class.
CVS-19-24-00012-P	05/08/25	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-19-24-00013-P	05/08/25	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-19-24-00014-P	05/08/25	Jurisdictional Classification	To delete positions from and to classify positions in the non-competitive class
CVS-19-24-00015-P	05/08/25	Jurisdictional Classification	To classify positions in the exempt class.
CVS-19-24-00016-P	05/08/25	Jurisdictional Classification	To classify a position in the exempt class.
CVS-19-24-00017-P	05/08/25	Jurisdictional Classification	To classify a position in the exempt class and to delete positions from and classify positions in the non-competitive class
CVS-19-24-00018-P	05/08/25	Jurisdictional Classification	To delete positions from and to classify positions in the exempt class.
<b>CRIMINAL JUSTICE SERVICES, DIVISION OF</b>			
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
<b>ECONOMIC DEVELOPMENT, DEPARTMENT OF</b>			
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>ECONOMIC DEVELOPMENT, DEPARTMENT OF</b>			
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
<b>EDUCATION DEPARTMENT</b>			
*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-48-23-00013-RP	11/28/24	Charter school financing	See attached.
EDU-04-24-00009-P	01/23/25	See attached.	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.
EDU-18-24-00020-EP	05/01/25	Supervisor requirements for wholesalers transfilling medical oxygen.	To implement Chapter 590 of the Laws of 2023.
EDU-18-24-00021-P	05/01/25	Emergency response definitions for school safety plans.	To standardize language and terminology related to emergency procedures.
EDU-18-24-00022-P	05/01/25	Emergency response definitions for school safety plans.	To standardize language and terminology related to emergency procedures.
<b>ENERGY RESEARCH AND DEVELOPMENT AUTHORITY, NEW YORK STATE</b>			
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
<b>ENVIRONMENTAL CONSERVATION, DEPARTMENT OF</b>			
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>ENVIRONMENTAL CONSERVATION, DEPARTMENT OF</b>			
ENV-46-23-00007-P	01/16/25	Subpart 220-1, Portland Cement Plants Subpart 220-3, Asphalt Pavement Manufacturing Plants	220-1 will be updated to reflect current Federal requirements. 220-3 will established control requirements for asphalt plants
ENV-49-23-00007-P	02/05/25	1,4-Dioxane Limits for Household Cleansing, Personal Care, and Cosmetic Products	Implement the maximum allowable concentrations of 1,4-dioxane as set forth in Article 35 and Article 37 of the ECL
ENV-51-23-00002-P	02/26/25	Regulations on submission of fishing data and requirement for electronic tracking devices on federally permitted lobster vessels	Consolidate regulations for reporting fishery data , add rules for electronic tracking of lobster vessels, and update address
ENV-02-24-00006-P	03/13/25	Update to Part 494 Hydrofluorocarbon Standards and Reporting	Reduce greenhouse gas emissions as required by the Climate Leadership and Community Protection Act
ENV-02-24-00007-P	03/14/25	Uses of fluorinated greenhouse gases including sulfur hexafluoride in gas-insulated electrical equipment	Reduce greenhouse gas emissions as required by the Climate Leadership and Community Protection Act
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
ENV-17-24-00003-P	04/24/25	Hemlock Canadice-State Forest	Protection of public safety, natural resources and providing for public use

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>ENVIRONMENTAL CONSERVATION, DEPARTMENT OF</b>			
ENV-18-24-00024-P	07/09/25	Listing process, jurisdiction determination and permit procedures pertaining to Endangered and Threatened species	To repromulgate previous amendments made in 2010 and 2021 in accordance with court decision requiring public hearing
<b>ETHICS AND LOBBYING IN GOVERNMENT, COMMISSION ON</b>			
ELG-15-24-00008-P	04/10/25	Responsible Party Obligations	Clarify who is responsible for the submission, completeness, and truthfulness of lobbying filings when the Lobbyist or Client is a person or organization.
ELG-15-24-00009-P	04/10/25	Ethics Training for Lobbyists and Clients	To require the responsible party to enter training compliance information to the Commission on behalf of themselves, their organization and/or their organization s Individual Lobbyists and other clarifying amendments.
ELG-15-24-00010-P	04/10/25	Late Fees for Lobbying Filings	The proposed rule codifies the Commission s late fee program and establishes criteria and requirements for requesting a waiver for a late filing fee.
<b>FINANCIAL SERVICES, DEPARTMENT OF</b>			
*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-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.
DFS-17-24-00001-P	04/24/25	Credit For Reinsurance	To prescribe the collateral requirements for reinsurance reserve credit.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>GAMING COMMISSION, NEW YORK STATE</b>			
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.
<b>HEALTH, DEPARTMENT OF</b>			
*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-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-RP	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-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.
HLT-19-24-00019-P	05/08/25	Reproductive Health Care Standards	Reconciliation with Article 25-a of the Public Health Law and alignment with evidence-based clinical guidelines.

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<b>HEALTH, DEPARTMENT OF</b>			
HLT-19-24-00020-P	05/08/25	Adult Home Admission and Reporting Requirements	To clarify the pre-admission screening process and strengthen the reporting of residents with serious mental illness diagnoses
HLT-20-24-00008-P	05/15/25	In-Person Medical Evaluation Requirements and Exceptions for Controlled Substance Prescribing	To clarify patient evaluation requirements with regards to the issuance of a controlled substance prescription.
<b>HIGHER EDUCATION SERVICES CORPORATION</b>			
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
<b>LABOR, DEPARTMENT OF</b>			
LAB-37-23-00003-P	09/12/24	Pay Transparency in Job Advertisements	To increase pay transparency in job advertisements pursuant to Labor Law § 194-b
LAB-18-24-00002-P	07/02/25	Injury and Illness Reporting and Recordkeeping Requirements.	To adopt updates to OSHA regulations regarding reporting and recordkeeping requirements as required by law.
<b>LONG ISLAND POWER AUTHORITY</b>			
*LPA-08-01-00003-P	exempt	Pole attachments and related matters	To approve revisions to the authority's tariff
*LPA-41-02-00005-P	exempt	Tariff for electric service	To revise the tariff for electric service
*LPA-04-06-00007-P	exempt	Tariff for electric service	To adopt provisions of a ratepayer protection plan
*LPA-03-10-00004-P	exempt	Residential late payment charges	To extend the application of late payment charges to residential customers
*LPA-15-18-00013-P	exempt	Outdoor area lighting	To add an option and pricing for efficient LED lamps to the Authority's outdoor area lighting
*LPA-37-18-00013-P	exempt	The net energy metering provisions of the Authority's Tariff for Electric Service	To implement PSC guidance increasing eligibility for value stack compensation to larger projects
*LPA-37-18-00017-P	exempt	The treatment of electric vehicle charging in the Authority's Tariff for Electric Service	To effectuate the outcome of the Public Service Commission's proceeding on electric vehicle supply equipment
*LPA-37-18-00018-P	exempt	The treatment of energy storage in the Authority's Tariff for Electric Service	To effectuate the outcome of the Public Service Commission's proceeding on the NY Energy Storage Roadmap
*LPA-09-20-00010-P	exempt	To update and implement latest requirements for ESCOs proposing to do business within the Authority's service territory	To strengthen customer protections and be consistent with Public Service Commission orders on retail energy markets
*LPA-28-20-00033-EP	exempt	LIPA's late payment charges, reconnection charges, and low-income customer discount enrollment	To allow waiver of late payment and reconnection charges and extend the grace period for re-enrolling in customer bill discounts

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>LONG ISLAND POWER AUTHORITY</b>			
*LPA-37-20-00013-EP	..... exempt	The terms of deferred payment agreements available to LIPA’s commercial customers	To expand eligibility for and ease the terms of deferred payment agreements for LIPA’s commercial customers
*LPA-12-21-00011-P	..... exempt	LIPA’s Long Island Choice (retail choice) tariff	To simplify and improve Long Island Choice based on stakeholder collaborative input
*LPA-17-22-00012-P	..... exempt	COVID-19 arrears forgiveness and low-income customer discount eligibility	To implement an arrears forgiveness program and expand low-income customer discount eligibility
*LPA-17-22-00014-P	..... exempt	LIPA’s delivery service adjustment cost recovery rider	To ensure recovery of T&D property tax expenses consistent with the LIPA Reform Act, at the lowest cost to LIPA customers
LPA-39-23-00025-P	..... exempt	The Small Generator Interconnection Procedures in the Authority’s Tariff fo	To update the small generator interconnection procedures consistent with Public Service Commission guidance
LPA-46-23-00011-P	..... exempt	12-month Bill Protection Guarantee	To broaden applicability of Bill Protection Guarantee to all customers that enroll in Rate Code 194 or 195 by last migration
LPA-09-24-00014-P	..... exempt	Time of Day Bill Protection Guarantee	LIPA Staff proposes to expand the Time of Day Bill Protection Guarantee to certain new customer accounts
LPA-09-24-00015-P	..... exempt	Long Island Choice Program	To implement changes to LIPA’s Long Island Choice Program consistent with recent Commission Orders and DPS CCA Program Rules
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
<b>MENTAL HEALTH, OFFICE OF</b>			
OMH-35-23-00001-P	..... 08/29/24	COVID-19 Vaccination Program	To Repeal Part 557
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



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<b>MENTAL HEALTH, OFFICE OF</b>			
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.
OMH-18-24-00001-P	05/01/25	To provide programs the flexibility in the provisions of both medical and mental health services	To raise the limitation on the total number of annual visits for which a program licensed solely under Article 31 may provide
<b>MOTOR VEHICLES, DEPARTMENT OF</b>			
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
<b>NIAGARA FALLS WATER BOARD</b>			
*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
<b>OGDENSBURG BRIDGE AND PORT AUTHORITY</b>			
*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
<b>POWER AUTHORITY OF THE STATE OF NEW YORK</b>			
*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
<b>PROSECUTORIAL CONDUCT, COMMISSION ON</b>			
CPC-17-24-00010-P	04/24/25	Operating Rules and Procedures	To provide the operating rules and procedures for the Commission on Prosecutorial Conduct

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

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

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<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-41-05-00013-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries by local distribution companies and municipalities	To consider the filings
*PSC-45-05-00011-P	..... exempt	Treatment of lost and unaccounted gas costs by Corning Natural Gas Corporation	To defer certain costs
*PSC-46-05-00015-P	..... exempt	Sale of real and personal property by the Brooklyn Union Gas Company d/b/a KeySpan Energy Delivery New York and Steel Arrow, LLC	To consider the sale
*PSC-47-05-00009-P	..... exempt	Transferral of gas supplies by Corning Natural Gas Corporation	To approve the transfer
*PSC-50-05-00008-P	..... exempt	Long-term debt by Saratoga Glen Hollow Water Supply Corp.	To obtain long-term debt
*PSC-04-06-00024-P	..... exempt	Transfer of ownership interests by Mirant NY-Gen LLC and Orange and Rockland Utilities, Inc.	To approve of the transfer
*PSC-06-06-00015-P	..... exempt	Gas curtailment policies and procedures	To examine the manner and extent to which gas curtailment policies and procedures should be modified and/or established
*PSC-07-06-00009-P	..... exempt	Modification of the current Environmental Disclosure Program	To include an attributes accounting system
*PSC-22-06-00019-P	..... exempt	Hourly pricing by National Grid	To assess the impacts
*PSC-22-06-00020-P	..... exempt	Hourly pricing by New York State Electric & Gas Corporation	To assess the impacts
*PSC-22-06-00021-P	..... exempt	Hourly pricing by Rochester Gas & Electric Corporation	To assess the impacts
*PSC-22-06-00022-P	..... exempt	Hourly pricing by Consolidated Edison Company of New York, Inc.	To assess the impacts
*PSC-22-06-00023-P	..... exempt	Hourly pricing by Orange and Rockland Utilities, Inc.	To assess the impacts
*PSC-24-06-00005-EP	..... exempt	Supplemental home energy assistance benefits	To extend the deadline to Central Hudson's low-income customers
*PSC-25-06-00017-P	..... exempt	Purchased power adjustment by Massena Electric Department	To revise the method of calculating the purchased power adjustment and update the factor of adjustment
*PSC-34-06-00009-P	..... exempt	Inter-carrier telephone service quality standards and metrics by the Carrier Working Group	To incorporate appropriate modifications
*PSC-37-06-00015-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-37-06-00017-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures

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<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-43-06-00014-P	..... exempt	Electric delivery services by Strategic Power Management, Inc.	To determine the proper mechanism for the rate-recovery of costs
*PSC-04-07-00012-P	..... exempt	Petition for rehearing by Orange and Rockland Utilities, Inc.	To clarify the order
*PSC-06-07-00015-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for electric service
*PSC-06-07-00020-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for gas service
*PSC-11-07-00010-P	..... exempt	Investigation of the electric power outages by the Consolidated Edison Company of New York, Inc.	To implement the recommendations in the staff's investigation
*PSC-11-07-00011-P	..... exempt	Storm-related power outages by Consolidated Edison Company of New York, Inc.	To modify the company's response to power outages, the timing for any such changes and other related matters
*PSC-17-07-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and BridgeCom International, Inc.	To amend the agreement
*PSC-18-07-00010-P	..... exempt	Existing electric generating stations by Independent Power Producers of New York, Inc.	To repower and upgrade existing electric generating stations owned by Rochester Gas and Electric Corporation
*PSC-20-07-00016-P	..... exempt	Tariff revisions and making rates permanent by New York State Electric & Gas Corporation	To seek rehearing
*PSC-21-07-00007-P	..... exempt	Natural Gas Supply and Acquisition Plan by Corning Natural Gas Corporation	To revise the rates, charges, rules and regulations for gas service
*PSC-22-07-00015-P	..... exempt	Demand Side Management Program by Consolidated Edison Company of New York, Inc.	To recover incremental program costs and lost revenue
*PSC-23-07-00022-P	..... exempt	Supplier, transportation, balancing and aggregation service by National Fuel Gas Distribution Corporation	To explicitly state in the company's tariff that the threshold level of elective upstream transmission capacity is a maximum of 112,600 Dth/day of marketer-provided upstream capacity
*PSC-24-07-00012-P	..... exempt	Gas Efficiency Program by the City of New York	To consider rehearing a decision establishing a Gas Efficiency Program
*PSC-39-07-00017-P	..... exempt	Gas bill issuance charge by New York State Electric & Gas Corporation	To create a gas bill issuance charge unbundled from delivery rates
*PSC-41-07-00009-P	..... exempt	Submetering of electricity rehearing	To seek reversal
*PSC-42-07-00012-P	..... exempt	Energy efficiency program by Orange and Rockland Utilities, Inc.	To consider any energy efficiency program for Orange and Rockland Utilities, Inc.'s electric service
*PSC-42-07-00013-P	..... exempt	Revenue decoupling by Orange and Rockland Utilities, Inc.	To consider a revenue decoupling mechanism for Orange and Rockland Utilities, Inc.
*PSC-45-07-00005-P	..... exempt	Customer incentive programs by Orange and Rockland Utilities, Inc.	To establish a tariff provision



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-02-08-00006-P	..... exempt	Additional central office codes in the 315 area code region	To consider options for making additional codes
*PSC-04-08-00010-P	..... exempt	Granting of easement rights on utility property by Central Hudson Gas & Electric Corporation	To grant easement rights to Millennium Pipeline Company, L.L.C.
*PSC-04-08-00012-P	..... exempt	Marketing practices of energy service companies by the Consumer Protection Board and New York City Department of Consumer Affairs	To consider modifying the commission's regulation over marketing practices of energy service companies
*PSC-08-08-00016-P	..... exempt	Transfer of ownership by Entergy Nuclear Fitzpatrick LLC, et al.	To consider the transfer
*PSC-12-08-00019-P	..... exempt	Extend the provisions of the existing electric rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-12-08-00021-P	..... exempt	Extend the provisions of the existing gas rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-13-08-00011-P	..... exempt	Waiver of commission policy and NYSEG tariff by Turner Engineering, PC	To grant or deny Turner's petition
*PSC-13-08-00012-P	..... exempt	Voltage drops by New York State Electric & Gas Corporation	To grant or deny the petition
*PSC-23-08-00008-P	..... exempt	Petition requesting rehearing and clarification of the commission's April 25, 2008 order denying petition of public utility law project	To consider whether to grant or deny, in whole or in part, the May 7, 2008 Public Utility Law Project (PULP) petition for rehearing and clarification of the commission's April 25, 2008 order denying petition of Public Utility Law Project
*PSC-25-08-00007-P	..... exempt	Policies and procedures regarding the selection of regulatory proposals to meet reliability needs	To establish policies and procedures regarding the selection of regulatory proposals to meet reliability needs
*PSC-25-08-00008-P	..... exempt	Report on Callable Load Opportunities	Rider U report assessing callable load opportunities in New York City and Westchester County during the next 10 years
*PSC-28-08-00004-P	..... exempt	Con Edison's procedure for providing customers access to their account information	To consider Con Edison's implementation plan and timetable for providing customers access to their account information
*PSC-31-08-00025-P	..... exempt	Recovery of reasonable DRS costs from the cost mitigation reserve (CMR)	To authorize recovery of the DRS costs from the CMR
*PSC-32-08-00009-P	..... exempt	The ESCO referral program for KEDNY to be implemented by October 1, 2008	To approve, reject or modify, in whole or in part, KEDNY's recommended ESCO referral program
*PSC-33-08-00008-P	..... exempt	Noble Allegany's request for lightened regulation	To consider Noble Allegany's request for lightened regulation as an electric corporation
*PSC-36-08-00019-P	..... exempt	Land Transfer in the Borough of Manhattan, New York	To consider petition for transfer of real property to NYPH
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-40-08-00010-P	..... exempt	Loans from regulated company to its parent	To determine if the cash management program resulting in loans to the parent should be approved
*PSC-41-08-00009-P	..... exempt	Transfer of control of cable TV franchise	To determine if the transfer of control of Margaretville's cable TV subsidiary should be approved
*PSC-43-08-00014-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-46-08-00008-P	..... exempt	Property transfer in the Village of Avon, New York	To consider a petition for the transfer of street lighting and attached equipment to the Village of Avon, New York
*PSC-46-08-00010-P	..... exempt	A transfer of indirect ownership interests in nuclear generation facilities	Consideration of approval of a transfer of indirect ownership interests in nuclear generation facilities
*PSC-46-08-00014-P	..... exempt	The attachment of cellular antennae to an electric transmission tower	To approve, reject or modify the request for permission to attach cellular antennae to an electric transmission tower
*PSC-48-08-00005-P	..... exempt	A National Grid high efficiency gas heating equipment rebate program	To expand eligibility to customers converting from oil to natural gas
*PSC-48-08-00008-P	..... exempt	Petition for the master metering and submetering of electricity	To consider the request of Bay City Metering, to master meter & submeter electricity at 345 E. 81st St., New York, New York
*PSC-48-08-00009-P	..... exempt	Petition for the submetering of electricity	To consider the request of PCV/ST to submeter electricity at Peter Cooper Village & Stuyvesant Town, New York, New York
*PSC-50-08-00018-P	..... exempt	Market Supply Charge	A study on the implementation of a revised Market Supply Charge
*PSC-51-08-00006-P	..... exempt	Commission's October 27, 2008 Order on Future of Retail Access Programs in Case 07-M-0458	To consider a Petition for rehearing of the Commission's October 27, 2008 Order in Case 07-M-0458
*PSC-51-08-00007-P	..... exempt	Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078	To consider Petitions for rehearing of the Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078
*PSC-53-08-00011-P	..... exempt	Use of deferred Rural Telephone Bank funds	To determine if the purchase of a softswitch by Hancock is an appropriate use of deferred Rural Telephone Bank funds
*PSC-53-08-00012-P	..... exempt	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY
*PSC-53-08-00013-P	..... exempt	To transfer common stock and ownership	To consider transfer of common stock and ownership
*PSC-01-09-00015-P	..... exempt	FCC decision to redefine service area of Citizens/Frontier	Review and consider FCC proposed redefinition of Citizens/Frontier service area

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

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



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

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<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-08-10-00007-P	..... exempt	Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847	Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847
*PSC-08-10-00009-P	..... exempt	Consolidated Edison of New York, Inc. energy efficiency programs	To modify approved energy efficiency programs
*PSC-12-10-00015-P	..... exempt	Recommendations made by Staff intended to enhance the safety of Con Edison's gas operations	To require that Con Edison implement the Staff recommendations intended to enhance the safety of Con Edison's gas operations
*PSC-14-10-00010-P	..... exempt	Petition for the submetering of electricity	To consider the request of 61 Jane Street Owners Corporation to submeter Electricity at 61 Jane Street, Manhattan, NY
*PSC-16-10-00005-P	..... exempt	To consider adopting and expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-16-10-00007-P	..... exempt	Interconnection of the networks between TDS Telecom and PAETEC Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between TDS Telecom and PAETEC Communications
*PSC-16-10-00015-P	..... exempt	Interconnection of the networks between Frontier and Choice One Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier and Choice One Communications
*PSC-18-10-00009-P	..... exempt	Electric utility transmission right-of-way management practices	To consider electric utility transmission right-of-way management practices
*PSC-19-10-00022-P	..... exempt	Whether National Grid should be permitted to transfer a parcel of property located at 1 Eddy Street, Fort Edward, New York	To decide whether to approve National Grid's request to transfer a parcel of vacant property in Fort Edward, New York
*PSC-22-10-00006-P	..... exempt	Requirement that Noble demonstrate that its affiliated electric corporations operating in New York are providing safe service	Consider requiring that Noble demonstrate that its affiliated electric corporations in New York are providing safe service
*PSC-22-10-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of 48-52 Franklin Street to submeter electricity at 50 Franklin Street, New York, New York
*PSC-24-10-00009-P	..... exempt	Verizon New York Inc. tariff regulations relating to voice messaging service	To remove tariff regulations relating to retail voice messaging service from Verizon New York Inc.'s tariff
*PSC-25-10-00012-P	..... exempt	Reassignment of the 2-1-1 abbreviated dialing code	Consideration of petition to reassign the 2-1-1 abbreviated dialing code
*PSC-27-10-00016-P	..... exempt	Petition for the submetering of electricity	To consider the request of 9271 Group, LLC to submeter electricity at 960 Busti Avenue, Buffalo, New York
*PSC-34-10-00003-P	..... exempt	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program
*PSC-34-10-00005-P	..... exempt	Approval of a contract for \$250,000 in tank repairs that may be a financing	To decide whether to approve a contract between the parties that may be a financing of \$250,000 for tank repairs

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<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-34-10-00006-P	..... exempt	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program
*PSC-36-10-00010-P	..... exempt	Central Hudson's procedures, terms and conditions for an economic development plan	Consideration of Central Hudson's procedures, terms and conditions for an economic development plan
*PSC-40-10-00014-P	..... exempt	Disposition of a state sales tax refund	To determine how much of a state sales tax refund should be retained by National Grid
*PSC-40-10-00021-P	..... exempt	Whether to permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall	To permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall
*PSC-41-10-00018-P	..... exempt	Amount of hourly interval data provided to Hourly Pricing customers who have not installed a phone line to read meter	Allow Central Hudson to provide less than a years worth of interval data and charge for manual meter reading for some customers
*PSC-41-10-00022-P	..... exempt	Request for waiver of the individual living unit metering requirements at 5742 Route 5, Vernon, NY	Request for waiver of the individual living unit metering requirements at 5742 Route 5, Vernon, NY
*PSC-42-10-00011-P	..... exempt	Petition for the submetering of electricity	To consider the request of 4858 Group, LLC to submeter electricity at 456 Main Street, Buffalo, New York
*PSC-43-10-00016-P	..... exempt	Utility Access to Ducts, Conduit Facilities and Utility Poles	To review the complaint from Optical Communications Group
*PSC-44-10-00003-P	..... exempt	Third and fourth stage gas rate increase by Corning Natural Gas Corporation	To consider Corning Natural Gas Corporation's request for a third and fourth stage gas rate increase
*PSC-51-10-00018-P	..... exempt	Commission proceeding concerning three-phase electric service by all major electric utilities	Investigate the consistency of the tariff provisions for three-phase electric service for all major electric utilities
*PSC-11-11-00003-P	..... exempt	The proposed transfer of 55.42 acres of land and \$1.4 million of revenues derived from the rendition of public service	The proposed transfer of 55.42 acres of land and \$1.4 million of revenues derived from the rendition of public service
*PSC-13-11-00005-P	..... exempt	Exclude the minimum monthly bill component from the earnings test calculation	Exclude the minimum monthly bill component from the earnings test calculation
*PSC-14-11-00009-P	..... exempt	Petition for the submetering of electricity	To consider the request of 83-30 118th Street to submeter electricity at 83-30 118th Street, Kew Gardens, New York
*PSC-19-11-00007-P	..... exempt	Utility price reporting requirements related to the Commission's "Power to Choose" website	Modify the Commission's utility electric commodity price reporting requirements related to the "Power to Choose" website
*PSC-20-11-00012-P	..... exempt	Petition for the submetering of electricity	To consider the request of KMW Group LLC to submeter electricity at 122 West Street, Brooklyn, New York
*PSC-20-11-00013-P	..... exempt	Determining the reasonableness of Niagara Mohawk Power Corporation d/b/a National Grid 's make ready charges	To determine if the make ready charges of Niagara Mohawk Power Corporation d/b/a National Grid are reasonable

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<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-22-11-00004-P	..... exempt	Whether to permit the use of the Sensus accWAVE for use in residential gas meter applications	To permit gas utilities in New York State to use the Sensus accWAVE diaphragm gas meter
*PSC-26-11-00007-P	..... exempt	Water rates and charges	To approve an increase in annual revenues by about \$25,266 or 50%
*PSC-26-11-00009-P	..... exempt	Petition for the submetering of electricity at commercial property	To consider the request of by Hoosick River Hardwoods, LLC to submeter electricity at 28 Taylor Avenue, in Berlin, New York
*PSC-26-11-00012-P	..... exempt	Waiver of generation retirement notice requirements	Consideration of waiver of generation retirement notice requirements
*PSC-29-11-00011-P	..... exempt	Petition requesting the Commission reconsider its May 19, 2011 Order and conduct a hearing, and petition to stay said Order	To consider whether to grant or deny, in whole or in part, Windstream New York's Petition For Reconsideration and Rehearing
*PSC-35-11-00011-P	..... exempt	Whether to permit Consolidated Edison a waiver to commission regulations Part 226.8	Permit Consolidated Edison to conduct a inspection program in lieu of testing the accuracy of Category C meters
*PSC-36-11-00006-P	..... exempt	To consider expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-38-11-00002-P	..... exempt	Operation and maintenance procedures pertaining to steam trap caps	Adopt modified steam operation and maintenance procedures
*PSC-38-11-00003-P	..... exempt	Waiver of certain provisions of the electric service tariffs of Con Edison	Consideration of waiver of certain provisions of the electric service tariffs of Con Edison
*PSC-40-11-00010-P	..... exempt	Participation of regulated local exchange carriers in the New York Data Exchange, Inc. (NYDE)	Whether to partially modify its order requiring regulated local exchange carriers' participation NYDE
*PSC-40-11-00012-P	..... exempt	Granting of transfer of plant in-service to a regulatory asset	To approve transfer and recovery of unamortized plant investment
*PSC-42-11-00018-P	..... exempt	Availability of telecommunications services in New York State at just and reasonable rates	Providing funding support to help ensure availability of affordable telecommunications service throughout New York
*PSC-43-11-00012-P	..... exempt	Transfer of outstanding shares of stock	Transfer the issued outstanding shares of stock of The Meadows at Hyde Park Water-Works Corporation to HPWS, LLC
*PSC-47-11-00007-P	..... exempt	Remedying miscalculations of delivered gas as between two customer classes	Consideration of Con Edison's proposal to address inter-class delivery imbalances resulting from past Company miscalculations
*PSC-48-11-00007-P	..... exempt	Transfer of controlling interests in generation facilities from Dynegy to PSEG	Consideration of the transfer of controlling interests in electric generation facilities from Dynegy to PSEG
*PSC-48-11-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of To Better Days, LLC to submeter electricity at 37 East 4th Street, New York, New York
*PSC-01-12-00007-P	..... exempt	The New York State Reliability Council's revisions to its rules and measurements	To adopt revisions to various rules and measurements of the New York State Reliability Council

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



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<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-42-12-00009-P	..... exempt	Regulation of Gipsy Trail Club, Inc.'s long-term financing agreements	To exempt Gipsy Trail Club, Inc. from Commission regulation of its financing agreements
*PSC-45-12-00008-P	..... exempt	Whether to grant, deny or modify, in whole or part, ESHG's petition for a waiver of Commission policy and RG&E tariff	Whether to grant, deny or modify, in whole or part, ESHG's petition for a waiver of Commission policy and RG&E tariff
*PSC-45-12-00010-P	..... exempt	Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District	Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District
*PSC-50-12-00003-P	..... exempt	Affiliate standards for Corning Natural Gas Corporation	To resolve issues raised by Corning Natural Gas Corporation in its petition for rehearing
*PSC-04-13-00006-P	..... exempt	Expansion of mandatory day ahead hourly pricing for customers of Orange and Rockland Utilities with demands above 100 kW	To consider the expansion of mandatory day ahead hourly pricing for customers with demands above 100 kW
*PSC-04-13-00007-P	..... exempt	Authorization to transfer certain real property	To decide whether to approve the transfer of certain real property
*PSC-06-13-00008-P	..... exempt	Verizon New York Inc.'s retail service quality	To investigate Verizon New York Inc.'s retail service quality
*PSC-08-13-00012-P	..... exempt	Filing requirements for certain Article VII electric facilities	To ensure that applications for certain electric transmission facilities contain pertinent information
*PSC-08-13-00014-P	..... exempt	Uniform System of Accounts - Request for Accounting Authorization	To allow the company to defer an item of expense or capital beyond the end of the year in which it was incurred
*PSC-12-13-00007-P	..... exempt	Protecting company water mains	To allow the company to require certain customers to make changes to the electrical grounding system at their homes
*PSC-13-13-00008-P	..... exempt	The potential waiver of 16 NYCRR 255.9221(d) completion of integrity assessments for certain gas transmission lines	To determine whether a waiver of the timely completion of certain gas transmission line integrity assessments should be granted
*PSC-18-13-00007-P	..... exempt	Whether Demand Energy Networks energy storage systems should be designated technologies for standby rate eligibility purposes	Whether Demand Energy Networks energy storage systems should be designated technologies for standby rate eligibility purposes
*PSC-21-13-00003-P	..... exempt	To consider policies that may impact consumer acceptance and use of electric vehicles	To consider and further develop policies that may impact consumer acceptance and use of electric vehicles
*PSC-21-13-00005-P	..... exempt	To implement an abandonment of Windover's water system	To approve the implementation of abandonment of Windover's water system
*PSC-21-13-00008-P	..... exempt	Rates of National Fuel Gas Distribution Corporation	To make the rates of National Fuel Gas Distribution Corporation temporary, subject to refund, if they are found to be excessive
*PSC-21-13-00009-P	..... exempt	Reporting requirements for natural gas local distribution companies	To help ensure efficient and economic expansion of the natural gas system as appropriate

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

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

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

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



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

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

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

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

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



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

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<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-17-18-00010-P	..... exempt	Petition for use of gas metering equipment	To ensure that consumer bills are based on accurate measurements of gas usage
*PSC-18-18-00009-P	..... exempt	Transfer of control of Keene Valley Video Inc.	To ensure performance in accordance with applicable cable laws, regulations and standards and the public interest
*PSC-23-18-00006-P	..... exempt	Whether to impose consequences on Aspurity for its non-compliance with Commission requirements	To ensure the provision of safe and adequate energy service at just and reasonable rates
*PSC-24-18-00013-P	..... exempt	Implementation of program rules for Renewable Energy Standard and ZEC requirements	To promote and maintain renewable and zero-emission electric energy resources
*PSC-28-18-00011-P	..... exempt	Storm Hardening Collaborative Report	To ensure safe and adequate gas service
*PSC-29-18-00008-P	..... exempt	Participation in Targeted Accessibility Fund	To encourage enhanced services for low-income consumers
*PSC-29-18-00009-P	..... exempt	Overvaluing real property tax expense recovery in water rates	To prevent unjust and unreasonable water rates
*PSC-34-18-00015-P	..... exempt	Petition to submeter electricity	To ensure adequate submetering equipment and energy efficiency protections are in place
*PSC-34-18-00016-P	..... exempt	Deferral of pre-staging and mobilization storm costs	To ensure just and reasonable rates for ratepayers and utility recovery of unexpected, prudently incurred costs
*PSC-35-18-00003-P	..... exempt	Con Edison's 2018 DSIP and BCA Handbook Update	To continue Con Edison's transition to a modern utility serving as a Distributed System Platform Provider
*PSC-35-18-00005-P	..... exempt	NYSEG and RG&E's 2018 DSIP and BCA Handbook Update	To continue NYSEG and RG&E's transition to modern utilities acting as Distributed System Platform Providers
*PSC-35-18-00006-P	..... exempt	National Grid's 2018 DSIP and BCA Handbook Update	To continue National Grid's transition to a modern utility serving as a Distributed System Platform Provider
*PSC-35-18-00008-P	..... exempt	Central Hudson's 2018 DSIP and BCA Handbook Update	To continue Central Hudson's transition to a modern utility serving as a Distributed System Platform Provider
*PSC-35-18-00010-P	..... exempt	O&R's 2018 DSIP and BCA Handbook Update	To continue O&R's transition to a modern utility acting as a Distributed System Platform Provider
*PSC-39-18-00005-P	..... exempt	Participation in New York State Lifeline Program	To encourage enhanced services for low-income customers
*PSC-40-18-00014-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	To review the gas utilities' reconciliation of Gas Expenses and Gas Cost Recoveries for 2018
*PSC-42-18-00011-P	..... exempt	Voluntary residential beneficial electrification rate design	To provide efficient rate design for beneficial technologies in New York State that is equitable for all residential customers

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

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

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



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-20-21-00004-P	..... exempt	Regulatory approvals in connection with a 437 MW electric generating facility	To ensure appropriate regulatory review, oversight, and action, consistent with the public interest
*PSC-21-21-00019-P	..... exempt	Utility capital expenditure proposal	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
*PSC-28-21-00013-P	..... exempt	Elimination of internal audits of wholesale performance metrics	To consider Verizon New York Inc.'s petition to eliminate requirements for certain internal audits
*PSC-29-21-00009-P	..... exempt	Proposed pilot program to use AMI to disconnect electric service to customers during gas system emergencies	To study the efficacy of using AMI to disconnect electric service during gas system emergencies
*PSC-32-21-00002-P	..... exempt	The prohibition on ESCO service to low-income customers	To consider whether Icon Energy, LLC d/b/a Source Power Company should be granted a waiver to serve low-income customers
*PSC-35-21-00009-P	..... exempt	To modify the terms and conditions under which gas utilities provide service to electric generators	To provide clarity and uniformity to the provision of gas service to electric generators in New York State
*PSC-36-21-00006-P	..... exempt	The Westchester Power Program	To consider integration of Opt-out Community Distributed Generation into the Westchester Power program
*PSC-37-21-00010-P	..... exempt	Zero emitting electric generating facilities that are not renewable energy systems	To consider modifications to the Clean Energy Standard
*PSC-37-21-00011-P	..... exempt	Green Button Connect implementation	To consider the proposed Green Button Connect User Agreement and Green Button Connect Onboarding Process document
*PSC-37-21-00012-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether Catalyst should be permitted to offer its Community Distributed Generation product to mass market customers
*PSC-38-21-00006-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	To consider filings of LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-39-21-00007-P	..... exempt	The proposed alternative method of account identification	To facilitate secure customer data exchanges between the utility or provider and energy service entities
*PSC-47-21-00003-P	..... exempt	Utility processes for customers to consent to sharing data with third parties and how consent options will be communicated	To develop standardized consent requirements that will increase customer familiarity with appropriate data sharing and access
*PSC-47-21-00005-P	..... exempt	Utility processes for customers to consent to sharing data with third parties and how consent options will be communicated	To develop standardized consent requirements that will increase customer familiarity with appropriate data sharing and access
*PSC-48-21-00007-P	..... exempt	Verizon's Performance Assurance Plan	To consider whether to retire the Performance Assurance Plan
*PSC-50-21-00006-P	..... exempt	Implementation of the Host Community Benefit Program	To consider the proposed administration and implementation related to disbursement of customer bill credits

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-50-21-00008-P	..... exempt	Implementation of the Host Community Benefit Program	To consider the proposed administration and implementation related to disbursement of customer bill credits
*PSC-50-21-00011-P	..... exempt	Implementation of the Host Community Benefit Program	To consider the proposed administration and implementation related to disbursement of customer bill credits
*PSC-50-21-00012-P	..... exempt	Implementation of the Host Community Benefit Program	To consider the proposed administration and implementation related to disbursement of customer bill credits
*PSC-05-22-00001-P	..... exempt	Green gas products	To consider an extension of the waiver permitting energy service companies to serve existing customers on green gas products
*PSC-13-22-00011-P	..... exempt	Positive revenue adjustments associated with emergency response, damage prevention and leak management for 2020	To consider a rehearing petition
*PSC-14-22-00008-P	..... exempt	An opt-out community distributed generation program	To establish the program rules for offering community distributed generation on and opt-out basis in New York State
*PSC-18-22-00002-P	..... exempt	NYSEG and RG&E's petition for a waiver of its 2021 customer service quality performance	To determine if NYSEG and RG&E's petition for waiver is in the public interest
*PSC-19-22-00022-P	..... exempt	Modification of Con Edison's electric tariff	To either eliminate or waive a provision of the Standby Service Offset Tariff
*PSC-20-22-00009-P	..... exempt	Modify lease of utility property	To determine whether to authorize the extension and amendment of the lease of the Volney-Marcy transmission line
*PSC-20-22-00011-P	..... exempt	Establishment of the regulatory regime applicable to a wind electric generating facility	To ensure appropriate regulation of a new electric corporation
*PSC-21-22-00007-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether Atlantic Energy, LLC should be permitted to offer its LED Lighting product to mass market customers
*PSC-21-22-00008-P	..... exempt	Cybersecurity requirements	Modify the framework to ensure the protection of utility systems and customer data from cyber events
*PSC-21-22-00011-P	..... exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process	To consider whether Atlantic Energy, LLC should be permitted to offer its Smart Home Program product to mass market customers
*PSC-24-22-00007-P	..... exempt	St. Lawrence Gas' petition for a waiver of its 2021 service quality performance	To determine if St. Lawrence Gas' petition for waiver is in the public interest
*PSC-26-22-00008-P	..... exempt	Compensation under the Value of Distributed Energy Resources tariff	To consider compensation mechanisms for legacy baseline hydroelectric and other renewable energy resources
*PSC-30-22-00009-P	..... exempt	Establishment of the regulatory regime applicable to a battery storage project	To ensure appropriate regulation of an electric corporation
*PSC-32-22-00022-P	..... exempt	Establishment of the regulatory regime applicable to a wind electric generating facility	To ensure appropriate regulation of a new electric corporation

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<b>PUBLIC SERVICE COMMISSION</b>			
*PSC-32-22-00023-P	..... exempt	Bioenergy generation in New York	To consider compensation for bioenergy generation
*PSC-33-22-00008-P	..... exempt	Gas moratorium consumer protections.	To consider protections for existing and prospective customers should a utility institutes a moratorium on new gas service.
*PSC-33-22-00009-P	..... exempt	Use of electric metering equipment	To consider use of electric metering equipment and ensure consumer bills are based on accurate measurements of electric usage
*PSC-34-22-00005-P	..... exempt	Transfer of a Certificate of Environmental Compatibility and Public Need	Consideration of whether the proposed transfer is in the public interest
*PSC-38-22-00004-P	..... exempt	Establishment of the regulatory regime applicable to a battery storage project	To ensure appropriate regulation of an electric corporation
*PSC-42-22-00010-P	..... exempt	Gas system planning	To consider screening and suitability criteria for non-pipeline alternatives
*PSC-42-22-00011-P	..... exempt	Gas system planning	To consider cost recovery procedures and an incentive mechanism for non-pipeline alternatives
*PSC-42-22-00012-P	..... exempt	Gas system planning	To consider screening and suitability criteria for non-pipeline alternatives
*PSC-42-22-00013-P	..... exempt	Gas system planning	To consider screening and suitability criteria for non-pipeline alternatives
*PSC-42-22-00014-P	..... exempt	Gas system planning	To consider screening and suitability criteria for non-pipeline alternatives
*PSC-42-22-00015-P	..... exempt	Gas system planning	To consider screening and suitability criteria for non-pipeline alternatives
*PSC-42-22-00016-P	..... exempt	Gas system planning	To consider screening and suitability criteria for non-pipeline alternatives
*PSC-42-22-00017-P	..... exempt	Gas system planning	To consider screening and suitability criteria for non-pipeline alternatives
*PSC-42-22-00019-P	..... exempt	Gas system planning	To consider screening and suitability criteria for non-pipeline alternatives
*PSC-44-22-00003-P	..... exempt	Proposed draft tariff amendments	To document and refine moratorium management procedures that seek to minimize hardships in the event a future moratorium occurs
*PSC-46-22-00006-P	..... exempt	PSC Regulations 16 NYCRR 86.3(a)(1), 86.3(a)(2), 86.3(b)(2), 86.4(b)	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-46-22-00010-P	..... exempt	Notice of intent to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
*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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
*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
*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

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<b>PUBLIC SERVICE COMMISSION</b>			
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
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



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-27-23-00015-P	..... exempt	The Tier 4 renewable energy certificate purchase and sale agreement modifications	To consider modification to the existing Tier 4 renewable energy certificate purchase and sale agreement
PSC-28-23-00024-P	..... exempt	Proposed major rate increase	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
PSC-28-23-00025-P	..... exempt	Proposed major rate increase	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
PSC-29-23-00007-P	..... exempt	Reconciliation mechanism	To limit any further near-term customer bill impacts
PSC-31-23-00001-P	..... exempt	A petition for a special permit exemption from odorization requirements	To determine if the granting of the special permit is in the public interest
PSC-31-23-00002-P	..... exempt	Proposed major rate increase	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
PSC-32-23-00032-P	..... exempt	Lightened regulatory regime and financing for the owner and operator of a wind-powered generating facility	To determine the regulatory framework and applicable financing for a wholesale electric generator
PSC-33-23-00006-P	..... exempt	Purchase of renewable energy from new distributed generators and/or energy storage systems 30 kilowatts or less	To establish provisions to ensure safe and reliable service for all customers
PSC-34-23-00008-P	..... exempt	Proposed transfer of capital stock	To determine if the transfer of capital stock is in the public interest
PSC-35-23-00007-P	..... 08/29/24	EV Commercial Managed Charging Program Implementation Plan	To consider the deployment of an EV CMCP Implementation Plan in the Central Hudson service territory
PSC-35-23-00008-P	..... 08/29/24	Lightened regulation	To determine whether a lightened regulatory regime for Empire is consistent with prior Commission orders and the PSL
PSC-35-23-00011-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
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-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-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-40-23-00034-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-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-46-23-00003-P	..... exempt	Community Distributed Generation	To consider implementation of multiple community distributed generation savings rates
PSC-46-23-00004-P	..... exempt	Petition to submeter electricity and waiver request	To ensure adequate submetering equipment, consumer protections, and energy efficiency protections are in place
PSC-46-23-00006-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-47-23-00003-P	..... exempt	The prohibition on service to low-income customers by energy service companies (ESCOs)	To consider extending the waiver of the prohibition
PSC-48-23-00005-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-49-23-00005-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-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-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-01-24-00015-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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
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-03-24-00005-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-03-24-00008-P	..... exempt	Pole attachment charges	To provide pole attachment services at just and reasonable rates
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-05-24-00002-P	..... exempt	Minor rate filing by Warwick Water Corporation	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preference
PSC-05-24-00003-P	..... exempt	Application of the Public Service Law (PSL) to a merchant developer and owner of a proposed solar facility	To ensure an applicable regulatory regime under the PSL that is consistent with the public interest
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-07-24-00018-P	..... exempt	Policies, budgets, and targets for energy efficiency and building electrification for Non-Low- to Moderate-Income customers	To establish a portfolio and policy framework for Non-Low- to Moderate-Income energy efficiency and building electrification
PSC-07-24-00019-P	..... exempt	Policies, budgets, and targets for energy efficiency and building electrification portfolios for Non-LMI customers	To establish a portfolio and policy framework for Non-LMI energy efficiency and building electrification
PSC-07-24-00020-P	..... exempt	Policies, budgets, and targets for energy efficiency and building electrification portfolios for Non-LMI customers	To establish a portfolio and policy framework for Non-LMI energy efficiency and building electrification
PSC-07-24-00021-P	..... exempt	Minor electric rate filing to increase annual electric revenues	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences
PSC-07-24-00022-P	..... exempt	Policies, budgets, and targets for energy efficiency and building electrification portfolios for Non-LMI customers	To establish a portfolio and policy framework for Non-LMI energy efficiency and building electrification
PSC-07-24-00023-P	..... exempt	Transfer of street lighting facilities	To consider the transfer of street lighting facilities to the Town of Cheektowaga
PSC-07-24-00024-P	..... exempt	Energy efficiency and building electrification programs	To implement potential change to energy efficiency programs
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



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
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
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

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
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
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.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
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.
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.
PSC-17-24-00005-P	..... exempt	Petition for surcharge to recover the cost of a water main installation to six customers.	To determine whether recovery of main installation costs via surcharge is in the public interest.
PSC-17-24-00006-P	..... exempt	Notice of intent to submeter electricity and waiver request.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-17-24-00007-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-17-24-00008-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-17-24-00009-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-18-24-00004-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
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-18-24-00005-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-18-24-00006-P	..... exempt	Issuance of securities and other forms of indebtedness.	To provide funding for capital needs, including construction, and refinancing of maturing debt.
PSC-18-24-00007-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-18-24-00008-P	..... exempt	Partnership for the Urban Revitalization in Western New York Program revisions.	To consider and review proposed program modifications.
PSC-18-24-00009-P	..... exempt	Electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
PSC-18-24-00010-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-18-24-00011-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-18-24-00012-P	..... exempt	Modifications of the Immediate Solutions Programs including less stringent data reporting requirements and modification process.	To consider modifications to the Immediate Solutions Programs to increase customer engagement and program flexibility.
PSC-18-24-00013-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-18-24-00014-P	..... exempt	The applicable regulatory regime for the owner and operator of a solar-powered generating facility.	To determine whether a lightened regulatory regime for Bear Ridge is consistent with the PSL.
PSC-18-24-00015-P	..... exempt	The prohibition on service to low-income customers by ESCOs.	To consider the petition for an extension of the waiver of the prohibition on service to low-income customers by ESCOs.
PSC-18-24-00016-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-18-24-00017-P	..... exempt	Waiver of 16 NYCRR Sections 86.3(a)(2), 86.3(b)(2), and 88.4(a)(4).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting.
PSC-18-24-00018-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-18-24-00019-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-19-24-00001-P	..... exempt	Transfer of certain street lighting facilities.	To consider whether the transfer of street lighting facilities is in the public interest.
PSC-19-24-00002-P	..... exempt	Electric utility economic development program.	To ensure the utility operates its economic development program without undue preference and spending is just and reasonable.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>PUBLIC SERVICE COMMISSION</b>			
PSC-19-24-00003-P	..... exempt	Gas metering equipment.	To consider use of volume corrector and ensure that consumer bills are based on accurate measurements of gas usage.
PSC-19-24-00004-P	..... exempt	Issuance of securities and other forms of indebtedness.	To provide funding for capital needs, including construction, and refinancing of maturing debt.
PSC-19-24-00005-P	..... exempt	A debt financing arrangement with respect to an energy storage project	To consider a financing arrangement and what regulatory conditions should apply.
PSC-20-24-00002-P	..... exempt	Notice of intent to submeter electricity and waiver request.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-20-24-00003-P	..... exempt	Tariff proposal and financing petition.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-20-24-00004-P	..... exempt	Energy affordability and electrification of heat and hot water for low-income customers.	The design and implementation of the Energy Affordability Guarantee pilot.
PSC-20-24-00005-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-20-24-00006-P	..... exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-20-24-00007-P	..... exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
<b>STATE, DEPARTMENT OF</b>			
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-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
<b>STATE UNIVERSITY OF NEW YORK</b>			
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-11-24-00024-EP	..... 03/13/25	Student debt collection practices	To cease the withholding of student transcripts as a debt collection tool
<b>TAXATION AND FINANCE, DEPARTMENT OF</b>			
*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



Agency I.D. No.	Expires	Subject Matter	Purpose of Action
<b>TAXATION AND FINANCE, DEPARTMENT OF</b>			
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
TAF-17-24-00002-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.
<b>TEMPORARY AND DISABILITY ASSISTANCE, OFFICE OF</b>			
TDA-12-24-00007-P	..... 03/20/25	See attached Addendum #2	See attached Addendum #3
<b>TRANSPORTATION, DEPARTMENT OF</b>			
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
<b>TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY</b>			
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
<b>WORKERS' COMPENSATION BOARD</b>			
WCB-51-23-00003-P	..... 12/19/24	DME Fee Schedule	To update the DME fee schedule



# SECURITIES OFFERINGS

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## STATE NOTICES

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

## DEALERS; BROKERS

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Destruction Labz Inc.  
3415 S. Sepulveda Blvd., Suite 1100, Los Angeles, CA 90034  
*State or country in which incorporated* — Delaware

Earth Finance Inc.  
3800 Bridgeport Way W, Suite A411, University Place, WA 98466  
*State or country in which incorporated* — Delaware

EMIP 2, LLC  
91 5th Ave., Fl. 5, New York, NY 10003  
*State or country in which incorporated* — Delaware

EMIP 3, LLC  
91 5th Ave., Fl. 5, New York, NY 10003  
*State or country in which incorporated* — Delaware

FarBridge, Inc.  
500 E. 4th St., Suite 535, Austin, TX 78701  
*State or country in which incorporated* — Delaware

G8RTech, Inc.  
1456 Lakeview Dr., Wylie, TX 75098  
*State or country in which incorporated* — Delaware

Groundfloor Loans 1, LLC  
600 Peachtree St., Suite 810, Atlanta, GA 30308  
*State or country in which incorporated* — Delaware

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

Ultrafabrics Holdings Co., Ltd  
Hachioji First Square Bldg 6F, 3-20-6 Myoujin-Cho Hachioji, Tokyo,  
192-0046, Japan  
*State or country in which incorporated* — Japan

WoodRock Securities, L.P.  
4265 San Felipe St., Suite 600, Houston, TX 77027  
*State or country in which incorporated* — Texas



# ADVERTISEMENTS FOR BIDDERS/CONTRACTORS

## SEALED BIDS

### PROVIDE COMPUTER FORENSIC LABORATORY EXPANSION New York State Police Headquarters Albany, Albany County

Sealed bids for Project Nos. Q1844-C, Q1844-H, and Q1844-E, comprising separate contracts for Construction Work, HVAC Work, and Electrical Work, Provide Computer Forensic Laboratory Expansion, Building 22, New York State Police Headquarters, 1220 Washington Avenue, 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 New York State Police, until 2:00 p.m. on Wednesday, June 12, 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 \$25,800 for C, \$16,500 for H, and \$24,000 for E).

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

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.

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 336 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 11:00 a.m. on May 30, 2024, at NYS Police Headquarters, State Office Building Campus, Building 22, 1220 Washington Avenue, 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 Stephen Koval, (518-486-2759) a minimum of 48 hours in advance of the date to provide the names of those who will attend the pre-bid site visit. Only contractors that schedule a visit at least 48 hours in advance will be allowed to participate in the pre-bid site visit.

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

Article 3 of the Veteran’s Services Law provides for more meaningful participation in public procurement by certified Service-Disabled Veteran-Owned Businesses (“SDVOBs”). Bidders are expected to consider SDVOBs in the fulfillment of the requirements of the Contract. Such participation may be as subcontractors or suppliers, as protégés, or in other partnering or supporting roles. OGS hereby establishes overall goals for SDVOBs’ participation under this contract as follows: 6% for the C trade contractor, 3% for the E trade contractor, 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 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](mailto: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](mailto: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  
STRUCTURAL REPAIRS  
Sheridan Avenue Steam Plant  
Albany, Albany County**

Sealed bids for Project No. Q1927-C, comprising a contract for Construction Work, Provide Structural Repairs, Oil Pump Room, Sheridan Avenue Steam Plant, 79 Sheridan Avenue, 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, June 5, 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 \$22,900 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 \$250,000 and \$500,000 for C.

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.

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.

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

The substantial completion date for this project is 422 days after the Agreement is approved by the Comptroller.

The only time prospective bidders will be allowed to visit the job site to take field measurements and examine existing conditions of the project area will be at 10:00 a.m. on May 23, 2024 at 46 Sheridan Avenue, Albany NY 12210. 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 Rich Hynes (518-376-7203) 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 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](mailto: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  
ADDITION/ALTERATION  
State Armory  
New York, New York County**

Sealed bids for Project No. 47166-C, for Construction Work, National Guard Readiness Center Addition / Alteration, State Armory, 68 Lexington Avenue, New York (New York County), NY, will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Division of Military and Naval Affairs, until 2:00 p.m. on Wednesday, June 12, 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 \$2,720,400 for C).

Further, Project Labor Agreement (PLA) Projects require a completed form BDC 59P (Project Labor Agreement List of Subcontractors) be filled out and submitted in accordance with Document 002221, Supplemental Instructions to Bidders – PLA. 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 \$100,000,000 and \$120,000,000 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 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.

Substantial completion shall be in accordance with Section 011000 – Summary of the Work

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 8:00 a.m. on May 21, May 22, May 28 or May 29, 2024 at Lexington State Armory, 68 Lexington Avenue, New York NY. Prospective bidders must attend at least one of the mandatory Pre-Bid Site Visits. Prospective bidders or their representatives attending the pre-bid site visit will not be admitted on facility grounds without proper photo identification. Note that parking restrictions and security provisions will apply and all vehicles will be subject to search. Refer to Document 002218 for any additional requirements for attendance at the pre-bid site visit.

Phone the office of Alicia Bialy (845-365-0730) a minimum of 24 hours in advance of the date to provide the names of those who will attend the pre-bid site visit. Only contractors that schedule a visit at least 24 hours in advance will be allowed to participate in the pre-bid site visit.

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

acquired under this Contract. Trades with 0% goals are encouraged to make “good faith efforts” to promote and assist in the participation of MWBEs on the Contract for the provision of services and materials.

Article 3 of the 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](mailto: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](mailto: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  
RECREATIONAL MULTI-USE RAIL TRAIL  
Adirondack Rail Trail  
Lake Placid, Essex County**

Sealed bids for Project No. 47602-C, comprising of a contract for Construction Work, Provide Recreational Multi-Use Rail Trail, Floodwood to Tupper Lake, NYSDEC, Adirondack Rail Trail, Tupper Lake To Lake Placid, Lake Placid, (Essex 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 Environmental Conservation- Division of Land & Forest, until 2:00 p.m. on Wednesday, May 22, 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 \$192,800 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 \$7,000,000 and \$8,000,000 for C.

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.

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 August 29, 2025.

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 May 9, 2024, at New York State DEC Office, 1115 NYS Route 86, Ray Brook, 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 Jordan Marsh, (518-487-1097) 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 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](mailto: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](mailto:DCPlans@ogs.ny.gov), or call (518) 474-0203.

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

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

By OGS - Design & Construction Group



# NOTICE OF AVAILABILITY OF STATE AND FEDERAL FUNDS

## Division of Homeland Security and Emergency Services

1220 Washington Ave.  
State Office Building Campus, Bldg. 7A  
Albany, NY 12226

### NONPROFIT ORGANIZATIONS

#### **Federal Fiscal Year 2024 Nonprofit Security Grant Program - Urban Area (NSGP-UA) and Nonprofit Security Grant Program - State (NSGP-S)**

##### Description:

Request for Applications (RFA) in federal NSGP-UA funding and federal NSGP-S funding is being made available by the NYS Division of Homeland Security and Emergency Services (DHSES) from the U.S. Department of Homeland Security Federal Emergency Management Agency. There is a total of \$137.25 million nationally for the NSGP-UA program and \$137.25 million nationally for the NSGP-S program, with NYS having a target allocation of \$3.99 million. Funds will be awarded competitively based on the submission of applications by eligible nonprofit organizations. If your nonprofit site is physically located within a FY2024UASI-designated urban area, then you may apply to NSGP-UA; in NYS, organizations who are located in the NYC Urban Area which includes: the five boroughs in New York City, Nassau County, Suffolk County and Westchester County are eligible to apply under NSGP-UA. If your nonprofit site is not physically located within the NYC urban area, then you may apply to NSGP-S.

Each nonprofit organization may apply for up to \$150,000 per site. Nonprofits with multiple sites may apply for additional sites at up to \$150,000 per site for a maximum of three (3) sites located within the NSGP-UA area and three (3) sites located within the NSGP-S area, for a maximum of six (6) sites total, not to exceed a grand total of \$450,000 per organization. A nonprofit organization with locations in multiple states may apply for up to these application limits within each state.

Funding will be awarded to support target hardening activities to nonprofit organizations (as described under section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code) that are at high risk of terrorist or other extremist attack. NSGP provides funding for physical security enhancements and other security-related activities to nonprofit organizations that are at high risk of a terrorist or other extremist attack. The NSGP also seeks to integrate the preparedness activities of nonprofit organizations with broader state and local preparedness efforts.

Due to the competitive nature of this program, organizations who have not previously received funding will receive fifteen (15) bonus points added to their total application score. Additionally, FEMA will add ten (10) additional points to the scores of organizations that are located within a disadvantaged community or population. FEMA will apply the Council on Environmental Quality's Climate and Economic Justice Screening Tool (CEJST) to each applicant using the address of their physical location. FEMA will add 10 points to applications from organizations in communities identified as "disadvantaged" by CEJST.

The Request for Applications (RFA) and other associated application materials can be found on the DHSES website here: <https://www.dhSES.ny.gov/nonprofit-programs>.

Applications must be submitted by 5:00 p.m. on May 21, 2024,

through New York State's Division of Homeland Security and Emergency Services (NYS-DHSES) electronic grants management system (E-Grants).

## Housing Trust Fund Corporation

38-40 State St.  
Albany, NY 12207

NON-ENTITLEMENT VILLAGES, TOWNS, CITIES OR COUNTIES THROUGHOUT NEW YORK STATE EXCLUDING METROPOLITAN CITIES, URBAN COUNTIES AND INDIAN TRIBES THAT ARE HUD DESIGNATED ENTITLEMENT COMMUNITIES; UNITS OF LOCAL GOVERNMENT TO INCLUDE COUNTIES, CITIES, TOWNS AND VILLAGES, NON-FOR-PROFIT CORPORATIONS INCORPORATED UNDER NEW YORK STATE NON-FOR-PROFIT CORPORATION LAW, OR PUBLIC HOUSING AUTHORITIES

#### **NYS Community Development Block Grant Program; NYS HOME Program**

The Housing Trust Fund Corporation (HTFC) announces the availability of approximately \$65 million of Federal funds for the following programs:

- \$25 million - NYS Community Development Block Grant funding for Public Infrastructure, Public Facilities and Community Planning
- \$15 million - NYS Community Development Block Grant funding for Housing Activities
- \$10 million - NYS Community Development Block Grant funding for Vacant Property Clearance Program
- \$15 million - NYS HOME Program

These amounts are provided as guidelines for expected awards and the HTFC reserves the right to award additional funds, a portion of, or none of the funds based on funding availability.

#### **NYS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

##### PROGRAM DESCRIPTION

The New York State Community Development Block Grant Program (CDBG) is a federally funded program administered by the Housing Trust Fund Corporation's (HTFC) Office of Community Renewal (OCR). The program provides resources to eligible communities to enable the development of decent, affordable housing, create suitable living environments, and enhance economic opportunities across the state.

##### CDBG ELIGIBLE APPLICANTS

Eligible applicants include non-entitlement villages, towns, cities, or counties throughout New York State, excluding metropolitan cities, urban counties, and Indian Tribes that are HUD designated Entitlement communities. Non-entitlement areas are generally defined as cities, towns, and villages with populations of less than 50,000 except those designated principal cities of Metropolitan Statistical Areas, and counties with populations of less than 200,000.

##### APPLICATION SELECTION

The competitive application and selection process will be conducted

using existing federal and state merit-based statutory and regulatory criteria. Awards will be made in accordance with the New York State 2022-2025 Consolidated Plan, the 2024 New York State Action Plan, and the CDBG Request for Applications. Applications will be scored and ranked based on proposal and program design, need and impact, organizational capacity, and financial capacity.

**CDBG ELIGIBLE ACTIVITIES**

**Public Infrastructure**

The NYS CDBG Public Infrastructure program consists of three funding activities: drinking water, sanitary sewer, and stormwater management. Eligible projects for NYS CDBG Public Infrastructure may include the repair or replacement of existing systems, construction of new systems, or expansion of existing systems into areas previously unserved and principally benefit low- and moderate-income persons. Under the Public Infrastructure category, the benefit to low- and moderate-income persons is primarily achieved through an area benefit.

**Public Facilities**

In general, public facilities and public improvements include all facilities and improvements that are publicly owned, or that are owned by a nonprofit and open to the public. Eligible activities include the acquisition, construction, reconstruction, rehabilitation, or installation of public facilities. Eligible types of facilities and improvements include, but are not limited to:

- Neighborhood facilities, including but not limited to senior service centers, libraries, childcare centers, recreational facilities, parks, and playgrounds.
- Facilities for persons with special needs such as facilities for the homeless or domestic violence shelters, nursing homes, or group homes for the disabled, and
- Infrastructure improvements including construction and installation of streets, curbs, lighting and broadband.

Eligible costs associated with Public Facilities activities may include energy efficiency improvements, and accessibility modifications to comply with the Americans with Disability Act (including improvements to buildings used for general conduct of government).

**Community Planning**

The NYS CDBG Community Planning program consists of two activities: Community Needs Assessments and Preliminary Engineering Reports. Any planning proposal must address an activity that at application and upon implementation, meets a national objective under the CDBG program. That is, it must be shown that at least 51% of the persons who would benefit from implementation of the plan are low- and moderate- income persons.

**2024 MAXIMUM FUNDING LIMITS**

Public Infrastructure	Maximum
County, City, Town, Village	\$1,500,000
With NYS Co-Funding Initiative	\$2,000,000
Public Facilities	
County, City, Town, Village	\$1,000,000
Community Planning	
County, City, Town, Village	\$50,000

**APPLICATION FOR FUNDING**

The 2024 Application for CDBG Infrastructure, Facilities and Planning Activities will be available on the NYS Consolidated Funding Application (CFA). All application forms and program guidance will be available on the NYS Homes and Community Renewal website, under Funding Opportunities on Monday, May 13, 2024. Applications are due no later than 4:00 pm Wednesday, July 31, 2024. Applications must be submitted using the CFA.

**CDBG Housing Activities**

NYS CDBG funds are available for housing activities including infrastructure in support of existing housing and housing rehabilitation that primarily benefit low- and moderate-income persons.

**2024 MAXIMUM FUNDING LIMITS**

Housing Rehabilitation	Maximum
County, City, Town, Village	\$750,000
Infrastructure in Support of Existing Housing	
County, City, Town, Village	\$1,500,000

**APPLICATION FOR FUNDING**

Application materials for the 2024 CDBG Housing Activities will be available on the NYS Homes and Community Renewal website, by Monday, May 13, 2024. Applications for CDBG Housing Activities will be accepted until 4:00 pm Wednesday, July 31, 2024. Applications must be submitted using the Community Development Online Application System (CDOL).

**CDBG Vacant Property Clearance Program (VPCP)**

NYS CDBG funds are available for clearance of abandoned, distressed, and/or deteriorated buildings in commercial and/or residential neighborhoods.

**2024 MAXIMUM FUNDING LIMITS**

Property Clearance	Maximum
County, City, Town, Village	\$1,000,000

Application materials for the VPCP will be available on the NYS Homes and Community Renewal website by Monday, May 13, 2024. Applications will be accepted, and awards made on a rolling basis through December 31, 2024, or until all funds are committed. Applications must be submitted using the CFA.

**NYS HOME PROGRAM**

**PROGRAM DESCRIPTION**

The NYS HOME Program is a federally funded program administered by the Housing Trust Fund Corporation’s (HTFC) Office of Community Renewal (OCR). The program is designed to fund residential housing activities to expand the supply of decent, safe, and affordable housing throughout the State of New York. The funds made available in this NOFA represent 2024 and prior fiscal year HOME funds designated for use by Local Program Administrators (LPAs).

**HOME ELIGIBLE APPLICANTS**

Eligible applicants are defined as:

- Units of local government, to include Counties, Cities, Towns and Villages
- Non-for-profit corporations incorporated under New York State Not-for-Profit Corporation Law, or
- Public Housing Authorities

While all areas of New York State are eligible, programs located within another HOME Participating Jurisdiction (PJ), should provide evidence of funding commitments from the alternative local HOME PJ leveraging additional funds for the program and reducing funds needed from the NYS HOME Program.

To be eligible to apply, applicants must have been in existence for at least one year prior to application and providing recent and relevant residential housing services to the community.

Applicants must provide a proposal and program design that addresses local market need for the proposed activity in the service area, demonstrates the capacity to administer and complete the program in the contract term, and knowledge of HOME program regulations.

**APPLICATION SELECTION**

The competitive application and selection process will be conducted using existing federal and state merit-based statutory and regulatory criteria. Awards will be made in accordance with the New York State 2022-2025 Consolidated Plan, the 2024 New York State Action Plan, and the HOME Request for Applications. Applications will be scored and ranked based on proposal and program design, organizational capacity, and financial capacity.

**HOME ELIGIBLE ACTIVITIES**

HOME funds are available for housing activities including housing rehabilitation, manufactured housing replacement, homebuyer down payment assistance and tenant based rental assistance (TBRA).

## HOME MAXIMUM AWARD AMOUNTS, MAXIMUM PER UNIT AMOUNTS

## Housing Rehabilitation

Maximum Award up to \$750,000

Maximum Per-unit up to \$65,000 for standard stick built units

Maximum Per-unit up to \$30,000 for manufactured home units produced after July 1, 2006

## Manufactured Housing Replacement

Maximum Award up to \$1,700,000 – Maximum Per-unit up to \$170,000

## Homebuyer Down Payment Assistance

Without Rehabilitation: Maximum Award up to \$800,000

Maximum Per-unit up to \$80,000

With Rehabilitation: Maximum Award up to \$800,000

Maximum Per-unit up to \$100,000

## Tenant Based Rental Assistance (TBRA)

Maximum Award up to \$1,250,000 – Maximum Per-unit up to \$60,000

## APPLICATION FOR FUNDING

Application materials for the 2024 NYS HOME Local Program will be available on the NYS Homes & Community Renewal website, by Monday July 15, 2024. Applications for 2023 NYS HOME funding round will be accepted until 4:00 pm Thursday, September 12, 2024. Applications must be submitted using the Community Development Online Application System (CDOL).

## CONTACT INFORMATION

Applicants may make a request, based on demonstrated need, to submit a paper application in lieu of using the CDOL application system. Requests for approval to submit a paper application must be sent to: Crystal Loffler, President, Office of Community Renewal, NYS Homes and Community Renewal, Hampton Plaza, 38-40 State Street, 4th Floor South, Albany, NY 12207.

The above-stated application deadlines are firm as to date and hour. In the interest of fairness to all competing applicants, applications received after the specified date and time will be deemed ineligible and will not be considered for funding. Applicants should make early submission of the applications to avoid risks of ineligibility resulting from unanticipated delays or other delivery-related problems.

For inquiries or technical assistance regarding the NYS CDBG or NYS HOME programs, please contact: Home and Community Renewal, Office of Community Renewal, 38-40 State St., 4th Fl. S, Albany, NY 12207, (518) 474-2057, OCRINFO@hcr.ny.gov





# MISCELLANEOUS NOTICES/HEARINGS

## Notice of Abandoned Property Received by the State Comptroller

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

1-800-221-9311  
or visit our web site at:  
[www.osc.state.ny.us](http://www.osc.state.ny.us)

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

## PUBLIC NOTICE

Department of State  
F-2024-0040

Date of Issuance – May 15, 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-2024-0040, Anthony Catarina is proposing to construct a 4 by 4-foot staircase, a 4 by 175-foot-long dock, and a 3 by 10-foot ramp leading to a 6 by 20-foot float at 3500 Beebe Drive, in the Village of Cutchogue, Town of Southold, Suffolk County on Haywater Cove.

The stated purpose of the proposed action "... to provide access to boating activities from Haywater Cove to open waters."

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2024/05/f-2024-0040.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 June 14, 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](mailto: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-2024-0046

Date of Issuance – May 15, 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-2024-0046, Warren Gallaway proposes to replace existing 4' x 44.3' pier, 3' x 8' ramp; 6' x 16' float and two float piles with a 4' x 56' pier, two 3' x 13' ramps, 4' x 20' & 6' x 20' floats, six float piles and two guest slip piles. Install a 7' x 16' Jet ski float. Install two safety ladders. Install a four-pile boat lift at 67 Lake Avenue in the Town of Brookhaven, Suffolk County, on Moriches Bay.

The stated purpose of the proposed action is to "To use and appreciate and enhance the wetlands."

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2024/05/f-2024-0046.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 June 14, 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](mailto: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-2024-0167

Date of Issuance – May 15, 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-2024-0167, Jim Lambert is proposing the construction of a 5' x 6' x 42" thick concrete landing and installation of a 42" wide x 40' long aluminum ramp, 10' x 20' floating dock, and two 1,000 lb. anchors with chains.

1066 Seahaven Road, Town of Mamaroneck, Westchester County, Long Island Sound.

The stated purpose of the proposed action is to provide access for seasonal recreational boating.

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2024/05/f-2024-0167.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 June 14, 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](mailto: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-2024-0241

Date of Issuance – May 15, 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-2024-0241, Stephen Brown, is proposing a repair and in-kind replacement of 265 LF living shoreline erosion protection structure by installing 40 CY of riprap below OHW and planting bushes, trees, and grasses on and in between riprap as well as construction of a new 8 feet(ft)-wide x 70 ft-long shore parallel dock with 6" steel piles extending south westerly from an existing boathouse. The proposed project would be located at 45436 Comfort Island, St. Lawrence River, Town of Alexandria, Jefferson County.

The stated purpose of the proposed action is "Repair and in-kind replacement of a living shoreline erosion protection structure on North and South side of the island. Construct a new open pile dock system on the South side of the island to improve boat docking capabilities."

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2024/05/f-2024-0241.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 June 14, 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](mailto: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-2024-0281

Date of Issuance – May 15, 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.

New York State Department of Environmental Conservation, is proposing to create five cobble rock-pile artificial reefs to create spawning habitat for Lake Trout (*Salvelinus namaycush*). The five reefs will individually be 340 cubic yards each. The five reefs will total 1,700 cubic yards of fill over a 0.18 acre area. The reefs may be constructed by controlled rock dumps off a barge and/or an excavator and clam bucket. The proposed five spawning reefs would be located along a depth gradient from 25' (42° 19' 5.66" N, 79° 39' 34.62" W) to 45' (42° 19' 15.67" N, 79° 39' 42.75" W) in Lake Erie approximately 3.7 miles west of Barcelona, Town of Ripley, Chautauqua County.

The stated purpose of the proposed action is "Creation of spawning habitat for Lake Trout. Placement of rock at varying depths and subsequent observation will also provide valuable information for future spawning habitat enhancement/creation projects."

The applicant's consistency certification and supporting information are available for review at: <https://dos.ny.gov/system/files/documents/2024/05/f-2024-0281.pdf> or at <https://dos.ny.gov/public-notices>

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

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

2024-0141 In the Matter of New York State Office of Mental Health, 75 New Scotland Avenue, Albany, NY 12208 for a variance for code issues concerning minimum required number of toilet rooms and their location for the alteration of Hutchings Psychiatric Center, Building #2, located at 620 Madison Street, Syracuse, NY 13210, County of Onondaga, State of New York.

2024-0148 In the Matter of New York State Office of Mental Health,

75 New Scotland Avenue, Albany, NY 12208 for a variance for code issues concerning installation of a center mullion for the alteration of Hutchings Psychiatric Center, Building #2, located at 620 Madison Street, Syracuse, NY 13210, County of Onondaga, State of New York.

2024-0137 In the Matter of New York State Office of Mental Health, 75 New Scotland Avenue, Albany, NY 12208 for a variance for code issues concerning fire-resistance-rated opening protection in fire barrier walls and self or automatic door closing of seclusion rooms for the alteration of the Hutchings Psychiatric Center, Building #2, located at 620 Madison Street, Syracuse, NY 13210, County of Onondaga, State of New York.

2024-0182 In the Matter of Kenneth Maguire, property located at 1 East Shore Drive, Patchogue, NY 11772, for a variance concerning safety requirements, including under projection height in the basement. Involved is an existing dwelling, County of Suffolk, State of New York.

2024-0180 In the Matter of Frank Schimmenti, property located at 5 Salem Lane, Selden, NY 11784, 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.

2024-0155 In the Matter of Charles Holdener, property located at 11 Franko Lane, East Setauket, NY 11733, 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.

2023-0416 In the Matter of Marien Jiminez, property located at 18 Terry Lane, Commack, NY 11725, 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.

2024-0124 In the Matter of SUNY Upstate Medical Center, Building #7 located at 750 East Adams Street, Syracuse, NY 13210 for a variance for code issues concerning fire-resistance-rated separation, fire-resistance-rated opening protection in fire barrier walls and self or automatic door closing of seclusion rooms for alteration of Hutchings Psychiatric Center located at 620 Madison Street, Syracuse, NY 13210, County of Onondaga, State of New York.

2024-0135 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 at the Hutchings Psychiatric Center located at 620 Madison Street, Syracuse, NY 13210 County of Onondaga, State of New York.

2024-0133 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 allowable maximum water flow rate (gpf.) of a plumbing fixture (water closet) for alteration of Hutchings Psychiatric Center located at 620 Madison Street, Syracuse, NY 13210, County of Onondaga, State of New York.

2024-0142 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 minimum required number of drinking fountains for alteration of Hutchings Psychiatric Center located at 620 Madison Street, Syracuse, NY 13210, County of Onondaga, State of New York.

2024-0153 In the Matter of Pilgrim Psychiatric Center, located at 998 Crooked Hill Road, Brentwood, NY 11717, for a variance concerning safety requirements, including fire-resistance-rated opening protection in fire barrier walls. Involved is a seven-story building, Building #81 and 82, County of Suffolk, State of New York.

2024-0183 In the Matter of Raymond Eckert, property located at 188 Oak Avenue, Shirley, NY 11967, 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.

2024-0134 In the Matter of Xavier Carranza, property located at 44 Cleary Road, Ronkonkoma, NY 11779, for a variance concerning safety requirements, 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

Pursuant to 19 NYCRR Part 1205, the variance and appeal petitions below have been received by the Department of State. Unless otherwise indicated, they involve requests for relief from provisions of the New York State Uniform Fire Prevention and Building Code. Persons wishing to review any petitions, provide comments, or receive actual notices of any subsequent proceeding may contact Brian Tollisen or Neil Collier, Building Standards and Codes, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2024-0198 Matter of Lansing Engineering, P.C., Jason Dell, 2452 State Route 9, Suite 301, Malta, NY 12020, for a variance concerning safety requirements, including fire apparatus access road requirements and automatic sprinkler systems. Involved are new buildings located at Mabey's Cold Storage, Dominic Drive, Town of Ballston, County of Saratoga, State of New York.

2024-0218 Matter of Haskell Architects and Engineers, P.A., P.C., 111 Riverside Avenue, Jacksonville, FL, 32202, for a variance concerning safety requirements, including fire apparatus access road requirements. Involved is new building located at 1886 Tebor Road, Town of Webster, County of Monroe, State of New York.

**PUBLIC NOTICE**

Department of State  
Uniform Code Variance / Appeal Petitions

Pursuant to 19 NYCRR Part 1205, the variance and appeal petitions below have been received by the Department of State. Unless otherwise indicated, they involve requests for relief from provisions of the New York State Uniform Fire Prevention and Building Code. Persons wishing to review any petitions, provide comments, or receive actual notices of any subsequent proceeding may contact Brian Tollisen or Neil Collier, Building Standards and Codes, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2024-0200 Matter of Greg Coleman, 3714 Sommerset Drive, Seaford, NY 11783, for a variance concerning safety requirements, including fire sprinkler requirements. Involved is an existing dwelling located 3714 Sommerset Drive, Seaford, Town of Hempstead, County of Nassau, State of New York.

2024-0209 Matter of Nassau Expeditors Inc., Scott Tirone, 75 Albertson Avenue, Albertson, NY 11507, for a variance concerning safety requirements, including basement ceiling height requirements. Involved is an existing dwelling located at 87 Roosevelt Court, Carle Place, Town of North Hempstead, County of Nassau, State of New York.

2024-0214 Matter of JL Drafting, John Lagoudes, 707 Route 110, Suite A, Farmingdale, NY 11735, for a variance concerning safety requirements, including basement ceiling height requirements. Involved is an existing dwelling located at 34 Summit Street, Hicksville, Town of Oyster Bay, County of Nassau, State of New York.

**PUBLIC NOTICE**

Department of State  
Uniform Code Variance / Appeal Petitions

Pursuant to 19 NYCRR Part 1205, the variance and appeal petitions below have been received by the Department of State. Unless otherwise indicated, they involve requests for relief from provisions of the New York State Uniform Fire Prevention and Building Code. Persons wishing to review any petitions, provide comments, or receive actual notices of any subsequent proceeding may contact Brian Tollisen or Neil Collier, Building Standards and Codes, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.



2024-0215 Matter of Select Expediting, Larry Buscemi, P.O. Box 679, Mt. Sinai, NY 11766, for a variance concerning safety requirements, including ceiling height requirements. Involved is an existing dwelling located at 4 Dusk Drive, Town of Brookhaven, County of Suffolk, State of New York.

2024-0222 Matter of Carlos Guzman, 176 Park Blvd., Malverne, NY 11565, for a variance concerning safety requirements, including height under projection. Involved is an existing dwelling located at 45 Timber Point Rd, Town of Islip, County of Suffolk, State of New York.

2024-0224 Matter of PAC Architecture and Design, Peter Cinquemani, 75 Albertson Avenue, Albertson, NY 11507, for a variance concerning safety requirements, including stairway headroom requirements. Involved is an existing dwelling located at 96 E. Williston Avenue, Village of East Williston, County of Nassau, State of New York.

## PUBLIC NOTICE

Department of State

### Uniform Code Variance / Appeal Petitions

Pursuant to 19 NYCRR Part 1205, the variance and appeal petitions below have been received by the Department of State. Unless otherwise indicated, they involve requests for relief from provisions of the New York State Uniform Fire Prevention and Building Code. Persons wishing to review any petitions, provide comments, or receive actual notices of any subsequent proceeding may contact Brian Tollisen or Neil Collier, Building Standards and Codes, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2024-0219 In the Matter of KTM Architect, Kimberly T. Martelli, 700 Fenimore Road 2nd Fl., Mamaroneck, NY 10543, for a variance concerning safety requirements, including ceiling height and fixture clearance. Involved is a one family dwelling located at 5 Emerson Avenue, City of New Rochelle, County of Westchester, State of New York.

2024-0220 In the Matter of Spirit Properties, LLC, Dennis Noskin, 100 White Plains Road, Tarrytown, NY 10591, for a variance concerning safety requirements, including non-conforming elevator machine room. Involved is a three-story building located at 55 South Broadway, Village of Tarrytown, County of Westchester, State of New York.

2024-0221 In the Matter of Spearman Architectural Design PC, Trevor Spearman, 245 Sawmill River Road, #106, Hawthorne, NY 10532, for a variance concerning safety requirements, including stairway width. Involved is a one family dwelling located at 37 Maple Street, Village of Irvington, County of Westchester, State of New York.

2024-0223 In the Matter of Prestige Equities, David Slomiuc, 230 Remsen Avenue, Monsey, NY 10952, for a variance concerning safety requirements, including fire apparatus access and building height. Involved is a three-story building located at 9 Emes Lane, Town of Ramapo, County of Rockland, State of New York.

# EXECUTIVE ORDERS

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## **Executive Order No. 28.12: Declaring a Disaster Emergency in the State of New York**

WHEREAS, pursuant to sections 362 and 365 the Public Health Services Act (42 U.S.C §§ 362 and 365, and the implementing regulation at 42 C.F.R. § 71.40, on August 2, 2021 the Director of the United States Center for Disease Control (“CDC”) issued a *Public Health Reassessment and Order Suspending the Right to Introduce Certain Person from Countries Where a Quarantinable Communicable Disease Exists* (the “Title 42 Order”);

WHEREAS, the Title 42 Order prohibited migration into the United States by “covered noncitizens” traveling from Canada or Mexico (regardless of their country of origin) who would otherwise be introduced into a congregate setting in a port of entry or U.S. Border Patrol station at or near the U.S. land and adjacent coastal borders;

WHEREAS, even with the Title 42 Order in place, large numbers of migrants with immediate housing and service needs arrived in the City and State of New York over the first few months of the year: as of May 2023, the City of New York, alone, was providing temporary housing for 36,738 migrants from the southern border, a number that had increased by 12,279 individuals since January 2023; including by an additional 1,578 individuals in just a week.

WHEREAS, since the expiration of the Title 42 Order on May 11, 2023, thousands of additional people have sought shelter in New York, with New York City alone currently being responsible for sheltering about 64,000 migrants;

WHEREAS, federal support is critical to support the City of New York and other local governments within the State that lack the infrastructure, facilities, and resources necessary to meet the immediate humanitarian demand to house and meet other basic needs of the large numbers of migrant arrivals; and

WHEREAS, the arrival of increased numbers of migrants seeking shelter in the City and State of New York is expected to exacerbate an already large-scale humanitarian crisis and create a disaster emergency to which local governments are unable to adequately respond, creating a threat to health and safety, which could result in the loss of life or property; and

NOW, THEREFORE, I, KATHY HOCHUL, Governor of the State of New York, by virtue of the authority vested in me by the Constitution of the State of New York and Section 28 of Article 2-B of the Executive Law, do hereby extend the State Disaster Emergency as declared in Executive Order 28 and its successors, and do hereby continue the terms, conditions, and suspensions contained in Executive Order 28 and its successors, until May 12, 2024.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany this twelfth day of April in the year two thousand twenty-four.

*BY THE GOVERNOR*

*/S/ Kathy Hochul*

*/s/ Karen Persichilli Keogh*

*Secretary to the Governor*





# COURT NOTICES

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## AMENDMENT OF RULE

### Rules of the Chief Judge

Pursuant to article VI, § 28(c) of the New York State Constitution and section 211 of the Judiciary Law, upon consultation with the Administrative Board of the Courts, and with the approval of the Court of Appeals of the State of New York, I hereby add, effective immediately, a new Part 53 of the Rules of the Chief Judge to read as follows:

#### PART 53. LITIGATION COORDINATING PANEL

Section 53.1. Coordination of related actions pending in more than one judicial district.

##### (a) Application.

This section shall apply when related actions are pending in the courts of the Unified Court System in more than one judicial district and it may be appropriate for these actions to be coordinated pursuant to the criteria and procedures set forth in this section. Coordination pursuant to this section shall apply to pretrial proceedings, including dispositive motions.

##### (b) Litigation coordinating panel.

(1) *Composition.* The Chief Administrator of the Courts, in consultation with the Presiding Justice of each Appellate Division, shall create a Litigation Coordinating Panel composed of one justice of the Supreme Court from each judicial department of the State.

(2) *Procedure.* The panel shall determine, *sua sponte* or upon application of a party to an action, a justice before whom such an action is pending, or an administrative judge, whether the related actions should be coordinated before one or more individual justices. The panel shall provide notice and an opportunity to be heard to all parties to the actions sought to be coordinated and shall inform the justices before whom such actions are pending of the initiation of proceedings before the panel.

(3) *Standards for coordination.* In determining whether to issue an administrative order of coordination, the panel shall consider, among other things, the complexity of the actions; whether common questions of fact or law exist, and the importance of such questions to the determination of the issues; the risk that coordination may unreasonably delay the progress, increase the expense, or complicate the processing of any action or otherwise prejudice a party; the risk of duplicative or inconsistent rulings, orders or judgments; the convenience of the parties, witnesses and counsel; whether coordinated discovery would be advantageous; efficient utilization of judicial resources and the facilities and personnel of the court; the manageability of a coordinated litigation; whether issues of insurance, limits on assets and potential bankruptcy can be best addressed in coordinated proceedings; and the pendency of related matters in the Federal courts and in the courts of other states. The panel may exclude particular actions from an otherwise applicable order of coordination when necessary to protect the rights of parties.

##### (4) Determination.

(i) The panel shall issue a written decision on each application. If the panel determines to direct coordination, it shall issue an administrative order identifying the actions that shall be coordinated. The order may address actions subsequently filed or not otherwise then before the panel.

(ii) The order of the panel, following consultation with the Chief Administrative Judge, shall specify the number of Coordinating Jus-

*tics and the county or counties in which the coordinated proceedings shall take place. In making this decision, the panel shall consider, among other things, the venues of origin of the cases to be coordinated; whether the actions arise out of an accident or events in a particular county; judicial caseloads in prospective venues; fairness to parties; the convenience of the parties and witnesses; the convenience of counsel; and whether the purposes of this section can best be advanced by coordination before more than one Coordinating Justice.*

##### (c) Coordinating Justice.

(1) *Designation.* The Administrative Judge charged with supervision of the local jurisdiction within which coordinated proceedings are to take place shall select the Coordinating Justice or Justices, in consultation with the appropriate Deputy Chief Administrative Judge and with the approval of the appropriate Presiding Justice. In deciding whom to designate, the Administrative Judge shall consider, among other things, the existing caseload of each prospective appointee and the overall needs of the court in which that justice serves; the familiarity of that justice with the litigation at issue; the justice's managerial ability; and the previous experience of the justice with the field of law involved and with coordinated litigation. The Administrative Judge may designate a justice from another local jurisdiction as a Coordinating Justice with the approval of the Administrative Judge thereof and the appropriate Presiding Justice.

(2) *Authority.* The Coordinating Justice shall have authority to make any order consistent with this section and its purposes, including to remand to the court of origin any portion of a case not properly subject to coordination under the administrative order of the panel; assign a master caption; create a central case file and docket; establish a service list; periodically issue case management orders after consultation with counsel; appoint and define the roles of steering committees and counsel of parties and liaison counsel, provided that the committees and counsel shall not deprive any party of substantive rights; issue protective orders pursuant to article 31 of the Civil Practice Law and Rules; establish a document depository; direct the parties to prepare coordinated pleadings and deem service upon liaison counsel or steering committee service upon the respective parties; require service of uniform requests for disclosure and establish a uniform method for the conduct of physical and mental examination; rule upon all motions; require the parties to participate in settlement discussions and court-annexed alternative dispute resolution; and try any part of any coordinated case on consent of the parties to that action.

(3) *Coordination with Federal or other states' actions.* If actions related to those pending before a Coordinating Justice are proceeding in Federal courts or in the courts of other states, the Coordinating Justice shall consult with the presiding judge(s) in an effort to advance the purposes of this section. Where appropriate, the Coordinating Justice, while respecting the rights of parties under the Civil Practice Law and Rules, may require that discovery in the cases coordinated pursuant to this section proceed jointly or in coordination with discovery in the Federal or other states' actions.

##### (d) Termination of coordination.

The Coordinating Justice, *sua sponte* or upon motion by any party, may terminate coordination, in whole or in part, if the Justice determines that coordination has been completed or that the purposes of this section can be best advanced by termination of the coordination. Upon termination, the actions shall be remanded to their counties of

*origin for trial unless the parties to an action consent to trial of that action before the Coordinating Justice.*